



Licence Ref: MUL230034

(Please quote in all related correspondence)

29 October 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 survey mobilisations at the proposed Licence Area to inform the location and detailed design of the proposed CWP OWF, export cable route, potential operations and maintenance base, potential land reclamation area at the potential onshore substation location, and additional buffer zones from Dublin to Wicklow.

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I refer to correspondence on 6 October 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 is satisfied that the predicted pressures from the proposed non-intrusive and small-scale intrusive survey activities are temporary, spatially limited, and reversible, provided that strict mitigation and environmental management measures are implemented. It is recommended that the following conditions be attached as a condition of consent:



1. Full implementation of processes outlined in “Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters” as appropriate to the activities.
2. Use of soft-start procedures for all acoustic sources.
3. Deployment of Marine Mammal Observers as appropriate.
4. Compliance with MARPOL and the National Parks and Wildlife Service’s pollution control measures.
5. No discharge of pollutants or waste at sea; all waste to be returned to port.

Underwater Archaeology

The National Monuments Service of the Department of Housing, Local Government and Heritage have reviewed the Maritime Usage Licence (MUL) application documents, including Further Information submissions. The National Monuments Service’s statutory regulatory role, on behalf of the Minister for Housing, Local Government and Heritage, is the protection and preservation of archaeological heritage, including underwater cultural heritage (UCH), in Ireland and its territorial waters. The National Monuments Service advises, through the planning process, on how best to achieve this.

The MUL application concerns site investigation activities for the Codling Wind Park, its c.477 km² array area, export cable corridor Wicklow Harbour (potential O&M base), and onshore substation site at Poolbeg Peninsula. Proposed activities encompass:

- Metocean and Floating LiDAR surveys
- Geophysical and UXO surveys
- Geotechnical sampling (boreholes, CPTs, vibrocores)
- Fish, shellfish, benthic and intertidal surveys
- Passive acoustic monitoring for marine mammals

It is noted that the MUL application includes an *Assessment of Impacts of the Maritime Usage Report*, Section 6.10 of which addresses Cultural Heritage (including underwater cultural heritage and concludes that “there are a number of sites which have been identified within the Licence Area through previous survey activities as having the potential to be of archaeological importance. These identified sites will be considered and avoided through



employment of Archaeological Exclusion Zones during intrusive survey activities being conducted as part of this MUL. The geophysical survey in conjunction with previously collected survey data will identify the location of any additional wrecks or other potential cultural heritage features in the Licence Area which were not previously surveyed, which will be identified, recorded and avoided by the intrusive survey activities. Thus, with regard to potential impacts 1 and 2, with the implementation of the specified mitigation measures (Section 7), the potential for disturbance on underwater or intertidal archaeology is considered to be negligible’.

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 1700 AD. As such, previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the marine area under consideration here.

Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological objects underwater, irrespective of age. Wrecks that are less than 100 years old and archaeological objects or the potential location of such a wreck or archaeological object, can also be protected under Section 3 of the 1987 (Amendment) Act.

The Record of Monuments and Places established under section 12 (Recorded Monuments) of the National Monuments (Amendment) Act 1994 also contains entries for archaeological monuments that are afforded statutory protections within the terrestrial environs of the proposed Licence Area.

The *Frameworks and Principles for the Protection of the Archaeological Heritage* (Department of Arts, Heritage and the Gaeltacht and the Islands 1999, see section 3.6.1(3) and 3.6.4) sets out national policy on the protection of the archaeological heritage in the course of development. It includes emphasis on the non-renewable nature of the archaeological heritage, the need to always consider its preservation in-situ as the first option, and the need to carry out appropriate levels and forms of archaeological assessment in advance of development.



