

## 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](mailto: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.

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Drinagh,  
Wexford,  
Y35RF29

[www.maritimeregulator.ie](http://www.maritimeregulator.ie)

Part 1: Applicant Information	
<b>1.1 Applicant Details</b>	
Name of Applicant (the name that will appear on the licence)	[REDACTED]
Company/Organisation (if applicable)	Department of the Environment, Climate and Communications
Address/Company Address	29-31 Adelaide Road, Dublin 2, D02 X285
Eircode/Postcode	D02 X285
Contact Name within Company/Organisation	[REDACTED]
Contact Phone No.	01 678 2000
Contact Email Address	[REDACTED]
Is the company registered in Ireland for tax purposes?	Yes

1.2 Contact Details (if different from above)	
Full Name	
Address	
Eircode/Postcode	
Contact Name	
Contact Phone No.	
Contact Email Address	

1.3 Agent Representing Applicant (if applicable)	
Person/Agency acting on behalf of Applicant	MERC Consultants Ltd.
Address	Loughaunbeg, Inverin Co. Galway
Eircode/Postcode	
Contact Name (if applicable)	[REDACTED]
Contact Phone No.	+353-(0)87-9192212
Contact Email address	info@mercenvironmental.ie

1.4 Applicant's Legal Advisor (if applicable)	
Name/Company Name	Philip Lee LLP
Address	Connaught House, One Burlington Road, Dublin 4, D04 C5Y6
Eircode/Postcode	D04 C5Y6
Contact Name (if applicable)	[REDACTED]
Contact Phone No.	+353 1 237 3700
Contact Email address	[REDACTED]

## Part 2: Proposal Details (Attach additional documents as required)

**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.**

The Department of Environment, Climate and Communications seek to deploy the Marine Institute's R.V. [REDACTED] to undertake a geophysical survey in the South Coast DMAP to inform future offshore renewable energy development.

A surface towed UHRS high resolution geophysical reconnaissance survey is proposed to be undertaken within the above area to provide information in the upper 100 m of sub-surface geology. The final survey area within the above outlined license application area will be specified with consideration of the Q1 2024 published South Coast DMAP. Data acquired will inform the suitability of the area surveyed for potential offshore wind farm and grid infrastructure development. Data are proposed to be acquired with a mainline spacing of 250m, and a crossline spacing of 500m, however final survey design and orientation will be adapted depending on the geological and/or archaeological conditions on site.

A suite of mapping instruments will be used in this geophysical reconnaissance survey.

The primary instrumentation includes hull-mounted multibeam sonar and sub bottom profiler, a surface towed sparker system, a mini-air-gun sound source, and approximately 150m long 48-channel mini streamer hydrophone array, with a positioning tail-buoy at the end. These systems will not directly impact the seabed, the benthic habitat, or marine archaeology.

The surface towed sparker system will be the primary sound source used, with the mini-airgun utilised when inadequate sub-surface penetration is achieved due to local geological conditions.

Ancillary instrumentation may be deployed during weather downtime periods where geophysical operations cannot proceed including a Day Grab or Hammon grab, drop camera, and side scan sonar. These bottom or near bottom deployed instruments will not be deployed within the vicinity of any known or newly identified potential shipwrecks, to avoid any risk to marine archaeology.

All new data acquired and/or potential maritime heritage features of interest identified will be provided to National Monuments Service.

**2.3 Describe the nature and scale of any structure to be erected in the maritime area.**

<p>No structure will be erected as part of this survey work</p>
<p><b>2.4 Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.</b></p>
<p>Survey is proposed to take place during a period between April 2024 at the earliest and September 2024 for a maximum duration of 52 days (vessel schedule pending).</p>

