

Connemara Organic Seaweeds Ltd

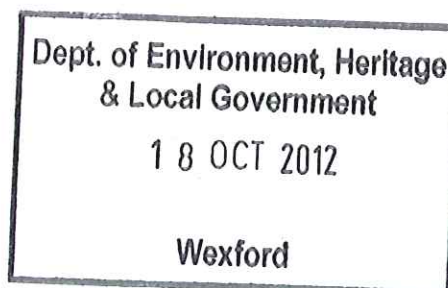
Hi Peter

I have enclosed the application form for the kelp harvesting licence the maps and the system of harvesting. We have stayed out of the SAC area. The reason we have two areas one north and one south of the SAC area is to enable us to harvest in the most sheltered shoreline depending on wind direction.

I have spoken to Francis O Beime about the application so please feel free to contact me regarding further information.

Regards

Noel Lee



From: Bartley Lee
Sent: 08 October 2012 09:57
To:
Subject: [SPAM]

FORESHORE ACTS 1933 TO 2003 - GENERAL GUIDANCE NOTES

The Foreshore Acts require that before the commencement of any works or activity (including the erection of any structures) on State-owned foreshore a licence or lease must be obtained from the Minister for Agriculture, Fisheries and Food. Such a lease or licence is subject to an annual rental payable to the Exchequer. Foreshore is the land and seabed between the high water of ordinary or medium tides (shown HWM on Ordnance Survey Maps) and the twelve-mile limit (twelve nautical miles is approximately 22.24 kilometres).

Applicants for a lease or licence are urged to consult the Department well in advance of finalising their proposals. An application for a lease or licence must be accompanied by 10 copies (15 copies if there is a possibility of significant impact on the marine environment, such as for sewerage schemes, capital dredging, marinas and any project requiring an EIS) of each of the following documents and be sent to:

**Foreshore Unit
Department of Environment, Community and Local Government
Newtown Road
Wexford**

1. Completed application form one with original signature.
2. Ordnance Survey Map of 6" scale (latest edition) showing the precise area and the hectareage involved below the line of high water of medium tides clearly marked on the Map in distinctive colour. Applicants must certify and date all maps submitted, stating the area of foreshore involved in metric measurements (i.e. hectares or square kilometres etc). Plan, elevation and sectional drawing showing clearly the nature of the proposed works and lines and levels of high and low water of Spring tides.
3. Longitudinal section showing clearly how such works will be laid in relation to the surface of the seabed and having delineated on it the lines and levels of high and low water of Spring tides.
4. Certified copy (only 1 copy required) of the Company's Memorandum and Articles of Association and Certificate of Incorporation of a Limited Liability Company/Rule Book/Constitution for a club or Co-Operative Society as appropriate to the particular circumstance.

Additional copies or any or all documents may be requested to facilitate examination by the Department's specialist advisors.

Applicants are required to publish notice of their proposals in newspapers circulating in the area. The Department will prepare the notice and specify the newspapers in which it should be published. A three week period is allowed for representations and objections to be made to the Minister. The applicant is allowed an opportunity to comment on these before the final report is made to the Minister. That report will detail the proposal, the process that has been gone through, objections and commentary on them, and recommend whether or not to grant a lease or licence and if so under what conditions.

Certain developments are subject to the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999. An application for any development above the relevant threshold in the Regulations must include an Environmental Impact Statement (EIS). Applicants are encouraged to seek the Department's opinion at the scoping stage of the EIS. An appraisal of the environmental effects of a development below the threshold must be submitted by the applicant to allow the Minister to decide whether it is likely to have significant effects on the environment. Where the decision is "yes" an EIS is mandatory. The public consultation period for an application requiring EIS is one month and a copy of the EIS must also be provided by the applicant to the consultative bodies named in the Foreshore (Environmental Impact Assessment) Regulations, 1990 □ SI N□ 220 of 1990□.

Developments on the foreshore require planning permission in addition to a Foreshore Lease/Licence/Permission. All Foreshore Leases, Licences and Permissions are without prejudice to the powers of the local planning authority. Applicants should, therefore, consult initially with the local planning authority regarding their proposal. In the case of developments on foreshore for, by or on behalf of a Local Authority where an EIS is required, applications should be made to An Bord Pleanála under **Part XV, Planning and Development Act 2000**. 10 copies of any applications made under this Act must be sent to this Department at the time of application to An Bord Pleanála.

