

Assessment, Research and Data Unit			
To:	Maritime Authorisation Unit	From:	██████████ Senior Marine Advisor Environment
Permitted Maritime Usage Licence Application:	LIC230014	Date:	9 th October 2024
Applicant:	Shannon Foynes Port Company		
Title:	Response from the applicant on Minded to Determination and Reasons for the Conditions		

The Marine Advisor in the ARD Team, has considered the issues raised in the submission to the Minded to Determine letter submitted by the applicant dated 2nd October 2024. This report sets out the requested amendments to the Condition 26 Reef Habitat Protection in Specific Conditions in Appendix 2 of the proposed licence only and the recommendations from the ARD unit following a technical examination of the submission from the applicant.

Specific Condition 26, as per the Minded to Determine Letter:

Reef Habitat Protection

No borehole activity shall take place in Reef habitat (EU Annex 1 habitat code 1170). All borehole activity shall be undertaken under the direct supervision of a suitably qualified person or persons with appropriate geophysical and/or benthic ecology experience in identifying Reef habitat, who shall be present on the survey vessel/drill rig during borehole activity and who shall be empowered to halt such borehole activity where necessary to protect Reef habitat.

Reason: *To ensure the protection of the Reef habitat which is a Qualifying Interest of the Lower River Shannon Special Area of Conservation.*

Shannon Foynes Port Company minded to submission:

Shannon Foynes Port Company (SFPC) has requested that the wording of the condition above be amended. SFPC stated in their submission that, given the nature of the works on the seabed, mapping the distribution of reef habitat prior to the commencement of borehole activity would allow a more informed determination of suitable borehole locations. This would also be a better use of resources as it would remove the requirement to have at least one reef specialist on board the survey vessel/drilling rig for a period of four months.

On this basis, and on the basis of reef habitat conditions applied to other similar licences for this Permitted Maritime Usage, SFPC proposed the following alternative wording:

Reef Habitat Protection

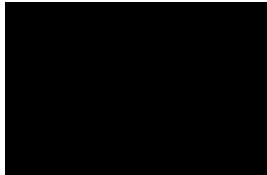
- (i) No borehole activity shall take place in Reef Habitat (EU Annex 1 habitat code 1170).*
- (ii) The Holder shall review the outputs of the geophysical surveys to identify any areas of reef habitat; and no environmental, ecological or metocean survey equipment will be deployed onto identified reef habitat.*

- (iii) *The Holder shall undertake an extensive underwater visual survey (i.e., undertaken by divers, drop-down video (DDV) or remotely operated vehicle (ROV)) within the licence area, prior to undertaking the geotechnical and benthic survey. Reef habitats will be mapped and where present, the geotechnical sampling locations shall be micro sited away from the reef habitat and benthic sampling locations shall be sampled by video survey only.*
- (iv) *All jack-up operations associated with geotechnical surveys shall be positioned to avoid any identified reef features.*

MARA Response to the submission: The MARA recognises the importance of ensuring the conditions of our licences are specific, consistent and have clear intent. The condition proposed by MARA in the Minded to Determine letter is clear in its intention to protect the Reef Habitat. The condition requires that, in order to protect the Reef Habitat, a suitably qualified person be on board the vessel. The applicant noted this would entail an appropriately qualified person remaining on board the vessel for four months. It should be noted that the requirement relates to an appropriately qualified person with geophysical and/or benthic ecology experience. The nature of the proposed Permitted Maritime Usage relates to undertaking boreholes which would be undertaken by appropriately qualified persons with geophysical and/or benthic ecology experience in any case.

Recommendation:

No change to Condition 26 is recommended.



Senior Marine Advisor
Assessment, Research and Data Unit