Maritime Usage Licence and Planning Advisory Directorate

Appropriate Assessment Screening and Determination Report

To:	Dr. Alison McCarthy Senior Marine Advisor	**From:**	Maria O Connell Marine Analyst
Date:	13/10/2026	**Material Amendment Application No:**	LIC230013MA
MUL Applicant Name:		Port of Waterford Company	
MUL Applicant Registered Address:		Third Floor, Marine Point, Belview Port, Slieverue, Waterford, X91W.	
Type of maritime usage activity in accordance with Schedule 7 of the Maritime Area Planning Act 2021:		*3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.*	
Location of proposed maritime usage:		The location of the proposed maritime usage is as per the Licenced Map (LIC230013) - displayed via Figure 1.0 in this report. The licenced area is sited on the River Suir, adjacent to the Port of Waterford.	
Material Amendment application received:		09/09/2026	

1. Background

The Port of Waterford Company (the applicant) has applied to the Maritime Area Regulatory Authority (MARA) for a Material Amendment to Maritime Usage Licence LIC230013 in accordance with Section 125 of the MAP Act.

Licence LIC230013 was granted to the Port of Waterford Company on 30/06/2026 to undertake marine environmental surveys for the purposes of site investigation, falling under Schedule 7(3) of the Maritime Area Planning Act 2021 (the MAP Act). The objective of LIC230013 is to undertake geotechnical investigations to support the design of a proposed 250m Offshore Renewable Energy (ORE) quay extension in the River Suir at the Port of Waterford, Belview, Co. Kilkenny.

The material amendment requested by the applicant is for the removal of Specific Condition 28 of Licence LIC230013 in relation to fish spawning and nursery grounds which states: "(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".

Condition 28 of LIC230013 arose from MARA's analysis of the original application on foot of observations received from the Sea Fisheries Protection Authority in relation to spawning periods of commercially important fish stocks. MARA must now consider if there has been any change in circumstances that would materially change the outcome of the AA screening assessment for LIC230013 dated 02/08/2024 ("the original AA screening assessment"). The original AA screening assessment has been used to inform this AA screening for the proposed amendment.

2. Description of maritime usage and local site characteristics

2.1 Brief description of the permitted maritime usage

The application outlines that the maritime activities granted under LIC230012 will remain the same as those outlined in the original application, that is: geotechnical surveys consisting of 10 boreholes (percussive drilling rig, 200mm diameter, depth 30m, 3weeks) and 10 cores (150-200mm diameter, 2-4m length, 3 weeks), associated sampling and testing (3 weeks). The proposed maritime usage outlined the use of a jack up barge to support drilling rigs. The maritime usage licence LIC230013 was granted by MARA for a period of two years on the 30/06/2026.

