

24/9/18

Dingle Bay Seaweed Ltd,  
Oakmount,  
Castletownbere,  
Co. Cork



Site ref: T05/607A

Dear Deirdre,

In reference to your letter written the 11<sup>th</sup> of September we have the following responses to the submissions/observations made.

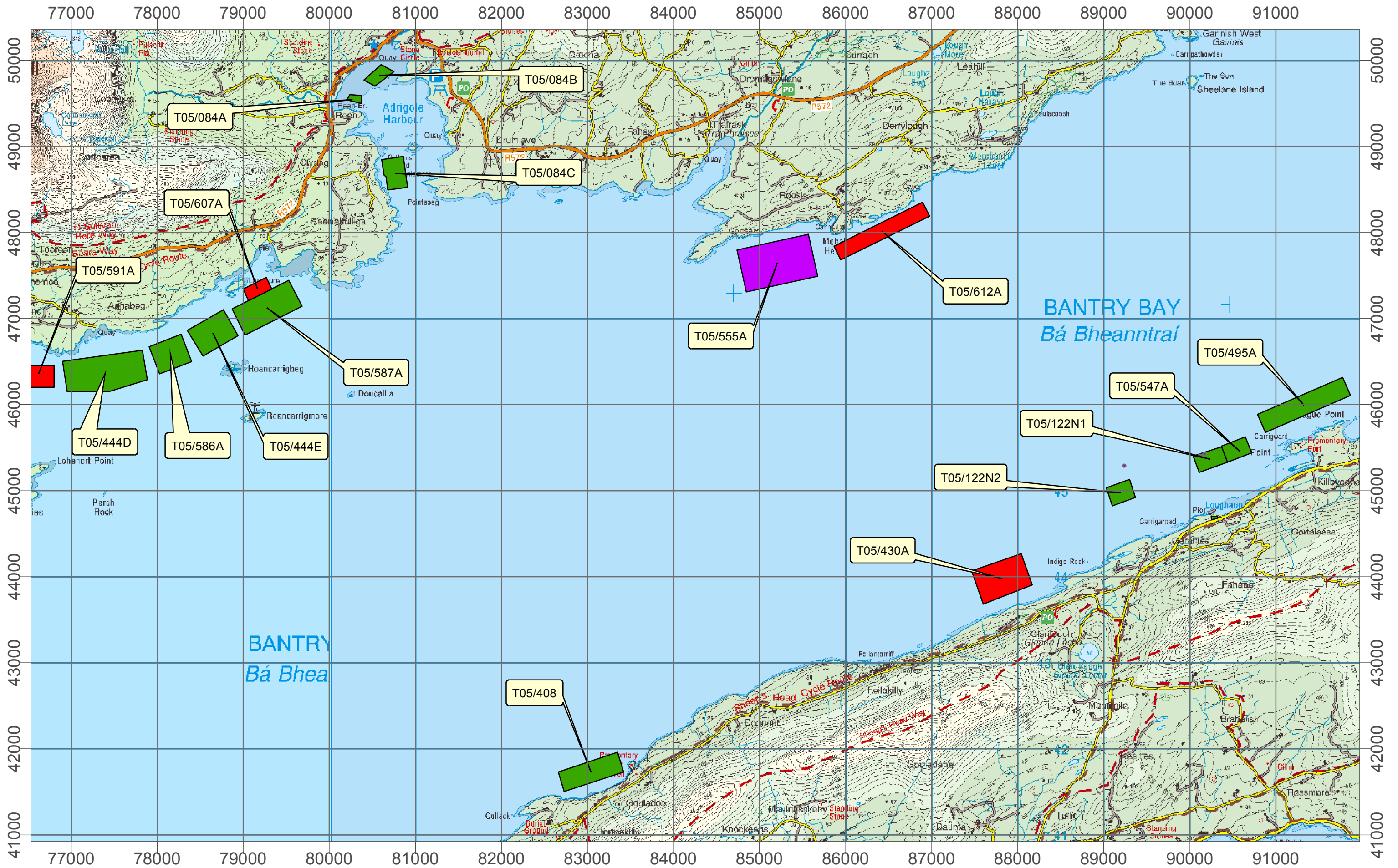
- In light of the unforeseen overlap with a seaweed harvesting licence we would be willing to trim the corner of the site so as to avoid an overlap.
- We currently cultivate on an existing site five of the seven listed species and plans to continue trials seeking guidance from BIM. These seedlings were all produced by Cartron Point Shellfish Ltd. All species are native species, with all material gathered for the hatchery from native plants.
- We will seek a meeting with the local BIM CLAMS officer to discuss the hazards associated with invasive species and implement an appropriate plan.
- Due to our experience fishing in the area, as I am a fifth generation local fisherman, the salmonids never ran/migrated in this area.
- From experience on our existing site, the cultivated seaweed provides a habitat for juvenile fish species.
- Marine activity through the site in question is minuscule and it is our opinion that matters of navigational safety is the remit of the Marine Survey Office and having spent 12 years personally as emergency cox for the RNLI I'd like to be considered a prudent operator with regard to safety at sea.

Regards,

A handwritten signature in black ink, appearing to be 'Michael Murphy', written over a solid horizontal line.

Michael Murphy

Director/Owner Dingle Bay Seaweed Ltd.



**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  
 © Ordnance Survey Ireland/Government of Ireland



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



19 December 2019

Your Ref: **AP51/2019**

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 16 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 18 December 2019, regarding the appeal against the decision to grant a variation of an Aquaculture Licence to Dingle Bay Seaweed Ltd in relation to site **T05/607A** 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,
  - The revised maps and cords i.e. the variation,
2. Copy of the applicant's reply to the public and statutory comments,
3. Copy of the notification of the Minister's decision to the applicant,
4. Location map of the surrounding area including the following:
  - Sites under application,
  - Licensed sites,
  - Sites currently under appeal.

If you require anything further please let me know.

Yours sincerely

Deirdre Fitzpatrick  
Aquaculture and Foreshore Management Division



24<sup>th</sup> October 2019

Dingle Bay Seaweed Ltd  
Oakmount  
Castletownbere  
Co. Cork

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)**

**NOTICE OF MINISTERIAL DECISION TO GRANT AN AQUACULTURE AND  
FORESHORE LICENCE**

**Our Ref: T05/607A**

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 seaweeds using longlines on site no. T05/607A (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 the 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 Licence 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

A handwritten signature in blue ink, which appears to read "Deirdre Fitzpatrick", is written over a horizontal line.

**Deirdre Fitzpatrick**

**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:** T05/607A

**APPLICANT:** Dingle Bay Seaweed Ltd

**AQUACULTURE TO WHICH DECISION RELATES:** Cultivation of seaweeds using seeding string transferred from the hatchery for on-growing at sea on single headrope longlines on site T05/607A on the foreshore along the north shore of Castletownbere Sound, 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 the public interest to grant a variation to the licence sought. The Minister recommends granting a 4.45 hectare site to avoid an overlap with an application for seaweed harvesting and amending the shape to allow for a 240m x 120m floating longline grid system with 13 lines at 10m centres.

**DATE OF DECISION:** 21<sup>st</sup> 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 of 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]
T05/607A	Dingle Bay Seaweed Ltd	Along the north shore of Castletownbere Sound	Seaweeds using longlines	Grant with variation
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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](mailto: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 00571 -19: Recommendation to Grant (a variation) Aquaculture and Foreshore Licence for one site (T05/607A)

TO: Minister  
STATUS: Completed  
PURPOSE: For Decision

AUTHOR: Fitzpatrick, Deirdre  
OWNER: Fitzpatrick, Deirdre  
REVIEWERS: O'Keeffe, Therese  
Horan, Helena  
Quinlan, John  
Beamish, Cecil  
Smith, Ann

DIVISION: Coastal Zone Management  
DECISION BY:

## Final comment

Minister determines that the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 5.967hectares to 4.45 hectares, for reasons outlined.

## Action required

Ministerial Determination on Aquaculture/Foreshore Licensing Application (T05/607A).

## Executive summary

The Minister's determination is requested please in relation to the application for an Aquaculture Licence from Dingle Bay Seaweed Ltd, Oakmount, Castletownbere, Co. Cork. The application is for the cultivation of native red, green and brown seaweeds on seeding string transferred from the hatchery for on-growing at sea on single headrope longlines on one site numbered T05/607A along the north shore of Castletownbere Sound, Bantry Bay, Co. Cork.

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

It is recommended that the Minister determines that the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 5.967hectares to 4.45 hectares, to Dingle Bay Seaweed Ltd, for reasons outlined in the "Detailed Information" section below. See recommended site co-ordinates and site layout at **TAB G**.

## Detailed information

### DECISION SOUGHT

The Minister's determination is requested please in relation to the application for an Aquaculture Licence from Dingle Bay Seaweed Ltd, Oakmount, Castletownbere, Co. Cork. The application is for the cultivation of native red, green and brown seaweeds on seeding string transferred from the hatchery for on-growing at sea on single headrope longlines on site numbered T05/607A totalling 5.967 hectares (now proposed to be reduced to 4.45 hectares) along the north shore of Castletownbere Sound, Bantry Bay, Co. Cork.

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

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



## **BACKGROUND**

Marine aquaculture operations require separate Aquaculture and Foreshore Licences and Ministerial approval is required in respect of this submission (Aquaculture Submission) and 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 above (in conjunction with an application for a Foreshore Licence), for the cultivation of native red, green and brown seaweeds on seeding string transferred from the hatchery for on-growing at sea on single headrope longlines in relation to a 5.967 hectare site on the foreshore on the north shore of Castletownbere Sound, Bantry Bay, Co. Cork. It is now proposed that the site be reduced to a 4.45 hectares site to avoid an overlap with an application for seaweed harvesting. (See **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 Licence 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 technical experts, statutory consultees and was also publicly advertised in a composite public notice covering both aquaculture and foreshore elements.

### **Technical Consultation**

Marine Engineering Division (MED): Stated no objection to the application and did recommend the inclusion of conditions dealing with the structures and site layout. MED also suggested a group marking scheme should be implemented in the area.

-

Marine Survey Office (MSO): Stated no objection to this development from a navigational viewpoint, but that the views of the Castletownbere Harbour Master should be sought.

It is proposed to insert a specific condition covering MSO matters in any licence/s 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): No comments received.

### **Statutory Consultation**

-  
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 bodies:

Marine Institute (MI): Stated no objection to the application but raised some concerns regarding the source of plantlets/seeded strings and recommended that this information be sought from the applicant prior to any licence determination being made.

(This issue was addressed in the applicant's reply to the Public and Statutory comments – See Public Consultation below.)

The MI also made the following recommendations:

- MI recommends that the initial source of 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 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.

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

Inland Fisheries Ireland (IFI): Stated no objection but requested that consideration be given to ensuring the proposed scheme does

not interfere with established fishing activities or fish migratory runs.

Clarification was sought from IFI regarding the fish migratory runs but no reply was received.

Department of Housing, Planning & Local Government (DHPLG): Stated "The southern end of proposed area for seaweed cultivation overlaps with a licence issued for seaweed harvesting to Bio Atlantis. The Water Adviser doesn't believe that it is possible to allow the areas to overlap. The proposed seaweed cultivation area should be amended to exclude the area already licenced for harvesting".

Following on from the Public and Statutory consultation process, the site was subsequently revised by MED to avoid the overlap with the seaweed harvesting site. The applicant agreed to the revised site.

-

Harbour Master: Originally stated that navigation North and North West of the site would be severely restricted for vessels transiting in that area. See text below regarding revised comments.

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 21<sup>st</sup> July, 2018. 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 received from the public consultation process. The main concerns were;

- Access to Doreen Cove Pier.
- Safe navigation of larger vessels around existing sites.

The applicant replied to the public and statutory comments as follows;

- The applicant is willing to trim the corner of the site so as to avoid the overlap with the area licensed for seaweed harvesting.
- The applicant currently cultivates on an existing site 5 of the 7 listed species and plans to continue trials seeking guidance from BIM. The seedlings were all produced by Cartron Point Shellfish Ltd. All species are native, with all material gathered for the hatchery from native plants.
- The applicant has experience of fishing in this area and stated that the salmonids never ran/migrated in this area.
- Navigation safety is the remit of the Marine Survey Office.

The site was subsequently revised by the Department's Marine Engineering Division to avoid the overlap with the seaweed harvesting area highlighted by the Department of Department of Housing, Planning & Local Government. The revised site was approved by the Marine Survey Office and the Castletownbere Harbour Master.

The applicant agreed to proceed with the revised site.

## CRITERIA IN MAKING LICENSING DECISIONS

The licensing authority, in considering an application, is required by statute to take account, as appropriate, of the following points and 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 **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 were raised 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.*

## **RECOMMENDATION**

It is recommended that the Minister:

approves the granting of an Aquaculture Licence **(TAB E)** Dingle Bay Seaweed Ltd, Oakmount, Castletownbere, Co. Cork, with a variation, reducing the footprint of the site from 5.967 hectares to a 4.45 hectare site, to avoid an overlap with an application for seaweed harvesting, for a period of ten (10) years for the purpose of cultivation of seaweeds on seeding string transferred from the hatchery for on-growing at sea on single headrope longlines in the sub-tidal part of the foreshore, in accordance with the terms and conditions of the attached Aquaculture Licence.

## **REASONS FOR THE 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 – T05/607A

Dingle Bay Seaweed Ltd, has applied for an Aquaculture and Foreshore Licence for the cultivation of native red, green and brown seaweeds on seeding string transferred from the hatchery for on-growing at sea on single headrope longlines, in the sub-tidal part of the foreshore on one site totalling 4.45 hectares, site numbered T05/607A along the north shore of Castletownbere Sound, Bantry Bay, Co. Cork.

The Minister for Agriculture, Food and the Marine has determined that it is in the public interest to grant the licence sought.

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 statutory provisions. The following are the reasons and considerations for the Minister's determination to grant the licences 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) There 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 required under EU and National law."

### **Recommendation to grant a Foreshore Licence (T05/607A)**

#### **DECISION SOUGHT**

The Minister's determination is requested please in relation to the application for a Foreshore Licence from Dingle Bay Seaweed Ltd, Oakmount, Castletownbere, Co. Cork, in which it is proposed to conduct aquaculture.

#### **BACKGROUND**

Marine aquaculture operations require separate Aquaculture and Foreshore Licences and Ministerial approval is required in respect of this submission (Foreshore Submission) and 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 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 5.967 hectares site (now proposed to be reduced to 4.45 hectares) (numbered **T05/607A** see **TAB A**).

## 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 the 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 the Environment, Community 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: Stated "The southern end of proposed area for seaweed cultivation overlaps with a licence issued for seaweed harvesting to Bio Atlantis. The Water Adviser doesn't believe it is that possible to allow the areas to overlap. The proposed seaweed cultivation area should be amended to exclude the area already licenced for harvesting."

### Technical Consultation

Marine Engineering Division: Stated no objection to the application.

-

Marine Survey Office: Stated no objection to this development from a navigational viewpoint, but that the views of the Castletownbere Harbour Master should be sought.

-

Sea Fisheries Protection Authority: No comments received.

### Public Consultation

The application was publicly advertised using a composite public notice covering aquaculture and foreshore elements in The Southern Star on 21<sup>st</sup> July, 2018. 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 received from the public consultation process. The main concerns were;

- Access to Doreen Cove Pier.
- Safe navigation of larger vessels around existing sites.

The site was subsequently revised by the Department's Marine Engineering Division to avoid the overlap with the licensed area

highlighted by the Department of Department of Housing, Planning & Local Government. The revised site was approved by the Marine Survey Office and the Castletownbere Harbour Master.

## 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 (**TAB F**) to Dingle Bay Seaweed Ltd, Oakmount, Castletownbere, Co. Cork, for a site along the north shore of Castletownbere Sound, Bantry Bay, Co. Cork, for a reduced footprint from 5.967 hectares to 4.45 hectares to avoid the overlap with an application for seaweed harvesting, 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 16:01

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 14:30

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.

**Quinlan, John** - 14/10/2019 09:56

Recommended for approval please.

**Beamish, Cecil** - 18/10/2019 10:50

Recommended that the Minister determines that the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 5.967hectares to 4.45 hectares, for reasons outlined in the submission.

**Smith, Ann** - 18/10/2019 10:51

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

**Lennox, Graham** - 21/10/2019 16:22



Minister determines that the Aquaculture and Foreshore Licences be granted with a variation reducing the size of the site from 5.967hectares to 4.45 hectares, for reasons outlined.

