



Licence Ref: MUL260045

(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: The proposed Maritime Usage licence is to harvest *Ascophyllum Nodosum* and *Fucus vesiculosus* from the intertidal foreshore in sustainable quantities considering the extensive research work undertaken over the last ten years at Inner Galway Bay South.

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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 the commercial harvesting of *Ascophyllum nodosum* and *Fucus* within Inner Galway Bay South. The proposal relates to the annual harvesting of up to 1,510 tonnes of seaweed from state-owned foreshore over a ten-year licence period. The proposed harvesting area lies within the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and Inner Galway Bay Special Protection Area (SPA) (Site Code: 004031) and is in close proximity to a range of other European sites. The application identifies a number of Annex I habitats and Annex II species that may occur within, or adjacent to, the proposed harvesting area, including reefs (1170), large shallow inlets and bays (1160), Atlantic salt meadows (1330),



Mediterranean salt meadows (1410), harbour seal, otter and a range of Special Conservation Interest bird species associated with the SPA.

The Department notes that the applicant has undertaken a structured source-pathway-receptor assessment and has identified a range of potential impact pathways including removal of habitat-forming seaweed, trampling, disturbance to fauna, increased turbidity, disturbance from vessels and cumulative effects with other marine activities. The report concludes that a number of Qualifying Interests and Special Conservation Interests should proceed to Stage 2 Appropriate Assessment. The Department agrees that these receptors cannot be excluded at screening stage. However, the Department considers that the information currently submitted does not provide sufficient scientific certainty to enable the Competent Authority to conclude that adverse effects on the integrity of the relevant European sites can be excluded.

In particular:

- The proposed 20% annual harvesting threshold is primarily justified by reference to international experience rather than demonstrating, with site-specific evidence, that this level of biomass removal is compatible with the conservation objectives of the affected Irish Natura 2000 sites.
- While biomass assessments and ecological surveys have been undertaken, there is limited assessment of the functional ecological role of *Ascophyllum* beds as habitat supporting Annex I habitats and SPA bird species, particularly with respect to prey availability, habitat structure and ecosystem functioning.
- The proposed monitoring programme appears largely directed towards resource sustainability rather than demonstrating compliance with the conservation objectives of the European sites or detecting ecological effects on protected habitats and species.
- The assessment of disturbance to harbour seal, otter and qualifying bird species relies on general assumptions regarding the low intensity of harvesting, but limited evidence has been provided regarding seasonal sensitivity, spatial overlap with important feeding or haul-out areas, or potential behavioural disturbance.
- The in-combination assessment should clearly demonstrate how existing and foreseeable activities, including aquaculture, fisheries, recreation and other maritime activities, have been considered in combination with the proposed harvesting operations.



Accordingly, the Department recommends that the Competent Authority seek further information before completing the Appropriate Assessment.

This should include:

1. A robust Stage 2 Natura Impact Statement demonstrating, with reference to the conservation objectives of each affected European site, that the proposed harvesting will not adversely affect site integrity.
2. Site-specific ecological evidence demonstrating that the proposed harvesting regime will not adversely affect the structure and function of Annex I habitats or the ecological functioning of *Ascophyllum*-dominated communities.
3. A conservation-focused monitoring programme incorporating measurable ecological indicators linked to the relevant conservation objectives, together with defined adaptive management measures and trigger thresholds.
4. A strengthened assessment of disturbance pathways affecting harbour seal, otter and SPA bird species, including seasonal considerations where relevant.
5. A comprehensive in-combination assessment considering all relevant plans and projects affecting the same Natura 2000 network.

Underwater Archaeology

The MUL application relates to commercial harvesting of *Ascophyllum nodosum* and *Fucus* spp. at Inner Galway Bay 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:

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>



‘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.

The Department recommend the following conditions are attached to the MUL 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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