**APPLICATION FOR A LEASE/LICENCE/PERMISSION UNDER THE FORESHORE ACT
1933 (AS AMENDED)***

(This form should NOT be used for Applications for Offshore Electricity Generating Stations)

Please read Guidance Notes before completing this form

USE BLOCK CAPITALS IN BLACK INK

For Office Use

Application Ref. No. _____

Date of receipt. _____

1. A. Name(s) of Applicant(s) in full

BARTLEY NOEL LEE

CONNEMARA ORGANIC
SEAWEDS LTD
COMPANY IN FORMATION

B. Address(es) of Applicant(s) in full

134, A, SEACREST,

KNOCKNA CARRA, GALWAY, Co. GALWAY

Telephone

N/A

Mobile

Fax

N/A

E-mail

RSI/PPS No./CRO No: _____

C. Signature of Applicant

Bartley Noel Lee

Date:

12/10/12

(where the signatory is an officer of a local authority or a company, the position held should be stated and the signatory's name should also be provided in block capitals).

D. Name of contact person if different from above

N/A

Address

N/A

Telephone

091 591 984

Mobile

Fax

E-mail

** Legislation Applicable Foreshore Act, 1933 (No. 12); Foreshore (Amendment) Act, 1992 (No. 17); Fisheries and Foreshore (Amendment) Act, 1993 (No. 54), Fisheries (Amendment) Act, 2003 (No. 21); European Communities (Environmental Impact Assessment Regulations, 1989 to 1999; Foreshore (Environmental Impact Assessment) Regulations, 1990 (S.I. No. 220); Planning and Development Act 2000 (No. 30) Part XV*

E. Name and Address of Applicant's Legal Advisors

(Applicants are strongly advised to seek legal assistance, prior to agreeing to accept an offer of a foreshore lease/licence/permission as all are legally binding documents. Where an offer is made of a Foreshore Lease/Licence/Permission it will be done through the Applicant's Legal Advisors)

LEWIS C. DOYLE SOLICITORS,

ST. AUGUSTINE STREET, GALWAY.

Telephone (091) 549300 Fax (091) 549357 E-mail info@lewisdoyle.com

2. (A) A detailed description of the proposed works which are to be carried out on the foreshore.
(Please feel free to use additional sheets, which should be signed and dated).

SEE ATTACHED DETAIL OF VESSEL/SUSTAINABLE
HARVESTING SYSTEM FROM MRCADALE LTD (ATTACHED)

- (B) A Statement of reason for the works

SEE ATTACHED DETAILED SUBMISSION PREPARED
BY AQUAFAC INTERNATIONAL LAYING OUT BOTH WORK
PLAN AND PLANNED MONITORING OF ACTIVITY TO ENSURE IT IS CARRIED
OUT IN A SUSTAINABLE AND ENVIRONMENTALLY RESPONSIBLE FASHION

A statement of the disturbance to the foreshore, arising from these works, should be attached covering the impact on the marine environment including the impact on coastal erosion, navigation, fishing, fisheries (various species known to inhabit the area), pleasure boating and sailing, air navigation (if appropriate).

- (C) Provide the following location details in respect of the area of foreshore for which the Lease/Licence/Permission is sought

(i) Bay GALWAY

(ii) County GALWAY

(iii) Geographic co-ordinates in degrees, minutes and seconds

PLEASE SEE ATTACHED MAP

(iv) OS Map No. _____

(v) Size (hectares) REF AQUAFAC INT. SUBMISSION

(vi) Local Authority COUNTY GALWAY

3. RECORD OF DOCUMENTS ENCLOSED WITH THIS APPLICATION ()

An application for a lease or licence must be accompanied by 10 copies (15 copies if there is a possibility of significant impact on the marine environment, such as for sewerage schemes, dredging, marinas and any project requiring an EIS) of all relevant documents.

(i) **Ordnance Survey Map (Scale of 1:10,560, ie a six inch map)**

Applicants must certify and date all maps submitted, stating the area of foreshore involved in metric measurements (i.e. hectares or square kilometres etc) with the area involved clearly delineated in red thereon.

