

Aqua Culture Sites
 <all other values>
Site_Status
 Under Appeal
 Application
 Licensed

Scale = 1:40,000
 Drawn : 12-12-2019

BANTRY BAY AQUACULTURE SITES

Ordnance Survey Ireland Licence No. EN 0076419
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**An Roinn Talmhaíochta,
 Bia agus Mara**
 Department of Agriculture,
 Food and the Marine



18th December 2019

Your Ref: **AP50/2019**

Ms Mary O'Hara
Secretary to the Board
Aquaculture Licences Appeals Board
Kilminchy Court
Dublin Road
Portlaoise
Co. Laois

Dear Mary

I wish to acknowledge receipt of your letter dated 13th December 2019 to Mr. Michael Creed T.D., Minister for Agriculture, Food and the Marine (and copied to Mr. John Quinlan) which was received by the Department on 16th December 2019, regarding the appeal against the decision to grant an Aquaculture Licence to Wild Atlantic Sea Products Ltd in relation to site **T05/612A** in Bantry Bay, Co. Cork.

I am attaching the following documentation:-

1. Copy of the submission to Minister, which includes the following documents;
 - Copy of the application form maps and drawings,
 - Copies of reports received in relation to the application,
 - Copy of the Screening Matrix for Aquaculture activities in Outer Bantry Bay,
 - Copies of the Draft Aquaculture and Foreshore Licences,
2. Copy of the notification of the Minister's decision to the applicant,
3. Location map of the surrounding area including the following:
 - Sites under application,
 - Licensed sites,
 - Sites currently under appeal (if any).

If you require anything further please let me know.

Yours Sincerely

Maria Naughton

Aquaculture and Foreshore Division

An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine



24th October 2019

Wild Atlantic Sea Products Ltd
South Allihies
Allihies
Beara
Co. Cork

Our Ref: T05/612A

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO GRANT AQUACULTURE AND FORESHORE LICENCES**

Dear Sir,

I would like to inform you that the Minister for Agriculture, Food and the Marine has approved the granting to you of a 10-year Aquaculture Licence and accompanying Foreshore Licence, for the cultivation of seaweed using longlines on site no. T05/612A (see attached information note.) I enclose a copy of the public notice of the decision which the Department has arranged to have published in "The Southern Star".

Any person aggrieved by this decision may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against it in writing to the Aquaculture Licences Appeals Board. This appeal must be lodged within one month beginning on the date of the publication of the decision.

In addition, a person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

The Licences will be issued to you as soon as possible after the end of the period of one month from the date of publication of the notice in "The Southern Star", if there is no appeal.

Please also find enclosed the conditions that will apply to any Aquaculture Licence that may be issued by the Minister.

Yours sincerely

Maria Naughton

Aquaculture and Foreshore Management Division

**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18 OF THE
AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO: T05/612A

APPLICANT: Wild Atlantic Sea Products Ltd

**AQUACULTURE TO WHICH
DECISION RELATES:** Cultivation of seaweed using longlines on site T05/612A on the
foreshore in Bantry Bay, Co Cork.

NATURE OF DECISION: Grant of an Aquaculture Licence.
The Minister for Agriculture, Food and the Marine has
determined that it is in public interest to grant a variation of
the licence sought. The Minister recommends granting a 20.68
hectare site, and not the 28.75 hectare site which was applied
for, to reduce the impact on the shrimp potting lines in the
area.

DATE OF DECISION: 21 October 2019

CONDITIONS OF LICENCE: See attached.

DURATION OF LICENCE: 10 years

ISSUE OF LICENCE: The licence will be dated and issued
as soon as practicable after the end of the period of one month
from the date of publication of a notice in a newspaper
circulating in the vicinity of the aquaculture, if no appeal is made
to the Aquaculture Licences Appeals Board within that period,
under Section 40 and 41 if the Fisheries (Amendment) Act, 1997.


Note: It has been decided to grant the applicant a separate Foreshore Licence under the Foreshore Act, 1933 (No.12), contemporaneous with the Aquaculture Licence, subject to standard conditions applicable to Foreshore Licences.

To be inserted in "The Southern Star".

**FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) FORESHORE ACT, 1933 (NO. 12)
NOTICE OF DECISION TO GRANT/REFUSE AQUACULTURE AND FORESHORE
LICENCES.**

The Minister for Agriculture, Food and the Marine has decided to grant/refuse Aquaculture and Foreshore Licences to the following applicants for sites in Bantry Bay, Co. Cork:

Site Ref	Applicant	Location	Species & Cultivation	Grant/ Refuse
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
T05/612A	Wild Atlantic Sea Products Ltd	Mehal Head adjacent to Leahill Jetty along the north shore of Bantry Bay.	Seaweeds using longlines	Grant with Variation



The reasons for these decisions are elaborated on the Department's website at:

<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/>

An appeal against the Aquaculture Licence decisions may be made in writing, within one month of the date of its publication, to **THE AQUACULTURE LICENCES APPEALS BOARD**, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

A person may question the validity of the Foreshore Licence determinations by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

Submission AGR 00570-19: Recommendation to grant (a variation) Aquaculture and Foreshore Licences for site (T05/612A).

TO: Minister
STATUS: Completed
PURPOSE: For Decision

AUTHOR: Naughton, Maria
OWNER: Naughton, Maria
REVIEWERS: O'Keefe, Therese
Horan, Helena
Quinlan, John
Beamish, Cecil
Smith, Ann

DIVISION: Coastal Zone Management
DECISION BY:

Final comment

Minister determines the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 28.75 hectares to 20.68 hectares, for the reasons outlined.

Action required

Ministerial Determination on Aquaculture/Foreshore Licensing Application (T05/612A).

Executive summary

The Minister's determination is requested in relation to an application of an Aquaculture Licence from Wild Atlantic Sea Products Ltd, South Allihies, Allihies, Beara, Co. Cork. The application is for the cultivation of seaweeds using a longline grid system on site T05/612A totalling 28.75 hectares on an area of foreshore at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork.

A submission in respect of the application for the Foreshore Licence is also set out for the Minister's consideration.

It is recommended that the Minister determines the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 28.75 hectares to 20.68 hectares, to Wild Atlantic Sea Products Ltd, for the reasons outlined in the 'Detailed Information' section below. See documents at **TAB G** for recommended site layout, site reconfiguration and new coordinates.

Note: Tabs may contain additional information which is subject to redaction if transmitted to third parties.

Detailed information

BACKGROUND

Marine aquaculture operations require separate Aquaculture and Foreshore Licences and Ministerial approval is requested in respect of this submission (Aquaculture Submission) and the submission underneath (Foreshore Submission), which refer to the same site.

The Aquaculture Licence defines the activity that is permitted on a particular site and the Foreshore Licence allows for the occupation of that particular area of foreshore. The continuing validity of each licence is contingent on the other licence remaining in force.

APPLICATION FOR AN AQUACULTURE LICENCE

An application for an Aquaculture Licence has been received from the applicant referred to above (in conjunction with an application for a Foreshore Licence), for the cultivation of seaweeds using a longline grid system on site T05/612A in relation to a

28.75 hectare site on an area of foreshore at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork, (numbered T05/612A – see documents at **TAB A**).

LEGISLATION

Section 7 of the Fisheries (Amendment) Act 1997 provides that the licensing authority (i.e. Minister, delegated officer or, on appeal, the Aquaculture Licences Appeals Board) may, if satisfied that it is in the public interest to do so, licence a person to engage in aquaculture.

CONSULTATION AND PUBLIC COMMENT

The application was sent to the Department's technical experts, statutory consultees and was also publicly advertised in a composite public notice covering both aquaculture and foreshore elements.

Technical Consultation – (see documents at **TAB B**)

Marine Engineering Division (MED): Stated no objection to the renewal application and did recommend the inclusion of conditions dealing with structures and site layout.

Bord Iascaigh Mhara (BIM): AFMD consulted with BIM through the process regarding the correct species of seaweed to be cultivated. These species were agreed with the applicant and are listed in the draft Aquaculture Licence.

Statutory Consultation – (see documents at **TAB C**)

Regulation 10 of the Aquaculture (Licence Application) Regulations, 1998 requires certain statutory bodies to be notified of an Aquaculture Licence application.

Comments were received from the following statutory bodies:

Marine Survey Office (MSO): Stated no objection from a navigational viewpoint and recommended licence conditions.

It is proposed to insert a specific condition covering MSO matters in any licence which may issue as follows:

The Minister's determination in respect of this licence is conditional upon immediate full compliance by the Licensee in respect of all requirements and conditions which are imposed under the relevant legal provisions applicable to the Marine Survey Office.

Sea Fisheries Protection Authority (SFPA): Stated no objection to the application but stated that the area is used for pot fishing for shrimp and other species.

Commissioner of Irish Lights (CIL): No objection to the application provided that no navigable inter-tidal channels are impeded by this site.

Bantry Bay Port Company (Harbour Master): Stated no objection to the application.

Department of Housing Planning & Local Government (DHPLG): Stated no objection to the application but requested that the applicant be informed of an existing Foreshore Licence that's in place adjacent to the proposed area and to be mindful of same. This issue is covered under condition 3.8, Operational Conduct, in the Aquaculture Licence.

Marine Institute (MI): No objection to the application.

The MI also made the following recommendations:

- MI recommends that the initial source of plantlets/seed and other sources which may be used at any point in the future should be approved by the Minister. This approval should be a specific condition of any licence that may issue.
- Prior to the commencement of operations at the site, the applicant be required to draw up a contingency plan, for the approval of DAFM, which shall identify, *inter alia*, methods for the removal from the environment of any invasive non-native species introduced as a result of operations at this site. If such an event occurs, the contingency plan shall be implemented immediately.

Following considerations implicit to Sections 61 (e and f) of the Fisheries (Amendment) Act 1997, the Marine Institute is of the view that there will be no significant impacts on the marine environment and that the quality status of the area will not be adversely

impacted

Aquaculture Licence conditions required on foot of the Statutory Consultation process will be contained in Schedule 4 of the Draft Aquaculture Licence, if granted.

Public Consultation

The application was publicly advertised using a composite public notice covering aquaculture and foreshore elements in The Southern Star on 19th January, 2019. The application and supporting documentation were available for inspection at Bantry Garda Station for a period of 4 weeks following the publication in the newspaper.

There was **one** objection/observation received from the public consultation process. The main concern was in relation to access to shrimp fishing grounds.

A copy of all the observations/submissions received at the Public/Statutory consultation stage was forwarded to the applicant.

The applicant did not respond.

MED subsequently revised the area of the site to 20.68 hectares to reduce the impact on the shrimp potting lines in the area. The applicant had originally applied for a 28.75 hectare site.

CRITERIA IN MAKING LICENSING DECISIONS

The licensing authority, in considering an application, is required by statute to take account of, as appropriate, the following points and must also be satisfied that it is in the public interest to license a person to engage in aquaculture:

a) the suitability of the place or waters;

Scientific advice is to the effect that the waters are suitable for the cultivation of seaweeds.

b) other beneficial uses of the waters concerned;

Public access to recreational and other activities can be accommodated by this project. Aquaculture appropriately licensed can co-exist with leisure activities.

c) the particular statutory status of the waters

(i) Natura 2000

*The proposed site is located in Bantry Bay, which is not a Natura 2000 area. However, it is adjacent to a number of Natura sites. A screening matrix was carried out by our scientific advisors who considered that there will be no significant effects on the qualifying interests of the Natura sites. (See document at **TAB D**)*

(ii) Shellfish Waters

Not applicable for seaweed.

d) the likely effects on the economy of the area;

Aquaculture has the potential to provide a wide range of benefits to the local community such as direct employment, attraction of investment capital, development of support services etc.

e) the likely ecological effects on wild fisheries, natural habitats, flora and fauna

No significant issues arose regarding wild fisheries.

f) the effect on the environment generally

The Department's Scientific Advisors the Marine Institute, are of the view that there will be no significant impacts on the marine environment and that the quality status of the area will not be adversely impacted.

g) DCHG raised no objection to the development from an underwater archaeological perspective.

RECOMMENDATION

It is recommended that the Minister:

approves the granting of an Aquaculture Licence (**TAB E**) to Wild Atlantic Sea Products Ltd, South Allihies, Allihies, Beara, Co. Cork, with a variation, reducing the footprint of the site from 28.75 hectares to 20.68 hectares for a period of ten (10) years for the purpose of cultivating seaweeds using a longline grid system in the sub-tidal part of the foreshore, in accordance with the terms and conditions of the attached draft Aquaculture Licence.

REASONS FOR DECISION

The Minister for Agriculture, Food and the Marine is required to give public notice of both the licensing determination and the reasons for it. To accommodate this, it is proposed to publish the following on the Department's website, subject to the Minister approving the above recommendation:

"Determination of Aquaculture/ Foreshore Licensing application –T05/612A

Wild Atlantic Sea Products Ltd has applied for authorisation to cultivate seaweeds using a longline grid system on the sub-tidal foreshore on a 28.75 hectare site (T05/612A) on an area of foreshore at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork

The Minister for Agriculture, Food and the Marine has determined that it is in public interest to grant a variation of the licence sought. The Minister recommends granting a 20.68 hectare site, and not the 28.75 hectare site which was applied for, to reduce the impact on the shrimp potting lines in the area. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with the statutory provisions. The following are the reasons and considerations for the Minister's determination to grant the licence sought: -

- a. *Scientific advice is to the effect that the waters are suitable;*
- b. *Public access to recreational and other activities can be accommodated by this project;*
- c. *The proposed development should have a positive effect on the economy of the local area;*
- d. *All issues raised during Public and Statutory consultation phase were given consideration and addressed as necessary;*
- e. *The possible effects on the man-made environment heritage of value in the area have been taken into consideration;*
- f. *No significant effects arise regarding wild fisheries;*
- g. *The proposed aquaculture activities do not spatially overlap with Natura 2000 sites and there should be no significant impacts on the nearest Natura site(s).*
- h. *There are no significant impacts on the marine environment and the quality status of the area will not be adversely impacted;*
- i. *The updated Aquaculture and Foreshore licences contain terms and conditions which reflect the environmental protection now required under EU and National law."*

Recommendation to grant a Foreshore Licence application (T05/612A)

DECISION SOUGHT

The Minister's determination is requested please in relation to the application for a Foreshore Licence from Wild Atlantic Sea Products Ltd, South Allihies, Allihies, Beara, Co. Cork for a site at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork, in which it is proposed to conduct aquaculture.

BACKGROUND

Marine aquaculture operations require separate Aquaculture and Foreshore Licences and Ministerial approval is requested in respect of this submission (Foreshore Submission) and the submission above (Aquaculture Submission), which refer to the same site.

The Foreshore Licence allows for the occupation of the particular area of foreshore while the Aquaculture Licence defines the activity that is permitted in this area. The continuing validity of each licence is contingent on the other licence remaining in force.

APPLICATION FOR A FORESHORE LICENCE

An application (see documents at **TAB A**) for a Foreshore Licence has been received from the applicant referred to above (in conjunction with an Aquaculture Licence application), relating to the occupation of the foreshore associated with the Aquaculture Licence application which covers a 28.75 hectare site (numbered **T05/612A.**)

LEGISLATION

Section 3 of the Foreshore Act, 1933 gives power to the Minister to licence the use of foreshore, if he is of the opinion that it is in the public interest to do so.

CONSULTATION AND PUBLIC COMMENT

The application was sent to the Department's technical experts, and was also publicly advertised in a composite public notice covering both aquaculture and foreshore elements.

This application was also sent to the Department of Housing, Planning and Local Government (DHPLG) in accordance with subsection (1B) of Section 3 of the Foreshore Act, 1933, which requires consultation between the Minister for Agriculture, Food and the Marine and the Minister for Housing, Planning and Local Government. Whilst aquaculture legislation requires certain statutory bodies to be notified of an aquaculture application, no other statutory bodies are prescribed consultees under Fisheries related foreshore legislation.

DHPLG: There were no comments received from a water quality or foreshore perspective.

Technical Consultation – (see documents at **TAB B**)

Marine Engineering Division (MED): Stated no objection to the renewal application and did recommend the inclusion of conditions dealing with structures and site layout.

Public Consultation

The application was publicly advertised using a composite public notice covering aquaculture and foreshore elements in The Southern Star on 19th January, 2019. The application and supporting documentation were available for inspection at Bantry Garda Station for a period of 4 weeks following the publication in the newspaper.

There was **one** objection/observation received from the public consultation process. The main concern was in relation to access to shrimp fishing grounds

MED subsequently revised the area of the site to 20.68 hectares to reduce the impact on the shrimp potting lines in the area. The applicant had originally applied for a 28.75 hectare site.

CRITERIA IN MAKING LICENSING DECISIONS

The Minister, in considering an application for a Foreshore Licence, may, if satisfied that it is in the public interest to do so, grant such a licence.

Section 82 of the Fisheries (Amendment) Act, 1997 stipulates that the Minister, in considering an application for a licence under the Foreshore Acts, which is sought in connection with the carrying on of aquaculture pursuant to an Aquaculture Licence, shall have regard to any decision of the licensing authority in relation to the Aquaculture Licence.

RECOMMENDATION

It is recommended that the Minister:

approves the granting of a Foreshore Licence (see document at **TAB F**) to Wild Atlantic Sea Products Ltd, South Allihies, Allihies, Beara, Co. Cork for a site at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork, for a reduced size site from 28.75 hectares to 20.68 hectares to reduce the impact on the shrimp potting lines in the area, for a period of ten (10) years for occupation of the site for the carrying out of aquaculture activities as defined in the Aquaculture Licence, and in accordance with the terms and conditions of the attached draft Foreshore Licence.

Related submissions

There are no related submissions.

Comments

O'Keefe, Therese - 10/10/2019 15:27

Recommended that the Minister grants the Aquaculture and Foreshore licences with a variation for the reasons outlined in the submission.

Horan, Helena - 11/10/2019 14:39

I agree with the recommendation that the Minister determines that the Aquaculture and Foreshore licences sought for this site be granted (with a variation) for the reasons outlined in the submission.

Quinlan, John - 14/10/2019 09:57

Recommended for approval please.

Beamish, Cecil - 18/10/2019 10:52

Recommended that the Minister determines the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 28.75 hectares to 20.68 hectares, for the reasons outlined in the submission.

Smith, Ann - 18/10/2019 10:53

Approved for submission to Minister. AS 18/10/2019

Lennox, Graham - 21/10/2019 16:23

Minister determines the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 28.75 hectares to 20.68 hectares, for the reasons outlined.

User details

INVOLVED: Naughton, Maria
O'Keefe, Therese
Horan, Helena
Quinlan, John
Beamish, Cecil
Sub Sec Gens Office
eSub Sec Gen
eSub Ministers Office
eSub Minister

READ RECEIPT: Naughton, Maria
O'Keefe, Therese
Horan, Helena
Quinlan, John
Beamish, Cecil
Smith, Ann
Lennox, Graham

AQUACULTURE AND FORESHORE LICENCE APPLICATION FORM, for purposes of
FISHERIES (AMENDMENT) ACT, 1997 and FORESHORE ACT, 1933

NB: The accompanying Guidance Notes should be read before completing this form.

Note: Details provided in Parts 1 and 2 will be made available for public inspection. Details provided in Parts 3 and 4 and any other information supplied will not be released except as may be required by law, including the Freedom of Information Act 1997 as amended.

USE BLOCK CAPITALS IN BLACK INK PLEASE

For Office Use

Application Ref. No. TS/612.