## User details

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

READ RECEIPT: Fitzpatrick, Deirdre  
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/607

Date of Receipt (Dept. Stamp)



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

**PART 1: PRELIMINARY DETAILS**

Applicant's Name(s)
1. <b>Dingle Bay Seaweed Ltd</b>
Address: <b>Oakmount, Castletownbere, Co. Cork</b>
2.
Address:
3.
Address:
4.
Address:

<b>Contact in case of enquiries (if different from above)</b>	
Contact Name	
Organisation Name (if applicable)	
Address	

**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"/>
(ii) Trial Licence	<input type="checkbox"/>
(iii) Foreshore Licence, if Marine Based	<input checked="" 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 checked="" 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 and to Part 2.5. |
|--------------------------|---|

## 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: **Cork**
- (iii) OS Map No: **115**
- (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.]

- 1. 79354E 47524 N
- 2. 79422E 47391 N
- 3. 79066E 47208 N
- 4. 78998E 47341 N

- (v) Size (hectares): **6**

(vi) Species (common and scientific name):

**Native red, green and brown seaweeds**

**Winged kelp, *Alaria esculenta***

**Oarweed, *Laminaria digitata***

**Sugar kelp, *Saccharina latissima***

**Dilisk, *Palmaria palmata***

**Sea Lettuce, *Ulva lactuca***

**Nori, *Porphyra* sp.**

**Carrageen moss, *Chondrus crispus*, *Mastocarpus stellatus***

(vii) What is the source of plantlet? **Hatchery production**

(viii) Cultivation Method? **Seeded string transferred from the hatchery for ongrowing at sea**

(ix) Proposed total number of lines/ropes

**22 x 170m submerged single headrope longlines**

(x) Proposed Production:

Year 1	40	Year 2	40	Year 3	40	Year 4	40	Year 5	40
--------	----	--------	----	--------	----	--------	----	--------	----

(xi) Reasons for site selection:

**Sheltered site with good access, close to existing aquaculture operations, and own processing 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;

**The cultivation methods are currently being used.**

---

(xiii) Methods used for harvesting.

**The seaweed will be harvested by boat and transferred to the processing facilities on land.**

---

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

**Yes**

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?

**Only grey floats will be used on the cultivation lines, which will be kept in orderly lines, running parallel to the coast.**

(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)

If Yes give details

**No**

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

**2.3A DOCUMENTATION REQUIRED FOR MARINE-BASED  
SEAWEED/AQUATIC PLANTS/AQUATIC FISH FOOD  
AQUACULTURE**

(to be included separately with a Licence Application for a new site or for a renewal or review of an existing Licence)

1. **Scale drawing of the structures to be used and the layout of the farm.** The proposed site drawings must illustrate all site structures above and below the water including mooring blocks. (recommended scales normally 1:100 for structures and 1:200 for layout ) (See Guidance Note 3.3.2 on Site Structures)
2. **An Appropriate Ordnance Survey Map (recommendation is a map to the Scale of 1:10,000/ 1:10,560, i.e. equivalent to a six inch map).** Note: The proposed access route to the site from the public road across tidal foreshore, (e.g. pier or slipway) must also be shown on the map.
3. **The prescribed application fee (See Guidance Note Section 4)**
4. **If the applicant is a limited Company within the meaning of the Companies Act 1963, as amended, the Certificate of Incorporation and Memorandum and Articles of Association**
5. **If the applicant is a Co-operative, the Certificate of Incorporation and Rules of the Co-operative Society**
6. **Environmental Impact Statement (if required) in certain cases- See Guidance Notes Section 3.3.1**

**NOW COMPLETE PARTS 2.6, 3, 4 AND 5 PLEASE**

**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:

**We have been involved in growing seaweed successfully in Ventry Harbour for the last four years and with other companies have been working in the fishing industry for the last thirty years.**

(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:

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---

**FULLTIME JOBS**

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

**PART TIME JOBS**

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

**CONFIDENTIAL**

**PART 3: APPLICANT DETAILS**

**PART 3 A. INDIVIDUAL(S)/SOLE TRADER(S)**

(If necessary continue with extra page(s))

1. Name: \_\_\_\_\_

Personal Public Service No. \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Mobile No. \_\_\_\_\_

E-mail Address \_\_\_\_\_

2. Name: \_\_\_\_\_

Personal Public Service No. \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Mobile No. \_\_\_\_\_

E-mail Address \_\_\_\_\_

3. Name: \_\_\_\_\_

Personal Public Service No. \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Mobile No. \_\_\_\_\_

E-mail Address \_\_\_\_\_

4. Name: \_\_\_\_\_

Personal Public Service No. \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Mobile No. \_\_\_\_\_

E-mail Address \_\_\_\_\_



**PART 3 D. LIMITED COMPANY**

Company Name: Dingle Bay Seaweed Ltd

Address: Oakmount, Castletownbere, Co. Cork

Company Registered No. (CRO No.) [REDACTED]

VAT No. IE 3456753CH

Phone No. [REDACTED]

Mobile No. [REDACTED]

E-mail Address: dinglebayseaweed@gmail.com

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

Name: Elizabeth O'Leary                      Personal Public Service [REDACTED]

Name: Michael Murphy                      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: Elizabeth O'Leary                      Personal Public Service [REDACTED]

% Shareholding: 50%

Name: Michael Murphy                      Personal Public Service [REDACTED]

% Shareholding: 50%

Name: \_\_\_\_\_ Personal Public Service No. \_\_\_\_\_

% Shareholding: \_\_\_\_\_

Name: \_\_\_\_\_ Personal Public Service No. \_\_\_\_\_

% Shareholding: \_\_\_\_\_

**CONFIDENTIAL**

**PART 4 B. MARKETING**

1. Have possible markets been considered, or has market advice for products been sought?

YES  NO

2. If yes, give details:

**The market price and potential for sales of the target products has been identified.**

3. Will the product be processed or packaged?

YES  NO

4. If yes, give details: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 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			X
5	Water Quality Analysis Report, if appropriate			X
6	Decision of Planning Authority under the Planning Acts, if required			X
7	Copy of Licence under Section 4 of the Local Government (Water Pollution) Act, 1977 – Effluent Discharge, if required			X
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			X
10	Integrated Pest Management Plan, if required			X
11	Alien Species documentation, if required.			X

**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:

---

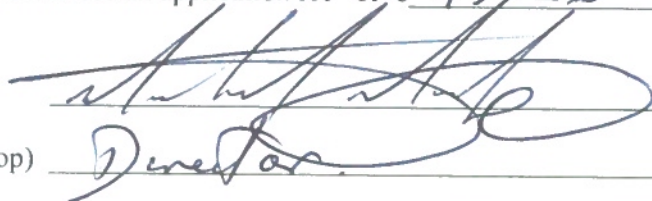
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I/We hereby declare the information provided in Parts 1, 2, 3 and 4 above to be true to the best of my/our knowledge. I/We enclose an application fee\* of € 95723 with this application.

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

  
Director

Date: 24-4-17

**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**

**1 NO. SITE AT BANTRY BAY CO.CORK**

**Co-ordinates & Area**

**Site T05/607A (5.967 Ha)**

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

078998, 047341 to Irish National Grid Reference point  
079354, 047524 to Irish National Grid Reference point  
079422, 047391 to Irish National Grid Reference point  
079061, 047208 to the first mentioned point.



79000

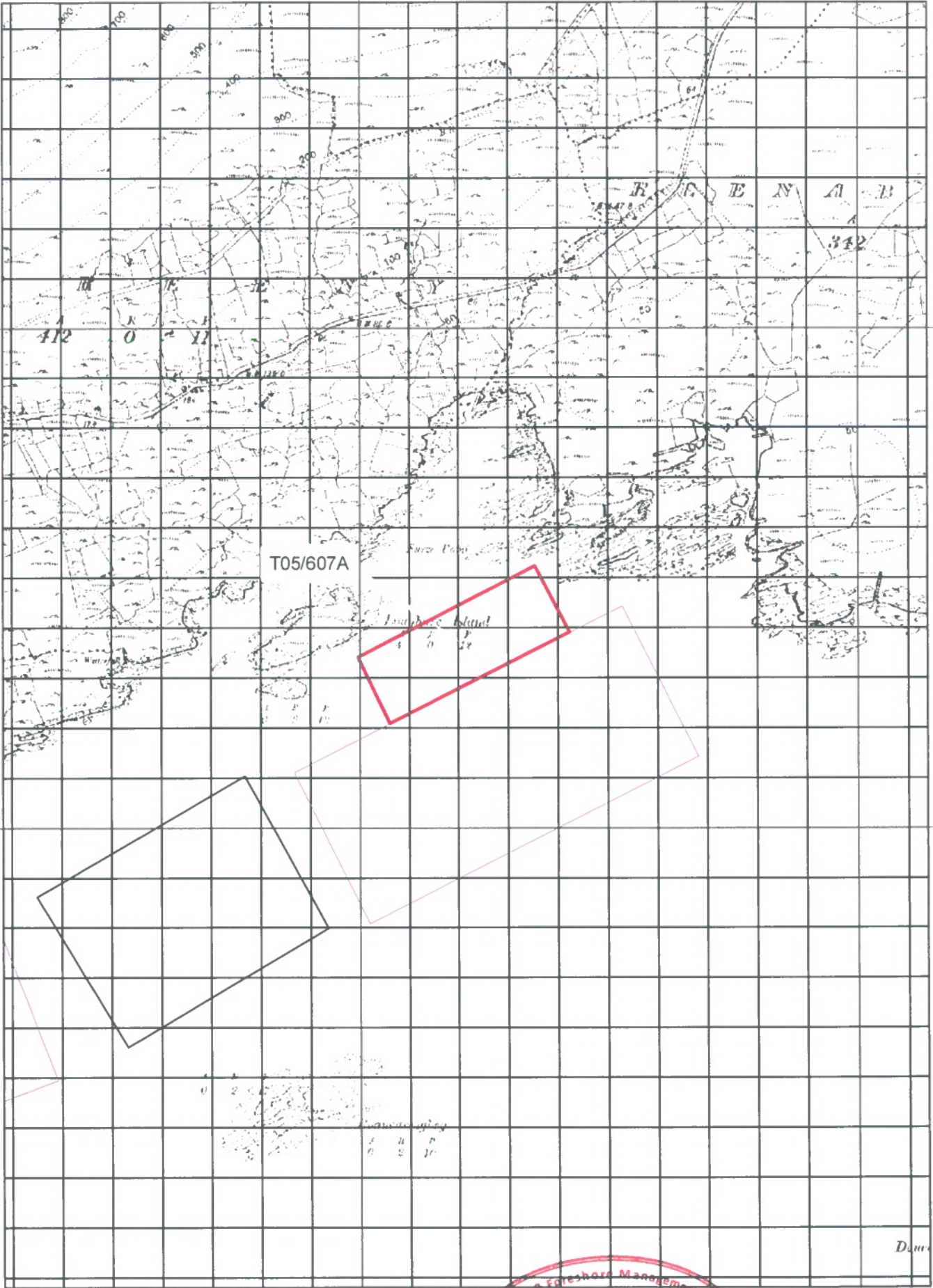
80000

48000

48000

47000

47000



T05/607A

Lough Beg Island

Datum

79000

80000

**Aqua Culture Sites**

<all other values>

**Site\_Status**

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

1:10,560

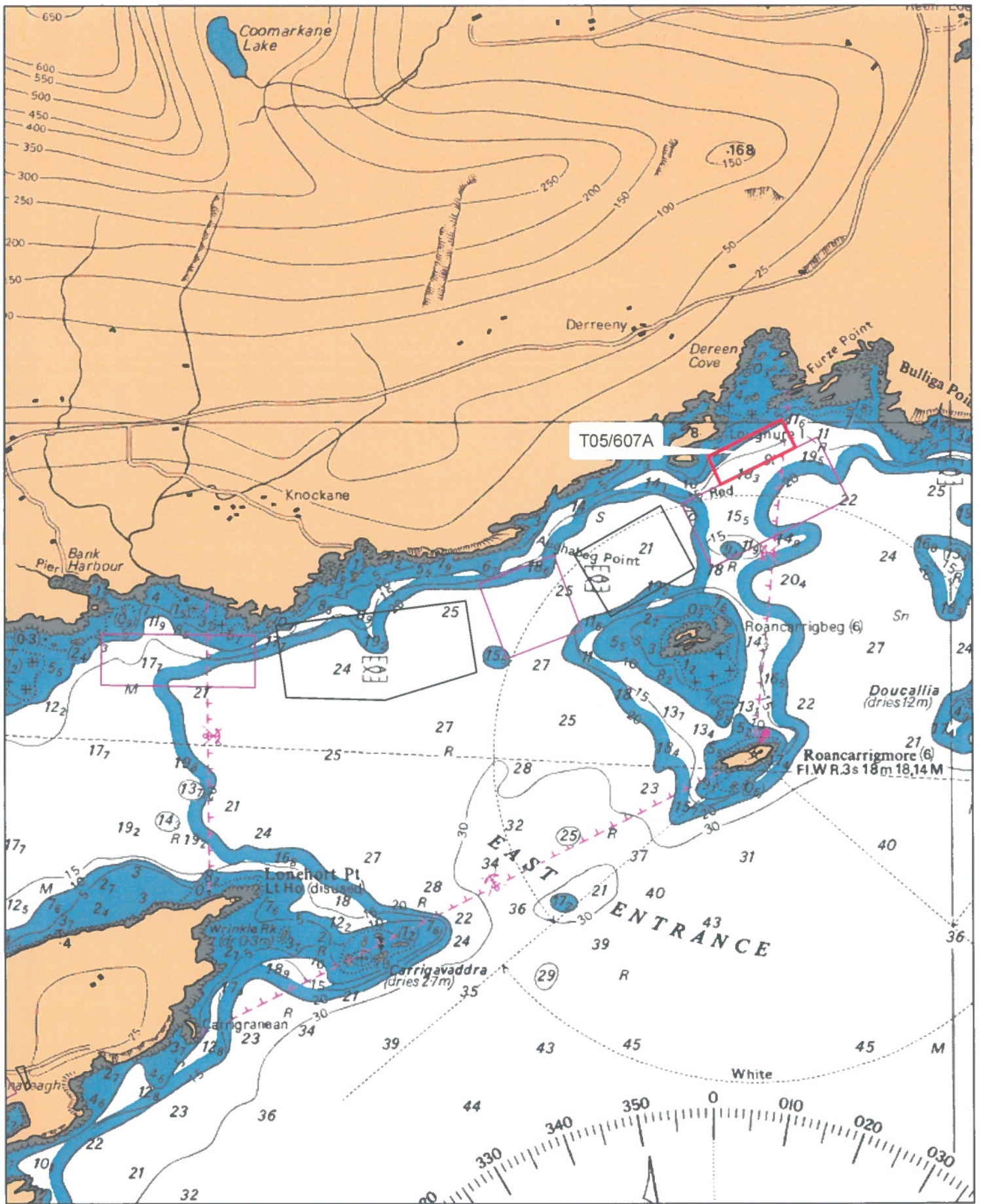
Sites highlighted in red denotes Application

Ordnance Survey Ireland Licence No. EN 0076413

© Ordnance Survey Ireland/Government of Ireland



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



T05/607A

EAST ENTRANCE

- Aqua Culture Sites**  
<all other values>
- Site\_Status**
- Application
  - Lapsed
  - Licensed
  - Refused
  - Revoked
  - Surrendered
  - Withdrawn

