



Licence Ref: MUL240036

(Please quote in all related correspondence)

17 June 2025

Maritime Area Regulatory Authority
2nd Floor
Menapia House
Drinagh Business Park
Drinagh
Wexford
Y35RF29

Via: licence@mara.gov.ie

Referral under Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011

Re: Maritime usage licence application for marine site investigation works to inform the engineering design and environmental assessments for two offshore substations in the Tonn Nua Area A (as identified in the South Coast Designated Maritime Area Plan), potential offshore transmission cable corridors, approaches to seven potential landfall zones, and seven landfall zones on the South Coast of Ireland, Counties Cork, Waterford and Wexford.

A chara

I refer to correspondence on 20 May 2025 received in connection with the above.

Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings.

Nature Conservation

The National Parks and Wildlife Service of the Department of Housing, Local Government and Heritage has reviewed the Natura Impact Statement and associated documents submitted as part of the Maritime Usage Licence Application MUL240036 for proposed site investigation works to inform the development of offshore electricity grid infrastructure under



the Powering Up Offshore South Coast project. The Department recommends that the following conditions be attached to any licence granted:

1. All mitigation measures outlined in Chapter 6 of the Natura Impact Statement must be implemented in full, including those relating to underwater noise, habitat protection, and avian disturbance.
2. All survey personnel must be appropriately trained in ecological mitigation protocols.
3. High-disturbance activities (e.g. seismic surveys, intertidal sampling) must avoid sensitive periods for:
 - Overwintering waterbirds (October–March)
 - Breeding seabirds (April–July)
4. Marine Mammal Observers and Passive Acoustic Monitoring must be deployed during all relevant operations, in line with NPWS 2014 Guidance.
5. Soft-start procedures and a 500 metres exclusion zone must be applied for high-intensity acoustic surveys.

Post-survey reports must be submitted to the National Parks and Wildlife Service of the Department of Housing, Local Government and Heritage (offshore@npws.gov.ie) within 3 months of completion, detailing survey activities, mitigation compliance, and any ecological observations.

Underwater Archaeology

The submission documents, including the Cultural Heritage (including Underwater Archaeology) section of the Assessments of Impact on the Maritime Usage (RPS, January 2025) have been reviewed by the National Monuments Service who are charged, on behalf of the Minister for Housing, Local Government and Heritage, with responsibility for the protection and preservation of archaeological heritage, including underwater cultural heritage, in Ireland and its territorial waters.

Section 13 Cultural Heritage (including Underwater Archaeology) of the Assessments of Impact on the Maritime Usage (RPS, January 2025) contains an overview of the previously recorded and potential underwater cultural heritage assets of the Application Area, including submerged landscape(s), maritime archaeology and intertidal archaeology. The Department



note that the report contains reference to records of wrecks protected under Section 3 of the 1987 National Monuments (Amendment) Act within the Application Area.

The Wreck Inventory of Ireland Database is the official register of historic shipwrecks protected under the National Monuments Acts. All wrecks over 100 years old are protected under the 1987 and 1994 (Amendment) Acts of the National Monuments Acts. Over 18,000 wrecks have been recorded to date, ranging from small fishing boats, dugout canoes and coastal traders to steamships and ocean going ships. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700AD. As such, it is important to stress that previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the Application Area under consideration here.

National policy, as set out in *Frameworks and Principles for the Protection of the Archaeological Heritage* states 'there should always be a presumption in favour of avoiding developmental impacts on the archaeological heritage' and, given the archaeological sensitivity of the application area, this core principle should be proactively enshrined within the project's design process. In this respect, the National Monuments Service of the Department of Housing, Local Government and Heritage broadly concurs with the following mitigation recommendation in Section 13.2 of Cultural Heritage (including Underwater Archaeology) of the Assessments of Impact on the Maritime Usage (RPS, January 2025): Principal of Avoidance, facilitated by the implementation of Archaeological Exclusion Zones (AEZs), which will prohibit intrusive Site Investigation (SI) works within the AEZs of known/recorded cultural heritage assets. The extent of these will vary depending upon the location and size of the archaeological record relative to the location of the SI works and will be agreed in consultation with the National Monuments Service of the Department of Housing, Local Government and Heritage.

In light of the above the Department recommend that the following conditions are attached to the Maritime Usage Licence, should it be granted:

1. Mitigations in Assessments of Impact on the Maritime Usage

All recommendations and mitigation measures in relation to cultural heritage (including underwater archaeology) as set out in Section 13 Cultural Heritage (including Underwater Archaeology) of the Assessments of Impact on the Maritime Usage (RPS, January 2025) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order. Compliance with this condition shall require a formal statement, in writing from the National Monuments Service the Department of Housing, Local Government



and Heritage to the Marine Area Regulatory Authority, that all mitigation measures have been implemented and approved.

2. Project Archaeologist

A suitably qualified and experienced marine archaeologist, with a track record in the interpretation of marine geophysical data for archaeological purposes, shall be appointed to advise on all archaeological aspects of the project. Compliance with this condition shall require a formal statement, in writing from the National Monuments Service of the Department of Housing, Local Government and Heritage to the Marine Area Regulatory Authority, that this condition has been implemented and approved.

