



Licence Ref: MUL260049

(Please quote in all related correspondence)

18 September 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 conduct a survey to support a strategic modelling study of water currents along the Irish coast from Carlingford Lough, Co. Louth to Kilcoole, Co. Wicklow.

A chara

I refer to correspondence on 20 August 2026 received in connection with the above.

Outlined below are heritage-related observations/recommendations coordinated by the Development Applications Unit under the stated headings.

Nature Conservation

The Department of Housing, Local Government and Heritage (the Department) notes the proposed works are temporary, non-invasive data-collection surveys to inform a strategic modelling study of water currents within the 4 areas listed in the application. The hearing range of relevant marine mammals is outside of the operating frequency of the marine surveys. No cumulative or in-combination effects are anticipated. The Department recommends that the following conditions are attached to the consent:

- Retrieval of all equipment upon completion of surveys.
- Compliance with Marine Mammal Observer protocol (NPWS, 2014) during any vessel-based work as appropriate: Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters. (NPWS, 2014).

Aonad na nIarratas ar Fhorbairt, Oifigí an Rialtais, Bóthar an Bhaile Nua, Loch Garman, Y35 AP90

Development Applications Unit, Government Offices, Newtown Road, Wexford, Y35 AP90

fem.dau@npws.gov.ie

www.gov.ie/housing



https://www.npws.ie/sites/default/files/general/Underwater%20sound%20guidance_Jan%202014.pdf.

Underwater Archaeology

The Department have reviewed the Maritime Usage Licence (MUL) application documents. The National Monuments Services' 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. The Department advises, through the planning process, on how best to achieve this.

In light of the below observations, the following recommendations of the Department are provided to assist the Maritime Area Regulatory Authority (MARA) (and the project proponents) to ensure the proposed marine surveys will align with statutory obligations and policy objectives for the protection of the State's UCH.

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 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. Archaeological Licensing and Reporting

Geophysical surveys shall be licensed under the National Monuments Acts 1930-2014. A Section 3 1987 National Monuments Act Dive and Other Activities licence application and Detection Device consent (Section 2 1987 National Monuments Act) will be required. Licence applications, accompanied by Method Statements, shall be sent for approval to the Department. Please note that approvals take a minimum of three-four weeks to issue. Archaeological review of geophysical survey results shall be undertaken by the Project Archaeologist and a report submitted to the Department detailing the results of the archaeological interpretation of geophysical datasets.

3. Protocol for Archaeological Discoveries

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



Observations on MUL260049 application

The applicant is applying to MARA for a MUL to conduct a strategic modelling study of water currents along the Irish coast from Carlingford Lough to Kilcoole. It is noted that the MUL application area includes and is proximal to a significant assemblage of protected wrecks, archaeological objects underwater, recorded monuments and maritime built heritage.

The Wreck Inventory of Ireland Database 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.

Statutory Protections Underwater Cultural 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, 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 established under section 12 (Recorded Monuments) of the National Monuments (Amendment) Act 1994 also contains entries for archaeological monuments, including those that are submerged or partially/intermittently submerged, 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, 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*¹ states that ‘the protection of archaeological heritage is recognised as a core component to achieving sustainable development’ 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 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:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

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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Amy Thornton
Development Applications Unit
Administration