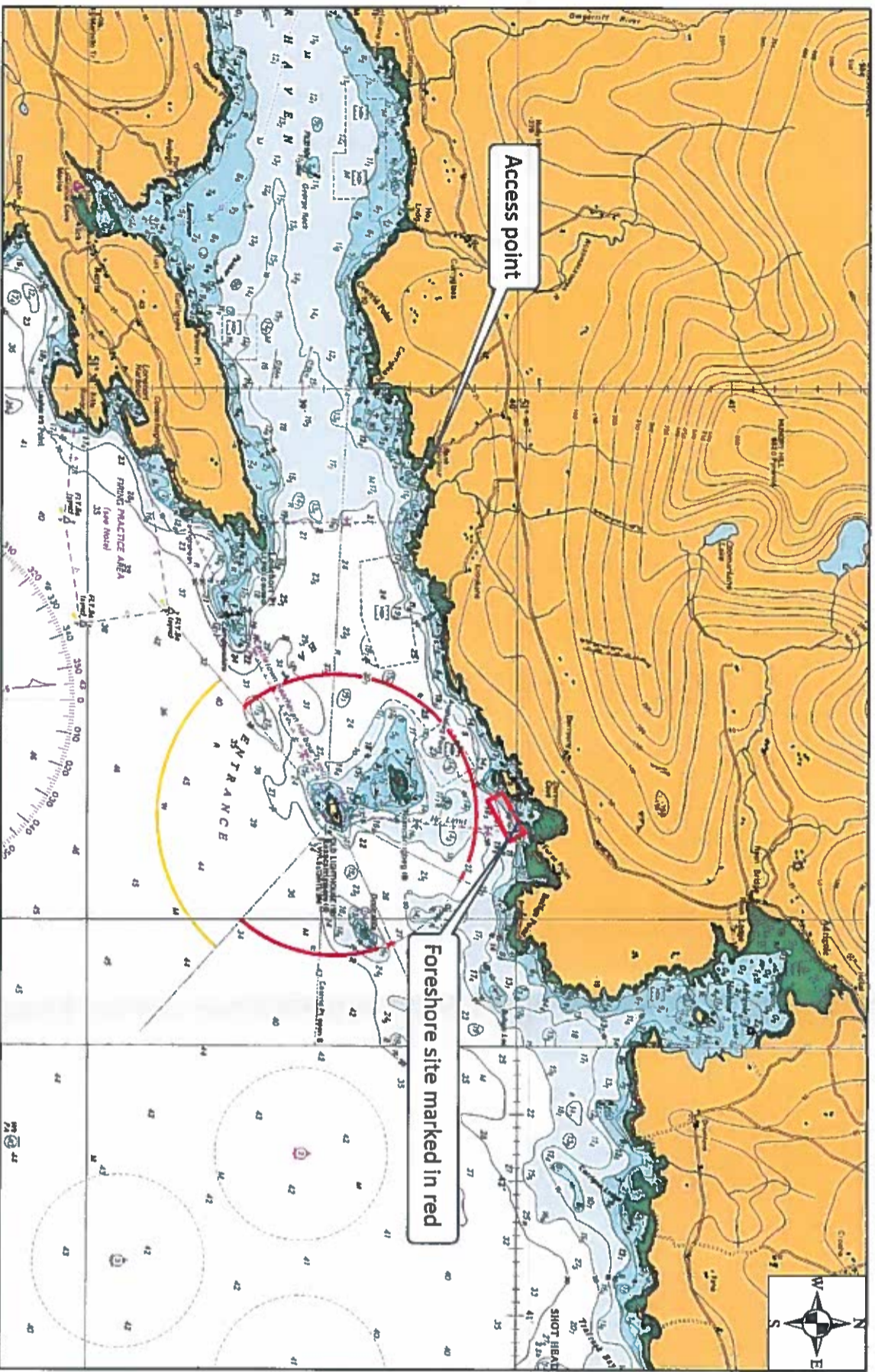
1:24,000



Sites highlighted in red denotes Application  
 Part of Admiralty Chart No =1840-0  
 Not to be used for Navigation



**PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED**



**PROPOSED APPLICATION BRITISH ADMIRALTY CHART**

**SCALE 1/50,000**

**SITE REF: T05/607A**

**NOTES**

1. All dimensions are in metres unless noted otherwise
2. All levels are in metres related to OD Malin.
3. Co-ordinates to National Irish Grid

**Licence Area**

Licence Area = 6.0 Hectares  
National Irish Grid Co-ordinates

1. 79354 E 47524 N
2. 79422 E 47391 N
3. 79056 E 47208 N
4. 78998 E 47341 N

**Mark Beacons**

St Andrews Cross special mark beacons located at corners of the site

REV A: Date June 2018 - Revisions made following guidance from Aquaculture & Foreshore Management Division

**Declan Noonan & Associates**  
Architecture, Engineering & Project Management Consultants

Upper Main  
Street,  
Dingle,  
Co. Kerry

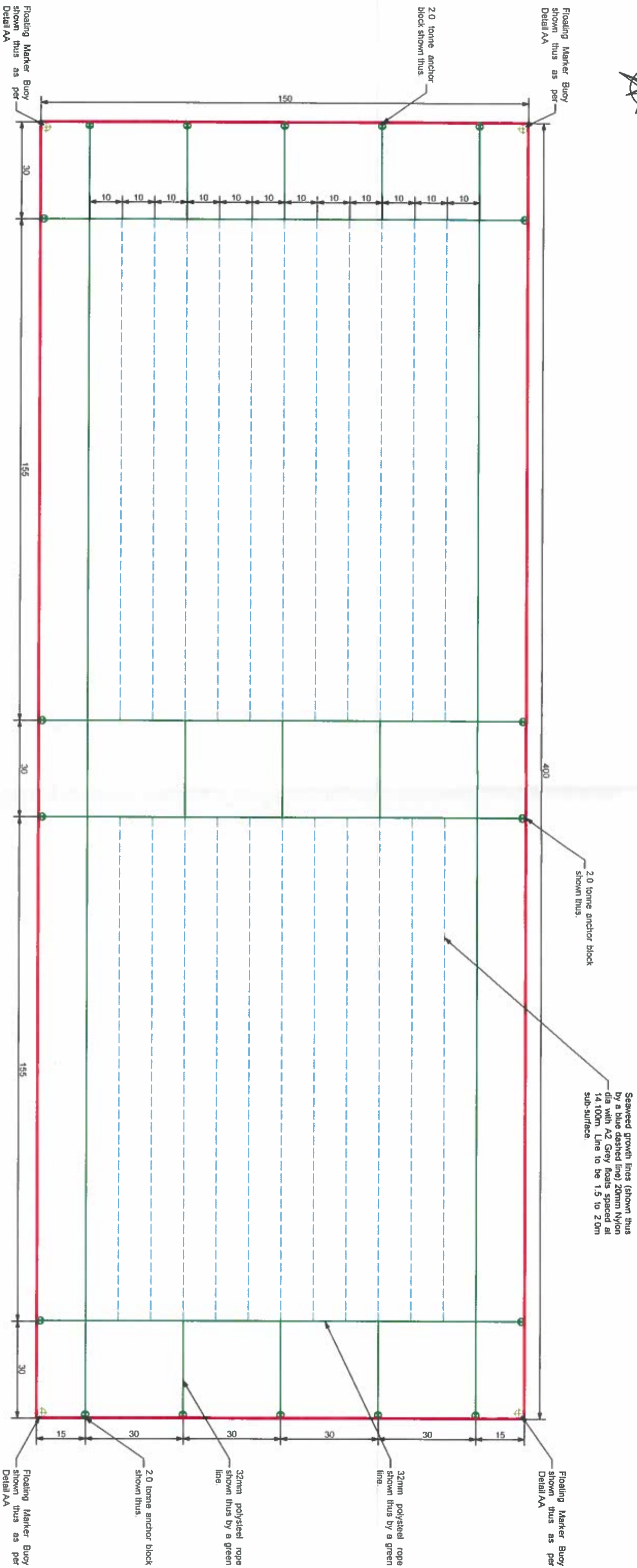
tel 087 2837745  
tel 056 9150847  
fax 056 9151503  
email: declannoonan@eirco  
m.net

Client	DINGLE BAY SEAWEED	
Title	Aquaculture Licence Application Drawing	
Scale	As Shown	Rev
Date	March 2017	Drawn
D/g No.	DBS/01/04 REV A	

Please note that the COPYRIGHT of the information contained within this drawing remains with Declan Noonan & Associates



# PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED



## PROPOSED APPLICATION SITE LAYOUT

SCALE 1/1250

TOTAL AREA = 60,000 Sq. M. / 6.0 Hec

SITE REF: T05/607A

### NOTES

1. All dimensions are in metres unless noted otherwise.
2. All levels are in metres related to OD Malin.
3. Co-ordinates to National Irish Grid

### Licence Area

Licence Area = 6.0 Hectares  
National Irish Grid Co-ordinates

1. 79354 E 47524 N
2. 79422 E 47391 N
3. 79066 E 47208 N
4. 78998 E 47341 N

### Mark Beacons

St Andrews Cross special mark beacons located at corners of the site.

**Declan Noonan & Associates**  
Architecture, Engineering & Project Management Consultants

REV A: Date June 2018 - Revisions made following guidance from Aquaculture & Foreshore Management Division

Client: **DINGLE BAY SEAWEED**

Upper Main Street, Dingle, Co. Kerry

Title: **Aquaculture Licence Application Drawing**

Scale: **As Shown**

Date: **March 2017**

Rev: **DN**

Dwg No: **DBS/01/03 REV A**

tel: 097 2837745  
tel: 066 8150847  
fax: 066 8151503  
email: declannoonan@eirco.ie  
m.nel

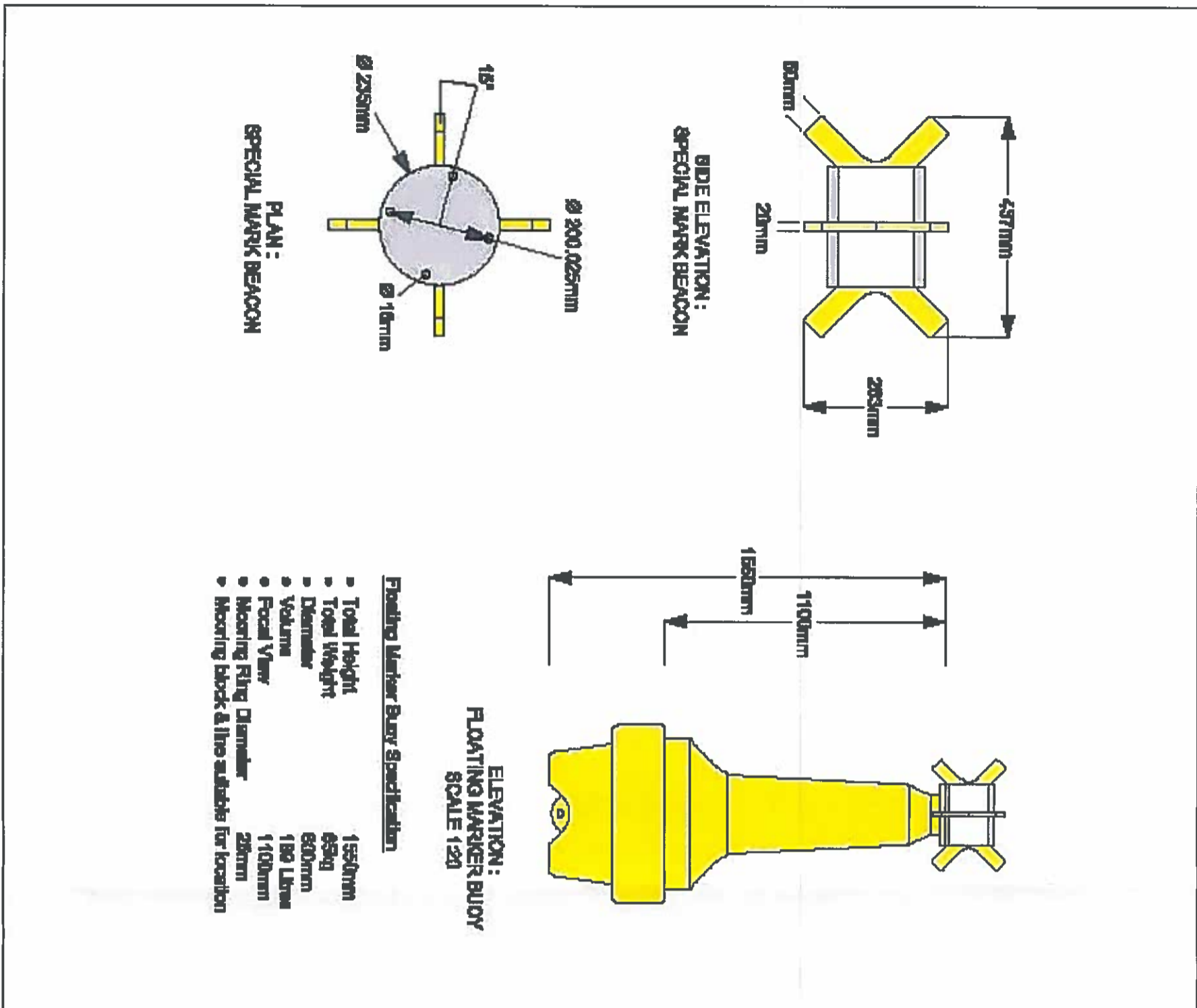
Please note that the COPYRIGHT of the information contained within this drawing remains with Declan Noonan & Associates

### NOTES

All anchor blocks will be 2 tonne concrete with 32mm polysteel rope to surface.

Navigation marker buoy as each corner of the area per C.I.L.L.

PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED



PROPOSED FLOATING MARKER BUOY - DETAIL A-A  
SCALE 1/20

**NOTES**  
1 All dimensions are in metres unless noted otherwise  
2 All levels are in metres related to OD Malin  
3 Co-ordinates to National Irish Grid

**Licence Area**  
Licence Area = 6.0 Hectares  
National Irish Grid Co-ordinates

1	79354 E	47524 N
2	79422 E	47391 N
3	79066 E	47208 N
4	78998 E	47341 N

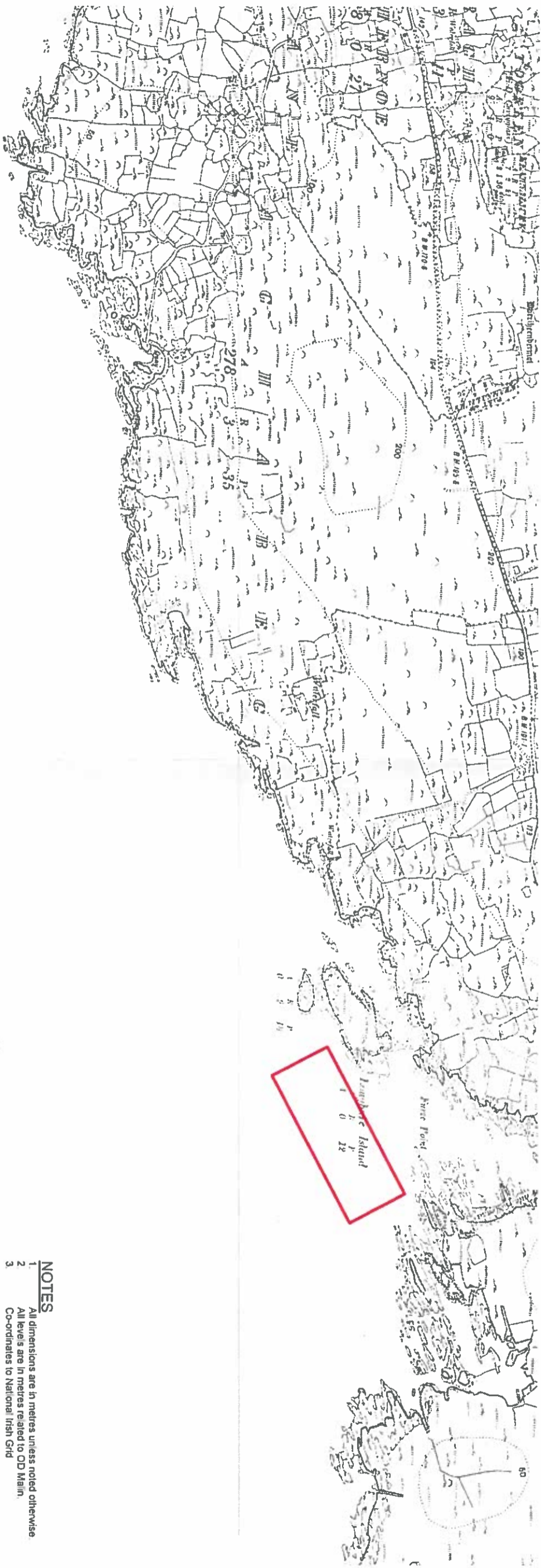
**Mark Beacons**  
St Andrews Cross special mark beacons located at corners of the site

**SITE REF: T05/607A**

REV A: Date June 2018 - Revisions made following guidance from Aquaculture & Foreshore Management Division

<p><b>Declan Noonan &amp; Associates</b> Architecture, Engineering &amp; Project Management Consultants</p>	
<p>Upper Main Street, Dingle, Co. Kerry</p>	<p>tel: 087 2837745 tel: 066 9150847 fax: 066 9151503 email: declannoonan@eircom.net</p>
<p>Client: DINGLE BAY SEAWEED</p>	<p>Scale: As Shown Date: March 2017 Rev: DN</p>
<p>Title: Aquaculture Licence Application Drawing</p>	<p>Dwg No: DBS/01/02 REV A</p>
<p>Please note that the COPYRIGHT of the information contained within this drawing remains with Declan Noonan &amp; Associates</p>	

**PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED**



**PROPOSED APPLICATION SITE LOCATION MAP**

**SCALE 1/10,560**

**SITE REF: T05/607A**



- NOTES**
1. All dimensions are in metres unless noted otherwise
  2. All levels are in metres related to OD Main
  3. Co-ordinates to National Irish Grid

**Licence Area**

Licence Area = 8.0 Hectares  
National Irish Grid Co-ordinates

1	79354 E	47524 N
2	79422 E	47391 N
3	79065 E	47208 N
4	78998 E	47341 N

**Mark Beacons**  
St Andrews Cross special mark beacons located at corners of the site

REV A. Date June 2018 - Revisions made following guidance from Aquaculture & Foreshore Management Division

**Declan Noonan & Associates**

Architecture, Engineering & Project Management Consultants

Upper Main Street, Dingle, Co. Kerry	Client <b>DINGLE BAY SEAWEED</b>	Scale <b>As Shown</b>	Rev.
	Title <b>Aquaculture Licence Application Drawing</b>	Date <b>March 2017</b>	Drawn <b>DN</b>
		Dwg No. <b>DBS/01/01 REV A</b>	

tel. 087 2637745  
tel. 068 9150847  
fax. 068 9151503  
email: declannoan@eirco  
m.net

Please note that the COPYRIGHT of the information contained within this drawing remains with Declan Noonan & Associates

## **Fitzpatrick, Deirdre**

---

**From:** OShea, Gearoid  
**Sent:** 03 October 2019 16:48  
**To:** Fitzpatrick, Deirdre  
**Subject:** RE: Site Ref T5-607 Bantry Bay

Deirdre,

T5/607

A 240m x 120m floating longline grid system with 13 lines at 10m centres to cultivate aquatic plants.

