

Application for a Maritime Usage Licence under the Maritime Area Planning Act 2021

Important Information

Before completing this form please read the declaration and consent at the end of the application form

It is important to note that a change in applicant name will require a new application.

This application and supporting documentation should be submitted by email to licence@mara.gov.ie

Please complete the form electronically. Type details in the boxes provided, space will expand as you type.

Maritime Usage Licence:

Part 5 (sections 110 to 133) of the Maritime Area Planning Act 2021 (MAPA) provides for the granting of maritime usage licences.

Section 112 of the Act states that the Maritime Area Regulatory Authority (MARA) is the competent authority for the purposes of Part 5 of the European Communities (Birds and Natural Habitats) regulations 2011 ([S.I. No. 477 of 2011](#)) and appropriate assessments to which that Part applies.

Section 114 of the Act states that the Minister may by regulations provide for class of Schedule 7 usage to be exempted usage for the purposes of this Part.

[Schedule 7](#) of the Act lists the Maritime Usages that may be undertaken in the maritime area pursuant to licence.

[Schedule 8](#) of the Act lists the types of conditions that MARA may attach to a licence.

Privacy Policy:

MARA may require you to provide certain personal data in order to carry out our legislative and administrative functions. MARA will treat all personal data that you provide as confidential and will process your details in accordance with its obligations under data protection legislation, including the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR).

A Privacy Statement explaining how MARA, as the Data Controller, will process the personal data you provide, how that information will be used and what rights you may exercise in relation to your personal data, is available in this link: [Privacy Statement](#).

Freedom of Information (FOI)/ Access to Information on the Environment (AIE)

Applicants should be aware that under the Freedom of Information Act 2014 and the European Communities (Access to Information on the Environment) Regulations 2007 to 2018, information provided by them to MARA may be liable to be disclosed.

Applicants are asked to consider if any of the information supplied by them in their application should not be disclosed and clearly identify the specific sections of their application containing such information, specifying the reasons for its confidentiality/sensitivity. MARA will consult with applicants about this information before making a decision on any Freedom of Information/Access to Information on the Environment request received.

MARA
2nd Floor, Menapia House, Drinagh
Business Park, Drinagh,
Wexford,
Y35RF29

www.maritimeregulator.ie

Part 1: Applicant Information	
1.1 Applicant Details	
Name of Applicant (the name that will appear on the licence)	Aughinish Alumina Ltd (AAL)
Company/Organisation (if applicable)	Aughinish Alumina Ltd Company CRO Registration number 59982. (See Certificate of Incorporation attached in Appendix 1 .)
Address/Company Address	Aughinish Island, Askeaton, Co Limerick
Eircode/Postcode	V94V8F7
Contact Name within Company/Organisation	[REDACTED]
Contact Phone No.	061 604 000
Contact Email Address	[REDACTED]@augh.com
Is the company registered in Ireland for tax purposes?	Yes

1.2 Contact Details (if different from above)	
Full Name	Aughinish Alumina Ltd
Address	Aughinish Island, Askeaton, Co Limerick
Eircode/Postcode	V94V8F7
Contact Name	[REDACTED]
Contact Phone No.	061 604 000
Contact Email Address	[REDACTED]@augh.com

1.3 Agent Representing Applicant (if applicable)	
Person/Agency acting on behalf of Applicant	[REDACTED] Malachy Walsh and Partners (MWP)
Address	Reen Point, Blennerville, Tralee, Co. Kerry
Eircode/Postcode	V92 X2TK
Contact Name (if applicable)	[REDACTED]
Contact Phone No.	066 712 3404
Contact Email address	[REDACTED]@mwp.ie

1.4 Applicant's Legal Advisor (if applicable)

Name/Company Name	William Fry
Address	2 GRAND CANAL SQUARE, DUBLIN 2, IRELAND
Eircode/Postcode	D02 A342
Contact Name (if applicable)	██████████ (Partner)
Contact Phone No.	01-6395000
Contact Email address	██████████@williamfry.com