<p><b>2.5 Do the proposed maritime usages provide for public use, commercial use or private use? Provide details.</b></p>
<p>The proposed maritime usages support ORESS 2.1. Data acquired will be publicly available to participants in the ORESS 2.1 energy auction process or any other public users who wish to access the data.</p>
<p><b>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.</b></p>
<p>Minimally. The survey vessel will focus effort in the Eastern half of the proposed license area with the surface towed UHRS primary survey system. This focal area is beyond 7.5 km and from shore. Within that survey area the survey vessel will have somewhat restricted maneuverability due to the surface towed system. If a fishing or sailing vessel moves into the vicinity or path of the survey vessel, contact will be made and a plan for avoidance of that vessel will be coordinated in accordance with maritime regulations.</p> <p>During transit to/from the Eastern half of the survey, and/or in the event of completion of reconnaissance UHRS survey in the Eastern half of the proposed license area, an offshore corridor survey is envisaged to inform cable routing between the Eastern area and the approaches to outer Cork Harbour. Marine Leisure craft may be minimally affected if present in the narrow corridor survey area at the time of survey, and normal maritime regulations will apply.</p> <p>Overall engagement with the fishing community during survey will be managed via the onboard Fisheries Liaison Officer.</p>
<p><b>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.</b></p>
<p>DECC have engaged with the Seafood / ORE Working Group during 2023 &amp; 2024 to keep the stakeholders informed of proposed South Coast DMAP related survey activity, and the intent to reduce the impact to Fishers in the South Coast DMAP relating to multiple proposed surveys in the region, through the transition to a Government Plan Led Regime. This transition will result in a single ORESS 2.1 auction site being defined and surveyed, reducing any potential cumulative impact from the pre-plan led regime approach where multiple spatially distinct areas were proposed for development simultaneously.</p> <p>DECC also have contracted an FLO to aid in the engagement with National and Regional seafood representative organizations as set out in Annex 1 of the Seafood/ORE Working Group Engagement Guidance document.</p>
<p><b>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 &amp; Wildlife Service, National Monuments Service of Department of Housing, Local Government and Heritage.</b></p>

Aside from MARA Pre-Application meetings and Industry briefings, relevant authorities & State Agencies engagement providing a project outline and seeking advice, feedback on timelines, project points of consideration or concerns has been had with;

- National Parks and Wildlife Service
- DHLGHs National Monuments Service (Underwater Archaeology Unit)
- Marine Institute

**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.**

N/A

**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.**

SEAI on behalf of DECC have applied for two foreshore licenses

- FS005726 Sustainable Energy Authority of Ireland (SEAI)
- FS007062 SEAI Site Investigation for Floating Offshore Wind testing at AMETS Site Mayo

These have no relationship or impact on the maritime area that is the subject of this application.

**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)**

Supporting Information for Screening for Appropriate Assessment (SISAA)  
Risk Assessment for Annex IV Species  
Assessment of Impacts of the Maritime Usage Report (AIMU)



**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 m<sup>2</sup>, ha<sup>2</sup> or km<sup>2</sup>, as appropriate).**

4,753.58 sq km

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

The proposed license area is 0.060km from the HWM at the closest point

**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).**

No

**3.4 Any other site details considered relevant:**

The proposed survey area is host to a large amount of known and/or reported shipwrecks. The National Monuments Service online wreck viewer is available at <https://www.archaeology.ie/underwater-archaeology/wreck-viewer>

The non-invasive nature of the proposed primary UHRS surface towed geophysical survey works provide no risks to maritime archaeology. Should any ancillary towed sidescan sonar or stationary groundtruthing equipment be deployed, it will only occur where no previously identified or reported or newly surface mapped potential shipwrecks exist during this early stage reconnaissance survey.

An application for a license to survey is being submitted to the National Monuments Service Underwater Archaeological Unit (UAU).

Relevant data and findings will be reported to National Monuments Service so they can be considered and addressed in full during the detailed site investigation survey planning that follows by auction site awardees, in compliance with National Monuments Service licensing conditions.

## Part 4: Maps and Drawings.

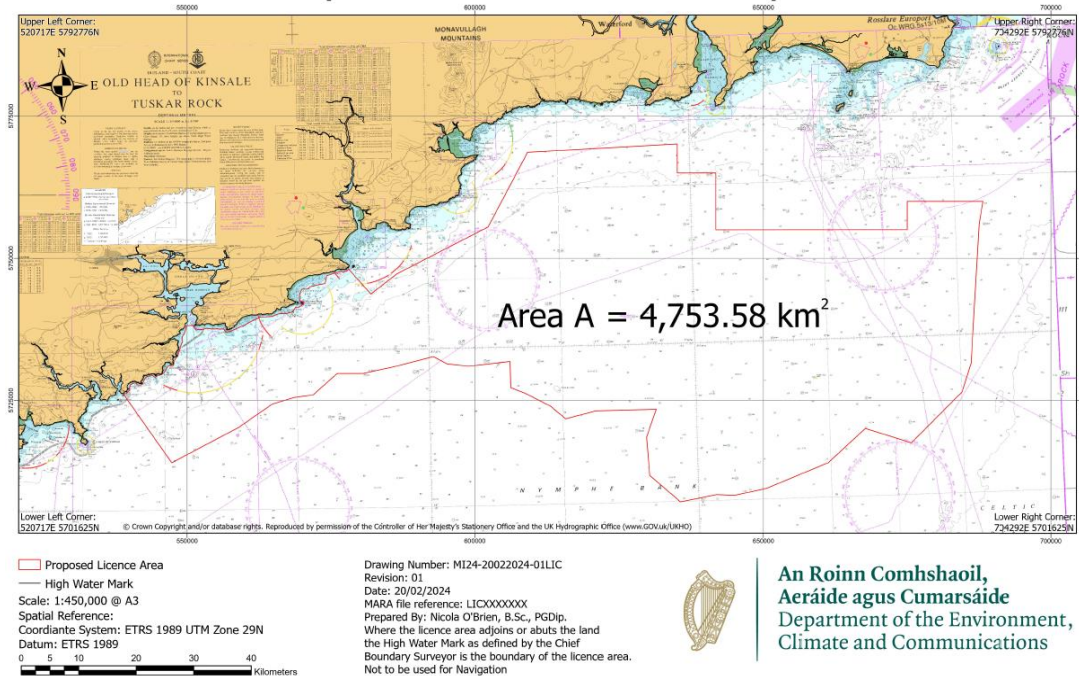
Please refer to [Technical Guidance](#) on map and drawing requirements.