Regards,

Gearóid

---

**From:** OShea, Gearoid  
**Sent:** 19 June 2019 09:47  
**To:** Fitzpatrick, Deirdre  
**Cc:** Crowley, Raphael  
**Subject:** FW: Site Ref T5-607 Bantry Bay

Deirdre,

Please see revised drawings attached. I have no objection to the above application proceeding.

Regards,

Gearóid

---

**From:** Declan Noonan [<mailto:declannoonan@eircom.net>]  
**Sent:** 19 June 2019 09:42  
**To:** OShea, Gearoid  
**Subject:** Site Ref T5-607 Bantry Bay

**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Gearoid

Please find attached revised drawings (revised site area) showing the proposed above application in Bantry Bay  
If you have any questions or queries don't hesitate to contact us

Regards

Aidan Evans

DECLAN NOONAN & ASSOCIATES

UPPER MAIN STREET

DINGLE

CO KERRY

Tel – 066 9150847

Fax – 066 9151503



## Marine Engineering Division

### Report on Aquaculture Licence Application

**Application Reference No:** T05/607

**Report Prepared by:** Gearoid O'Shea, Engineer

**Date:** 23 April 2018

**Applicant:** Dingle Bay Seaweed

**Location:** Castletownbere, Bantry Bay, County Cork

**Applicant Type:** Aquaculture/Foreshore Licence

<b>Site</b>	T5/607
<b>Site Area (Ha)</b>	6

**Species:** Native Red, Green & Brown Seaweeds  
Winged Kelp, Oarweed, Sugar, Dilisk, Sea Lettuce,  
Kelp, Nori & Carrageen Mosh

**Cultivation Method:** Seeding string transferred from the hatchery for on-growing at sea on single headrope longlines

**Intertidal/Non-Intertidal:** Non-Intertidal

**Source of Seed / Spat:** Local Hatchery

**Annual Production Estimates:** 40 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   
Date:

## Drawing Validation Sheet

<b>OSI Maps</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
Comment:	OSi 6" Map by MED Mapping								
<b>BA Chart</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
Comment:	BA Chart by MED Mapping								
<b>Farm Layout Drawing</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
	Directional Arrow		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>			
	Scale		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>			
	Title Block		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>			
	Date		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>			
Comment:									
<b>Drawings of structures</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
Comment:									
<b>Details of Proposed Navigation Marking</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
Comment:									
<b>Site Access Indicated</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
Comment:	Site access indicated on BA Chart								
<b>Site Co-Ordinates Indicated</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>					
Comment:									
<b>Site Overlap</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
Comment:									
<b>Oyster Fishery Order Overlap</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
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 adjacent to Bere Island along the north shore of Castletownbere Sound, Bantry Bay. The proposed site is visible from the Castletownbere to Adrigole roadway (R572). This stretch of roadway is designated as a scenic route (S113) in the Cork County Development Plan 2014. The site is also adjacent to the scenic landscape of Bere Island.

## **Proposed Site Layout and Structures**

The applicant proposes to use floating longlines to cultivate various species of seaweed. The applicant proposes to install 22 No. mussel longlines 170m in length within the proposed site. It appears from the submitted layout drawing that the floating longlines are connected forming a 340m x 120m rectangular grid.

The applicant should submit a revised layout drawing showing a clear gap of approx. 30m between the 2 No. blocks of seaweed longlines.

## **Land Based Facilities / Site Access**

Site access is by boat from the nearby Bank Harbour.

## **Navigation**

The MSO should be consulted regarding any proposed navigation mark layouts. If sites T5/586, T5/587 and T5/607 are licensed, a group marking scheme should be implemented in the area. Finfish sites T5/444D and T5/444E should also be part of the group marking scheme.

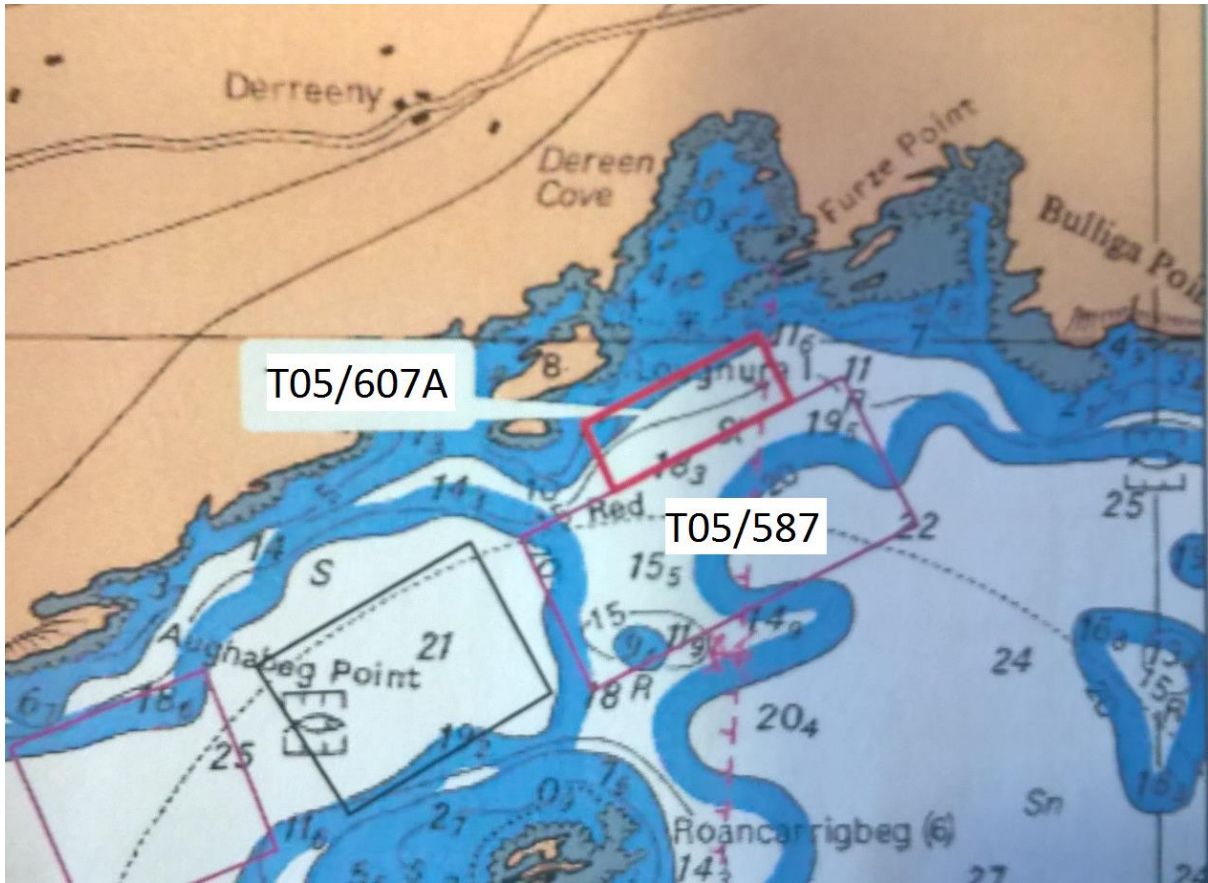
## **Visual Impact**

In general, the views of the mussel longline sites are obscured and limited from scenic routes.

## **Impact / Cumulative Impact**

The relevant area has a number of existing and proposed aquaculture sites, the existing finfish sites T5/444D and T5/444E and seaweed application sites T5/586 and T5/587. In my opinion, the cumulative impact is not significant. The relevant seaweed cultivation may absorb excess nutrients discharged by the adjacent finfish farms.

**Marine Engineering Division has no objection to the licensing of this site subject to the above.**



BA Chart showing Sites T5/587 & T05/607



## Fitzpatrick, Deirdre

---

**From:** O'CALLAGHAN Tom [TomO'CALLAGHAN@dtas.ie]  
**Sent:** 06 April 2018 14:20  
**To:** Fitzpatrick, Deirdre  
**Cc:** david.milliard@bim.ie; 'info@irishlights.ie'; McGinley, Cormac  
**Subject:** T5 607 Dingle Bay Seaweeds, Seaweed on lines Dereen Cove

Dear Ms Fitzpatrick,

Application for an Aquaculture and Foreshore Licence

- This office has no objections from a navigational viewpoint to the above application.
- As this site falls within the limits of Castletownbere Harbour the Harbour Master to be consulted for his opinion on the application.
- In order for charts and nautical publications to be updated the applicant is required to inform the British Admiralty Hydrographic Office at Taunton , UK, of the location and nature of the site.

(Fax:0044 1823 284077, email : : [sdr@ukho.gov.uk](mailto: sdr@ukho.gov.uk)

- The applicant is required to apply to the Commissioners of Irish Lights (Fax: 01-2715566, email: [info@irishlights.ie](mailto: info@irishlights.ie)) for sanction to establish the following lights and marks:

A special mark with light and topmark to be located at each corner of the site.

Kind regards

Tom O'Callaghan (Capt.)  
Nautical Surveyor

Marine Survey Office  
Department of Transport, Tourism and Sport  
Centre Park House  
Centre Park Road, T12 RK0N  
Cork

Ph: +353 21 4968992  
Email: [tomocallaghan@dtas.ie](mailto: tomocallaghan@dtas.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.

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

*Your Reference:* T05/607

*Our Reference:* LA:0566.4005

*Date:* 16/06/2017

**LL: LA0566.4005**

**Applicant:** Dingle Bay Seaweed 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 as there may be some activity in Dereen Cove that we are not aware of.

Furthermore, if a licence is granted, the UK Hydrographic Office at Taunton: [sdr@ukho.gov.uk](mailto: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,

**Deirdre Lane**  
**for Director of Operations and Navigation**

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

Date: 31 July 2018

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

**Advice on Aquaculture Licence Application**

<b>Applicant</b>	<b>Dingle Bay Seaweed Ltd</b>
<b>Application type</b>	<b>New</b>
<b>Site Reference No</b>	<b>T05/607A</b>
<b>Species</b>	<b>Native Seaweeds (<i>Alaria esculenta</i>, <i>Laminaria digitata</i>, <i>Saccharina latissima</i>, <i>Palmaria palmata</i>, <i>Ulva lactuca</i>, <i>Porphyra spp</i>, <i>Chondus crispus</i>, <i>Mastocarpus stellatus</i>) – longlines</b>
<b>Site Status</b>	<b>Not located within a Natura 2000 Site</b>

Dear Deirdre

This is an application for a new aquaculture licence for the production of seaweeds (*Alaria esculenta*, *Laminaria digitata*, *Saccharina latissima*, *Palmaria palmata*, *Ulva lactuca*, *Porphyra spp*, *Chondus crispus*, *Mastocarpus stellatus*) using seeded strings on longlines, at Site T05/607A on the foreshore in Bantry Bay, Co. Cork. The area of foreshore at Site T05/607A is 5.967 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 from a hatchery. It is recommended that further information on this element of the proposal be sought from the applicant 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 T05/607A is not located within a designated Natura 2000 site and, as set out in the AA Screening Report for outer Bantry Bay<sup>1</sup>, the Marine Institute is of the view that significant impacts on any adjacent Natura 2000 are not likely.

<sup>1</sup>

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 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 T05/607A on the foreshore in Bantry Bay

Kind regards,



---

Dr. Terry McMahon  
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:** Liz M OBrien [LizM.OBrien@housing.gov.ie]  
**Sent:** 12 July 2018 14:49  
**To:** Fitzpatrick, Deirdre  
**Subject:** FW: Sea weed cultivation Bantry Bay  
**Attachments:** 20180712Overlap.pdf; ATT00001.txt; ATT00002.htm

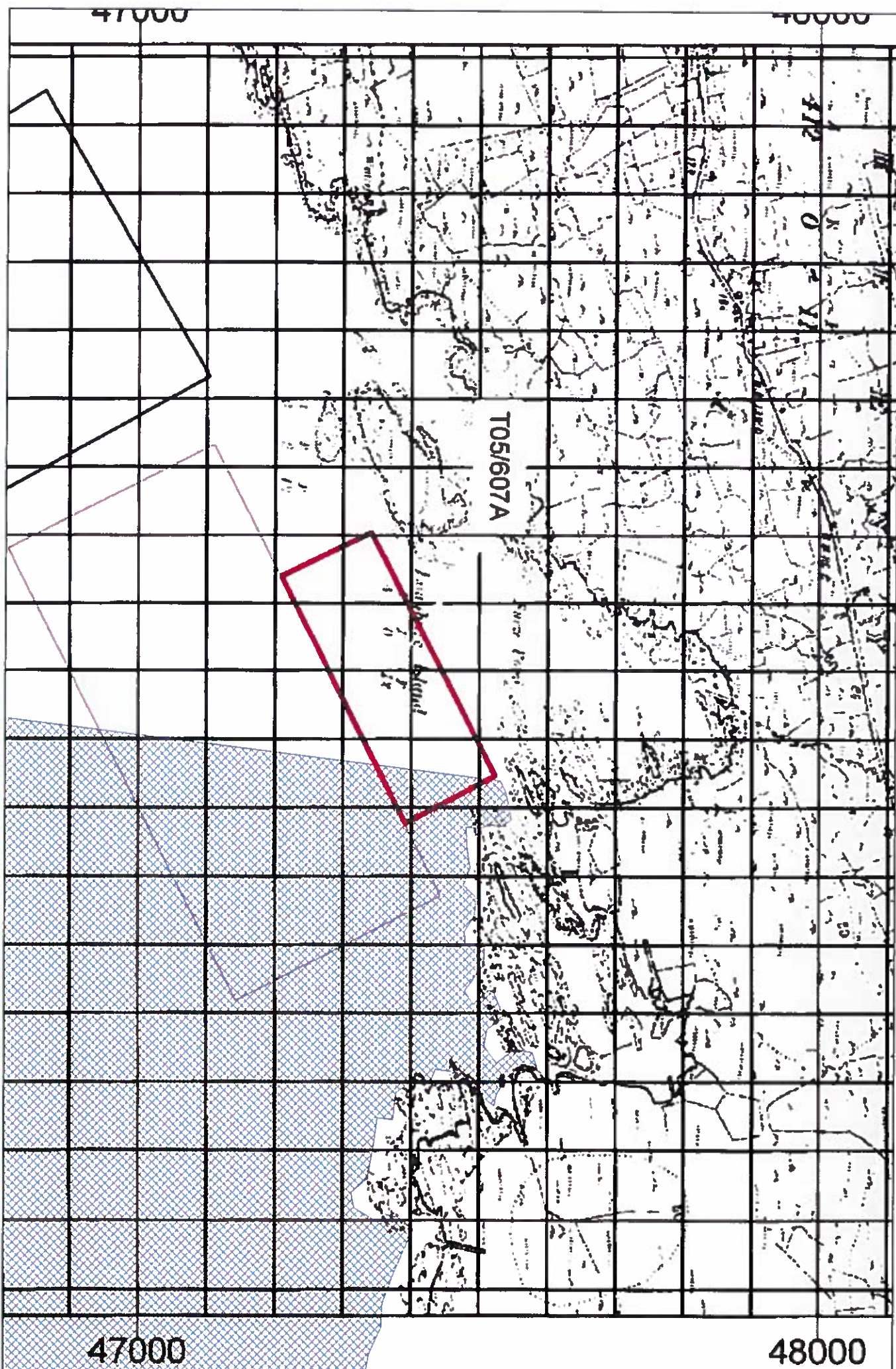
Deirdre,

The southern end of proposed area for seaweed cultivation overlaps with a licence issued for seaweed harvesting to Bio Atlantis. The Water Adviser doesn't believe it is that possible to allow the areas to overlap. The proposed seaweed cultivation area should be amended to exclude the area already licenced for harvesting. Please see attached map.

