

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) | Department of Defence |
| Company/Organisation (if applicable) | |
| Address/Company Address | Defence Forces Headquarters, McKee Barracks, Dublin, D07 A065 |
| Eircode/Postcode | W12 AD93 |
| Contact Name within Company/Organisation | Daryl Cody |
| Contact Phone No. | ██████████ |
| Contact Email Address | daryl.cody@defenceforces.ie |
| 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 | Ayesa (Formerly ByrneLooby) |
| Address | Ayesa, Building 2100, Cork Airport Business Park, Kinsale Road, Cork, Ireland |
| Eircode/Postcode | T12 KV8R |
| Contact Name (if applicable) | Darragh O Brien |
| Contact Phone No. | ██████████ |
| Contact Email address | dobrien@ayesa.com |

| 1.4 Applicant's Legal Advisor (if applicable) | |
|--|--|
| Name/Company Name | |
| Address | |
| Eircode/Postcode | |
| Contact Name (if applicable) | |
| Contact Phone No. | |
| Contact Email address | |

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 proposed maritime usage is for maintenance dredging of the entrance channel (Area A) and the southern part of the Graving Dock (Area B).

The objective of the project is to dredge Area A and B to -5.5 mCD to ensure that the naval fleet can safely navigate.

The dredging works are crucial to allow the naval base to remain operational.

Maintenance dredging of the basin and entrance channel takes place approximately every 5 to 6 years to ensure the safe navigation of the naval fleet in the Haulbowline Naval Base, with the last Maintenance dredging campaign performed in 2017.

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

The proposed works do not involve the construction of any new structures. The application is for a licence for the dredging of sediments (silts and sands) within the Haulbowline Naval base.

2.4 Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.

A licence is sought to run from 1st January 2025 to 31st December 2032 inclusive. Work undertaken during this period will be dictated by weather patterns and the associated sedimentation incurred in the entrance channel , Basin and Graving Dock.

The Project Programme of the works that have commenced to date and key project timeframes are outlined in Table below:

| Event | Timeframe |
|--|-------------------|
| DaS Application Submission | June 2023 |
| DAFM Foreshore Application Submission | June 2023 |
| MARA MAU Pre-Application Meeting | November 2023 |
| DAFM Foreshore Withdrawn/ MAU license Submission | May 2024 |
| DaS Application Amendment Submission | May 2024 |
| Receipt of MAU license (3-6 Months) | Q4 2024 |
| Dredging Campaign 1 Removal of Contaminated material | Q4 2024 / Q1 2025 |
| Receipt of Dumping at Sea License (18-24 months) | Q1/Q2 2025 |
| Dredging Campaign 1 Removal of Non-Contaminated | Q3/Q4 2025 |

| | |
|--|------------|
| material (pending date of DaS receipt) | |
| Dredging Campaign 2 | Q3/Q4 2027 |
| Dredging Campaign 3 | Q3/Q4 2029 |
| Dredging Campaign 4 | Q3/Q4 2032 |
| | |

| |
|--|
| <p>2.5 Do the proposed maritime usages provide for public use, commercial use or private use? Provide details.</p> |
| <p>The Haulbowline Naval Base is strictly private land and is not open to members of the public. Strict private use for the Department of Defence only.</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>No, as the proposed area of works will take place in Haulbowline Naval Base which is strictly private land and not open to members of the public.</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>N/A:</p> <p>There has been no engagement with the other relevant stakeholders as the works will be performed within the basin, which is opened and operated by the Department of Defence, so operations surrounding the site should not be affected.</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> |
| <ul style="list-style-type: none"> • National Parks & Wildlife Service (NPWS) Appropriate Assessment Screening has been undertaken and attached to the application. • National Monuments Service (NMS) Underwater Archaeological Impact Assessment has been undertaken and attached to the application. • Marine Institute The Marine Institute was consulted in relation to the environmental testing of the proposed dredge material within the harbour with correspondence attached to the application. • EPA The EPA was also engaged for pre-application consultation for a DaS licence on 15th of October 2021. Later, EPA was again engaged for a combined (DaS and Waste) pre-application meeting on the 21st of June, 2023. Enclosed with this application is the acknowledgement of receipt of the Dumping at Sea documentation. |
| <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>No existing foreshore leases are held by the applicant.</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.