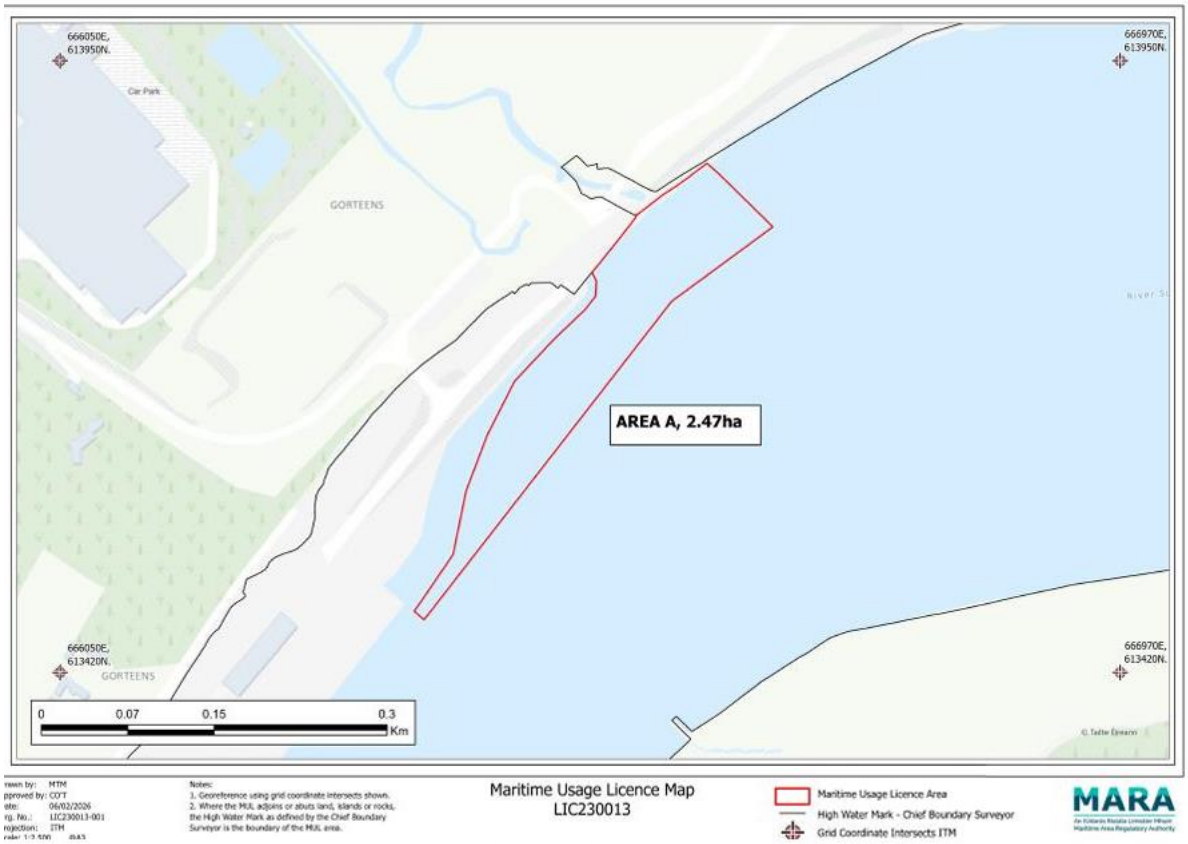

Figure 1.0 Maritime Usage Licenced Area as per LIC230013

2.2 Brief description of the site characteristics

The Maritime Usage Licenced area is 2.47 hectares in size and is located below the high watermark (CBO 2026) in the Suir Estuary as depicted in Figure 1.0. The site is adjacent to the Port of Waterford which is a busy commercial port. The River Luffany discharges into the River Suir Estuary via the Licenced Area and the estuary converges with the River Barrow approximately 1.5km north of the Port to form the Barrow Suir Nore Estuary. This watercourse then flows south into Waterford Harbour and on to the Eastern Celtic Sea a further 20km downstream.

Broadscale seabed habitat mapping indicates the Licenced Area consists primarily of infralittoral coarse sediment and sand consistent with estuarine waterbodies. The site is located within the Lower River Suir SAC, which flows into the River Barrow and River Nore SAC downstream. The hinterland consists of port infrastructure, agricultural land, commercial buildings and transport networks.

3. Identification of relevant European sites

The Material Amendment to LIC230013 (i.e. the proposed removal of Specific Condition 28 which prevents surveys from taking place between 1st November and 31st January annually, to minimise impacts on spawning grounds of commercial fish species) is subject to screening for appropriate assessment in accordance with Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, to determine if it alone, or in-combination with other plans or projects, is likely to have a significant effect on a European site(s), in view of best scientific knowledge and the conservation objectives of the sites. The original AA screening assessment has been used to inform this AA screening for the proposed amendment.

The proposed material amendment to LIC230013 is not directly connected with or necessary to the management of any European site(s). The European sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)) listed on Table 1 have been considered for appropriate assessment, given the nature, scale and Zone of Influence of the maritime usage, the conservation objectives of the European sites and using the Source-Pathway-Receptor model.

Table 1 - Identification of relevant European sites, their qualifying interests and site-specific conservation objectives.

Those Qualifying Interests marked in bold have been screened in for Stage 2 appropriate assessment.