Regards,

Liz O'Brien

Marine, Planning & Foreshore,  
Department of Housing, Planning,  
& Local Government  
Newtown Road,  
Wexford  
053 9117465



Drawn by: Barry Mc Donald M.Eng. M.I.E.I.  
 Scale: 1:5000 @ A3  
 Date: 12/07/2018  
 Dwg. No.: MM-SW-001 Rev.: A

**Foreshore Map**



**Area Licenced for Seaweed Harvesting**

## **Fitzpatrick, Deirdre**

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**From:** Fitzpatrick, Deirdre  
**Sent:** 21 August 2018 10:18  
**To:** 'Mary.Larkin@fisheriesireland.ie'  
**Subject:** FW: Dingle Bay Seaweed Ltd - Site Ref: T05/607A - Bantry Bay

Good Morning Mary

I refer to your e-mail below dated 08/08/18.

There appears to be some text missing.

Please advise.

Deirdre Fitzpatrick

---

**From:** Mary Larkin [<mailto:Mary.Larkin@fisheriesireland.ie>]  
**Sent:** 08 August 2018 08:56  
**To:** Fitzpatrick, Deirdre  
**Subject:** Fwd: Dingle Bay Seaweed Ltd - Site Ref: T05/607A - Bantry Bay

Sent from my Samsung Galaxy smartphone.

Deirdre.

In relation to this application we would request that consideration is given to ensuring the proposed scheme does not interfere with established fishing activities or fish migratory runs in the

**Kind regards,**

Mary Larkin

On behalf of

Greg Forde

---

**From:** Mary Larkin  
**Sent:** 11 July 2018 17:30  
**To:** Sean Long  
**Subject:** Fwd: Dingle Bay Seaweed Ltd - Site Ref: T05/607A - Bantry Bay

Hello Sean

Please see attached for aquaculture application. Can you review and revert back with your comments a

So that a response can be issued from here.

Thanks



Mary

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Fitzpatrick, Deirdre"

Date: 10/07/2018 11:45 AM (GMT+00:00)

To: Mary Larkin , "terry.mcmahon@marine.ie" , "dallaghan@bim.ie" , "ocarroll@bim.ie" , "murphym@bim.ie" , "foreshore@housing.gov.ie" , "planning@failteireland.ie" , "naturalenvironment@antaisce.org" , "fem.DAU@chg.gov.ie" , "dosenvironment@corkcoco.ie" , "harbourmaster@bantrybayport.com" , "McGinley, Cormac"

Subject: Dingle Bay Seaweed Ltd - Site Ref: T05/607A - Bantry Bay

Dear Consultee

Please see attached letter which refers to the above application

I would be grateful for any observations you may wish to make on the applications 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 applications 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

Department of Agriculture, Food and the Marine

National Seafood Centre

Clonakilty

Co Cork

P85 TX47

E Mail : [Deirdre.Fitzpatrick@agriculture.gov.ie](mailto:Deirdre.Fitzpatrick@agriculture.gov.ie)

Ph : 023 8859592

Fax: 023 8821782

Disclaimer:

## **Fitzpatrick, Deirdre**

---

**From:** OShea, Gearoid  
**Sent:** 15 March 2019 16:24  
**To:** O'Keeffe, Therese  
**Cc:** 'TomO'Callaghan@dtas.gov.ie'; McGinley, Cormac  
**Subject:** RE: T5/607 meeting

Thérèse,

I discussed the relevant site with Tom O'Callaghan and Cormac McGinley. We have no issue with the application proceeding.

Regards,

Gearóid

---

**From:** O'Keeffe, Therese  
**Sent:** 12 March 2019 16:13  
**To:** OShea MiriamP; OShea, Gearoid  
**Subject:** FW: T5/607 meeting

Gearóid,

Sorry I sent the email below to the wrong email address for you.

Regards,

Thérèse

---

**From:** O'Keeffe, Therese  
**Sent:** 12 March 2019 12:07  
**To:** 'O'CALLAGHAN Tom'; McGinley, Cormac; [gearoid.oshea@agriculture.ie](mailto:gearoid.oshea@agriculture.ie)  
**Cc:** Fitzpatrick, Deirdre; Hodnett, Kevin  
**Subject:** RE: T5/607 meeting

Dear All,

I am requesting your final comments and observations please on the aquaculture licence application T05/607 for Dingle Bay Seaweed Ltd.

Thanks and regards,

**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

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**From:** O'CALLAGHAN Tom [<mailto:TomOCallaghan@dtas.gov.ie>]  
**Sent:** 25 January 2019 14:17  
**To:** O'Keeffe, Therese; McGinley, Cormac; [gearoid.oshea@agriculture.ie](mailto:gearoid.oshea@agriculture.ie)  
**Cc:** Fitzpatrick, Deirdre  
**Subject:** RE: T5/607 meeting

Hi all,

I am away on Department business next week. I can meet Clonakilty/Castletownbere on Monday/Tuesday 4<sup>th</sup>/5<sup>th</sup> if that suits??

Regards

Tom

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

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**An Roinn Iompair, Turasóireachta agus Spóirt**  
*Department of Transport, Tourism and Sport*

Centre Park House, Bóthar Na Páirce Láir, Co. Corcaigh, T12 RKON  
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[tomocallaghan@dtas.gov.ie](mailto:tomocallaghan@dtas.gov.ie) [www.dttas.gov.ie](http://www.dttas.gov.ie)

---

**From:** O'Keeffe, Therese [<mailto:Therese.O'Keeffe@agriculture.gov.ie>]  
**Sent:** 25 January 2019 13:09  
**To:** O'CALLAGHAN Tom; McGinley, Cormac; [gearoid.oshea@agriculture.ie](mailto:gearoid.oshea@agriculture.ie)  
**Cc:** Fitzpatrick, Deirdre  
**Subject:** RE: T5/607

Dear All,

Following on from Capt. Tom's email below.

I am enquiring if you have had a chance to discuss this proposed site. Please let me know if you have reached a decision as the file is at Ministerial submission stage.

Thanks and regards,

**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

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**From:** O'CALLAGHAN Tom [<mailto:TomOCallaghan@dtas.gov.ie>]  
**Sent:** 12 December 2018 10:31  
**To:** Naughton, Maria  
**Cc:** McGinley, Cormac; [gearoid.oshea@agriculture.ie](mailto:gearoid.oshea@agriculture.ie); O'Keeffe, Therese  
**Subject:** RE: T5/607

Dear Ms Naughton,

Thanks for clarification.

We note the concerns of Allihees Seafoods Ltd.

We note the comments of the Harbour Master that navigation north and north west of the site would be severely restricted.

We also note the comments of the Department Engineer regarding access for search and rescue craft and perhaps more pertinent that the layout of the site would restrict safe navigation along the shore in this area.

The Marine Survey Office reviews aquaculture applications from a navigational and navigational safety viewpoint. We take into account the local knowledge of the Department Engineer and the authority and knowledge of the Harbour Master.

In this instance the Harbour Master does not specifically object to the proposed site.

In general aquaculture sites in open water are going to cause some navigational inconvenience to vessels transiting an area. We appreciate that difficulties may arise in accessing an existing site presently in place when a new site is licensed adjacent to the existing site.

Before deciding on this application from a navigational viewpoint I would like to meet together with the Department Engineer and the Harbour Master so we could all agree on a decision on the proposed site.

Regards

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

**An Roinn Iompair, Turasóireachta agus Spóirt**  
*Department of Transport, Tourism and Sport*

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[tomocallaghan@dtas.gov.ie](mailto:tomocallaghan@dtas.gov.ie) [www.dttas.gov.ie](http://www.dttas.gov.ie)

---

**From:** Naughton, Maria [<mailto:Maria.Naughton@agriculture.gov.ie>]  
**Sent:** 12 December 2018 09:42  
**To:** 'TomO'CALLAGHAN@dtas.ie'  
**Cc:** O'Keeffe, Therese  
**Subject:** T5/607

Tom

As per your phone call request to Therese please see attached the objection from Allihies Seafoods Ltd and the Harbour Master comments.

Regards  
Maria

Maria Naughton  
EO, 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

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolais san ríomhphost seo, agus in aon ceanglán leis, faoi phribhléid agus faoi rún agus le h-ghaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.

\*\*\*\*\*

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.

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Department of Agriculture, Food and the Marine

## **Fitzpatrick, Deirdre**

---

**From:** McGinley, Cormac  
**Sent:** 06 November 2018 10:45  
**To:** Fitzpatrick, Deirdre  
**Subject:** RE: Site T05-607 - Bantry Bay

Hi Deirdre,

Navigation North and North West of the site would be severely restricted for vessels transiting in that area.

Rgds  
Cormac

**Cormac McGinley**  
*Harbour Master*

---

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

Cuan Bhaile Chaisleán Bhéarra, Co Chorcaí, P75 YC60  
Castletownbere Fishery Harbour Centre, Co Cork, P75 YC60

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**From:** Fitzpatrick, Deirdre  
**Sent:** 24 October 2018 13:05  
**To:** McGinley, Cormac; 'TomO'CALLAGHAN@dttas.ie'  
**Cc:** OShea, Gearoid  
**Subject:** Site T05-607 - Bantry Bay

Good Afternoon Cormac and Tom

I refer to the above application which has now completed the Public and Statutory Consultation phase of the licensing process. The Department received one objection from the public and the main concern was in relation to safe navigation in the area. I attach for your reference a copy of the objection and a redacted copy of the applicant's response.

Details of the application are available on the Department's website at the following link;

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

Do either the Marine Survey Office or the Harbour Master have any navigation concerns in relation to this site?

I would appreciate your comments within **2 weeks** from the date of this e-mail. The application will then progress to Ministerial determination.

Regards

Deirdre

## 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><b>Adjacent Sites:</b></p> <p><b>Sheep's Head SAC (Site code: 000102)</b> 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><b>The Glengarriff Harbour and Woodland SAC (Site Code 00090)</b> 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><b>Beara Peninsula SPA (Site Code: 004155)</b> 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><b>Sheeps Head to Toe Head SPA (Site Code: 004156)</b> 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><b>Caha Mountains SAC (Site Code: 00093)</b> Is an inland SAC site with a number of freshwater aquatic, terrestrial and plant and animal species of conservation interest.</p> <p><b>Glanmore Bog SAC (Site Code: 01879).</b> 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>
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<b>Assessment criteria</b>	
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

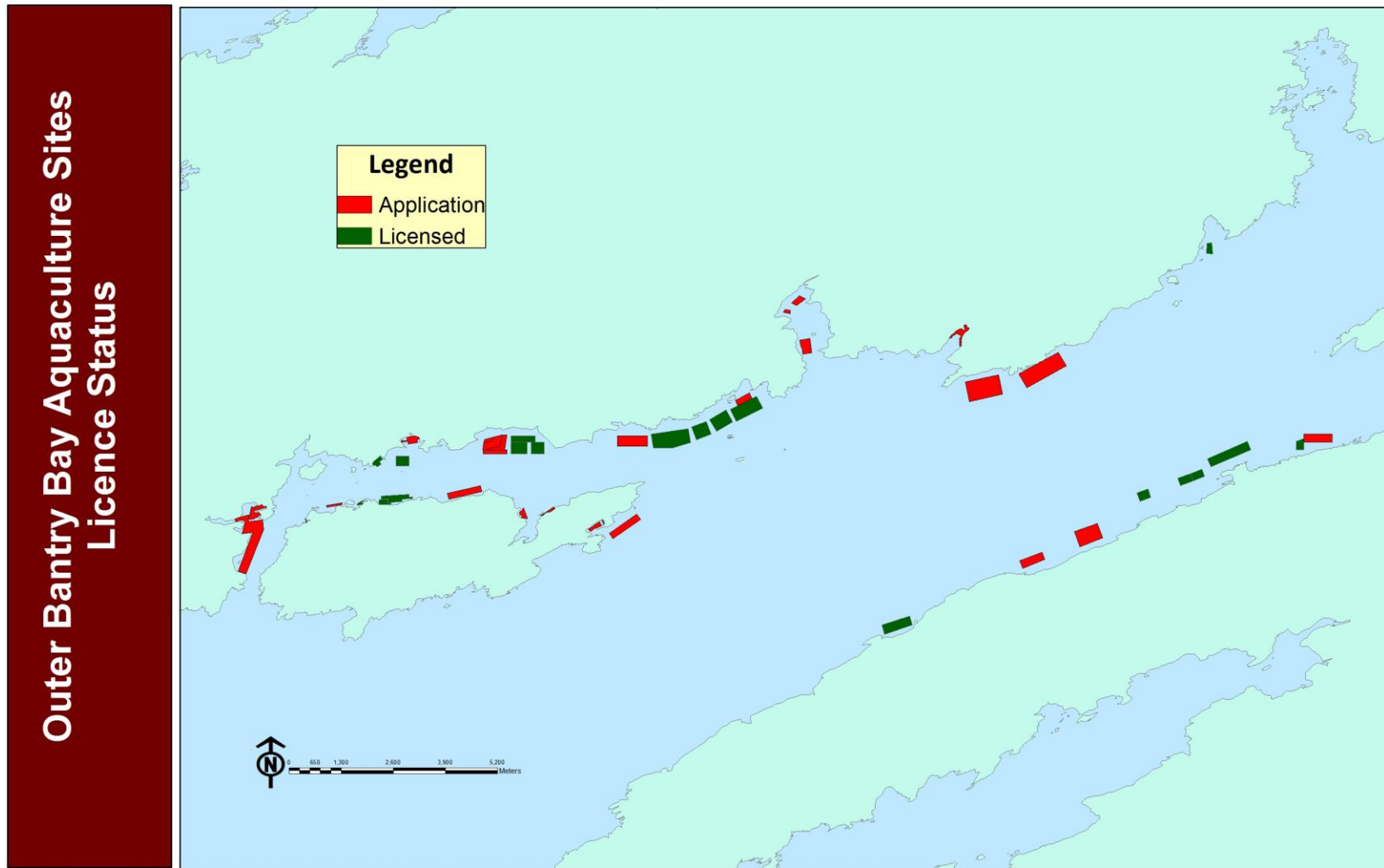
Describe any likely impacts on the Natura 2000 site as a whole in term of;	
Interference with the key relationships that define the structure of the site:	None of the activities associated with the shellfish and finfish production in outer Bantry Bay will interfere with the key relationships that define 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

<b>Finding of no significance effect report:</b>	
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 <b><u>no significant effects</u></b> on the qualifying interests' of the Natura 2000 sites.</p>
Who carried out the assessment?	Marine Institute

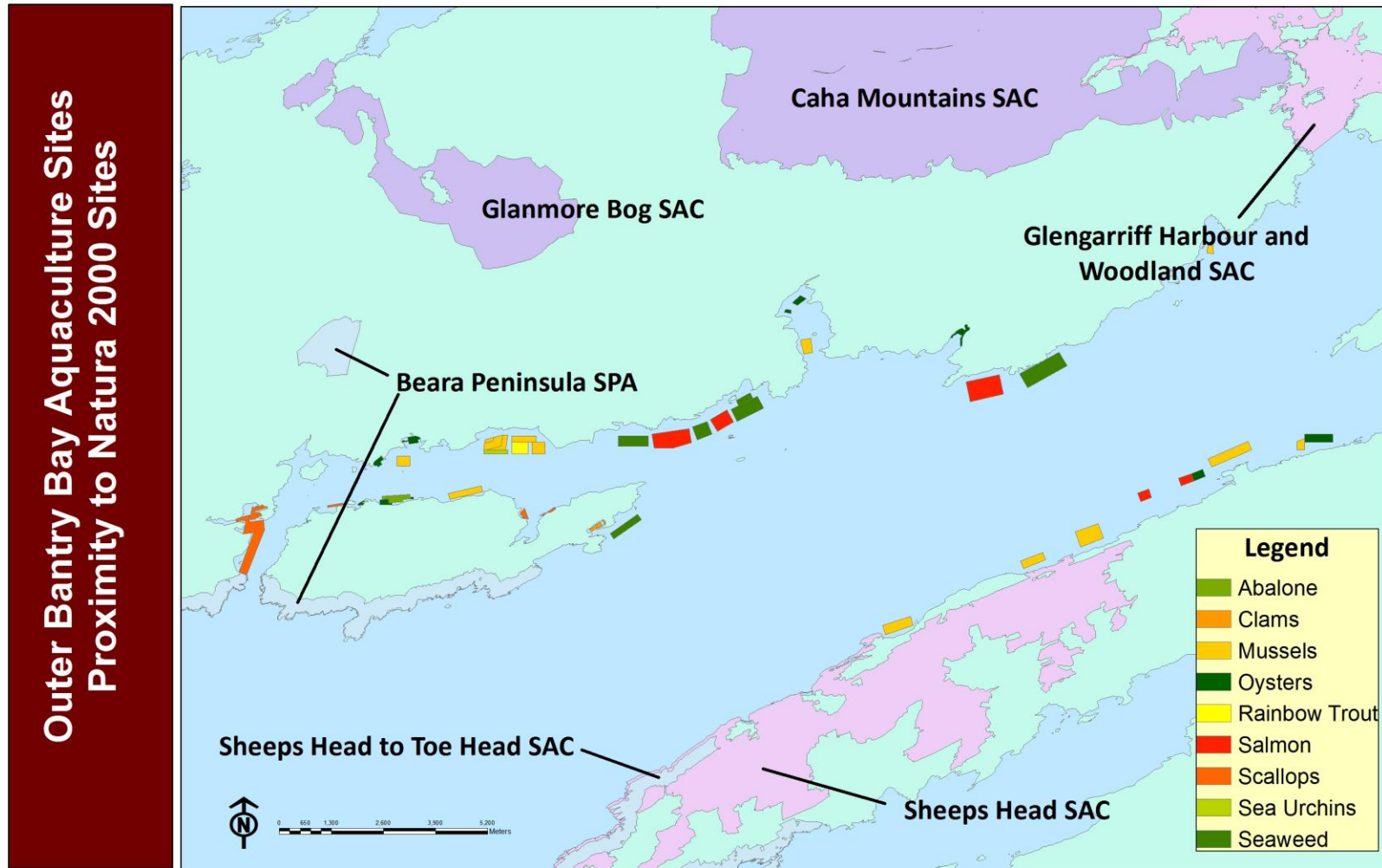
## Bantry Bay Screening

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.





