



Licence Ref: MUL260044

(Please quote in all related correspondence)

7 August 2026

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

Via: licence@mara.gov.ie

Re: Maritime usage licence application to harvest *Ascophyllum Nodosum* and *Fucus vesiculosus* from the intertidal foreshore in sustainable quantities on the shore of the South of Galway Bay in County Galway.

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I refer to correspondence on 8 July 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 Department has reviewed the Supporting Information for Screening for Appropriate Assessment submitted in support of the proposed Maritime Usage Licence (MUL) for commercial harvesting of *Ascophyllum nodosum* and *Fucus* spp. within Inner Galway Bay North. The proposal seeks authorisation for commercial harvesting within the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (SPA) (Site Code: 004031), both of which support a range of Annex I habitats and Annex II species designated under Council Directive 92/43/EC, together with internationally and nationally important populations of wintering and breeding birds. The Department notes that the application area lies wholly within designated European Sites and overlaps habitats and species that are potentially sensitive to seaweed harvesting, including



large shallow inlets and bays, reefs, Atlantic salt meadows, Mediterranean salt meadows, harbour seal, otter and a range of SPA bird species. The applicant identifies a number of plausible impact pathways including habitat alteration, disturbance to birds and marine mammals, habitat fragmentation, increased turbidity and cumulative effects arising from other maritime activities. While the document provides a detailed description of the proposed harvesting methodology, resource management approach and baseline ecology, the Department considers that the existence of these identified source–pathway–receptor linkages means that likely significant effects cannot be excluded at the screening stage on the basis of objective scientific information alone. In particular, the proposal involves repeated harvesting within Natura 2000 sites supporting qualifying intertidal habitats, harbour seal, otter and SPA bird species that may utilise the affected shorelines for feeding, roosting or breeding.

Accordingly, the Department considers that the proposal should proceed to Stage 2 Appropriate Assessment or full Natura Impact Statement. The Assessment should provide a robust scientific evaluation of the implications of the proposed harvesting, both alone and in combination with other plans and projects, for the conservation objectives of all the relevant European sites.

The Article 6(3) Assessment should, at a minimum:

- Assess the effects of repeated harvesting on the structure and ecological functioning of qualifying intertidal habitats and associated communities.
- Demonstrate, using site-specific evidence where available, that harvesting will not adversely affect the conservation objectives of Annex I habitats or Annex II species.
- Assess potential disturbance and displacement effects on qualifying SPA bird species, including seasonal sensitivities and use of harvested shorelines.
- Assess potential impacts on harbour seal and otter, including disturbance associated with harvesting activities, vessel movements and shoreline access.
- Provide a comprehensive in-combination assessment incorporating commercial harvesting, aquaculture, fisheries, recreation and other relevant maritime activities.
- Clearly demonstrate the effectiveness, enforceability and monitoring of any proposed mitigation measures and provide adaptive management arrangements should monitoring identify adverse ecological effects.

On the basis of the information reviewed, the Department advises that the Competent Authority should not conclude that the proposal will not adversely affect the integrity of the relevant European sites until a Stage 2 Appropriate Assessment has been completed and it has been demonstrated, beyond reasonable scientific doubt, that the proposal will not adversely affect the integrity of any European site in view of its conservation objectives.



Underwater Archaeology

The MUL application relates to commercial harvesting of *Ascophyllum nodosum* and *Fucus* spp. within Inner Galway Bay North and 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. Their locations are recorded on the National Monuments Service Historic Environment Viewer.
- Historic Shipwrecks recorded in the Wreck Inventory of Ireland Database (WIID). The WIID contains records of numerous wrecking events within and proximal to Galway Bay. Those that have been precisely located 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, fishing heritage structures and features, archaeological discoveries made from prior marine geophysical surveys, excavations and other investigations, and identified and potential submerged palaeolandscapes, including submerged forests.

Legal Codes and Policy Context

Archaeological monuments are afforded statutory protection in the 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, 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.

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 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 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 Department are provided to assist the Maritime Area Regulatory Authority to ensure the proposed harvesting works, should they receive consent, will align with statutory obligations and policy objectives for the protection of the State’s underwater cultural heritage.

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>



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, with a track record in the archaeological interpretation of geotechnical data, shall be appointed to advise on all archaeological aspects of the project.

2. Underwater Archaeological Impact Assessment

To ensure that harvesting operation does 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 Department for review and approval prior to such works taking place.

The UAIA shall include the following:

- a) Results of desk study and, where warranted and agreed in advance with the Department, licensed archaeological dive/wade/intertidal survey and licensed metal detection survey, of all areas proposed for harvesting in the intertidal/subtidal 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 underwater archaeological surveys and metal detection, respectively.
- b) A final UAIA report to be submitted to the Department for review and approval, prior to undertaking harvesting 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 Department) all potential/identified significant effects on underwater cultural heritage. The Developer shall be prepared to be advised by the Department in this regard or in regard to any subsequent recommendations that may issue.

3. Protocol for Archaeological Discoveries

A Protocol for Archaeological Discoveries shall be agreed by the Developer at least four weeks in advance of the commencement of geotechnical works with the Department.



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, or to the following address:

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