The draft *National Planning Framework* states that ‘the protection of archaeological heritage is recognised as a core component to achieving sustainable development’¹ and the *National Marine Planning Framework*² includes the statement that:

‘Proposals should consider the potential impact of their application on heritage assets from the earliest stages of project development, taking into account the potential risk of damage to, or degradation of, assets. Expert advice will be required at all stages to inform the development of the proposals. Such proposals may include plans to avoid locations where heritage assets may be located, or to minimise compromise or harm through the use of less invasive construction techniques. Proposals should consider evidence for the level of significance of a heritage asset, including information and advice from relevant regulators and advisors, and on how they are managed. This applies to both identified heritage assets and the potential for such assets to be discovered during development or activity.’ (National Marine Planning Framework, 89).

In light of the above observations, the following recommendations of the National Monuments Service are provided to assist the Maritime Area Regulatory Authority (MARA) (and the project proponents) to ensure the proposed marine surveys will align with statutory obligations and policy objectives for the protection of the State’s UCH.

The Department recommend the following conditions are attached to the Maritime Usage Licence under the Maritime Area Planning Act 2021, should the MUL be granted:

1. Project Archaeologist

A suitably qualified and experienced underwater archaeologist shall be appointed to advise on all archaeological aspects of the project. The archaeologist shall have a track record in the interpretation of marine geophysical data for archaeological purposes.

2. Geophysical Surveys

- a.** The 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) will be required. Licence applications, accompanied by Method Statements, shall be sent for vetting to the National Monuments Service of the Department of Housing, Local Government and

¹ <https://www.npf.ie/wp-content/uploads/Draft-First-Revision-to-the-National-Planning-Framework-July-2024.pdf>

² <https://assets.gov.ie/139100/f0984c45-5d63-4378-ab65-d7e8c3c34016.pdf>



Heritage. Please note that approvals take three-four weeks to issue. Geophysical survey of all areas where geotechnical works are proposed is required.

- b. 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, palaeolandscapes and other underwater archaeological features and areas of potential within the Maritime Usage Licence Area.
- c. Should any dive surveys be required in connection with proposed geophysical surveys these shall be licensed (Section 3 1987 National Monuments Act). Any dive survey shall be accompanied by a handheld metal detection survey which shall also be licenced (Section 2 1987 National Monuments Act).
- d. The geophysical surveys shall be carried out in advance of all geotechnical works, and in advance of the deployment of metocean monitoring equipment, to ensure all potential impacts to the underwater cultural heritage are avoided.

3. Underwater Archaeological Impact Assessment (Geotechnical Works)

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

- a. Results of geophysical survey data sets assessment and archaeological interpretation by a suitably qualified and experienced maritime archaeologist, to ensure that any proposed geotechnical works do not negatively impact on locations where there is known or potential underwater cultural heritage.
- b. Results of archaeological intertidal assessment by way of walkover and drone survey and 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. Once all geophysical and intertidal surveys and archaeological interpretations have been completed, the full information shall be compiled into a final UAIA report and submitted to the National Monuments Service for review and approval, prior to undertaking any



geotechnical works. The UAIA Report shall contain a detailed Archaeological Impact Statement that addresses all identified or potential impacts on underwater cultural heritage and also makes recommendations on measures to avoid (through the institution of Archaeological Exclusion Zones) or, where necessary, mitigate (by archaeological dive surveys/archaeological test excavations/archaeological geophysical surveys/archaeological monitoring/preservation by record or any other means as recommended by the National Monuments Service) all potential/identified significant effects on underwater cultural heritage. The Developer shall be prepared to be advised by the National Monuments Service 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 has been received by the Developer.

4. Archaeological Assessment Geotechnical Works

Following the completion of all geotechnical works, the Developer shall furnish the Project Archaeologist with the results of all site investigation works and shall provide access to site investigation cores and physical samples for archaeological and geoarchaeological review by a qualified geoarchaeologist. Where suitable samples are identified, they shall be subject to geoarchaeological analysis, scientific dating and palaeoenvironmental analysis. The National Monuments Service shall be furnished with a final archaeological report describing the results of the works.

5. 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.

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

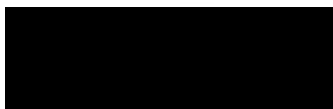
You are requested to send any further communications to this Department's Development Applications Unit (DAU) fem.dau@npws.gov.ie, or to the following address:

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