Date of Receipt (Dept. Stamp):



Type of Applicant (tick one)	
Sole Trader	<input type="checkbox"/>
Partnership	<input type="checkbox"/>
Company	<input checked="" type="checkbox"/> X
Co-Operative	<input type="checkbox"/>
Other	Please specify- <input type="checkbox"/>

PART 1: PRELIMINARY DETAILS

Applicant's Name(s)
1. Wild Atlantic sea products Ltd
Address: South Allihies, Allihies, Beara, Co Cork
2.
Address:
3.
Address:
4.
Address:

Contact in case of enquiries (if different from above)	
Contact Name	Ed Sheehan
Organisation Name (if applicable)	N/A
Address	South Allihies, Allihies, Beara, Co Cork

PART 1: PRELIMINARY DETAILS

TYPE OF APPLICATION – please indicate relevant type of application
 This Application Form is valid for each type of application - *See Guidance Note 3.1*

(i) Aquaculture Licence	<input checked="" type="checkbox"/>	X
(ii) Trial Licence	<input type="checkbox"/>	
(iii) Foreshore Licence, if Marine Based	<input type="checkbox"/>	
(iv) Review of Aquaculture Licence	<input type="checkbox"/>	
(v) Renewal of Aquaculture Licence	<input type="checkbox"/>	

TYPE OF AQUACULTURE

See Guidance Note 3.2

Indicate the relevant type of application with a tick.

(i) **MARINE-BASED**

- | | | |
|---|-------------------------------------|--------------------------|
| Finfish | <input type="checkbox"/> | Go to Parts 2.1 and 2.1A |
| Shellfish <i>Subtidal</i> | <input type="checkbox"/> | Go to Parts 2.2 and 2.2A |
| <i>Intertidal</i> | <input type="checkbox"/> | Go to Parts 2.2 and 2.2A |
| Seaweed/Aquatic Plants/Aquatic Fish Food | <input checked="" type="checkbox"/> | Go to Parts 2.3 and 2.3A |

(ii) **LAND-BASED**

- | | | | | |
|-----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Finfish | <input type="checkbox"/> | Shellfish | <input type="checkbox"/> | Go to Parts 2.4 and 2.4A |
| Aquatic Plants | <input type="checkbox"/> | Aquatic Fish Food | <input type="checkbox"/> | Go to Parts 2.4 and 2.4A |

(iii) **TRIAL LICENCE**

- | | |
|--------------------------|----------------------------------|
| <input type="checkbox"/> | Go to appropriate Parts as above |
|--------------------------|----------------------------------|

2.3 MARINE-BASED SEAWEED/AQUATIC PLANTS/AQUATIC FISH FOOD AQUACULTURE

When filling out this section refer also to 2.3A and Guidance Note 3.3 for information on
Conditions and Documents required with this application type

Proposed Site Location

- (i) Bay: Bantry Bay
- (ii) County: Co Cork
- (iii) OS Map No: CK117
- (iv) Co-ordinates of Site: (please specify coordinate reference system used e.g. Irish Grid (IG) or Irish Transverse Mercator (ITM) or Latitude/Longitude [in which case specify whether ETRS89 or WG84 etc.]

Irish Grid (IG) Co-ordinates:

X-86089, Y-47952 X-87120, Y-48462

X-86200, Y-47728 X-87231, Y-48238

- (v) Size (hectares): 28.75 Hectares

(vi) Species (common and scientific name): Alaria esculenta (Winged kelp) Lamaria digitata (Oarweed)

Limaria saccharina (Devils apron) Palmaria palmate (Dulse)

(vii) What is the source of plantlet? Sourced by BIM

(viii) Cultivation Method? Automated hauling system

(ix) Proposed total number of lines/ropes Total of 4 grids of dimensions 240m long with a total of 21 lines at 10m centres in each grid – refer to attached drawings

(x) Proposed Production:

Year 1	190t	Year 2	190t	Year 3	190t	Year 4	190t	Year 5	190t
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(xi) Reasons for site selection: Good quality clear water, availability of site and proximity to facilities

(xii) Provide detailed information on the techniques for cultivation in use or to be used. Are these techniques currently in use in the industry or are they new? Please give details;

System of longline as already proven in use on other sites in Ireland and overseas

(xiii) Methods used for harvesting. Boat equipped with hauler to facilitate stripping of seaweed off growlines as it comes onboard

(xiv) Has the site sufficient space for the site structures including mooring blocks?

Yes – refer to attached drawings of over and underwater structures
Please provide separately detailed drawings of both over and under water structures including moorings.
(See Guidance Note on Site Structures 3.3.2)

(xv) How will the visual impact issues of the flotation devices for the proposed application be addressed? A2 grey header buoy floats will support growlines which are located below water level. These floats generally blend well with the normal colour of the water and will be readily assimilated in to the background – They are already in extensive use in the mussel industry

(xvi) Is the site located in a sensitive area e.g. SPA (Special Protection Area) or SAC (Special Area of Conservation) i.e. a Natura 2000 site? (Refer to Guidance Note 3.3.1- Natura 2000 sites) - No

If Yes give details - Note Site is 4km west of Sheelane Island in Bantry Bay – This island is noted for the presence of Centaureum pullchellum (Lesser Centaury) a flowering plant. The placement of a subsurface seaweed production system will not impact on the land based flowers on Sheelane

See Part 2.3A for details of documentation to be included with this application type

**2.6 Employment, Qualifications, Experience, etc
TO BE FILLED IN BY ALL AQUACULTURE APPLICANTS**

(i) Please provide details of experience/qualifications of the applicant and any key personnel which are relevant to the aquaculture now proposed:

Ed Sheehan has over 38 years experience in the fishing industry. His co director Tim Reardon has over 38 years experience in the chemical supply industry

- (ii) If a new application please provide details of projected employment creation during first four years of the proposed aquaculture project:
- (iii) In the case of a renewal please provide current and future details:

FULLTIME JOBS

Year 1:	2	Year 2:	4	Year 3:	6	Year 4:	12
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PART TIME JOBS

Year 1:		Year 2:		Year 3:		Year 4:	
---------	--	---------	--	---------	--	---------	--

PART 3 D. LIMITED COMPANY

Company Name: Wild Atlantic Sea Products Ltd

Address: South Allihies, Allihies, Beara, Co Cork.

Company Registered No. [REDACTED]

VAT No. Not yet registered

Phone No. [REDACTED]

Mobile No. [REDACTED]

E-mail Address: [REDACTED]

Please list below the names and Personal Public Service No's of the Directors of the Company

- Name: Ed Sheehan Personal Public Service [REDACTED]
- Name: Tim Reardon Personal Public Service [REDACTED]
- Name: _____ Personal Public Service No. _____
- Name: _____ Personal Public Service No. _____

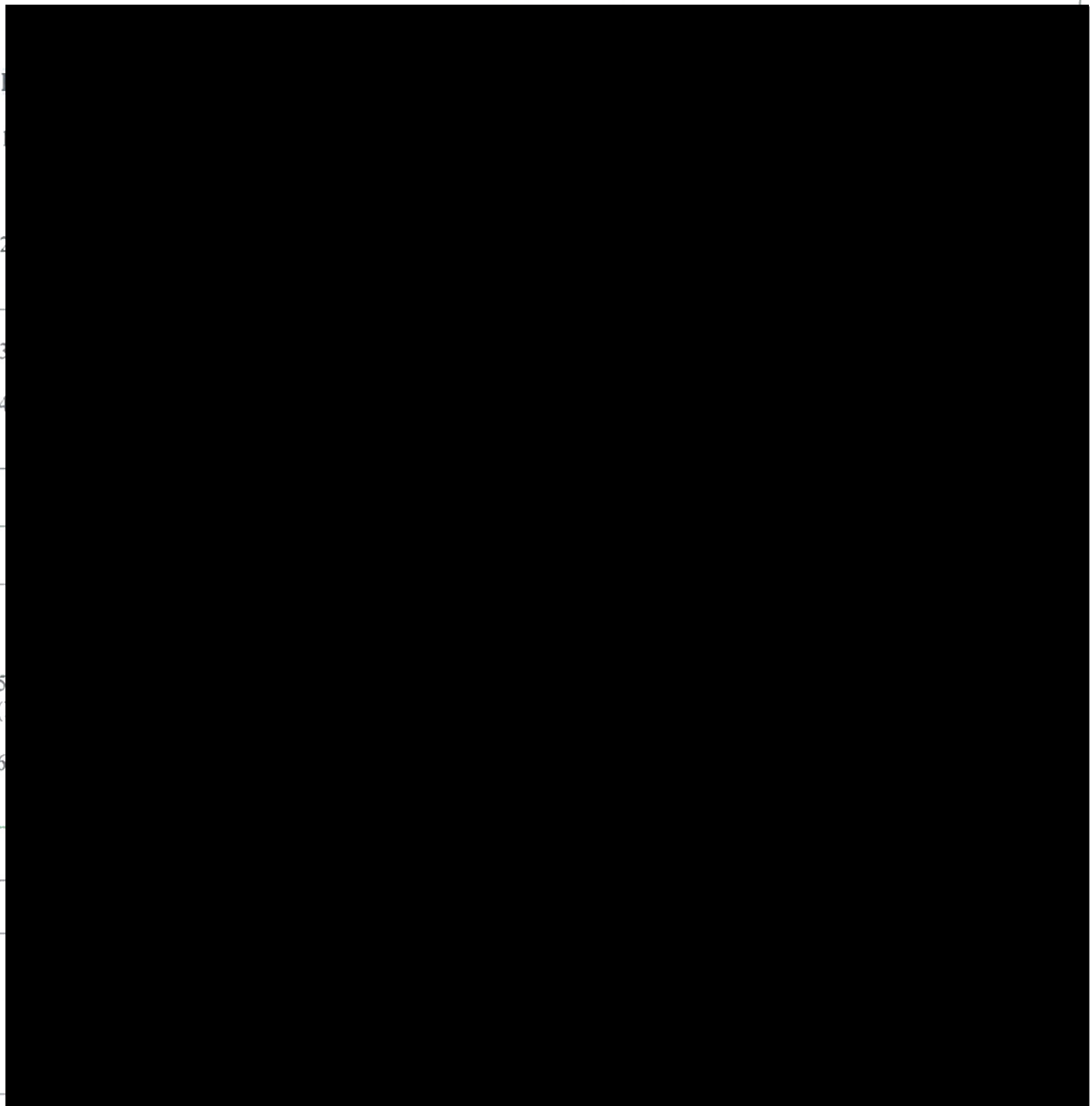
Please list below the names and Personal Public Service No.'s of the Shareholders in the Company and the percentage shareholding held in each case

- Name: Ed Sheehan Personal Public Service [REDACTED]
% Shareholding 50%
- Name: Tim Reardon Personal Public Service No. [REDACTED]
% Shareholding 50%
- Name: _____ Personal Public Service No. _____
% Shareholding: _____
- Name: _____ Personal Public Service No. _____
% Shareholding: _____

PART 3E DETAILS FOR CONTACT IF DIFFERENT FROM APPLICANT(S)

Contact in case of enquiries

Contact Name	John O Sullivan
Organisation Name (if applicable)	John J O Sullivan & Associates
Address	Lindhu, Reenmeen East, Glengarriff, Co Cork
Telephone No.	027 - 63126
Mobile No.	087 2360150
E-mail Address	johnj@jjos.ie



13. If this application relates to an existing site, please set out below the production by quantities on an annual basis for the last 4 years showing stock inputs, growth, survival rates and harvest production



PART 5: APPLICATION DOCUMENTATION

The following documents are enclosed with this application:

NB: Refer to Guidance Note Section 3.3 – Guidance on Application Documentation

No.	DOCUMENTATION	YES	NO	N/A
1	An appropriate Ordnance Survey Map (recommendation is a map to the scale of 1:10,000/10:10,560, i.e., equivalent to a six inch map)	X		
2	Scale drawing of the structures to be used and the layout of the farm (recommended scales normally 1:100 for structures and 1:200 for layout)	X		
3	The prescribed application fee	X		
4	Environmental Impact Statement (EIS), if required			N/A
5	Water Quality Analysis Report, if appropriate			N/A
6	Decision of Planning Authority under the Planning			N/A

	Acts, if required			
7	Copy of Licence under Section 4 of the Local Government (Water Pollution) Act, 1977 – Effluent Discharge, if required			N/A
8	If the applicant is a limited Company within the meaning of the Companies Act 1963, as amended, a copy of the Certificate of Incorporation and Memorandum and Articles of Association.	X		
9	If the applicant is a Co-operative, a copy of the Certificate of Incorporation and Rules of the Co-operative Society			N/A
10	Integrated Pest Management Plan, if required			N/A
11	Alien Species documentation, if required.			N/A

PART 5: DECLARATION AND SIGNING

NB: Refer to Guidance Note Section 3.5 and Section 4 - Guidance on Declaration and Signing and Annual Aquaculture and Foreshore Licence Fees

If this is a renewal/review have you met all licence conditions of the existing aquaculture licence? If applicable, explain why you have not complied with all conditions:

I/We hereby declare the information provided in Parts 1, 2, 3 and 4 above to be true to the best of my/our knowledge. I/We enclose an application fee* of €96 with this application.

Signature(s) of Applicant(s):
(Please state capacity of persons signing on behalf of a Company/Co-op)



Director

Date: 17th May 2018

**NB All persons named on this licence application must sign and date this application form.
Only the existing licence holder(s) can apply for the renewal/review of an Aquaculture Licence.**

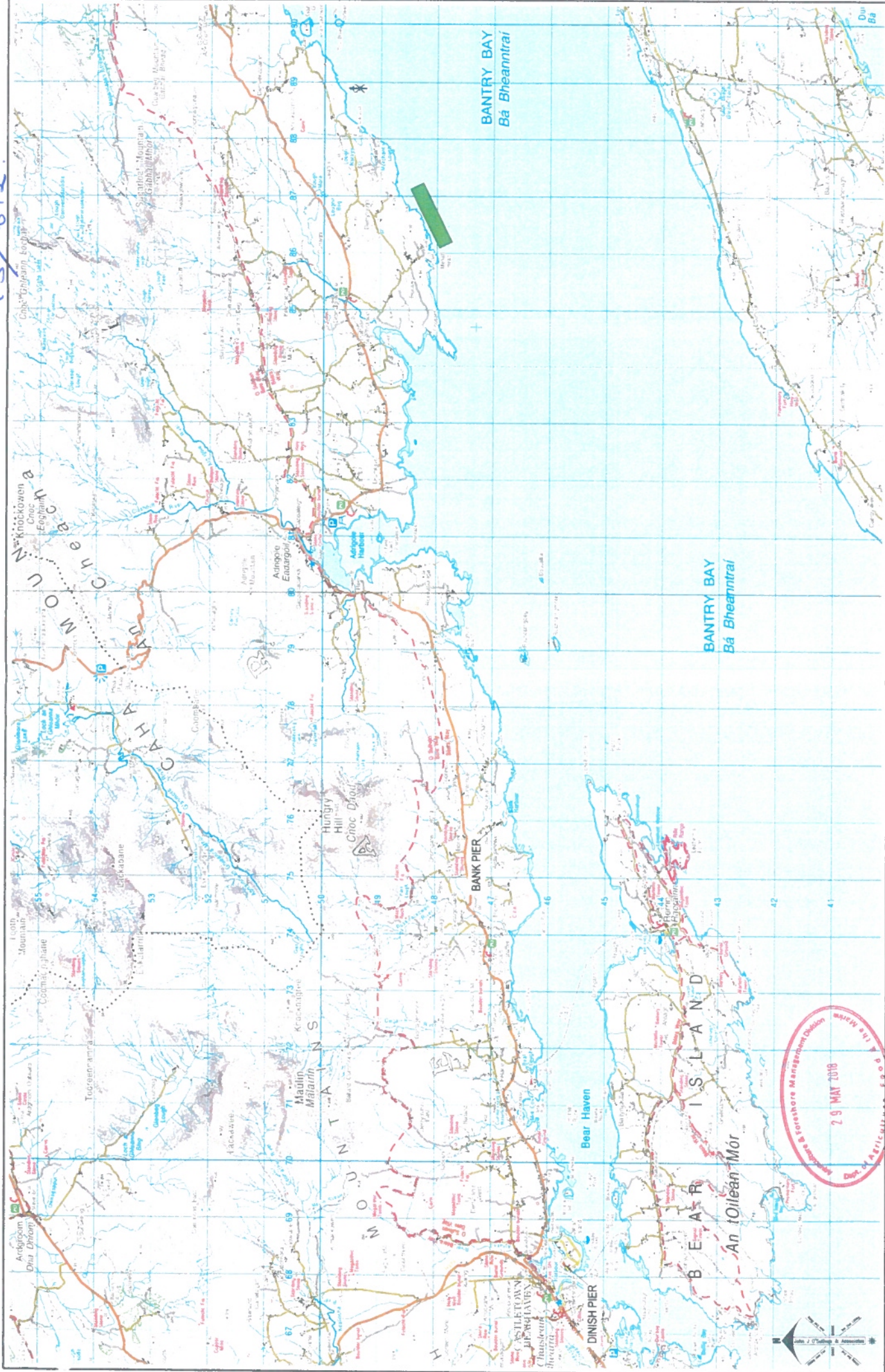
*Preferred method of payment is by cheque or bank draft. The fee should be made payable to the Department of Agriculture, Food and the Marine.