(ii) **British Admiralty Chart (largest available scale)**

☒ (iii) **Decision of planning authority or An Bord Pleanála under Planning Acts (Required)**

Developments on the foreshore require planning permission in addition to a Foreshore Lease/Licence/Permission. All Foreshore Leases, Licences and Permissions are without prejudice to the powers of the local planning authority. Applicants should, therefore, consult initially with the local planning authority regarding their proposal.

☒ (iv) **Copy of licence under Section 4 of Local Government Water Pollution Act, 1977**

(v) **Environmental Impact Statement**

(vi) **Drawings of the structures to be used and/or layout**

(vii) **Copy of any correspondence with the Department of the Environment, Community and Local Government (Community and Planning Division)**

☒ (viii) **Certified copy of Company's Memorandum and Articles of Association (Only one copy is required)**



(ix) **Certificate of Incorporation of a Limited Liability Company/
Rule Book/Constitution for a Club or Co-Operative Society
as appropriate**

N/A

(x) **Other (specify)** SEE ADDITIONAL NOTES

(Note: It may not be necessary to include all of the above documents please refer to the accompanying "Guidance Notes".

4. **Details of any previous Leases/Licences/Permissions received by the applicant for this or any adjoining sites (if appropriate)**

(i) **Date of Lease/Licence/Permission** DIRECTOR OF COMPANY WITH FISH

(ii) **Reference number(s)** FARM LEASES, MURACHMHAINI TEO.

5. Is all or any part of the Foreshore (the subject of this application) in private ownership?
(This search should be carried out in the Registry of Deeds and Land Registry and copies of results, including where appropriate, folio maps should be included).

If yes, please provide details of ownership.

NO PRIVATE OWNERSHIP

Have adjacent land owners, whose properties may be affected by these works been consulted?
Please provide details/permissions as appropriate.

NOT YET BUT CONSULTATION WITH RELEVANT ADJACENT LAND OWNERS
WILL HAPPEN AT THE APPROPRIATE TIME IF REQUIRED

6. Employment Implications (if any)

BUSINESS PLAN IN PROCESS / ESTIMATE 4-10 JOBS IN PRIMARY
HARVESTING AND SECONDARY PROCESSING ACTIVITY

7. Capital cost of proposed works (€ - Euro)

~ €100,000 / VESSEL AND
EQUIPMENT

8. Do the proposed works involve the draw down of European Union or State funding?

YES / APPLICANT INTENDS TO APPLY FOR ANY RELEVANT AVAILABLE
FUNDING.

If "Yes" give details, including any time restrictions, etc. applying

APPLICANT IN PROCESS OF ASSESSING EU AND STATE FUNDING
OPTIONS AND ANY RELEVANT DETAILS AND RESTRICTIONS WILL APPLY

9. Do the proposed works provide for public use, restricted use or strictly private use? (give details)

N/A

10. Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.)

NO / VESSEL AND EQUIPMENT WILL BE SPECIFIED

TO BE COMPLETELY COMPLIANT WITH ALL HEALTH/SAFETY

REGULATIONS AND WILL USE BIODEGRADABLE OILS ETC.

IN OPERATION

10a. Are there public navigational safety implications arising from the proposed works?

TO BEST OF KNOWLEDGE NO IMPLICATION / WILL CONSULT WITH ^{COMMISSION OF} IRISH LIGHTS

1. What marine activity is there in the area?

INSHORE FISHING

2. How will the marine activity be affected by the proposed works?

SHOULD BE LITTLE IF ANY EFFECT ON MARINE ACTIVITY /
APPLICANT WILL CONSULT WITH LOCAL INSHORE FISHERMEN
TO ENSURE ANY EFFECT IS MINIMISED

3. What mitigating measures will be put in place?

ONGOING COMMUNICATION WITH INSHORE FISHERMEN VIA
SHORTWAVE RADIO (IF APPLICABLE), REGULAR REVIEW MEETINGS ETC

4. How will the proposed works affect Marine Navigation in the future?

NO EFFECT

11. Will the works involve the storage and/or disposal of waste?

NO

If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)

N/A

**Certain developments are subject to the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999. It is the responsibility of the applicant to consult and comply with these Regulations. Where the relevant threshold in the Regulations is exceeded an application for permission under the Foreshore Acts must include an Environmental Impact Statement (EIS). Applicants are encouraged to seek the Department's opinion at the scoping stage of the EIS.*

An appraisal of the environmental effects of a development below the threshold must be submitted by the applicant to allow the Minister to decide whether it is likely to have significant effects on the environment. Where the decision is "yes" an EIS is mandatory.