**T05/607A**

**AQUACULTURE LICENCE**

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

**Dingle Bay Seaweed Ltd**

**Oakmount**

**Castletownbere**

**Co. Cork**

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**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:

**Dingle Bay Seaweed Ltd**

**Oakmount**

**Castletownbere**

**Co. Cork**

(hereinafter referred to as the “Licensee”) for the cultivation of seaweeds on a site along the north shore of Castletownbere Sound, Bantry Bay, Co. Cork, as specified in Schedule 1 attached (numbered T05/607A) 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.

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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 (4.45 hectares) (labelled T05/607A) 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: Winged kelp (*Alaria esculenta*), Oarweed (*Laminaria digitata*), Sugar kelp (*Saccharina latissima*), Dilisk (*Palmaria palmata*), Sea Lettuce (*Ulva lactuca*), Nori (*Porphyra* sp.), Carrageen moss (*Chondrus crispus*, *Mastocarpus stellatus*).
- 2.2. Method: Seeding strings on Longlines – 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](mailto: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)**
- **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 T05/607A (4.45 Ha)**

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

078998, 047341 to Irish National Grid Reference point  
079265, 047478 to Irish National Grid Reference point  
079329, 047343 to Irish National Grid Reference point  
079061, 047208 to the first mentioned point.



79000

80000

48000

48000

47000

47000

46000

46000

79000

80000

Aqua Culture Sites  
<all other values>

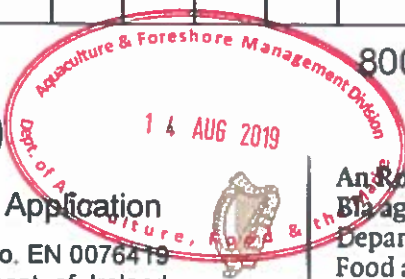
Site\_Status

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

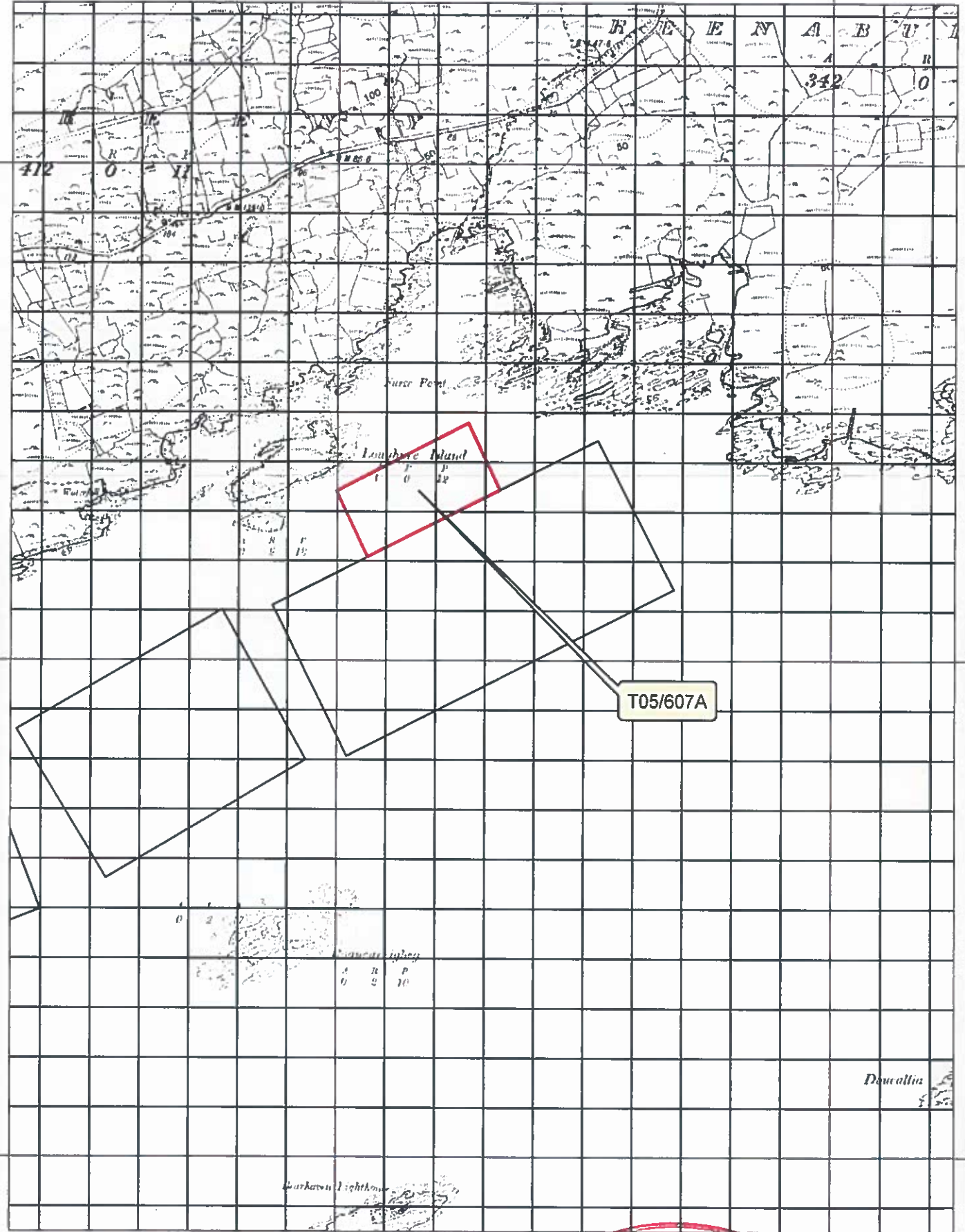
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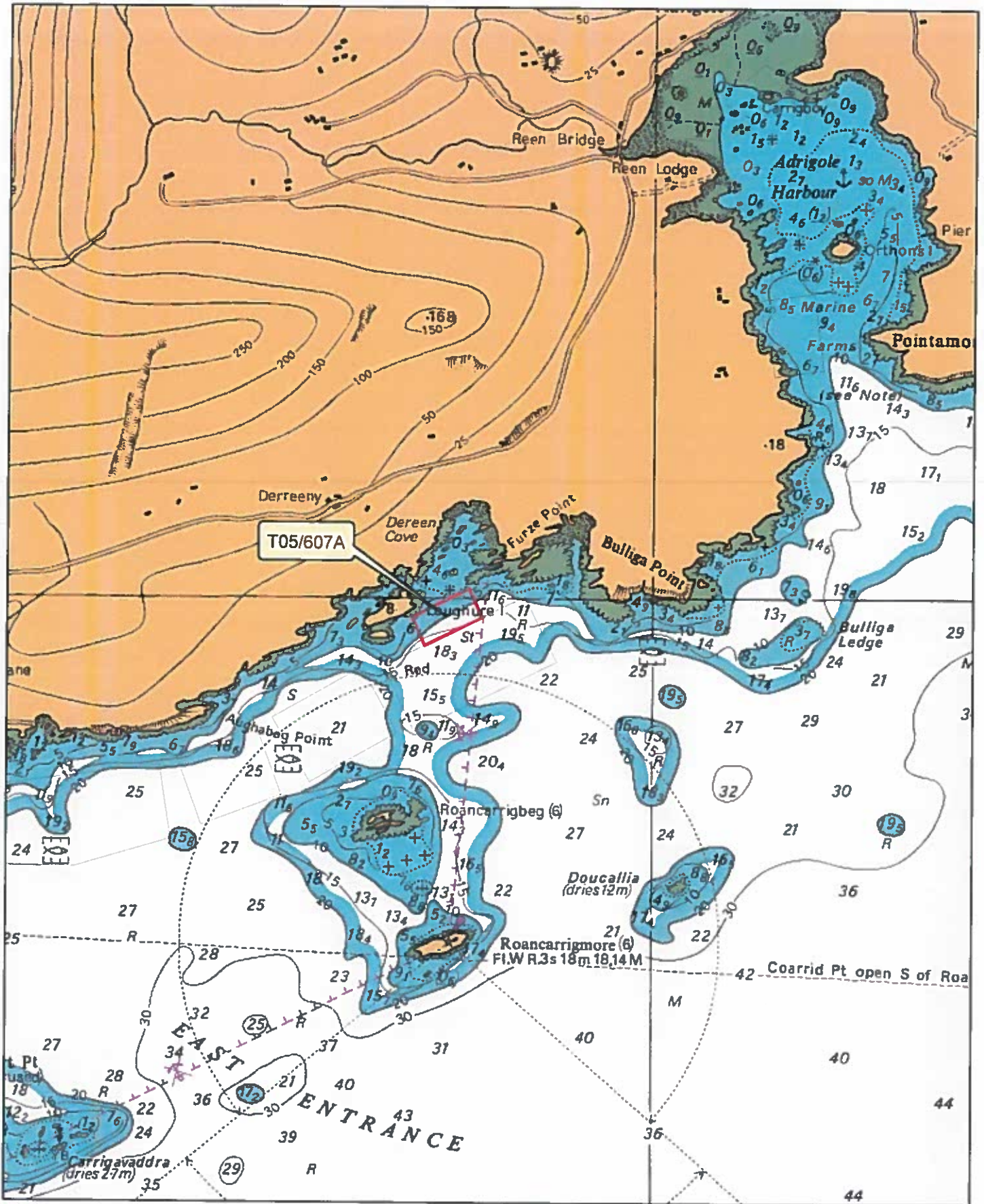
Sites highlighted in red denotes Application

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





1:24,000



- Aqua Culture Sites**  
<all other values>
- Site\_Status**
- Under Appeal
  - Application
  - Lapsed
  - Licensed
  - Refused
  - Revoked
  - Surrendered
  - Withdrawn

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1840-0

Not to be used for Navigation

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

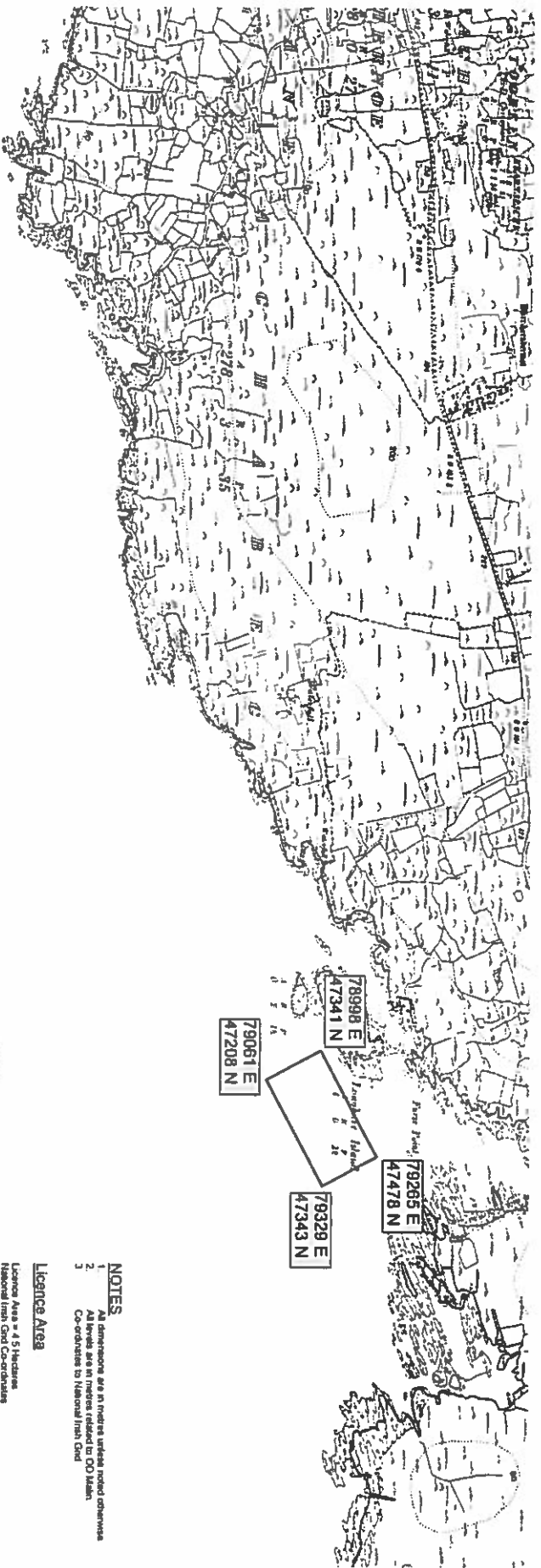
## **SCHEDULE 2**

**Schedule 2 contains:**

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

**DRAFT**

**PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED**



**PROPOSED APPLICATION SITE LOCATION MAP**  
**SCALE 1/10,560**  
**SITE REF: T05/607A**



- NOTES**
1. All dimensions are in metres unless noted otherwise
  2. All levels are in metres related to OD Mean
  3. Co-ordinates to National Irish Grid
  4. Co-ordinates to National Irish Grid