Refer to Guidance Note Section 4 - Guidance on Aquaculture and Foreshore Licence Fees

The application form should be forwarded, with the required documents and application fee, to:

**Aquaculture Licensing
Aquaculture & Foreshore Management Division
Department of Agriculture, Food and the Marine
National Seafood Centre
Clonakilty
Co. Cork**

15/612



Client: WILD ATLANTIC SEA PRODUCTS LTD Project: SEAWEED AQUACULTURE LICENCE APPLICATION, IN BANTRY BAY, CO. CORK (MEHAL HEAD)	Drawing Title: DISCOVERY MAP EXTRACT Scale: A3 - 1:60,000 Date: 29 MAY 2018 Drawing No: CK117	Drawing Status: ISSUE FOR AQUACULTURE LICENCE Drawing Title: DISCOVERY MAP EXTRACT Scale: A3 - 1:60,000 Date: 29 MAY 2018 Drawing No: CK117	Drawn By: John Colvin, B.Sc. Arch. Tech Checked By: John J. O'Sullivan, BE C.Eng. MEl Date: 28/03/2018 Dwg No: L00061801-Disco_Map
--	--	---	---

GLENDISON PARTNERSHIP T/A
JOHN J. O'SULLIVAN & ASSOCIATES
 -Planning & Architectural Consultants - Consulting Engineers & Surveyors-
 'Lindhu', Reemheen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland
 Tel: 027 63126 - Fax: 027 63557 - Office email: info@jjo.ie - Website: www.jjo.ie

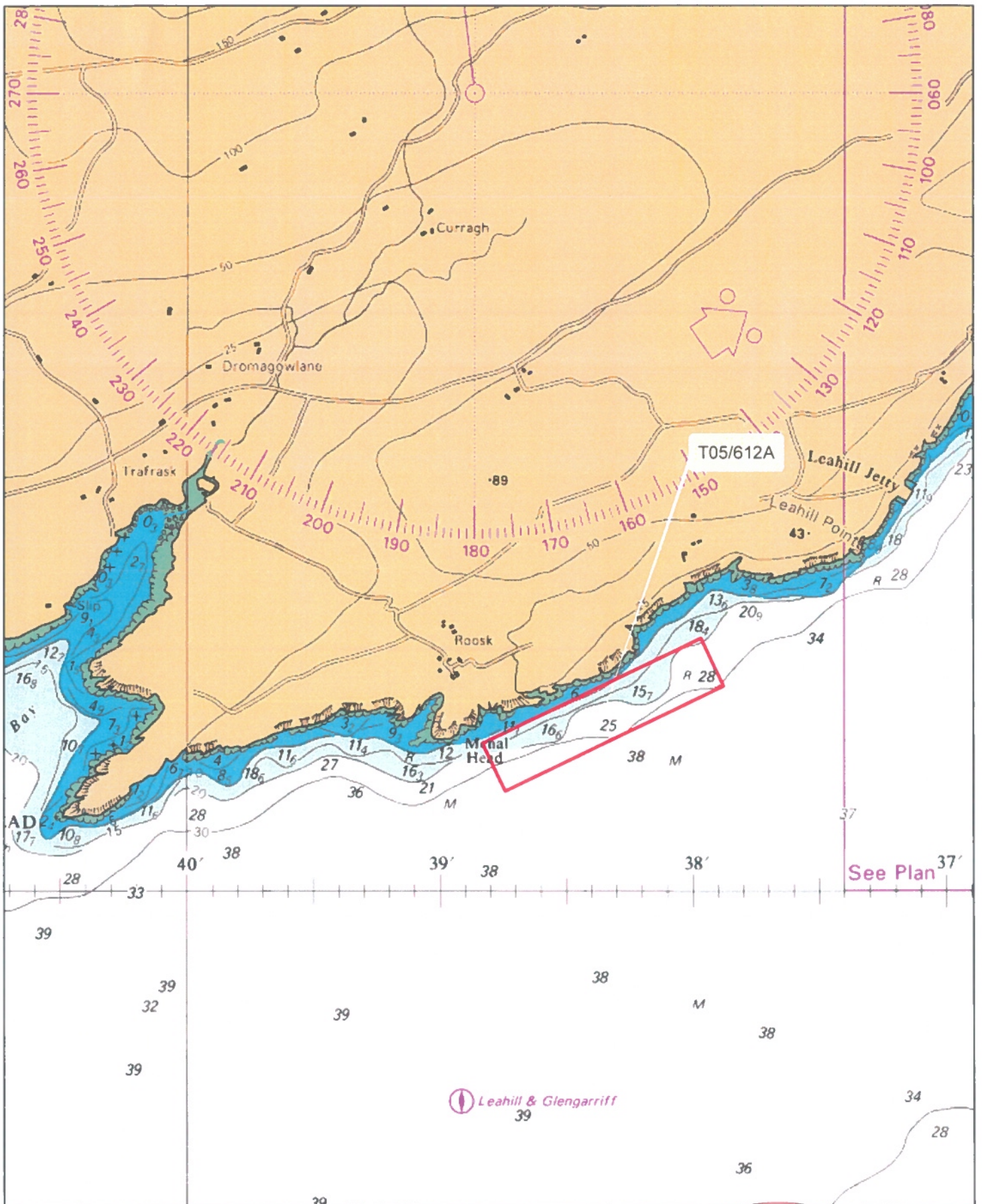
1 NO. SITE AT BANTRY BAY CO.CORK

Co-ordinates & Area

Site T05/612A (28.75 Ha)

The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

086089, 047952 to Irish National Grid Reference point
087120, 048462 to Irish National Grid Reference point
086200, 047728 to Irish National Grid Reference point
087231, 048238 to the first mentioned point.

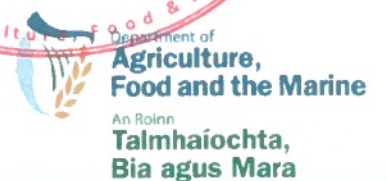


Aqua Culture Sites
<all other values>

Site_Status	Description
	Application
	Lapsed
	Licensed
	Refused
	Revoked
	Surrendered
	Withdrawn

1:24,000

Sites highlighted in red denotes Application
Part of Admiralty Chart No =1838-0
Not to be used for Navigation



86000

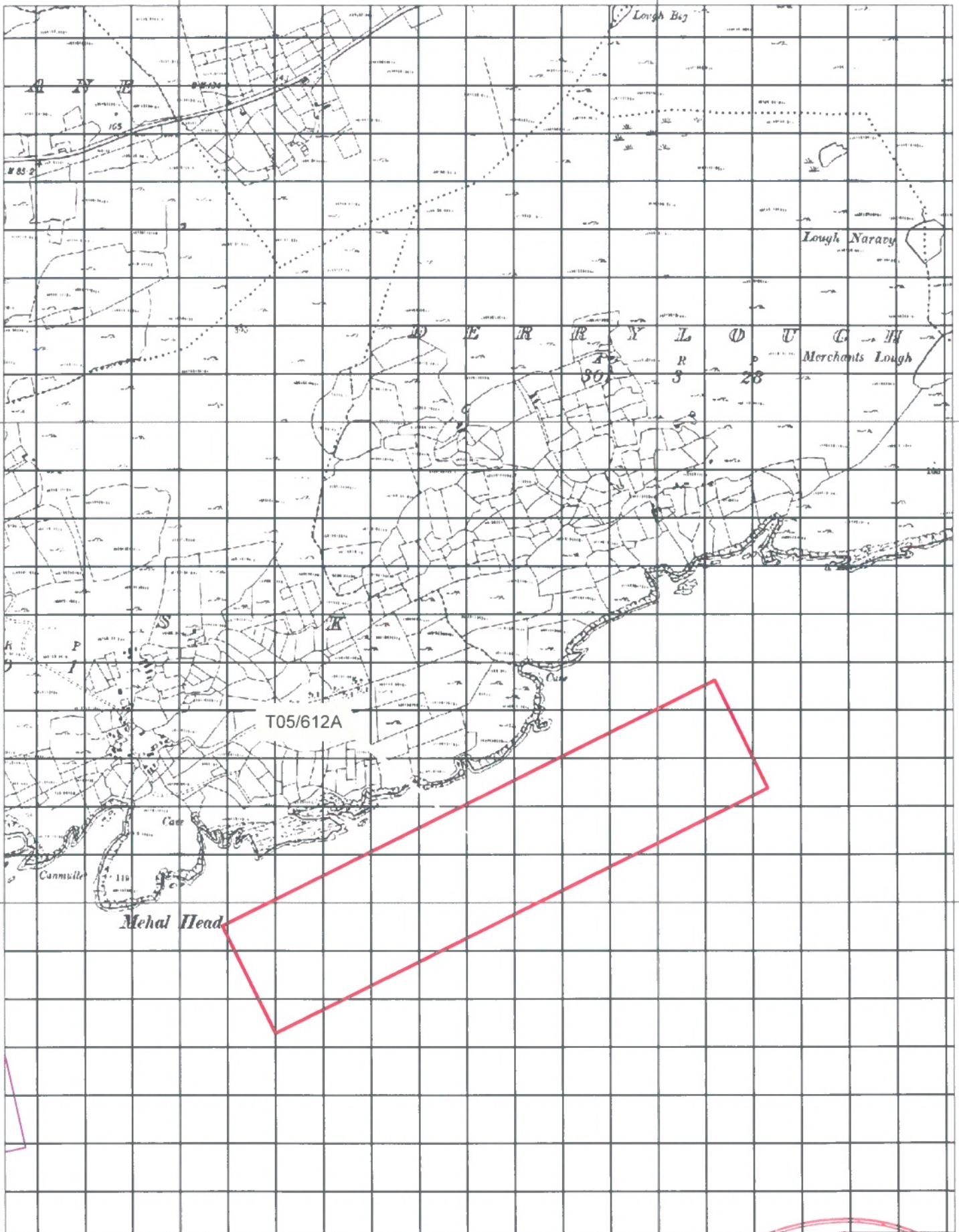
87000

49000

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48000









48000



Aqua Culture Sites

<all other values>

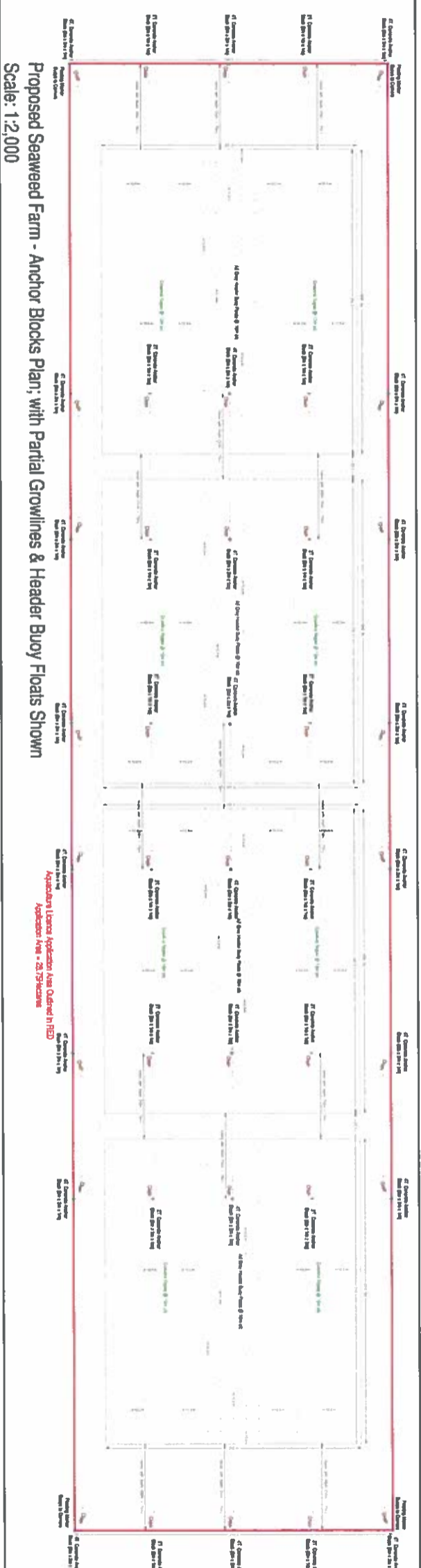
Site_Status

-  Application
-  Lapsed
-  Licensed
-  Refused
-  Revoked
-  Surrendered
-  Withdrawn
-  100 Meter Reference Grid

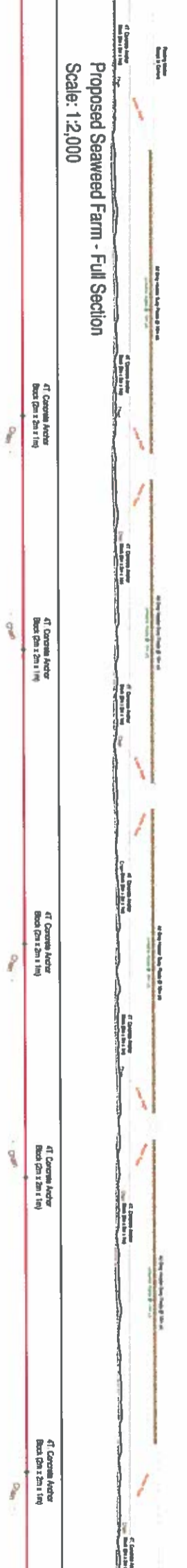
1:10,560

Sites highlighted in red denotes Application
 Ordnance Survey Ireland Licence No. EN 0076413
 © Ordnance Survey Ireland/Government of Ireland





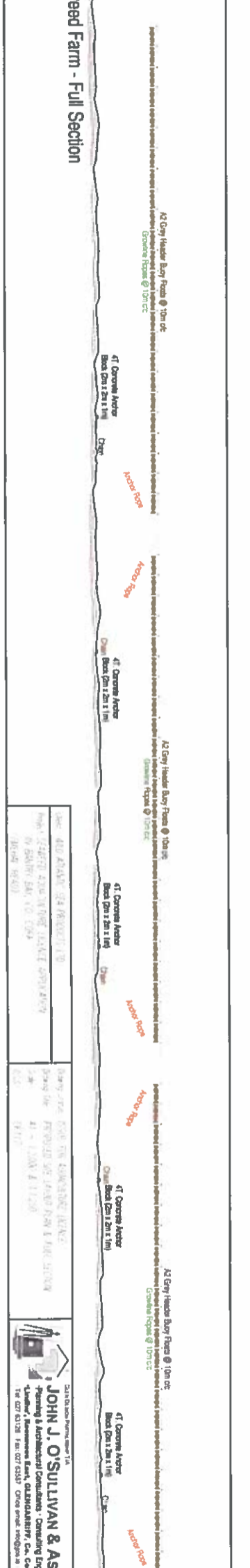
Proposed Seaweed Farm - Anchor Blocks Plan; with Partial Growlines & Header Buoy Floats Shown
Scale: 1:2,000



Proposed Seaweed Farm - Full Section
Scale: 1:2,000



Proposed Seaweed Farm - Anchor Blocks Plan; with Partial Growlines & Header Buoy Floats Shown
Scale: 1:1,250



Proposed Seaweed Farm - Full Section
Scale: 1:1,250

JOHN J. O'SULLIVAN & ASSOCIATES
 Planning & Architectural Consultants - Consulting Engineers & Surveyors
 1400 Highway 101, Suite 100, St. John's, NL A1B 1X6
 Tel: (709) 463-1111 Fax: (709) 463-1112
 www.josullivan.ca

Date: 20/05/2015
 Drawn By: J. O'Sullivan
 Checked By: J. O'Sullivan
 Scale: 1:1,250



AN t-ÚDARÁS UM
CHOSAINT
IASCAIGH MHARA

SEA-FISHERIES
PROTECTION
AUTHORITY

22nd August 2018

Deirdre Fitzpatrick,
Aquaculture and Foreshore Management Division,
Department of Agriculture, Food and the Marine,
National Seafood Centre
Clonakilty,
Co. Cork.

**Re: Aquaculture and Foreshore Licence Application Review T5/612
for Wild Atlantic Sea Products, Bantry Bay, Co. Cork.**

- This area is used for pot fishing for shrimp and other species.

Yours sincerely,

John Falvey
Senior Port Officer
Sea Fisheries Protection Authority,
Castletownbere, Co. Cork.

Fitzpatrick, Deirdre

From: O'CALLAGHAN Tom [TomOCallaghan@dtas.gov.ie]
Sent: 30 July 2018 14:44
To: Coakley, John
Subject: FW: T5/612 Wild Atlantic Sea Products Ltd, Seaweeds on line, Bantry Bay. Our ref: TMS 18239

Tom O'Callaghan (Capt.)
Nautical Surveyor
Marine Survey Office

An Roinn Iompair, Turasóireachta agus Spóirt
Department of Transport, Tourism and Sport
Centre Park House, Bóthar Na Páirce Láir, Co. Corcaigh, T12 RKON
Centre Park House, Centre Park Road, Co. Cork, T12 RKON

T +353 (0)21 602 6323 Mob +353 87 7427712
tomocallaghan@dtas.gov.ie www.dttas.gov.ie

From: O'CALLAGHAN Tom
Sent: 30 July 2018 12:09
To: 'Deirdre.Fitzpatrick@agriculture.gov.ie'
Cc: david.milliard@bim.ie; 'info@irishlights.ie'; Michael Murphy (mpatmurphy@bantrybayport.com)
Subject: T5/612 Wild Atlantic Sea Products Ltd, Seaweeds on line, Bantry Bay. Our ref: TMS 18239

Dear Ms Fitzpatrick,

Application for an Aquaculture and Foreshore Licence

- This office has no objections from a navigational viewpoint to the above application; however as the proposed site is close south and west of Leahill Jetty the Harbour the Harbour Master should be consulted for his opinion.

- The applicant is required to apply to the Commissioners of Irish Lights

(Fax: 01-2715566, email: info@irishlights.ie) for sanction to establish the following lights and marks:

A special mark buoy with topmark and light to be located at the SW and SE ends of the site.

Kind regards

Tom O'Callaghan (Capt.)
Nautical Surveyor
Marine Survey Office

An Roinn Iompair, Turasóireachta agus Spóirt
Department of Transport, Tourism and Sport
Centre Park House, Bóthar Na Páirce Láir, Co. Corcaigh, T12 RKON
Centre Park House, Centre Park Road, Co. Cork, T12 RKON

T +353 (0)21 602 6323 Mob +353 87 7427712
tomocallaghan@dtas.gov.ie www.dttas.gov.ie

Tá eolas sa teachtaireacht leictreonach seo a d'fhéadfadh bheith príobháideach nó faoi rún agus b'fhéidir go mbeadh ábhar rúnda nó pribhléideach ann. Is le h-aghaidh an duine/na ndaoine nó le h-aghaidh an aonáin atá ainmnithe thuas agus le haghaidh an duine/na ndaoine sin amháin atá an t-eolas. Tá cosc ar rochtain don teachtaireacht leictreonach seo do aon duine eile. Murab ionann tusa agus an té a bhfuil an teachtaireacht ceaptha dó bíodh a fhios agat nach gceadaítear nochtadh, cóipeáil, scaipeadh nó úsáid an eolais agus/nó an chomhaid seo agus b'fhéidir d'fhéadfadh bheith mídhleathach.

Tá ár Ráiteas Príobháideachta le fáil ar www.dttas.gov.ie

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T +353.1.271.5400

F +353.1.271.5566

E info@irishlights.ie

W www.irishlights.ie

Ms. Deirdre Fitzpatrick
Aquaculture and Foreshore Management Division
Dept. of Agriculture Food & the Marine
National Seafood Centre
Clonakilty
Co. Cork

Your Reference: T05/612

Our Reference: LA:0566.4010

Date: 06/07/2018

LL: LA0566.4010

Applicant: Wild Atlantic Sea Products Ltd

Site: Bantry Bay, Co. Cork

Dear Ms. Fitzpatrick,

Thank you for your letter advising us of this application.

Based on the information supplied, there appears to be no objection to the development. It is important to ensure that no navigable inter-tidal channels are impeded by the site.

If a licence is granted, all structures must be clearly marked as required by Regulations and Licensing Permit conditions and to the approval of the Nautical Surveyor with the Marine Survey Office.

We would request that you include the following terms in the licence—

- That the applicant secures Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation that may be required by the Marine Survey Office. These aids should be in place before development on the site commences. Statutory sanction forms are available at <http://www.irishlights.ie/safety-navigation/statutory-sanction.aspx>
- The size and specification of aids to navigation should be of the design and specification approved by the Marine Survey Office and must be agreed in advance with the Commissioners of Irish Lights.

It is recommended that local fishing and leisure interests be consulted prior to a decision being made.

Furthermore, if a licence is granted, the UK Hydrographic Office at Taunton: sdr@ukho.gov.uk must be informed of the development's geographical position in order to update nautical charts and other nautical publications.

Yours sincerely,

Capt. Harry Duggan
for Director of Operations and Navigation

cc Capt. T. O'Callaghan, Dept. of Transport Tourism & Sport, Marine Survey Office

Date: 10 January 2019

Deirdre Fitzpatrick
Aquaculture and Foreshore Management Division
Department of Agriculture, Food and the Marine
Clogheen,
Clonakilty
Co. Cork.