<u>Part 2: Proposal Details (Attach additional documents as required)</u>	
2.1	In relation to this application, have you previously applied for a declaration as to whether or not a licence was required for this usage? If so, please provide the reference number associated with that application.
No	
2.2	Description of proposed Maritime Usage.
Maintenance dredging at four sites around the Aughinish Alumina Ltd (AAL) jetty, Shannon Estuary, Co. Limerick, and dumping of dredge material at a dump site off Foynes Island.	
2.3	Describe the nature and scale of any structure to be erected in the maritime area.
N/A	
2.4	Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.
(i)	Start date: 2025,
(ii)	21-day cycle for 24 hours a day twice every year for 8 years at the four dredge sites adjacent to the AAL jetty,
(iii)	Every other year as needed, the project will require dumping of some sediment extracted by the Trailing Suction Hopper Dredger (TSHD) at a proposed dump site off Foynes Island

<p>2.5 Do the proposed maritime usages provide for public use, commercial use or private use? Provide details.</p>
<p>The application is for commercial use by AAL. The jetty is owned by AAL and not accessible to the public. (see 1979 Foreshore Lease in Appendix 2)</p>
<p>2.6 Could the proposed works restrict public use/enjoyment of the nearshore e.g. fishing, sailing, surfing, swimming, walking or other activities? Provide details.</p>
<p>The proposed dredging and dumping will not affect any fishing, aquaculture or other recreational uses of the marine area. The timing of the TSHD dumping activities at the site off Foynes Island will be coordinated with the Shannon Foynes Port Company (SFPC) in terms of marine traffic.</p>
<p>2.7 Please outline any engagements that have taken place with marine users or other stakeholders in the proposed area that may be affected by the proposal and attach supporting documentation where relevant.</p>
<p>See consultations undertaken with the relevant authorities below</p>
<p>2.8 Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc.) or State Agencies. e.g. National Parks & Wildlife Service, National Monuments Service of Department of Housing, Local Government and Heritage.</p>
<p>The following consultations have been undertaken in support of this application:</p> <ol style="list-style-type: none"> 1. EPA pre-application meetings held on the 4th of March,2022 and the 28th of September 2023 2. The Marine Institute was contacted for guidance on surveys in February 2022 and on the 3rd of March 2023 3. MARA (7th of September 2023) 4. Shannon Foynes Port Company (8th of April,2022 and the 19th of September 2023)
<p>2.9 Please provide the reference number and title of any existing Foreshore licence you may hold within the footprint, or otherwise in the vicinity of the proposed Maritime Usage area.</p>
<p>Foreshore Lease 1979 attached in Appendix 2.</p>
<p>Foreshore License number FS006578 issued in 2016 attached in Appendix 3.</p>
<p>2.10 Please provide the reference number of any current application for a Foreshore Licence to the Minister for Housing, Local Government and Heritage. Does this application for a foreshore licence relate to or impact any part of the maritime area the subject of this licence application? If so, please provide details of the foreshore licence application.</p>
<p>N/A</p>
<p>2.11 What environmental reports, if any, have you submitted with this application? (Supporting information for screening for Appropriate Assessment/ Natura Impact Statement/ Risk Assessment for Annex IV Species/ Assessment of Impact on the Maritime Usage Report)</p>
<p>Appendix 5. Supporting Information for Screening of Appropriate Assessment Appendix 6. Risk Assessment for Annex IV Species Appendix 7. Natura Impact Statement Appendix 8. Assessment of Impact on the Maritime Usage Report Appendix 9. Marine Mammal Risk Assessment Appendix 10. Benthic Impact Assessment Appendix 11. Dredge Modeling Report Appendix 12. Archaeology Impact Assessment Report</p>

Part 3: Location and Spatial Extent of Proposed Maritime Area
(Attach additional documents as required)

3.1 Total size of the proposed Maritime Area (in m², ha² or km², as appropriate).

1. Dredge Site A (outer berth) = 525m x 120m = 6.3 ha
2. Dredge Site B (cells) = 150m x 250m = 3.75 ha
3. Dredge Site C (inner berth) = 400m x 120m = 4.8 ha
4. Dredge Site D (approach arm) = 150m x 450m = 6.75 ha
5. Dump site off Foynes Island = 8.52 ha

3.2 Please provide the distance of the main body of the proposed maritime area from the shore at its closest point in km.

1. Dredge Site A (outer berth) = 0.9 km
2. Dredge Site B (cells) = 0 km (adjoins land and high-water mark (HWM))
3. Dredge Site C (inner berth) = 0.88 km
4. Dredge Site D (approach arm) = 0.16 km
5. Dump site off Foynes Island = approx. 1km due west of Battery Point on Foynes Island

3.3 Is any of the maritime area in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio).

Yes. AAL have a foreshore lease (1979) for the Jetty structures.
See **Appendix 2** which contains a copy of the original lease.

