

REPORT OF THE MARINE LICENCE VETTING COMMITTEE (MLVC)

on

**FORESHORE LEASE APPLICATION FOR THE INSTALLATION OF
FLOATING PONTOON ATTACHED TO PIER AT AHAKISTA PIER, BANTRY,
CO. CORK**

BY

AHAKISTA COMMUNITY ASSOCIATION LTD

**Barry Mc Donald M.Eng. M.I.E.I
Marine Licence Vetting Committee
15 February 2013**

Ahakista Community Association Ltd – Foreshore lease application for the installation of floating pontoon attached to pier at Ahakista pier, Bantry, Co. Cork. (MS51/8/1414)

Background

In May 2012 Ahakista Community Association Ltd submitted a Foreshore Lease application for the installation of floating pontoon attached to pier at Ahakista pier, Bantry, Co. Cork.

The applicants advise that the pontoon is for public use and to increase safe access to the water for all users. The works have been granted planning permission by Cork County council.

Details of the proposed works are shown on Drawing Titled ‘Proposed Layout’, Drg. No.: ICMS/1216/01/01 Dated: April 2012 and the location of the works on the foreshore is shown on Foreshore Lease Map Titled ‘Lease Drawing 02/May/2012’

The site of the proposed works is not located within a marine or terrestrial Natura 2000 site. The nearest marine based European Natura 2000 sites, the Reen Point Shingle SAC (Site Code 002281) is some 2 km by sea from the site and Farranamanagh Lough SAC (Site Code 002189) is some 5 km by sea from the site. The nearest terrestrial Natura 2000 sites, the Sheep’s Head SAC (Site Code 000102) is just 0.5km from the site and the Sheep’s Head To Toe Head SPA (Site Code 004156). There will not be any direct or indirect effects on the Natura sites. The works will not result in a habitat loss, there will not be significant disturbance to key species and there will be no habitat or species fragmentation or significant disturbance to habitat or species present in these sites. There will be no direct discharge of pollutants into the environment during the works and water quality will not be affected. (Finding of no significant effects report attached)

The proposed works are not of a class that would require the submission of an Environmental Impact Statement.

Public Consultation

The public notice appeared in *The Southern Star* newspaper on 30/06/2012 and the public display documents were made available for inspection at Bantry Garda Station for the required period of 21 working days.

No submissions were received.

State Bodies Consultation

Written submissions were received from Services Advisors, DAHG (NPWS and underwater archaeology), DAFM, MI, MSO, IFI, SFPA and Cork County Council

(Planning Authority, adjacent land owner and Harbour Master). There were no objections.

MLVC Conclusions

Considering the nature, scale, and location of the proposed works the MLVC concludes that, subject to compliance with the specific conditions set out below, the proposed works would not have a significant negative impact on the marine environment, would not adversely impact on any Natura 2000 site and therefore recommends that a lease be issued.

Proposed Conditions

1. The Lessee shall use that part of the Foreshore the subject matter of this lease for the purposes as outlined in the application and for no other purposes whatsoever.
2. The Lessee shall notify the Department of the Environment, Community and Local Government at least 14 days in advance of the installation of the pontoon.
3. The Lessee shall provide to the Department of the Environment, Community and Local Government a statement by a Chartered Engineer certifying that the works as shown in Drawing Titled 'Proposed Layout', Drg. No.: ICMS/1216/01/01 Dated: April 2012 and in Foreshore Lease Map Titled 'Lease Drawing 02/May/2012' have been designed in accordance with relevant Irish, British or EU standard specifications of Code of Practice for strength, stability and durability, taking into account current building regulations and safety legislation.
4. Within 2 months of completion of the works the Lessee shall provide, to the Department of the Environment, Community and Local Government, a statement by a Chartered Engineer certifying that the works have been completed in accordance with Drawing Titled 'Proposed Layout', Drg. No.: ICMS/1216/01/01 Dated: April 2012 and with Foreshore Lease Map Titled 'Lease Drawing 02/May/2012'
5. The Lessee shall adopt appropriate methods of operation in order to ensure that no spillages of hydrocarbons, cement or other hazardous substance occur to the Foreshore during the course of the works.
6. All vessels and floating plant to be used in the works shall have appropriate certification from the Marine Survey Office.
7. On completion of the works all temporary plant and floating plant shall be removed from the foreshore and the foreshore reinstated to its original condition

to the satisfaction of the Department of the Environment, Community and Local Government.