European site & site code	**Distance from proposed MUL area (km)**	**List of Qualifying Interests**	**Connections (Source-pathway-receptor)**	**European Site Screened in**	**Site-specific conservation objectives**
Lower River Suir SAC [IE002137]	Overlap	Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation [3260] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion, Alnion incanae, Salicion albae*) [91E0] *Taxus baccata* woods of the British Isles [91J0] *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029] *Austropotamobius pallipes* (White-clawed Crayfish) [1092]	No significant S-P-R for the requested Material Amendment	No	NPWS (2017) Conservation Objectives: Lower River Suir SAC (002137). Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

		Petromyzon marinus (Sea Lamprey) [1095] *Lampetra planeri* (Brook Lamprey) [1096] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lutra lutra* (Otter) [1355]			
River Barrow and River Nore SAC [IE002162]	1.1	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Reefs [1170] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-*Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410] Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation [3260] European dry heaths [4030] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]	No significant S-P-R for the requested Material Amendment	No	NPWS (2025) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

		Petrifying springs with tufa formation (Cratoneurion) [7220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae, Salicion* albae) [91E0] *Vertigo moulinsiana* (Desmoulin's Whorl Snail) [1016] *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029] *Austropotamobius pallipes* (White-clawed Crayfish) [1092] *Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra planeri* (Brook Lamprey) [1096] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lutra lutra* (Otter) [1355] *Vandenboschia speciosa* (Killarney Fern) [6985]			

Tramore Dunes and Backstrand SAC [IE000671]	11.3	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]	No significant S-P-R for the requested Material Amendment	No	NPWS (2013) Conservation Objectives: Tramore Dunes and Backstrand SAC 000671. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Bannow Bay SAC [IE000697]	13	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410]	No significant S-P-R for the requested Material Amendment	No	NPWS (2012) Conservation Objectives: Bannow Bay SAC 000697. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

		Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*) [1420] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]			
Hook Head SAC [IE000764]	19.5	Large shallow inlets and bays [1160] Reefs [1170] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] *Tursiops truncat*us (Common Bottlenose Dolphin) [1349] *Phocoena phocoena* (Harbour Porpoise) [1351	No significant S-P-R for the requested Material Amendment	No	NPWS (2025) Conservation Objectives: Hook Head SAC 000764. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Saltee Islands SAC [IE000707]	38.2	Mudflats and sandflats not covered by seawater at low tide [1140] Large shallow inlets and bays [1160] Reefs [1170] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Submerged or partially submerged sea caves [8330] *Halichoerus grypus* (Grey Seal) [1364]	No significant S-P-R for the requested Material Amendment	No	NPWS (2011) Conservation Objectives: Saltee Islands SAC 000707 and Saltee Islands SPA 004002. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Ballyteige Burrow SAC [IE000696]	45	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Mediterranean and thermo-Atlantic halophilous scrubs (Sarcocornetea fruticosi) [1420] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Atlantic decalcified fixed dunes (Calluno-Ulicetea) [2150] Humid dune slacks [2190]	No significant S-P-R for the requested Material Amendment	No	NPWS (2026) Conservation Objectives: Ballyteige Burrow SAC 000696. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Helvick Head SAC [IE000665]	58	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]	No significant S-P-R for the requested Material Amendment	No	NPWS (2016) Conservation Objectives: Helvick Head SAC 000665. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
Blackwater River (Cork/Waterford) SAC [IE002170]	90	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410] Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation [3260] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae*) [91E0] *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]	No significant S-P-R for the requested Material Amendment	No	NPWS (2012) Conservation Objectives: Blackwater River (Cork/Waterford) SAC 002170. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

		Austropotamobius pallipes (White-clawed Crayfish) [1092] *Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra planeri* (Brook Lamprey) [1096] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lutra lutra* (Otter) [1355] *Vandenboschia speciosa* (Killarney Fern) [6985]			
Slaney River Valley SAC [IE 000781]	90	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410] Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation [3260] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae*) [91E0]	No significant S-P-R for the requested Material Amendment	No	NPWS (2011) Conservation Objectives: Slaney River Valley SAC 000781.Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

		Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] *Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra planeri* (Brook Lamprey) [1096] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lutra lutra* (Otter) [1355] *Phoca vitulina* (Harbour Seal) [1365]			
Special Protection Areas					
Tramore Back Strand SPA [IE 004027]	11.3	Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] Golden Plover (*Pluvialis apricaria*) [A140] Grey Plover (*Pluvialis squatarola*) [A141] Lapwing (*Vanellus vanellus*) [A142] Dunlin (*Calidris alpina*) [A149] Black-tailed Godwit (*Limosa limosa*) [A156] Bar-tailed Godwit (*Limosa lapponica*) [A157] Curlew (*Numenius arquata*) [A160] Wetland and Waterbirds [A999]	No significant S-P-R for the requested Material Amendment	No	NPWS (2013) Conservation Objectives: Tramore Back Strand SPA 004027. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Bannow Bay SPA [IE004033]	14	Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] Shelduck (*Tadorna tadorna*) [A048] Pintail (*Anas acuta*) [A054] Oystercatcher (*Haematopus ostralegus*) [A130] Golden Plover (*Pluvialis apricaria*) [A140] Grey Plover (*Pluvialis squatarola*) [A141] Lapwing (*Vanellus vanellus*) [A142] Knot (*Calidris canutus*) [A143] Dunlin (*Calidris alpina*) [A149] Black-tailed Godwit (*Limosa limos*a) [A156] Bar-tailed Godwit (*Limosa lapponica*) [A157] Curlew (*Numenius arquata*) [A160] Redshank (*Tringa totanus*) [A162] Wetland and Waterbirds [A999	No significant S-P-R for the requested Material Amendment	No	NPWS (2012) Conservation Objectives: Bannow Bay SPA 004033. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Ballyteige Burrow SPA [IE004020]	25	Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] Shelduck (*Tadorna tadorna*) [A048] Golden Plover (*Pluvialis apricaria*) [A140] Grey Plover (*Pluvialis squatarola*) [A141] Lapwing (*Vanellus vanellus*) [A142] Black-tailed Godwit (*Limosa limosa*) [A156]	No significant S-P-R for the requested Material Amendment	No	NPWS (2014) Conservation Objectives: Ballyteige Burrow SPA 004020. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

		Bar-tailed Godwit (*Limosa lapponica*) [A157] Wetland and Waterbirds [A999]			
Mid-Waterford Coast SPA [IE004030]	16.5	Cormorant (*Phalacrocorax carbo*) [A017] Peregrine (*Falco peregrinus*) [A103] Herring Gull (*Larus argentatus*) [A184] Chough (*Pyrrhocorax pyrrhocorax*) [A346]	No significant S-P-R for the requested Material Amendment	No	NPWS (2024) Conservation Objectives: Mid-Waterford Coast SPA 004193. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

4. Assessment of likely significant effects

Table 2 identification of potential direct and indirect impacts that may have an effect on the conservation objectives of European sites, considering the nature and scale of the proposed maritime usage.

Potential Impacts	**Possible significance of Potential impacts (duration, magnitude, etc.)**
Disturbance from underwater noise	No impact from the proposed material amendment identified
Visual and above water noise disturbance	No impact from the proposed material amendment identified
Physical disturbance and habitat loss	No impact from the proposed material amendment identified

The proposed material amendment, that the licence Condition 28 which restricts the permitted maritime usage occurring between 1st November and 31st January annually should be removed, will not result in any changes to the activities assessed under the original AA screening assessment and will not result in a significant negative impact on any European site. The condition requested to be removed was not a mitigation measure required under the subsequent Appropriate Assessment of the MUL undertaken by MARA.

<u>In-combination effects</u>

The potential impacts of the proposed maritime usage must be considered individually and in combination with other plans or projects. All types of plans or projects that could, in combination with this application, have a significant effect have been considered. This in-combination assessment has been undertaken using professional and scientific judgement and is assessed primarily in terms of potential spatial and temporal impacts. The spatial scope of the in-combination assessment utilised in this assessment is a 3km buffer around the licenced area. This delineation is based the previous assessment criteria and JNCC guidance for underwater noise. The temporal scope of the in-combination assessment is based on the period over which the activities are licenced e.g. a 2-year licence was granted for LIC230023 and thus the temporal scope is 2 years.