Advice on Aquaculture Licence Application

Applicant	Wild Atlantic Sea Products Ltd
Application type	New
Site Reference No	T05/612A
Species	Native Seaweeds (<i>Alaria esculenta</i>, <i>Laminaria digitata</i>, <i>Laminaria saccharina</i>, <i>Palmaria palmata</i>,) – longlines
Site Status	Not located within a Natura 2000 Site

Dear Deirdre

This is an application for a new aquaculture licence for the production of seaweeds (*Alaria esculenta*, *Laminaria digitata*, *Laminaria saccharina* and *Palmaria palmata*) using longlines, at Site T05/612A on the foreshore in Bantry Bay, Co. Cork. The area of foreshore at Site T05/612A is 28.75 Ha.

All seaweed species intended for production are native species. Little information, however, is provided on the source of the plantlets / seeded strings to be used in the cultivation process other than that they will be sourced by BIM. It is recommended that further information on this element of the proposal be sought from BIM to ensure that sufficient quantities of plantlets / seeded strings are available for all species and to provide information on the exact source of the material.

It is the Marine Institute's view that the potential risk of pollution caused by cultivating seaweeds as proposed is minimal. No hazardous or toxic chemicals are used in the production process. Like all other plants, seaweeds require sunlight and inorganic nutrients (Nitrogen and Phosphorous) for growth. These nutrients are present naturally in seawater and there are no requirements for input of "feed" or other chemicals. The cultivated seaweeds do not excrete toxic or potentially polluting substance as part of their growth cycle. There is a risk of pollution as a result, for example, of a fuel or hydraulic fluid spill from vessels used as part of the management activities e.g. seeding of ropes, harvesting of the seaweed, at the site. Given the scale of the proposal, however, any such events are likely to be minor and localised and the risk is considered to be minor.

Considering the location, nature and scale of the proposed aquaculture activity, and in deference to our remit under the Marine Institute Act, and the considerations implicit to Sections 61(e and f) of the Fisheries (Amendment) Act, 1997 the Marine Institute is of the view that there will be no significant impacts on the marine environment and that the quality status of the area will not be adversely impacted.

Site T05/612A is not located within a designated Natura 2000 site and, as set out in the AA Screening Report for outer Bantry Bay¹, the Marine Institute is of the view that significant impacts on any adjacent Natura 2000 are not likely.

¹

In order to be able to assess and manage the potential risk of the introduction of invasive non-native species the MI recommends that the initial source of the plantlets / seed and other sources which may be used at any point in the future should be approved by the Minister. This approval should be a specific condition of any licence that may issue.

Notwithstanding the recommendation outlined above, and in the event that an Aquaculture Licence is granted, the movement of stock in and out of the site should follow best practice guidelines as they relate to the risk of introduction of invasive non-native species (e.g. [Invasive Species Ireland](#)). In this regard it is recommended that, prior to the commencement of operations at the site, the applicant be required to draw up a contingency plan, for the approval of DAFM, which shall identify, *inter alia*, methods for the removal from the environment of any invasive non-native species introduced as a result of operations at this site. If such an event occurs, the contingency plan shall be implemented immediately.

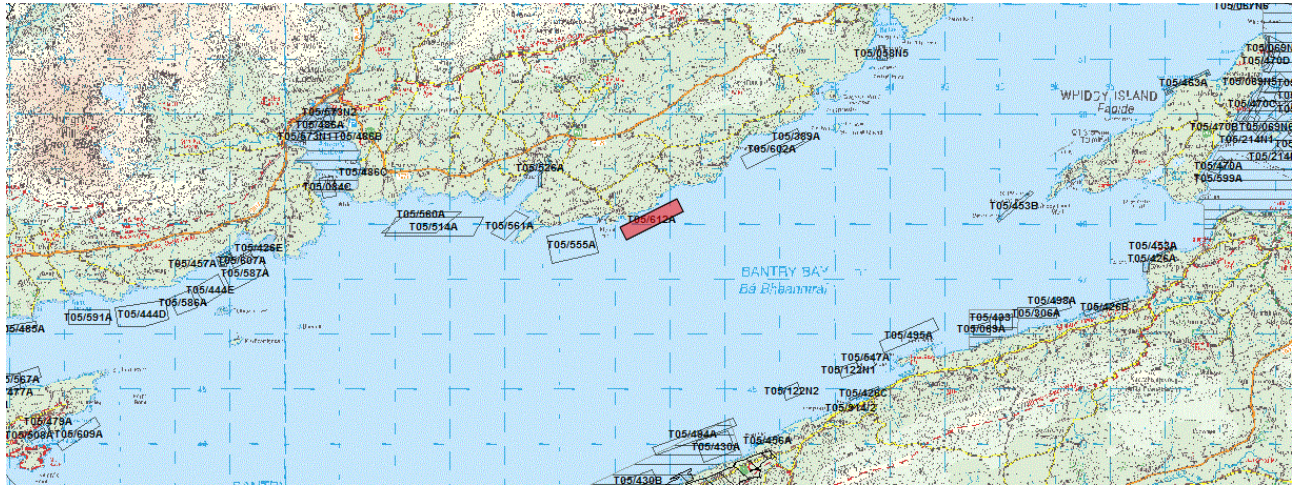
In the event that invasive non-native species are introduced into a site as a result of aquaculture activity the impacts may be bay-wide and thus affect other aquaculture operators in the bay. In this regard, therefore, the Marine Institute considers that the CLAMS process may be a useful and appropriate vehicle for the development and implementation of alien species management and control plans.


On the basis of the above the Marine Institute has no objections to a licence being granted for Site T05/612A on the foreshore in Bantry Bay


Kind regards,





Dr. Terry McMahan
Section Manager, Marine Environment and Food Safety Services,
The Marine Institute.



Shellfish Waters Directive Area


Aquaculture Site


Special Area of Conservation


Special Protection Areas


Fitzpatrick, Deirdre

From: Michael Murphy [mpatmurphy@bantrybayport.com]
Sent: 09 January 2019 09:08
To: Fitzpatrick, Deirdre; 'Mary Larkin (mary.larkin@fisheriesireland.ie)'; 'terry.mcmahon@marine.ie'; 'Ben Dallaghan (dallaghan@bim.ie)'; 'ocarroll@bim.ie'; 'Murphy, Mike'; 'foreshore@housing.gov.ie'; 'planning@failteireland.ie'; 'naturalenvironment@antaisce.org'; 'fem.dau@chg.gov.ie'; 'dosenvironment@corkcoco.ie'; 'spatialplanning@water.ie'
Subject: RE: T05-612a Wild Atlantic Sea Products Ltd

Good Morning Deirdre

On review Bantry Bay Port Company have no objection to the Wild Atlantic Sea Products LTD site T05-612a.

Kind Regards

Michael Murphy

Bantry Bay Port Company DAC

02753277/0879532777



Bantry Bay Port Company DAC

Harbour Office Wolfe Tone Square, Bantry, Co. Cork, Ireland

From: Fitzpatrick, Deirdre

Sent: 07 January 2019 14:39

To: 'Mary Larkin (mary.larkin@fisheriesireland.ie)'; 'terry.mcmahon@marine.ie'; 'Ben Dallaghan (dallaghan@bim.ie)'; 'ocarroll@bim.ie'; 'Murphy, Mike'; 'foreshore@housing.gov.ie'; 'planning@failteireland.ie'; 'naturalenvironment@antaisce.org'; 'fem.dau@chg.gov.ie'; 'dosenvironment@corkcoco.ie'; Michael Murphy; 'spatialplanning@water.ie'

Subject: T05-612a Wild Atlantic Sea Products Ltd

Dear Consultee

Please see attached letter which refers to the above application T05/612A.

I would be grateful for any observations you may wish to make on the application which must be submitted within six weeks from the date of notification. As this correspondence is being sent by e-mail, the date of the e-mail is treated as the date of notification.

Details of the application and all other relevant documentation may be viewed on the Department's website at:

<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquacultureforeshorelicencenceapplications/cork/>

Regards

Deirdre

Deirdre Fitzpatrick | Aquaculture and Foreshore Management Division



**An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine**

Department of Agriculture, Food and the Marine

National Seafood Centre, Clonakilty, Co. Cork, P85 TX47

Ionad Náisiunta Bia Mara, Cloich na Coillte, Co. Chorcaí

www.agriculture.gov.ie | Email: Deirdre.Fitzpatrick@agriculture.gov.ie

Tel: +353 23 8859592 (Direct Dial) | Tel: +353 23 8859500 (Switchboard)

Disclaimer:

Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Fitzpatrick, Deirdre

From: Lorraine Walsh [Lorraine.Walsh@housing.gov.ie]
Sent: 13 February 2019 12:12
To: Fitzpatrick, Deirdre
Subject: RE: T05-612A Wild Atlantic Sea Products Ltd

Hi Deirdre,

The Department of Housing, Planning and Local Government have no objections to this application, however, we would ask that you inform the applicant that there is an existing Foreshore licence in place adjacent to the proposed area and to be mindful of same.

Kind regards,



Lorraine Walsh
Marine Environment and Foreshore Section

An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil
Department of Housing, Planning and Local Government
Bóthair an Bhaile Nua, Loch Garman, Y35 AP90
Newtown Road, Wexford, Y35 AP90

T +353 53 911 7373
www.tithiocht.gov.ie
www.housing.gov.ie

From: Fitzpatrick, Deirdre [<mailto:Deirdre.Fitzpatrick@agriculture.gov.ie>]
Sent: 07 January 2019 14:39
To: foreshore
Cc: Kelleher, Evan
Subject: T05-612A Wild Atlantic Sea Products Ltd

Please see attached letter which refers to the above application

I would be grateful for any observations you may wish to make on the application which must be submitted within six weeks from the date of notification. As this correspondence is being sent by e-mail, the date of the e-mail is treated as the date of notification.

Details of the application and all other relevant documentation may be viewed on the Department's website at:

<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquacultureforeshorelicenceapplications/cork/>

Regards

Deirdre Fitzpatrick | Aquaculture and Foreshore Management Division



**An Roinn Talmhaíochta,
Bia agus Mara**
Department of Agriculture,
Food and the Marine

Department of Agriculture, Food and the Marine
National Seafood Centre, Clonakilty, Co. Cork, P85 TX47
Ionad Náisiúnta Bia Mara, Cloich na Coillte, Co. Chorcaí
www.agriculture.gov.ie | Email: Deirdre.Fitzpatrick@agriculture.gov.ie
Tel: +353 23 8859592 (Direct Dial) | Tel: +353 23 8859500 (Switchboard)

Disclaimer:

Department of Agriculture, Food and the Marine

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Marine Engineering Division
Report on Aquaculture Licence Application

Application Reference No: T05/612

Report Prepared by: Gearoid O'Shea, Engineer

Date: 20 December 2018

Applicant: Wild Atlantic Sea Products Ltd.

Location: Mehal Head, Bantry Bay, Co. Cork

Applicant Type: Aquaculture/Foreshore Licence

Site:

A

Site Area (Ha):

28.75

Species: Aquatic Plants

Cultivation Method: Longline Grid System

Intertidal/Non-Intertidal: Non-Intertidal

Source of Seed / Spat: Hatchery

Annual Production Estimates: 190 Tonnes

Shellfish Waters Designation Reference: Yes No

Environmental Designation Reference: Yes No

Development Plans Reference: Yes No
Cork County Development Plan 2014, Section 6.11

Pre-Consultation Meeting: Yes No

Drawing Validation Sheet

OSI Maps Yes No
Comment:

BA Chart Yes No
Comment:

Farm Layout Drawing Yes No

Directional Arrow Yes No
Scale Yes No
Title Block Yes No
Date Yes No

Comment:

Drawings of structures Yes No

Comment: Section drawing of seaweed longline submitted

Details of Proposed Navigation Marking Yes No

Comment:

Site Access Indicated Yes No

Comment: Specified on Discovery Map

Site Co-Ordinates Indicated Yes No

Comment:

Site Overlap Yes No

Comment:

Oyster Fishery Order Overlap Yes No

Comment:



The application is submitted with each of the requirements listed and is therefore deemed to be a valid application.



AFMD should be aware that insufficient details have been submitted as per above.

Site Suitability Assessment

Site Location

The site is located at a relatively exposed location at Mehal Head adjacent to Leahill Jetty along the north shore of Bantry Bay. The proposed site is adjacent to the roadway from Castletownbere to Glengarriff roadway (R572). This stretch of roadway is designated as a scenic route (S113) in the Cork County Development Plan 2014. The proposed site is not visible from the relevant scenic route. The site is also adjacent to the high value scenic landscape.

Proposed Site Layout and Structures

The applicant proposes to use 4 No. 240m x 200m floating longline grid systems with 21 lines in each grid at 10m centres to cultivate aquatic plants. The proposed site layout will not cause an obstruction or nuisance. The proposed layout adheres to best practice guidelines. The flotation barrels should be battleship grey in colour.

Land Based Facilities / Site Access

The submitted map indicates site access is by boat from Bank Harbour and Dinish Pier, Castletownbere Fishery Harbour Centre.

Navigation

The applicant previously submitted an application for a proposed site in close proximity to Leahill Jetty. The applicant moved the site to its current location following concerns raised regarding the safe navigation of large vessels in and out of Leahill Jetty.

The MSO should be consulted regarding providing a safe system of navigation for all marine users. The Bantry Port Company should be consulted regarding the submitted revised location.

Visual Impact

The visual impact of the proposed longline system should not be significant. The applicant proposes to install A2 flotation buoys which are smaller than standard mussel barrel floats. In general, the views of the site are obscured and limited from adjacent roadways. Population densities in the area are also low.

Impact / Cumulative Impact

The applicant has been issued a seaweed cultivation licence at Bank Harbour within Castletownbere Sound, site reference T5/591.

The relevant site is adjacent to a large finfish application site T5/555 at Shot Head. In my opinion, the cumulative impact is not significant. The relevant seaweed cultivation may absorb excess nutrients discharged by the adjacent proposed finfish farm.

There is fishing and marine leisure in the area.

Marine Engineering Division has no objection to this application.

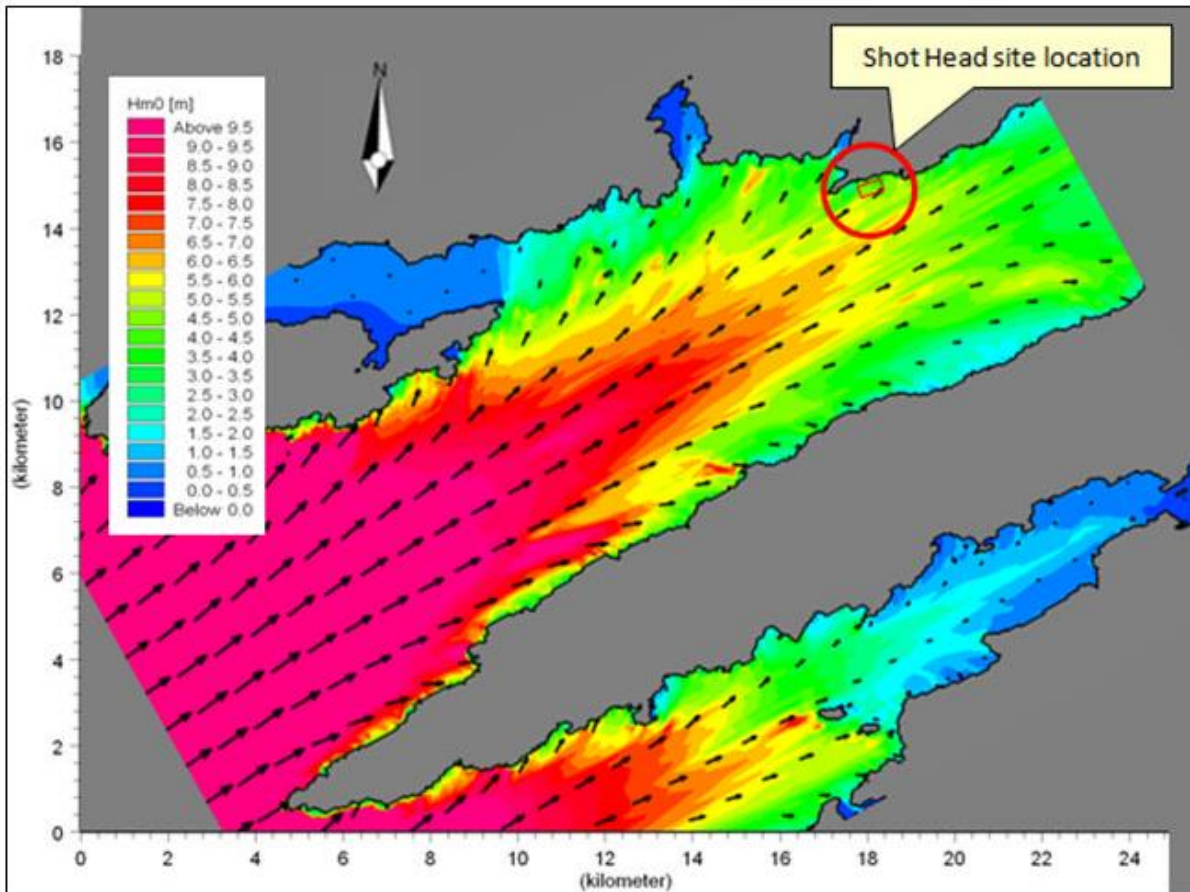
Figure 42.

EIS for a salmon farm site at Shot Head.

Wave Climate analysis.

Significant wave height and mean wave direction; 1 in 50 year storm approaching the Shot Head site from 240° (i.e. to larger scale than Figure 39).

Note different wave height (Hm0) scale.



Environmental Impact Statement (EIS) for a proposed salmon farm site at Shot Head, Bantry Bay, County Cork, Ireland. May 2011

From: OShea, Gearoid
Sent: 03 October 2019 14:38
To: O'Keeffe, Therese
Subject: RE: T05/612 Wild Atlantic Sea Products Ltd.

Therese,

4 No. 240m x 130m floating longline grid systems with 14 lines in each grid at 10m centres to cultivate aquatic plants.

Regards,

Gearóid

From: OShea, Gearoid
Sent: 02 October 2019 13:04
To: O'Keeffe, Therese
Subject: RE: T05/612 Wild Atlantic Sea Products Ltd.

Therese,

The length of the reconfigured site is the same as the previous site. The width has been reduced from 250m to 180m.

I'm happy enough the existing layout drawing is indicative of what should be installed on-site. I've attached the submitted layout drawing with references to the width and site area removed.

Regards,

Gearóid

From: O'Keeffe, Therese
Sent: 02 October 2019 10:34
To: OShea, Gearoid
Cc: Fitzpatrick, Deirdre
Subject: T05/612 Wild Atlantic Sea Products Ltd.

Hi Gearóid,

Could you please give me a site layout drawing for the T05/612 based on the new coordinates which we will attach to the licence.