8. All works shall be carried out in accordance with relevant Health and Safety legislation.
9. In order for charts and nautical publications to be updated the Lessee shall inform the British Admiralty Hydrographic Office at Taunton, UK of the location and nature of the works.
10. The pontoon shall be suitably illuminated at all times.
11. The Lessee shall apply to the Commissioners of Irish Lights for sanction of new aids to navigation and / or alteration to existing aids to navigation.

Finding of no significant effects report

Name of project or plan:	The installation of floating pontoon attached to the pier at Ahakista Pier, Bantry, Co. Cork (MS51/8/1414)
Name and location of Natura 2000 site	Reen Point Shingle SAC (Site Code 002281) Farranamanagh Lough SAC (Site Code 002189) Sheep's Head SAC (Site Code 000102) Site Synopsis for each attached.
Description of the project or plan	<p>The proposed works involves the installation of a 9m long by 2.4m wide floating pontoon along side the existing steps on Ahakista Pier.</p> <p>The site of the proposed works is not located within the listed SACs.</p>
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)?	None identified
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.	<p>The installation of the platform, gangway and floating pontoon could:</p> <ul style="list-style-type: none"> • disturb and displace protected species • introduce pollutants into the water column during the works
Explain why these effects are not considered significant.	<p>The impact of the noise and other emissions from the works site will be insignificant and very localised. It is considered that there will not be any direct or indirect effects on the Natura sites. The works will not result in a habitat loss, there will not be significant disturbance to key species and there will be no habitat or species fragmentation or significant disturbance to species that use these sites. There will be no direct discharge of pollutants into the environment during the works and water quality will not be affected.</p> <p>On the basis of the above it is concluded that there are not likely to be significant effects as a result of the proposed installation of a floating pontoon attached to the pier at Ahakista Pier, Bantry, Co. Cork on the Conservation Objectives of the Natura sites.</p>
Who carried out the assessment?	DoECLG, on behalf of the MLVC, 18 February 2013.

SITE SYNOPSIS

SITE NAME: REEN POINT SHINGLE

SITE CODE: 002281

This site is located in Dunmanus Bay, 4 km north-west of Durrus Village, in Reencappul Townland, Co. Cork. The site covers a relatively small area and consists of a headland shaped like a hammer. The “handle” of the hammer shape consists of two vegetated shingle bars – one at each side with a marshy/lagoonal area in between.

Reen Point Shingle is a candidate Special Area of Conservation selected for perennial vegetation of stony banks, a habitat listed on Annex I of the E.U. Habitats Directive.

The shingle bar or stony bank habitat on the eastern side of the headland has Mayweed (*Tripleurospermum maritimum*), Ribwort Plantain (*Plantago lanceolata*) and Groundsel (*Senecio jacobea*). The shingle vegetation on the western side is more diverse and supports species such as Sea Beet (*Beta maritima*), Common Scurvy-grass (*Cochlearia officinalis*), Red Fescue (*Festuca rubra*), Mayweed, Samphire (*Crithmum maritimum*), Ribwort Plantain, Sea Lavender (*Limonium* sp.) and lichens.

The lagoon, which is fringed with Common Reed (*Phragmites australis*) and some Common Club-rush (*Scirpus lacustris*), provides habitat for several bird species including Curlew, Cormorants and Mute Swans.

Other habitats which occur at the site include saltmarsh, marsh/scrub and heath.

