



**Licence Ref:** MUL240010

(Please quote in all related correspondence)

5 November 2025

Maritime Area Regulatory Authority  
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Menapia House  
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Drinagh  
Wexford  
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Via: [licence@mara.gov.ie](mailto: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 site investigation works to inform the engineering design and environmental assessments of a proposed electrical cable circuit crossing Dublin Bay from Blackrock Park to Shellybanks.

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I refer to correspondence on 8 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 notes receipt and review of the Natura Impact Statement (NIS) for the Carrickmines to Poolbeg project. The NIS appropriately identifies relevant European sites, conservation objectives, and qualifying interests, and applies best available scientific information, including reference to National Parks and Wildlife Services conservation objectives and the Department of Arts, Heritage and the Gaeltacht (2014) marine mammal



noise guidance. The proposed mitigation (MMO supervision, 500 metres pre-start watch, 20-minute soft-start procedure, and ECoW oversight) is consistent with national standards and sufficient to ensure no adverse effect on Special Area of Conservation or Special Protection Area integrity.

It is recommended that the applicant note that there may be a requirement for Regulation 54 consent under the EU Birds and Natural Habitats Regulations. Guidance on this process is available here: <https://www.npws.ie/sites/default/files/files/Applications-for-Regulation-54-Derogations-for-Annex-IV-species-Guidance-for-Applicants.pdf>.

### **Underwater Archaeology**

The submission documents, including the Cultural Heritage section of the Assessment of Impacts of the Maritime Usage report, 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.

The Maritime Usage Licence application encompasses proposed site investigation works to inform the engineering design and environmental assessments of a proposed electrical cable circuit crossing Dublin Bay from Blackrock Park to Shellybanks. The marine section of the proposed development encompasses an area of high potential for Underwater Cultural Heritage (UCH), including protected wrecks and submerged palaeolandscapes. 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 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. Archaeological monuments that are underwater and/or in the intertidal zone are afforded statutory protection in the Record of Monuments and Places established under section 12 (Recorded Monuments) of the National Monuments (Amendment) Act



1930-2014. 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 also the need to carry out appropriate levels and forms of archaeological assessment in advance of development.

In light of the above, the following requirements of the National Monuments Service are provided to assist the Maritime Area Regulatory Authority (MARA) (and the project proponents) to align the project with statutory obligations and policy objectives for the protection of the State's UCH. The Department recommend the following conditions be attached to the Maritime Usage Licence under the Maritime Area Planning Act 2021 should it be granted:

1. A suitably qualified and experienced Project Archaeologist shall be appointed to oversee and advise on all aspects of the Project, including detailed design, site investigation activities and maintenance.
2. To ensure all potential significant effects on underwater cultural heritage are avoided, geophysical and intertidal surveys shall be carried out in advance of all geotechnical works. Geophysical and intertidal surveys of the entire proposed development area inclusive of all areas where geotechnical works are proposed, shall be undertaken. At a minimum, geophysical surveys shall include side scan sonar, sub bottom profiler, magnetometer and multibeam echo sounder. The project archaeologist shall advise on targeting and specifications 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.

All geophysical and intertidal 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 approval to the National Monuments Service of the Department of Housing, Local Government and Heritage. Please note that approvals take a minimum of three-four weeks to issue.

Should any dive surveys be required in connection with proposed geophysical or intertidal 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 licensed (Section 2 1987 National Monuments Act).

Once all geophysical and intertidal surveys and archaeological interpretations have been completed, the full information shall be compiled into a final Underwater Archaeological Impact Assessment (UAIA) report and submitted to the National Monuments Service for review and approval, prior to the undertaking of any geotechnical works. The UAIA report shall contain a detailed Archaeological Impact Statement that addresses all identified or potential significant effects on underwater cultural heritage from the proposed geotechnical investigations. The report shall also make 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. Compliance with this condition requires a formal statement in writing approving the UAIA report, from the National Monuments Service to the Marine Area Regulatory Authority.

3. 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 potential submerged palaeolandscape deposits or other anthropogenic materials, or materials of geoarchaeological interest, are identified, they shall be subject to geoarchaeological and palaeoenvironmental analysis and scientific dating, in agreement with the National Monuments Service and subject to approval of Licences 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 shall be furnished with a final archaeological report describing the results of the works. Compliance with this condition requires a formal statement in writing, from the National Monuments Service to MARA approving the geoarchaeological report.



4. 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](mailto:fem.dau@npws.gov.ie), or to the following address:

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A handwritten signature in dark ink, appearing to read 'Amy Thornton', is placed above the printed name.

Amy Thornton  
Development Applications Unit  
Administration