Thanks,

Thérèse O'Keeffe
HEO, Aquaculture and Foreshore Management Division

An Roinn Talmhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

National Seafood Centre, Clogheen, Clonakilty, Co. Cork, P85 TX47
An Lárionad Bia Mara Náisiúnta, An Cloichín, Cloich na Coillte, Corcaigh, P85 TX47

—
T +353 (0)23 8859535
www.agriculture.gov.ie

Bantry Bay Screening

Screening Matrix for Aquaculture activities in outer Bantry Bay, Co. Cork	
Brief description of the project or plan	There are currently 23 licenced aquaculture operations in outer Bantry Bay with a further 28 applications. The following species are cultured in outer Bantry Bay (number of licences in parenthesis) - oysters (6) clams (1) abalone (2), mussels (7), seaweed (2) and finfish (5). Additionally, applications have been received for the following species - oysters (8), scallops (5), clams (1), sea urchins (1), mussels (7), seaweed (5) and finfish (1). The locations of the sites (and licence status) are shown in Figure 1.
Brief description of the Natura 2000 sites	<p>Bantry Bay is approximately 39km long and ranges in width from 3km at the eastern end to 22km at the mouth. The area of outer Bantry Bay in question is not located within any Natura 2000 sites. However, - it is bordered by two SACs, the Sheeps Head cSAC and the Glengarriff Harbour and Woodland SAC and two SPAs, Beara Peninsula SPA and Sheeps Head to Toe Head SPA (see Figure 2).</p> <p>Adjacent Sites:</p> <p>Sheep's Head SAC (Site code: 000102) is located on the southern approaches to Bantry Bay, extends to Three Castle Head and Mizen Head to the south. It is a narrow ridge of sandstone which encloses a number of rectangular basins filled either by peat bogs or lakes. The main value of the area is the presence of the terrestrial features, dry heath and wet heath, habitats listed on Annex II of the EU Habitats Directive. In addition, Annex I Birds Directive species, the Chough, and an Annex II species under the Habitats Directive, the Kerry Slug, are found in the area.</p> <p>The Glengarriff Harbour and Woodland SAC (Site Code 00090) consists of a glacial valley opening out into a sheltered bay with rocky islets. The site supports populations of the Kerry Slug (<i>Geomalacus maculosus</i>), the freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) as well as the largest colony of Common Seals (<i>Phoca vitulina</i>) in the south-west of Ireland, all of which are listed on Annex II of the Habitats Directive.</p> <p>Beara Peninsula SPA (Site Code: 004155) is a coastal site parts of which border the northern shore of Bantry Bay. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for Chough and Fulmar. In addition the presence of Peregrine falcon is of particular significance.</p> <p>Sheeps Head to Toe Head SPA (Site Code: 004156) large site situated on the south-west coast of Co. Cork. Adjacent Bantry Bay the site includes sea cliffs, the land adjacent to the cliff edge and is one of the most important sites in the country for Chough. The presence of Peregrine falcon is of particular significance.</p>

Bantry Bay Screening

	<p>Caha Mountains SAC (Site Code: 00093) Is an inland SAC site with a number of freshwater aquatic, terrestrial and plant and animal species of conservation interest.</p> <p>Glanmore Bog SAC (Site Code: 01879). Is an inland SAC with a number of aquatic freshwater habitats and species of conservation interest, including the pearl mussel (<i>Margaritifera margaritifera</i>) in the Owenagappul system.</p>
--	---

Assessment criteria	
Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site.	<p>Oysters, clams, abalone, urchins, scallop, mussels and finfish are cultured in Bantry Bay. In addition, there are applications to culture macroalgae.</p> <p>Oyster culture is carried out using bags and trestles in the intertidal zone. The trestles are arranged in rows along the shore to maximise water movement over the oysters in the bags.</p> <p>Intertidal clam culture is carried out on mud and sand flats by placing the smaller seed clams in boxes of sediment and covered by mesh. As they grow the clams are spread directly into the sediment and covered by netting to prevent predation.</p> <p>Abalone and urchins are cultured in tanks on land or in cage structures in the lower intertidal and subtidal areas. They are contained at all times.</p> <p>The mussels are cultured using longlines. A long-line supported by a series of small floats joined by a cable or chain and anchored at the bottom on both ends is employed. Mussel spat (ssed) is collected on ropes or strings (droppers) are suspended on the line. From each of the lines there are a number of dropper lines (up to 5m in length). The depth of the droppers, which is directly related to the quantity of mussels being cultured, is dependant upon a number of factors including water depth, the floatation provided and the carrying capacity of the system.</p> <p>Scallops are culture intensively (bags suspended from longlines) and extensively (spread on the seafloor and harvest via dredging and/or diving).</p> <p>Finfish are contained in floating cage structures arranged in a grid system, which are secured to the seabed via ropes attached to anchors. Finfish are imputed into the cages as smolts and following a period of 18-24 months are harvested.</p> <p>Seaweed is cultured using longlines supported by floating structures similar to those used for mussel culture.</p>

Bantry Bay Screening

<p>Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site by virtue of:</p>	
<p>size and scale;</p>	<p>There are no direct or indirect impacts from the culture operations on any of the SACs or SPAs adjacent to outer Bantry Bay.</p>
<p>Distance from the Natura 2000 site or key features of the site:</p>	<p>The activities in question occur within outer Bantry Bay the mouth of which is adjacent to the Sheeps Head cSAC, the Glengarriff Harbour and Woodland SAC, the Beara Peninsula SPA and Sheep's Head to Toe Head SPA. There are two inland SACs (Caha Mountains SAC and Glanmore Bog SAC) the conservation features of which, do not come into contact with Bantry Bay or likely interact with any of the aquaculture activities found therein (see Figure 2).</p>
<p>Resource requirements (water abstraction etc.):</p>	<p>Cultured bivalves (oysters, clams, scallops and mussels) are filter feeders and they feed upon suspended particulate matter. They selectively ingest phytoplankton and other organic material (e.g. small zooplankton and bacteria) and dispose of inorganic and larger organic matter in pseudofeces, which is excreted into the water column. Typically the fecal and pseudofecal pellets will fall to the sea floor and may cause localised organic enrichment and/or sedimentation. The level of enrichment is a function of, <i>inter alia</i>, water depth current speed, density of culture, the quantity of suspended particulate matter in the water column, or a combination of these. The shellfish production activities do not use any resources required by the qualifying features within the Natura 2000 sites.</p> <p>Abalone and urchin culture are carried out in contained systems and rely on the input of feed (usually seaweed sourced locally). The production of these shellfish species does not use any resources required by the qualifying features within the Natura 2000 sites</p> <p>Finfish culture differs from shellfish culture in that there is an input of feed into the system and as a consequence a net input of organic matter to the system. This material will be found in the system in the form of waste feed (on the seafloor), solid waste (faeces), waste as a consequence of net-cleaning all of which usually accumulates on the seafloor and dissolved material (predominantly fractions rich in nitrogen). For the most part, the majority of organic material builds up on the seabed generally in and around the footprint of the salmon cages with a 'halo' effect evident in areas where dispersion occurs driven by local hydrographic conditions. This is typically referred to as <i>near-field</i> effects. Similar to shellfish, the quantity of material that might accumulate on the seabed will be a function of the quantity of fish held in cages, the stage of culture, the health of the fish (unhealthy fish will generally</p>

Bantry Bay Screening

	<p>eat less), husbandry practices (are the fish fed too much too quickly?), the physical characteristic of the solid particles and surrounding hydrographic conditions. The production of finfish does not use any resources required by the qualifying features within the Natura 2000 sites</p> <p>The culture of seaweed is reliant upon ambient nutrient levels in the water column and solar illumination. The production of seaweed does not use any resources required by the qualifying features of adjacent Natura sites.</p>
Emissions (disposal to land, water or air):	There will be no direct or indirect effects on the adjacent Natura 2000 site.
Excavation requirements:	There are no excavation or similar activities associated with the aquaculture activity
Transportation requirements:	The produced aquaculture products are transported offsite by lorry using the existing national road network with no impact on the adjoining Natura 2000 sites.
Duration of construction, operation, decommissioning:	None
Other:	None

Describe any likely changes to the site arising as a result of:	
Reduction of habitat area:	There is no reduction in habitat area within any of the Natura 2000 sites considered arising from the shellfish production activities.
Disturbance to key species:	There is no evidence in the scientific literature to suggest that aquaculture activities impact on seal species (Feature of Glengarrif Harbour and Woodlands SAC) and the bird species listed in the SPAs, i.e., Chough, Fulmar and Peregrine. Furthermore, any impacts on habitats are likely to be local and not extend beyond the footprint of the activities. Therefore they are not likely to impact on any of the adjacent SACs.
Habitat or species fragmentation:	There is no habitat or species fragmentation within the Natura 2000 sites arising from the aquaculture production activities.
Reduction in species density:	There is no reduction in species density within the Natura 2000 sites arising from the shellfish production activities.
Changes in key indicators of conservation value (water quality):	There are no changes in key indicators of conservation value within the Natura 2000 sites arising from the shellfish production activities.
Climate change:	Given the nature and scale of the aquaculture production activities the contribution to climate change is considered insignificant.

Bantry Bay Screening

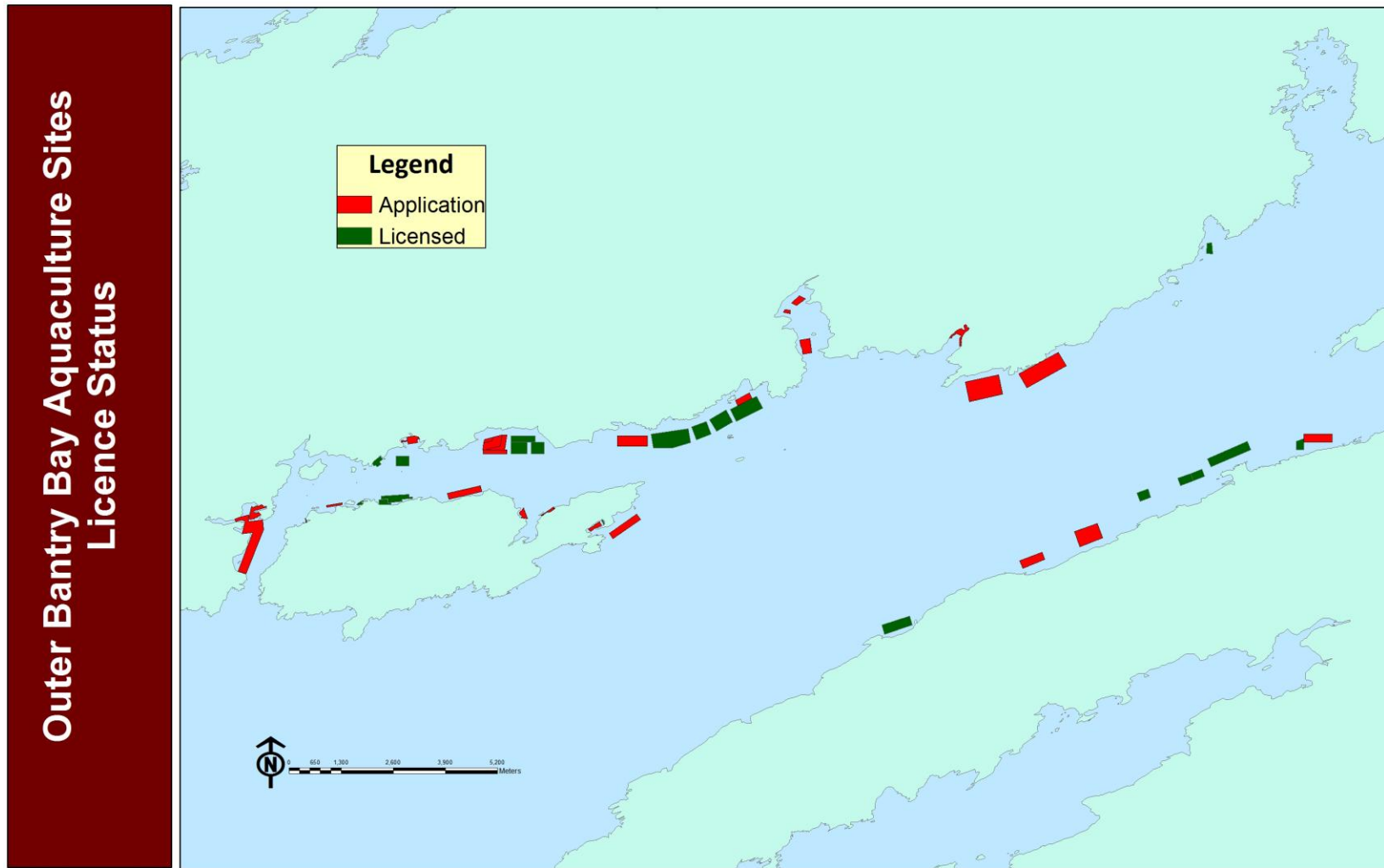
Describe any likely impacts on the Natura 2000 site as a whole in term of;	
Interference with the key relationships that define the structure of the site:	None of the activities associated with the shellfish and finfish production in outer Bantry Bay will interfere with the key relationships that define the structure of the adjacent Natura 2000 sites.
Provide indicators of significance as a result of the identification of effects set out above in terms of:	None identified
None identified:	None identified
Fragmentation:	None identified
Disruption:	None identified
Disturbance:	None identified
Change to key elements of the site (e.g. water quality etc.):	None identified
Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	None identified

Bantry Bay Screening

Finding of no significance effect report:	
Name of project or plan:	Aquaculture activities in outer Bantry Bay, Co. Cork.
Name and location of Natura 2000 site It would be helpful for a map or plan to be provided:	The Sheeps Head cSAC, the Glengarriff Harbour and Woodland SAC, the Beara Peninsula SPA and the Sheeps Head to Toe Head SPA, Caha Mountains SAC and Glanmore Bog SAC. (Figure 2).
Description of the project or plan	The plan is to licence the shellfish and fish culture activity in Bantry Bay, Co. Cork. The activities in question cover approx. 501 ha. in total, representing approximately 1.1% of the surface area of Bantry Bay.
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No.
Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	No.
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.	The cultivation of shellfish, finfish and macroalgae in outer Bantry Bay is not likely to affect the conservation features of adjoining Natura 2000 sites.
Explain why these effects are not considered significant.	<p>There is no spatial overlap of the aquaculture activities with Natura sites. In addition, there would be no interference with key relationships that define the function of the sites. The culture activities will not result in habitat loss, there will not be significant disturbance to key species and there will be no habitat or species fragmentation. There will be no direct discharge of pollutants into the environment during the works and water quality will not be affected. Consequently, it is concluded that the culture of shellfish and finfish, as it is currently constituted and proposed, in Bantry Bay does not pose significant risk to the conservation features of the adjacent sites and as such does not require a full appropriate assessment.</p> <p>On the basis of the above it is considered that there will be <u>no significant effects</u> on the qualifying interests' of the Natura 2000 sites.</p>
Who carried out the assessment?	Marine Institute

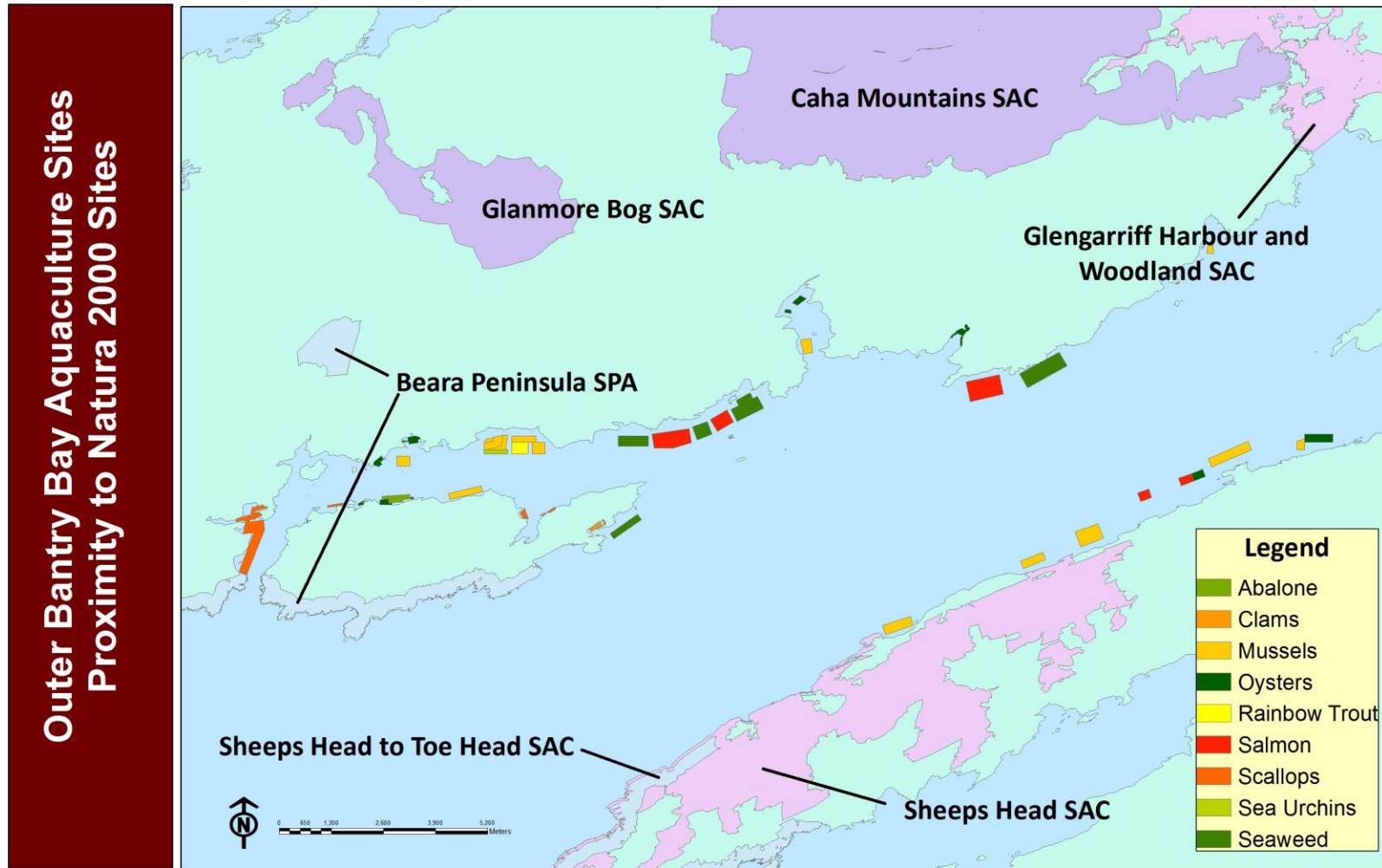
Bantry Bay Screening

Figure 1. Aquaculture site status within the region of Outer Bantry Bay, Co. Cork.



Bantry Bay Screening

Figure 2. Aquaculture activities and Natura Sites within the region of Outer Bantry Bay, Co. Cork.





T05/612A

FORESHORE LICENCE

Wild Atlantic Sea Products Ltd

South Allihies

Allihies

Beara

Co. Cork

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TERMS AND CONDITIONS APPLICABLE TO FORESHORE LICENCE

SEAL OF OFFICE AND SIGNATURES

SCHEDULE 1

DRAFT

FORESHORE LICENCE IN RESPECT OF A SITE
(NUMBERED T05/612A) AT MEHAL HEAD, BANTRY BAY, CO. CORK

AGREEMENT made on the **XX XXXXXXXX 20XX**, between the Minister for Agriculture, Food and the Marine (hereinafter referred to as the “Minister” which expression shall include his Successors or Assigns where the contract so requires or admits), of the one part, and

Wild Atlantic Sea Products Ltd
South Allihies
Allihies
Beara
Co. Cork

(hereinafter referred to as the “Licensee”) of the other part, whereby the Minister, in exercise of the powers conferred on him by Section 3 of the Foreshore Act, 1933 (No.12 of 1933) hereby grants to the Licensee licence to use and occupy that part of the foreshore at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork (numbered T05/612A) detailed in the attached schedule and more particularly delineated on the map annexed hereto and thereon coloured red for the purpose of the cultivation set out in Aquaculture Licence Number **XXX** on the terms and conditions set out in the attached pages.