Current land use adjacent to the site is intensive agricultural grassland which is actively managed as a pasture and for silage production. Run-off from this area may pose a threat to the nutrient status of the lagoonal area.

Reen Point Shingle contains two important examples of perennial vegetation of stony banks, a habitat listed on Annex I of the E.U. Habitats Directive. The presence of other coastal habitats such as saltmarsh, lagoon, freshwater marsh and heath adds further interest to the site.

SITE SYNOPSIS

SITE NAME: SHEEP'S HEAD

SITE CODE: 000102

Sheep's Head in Co. Cork, guards the southern approaches to Bantry Bay, extending as far west as 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 rocky parts of the headland are covered by dry heath, an Annex I habitat under the EU Habitats Directive, where Autumn Gorse (*Ulex gallii*), Heather (*Calluna vulgaris*) and some Bell Heather (*Erica cinerea*) form a compact canopy moulded by the wind. On ledges with some trapped soil, Common Bent (*Agrostis capillaris*), Red Fescue (*Festuca rubra*) and Heath-grass (*Danthonia decumbens*) are more common, with some Wild Thyme (*Thymus praecox*), Common Dog-violet (*Viola riviniana*) and, locally, Burnet Rose (*Rosa pimpinellifolia*) - species that are characteristic of this community over much of the south coast. The Pale Dog-violet (*Viola lactea*), a rare and legally protected species listed in the Irish Red Data Book, has also been recorded from this area.

The extremity of the headland is marked by numerous rocky ribs on which the Spotted Rock-rose (*Tuberaria guttata*), a threatened species listed in the Irish Red Data Book, reaches spectacular numbers. It grows in open rocky places with Sheep's-bit (*Jasione montana*), Early Hair-grass (*Aira praecox*) and English Stonecrop (*Sedum anglicum*).

Where water accumulates, especially in the depressions between the ridges of sandstone, peat develops more thickly and here wet heath or even small pockets of blanket bog are found. These areas are characterised by the growth of mosses, especially bog mosses (*Sphagnum* spp.). Other typical species of the wet heath are Purple Moor-grass (*Molinia caerulea*), Carnation Sedge (*Carex panicea*), Heather (*Calluna vulgaris*), Cross-leaved Heath (*Erica tetralix*) and Creeping Willow (*Salix repens*). The wet heath often merges into fen or swamp vegetation in the vicinity of lakes. In such situations Bog Pondweed (*Potamogeton polygonifolius*), Marsh St. John's-wort (*Hypericum elodes*) and Common Reed (*Phragmites australis*) are found. Some of the species present suggest that there is nutrient input from the slopes above, or from sea spray. Deeper basins have remained as lakes, such as Lough Akeen and Lough Doo, which are largely free of marginal vegetation.

At the eastern end of the site Laharandota Lough lies in a more circular depression. It has shallow peaty edges where cutting has much enlarged the water area. Royal Fern (*Osmunda regalis*) and Eared Willow (*Salix aurita*) characterise these parts along with Bottle Sedge (*Carex rostrata*), Bogbean (*Menyanthes trifoliata*) and Ragged Robin (*Lychnis flos-cuculi*). In the vicinity of the lake a laneway is colonised by the uncommon Sand Spurrey (*Spergularia rubra*).

Sheep's Head has small seabird populations, probably because the cliffs are largely unsuitable for nesting. There are about 15 pairs of Fulmar (c. 1990 figures), 9 pairs of Shag, 14 pairs of Herring Gull with 1 pair of Lesser Black-backed Gull. Chough, a species listed on Annex I of the EU Birds Directive, frequents the site in important numbers. The Kerry Slug (*Geomalacus maculosus*), an Annex II species under the Habitats Directive, is also known from this area.