A search of relevant databases, including MARA, EPA, An Coimisiún Pleanala and Kilkenny County Council was undertaken on the 22/09/2026. Table 3 below outlines those activities which are considered to have the potential to act in-combination with the proposed maritime usage.

Table 3: List of projects which were considered to have potential in-combination impacts on European sites.

Application Ref.	Project description	Distance (km)	Project Status
MAC2023001	ORE Operations and Maintenance facility, Port of Waterford	0	Granted
MAC260020	Proposal for Waterford City Wastewater Treatment Plant Upgrade Project	1.64	Applied
MAC240021	Installation of new submarine electricity cable	1.68	Granted
LIC230013	Site Investigations Port of Waterford	0	Granted
MUL250022	Marine site investigations -Waterford City Wastewater Treatment Plant (WWTP)	1.13	Granted
LIC230025	Maintenance dredging of accumulated sediments to maintain port navigation.	Overlap	Granted
FS006684	Port of Waterford Maintenance Dredging	Overlap	Granted
FS005098	Construction of River Groynes	0.49	Granted
FS004586	Cable, Barrow Railway Bridge	1.67	Granted
FS004547	Extending, maintaining existing pier	1.75	Granted
FS007053	Installation of a floating pontoon/ gangway.	2.03	Granted
FS005101	Reclamation Project	0.49	Granted
FS005373	Constructing, laying, using and maintaining a septic tank and effluent outfall.	2.13	Granted
FS004995	Embankment at River Suir at Great Island	2.2	Granted
S0012-05	EPA -DAS Permit -dredging	Overlap	Granted
OA10.323575	An Coimisiún Pleanála - Planning application for development of port facilities	Overlap	Applied
HA93.303274	An Coimisiún Pleanála - Planning permission for River Suir Sustainable Transport Bridge.	Overlap	Granted

The following plans, related to the development of the maritime environment were also considered:

- The Climate Action Plan 2025
- Port of Waterford master Plan 2020 -2044
- River Basin Management Plan (RBMP) 2022-2027,
- Kilkenny City & County Development Plan 2021–2027
- Waterford City and County Development Plan 2022–2028

Likely significant in-combination effects between this application and the plans listed above and projects listed on Table 3 on the conservation objectives of the European sites considered in this report can be excluded at this stage as there is no mechanism to effect significant impact from the proposed material amendment.

Were mitigation measures considered during the screening process?

No

5. Screening Determination Statement

The assessment of significant effects:

Having considered the legal framework applicable to appropriate assessment, the information on file, and having regard to:

- The nature and scale of the proposed material amendment;
- The proximity to European sites;
- The lack of identified possible disturbance from underwater noise, visual and above water noise disturbance and physical disturbance and habitat loss as a result of the proposed material amendment;
- The lack of a potential for in-combination effects with other plans and projects;
- The fact that the material amendment will result in no change to the activities proposed as part of the original MUL application and that the condition requested to be removed was not a mitigation measure required under the Appropriate Assessment of the MUL,

it was concluded that the material amendment proposed by the **Port of Waterford Company, Third Floor, Marine Point, Belview Port, Slieverue, Waterford, X91 W0XW** to carry *Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000* as per Schedule 7 (3) of the MAP Act at the maritime area licenced under LIC230013 as displayed via Figure 1.0 in this report will not require Stage 2 appropriate assessment. It can be excluded, on the basis of objective scientific information, that the proposed material amendment, either individually or in combination with other plans or projects, will have a significant effect on a European site.

Signature and Date of Recommending Officer	[redacted] M O Connell Marine Analyst	Date:13/10/2026
Signature and Date of Decision Maker	[redacted] Dr Alison McCarthy Senior Marine Advisor	Date: 16/10/2026