This Foreshore Licence shall remain in force for a maximum period of ten (10) years commencing on **XX XXXXXXXXXXXX 20XX**, provided for so long as the Aquaculture Licence Number **XXX** granted on **XX XXXXXXXX 20XX** under the Fisheries (Amendment) Act 1997 (No. 23 of 1997) in respect of the same site for the purpose referred to is in force.

TERMS AND CONDITIONS APPLICABLE TO FORESHORE LICENCE

1. The Licensee shall pay to the Minister the annual sum of €63.49 (sixty three euro and forty nine cent), such payment to be made on the **XX** day of **XXXXXXXXXX** in every year during the continuance of this Licence, the first of such payments to be made on the signing hereof.
2. The Licensee shall use that part of the foreshore, the subject matter of this Licence, for the cultivation set out in Aquaculture Licence Number **XXX** only and for no other purpose whatsoever.
3. The Licensee shall comply fully with all terms and conditions of Aquaculture Licence Number **XXX**.
4. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims however arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or any other thing used in connection with the licensed operation in the licensed area or in the exercise of the rights granted under the licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition.
5. The duty of maintenance and responsibility for the upkeep and safety of the site rests with the Licensee.
6. The Minister shall be at liberty at any time to terminate this Licence by giving to the Licensee three months notice in writing ending on any day, and upon determination of such notice, the Licence and permission granted shall be deemed to be revoked and withdrawn without the liability for the payment of any compensation by the Minister to the Licensee.
7. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.
8. The Licensee shall not carry out any operations authorised by the Licence in the licensed area in such a manner as to interfere unreasonably with fishing or navigation in the vicinity of the licensed area and shall comply with any direction given to the Licensee in that regard by the Minister.
9. In the event of the breach, non-performance or non-observance by the Licensee of any of the conditions herein contained, the Minister may forthwith terminate this Licence without prior notice to the Licensee.

AND IT IS HEREBY CERTIFIED THAT:

1. For the purpose of the stamping of this Instrument that this is an Instrument to which the provisions of Section 53 of the Stamp Duties Consolidation Act 1999 (No. 31 of 1999), do not apply for the reason that the entire of the property involved comprises Foreshore and contains no Buildings.
2. The Family Law Acts of 1976, 1981, 1989, 1995 and the Family Law (Divorce) Act 1996 do not affect the Property.

SEAL OF OFFICE AND SIGNATURES

PRESENT when the Seal of Office of the MINISTER FOR AGRICULTURE, FOOD AND THE MARINE was affixed and was authenticated by the Signature of:

WITNESS: _____

ADDRESS: _____

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee

in the presence of:

WITNESS: _____

ADDRESS: _____

OCCUPATION: _____

A person so authorised under Section 15(1) of the Ministers and Secretaries Act, 1924 to authenticate the seal of the Minister.

SCHEDULE 1

Schedule 1 contains:

- **the co-ordinates of the site based on the Irish National Grid Co-ordinate System and the area of the site**
- **site map(s)**
- **a chart showing the location of the site in relation to the surrounding area.**

DRAFT

1 NO. SITE AT BANTRY BAY CO.CORK

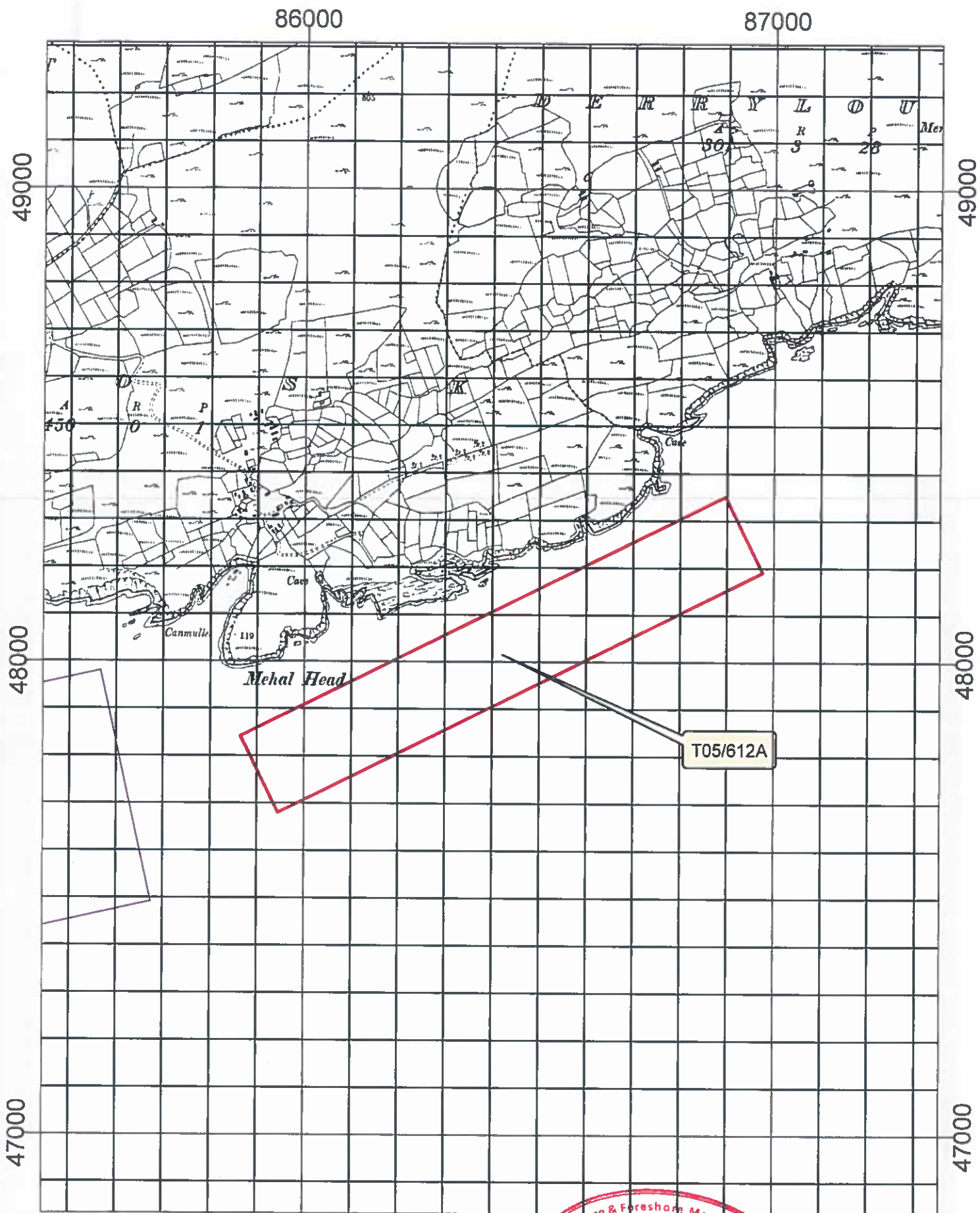
Co-ordinates & Area










Site T05/612A (20.68 Ha)

The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

086896, 048351 to Irish National Grid Reference point
086976, 048190 to Irish National Grid Reference point
085945, 047680 to Irish National Grid Reference point
085865, 047841 to the first mentioned point.



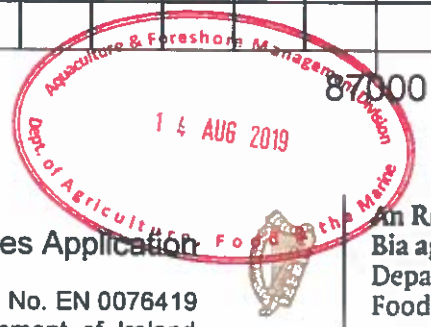


- Aqua Culture Sites**
 <all other values>
- Site_Status**
-  Under Appeal
 -  Application
 -  Lapsed
 -  Licensed
 -  Refused
 -  Revoked
 -  Surrendered
 -  Withdrawn
 -  100 Meter Reference Grid

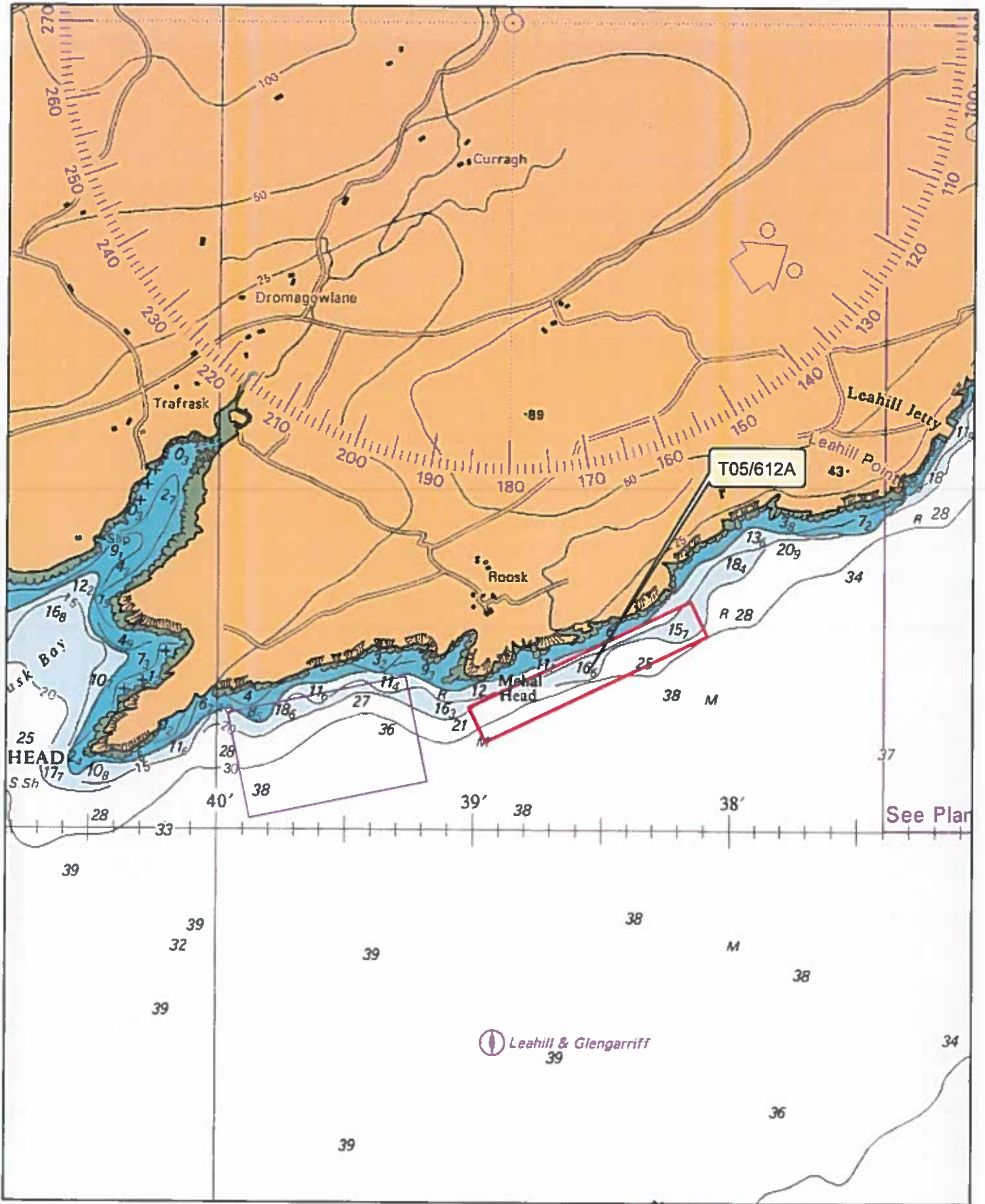
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Sites highlighted in red denotes Application

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An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine



Aqua Culture Sites
<all other values>

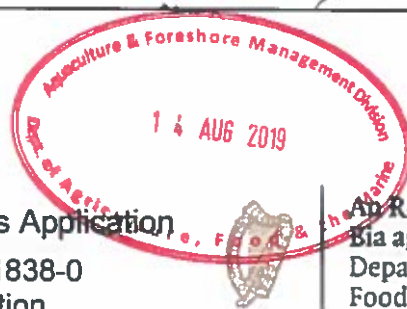
Site_Status

- Under Appeal
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- Lapsed
- Licensed
- Revoked
- Revoked
- Surrendered
- Withdrawn

1:24,000

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1838-0
Not to be used for Navigation



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

1 NO. SITE AT BANTRY BAY CO.CORK

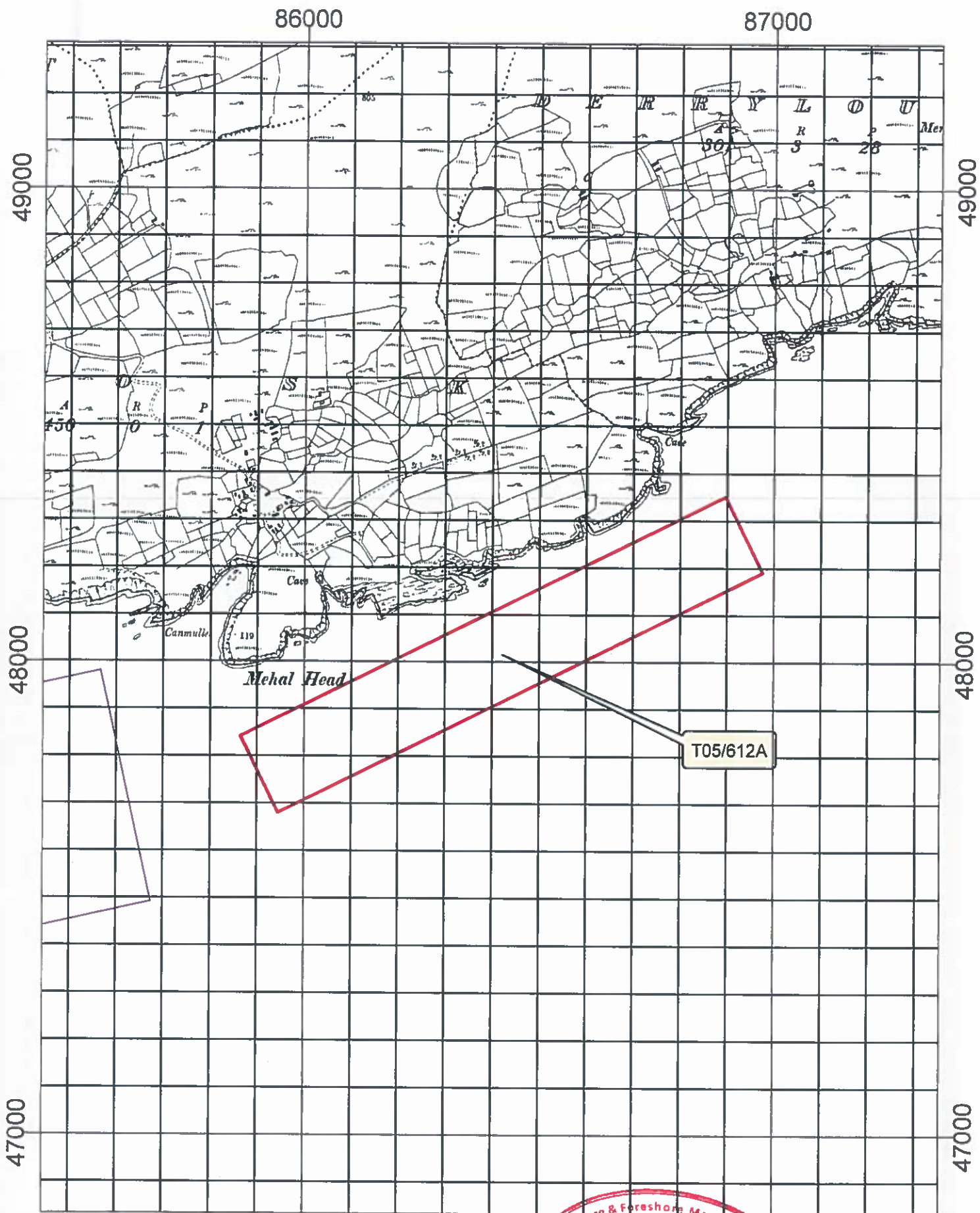
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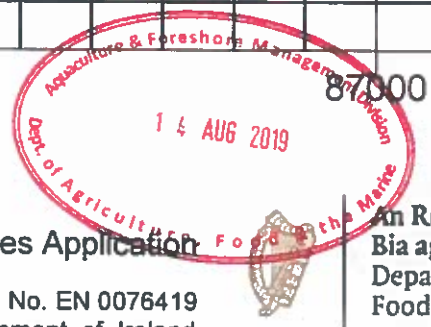


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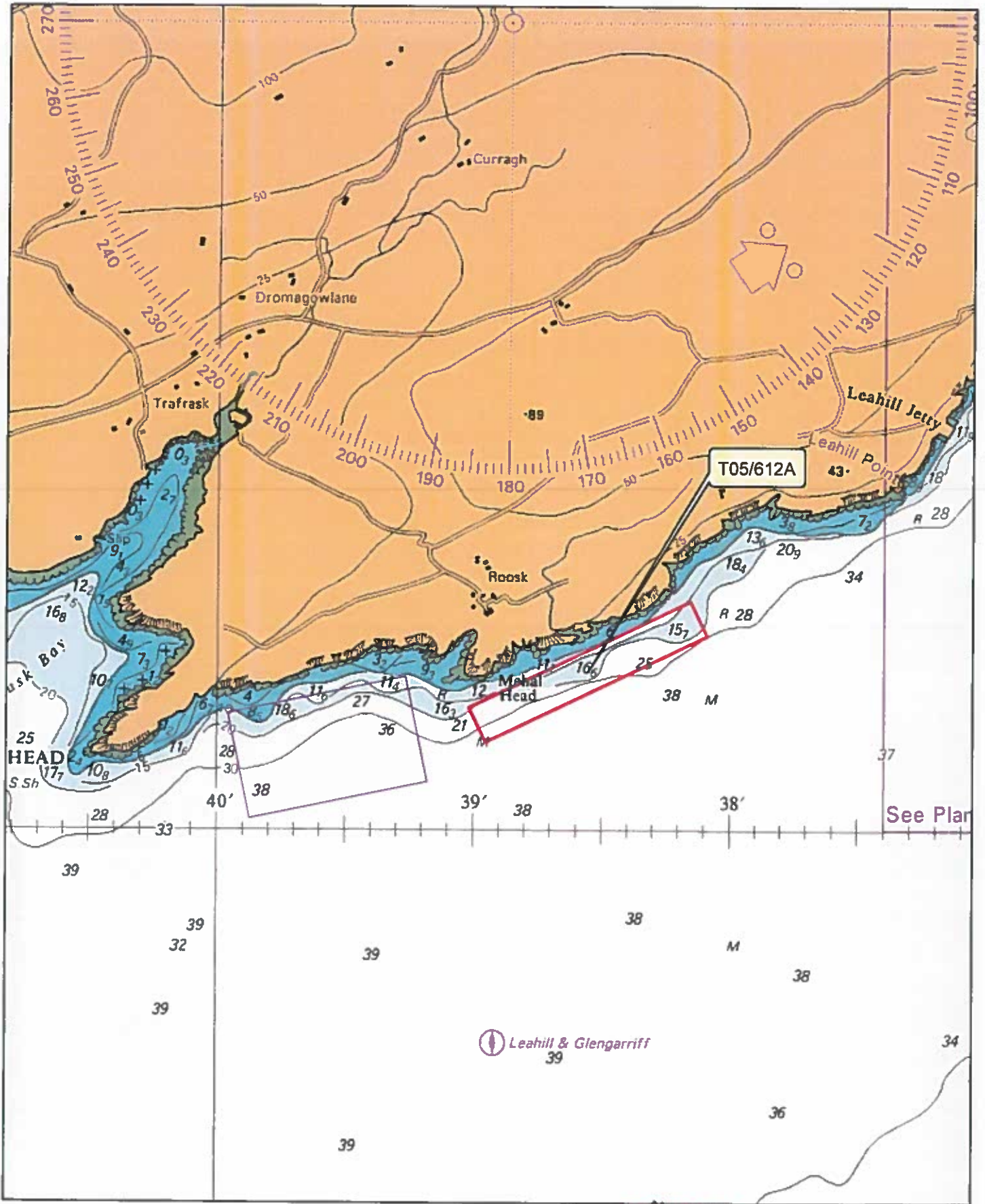
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Sites highlighted in red denotes Application