**4.1** Please draft a map, titled “Licence Map”, outlining the proposed Maritime Area in accordance with the Technical Guidance for Maritime Area Licence Applications and submit same with this application.

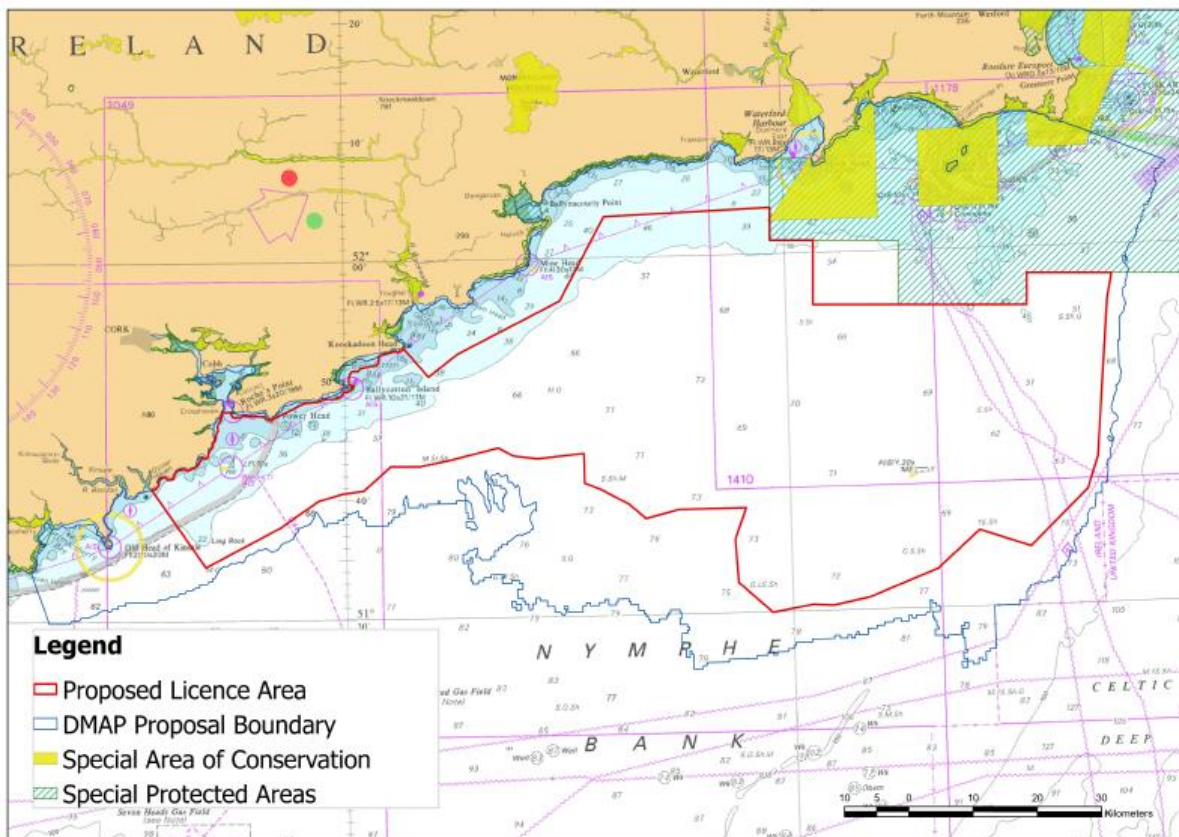
**4.2** Please list any Admiralty Charts, Maps and/or other Drawings submitted with this application.

