

<b>3. Maritime Usage Licence – Determination Case Worker Report</b>	
To	Dr. Karen Creed, Director of Maritime Authorisations
From	Martina Monaghan, Licensing Caseworker
Reviewed by	Jacinta Ponzi, Head of MUL Unit
Date	08/04/2025
<b>Maritime Usage Licence Application:</b>	
Applicant Name	Aughinish Alumina Ltd,
Applicant Address	Aughinish Island, Askeaton, Co. Limerick, V94V8F
Application Received	17/11/2023
MUL Reference Number	LIC230004
Decision sought	Approval sought for issuance of a maritime usage licence to this Applicant.  <input checked="" type="checkbox"/> Following consideration of supplementary material submitted by the applicant in accordance with Section 119(6)(b) of the Maritime Area Planning Act 2021 as amended, <b>or</b>  <input type="checkbox"/> NO supplementary material submitted
<i>Minded to Determine Notice Issued</i>	21/03/2025
Period Specified to Applicant in <i>Minded to Determine Notice</i>	<input checked="" type="checkbox"/> 21 days <input type="checkbox"/> Other:
<b>Supplementary Information (if applicable):</b>	
Supplementary material received from applicant (if applicable)	Date received: 01/04/2025  Aughinish Alumina Ltd (AAL) made the following response in relation to the minded to determine notice for AAL - Ref LIC230004.  <ul style="list-style-type: none"> <li>PARTICULARS SCHEDULE: Can the holder email be changed from [REDACTED]@mwp.ie to [REDACTED]@augh.com and [REDACTED]@augh.com</li> <li>APPENDIX 2 SPECIFIC CONDITIONS. 27. Marine Mammals iv) The Holder shall publish the report and recording and data forms on their website within 60 days of completion of the Permitted Maritime Usage unless otherwise agreed with the Grantor.</li> </ul>

	<p>AAL do not have a public website. However, Marine Mammal Observer (MMO) reports will be made available to the public in AAL’s on site visitor centre within 60 days of completion of the Permitted Maritime Usage. In addition, MMO reports are also publicly available as part of the Dumping at Sea Annual Environmental Report to the Environmental Protection Agency.</p> <ul style="list-style-type: none"> <li>• <b>APPENDIX 2 SPECIFIC CONDITIONS.</b></li> </ul> <p>35. Turbidity and Suspended Solids Monitoring A report on the relationship between turbidity and suspended solids was submitted by AAL to the EPA in 2023 (see attached). The report demonstrates a poor correlation between suspended solids and turbidity. The correlation is not expected to change. Therefore, AAL request the removal of the requirement to establish a relationship between turbidity and suspended solids.</p> <p>As per Appendix 7 of the MUL application “large fluctuations in turbidity naturally prevail as a result of flood and ebb current tidal flow and that these fluctuations span a very broad range of values, due to tidal affects alone, that can be far in excess of those recorded during any dredging campaign”.</p> <p>During the 8 years of dredging (2016-2024), turbidity monitoring has shown that dredging has had no impact on the background levels present in the estuary. Appendix 7, Section 5.1.4.1 Turbidity Monitoring, demonstrates this with the results of the 2023 monitoring in graphical form.</p> <p>Therefore, AAL request that the requirement for turbidity monitoring be removed.</p>
Supplementary material forwarded to ARD	01/04/2025
<p><b>Details of Supplementary Information and Recommendation from Assessment, Research &amp; Data (ARD) Team:</b></p>	
<p><u>Specific condition 27:</u> Marine Mammals</p> <p><u>Reason:</u> To ensure the protection of the marine environment</p>	<p><b><u>Applicant comment:</u></b> The applicant has requested that instead of publishing marine mammal records and reports on their website that they can instead make the reports available to the public in their onsite visitor centre, within the 60-day period. The applicant has also noted that marine mammal reports are publicly available to view on the Environmental Protection Agency’s (EPA) website as part of the Dumping at Sea permit Annual Environmental Report.</p> <p><b><u>ARD Response:</u></b> The EPA Dumping at Sea permitting system is outside of the scope of this application and thus cannot be considered as an</p>

