



Ref: MUL260036

(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 marine environmental surveys for the purpose of site investigation or in support of an application under Part XXI of the Act of 2000 in the Port of Cork - Ringaskiddy, Cork.

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).

Archaeology

The submission documents have been reviewed by the National Monuments Service (NMS) of the Department of Housing, Local Government and Heritage. The NMS'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. NMS advises, through the planning process, on how best to achieve this.

Archaeological Recommendations:

In light of the below observations, the following recommendations of the Department of Housing, Local Government and Heritage are provided to assist MARA (and the project proponents) to ensure the proposed marine surveys and geotechnical investigations will align with statutory obligations and policy objectives for the protection of the State's UCH.

CONDITIONS: 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. 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. Underwater Archaeological Impact Assessment (Geotechnical Works)

An Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded to the Department of Housing, Local Government and Heritage for review and approval at least four weeks prior to the geotechnical works taking place. The UAIA shall include the following:

- a. Results of any available 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 licenced metal detection survey, of all areas (if any) 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 Department of Housing, Local Government and Heritage 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 palaeolandscapes 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 Department of Housing, Local Government and Heritage 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 Department of Housing, Local Government and Heritage 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 geoarchaeological review by a qualified geoarchaeologist. Where suitable samples are identified, for example of submerged palaeolandscapes deposits, they shall be subject to geoarchaeological analysis, scientific dating and palaeoenvironmental analysis. The Department of Housing, Local Government and Heritage 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 Department of Housing, Local Government and Heritage of the Department of Housing, Local Government and Heritage.

Observations on Licence Application MUL260036

It is noted that the applicant seeks a Maritime Usage Licence (MUL) to undertake a programme of offshore site investigation (SI) works including geotechnical boreholes and environmental sediment samples to enable:

- Detailed mapping of nearshore shallow geological and seabed character;
- Reconnaissance level mapping of seabed relief and features (e.g. archaeology);
- Greater understanding of the seabed and sub-seabed conditions;
- Evaluation of the nature and mechanical properties of the superficial seabed

sediments along the survey corridor;

The knowledge gained from the proposed SIs will be used to minimise uncertainty in ground conditions at an early design stage.

It is noted that the MUL application area is proximal to a considerable assemblage of protected wrecks that are included in the Wreck Inventory of Ireland Database (WIID). The 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 MUL application area contains protected wrecks whose locations have been identified and these are mapped on the National Monuments Service's Wreck Viewer. It is further noted that the application 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 proposed licence area and its environs also contain previously identified submerged palaeolandscapes and there is therefore high potential for further related materials therein.

Statutory Protections 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 or the potential location of such a wreck or archaeological object(s), 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 Record of Monuments and Places (RMP), 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 office.

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:

The Manager
Development Applications Unit (DAU)

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>



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