



Licence Ref: **MUL260005**
(Please quote in all related correspondence)

8th April 2026

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

Via email: licence@mara.gov.ie

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

Re: Maritime usage licence application to undertake environmental surveys and ground investigation works within the River Slaney adjacent to the Irish National Heritage Park, Ferrycarrig, Wexford.

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage related observations/recommendations of the Department co-ordinated by the Development Applications Unit under the stated heading(s).

Nature Conservation

The National Parks and Wildlife Service (NPWS) has reviewed the Supporting Information for Screening for Appropriate Assessment (SISAA) prepared in support of the proposed marine environmental surveys and ground investigation works associated with the Irish National Heritage Park development at Ferrycarrig, Co. Wexford. It is noted that the proposed works are to be undertaken within the Lower Slaney Estuary and are intended to inform the design of the proposed visitor infrastructure, including jetties and associated shoreline works.

NPWS concurs with the conclusion in light of the potential pathways for disturbance and the ecological sensitivities of the receiving environment, that it cannot be excluded, on the basis of objective scientific information, that the proposed works may have likely significant effects on one or more European sites. Accordingly, NPWS agrees that the proposal should proceed to Stage 2 Appropriate Assessment, where a detailed assessment of potential impacts on the conservation objectives of the relevant European sites can be undertaken.



NPWS therefore supports the recommendation of the SISAA that the competent authority determine that an Appropriate Assessment is required in accordance with Article 6(3) of the Habitats Directive and the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).

The NIS should provide a detailed description of all elements of the proposed surveys and ground investigation works, including the deployment of ADCP equipment, sediment sampling, geophysical surveys, and borehole drilling operations in the Lower Slaney Estuary. This should include precise locations, duration, vessel requirements, equipment specifications, noise characteristics, and the timing of works. A clear project schedule should be provided, including the sequencing of activities and any seasonal considerations relevant to sensitive species.

The NIS should identify all European sites within the zone of influence of the proposed works, including SACs and SPAs potentially connected through ecological pathways such as hydrological connectivity or mobile species ranges. For each site, the relevant Qualifying Interests (QIs) or Special Conservation Interests (SCIs) and their site-specific conservation objectives should be clearly presented. Particular consideration should be given to sites associated with the Slaney Estuary and wider coastal areas that support marine mammals, migratory fish species, otter, and wintering or breeding birds.

Archaeology

The Marine Usage Licence application relates to proposed marine environmental surveys and ground investigation works within the Lower Slaney Estuary at Ferrycarrig, Co. Wexford, to inform the design of proposed visitor infrastructure including jetties and shoreline features associated with the Irish National Heritage Park development. It is noted that the MUL application area is proximal to:

- Archaeological monuments recorded in the Record of Monuments and Places (RMP)/Sites and Monuments Record (SMR): WX037-028002- : Castle – ringwork; WX037-028001- : Monumental structure. Their locations are recorded on the National Monuments Service Historic Environment Viewer. Ferrycarrig also also been the subject of extensive research in recent years, see Shine, D., Potterton, M., Mandal, S. and McLoughlin, C. (eds). 2019. Carrick, County Wexford: Ireland's first Anglo-Norman Stronghold. Four Courts Press, Dublin.
- Historic Shipwrecks recorded in the Wreck Inventory of Ireland Database (WIID). The WIID contains records of numerous wrecking events within the Lower Slaney Estuary. Those that have been precisely located, eg. W11330 upstream of Ferrycarrig, can be viewed here: <https://www.archaeology.ie/advice-and-support/locate-a-monument-or-wreck/wreck-viewer/>
- Archaeological objects recorded in the National Museum of Ireland Topographical Files.
- Underwater cultural heritage assets, including maritime built heritage structures and features potentially associated with Ferrycarrig castle, fishing heritage structures and features, archaeological discoveries made from prior marine geophysical surveys, excavations and other investigations, and potential submerged palaeolandscapes.



Legal Codes and Policy Context

Archaeological monuments are afforded statutory protection in the Record of Monuments and Places (RMP) 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 emphasises the non-renewable nature of the archaeological heritage and the need to always consider preservation in-situ as the first option. To inform archaeological mitigation strategies that ensure preservation in situ are prioritised, appropriate levels and forms of archaeological assessment are required in advance of development. Advance, early-design stage, pre consent/planning application, archaeological assessment and pre planning submission and pre construction stage mitigation is key to diminishing effects on archaeological heritage.

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 underwater or the potential location of such a wreck or archaeological object can also be protected under Section 3 of the 1987 (Amendment) Act. Underwater Cultural Heritage also encompasses a broad range of marine heritage, the protection of which is provided for in legal codes. The Wreck Inventory of Ireland Database (WIID) 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 *National Planning Framework*¹ states that ‘the protection of archaeological heritage is recognised as a core component to achieving sustainable development’ and National Policy Objective 89 is to ‘Protect, conserve and enhance the rich qualities of natural, cultural and built heritage of Ireland in a manner appropriate to their cultural and environmental significance. and the *National Marine Planning Framework*² includes the statement that:

‘Proposals unable to contribute to the protection of the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference, avoid, minimise, or mitigate harm to the significance of heritage assets. If it is not possible, to avoid, minimise or mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets. Proposals should consider the potential impact of their application on heritage assets from the earliest

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>



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).

Recommendations

In light of the above the following recommendations of the National Monuments Service are provided to assist MARA 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.

CONDITIONS: We 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, with a track record in the archaeological interpretation of marine geophysical and geotechnical data, shall be appointed to advise on all archaeological aspects of the project.

2. Underwater Archaeological Impact Assessment (Geotechnical Works)

To ensure that any geotechnical investigations do not impact on locations where there is known or potential Underwater Cultural Heritage sites, including protected wrecks, an Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded to the National Monuments Service for review and approval prior to such works taking place. The UAIA shall include the following:

- a. Results of desk study and licenced archaeological diver survey, archaeological intertidal assessment by way of walkover and, where warranted, drone survey, and licenced metal detection survey, of all areas proposed for SI works in the sub-tidal/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 all in stream archaeological surveys.
- b. Final UAIA report to be 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 around identified/potential wrecks and other underwater cultural heritage sites and features) 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.

3. 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, 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.

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.

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

The Manager
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Development Applications Unit
Administration