



Licence Ref: MUL250010

(Please quote in all related correspondence)

13 November 2025

Maritime Area Regulatory Authority
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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 Schedule 7, Paragraph 3: Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 at Shannon Estuary – Cahiracon/Foynes, Co. Limerick.

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I refer to correspondence on 14 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 Natura Impact Statement (NIS) submitted by the applicant has been reviewed. The proposal involves non-intrusive and limited geotechnical and geophysical surveys within the Shannon Estuary to inform future infrastructure planning. The National Parks and Wildlife Service of the Department of Housing, Local Government and Heritage notes the following:

1. The NIS identifies the Lower River Shannon Special Area of Conservation (SAC) (Site Code: 002165) and offshore bottlenose dolphin SACs as the primary receptors.



2. The potential for underwater noise impacts from the SBP and refraction seismic survey is appropriately recognised and mitigation aligns with the National Parks and Wildlife Service (2014) Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters.
3. The mitigation framework (MMO presence, 500 metres exclusion zone, ramp-up, daylight operations) is acceptable and must be incorporated into the contractor's method statement.
4. Habitat loss and disturbance are negligible and temporary (<0.0001% of Annex I habitat).
5. In-combination effects with other Shannon Estuary activities have been assessed and found not significant.

The National Parks and Wildlife Service recommends that all mitigation measures outlined in the NIS are attached as a condition of consent.

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 are 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 National Monuments Service of the Department of Housing, Local Government and Heritage have reviewed the Maritime Usage Licence (MUL) application documents including the Marine Archaeology and Cultural Heritage section of the submitted *Strategic Gas Emergency Reserve – Marine Site Investigation (SI) Works Assessment of Impacts on the Maritime Usage (AIMU) Report* (GNI July 2025). 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.

In light of the below 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. All recommendations and mitigation measures pertaining to Marine Archaeology and Cultural Heritage as set out in the report *Strategic Gas Emergency Reserve – Marine Site Investigation (SI) Works Assessment of Impacts on the Maritime Usage (AIMU) Report* (GNI July 2025) shall be implemented in full.
2. A suitably qualified and experienced Project Archaeologist shall be appointed to oversee and advise on all aspects of the Project, including detailed design of all site investigation activities.
3. 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 MUL 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. 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).

4. 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 MARA.

5. The Project Archaeologist shall be furnished with the results of all site investigation works and shall be provided with access to site investigation cores and physical samples for archaeological review, and where warranted for geoarchaeological review by a qualified geoarchaeologist. Where potential submerged palaeolandscapes 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.
6. 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.

Observations on MUL2500010 application

The applicant proposes marine site investigation (SI) works to inform the future development of a Strategic Gas Emergency Reserve (SGER) within the Shannon Estuary. SI works will support site selection for an LNG receiving terminal and Floating Storage and Regasification Unit (FSRU) and the following survey investigations are proposed:

- Drop-down camera survey.



- Geophysical survey including:
- Magnetometer • Sub-bottom profiler (SBP) • Side-scan sonar (SSS) • Multibeam Echo Sounder (MBES) • Marine Refraction Seismic • Marine Electrical Resistivity Tomography (ERT).
- Boreholes.
- Cone penetration tests (CPTs).
- Grab samples.
- Surface water samples.
- Intertidal walkover survey.
- Intertidal core samples.
- Archaeological surveys and other investigations (i.e. underwater inspections, walkovers, metal detectors, dive surveys).
- Deployment of metocean monitoring buoys to collect physical oceanographic data.

It is noted that the AIMU report states that ‘Two wrecking events were recorded at or close to Foynes; a sailing boar wreck “near Foynes Island” in 1788 and the Castleragget in 1833 also near Foynes Island. A single known wreck, noted as a modern metal wreck was identified for the archaeological study area located on the west shoreline of Foynes Island (ADCO, 2025). No impact to known cultural heritage sites is expected from the geotechnical survey, there may however be potential direct/negative impact to unknown archaeological deposits or structures. Archaeological licensing/consent is required for the marine geophysical survey and the data arising from the geophysical survey is to be subject to archaeological review/interpretation by a maritime archaeologist (ADCO, 2025)’ (AIMU Section 6.9). Table 7.1 sets out proposed mitigations as follows:

- Marine geophysical and archaeological surveys, along with assessments of terrestrial, intertidal, and underwater areas, will be carried out to detect potential anomalies or features of archaeological significance.
- Pre-disturbance inspection will be carried out if any potential features are detected.
- It is recommended that archaeological monitoring of sites are to be conducted by licensed and experienced maritime personnel (Section 5 of National Monuments Act (2004 Amendment)). Monitoring of seabed and intertidal disturbances will be carried out during works. Marine works should include a timescale which should be made available to archaeologist with sufficient notice.
- Licence applications should be in place in advance of commencement of SI works.
- In the event of discovery of archaeological material, all geotechnical work should cease in the immediate area to allow archaeologist to record any such material.
- A suitable archaeological team are to be on standby at the site to identify if the material is of archaeological significance. Such material is to be removed.



- Secure site offices should be provided, where excavation is required.
- Cost of excavation, post-excavation analysis and conservation testing should be made available' (AIMU Table 7.1).

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. Diving on, surveying of, damage to or removal of anything from wrecks over 100 years old, underwater archaeological objects or areas subject to Underwater Heritage Orders must only be done under licence (section 3 National Monuments (Amendment) Act 1987). Note "Surveying" as referred to above may extend to remote sensing equipment. Any digging or excavating for archaeological purposes (whether or not on a known archaeological site and including underwater) requires a licence (section 26 National Monuments Act 1930). Use of a detection device to search for archaeological objects requires a consent, as does possession of such a device on a monument protected under the National Monuments Acts or within an area subject to an Underwater Heritage Order (see Section 2 National Monuments (Amendment) Act 1987). The term 'archaeological object' is defined in the National Monuments Act 1930 to 2014 and has a broad meaning in terms of type and age of objects.

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.

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 environs of the proposed survey areas.

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.

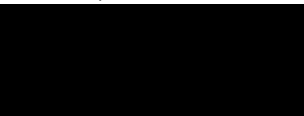
It should be also noted that the *National Planning Framework* states that ‘the protection of archaeological heritage is recognised as a core component to achieving sustainable development’¹ and the *National Marine Planning Framework*² includes the statement that:

‘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).

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

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Administration

¹ <https://cdn.npf.ie/wp-content/uploads/National-Planning-Framework-First-Revision-April-2025-1.pdf>

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