Material amendment to MUL LIC230013

Briefing document to DAFM – Hans Gerritsen – Marine Institute – 15/08/26 – Version 1

Background

This relates to the request from MARA in relation to a material amendment to MUL LIC230013: LIC230013MA - MARA - Maritime Area Regulatory Authority

The proposed amendment seeks (only) to remove Specific Condition 28 from the MUL: *"28. Fish spawning and nursery grounds (i) The Holder shall not undertake the Permitted Maritime Usage between 1st November and 31st January annually, to ensure least disturbance to known fish spawning along the survey route. Reason: To ensure protection of the marine environment"*

As this condition was based on SFPA's recommendations from the original MUL (SFPA observations attached), DAFM requested that MI examine the recommendations to ensure they are still valid.

DAFM also requested MI to examine the recommendations on fish spawning grounds in the MUL proposed licence area and review the attached consultant's report.

Are there any reports/ surveys that confirm the presence of spawning grounds in the area? Would the 3-week surveys have such an impact on the spawning grounds in the period November to January?

Response

SFPA observations

The MI can confirm that November -January is an important spawning period for a number of stocks of commercial importance. However, we have no sampling data inside Waterford Harbour that can confirm whether the species mentioned in the SFPA observations (sprat, herring, cod, turbot) spawn near the site of the proposed works. MI agrees with MARA that "*the absence of records should not be interpreted as confirmation of absence, particularly given the comments of the SFPA*" considering that "*that local SFPA officers retain significant detailed knowledge of fisheries activity and species distribution within the Waterford estuary.*"

Consultant's report

The report makes a strong case for a low or negligible impact on sprat, cod and turbot spawning. While we have no data on spawning grounds inside the estuary, the available evidence suggests that these species are unlikely to use estuarine areas as significant spawning habitat. However, the MI have identified herring spawning grounds relatively close to the site area (6.2km downstream). While acoustic effects associated with the

proposed drilling activities are unlikely to cause significant disturbance at that distance, some uncertainty remains regarding the extent and transport of suspended sediments generated by the site investigations. The potential for sediment plumes to overlap with spawning habitat, and the consequent effects on herring eggs or early life stages, is difficult to assess based on the information currently available.

MI reports/surveys

MI has no direct sampling evidence confirming spawning activity at, or immediately adjacent to, the proposed site. However, recent industry acoustic surveys have confirmed substantial aggregations of predominantly mature herring within Waterford Estuary during October-December, including in the upper estuary upstream of the power station. These surveys were undertaken to describe the distribution of winter-spawning herring when inshore prior to, or during, the spawning period. While the available data do not demonstrate that spawning occurs at the proposed works location, they indicate that the estuary is used by mature herring during the spawning season.

The SFPA observations did not directly address nursery areas. Young cod are known to occur in the Waterford estuary and MI have some trawl survey data supporting this.

Overall, MI has not identified evidence that would conclusively confirm the presence of spawning grounds at the proposed works location. However, the available information indicates that the wider estuary may support seasonally important aggregations of mature herring and juvenile cod, and some uncertainty therefore remains regarding potential interactions with these life stages.