In the case of developments on foreshore for, by or on behalf of a Local Authority where an EIS is required, applications should be made to An Bord Pleanála under Part XV, Planning and Development Act, 2000. 10 copies of any applications made under this Act must be sent to this Department at the time of application to An Bord Pleanála.

Note: While every effort will be made to deal promptly with applications, priority will be given to dealing with applications involving public infrastructure, public health, public use and those having employment implications.

Any additional Information

PLEASE SEE ATTACHED PROFILE STATEMENT OF
BARTLEY NOEL LEE.

Please send completed application form to:

Foreshore Unit
Department of Environment, Community and Local Government
Newtown Road
Wexford

**Incorrectly completed or incomplete application forms cannot
be processed and will be returned.**

Additional Information: Profile Statement of Bartley Noel Lee

Date of birth: 18/12/58.

Education: Primary: Lettermullen National School, Lettermullen, Co. Galway 1963-1970.
Secondary: St Mary's College, Galway 1971-1976.
Third Level: National Fisheries College, Green Castle, Co. Donegal 1977.

Career to date:1)Fishing fleet

2 years demersal and pelagic fishing off the Irish coast. 1978-1979.
3 years fishing off Norwegian, Icelandic and Danish coasts on a Norwegian vessel
1980-1983
Returned to Donegal pelagic boats off Scottish and Irish coasts fishing mackerel.
1984 - 1990

Comment: Noel has gained huge experience from his fishing career, working at latitude 75 degrees N during the winter months and seeing first hand even back in 1980 that the Scandinavians were very environmentally friendly. He was also very impressed with their approach to fisheries conservation compared to the attitude the Irish and other EU countries had at the time – the Scandinavians were into big mesh sizes and would close fisheries areas when stocks came under pressure. This has proved to be a sensible strategy as they still have large sustainable cod fisheries compared to the EU stocks which are coming under pressure.

Noel also formed lasting impressions from the Donegal fishery, where the quotas implemented at the time seems to have worked well as the fisheries seems to be holding up. Furthermore as the quota is being reduced to sustainable levels in recent times the price of mackerel is increasing which makes it viable for the fleet.

2)Fish farming sector

Left fishing sector in 1990 and joined with brother to set up salmon farm in Connemara. This farm has been producing organic salmon for the past ten years, achieving a production of 2500 tonnes(value €15m) and employing 30 people.

Has been very proactive to make salmon farm more sustainable - the first farm in Europe to operate electric stunning for the harvest so as to eliminate CO2 gas and first in Europe to be accredited for Freedom Foods.

Very involved in various research and trials to try to reduce or eliminate chemical treatments for treating sea lice on the farm.

Instigated a 3 year trial with the Marine institute with biomitters and this is now quoted by the Marine Institute as one of the tools to help with the control of lice.

Did some research and trials in 1998 with H2O2 for sea lice control and managed to treat at higher temperature than otherwise done before. Another fish farming company, Marine Harvest Ireland came to view the treatment (last year) and subsequently were so successful with their own treatments that they had numerous visits from Scottish and Norwegian colleagues to see how they carried them out.

Comment: Noel has focused very strongly on good environmental management. Following 20 years of environmental audits done by Aquafact International of Galway, the fish farms he has run have always got good benthic reports and Noel has always instructed staff to be careful with the environment. Noel has also seen during his time as a young fisherman some destruction of fish stocks and this has made a lasting impression. If given permission to harvest some kelp, he would ensure that it would be done in a sustainable manner.

Noel has a track record in doing his best to be environmentally conscious and sustainable and he is committed to carrying this vision into the future. Having produced organic salmon for the organic markets in Europe and elsewhere, he is focused on producing seaweed products for high end organic markets and will look to extract maximum value from this valuable resource. Consideration is being given to techniques such as Cold water extraction and creating kelp powder which is known to achieve high prices on international markets.