**Licence Area**

Licence Area = 4.5 Hectares  
 National Irish Grid Co-ordinates

1	78265 E	47478 N
2	79061 E	47208 N
3	79061 E	47208 N
4	78998 E	47341 N

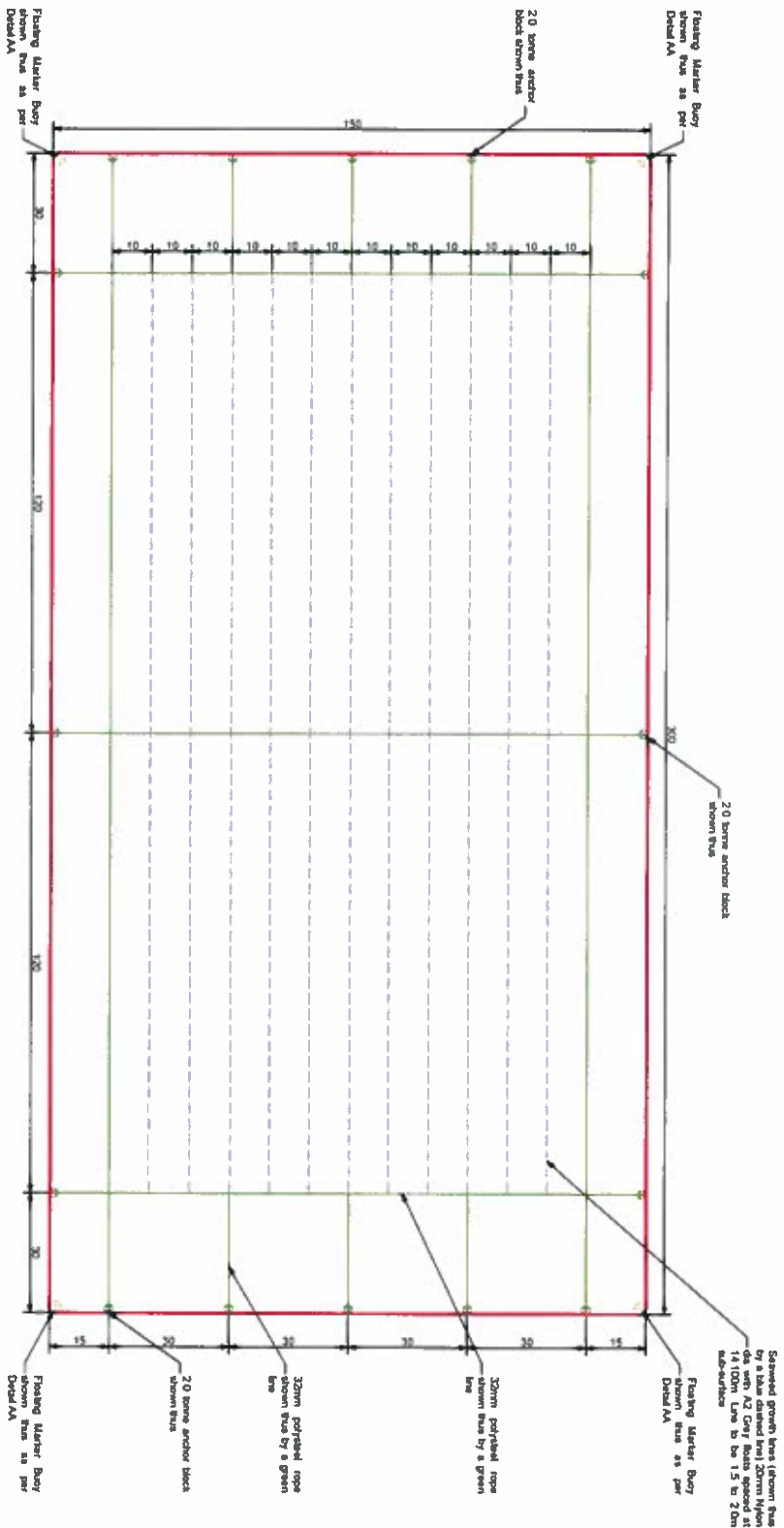
**MARK BEACONS**  
 St Andrew's Cross special mark beacons located at corners of the site

*Drawn by*  
 22/1

REV A: Date June 2019 - Revisions made following guidance from Aquaculture & Foreshore Management Division  
 REV B: Date June 2019 - Revisions made to the size of the licence area following guidance from Aquaculture & Foreshore Management Division  
 REV C: Date June 2019 - Revisions Following New Bury drawings  
 REV D: Date June 2019 - Slight Revision to site area

<p><b>Declan Noonan &amp; Associates</b>                  Architecture, Engineering &amp; Project Management Consultants</p>	
<p>Client  <b>DINGLE BAY SEAWEED</b></p>	<p>Scale  <b>As Shown</b></p>
<p>Upport Mann                  Street,                  Dingle,                  Co Kerry</p>	<p>Rev  <b>DN</b></p>
<p>14 027 203715                  14 028 815247                  Fax: 028 9151520                  email                  declan@noonan.ie                  noonan.ie</p>	<p>Draw No  <b>DBS/01/01 REV D</b></p>
<p>Title  <b>Aquaculture Licence Application Drawing</b></p>	
<p>Please note that the COPYRIGHT of the information contained within this drawing remains with Declan Noonan &amp; Associates</p>	

# PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED



## PROPOSED APPLICATION SITE LAYOUT

SCALE 1/11250

TOTAL AREA = 45,000 Sq. M. / 4.500 Hec

SITE REF: T05/607A

### NOTES

All anchor blocks will be 2 tonne concrete with 32mm polysteel rope to surface.

Navigation marker buoy as each corner of the area per C.I.L.

- NOTES**
- All dimensions are in metres unless noted otherwise
  - All levels are in metres related to OD Mean
  - Co-ordinates to National Irish Grid

### Licence Area

- Licence Area is 4.5 Hectares  
National Irish Grid Co-ordinates
- |   |         |         |
|---|---------|---------|
| 1 | 76005 E | 47478 N |
| 2 | 76009 E | 47343 N |
| 3 | 76011 E | 47208 N |
| 4 | 76008 E | 47341 N |

### Mark Beacons

STANDART CODE and mark beacons located at corners of the site

**Declan Noonan & Associates**  
Architecture, Engineering & Project Management Consultants

Client: **DINGLE BAY SEAWEED**

Upper Main Street, Dingle, Co Kerry

04 007 281715  
04 008 815947  
04 008 815120  
declannoonan@eircom.net

Title: **Aquaculture Licence Application Drawing**

Scale	As Shown	Rev	
Date	March 2017	Drawn	DN
Dwg No	DBS/01/03 REV D		

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REV A: Date June 2018 - Revisions made following guidance from Aquaculture & Foreshore Management Division  
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REV C: Date June 2019 - Revisions Floating Nav Buoy drawings  
REV D: Date June 2019 - Slight Revision to site area

## **SCHEDULE 3**

**Schedule 3 contains:**

- **requirements of the MSO and/or CIL**
- The Licensee is required to participate in the Group Marking Scheme for this area.
- The Administrator of the Group Marking Scheme must secure Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation.

**DRAFT**

## SCHEDULE 4

### Schedule 4

- **the seeding/plant and/or equipment deployment conditions.**
  - A 240m x 120m floating longline grid system with 13 lines at 10m centres to be used.
  - Site access is by boat from the nearby Bank Harbour.
  - Source of plantlets/seeded strings 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.





**T05/607A**

**FORESHORE LICENCE**

**Dingle Bay Seaweed Ltd  
Oakmount  
Castletownbere  
Co. Cork**

## **TABLE OF CONTENTS**

**TERMS AND CONDITIONS APPLICABLE TO FORESHORE LICENCE**

SEAL OF OFFICE AND SIGNATURES

*SCHEDULE 1*

**DRAFT**

**T05/607A**

**FORESHORE LICENCE IN RESPECT OF A SITE**  
**(NUMBERED T05/607A) ALONG THE NORTH SHORE OF**  
**CASTLETOWNBERE SOUND, 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

**Dingle Bay Seaweed Ltd**  
**Oakmount**  
**Castletownbere**  
**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 along the north shore of Castletownbere Sound, Bantry Bay, Co. Cork, (numbered T05/607A) 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 XXXXXXXXXX 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 T05/607A (4.45 Ha)**

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

078998, 047341 to Irish National Grid Reference point  
079265, 047478 to Irish National Grid Reference point  
079329, 047343 to Irish National Grid Reference point  
079061, 047208 to the first mentioned point.



79000

80000

48000

48000

47000

47000

46000

46000

79000

80000

Aqua Culture Sites  
<all other values>

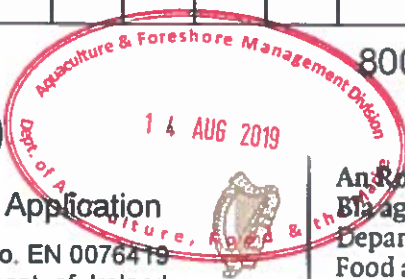
Site\_Status

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

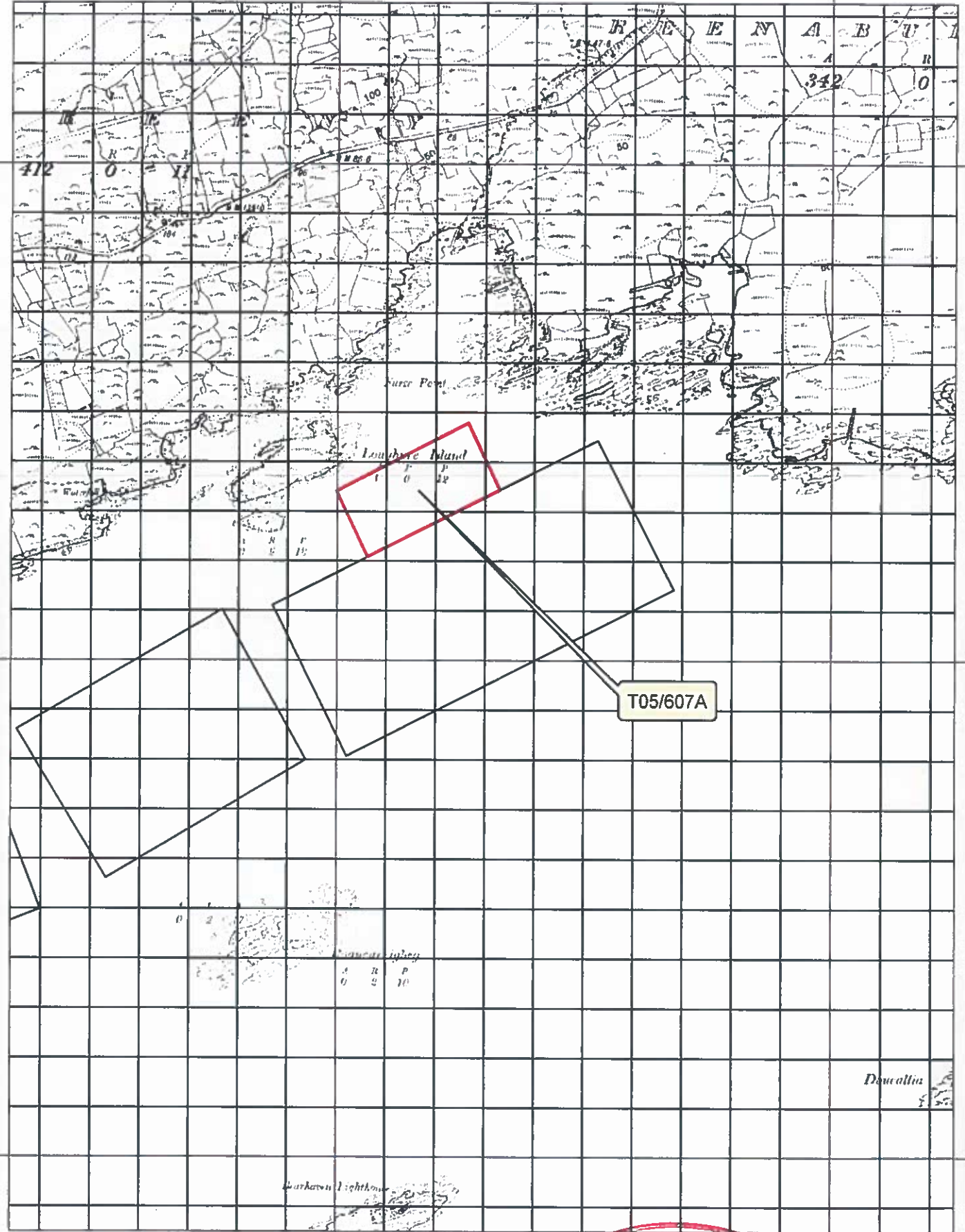
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Sites highlighted in red denotes Application

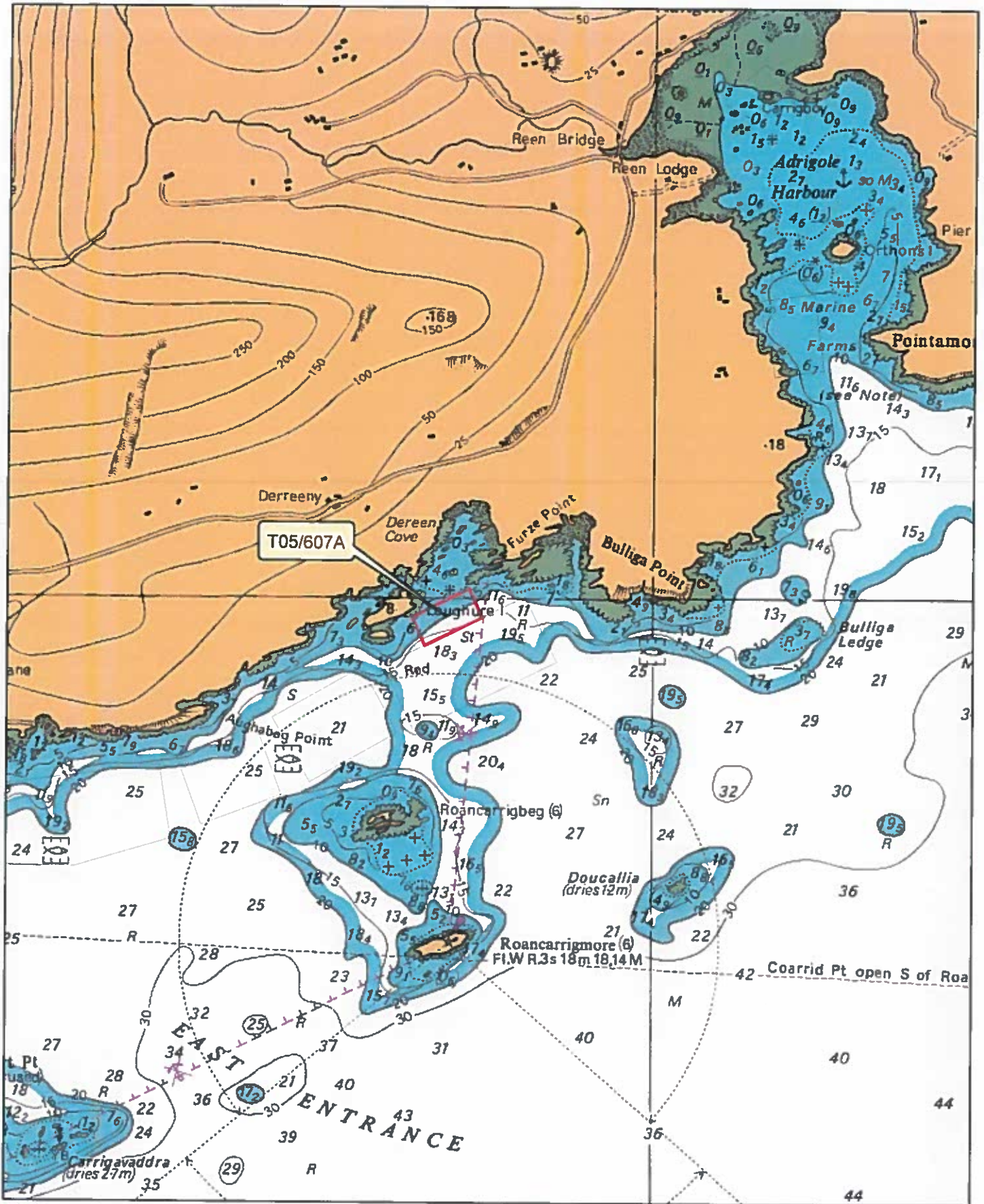
Ordnance Survey Ireland Licence No. EN 0076419  
© Ordnance Survey Ireland/Government of Ireland



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
  - Refused
  - Revoked
  - Surrendered
  - Withdrawn

1:24,000

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1840-0

Not to be used for Navigation



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

**1 NO. SITE AT BANTRY BAY CO.CORK**

**Co-ordinates & Area**

**Site T05/607A (4.45 Ha)**

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

078998, 047341 to Irish National Grid Reference point  
079265, 047478 to Irish National Grid Reference point  
079329, 047343 to Irish National Grid Reference point  
079061, 047208 to the first mentioned point.