In addition, please see attached details of the land ownership of AAL – Copy of Land ownership property folio mapping – See **Appendix 4**.

3.4 Any other site details considered relevant:

What follows below is a summary of the monitoring proposed to be undertaken during the licence period:

1. Pre-dredge and post-dredge bathymetric surveys of the dredge/dump sites, and reporting.
2. Chemical and granulometric analysis of sediment samples from the dredge sites typically in years 2, 5 and 8, with associated reporting. (See section 2.7.1 of AIMU Report for sampling point locations).
3. Baseline suspended solids sampling/analysis at the existing two sampling points (one upstream and one downstream of the jetty) prior to activities commencing, once every second day during dredging activities and one week post the dredging. Reports to be provided for all sampling and analysis. (See section 2.7.2 of AIMU Report for sampling point locations.)
4. Marine Mammal monitoring (by a qualified Marine Mammal Observer) within 500m of the dredging/dumping areas to ensure it is clear of marine mammals. The area should be reported as being clear of mammals within 30 minutes of any commencement of dredging/dumping activities or bathymetry surveys using sonar equipment. Report of results must be submitted.
5. Licensed archaeological monitoring should be undertaken of the initial dredging works in areas where the seabed has not been previously dredged or disturbed. The monitoring should be undertaken by a suitably qualified underwater archaeologist experienced in such monitoring of marine dredging works. Should the monitoring results in the first dredge campaign be negative then no further licensed monitoring in these areas is deemed necessary. A dive survey licence must be in place to allow for any potential archaeological inspection dives to take place should cultural material need to be assessed during the course of the works.

Part 5: Fishing/Aquaculture Considerations:	
5.1	Is the proposal located in proximity to any of the following: <ul style="list-style-type: none">• aquaculture operation• designated Shellfish Growing Waters• fish spawning ground• other sensitive fisheries location <p>Please Illustrate on appropriate chart including distance in Km.</p>
	There is one licenced oyster aquaculture site 317m east of the AAL Dredge site B (at its nearest point). This oyster farm has been operational for 35 years and has not been affected by the AAL dredging activities over the last 8 years. A map of the aquaculture sites in the estuary is provided (see map number 22855-MWP-ML-00-DR-C-0010-P01 PP).
5.2	Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.
	No
5.3	Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.
	N/A

Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by the applicant or the applicant's agents on the proposed site, without a valid licence from MARA. The granting of any Maritime Usage Licence will not give rise on the part of the applicant to any expectation whatsoever for, right or entitlement to a grant of any future licence in respect of all or any part of any area of the Maritime Area.

By submitting this application form, the applicant agrees that the details provided (with personal contact details redacted) are to be published on MARA's website and also that the full information provided including contact details are to be processed and retained by MARA and shared with all relevant public authorities in furtherance of consideration for a Maritime Usage Licence under the MAPA.

I give consent to MARA and its agents to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by the applicant or on the applicant's behalf and to the publication of the licence document.

Signed for and on behalf of the applicant:

[Redacted Signature]

Name of Signatory (block letters):

[Redacted Name]

Position Held:

Associate Director MWP

Date: 17th November 2023.

Applicant Checklist	
Document	Included
Application Form (Parts 2 to 5 inclusive)	<input type="checkbox"/> ✓
Supporting Information for Screening for Appropriate Assessment (SISAA) Report (Appendix 5)	<input type="checkbox"/> ✓
Risk Assessment for Annex IV Species Report (Appendix 6)	<input type="checkbox"/> ✓
Natura Impact Statement (NIS), (Appendix 7)	<input type="checkbox"/> ✓
Assessment of Impact of the Maritime Usage (AIMU) Report (Appendix 8)	<input type="checkbox"/> ✓
Licence Mapping	<input type="checkbox"/> ✓
Other (Please list below)	
Cover Letter	✓
Appendix 1: Certificate of Incorporation	✓
Appendix 2: Foreshore Lease 1979	✓
Appendix 3: Foreshore Licence 2016	✓
Appendix 4: Proof of Ownership	✓
Appendix 9: Marine Mammal Risk Assessment Report	✓
Appendix 10: Benthic Impact Assessment	✓
Appendix 11: Dredge Modeling Report	✓
Appendix 12: Archaeological Impact Report	✓