



Ref: MUL260022

(Please quote in all related correspondence)

26th May 2026

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

Via email: licence@mara.gov.ie

Re: Maritime usage licence application for maintenance dredging in Balbriggan Harbour Basin to remove sediment build-up and debris within the harbour, clean the basin, and maintain accessibility for fishing vessels at lower tidal levels at Balbriggan Harbour Basin, Dublin

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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).

Archaeology

It is noted that the proposed maintenance dredging was the subject of an Underwater Archaeological Impact Assessment (UAIA) report *Underwater Archaeological Impact Assessment: Maintenance Dredging Works in Balbriggan Harbour, Co. Dublin* (AMS, May 2025), which has been reviewed by the National Monuments Service of the Department of Housing, Local Government and Heritage. It is noted that the UAIA includes the results of a desk study and a licenced intertidal survey, which identified a significant concentration of maritime heritage structures within the environs of the proposed dredge area: harbour piers (RPS 38; NIAH 11305018), the harbour lighthouse (RPS 37; NIAH 11305017), the railway viaduct (RPS 36; NIAH 11305021) and the lifeboat station (RPS 35; NIAH 11305020), in addition to record of protected wrecks from the surrounding marine area. Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation that protects 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. In addition, the MUL area is situated proximal to 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. The UAIA concludes that 'no direct or indirect impacts on known/recorded archaeological assets' have been identified and recommends a programme of measures to prevent inadvertent impacts



on the aforementioned protected structures and archaeological monitoring of dredging works.

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 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).

Archaeological Recommendations

The Department of Housing, Local Government and Heritage concur with the recommendations for mitigation as set out in Section 6 of the submitted Underwater Archaeological Impact Assessment report *Underwater Archaeological Impact Assessment: Maintenance Dredging Works in Balbriggan Harbour, Co. Dublin* (AMS, May 2025), and the following recommendations of the National Monuments Service are provided to assist MARA to ensure the proposed works align with statutory obligations and policy objectives, as set out above, for the protection of the State's underwater cultural heritage.

UAIA Mitigation

1. All recommendations and mitigation measures in relation to underwater and terrestrial archaeology as set out in the report *Underwater Archaeological Impact Assessment: Maintenance Dredging Works in Balbriggan Harbour, Co. Dublin* (AMS, May 2025), shall be implemented in full.

Project Archaeologist

2. A Project Archaeologist shall be appointed to oversee and advise on all archaeological aspects of the Project, including detailed design and dredge activities.

Archaeological Exclusion Zones

3. All shipwrecks/vessels protected by the National Monuments Acts 1930-2014 within the MUL licence area, regardless of whether they have been located or not, and geophysical survey anomalies of archaeological potential, shall be protected by the implementation

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>



of Archaeological Exclusion Zones (AEZs). No dredge activities shall be permitted within any Archaeological Exclusion Zones until formally agreed in writing with the National Monuments Service.

Archaeological Monitoring (Underwater)

4. Archaeological monitoring shall be undertaken as follows:
 - a. The services of a suitably qualified and experienced, to the satisfaction of the National Monuments Service, maritime archaeologist shall be engaged to carry out full-time onboard archaeological monitoring of all dredge activities that impact on the intertidal/foreshore, seabed and/or on areas of potential for underwater cultural heritage.
 - b. The archaeological monitoring shall be carried out by a suitably qualified and experienced, to the satisfaction of the National Monuments Service, maritime archaeologist, under a Section 26 (National Monuments Act 1930) excavation licence and in accordance with an approved method statement.
 - c. A Finds Retrieval Strategy shall be implemented and agreed with the National Monuments Service, as part of the archaeological licence application. This shall include for the systematic spreading of all dredge material at a suitable repository to facilitate hand-searching and metal detection for finds retrieval to be undertaken by a suitably qualified and experienced archaeologist working under a Detection Device consent (Section 2 1987 National Monuments Act). Where potential/confirmed submerged palaeolandscape deposits are identified they shall be subject to systematic sampling for, where warranted, further palaeoenvironmental and geoarchaeological analysis. All monitoring works that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified and experienced osteoarchaeologist. The Finds Retrieval Strategy shall address the likely post-excavation requirements for finds from an underwater environment, including recording, finds processing, analysis and long-term conservation of material recovered during the project. Post-excavation analysis shall form part of the ongoing archaeological works on site, informed by a post-excavation strategy included in the methodology as submitted by the licence-eligible archaeologist. Secure finds storage that ensures the protection and conservation of wet and dry finds, including human skeletal remains, shall be provided within the site compound.
 - d. Sufficient, suitably experienced and qualified, to the satisfaction of the National Monuments Service, maritime archaeologists shall be in place to ensure continuous archaeological monitoring works, including 24-hour onboard archaeological monitoring of dredge activities, as required. An archaeological dive team shall also be on standby in the event that underwater archaeological inspection is required by means of archaeological diving. All dive surveys shall be licenced (Section 3 1987 National Monuments Act) and shall include handheld metal detection survey, which shall also be licenced (Section 2 1987 National Monuments Act).
 - e. In order to ensure full communication is in place between the monitoring archaeologist(s) and the works contractor(s) at all times, a communication strategy shall be implemented that facilitates onboard direct archaeological monitoring of all dredge activities that impact on the seabed/intertidal zone and/or on underwater cultural heritage, and provides the former with adequate notice (minimum eight weeks) of all forthcoming works that require their attendance.



- f. Should suspected/verified underwater cultural heritage materials, including wrecks, palaeolandscape materials, archaeological features or sites and/or archaeological objects, be identified during the course of the archaeological monitoring activities, the monitoring archaeologist shall be authorised by the Developer to suspend all dredge activities on the affected area (as defined by the monitoring archaeologist). The Developer shall immediately institute a Temporary Archaeological Exclusion Zone (TAEZ) to the proposed find location and its environs (as defined by the monitoring archaeologist) and all dredge activities shall immediately cease within the TAEZ in order to facilitate investigative assessment, protection and prompt notification to the Department of Housing, Local Government and Heritage and other statutory authorities, as required.
- g. The Developer shall undertake any ensuing mitigating action as is required by the National Monuments Service. Mitigation shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ by the institution of permanent Archaeological Exclusion Zones. Mitigation may also include underwater archaeological inspection by means of archaeological diving, underwater archaeological surveys (geophysical, ROV), underwater archaeological test-excavations, underwater archaeological excavations ('preservation by record'), stabilisation works and/or archaeological monitoring, or any combination of the above or any other mitigation measures as may be recommended by the the Department of Housing, Local Government and Heritage. No dredge activities shall recommence within the Archaeological Exclusion Zone until formally agreed in writing with the Department of Housing, Local Government and Heritage. Where ensuing mitigation is required, no archaeological works shall be undertaken until after an amended method statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the National Monuments Service. All resulting and associated archaeological costs shall be borne by the Developer.
- h. The planning authority and the the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological works and any post-excavation analysis, scientific dating programmes, palaeoenvironmental analysis, geoarchaeological analysis and conservation of archaeological objects, as required by the National Monuments Service and the National Museum of Ireland, with all resulting and associated archaeological costs to be borne by the Developer.

5. Protocol For Archaeological Discoveries

A Protocol For Archaeological Discoveries made outside of licenced archaeological monitoring shall be agreed at least four weeks in advance of the commencement of works with 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, where used, or to the following address:

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