Sheep's Head is notably unaffected by overgrazing though it does support some cattle and sheep. The main value of the area is the presence of both dry heath and wet heath, habitats listed on Annex II of the EU Habitats Directive. The site also contains two Red Data Book plant species, the Pale Dog-violet (*Viola lactea*) and the Spotted Rock-rose (*Tuberaria guttata*). Furthermore, an Annex I Birds Directive species, the Chough, and an Annex II species under the Habitats Directive, the Kerry Slug, are found in the area.

SITE SYNOPSIS

SITE NAME: FARRANAMANAGH LOUGH

SITE CODE: 002189

Farranamanagh Lough is a small, shallow (2m), sedimentary lagoon situated on the south side of the Sheep's Head peninsula in west Co. Cork. Lagoons are listed as a priority habitat on Annex I of the EU Habitats Directive. This lagoon is in an almost completely natural condition lying behind a stony barrier through which runs an apparently permanent outlet. Freshwater streams enter from the north and seawater enters at spring tides through the outlet, and also by percolation and overtopping of the barrier during storms. Salinity ranged from 2 to 25 ppt during 1996 and probably varies considerably, depending on relative importance of freshwater from rainfall and seawater incursions during high tides. The bedrock is Old Red Sandstone.

Floristically, the lagoon is described as species poor but "potentially valuable" as a full aquatic survey has not been carried out. The most interesting feature of the flora is a dense bed of Tasselweed (*Ruppia* sp.) which is a lagoonal specialist. Filamentous green algae also occur.

The fauna of the lagoon is relatively poor, with only 16 taxa recorded in 1996. However, one of these is listed as a lagoonal specialist in Britain (*Palaemonetes varians*) and three are proposed lagoonal specialists for Ireland (*Neomysis integer*, *Jaera nordmanni*, *Allomelita pellucida*). The amphipod *Allomelita pellucida* is considered to be rare in Ireland.

The low floral and faunal diversity of this lagoon is probably due to extreme and rapid variations in salinity.

The stony barrier supports perennial vegetation of stony banks, a habitat that is listed on Annex I of the E.U. Habitats Directive. It has typically sparse vegetation on the seaward side where the principal species is Spear-leaved Orache (*Atriplex prostrata*). On the plateau of the barrier and on the leeward side, the vegetation is well developed and includes lichens that are indicative of long-term stability. The dominant vegetation here is a species-rich grassy sward, with species such as Red Fescue (*Festuca rubra*), Wild Carrot (*Daucus carota*), Curled Dock (*Rumex crispus*), Sea Mayweed (*Matricaria maritima*), Sea Campion (*Silene vulgaris* subsp. *maritima*), English Stonecrop (*Sedum anglicum*), Common Bird's-foot-trefoil (*Lotus corniculatus*), Kidney Vetch (*Anthyllis vulneria*), Greater Sea-spurrey (*Spergularia media*) and Hairy Tare (*Vicia hirsuta*), amongst others.

Salt marsh vegetation fringes the eastern shore of the lagoon, while freshwater marsh vegetation fringes the northern part of the lagoon. Some wet grassland and wet scrub woodland occurs north of the lagoon on both sides of the inlet stream. Species such as Rusty Willow (*Salix cinerea* subsp. *oleifolia*), Bog Myrtle (*Myrica gale*), Purple

Moor-grass (*Molinia caerulea*) and Sharp-flowered Rush (*Juncus acutiflorus*) are found here.

The Kerry Slug (*Geomalacus maculosus*) has been recorded within the site.

The main threat to this site is gravel extraction which has occurred in the past and has apparently lowered and weakened the barrier allowing more frequent incursions of seawater during storms.

While this lagoon is small in size, geomorphologically it is a good representative of a sedimentary lagoon with an inlet in almost completely natural condition. As there are only six known examples of this type of lagoon in the country, Farranamanagh Lough is of considerable conservation importance. The stony barrier is also a fine example of the habitat 'perennial vegetation of stony banks', which is listed on Annex I of the EU Habitats Directive.