3. Geophysical Surveys

Geophysical surveys shall be licensed under the National Monuments Acts 1930-2014. A Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) shall be required. Licence applications, accompanied by Method Statements, shall be sent for approval to the National Monuments Service of the Department of Housing, Local Government and Heritage. Any dive surveys required in connection with proposed geophysical surveys or other works shall also be licensed (Section 3 1987 National Monuments Act). Any dive survey shall be accompanied by a handheld metal detection survey which shall also be licensed (Section 2 1987 National Monuments Act).

To ensure impacts on recorded and potential underwater cultural heritage are avoided, geophysical surveys shall be carried out in advance of all geotechnical works. Geophysical survey of all areas where geotechnical works are proposed is required. At a minimum, geophysical surveys shall include side scan, sonar, magnetometer and multibeam echo sounder. The project archaeologist shall advise on targeting of surveys for identification of wrecks, archaeological objects underwater, recorded monuments, submerged palaeolandscapes and other underwater archaeological features and areas of potential. Compliance with this condition shall require a formal statement, in writing from the National Monuments Service of the Department of Housing, Local Government and Heritage to the Marine Area Regulatory Authority, that this condition has been implemented and approved.

4. Protocol For Archaeological Discoveries

A Protocol For Archaeological Discoveries shall be agreed at least four weeks in advance of the commencement of geotechnical works with the National Monuments Service of the



Department of Housing, Local Government and Heritage. Compliance with this condition shall require a formal statement, in writing from the National Monuments Service of the Department of Housing, Local Government and Heritage to the Marine Area Regulatory Authority, that this condition has been implemented and approved.

5. Underwater Archaeological Impact Assessment (Geotechnical Works)

An Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded to the National Monuments Service of the Department of Housing, Local Government and Heritage for review and approval at least four weeks prior to the geotechnical works taking place. The UAIA shall augment the previous screening/desk study assessment and shall include the following:

- a.** Results of assessment by project archaeologist of all geophysical survey data sets, including those available from previous geophysical and geotechnical investigative work for the proposed application area, demonstrating that proposed works do not negatively impact on wrecks, archaeological objects underwater, recorded monuments, submerged palaeolandscapes and other underwater archaeological features and areas of archaeological potential within the Maritime Usage Licence Area. The archaeologist assessing the datasets shall be suitably experienced, with a track record in dealing with, and the interpretation of, marine geophysical data for archaeological purposes, including ensuring it is of sufficient specification for the identification of underwater cultural heritage.
- b.** Results of a detailed visual walk-over/drone survey, accompanied by a licensed metal detection survey, of all areas proposed for SI works in the foreshore/intertidal area. A Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) will be required for foreshore/intertidal survey.
- c.** A final Archaeological Impact Statement that addresses all identified and potential impacts and effects on wrecks, archaeological objects underwater, recorded monuments, submerged palaeolandscapes and other underwater archaeological features and areas of potential within the Maritime Usage Licence Area. The Archaeological Impact Statement shall include recommended mitigation measures to avoid or mitigate all impacts and effects on recorded and potential underwater cultural heritage. Avoidance of impacts ('preservation in situ') shall be primarily secured through the implementation of AEZs around all wrecks, archaeological objects underwater, recorded monuments, palaeolandscapes and other underwater



archaeological features and areas of potential within the Maritime Usage Licence Area. AEZs shall also include potential secondary or indirect impacts, such as access roads or construction works to facilitate access to the waterways, for example. If wrecks, archaeological objects underwater, recorded monuments, submerged palaeolandscapes and other underwater archaeological features and areas of potential within the Maritime Usage Licence Area cannot be avoided (preserved *in situ*), then an archaeological mitigation strategy shall be proposed for approval by the National Monuments Service of the Department of Housing, Local Government and Heritage. The mitigation strategy may include preservation by record, archaeological testing, archaeological monitoring, archaeological dive surveys, geophysical survey and metal detection. Where submerged palaeolandscapes are identified, the archaeological mitigation strategy shall include for geoarchaeological investigations, coring, geophysical surveys and scientific analysis. The Developer shall be prepared to be advised by the National Monuments Service of the Department of Housing, Local Government and Heritage in this regard or in regard to any subsequent recommendations that may issue. No geotechnical works shall be undertaken until approval in writing from the National Monuments Service of the Department of Housing, Local Government and Heritage has been received by the Developer. Compliance with this condition shall require a formal statement, in writing from the National Monuments Service of the Department of Housing, Local Government and Heritage to the Marine Area Regulatory Authority, that the UAIA has been approved.

6. Archaeological Assessment Geotechnical Works

Following the completion of all geotechnical works, the licensee shall furnish the project archaeologist with the results of all such works and shall provide them with access to core logs and physical samples for archaeological review. Where potential submerged palaeolandscape deposits are identified, they shall be, where suitable samples are available, subject to geoarchaeological analysis and scientific dating in agreement with the National Monuments Service of the Department of Housing, Local Government and Heritage and subject to approval of Licenses to Alter and Export from the National Museum of Ireland. Following the completion of all geotechnical and archaeological works and any necessary post-excavation specialist analysis, the National Monuments Service of the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of the works. All resulting and associated archaeological costs shall be borne by the developer. Compliance with this condition shall require a formal statement, in writing from the National Monuments Service of the Department of Housing, Local



Government and Heritage to the Marine Area Regulatory Authority, that the report has been approved.

Should you require any further information or clarification on any of the above underwater archaeological submission. please do not hesitate to contact this Department.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) fem.dau@npws.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

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Development Applications Unit
Administration