	<p>alternative to MARA’s licensing requirements. Part (iv) of the condition provides scope for the licence holder to agree an alternative arrangement to the publication of marine mammal reports online with MARA’s Compliance and Enforcement Team and thus I do not recommend amending this part of the condition.</p> <p>I recommended amending parts (i) and (ii) of the condition to refer to the most up to date national guidance in place of National Parks and Wildlife Service (NPWS) guidance. Should the NPWS guidance be replaced by any updated national guidance, the applicant will have to refer to that guidance when undertaking marine mammal monitoring, risk control and mitigation measures.</p> <p><b>Recommendation:</b> Change the wording of parts (i) and (ii) of the condition to:</p> <ul style="list-style-type: none"> <li>i) The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Maritime Usage. The Holder shall ensure the marine mammal observer(s) shall satisfy the requirements of the most up to date national guidance. During the activity the Holder shall comply with the directions of the marine mammal observer(s).</li> <li>ii) The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance.</li> </ul>
<p><u>Specific Condition 35:</u> Turbidity and Suspended Solids Monitoring</p> <p><u>Reason:</u> To ensure the protection of the marine environment</p>	<p><b>Applicant comment:</b> The applicant has requested that the requirement for turbidity and suspended solids monitoring be removed from the licence. The applicant notes that turbidity monitoring was carried out during previous dredging campaigns between 2016–2024 and that the results show there is no impact from dredging on background levels in the estuary. The applicant notes that the results of the monitoring were submitted as part of the application in graphical form.</p> <p>The applicant has requested the removal of the requirement to establish the relationship between turbidity and suspended solids from the condition. In their response, the applicant included a test report from 2023 in which the relationship between turbidity and suspended solids was established from a sediment sample collected from the estuary.</p> <p><b>ARD Response:</b> In support of the licence application, the applicant submitted a Dredge Modelling Report which simulated the dispersion of sediment in the estuary as a result of the dredging activities. The model also predicted the level of sediment deposition in the wider estuarine area as a result of the deposit of dredged material. The modelling found that any increases in suspended sediment are predicted to be temporary and localised to the immediate area of the dredging vessels and that sediment</p>

	<p>deposition from the deposit of sediments will be similar to natural background levels. As part of the ARD’s Maritime Usage Licence Assessment Report, dated 18<sup>th</sup> March 2025, the Senior Marine Advisor recommended that pre- and post-dredge monitoring of turbidity and suspended solids should be carried out in order to demonstrate the accuracy of the modelling. It is not recommended to remove the requirement to monitor turbidity and suspended solids from the licence until such time as this has been carried out and assessed.</p> <p>It is not recommended to remove the requirement to establish the relationship between suspended solids and turbidity from the condition. The test report from 2023 did not form part of the licence application to MARA and although a relationship had been established in that report, it was based on one sediment sample and the applicant notes that the correlation was poor. Condition 36 of the Proposed Licence allows the holder to amend the ‘<i>parameters, analysis method or frequency of the monitoring</i>’ with MARA following evaluation of test results. Thus there is scope to agree an amended monitoring condition in the future following sufficient demonstration of the validity of the modelling and the correlation between suspended solids and turbidity.</p> <p><b>Recommendation:</b> No change to condition 35</p>
<p><b>Change(s) made by Case Worker following supplementary information (in addition to ARD recommendation):</b></p>	
<p>Particulars Schedule</p>	<p><b>Applicant comment:</b> Can the holder email be changed from [redacted]@mwp.ie to [redacted]@augh.com and [redacted]@augh.com</p> <p><b>Caseworker action:</b> Email addresses amended as requested</p>

<p><b>Determination of Licence Application:</b></p>	
<p>Caseworker Recommendation</p>	<p><input checked="" type="checkbox"/> GRANT <input type="checkbox"/> PART GRANT <input type="checkbox"/> REFUSE</p>

**Signed by (Caseworker)** [redacted]

**Date** 08/04/2025



<b>Annex 1 – List of Accompanying Documents:</b>		
<b>Tab 1a &amp; 1b</b>	Supplementary Information	<input checked="" type="checkbox"/>
<b>Tab 2</b>	ARD Recommendation	<input checked="" type="checkbox"/>
<b>Tab 3</b>	FINAL Licence	<input checked="" type="checkbox"/>