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An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine



Aqua Culture Sites
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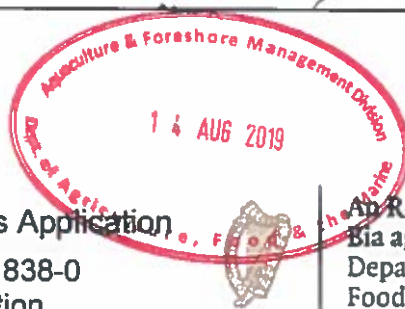
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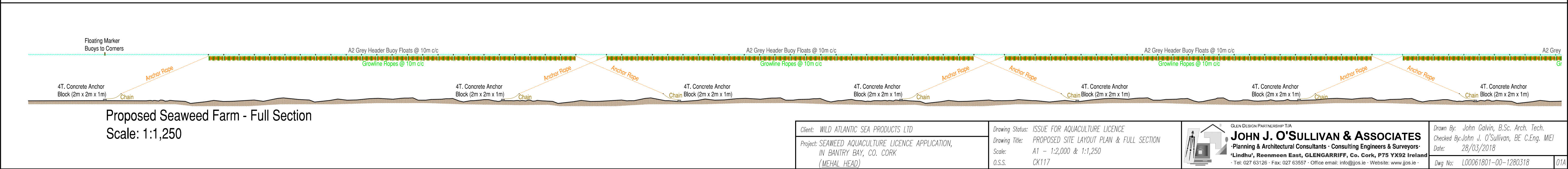
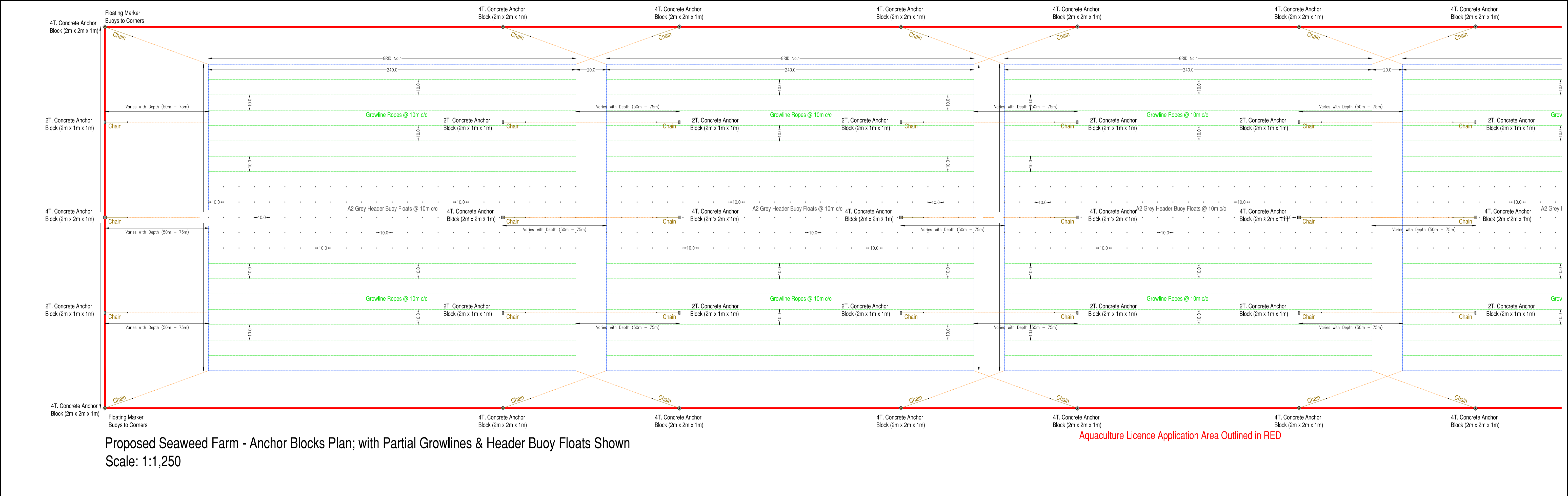
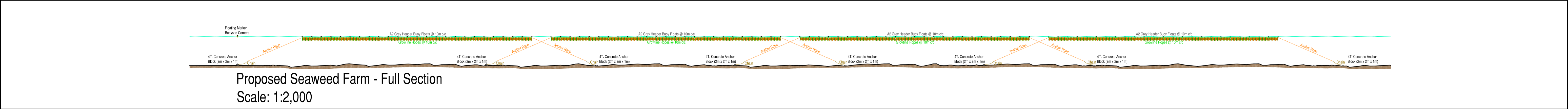
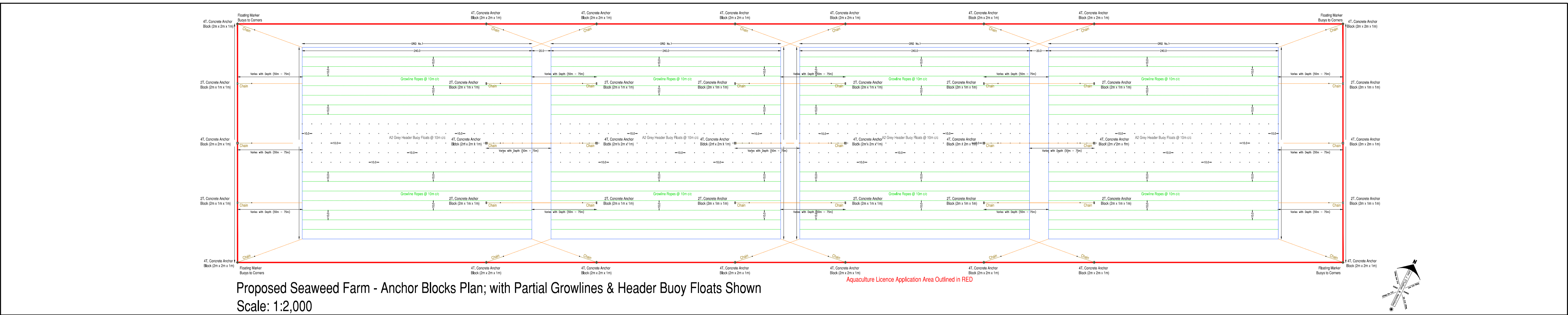
1:24,000

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1838-0
Not to be used for Navigation



Ar Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine



Client: WILD ATLANTIC SEA PRODUCTS LTD
Project: SEAWEED AQUACULTURE LICENCE APPLICATION, IN BANTRY BAY, CO. CORK (MEHAL HEAD)

Drawing Status: ISSUE FOR AQUACULTURE LICENCE
Drawing Title: PROPOSED SITE LAYOUT PLAN & FULL SECTION
Scale: A1 - 1:2,000 & 1:1,250
D.S.S. CK117

GLENN DUNN PARTNERSHIP LTD
JOHN J. O'SULLIVAN & ASSOCIATES
Planning & Architectural Consultants - Consulting Engineers & Surveyors
Lindur, Reenmeen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland
Tel: 027 63126 - Fax: 027 63557 - Office email: info@jjos.ie - Website: www.jjos.ie
Drawn By: John Galvin, B.Sc. Arch. Tech.
Checked By: John J. O'Sullivan, BE C.Eng. MIEI
Date: 28/03/2018
Dwg No: L00061801-1280318 01A



T05/612A

AQUACULTURE LICENCE

**AQUACULTURE MARINE AQUATIC
PLANTS/FISH FOOD LONGLINES**

Wild Atlantic Sea Products Ltd

South Allihies

Allihies

Beara

Co. Cork

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SCHEDULE 4

AQUACULTURE LICENCE NO. XXXX

GRANTED UNDER THE FISHERIES (AMENDMENT) ACT 1997 (No. 23 of 1997)

The Minister for Agriculture, Food and the Marine (hereinafter referred to as the “Minister”), in exercise of the powers conferred on him by the Fisheries (Amendment) Act 1997 (No. 23 of 1997) (hereinafter referred to as the “Act”), hereby grants an Aquaculture Licence to:

Wild Atlantic Sea Products Ltd

South Allihies

Allihies

Beara

Co. Cork

(hereinafter referred to as the “Licensee”) for the cultivation of seaweeds on a site at Mehal Head, adjacent to Leahill Jetty along the north shore of Bantry Bay, Co. Cork as specified in Schedule 1 attached (numbered T05/612A) as and indicated by a red line on the attached map in accordance with the plans and drawing(s) in Schedule 2 attached as approved of by the Minister, subject to the Act and Regulations made under the Act and to the terms and conditions set out in the attached pages.

This Aquaculture Licence shall remain in force for a maximum period of ten (10) years commencing on **XX XXXXXXXXXXXX 20XX**, provided for so long as the Foreshore Licence granted on **XX XXXXXXXXXXXX 20XX**, under section 3(1) of the Foreshore Act 1933 (No. 12 of 1933) in respect of the same site for the purpose referred to is in force.

A person authorised under Section 15(1)
of the Ministers and Secretaries Act 1924 to
authenticate the Seal of the Minister for
Agriculture, Food and the Marine.

TERMS AND CONDITIONS APPLYING TO THIS AQUACULTURE LICENCE

1. Licensed Area

- 1.1. The area specified in *Schedule 1* attached (20.68 hectares) (labelled T05/612A) and outlined in red on the map(s) in *Schedule 1*.
- 1.2. The co-ordinates for the site are based on the Irish National Grid Co-ordinate System.

2. Species, Cultivation and Method Licensed

- 2.1. Species to be farmed: *Laminaria digitata* (Oarweed), *Palmaria palmata* (Dillisk), *Saccharina latissima* (Sugar kelp), *Porphyra umbilicalis* (Nori), *Alaria esculenta* (Winged kelp).
- 2.2. Method: Longline Grid System - subject to the seeding/plant and/or deployment limits as may be specified in *Schedule 4* attached.

3. Infrastructure and Site Management

Indemnity

- 3.1. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims however arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or any other thing used in connection with the licensed operation in the licensed area or in the exercise of the rights granted under the licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition.
- 3.2. The duty of maintenance and responsibility for the upkeep and safety of the site rests with the Licensee.

Design, Arrangement and Maintenance of Structures

- 3.3. The Licensee shall ensure that the equipment (including all flotation, mooring and anchoring devices) is placed within the licensed area only. Storage or placement of equipment or plants on the foreshore or seashore outside the licensed area is not permitted under any circumstances.
- 3.4. The Minister may direct as to the deployment of apparatus, including number or orientation of longlines and flotation devices and their colour, within the site.
- 3.5. The Licensee shall obtain the prior approval of the Minister to any proposed material change to the plan/drawings or equipment as approved being used during the licensing period as specified in *Schedule 2* attached.
- 3.6. The Licensee shall at all times for the duration of the licence keep all equipment used for the purposes of the licensed operations in a good and proper state of repair and condition to the satisfaction of the Minister or other competent State authority.

- 3.7. The Licensee shall ensure that the ends of each longline in the licensed area legibly bear the Aquaculture Licence Number in an indelible weatherproof format.

Operational Conduct

- 3.8. The Licensee shall conduct its operations in a safe manner and with regard for other persons in the area and the environment and shall ensure that the operations are not injurious to adjacent lands or the public interest (including the environment) and do not interfere with navigation or other lawful activity in the vicinity of the licensed area, and shall comply with any lawful directions issued by the Minister and any other competent State authority in that regard.
- 3.9. The Licensee shall ensure that any aquaculture or other activity conducted under this licence does not adversely affect the integrity of the Natura 2000 network (if applicable) through the deterioration of natural habitats and the habitats of species and/or through disturbance of the species for which the area has been designated in so far as such a disturbance may be significant in relation to the stated conservation objectives of the site concerned.
- 3.10. The Licensee shall ensure that best practice is employed to keep structures and netting clean at all times and any biofouling by alien invasive species shall be removed and disposed of in a responsible manner. In particular, in 'Natura 2000' sites care must be taken to ensure that any biofouling by alien invasive species will not pose a risk to the conservation features of the site. Measures to be undertaken are set out in the draft Marine Code of Practice prepared by Invasive Species Ireland and can be found on the web site at: <http://invasivespeciesireland.com/>.

Waste Management

- 3.11. The Licensee shall ensure that the licensed and adjoining areas shall be kept clear of all redundant structures (including apparatus, equipment and/or uncontained plants), waste products and operational litter or debris and shall make provision for the prompt removal and proper disposal of such material. If the Licensee refuses or fails to do so, the Minister may cause the said structures, apparatus, equipment or other thing to be removed and the licensed area restored and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration.

Inspection

- 3.12. The licensed area and any equipment, structure, thing, or premises wherever situated used in connection with operations carried out in the licensed area shall be open for inspection at any time by an authorised person (within the meaning of section 292 of the Fisheries (Consolidation) Act 1959) (No. 14 of 1959) (as amended by the Fisheries Act 1980) (No. 1 of 1980), a Sea Fisheries Protection Officer (within the meaning of the Sea Fisheries and Maritime Jurisdiction Act 2006) (No. 8 of 2006) or any other person appointed in that regard by the Minister or other competent State authority.

- 3.13. The Licensee shall give all reasonable assistance to an authorised officer or a Sea Fisheries Protection Officer or any person duly appointed by any competent State authority to enable the person or officer enter, inspect, examine, measure and test the licensed area and any equipment, structure, thing or premises used in connection with the operations carried out in the licensed area and to take whatever samples may be deemed appropriate by that person or officer.
- 3.14. The Licensee shall keep and maintain in the State for inspection on demand by the Minister or a competent State authority, at all times, records of all operations including compliance monitoring and any required follow up action. These records shall be produced by the Licensee on demand by the Minister or other competent State authority and in any event not later than 24 hours from the making of that demand.
- 3.15. The Licensee shall furnish to the Minister or other competent State authority in the form and at the intervals determined by the Minister or other competent State authority, such information relating to the licensed area as may be required to determine compliance by the Licensee with the terms of this licence and applicable legislation.

4. Navigation and Safety

- 4.1. The Licensee shall ensure that statutory sanction from the Commissioners of Irish Lights is in place prior to the commencement of operations, regarding all aids to navigation. Statutory Sanction forms are available at <http://www.cil.ie/safety-navigation/statutory-sanction.aspx>.
- 4.2. The Licensee shall ensure that the site is marked in accordance with the requirements of both the Marine Survey Office and the Commissioners of Irish Lights as specified in *Schedule 3*.
- 4.3. The Licensee shall comply with any specification requirement relating to navigational aids, flotation and mooring devices supporting/markings posts/poles, as required by the Minister or any other competent State authority.
- 4.4. The Minister's determination in respect of this licence is conditional upon immediate full compliance by the Licensee in respect of all requirements and conditions which are imposed under the relevant legal provisions applicable to the Marine Survey Office.
- 4.5. Prior to commencement of operation the Licensee shall inform the UK Hydrographic Office at Taunton, of the location and nature of the site in order that charts and nautical publications can be updated. Tel: 00 44 1823337900 Fax: 00 44 1823 284077 Email sdr@ukho.gov.uk and the Licensee shall submit proof to the Department within 14 days of the date of this licence that the UK Hydrographic Office has been so informed.

5. Monitoring

5.1. The Licensee shall undertake and/or partake monitoring, in particular environmental monitoring, as directed by the Minister or other competent State authority.

6. Duration, Cessation, Review, Revocation, Amendment, Assignment

Duration, Cessation

6.1. This Licence shall remain in force until ~~XX XXXXXXXXXXXX, 20XX~~ and as long as the accompanying Foreshore Licence remains in force.

Review

6.2. The Licensee may apply for a review of the licence at any time after the expiration of three years since the granting of the licence or its last renewal in accordance with section 70 of the Act.

Revocation, Amendment

6.3. Subject to the Act, the Minister may revoke or amend the licence if:-

- (a) he considers that it is in the public interest to do so,
- (b) he is satisfied that there has been a breach of any condition specified in the licence e.g., operating outside the licensed area
- (c) the licensed area to which the licence relates is not being properly maintained,
- (d) water quality results or general performance in the licensed area do not meet the standards set by the Minister or the competent State authority.

Assignment

6.4. This Licence shall not be assigned without the prior written consent of the Minister and may not be assigned during the period of three years, dating from the commencement or renewal of this licence, unless the Minister determines that it may be assigned under condition 6(5) or the condition set out in 6(6) applies.

6.5. A Licensee, who considers that there are exceptional reasons for the assignment of the Licence during the first three years, may apply to the Minister, giving those reasons, for a determination that the Licence may be assigned. The Minister may, at his discretion, having considered the reasons given by the Licensee, determine whether or not the Licence may be assigned. The determination of the Minister in this regard is final.

6.6. Where the Licensee is a company (within the meaning of the Companies Acts) and goes into Liquidation (within the meaning of the Companies Acts) in the first three years dating from the commencement of the licence, the Liquidator shall, with the consent of the Minister, be entitled to assign the licence to enable him to discharge any debts of the liquidated company.

6.7. This licence is issued subject to any order that the High Court may make under section 218 of the Companies Act 1963 or otherwise with regard to the assignment of this licence.

7. Fees

7.1. The Licensee shall pay to the Minister an annual aquaculture licence fee in accordance with the Aquaculture (Licence Application and Licence Fees) (No. 2) Regulations 1998 (S.I. No. 324/1998) as amended by the Aquaculture (Licence Fees) Regulations 2000 (S.I. No. 282 of 2000) or an amount payable under Regulations made under section 64 of the Act.

7.2. The Minister may revoke the licence where the Licensee fails to pay the aquaculture licence fees on demand.

8. General Terms and Conditions

8.1. The Licensee shall at all times comply with all laws and protocols applicable to aquaculture operations.

8.2. Any reference to a statute or an act of an institution of the European Union (whether specifically named or not) includes any amendments or re-enactments in force and all statutory instruments, orders, notices, regulations, directions, bye-laws, certificates, permissions and plans made, issued or given effect under such legislation shall remain valid.

8.3. If any condition or part of a condition in this licence is held to be illegal or unenforceable in whole or in part, such condition shall be deemed not to form part of this licence but the enforceability of the remainder of this licence is not affected.

8.4. The Licensee shall at all times hold all necessary licences, consents, permissions, permits or authorisations associated with any activities of the Licensee in connection with the licensed area.

