



Assessment, Research and Data Unit			
To:	Maritime Authorisation Unit	From:	Dr. Alison McCarthy Senior Marine Advisor
Permitted Maritime Usage Licence Application:	LIC230004		
Applicant:	Aughinish Alumina Ltd.		
Date	07 th April 2025		
Title:	Response to Supplementary Material submitted by the applicant on Minded to Determination and Reasons for the Conditions		

Written by:	Dr Alison McCarthy	Senior Marine Advisor, ARD	02/04/2025
Reviewed by:	Dr Ciar O'Toole	Senior Marine Advisor, ARD	04/04/2025
Approved by:	John Evans	Director, ARD	07/04/2025
Issued by:	Dr Alison McCarthy	Senior Marine Advisor, ARD	07/04/2025

Introduction:

I have considered the issues raised by the applicant on 01st April 2025 in their submission on the Minded to Determination Notice issued by MARA on 21st March 2025. This report sets out the amendments requested by the applicant in relation to Specific Conditions 27 and 35 in Appendix 2 of the Proposed Licence only and the recommendations from the Assessment, Research and Data (ARD) Unit following a technical examination of the submission.

Specific Condition 27:**Marine Mammals**

- 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 National Parks and Wildlife Service guidance. During the activity the Holder shall comply with the directions of the marine mammal observer(s).
- ii) The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with National Parks and Wildlife guidance.
- iii) The Holder shall, within 30 days of completion of the Permitted Maritime Usage, forward a report of the marine mammal observer(s) operations and mitigation undertaken, to offshore@npws.gov.ie and compliance@mara.gov.ie.
- 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.

Reason: To ensure the protection of the marine environment.

Applicant's response:

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.

MARA Response:

The EPA Dumping at Sea permitting system is outside of the scope of this application and thus cannot be considered as an 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.

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.

Recommendation:

Change the wording of parts (i) and (ii) of the condition to:

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| 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). |
| ii) | The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance. |

Specific Condition 35:

Turbidity and Suspended Solids Monitoring

- i) The Holder shall undertake monitoring of turbidity and suspended solids during the course of each dredging campaign, and for seven days before and after the dredging campaigns. The monitoring shall be undertaken in accordance with the “*Dredge Modelling Report*” submitted with the licence application.
- ii) The Holder shall undertake the monitoring of turbidity and suspended solids as follows:

Parameter	Analysis Method	Frequency
Turbidity	Alarmed turbidity sensor deployed on a moored buoy.	Continuous for the duration of each dredge campaign and at a minimum one week before and one week after the completion each dredge campaign.
Suspended Solids	Standard method*	A sufficient number of samples shall be taken during each campaign to establish the relationship between turbidity and suspended solids.

*A National, European or internationally recognized procedure e.g. I.S. EN, ISO, CEN, BS or equivalent.

- iii) The Holder shall undertake monitoring of turbidity and suspended solids at the following locations:

Sample site	Longitude (W)*	Latitude (N)*
Downstream	-9.0067	52.646316
Upstream	-9.0448	52.641066

*Coordinates in WGS84

- iv) Where the suspended solids exceed the predicted values in the “*Dredge Modelling Report*”, the Holder shall put in place measures to avoid recurrence of the exceedance, where the exceedance is a consequence of the Permitted Maritime Usage.
- v) The Holder shall retain a record of all data generated from the monitoring and have it available for inspection by the Grantor.

Reason: To ensure the protection of the marine environment.

Applicant's response:

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.

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.

MARA Response:

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 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 18th 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.

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 '*parameters, analysis method or frequency of the monitoring*' 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.

Recommendation:

No change to condition 35


Dr Alison McCarthy

Senior Marine Advisor

Assessment, Research and Data Unit

07/04/2025