79000

80000

48000

48000

47000

47000

46000

46000

79000

80000

Aqua Culture Sites  
<all other values>

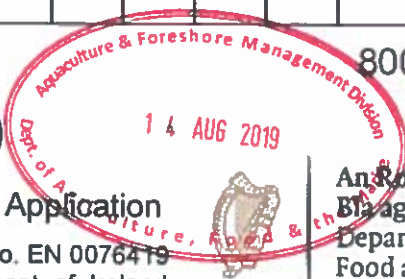
Site\_Status

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

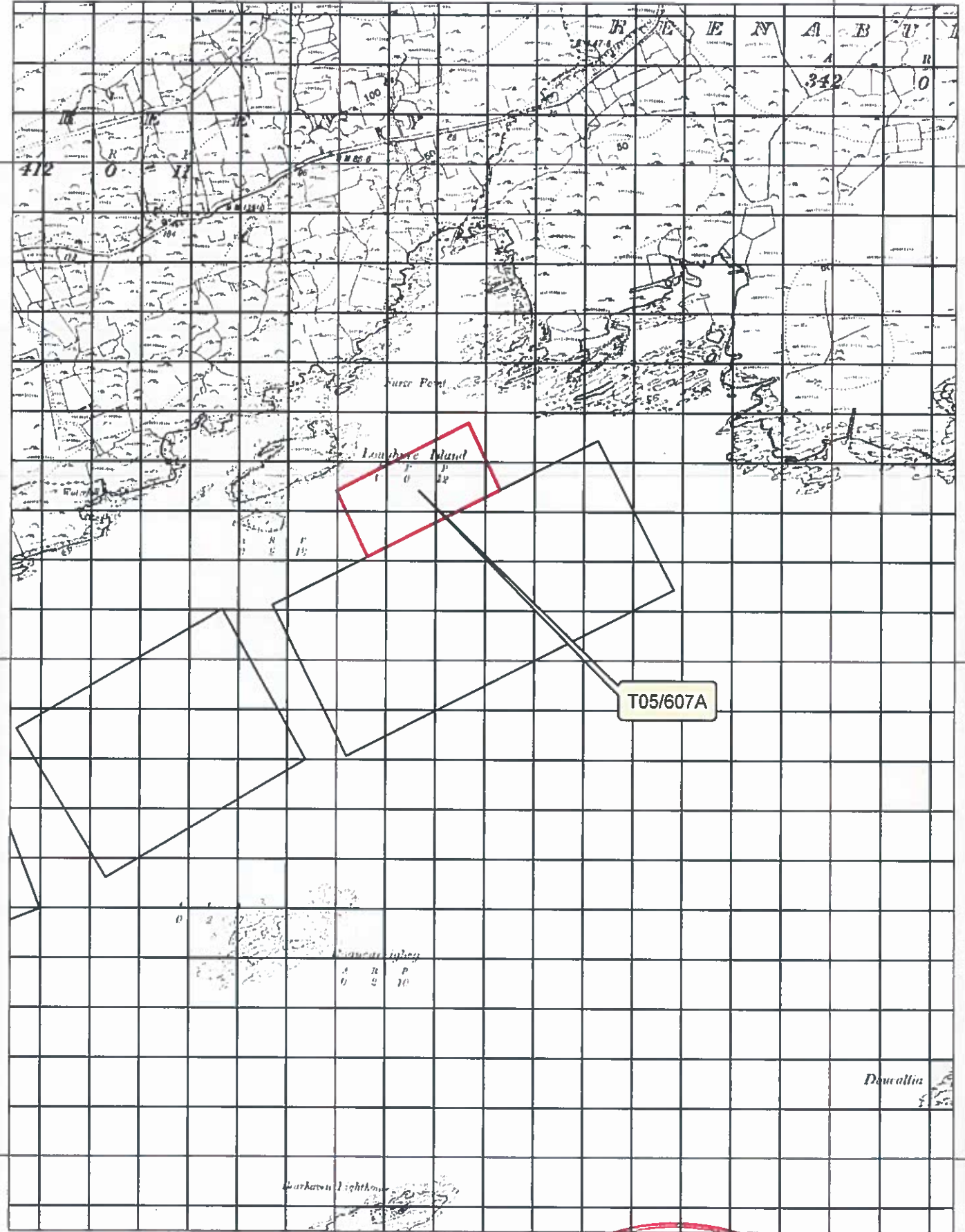
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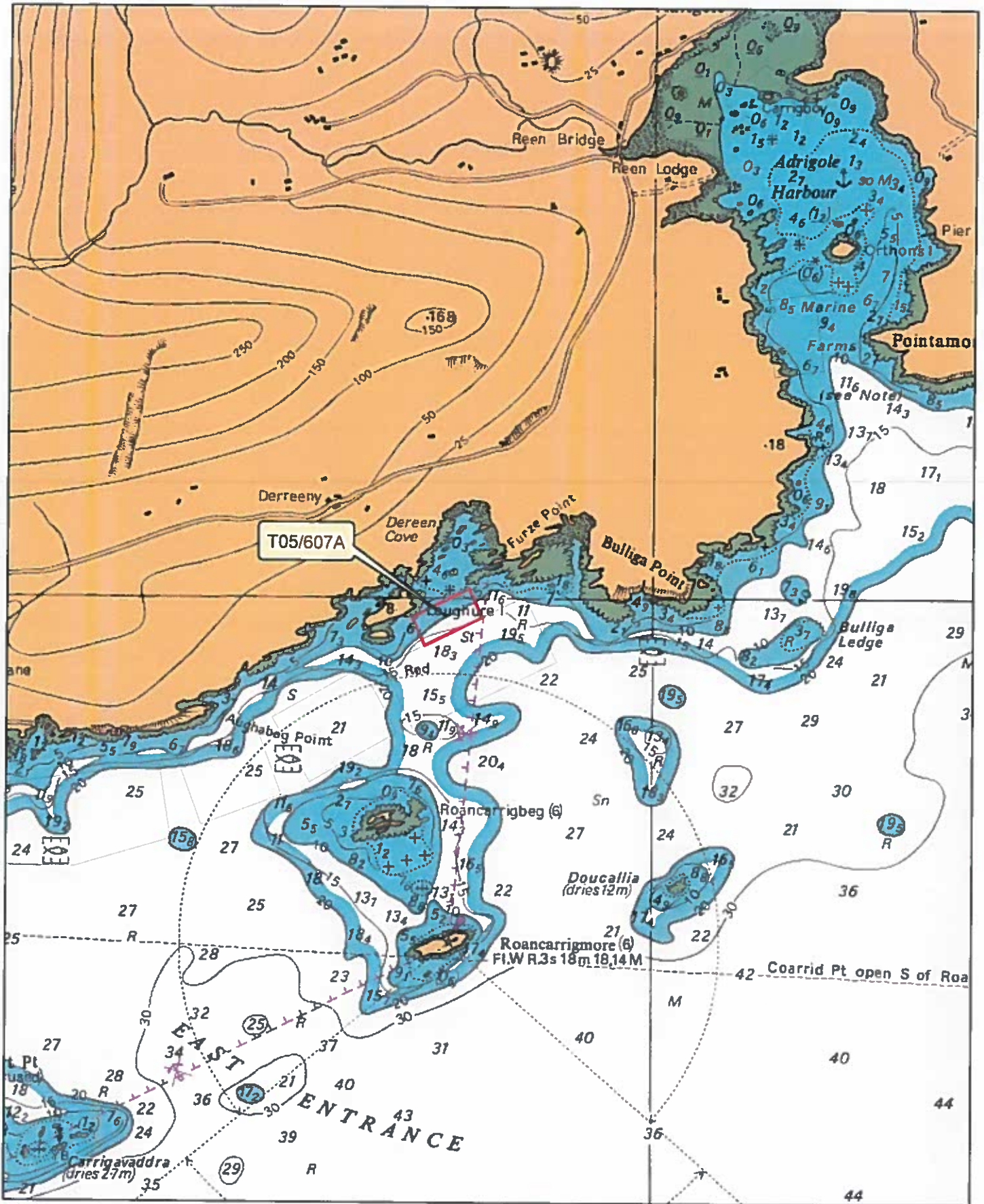
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Bia agus Mara  
Department of Agriculture,  
Food and the Marine





1:24,000



- Aqua Culture Sites**  
<all other values>
- Site\_Status**
- Under Appeal
  - Application
  - Licensed
  - Released
  - Revoked
  - Surrendered
  - Withdrawn

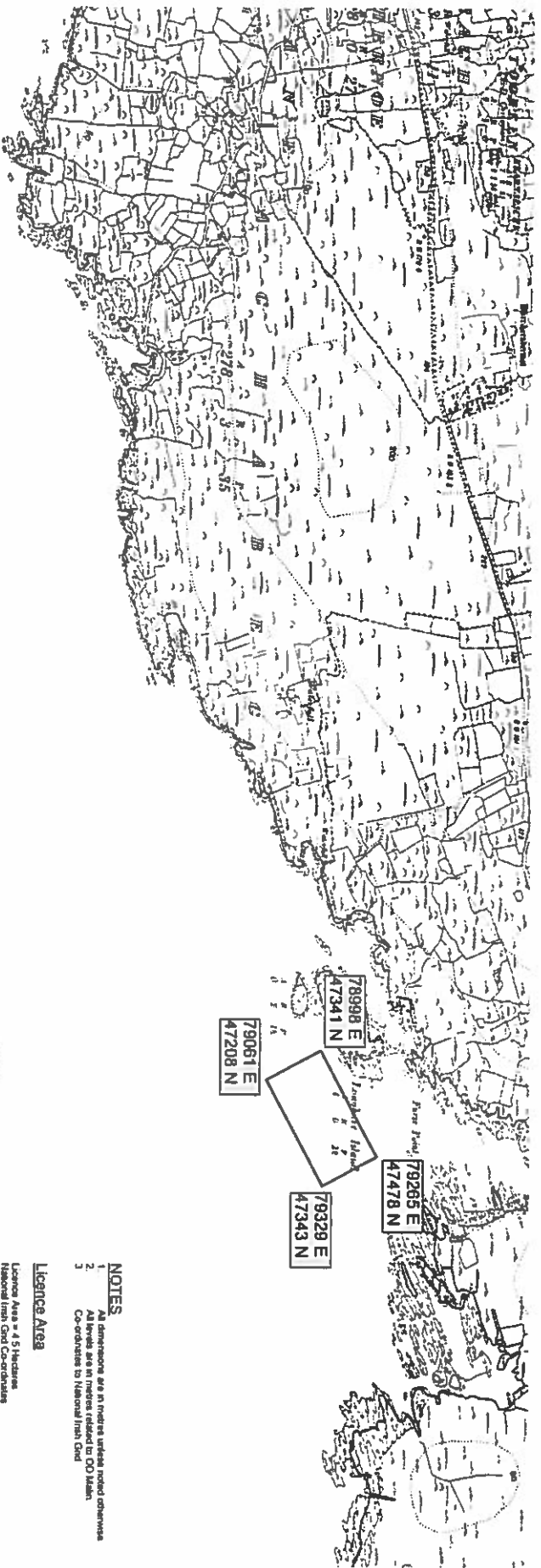
Sites highlighted in red denotes Application

Part of Admiralty Chart No =1840-0

Not to be used for Navigation

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 Bia agus Mara  
 Department of Agriculture,  
 Food and the Marine

**PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED**



**PROPOSED APPLICATION SITE LOCATION MAP**  
**SCALE 1/10,560**  
**SITE REF: T05/607A**



- NOTES**
1. All dimensions are in metres unless noted otherwise
  2. All levels are in metres related to OD Mean
  3. Co-ordinates to National Irish Grid
  4. Co-ordinates to National Irish Grid

**Licence Area**

Licence Area = 4.5 Hectares  
 National Irish Grid Co-ordinates

1	78265 E	47478 N
2	79061 E	47208 N
3	79061 E	47208 N
4	78998 E	47341 N

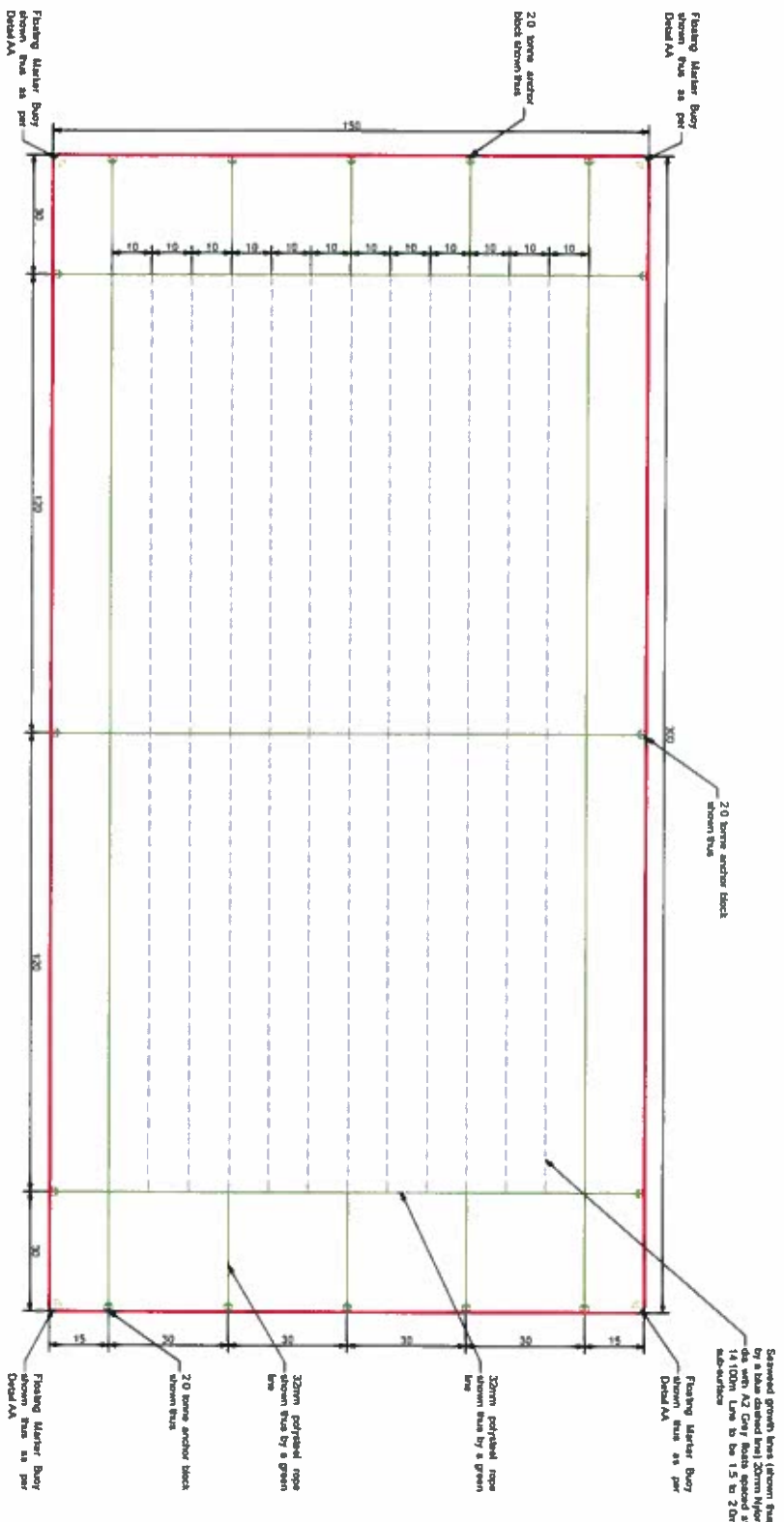
**MARK BEACONS**  
 St Andrew's Cross special mark beacons located at corners of the site

*Drawn by*  
 1/2

REV A: Date June 2019 - Revisions made following guidance from Aquaculture & Foreshore Management Division  
 REV B: Date June 2019 - Revisions made to the size of the licence area following guidance from Aquaculture & Foreshore Management Division  
 REV C: Date June 2019 - Revisions Following New Bury drawings  
 REV D: Date June 2019 - Slight Revision to site area

<p><b>Declan Noonan &amp; Associates</b>                  Architecture, Engineering &amp; Project Management Consultants</p>	
<p>Client  <b>DINGLE BAY SEAWEED</b></p>	<p>Scale  <b>As Shown</b></p>
<p>Upport Mann                  Street,                  Dingle,                  Co Kerry</p>	<p>Rev  <b>DN</b></p>
<p>14 027 203715                  04 088 815247                  04 088 815250                  email                  declannoonan@wmc                  on.ie</p>	<p>Draw No  <b>DBS/01/01 REV D</b></p>
<p>Title  <b>Aquaculture Licence Application Drawing</b></p>	
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# PROPOSED AQUACULTURE LICENCE APPLICATION FOR A SEAWEED FARM SITE AT DEREEN, BANTRY BAY CO CORK FOR DINGLE BAY SEAWEED



## PROPOSED APPLICATION SITE LAYOUT

SCALE 1/11250

TOTAL AREA = 45,000 Sq. M. / 4.500 Hec

SITE REF: T05/607A

### NOTES

- All anchor blocks will be 2 tonne concrete with 32mm polysteel rope to surface.
- Navigation marker buoy as each corner of the area per C.I.L.

- NOTES**
- All dimensions are in metres unless noted otherwise
  - All levels are in metres related to OD Mean
  - Co-ordinates to National Irish Grid

### Licence Area

- Licence Area is 4.5 Hectares  
National Irish Grid Co-ordinates
- |   |         |         |
|---|---------|---------|
| 1 | 76065 E | 47478 N |
| 2 | 76039 E | 47343 N |
| 3 | 76011 E | 47208 N |
| 4 | 76088 E | 47341 N |

### Mark Beacons

STANDART CODE and mast beacons located at corners of the site

**Declan Noonan & Associates**  
 Architecture, Engineering & Project Management Consultants

Upper Main Street, Dingle, Co Kerry	Scale As Shown	Rev
Client: DINGLE BAY SEAWEED	Date: March 2017	Drawn: DN

Title: Aquaculture Licence Application Drawing	Draw No: DBS/01/03 REV D
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