Pre-application consultation meeting has taken place between the Department of Defence and the Foreshore Department on 16th of December 2021. The FS reference number is FS007482.

This application will now be withdrawn to enable application for this maritime usage licence.

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)

- Screening for Appropriate Assessment
- Annex IV Species
- Assessment of Impact on the Maritime Usage Report
- Marine Mammal Risk Assessment (created for the Si works performed in 2022)
- Haulbowline Dredging UAIA
- Benthic Habitat & Fisheries at Dumpsite Survey
- Sediment Plume Dispersion Assessment

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).

AREA A: 0.46 ha
AREA B: 0.02 ha
TOTAL AREA: 0.48 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.

0 km, adjoining land and high-water mark

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, area B, detailed in the Licence Map, is owned by the Minister for Defence.

The area referred to as the entrance channel is under the ownership of the State.

The Deed of Assurance between the Minister for the Department for Agriculture, Food and Marine (DAFM) and the Minister for Defence is attached.

3.4 Any other site details considered relevant:

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.

| | |
|--------------------------|--------------------------------|
| CM1265-BLA-XX-DR-C-05000 | Site Location Map |
| CM1265-BLA-XX-DR-C-05001 | License Map |
| CM1265-BLA-XX-DR-C-05002 | Admiralty Chart – License Area |
| CM1265-BLA-XX-DR-C-05003 | Admiralty Chart – Dumpsite |
| CM1265-BLA-XX-DR-C-05004 | Site Bathymetry |
| CM1265-BLA-XX-DR-C-05005 | Post Dredging Arrangement |
| CM1265-BLA-XX-DR-C-05006 | Disposal Site Location |

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.

| Natura 2000 Site | Primary Activity | Distance (km) |
|--|------------------------------|---------------|
| Great Island Channel Special Area of Conservation (SAC) (001058) | Aquaculture (oyster farming) | 4.3 |

Refer to Appropriate Assessment Screening Report for more information.

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.

No

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:

S. Zacharia

Name of Signatory (block letters):

SARAH ZACHARIA

Position Held:

ASSISTANT PRINCIPAL

Date:

10 / 05 / 2024

| Applicant Checklist | |
|---|----------|
| Document | Included |
| Application Form (Parts 2 to 5 inclusive) | ✓ |
| Supporting Information for Screening for Appropriate Assessment (SISAA) Report | ✓ |
| Risk Assessment for Annex IV Species Report | ✓ |
| Natura Impact Statement (NIS), if initially included | x |
| Assessment of Impact of the Maritime Usage (AIMU) Report | ✓ |
| Licence Mapping | ✓ |
| Other (Please list below) | |
| Application Cover letter | ✓ |
| Historical Foreshore Licence's | ✓ |
| - 2016 Foreshore Licence | |
| - 2016 Foreshore Licence Map | |
| Historical dredging Documents | ✓ |
| - DaS Permit Decision_2010 | |
| - DaS Permit Decision_2017 | |
| - Hydrosurvey -2017 Post Dredge Survey -D01 | |
| - Hydrosurvey -2017 Post Dredge Survey -D02 | |
| - Marine mamal risk report proposed dredging 2016 | |
| - 2004 Haulbowline monitoring report | |
| Pre-Application Correspondence | ✓ |
| - Mara Corespondance | |
| - Marine Institute | |
| EPA – Application Acknowledgement | ✓ |
| The DEED of Assurance | ✓ |
| Planning Act Regulation Extracts | ✓ |
| Sediment Plume Dispersion Assessment | ✓ |
| Survey of Benthic Habitats at the Port of Cork Licensed Dumpsite off Power Head | ✓ |

Other