1. Proposed License Area Map
2. Proposed License Area Map With Ancillary Information, highlighting
  - the proposed survey area (red polygon)
  - the SACs and SPAs in the area for information purposes.
3. Shape files of the proposed license area submitted with this application are overlaid on Admiralty chart no 1123 2049 and 2424

## Proposed Licence Area Map



## PROPOSED LICENSE AREA MAP WITH ANCILLARY INFORMATION



## Part 5: Fishing/Aquaculture Considerations:

### 5.1 Is the proposal located in proximity to any of the following:

- aquaculture operation
- designated Shellfish Growing Waters
- fish spawning ground
- other sensitive fisheries location

**Please Illustrate on appropriate chart including distance in Km.**

The scope of the survey and its timing do not pose any issue with spawning or nursery areas of commercial fish species as has been referenced in the SISAA provided with this application.

While the License Application Area does overlap spatially with known spawning/nursery grounds for *Nephrops norvegicus*, the survey timing does not coincide with designated spawning season. The southern extent of the proposed license area overlaps with known Scallop fishing grounds.

### 5.2 Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.

The fishing industry has expressed some concerns about potential impacts of seismic surveys on *Nephrops norvegicus*. No definitive work exists on the impact of such surveys on invertebrates such as *Nephrops*. Findings across different marine organisms and studies are mixed (Carroll et al. 2017). Crustaceans and *Nephrops* are “displacement sensitive” rather than “pressure sensitive” to acoustics in the range of 40 to 200 Hz, meaning they perceive acoustic events as movements in their environment through sensory organs (hairs/cilia) rather than pressure waves/changes impacting on internal organs (El-Dairi et al., 2024). While long term exposure to high-intensity, low-frequency sound may lead to “threshold shifts” (changes in range) impacts on hearing or sensitivity, short term exposure will at most illicit short term behavioral responses such as a short-term shift in burrow occupancy or foraging range. Carroll et al. (2017) reported on studies showing no evidence of mortality-associated effects on reef invertebrates (four days after exposure), shrimp (2 days post exposure), lobster (weeks or years after exposure). Larval stages have not shown higher sensitivity (Carroll et al., 2017). Behavioral effects are difficult to monitor in situ. Available information suggests that “alarm behavior” in decapods is likely only at close range, with no such response to seismics at distances of 1m or more. Avoidance behaviour has been shown for decapods in association with “ongoing shipping noise”, which is not likely to illicit permanent impact from short-term acoustic surveys. There is evidence that multi-species bioturbation processes (sediment turn over) may be affected through inter and intra-species behavioral changes of clams, *Nephrops* and brittle star, but after exposure to continuous impulsive low-frequency noise.

#### References

Carroll, A.G., Przeslawski, R., Duncan, A., Gunning, M. and Bruce, B., 2017. A critical review of the potential impacts of marine seismic surveys on fish & invertebrates. *Marine Pollution Bulletin*, 114(1), pp.9-24.

Gerritsen, H.D. and Kelly, E. 2019. *Atlas of Commercial Fisheries around Ireland*, third edition. Marine Institute, Ireland. ISBN 978-1-902895-64-2. 72 pp.

El-Dairi, R., Outinen, and Kankaanpää, H. (2024). Anthropogenic underwater noise: A review on physiological and molecular responses of marine biota, *Marine Pollution*

Bulletin, Volume 199, ISSN0025-326X, doi.org/10.1016/j.marpolbul.2023.115978.

**5.3 Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.**

In the absence of clear technical guidelines, none can be suggested. However, the consultation and liaison process with the fishing industry will be important because of its concerns as to potential impacts on Nephrops in its known fishing grounds i.e. in the western sector of the study area.

## 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.

Yes

## Signed for and on behalf of the applicant:

[Redacted Signature]

## Name of Signatory (block letters):

[Redacted Name]

## Position Held:

Assistant Principal

Date: 07/03/2024

Applicant Checklist	
Document	Included
Application Form (Parts 2 to 5 inclusive)	✓ <input type="checkbox"/>
Supporting Information for Screening for Appropriate Assessment (SISAA) Report	✓ <input type="checkbox"/>
Risk Assessment for Annex IV Species Report	✓ <input type="checkbox"/>
Natura Impact Statement (NIS), if initially included	<input type="checkbox"/>
Assessment of Impact of the Maritime Usage (AIMU) Report	✓ <input type="checkbox"/>
Licence Mapping	✓ <input type="checkbox"/>
Other (Please list below)	✓

Othe
Noise Modelling Report commissioned by Marine Institute