Notification

8.5. Without prejudice to any other remedy under the licence or in law, if the Minister is of the view that the Licensee is in breach of any obligation under this licence, the Minister may, by notice in writing, require that the Licensee rectifies such breach, within such time as is specified by the Minister. The Licensee shall comply with any direction of the Minister within the time specified in the notice.

8.6. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.

8.7. The Licensee shall notify the Minister within 7 days of any change in the Licensee's address, telephone, e-mail or facsimile number.

Tax Clearance Certificate

8.8. During the term of this licence the Licensee shall provide to the Minister on demand a current tax clearance certificate.

Companies and Co-operatives

8.9. In the event of the licence being granted to a company (within the meaning of the Companies Acts), control of the licensee company shall not change in any respect from the control of the company as existed on the date that the licence was granted

so long as this licence shall remain in force save with the prior written permission of the Minister.

- 8.10. In the event of a licence being granted to a company that has been incorporated outside this State, the licensee company shall register with the Companies Registration Office within one month of the establishment of a place of business in the State or alternatively, within one month of the establishment of a branch of the said company in the State and the licensee company shall submit proof to the Department within 14 days of the end of that month that it has been so registered.
- 8.11. Where the licensee is a Company within the meaning of the Companies Acts, the licensee company shall ensure that it does not become dissolved within the meaning of the Companies Acts for so long as this licence shall remain in force.
- 8.12. In the event of the licence being granted to a society (within the meaning of section 2 of the Industrial and Provident Societies (Amendment) Act 1978 (No.23 of 1978) the following conditions shall apply:-
- 8.12.1. The rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
- 8.12.2. The rules relating to the society as submitted to the Minister before the grant of this licence shall not be amended subsequently other than with the written permission of the Minister, and
- 8.12.3. The Minister may, if he considers it necessary in the interests of good management of the licensed area, direct that an amendment may be made to the rules of the society and the Licensee shall amend the rules in accordance with that direction.

Clearance of Site

- 8.13. The Licensee shall, at the Licensee's own expense if so required by written notice from the Minister and within three weeks after receipt of such notice or on cessation of the licence for any other cause, remove the structures, apparatus, equipment or any other thing to the satisfaction of the Minister. If the Licensee refuses or fails to do so, the Minister may cause the said structures, apparatus, equipment or other thing to be removed and the licensed area restored and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration. The Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition.

SCHEDULE 1

Schedule 1 contains:

- **the co-ordinates of the site based on the Irish National Grid Co-ordinate System and the area of the site.**
- **site map(s) which also shows the access/egress route to and from the site.**
- **a chart showing the location of the site in relation to the surrounding area.**

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1 NO. SITE AT BANTRY BAY CO.CORK

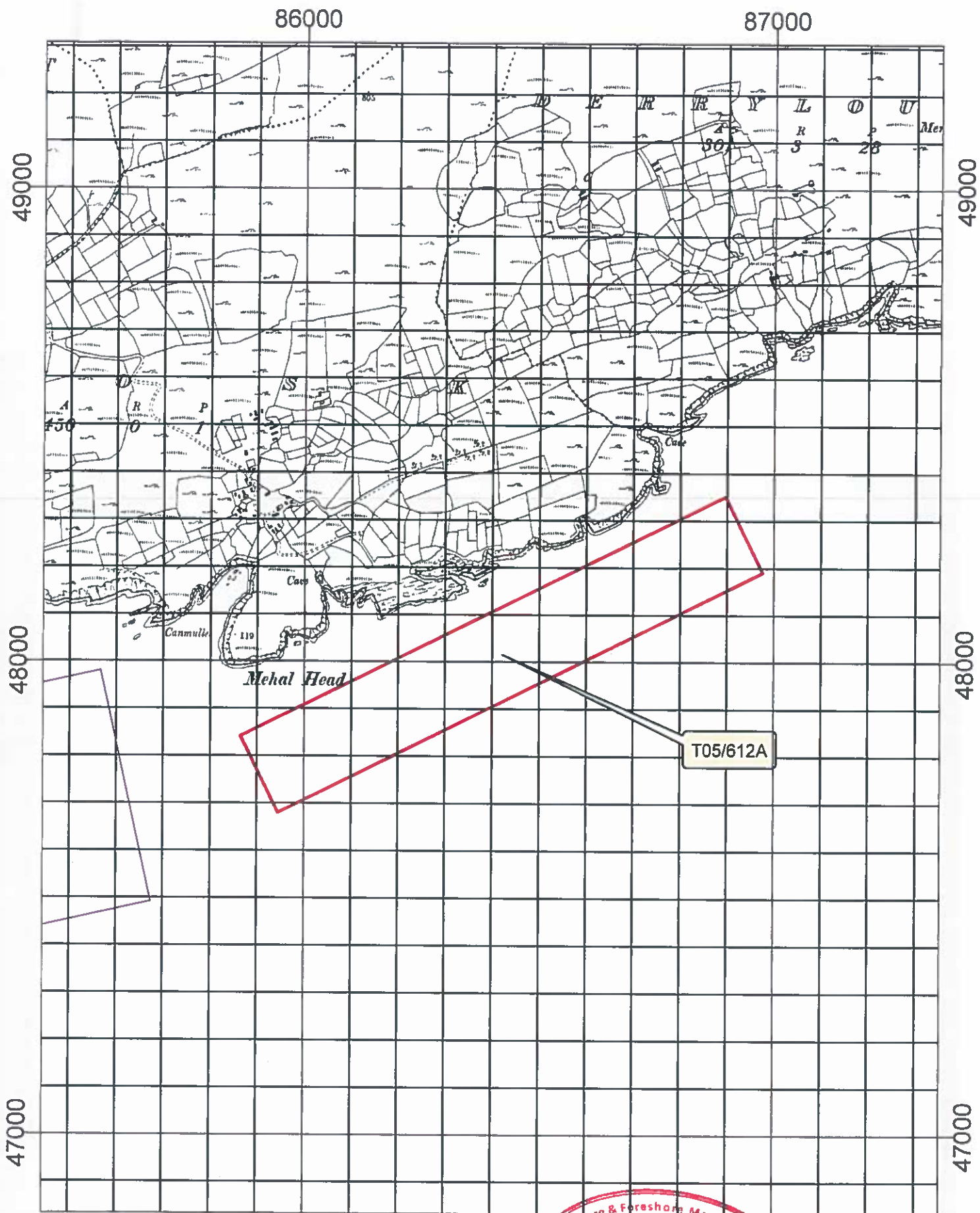
Co-ordinates & Area

Site T05/612A (20.68 Ha)

The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

086896, 048351 to Irish National Grid Reference point
086976, 048190 to Irish National Grid Reference point
085945, 047680 to Irish National Grid Reference point
085865, 047841 to the first mentioned point.





Aqua Culture Sites
<all other values>

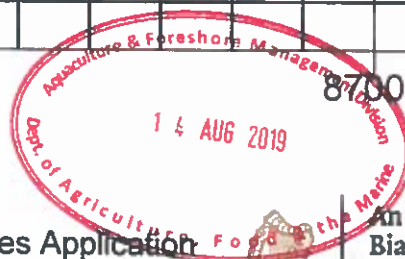
Site_Status

- Under Appeal
- Application
- Lapsed
- Licensed
- Refused
- Revoked
- Surrendered
- Withdrawn
- 100 Meter Reference Grid

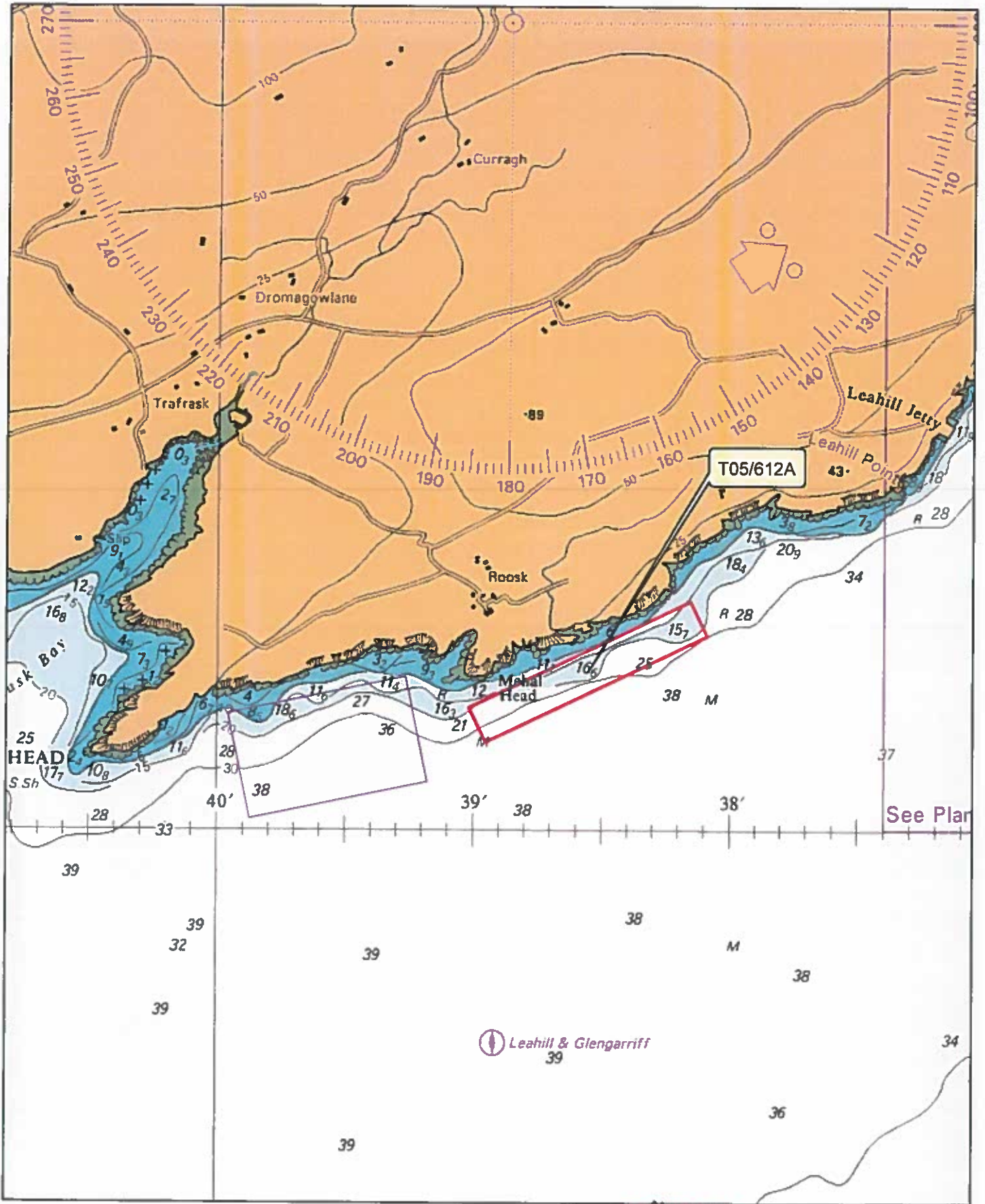
1:10,560

Sites highlighted in red denotes Application

Ordnance Survey Ireland Licence No. EN 0076419
 © Ordnance Survey Ireland/Government of Ireland



An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine



Aqua Culture Sites
<all other values>

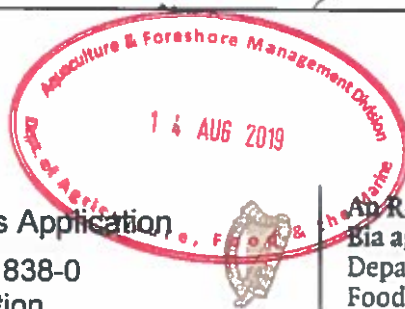
Site_Status

- Under Appeal
- Application
- Lapsed
- Licensed
- Revoked
- Revoked
- Surrendered
- Withdrawn

1:24,000

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1838-0
Not to be used for Navigation



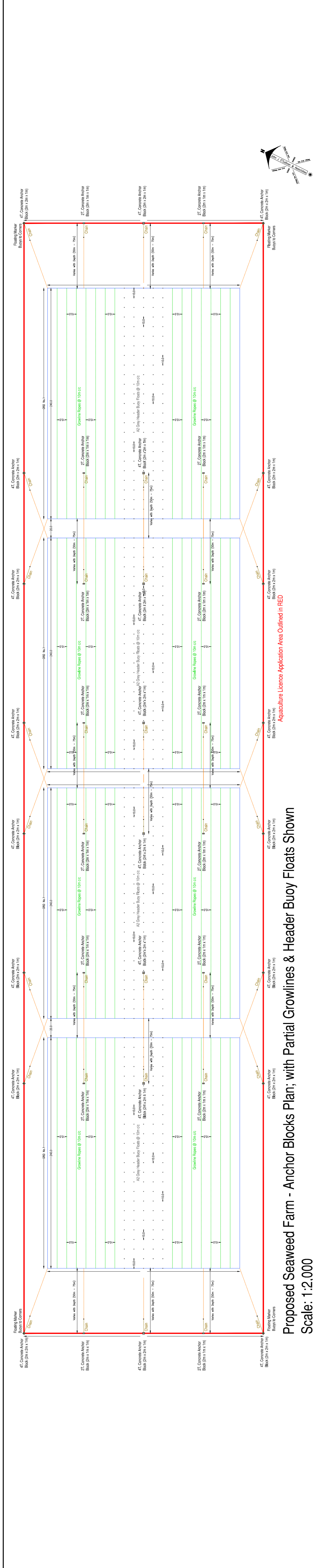
Ar Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

SCHEDULE 2

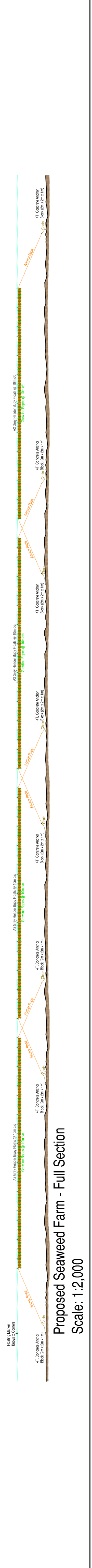
Schedule 2 contains:

- **the approved plans and drawing(s)**

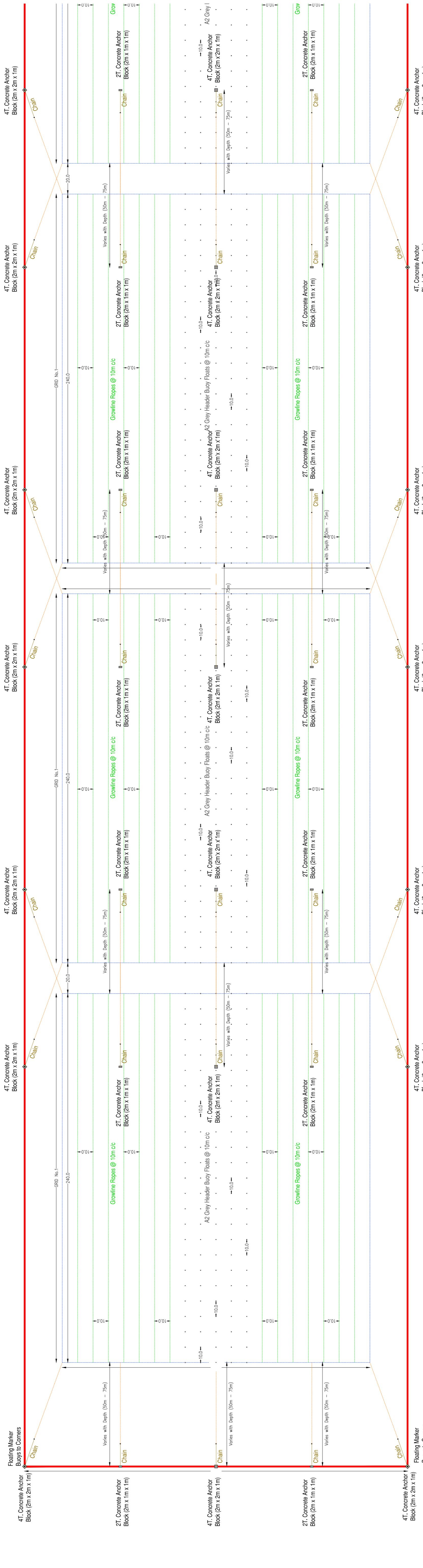
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Proposed Seaweed Farm - Anchor Blocks Plan; with Partial Growlines & Header Buoy Floats Shown
Scale: 1:2,000

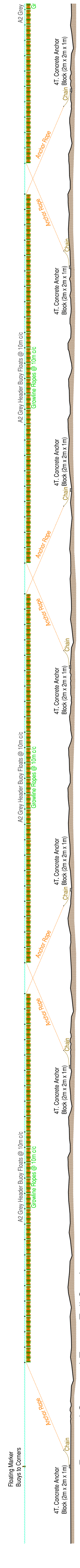


Proposed Seaweed Farm - Full Section
Scale: 1:2,000



Proposed Seaweed Farm - Anchor Blocks Plan; with Partial Growlines & Header Buoy Floats Shown
Scale: 1:1,250

Aquaculture Licence Application Area Outlined in RED



Proposed Seaweed Farm - Full Section
Scale: 1:1,250

<p>Client: WILD ATLANTIC SEA PRODUCTS LTD Project: SEAWEED AQUACULTURE LICENCE APPLICATION, IN BANTRY BAY, CO. CORK (M5H4L HEAD)</p>	<p>Drawing Status: ISSUE FOR AQUACULTURE LICENCE Drawing Title: PROPOSED SITE LAYOUT PLAN & FULL SECTION Scale: A1 - 1:2,000 & 1:1,250 D.S.S. CK117</p>	<p>JOHN J. O'SULLIVAN & ASSOCIATES - Planning & Architectural Consultants - Consulting Engineers & Surveyors - - Linnitua, Reemore East, GLENGARRIFF, Co. Cork, P75 YY92 Ireland - - Tel: (027) 633726 - Fax: (027) 633537 - Office email: info@jjas.ie - Website: www.jjas.ie -</p>	<p>Drawn By: John Gavin, B.Sc., Arch. Tech. Checked By: John J. O'Sullivan, B.E., C.Eng., M.EI Date: 28/03/2018 Dwg. No.: L00061801-00-1280318</p>
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SCHEDULE 3

Schedule 3 contains:

- **requirements of the MSO and/or CIL**
 1. No navigable inter-tidal channels to be impeded by this site.
 2. The applicant must secure Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation that may be required by the Marine Survey Office. These aids must be in place before development on the site commences.
 3. The size and specification of aids to navigation must be of design and specification approved by the Marine Survey Office and must be agreed in advance with the Commissioners of Irish Lights.
- **the navigation marking detail.**
 - A special mark buoy with topmark and light to be located at the SW and SE ends of the site.

SCHEDULE 4

Schedule 4

- **the seeding/plant and/or equipment deployment conditions.**
 - 4 No. 240m x 130m floating longline grid systems with 14 lines in each grid at 10m centres to be used.
 - A2 flotation buoys to be used.
 - Source of the plantlets/seed must be approved by the Department of Agriculture, Food and the Marine.
 - No non-native species to be used.
 - Prior to the commencement of any aquaculture activity on this site, the applicant is required to prepare a Contingency Plan, for the approval of the Department of Agriculture, Food and The Marine, which should identify, inter alia, methods for the removal from the environment of any invasive non-native species introduced as a result of operation at this site. If such an event occurs, the contingency plan shall be implemented immediately.

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