



**Licence Ref:** MUL250024

(Please quote in all related correspondence)

11 February 2026

Maritime Area Regulatory Authority  
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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 to establish baseline environmental data, inform design, predict potential impacts and develop mitigation measures for the Port of Cork expansion project.

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I refer to correspondence on 13 January 2026 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 Maritime Usage Licence application and associated ecological assessments for the proposed marine site investigation surveys at Ringaskiddy, Co. Cork. On the basis of the information provided, including the Annex IV Species Risk Assessment and Appropriate Assessment Screening/Natura Impact Statement, the National Parks and Wildlife Service considers that the proposed works, as described, have been



determined unlikely to result in the deliberate disturbance, injury or mortality of Annex IV species and would not adversely affect the integrity of any European site, subject to full implementation of the proposed mitigation measures.

However, to ensure full legal compliance, 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 Department refer to the consultation received in relation to the above, which has been reviewed by the National Monuments Service of the Department of Housing, Local Government and Heritage. The proposed marine Site Investigations (SI) (geotechnical survey, environmental surveys (including sub-tidal benthic and subtidal video surveys), intertidal benthic survey and marine mammals survey) at Ringaskiddy include:

- Geotechnical boreholes
- Subtidal benthic grab sampling
- Intertidal surveys
- Drop-down video surveys
- Beam trawl surveys
- Radiological testing

It is noted that the application area is situated proximal to a number of Recorded Monuments that are subject to statutory protection in the Record of Monuments and Places established under Section 12 of the National Monuments (Amendment) Act 1930-2014. Furthermore, the Wreck Inventory of Ireland Database (WIID) contains numerous entries for losses in the environs of the Port of Cork (e.g. Wreck reference W11313) and it is therefore possible that the proposed development area contains wrecks or elements of lost vessels, including archaeological objects, which have not been previously documented. 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. Over 18,000 wrecks have been recorded to date in the WIID, 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, previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the area under consideration here.

National heritage 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 design process. 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'<sup>1</sup> and the *National Marine Planning Framework*<sup>2</sup> 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 to ensure the proposed marine surveys and geotechnical investigations, should they receive consent, will align with statutory obligations and policy objectives for the protection of the State's underwater cultural heritage.

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

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



The Department recommend the following conditions are attached to the Maritime Usage Licence (MUL) 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 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 previously recorded and potential wreck locations, archaeological objects underwater, recorded monuments, submerged 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 licensed (Section 2 1987 National Monuments Act).
- d)** The geophysical surveys shall be carried out in advance of all geotechnical works and beam trawl surveys 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. Where submerged palaeolandscape deposits are identified/suspected the report shall recommend a strategy for their further investigation by way of targeted geotechnical and geoarchaeological investigation. 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 SI works and shall provide access to site investigation cores and physical samples for archaeological and, where warranted, geoarchaeological review by a qualified geoarchaeologist. Where suitable samples are identified, for example of potential submerged palaeolandscape deposits, 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](mailto:fem.dau@npws.gov.ie), or to the following address:

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