

Regional Marine Advisor - Engineering Report

Application: Maritime Usage Licence (MUL) application for marine environmental surveys for the purposes of scientific discovery or research.

Applicant: University College Cork.

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MA Environment,
ARD Unit.

Reference Number: MUL230039

26/09/2024

Re: Maritime Usage Licence (MUL) application for marine environmental surveys for the purposes of scientific discovery or research.

Applicant: University College Cork

Site Location: Maritime Area at Courtmacsherry Bay, County Cork

Proposed Permitted Maritime Usage and Appropriate Consent Instrument

The Proposed Permitted Maritime Usage is marine environmental surveys for the purposes of scientific discovery or research. The usage will be completed through the deployment of passive acoustic monitoring devices to identify the presence/absence of acoustically tagged elasmobranchs (sharks, skates and rays) in the Celtic Sea. This maritime usage is being undertaken as part of a larger multidisciplinary research project called the CETUS project. The CETUS project: Cetacean, Elasmobranch, Turtle, and Seabird distribution modelling platform will provide scientific data that can be used to support the sustainable development of offshore renewable energy and is funded by Sustainable Energy Authority of Ireland.

MARA, under the MAP Act, has responsibility for granting MACs and MULs for all maritime usages with the exception of sea fishing and related usages. Under the Foreshore Act the Minister for Agriculture, Food and the Marine (MAFM) retains the function for authorisations in relation to a fishery harbour centre, an activity which is wholly or primarily for the use, development or support of aquaculture, or an activity which is wholly or primarily for the use, development or support of sea-fishing including the processing and sale of sea-fish and manufacture of products derived from sea-fish.

Accordingly, as the proposed marine environmental surveys are to help inform the sustainable development of offshore wind and how it will coexist with OSPAR species within the South Coast DMAP and is not in relation to a retained function of the MAFM, the appropriate instrument for authorisation is the MAP Act. More specifically, item 2 of Schedule 7 of the MAP Act 2021 includes "Marine environmental surveys for the purposes of scientific discovery or research."

The marine environmental surveys, the subject of this application, therefore require a Maritime Usage Licence (Schedule 7.2 Maritime Usage) as applied for by the applicant.

Site Inspection, Existing Use and Activities

As the proposed deployments are in an offshore maritime area, I did not carry out an inspection of the application area. As this proposed maritime usage has no landfall element, and considering the nature of the works and its location, there will no impact on any nearshore intertidal amenity areas.

Site Consent and Application History

The proposed licence area overlaps with the following existing or proposed Maritime Area Consents or Maritime Usage Licences:-

File ref	Holder	Usage	Comment	Further Consideration Required
LIC230006	University College Cork	Marine environmental survey	No possible conflict.	None

The proposed licence area overlaps with the following existing or proposed foreshore consents:-

File ref	Holder	Usage	Comment	Further Consideration Required
FS006444	Hibernia Express (Ireland) Ltd.	Cable.	No possible conflict if due care and consideration given when placing and retrieving anchors. Cable is marked on navigation charts.	Condition

Section 120 Part 7 of the MAPA, which relates to Conditions attached to a MUL, states that “It shall be deemed to be a condition of each licence that the part of the maritime area the subject of the licence is not for the exclusive use of the Schedule 7 usage the subject of the licence except where the licence expressly states that such part is for the exclusive use of such usage.” Accordingly it is assumed that any MUL issued will not be for exclusive use. This non-exclusive element together with the nature of the usage proposed means that any potential MUL issued can coexist with all existing Foreshore Consents and Maritime Usage Licences. Considering the proposed maritime usage is for an environmental survey there is no significant potential for conflicts between existing licenced or proposed maritime usages and foreshore consents.

Licence Map

The recommended map associated with this MUL if issued, is:-

- Drawing Title: Maritime Usage Licence Map MUL230039, Drawing Number: MUL230039-001, dated: 26/09/2024.

The total area occupied by the MUL is 6966.37ha.

Coastal and Seabed Morphology and Sediment Transport Processes

Given the nature of the proposed works, and the limited range of potential disturbance impacts on seabed sedimentation, even in the absence of mitigation measures, the project will have no significant impact on Coastal and Seabed Morphology or Sediment Transport Processes.

Recommendation

I have no objection to the granting of a Maritime Usage Licence under Section 119 of the MAP Act for this application subject to the Mara’s standard licence conditions and the following;

APPENDIX 1, THE LICENSED AREA

That part of the maritime area outlined in red on the Maritime usage licence map.

Drawing Title: Maritime Usage Licence Map MUL230039, Drawing Number: MUL230039-001, dated: 26/09/2024.

Specific Conditions

1. The Holder shall not damage or interfere with any third party’s property, infrastructure or fishing gear while conducting the Permitted Maritime Usage.

Reason: To ensure the orderly undertaking of the proposed maritime usage.



Senior Marine Advisor