



Dept. of Environment, Community
& Local Government

22 JAN 2014

Wexford

Comhshaol, Pobal agus Rialtas Áirde
Environment, Community and Local Government

For Office Use

Ref. No. _____

Application date: _____

Date of receipt. 22/1/2014

Date Validated: _____

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

- Applications for Offshore renewable energy (ORE) projects should use an ORE specific form.
- Please complete the form electronically. Type details in the boxes provided, space will expand as you type.
- The enclosures checklist should also be completed

Applicant Details:

Contact Name: John T. O'Sullivan

Company/Organisation: BioAtlantis Ltd.

Address: Kerry Technology Park, Tralee, Co. Kerry

Phone No: 066-7118477

E-mail address: jtos@bioatlantis.com

Nominated Contact/Agent (Where different from above):

Name:

Company:

Address:

Phone No:

E-mail address:

Applicant's Legal Advisor:

Name: Ronan Daly Jermyn

Address: 31 South Mall, Cork.

Phone No: 021-4802700

E-mail address: diarmaid.gavin@rdj.ie

Part 1: Proposal Details (Attach additional documents as required)

1.1	<p>Description of proposed works/activity.</p> <p>BioAtlantis Ltd. aims to sustainably develop the seaweed industry in the Clew Bay region of Co. Mayo, a county which boasts the second largest reserves of <i>Ascophyllum nodosum</i> in the country, but has thus far failed to reap the potential economic rewards. Central to this approach will be a harvesting methodology which is minimally invasive and ensures rapid recovery and re-growth of <i>A. nodosum</i> post-harvest.</p> <p>This application is for a license to harvest up to 12,500 Tonnes of <i>A. nodosum</i> per annum in Clew Bay, for commercial purposes.</p>																
1.2	<p>Describe the nature and scale of any structure to be erected on the foreshore. Is the structure proposed to be temporary or permanent?</p> <p>There will be no structures erected on the foreshore.</p>																
1.3	<p>Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.</p> <p>(i) 01/03/2014 (ii) Continuous</p>																
1.4	<p>Primary usage for proposed development (please tick)</p> <table border="1" data-bbox="357 1133 1206 1429"> <tr> <td>Use</td><td></td></tr> <tr> <td>Industrial</td><td></td></tr> <tr> <td>Commercial</td><td>✓</td></tr> <tr> <td>Within Fishery Harbour Centre</td><td></td></tr> <tr> <td>Sea Fisheries</td><td></td></tr> <tr> <td>Local Authority</td><td></td></tr> <tr> <td>Community/Co Op scheme</td><td></td></tr> <tr> <td>Other(specify)</td><td></td></tr> </table>	Use		Industrial		Commercial	✓	Within Fishery Harbour Centre		Sea Fisheries		Local Authority		Community/Co Op scheme		Other(specify)	
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Other(specify)																	
1.5	<p>Do the proposed works provide for public use, commercial use, restricted use or strictly private use? Provide Details</p> <p>No</p>																
1.6	<p>Might the proposed works restrict public use/enjoyment of the foreshore? Provide details.</p> <p>No</p>																
1.7	<p>Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area including pending applications? (Give details including Department's file reference number(s)).</p> <p>Yes; T06/326</p>																

1.8	<p>Status of planning permission application: Pending/granted/not required.</p> <p>Consent Authority: not required Reference Number: not required</p> <p>(Please provide copies of consents granted)</p>
1.9	<p>Are any other consents required for this proposal? Please detail.</p> <p>None required</p> <p>Consent type Consent Authority: Reference Number: Status of application:</p> <p>(Please provide copies of consents granted)</p>
1.10	<p>Employment Implications (if any)</p> <p>The harvesting license will create full time employment for up to 16 Harvesters, and a full time Resource Manager in Clew Bay. There will be a further two people employed in service-related activities. The employment of 21 people currently employed by BioAtlantis will also be secured. In addition, the licence will have significant knock effects on the Irish economy and will likely create employment in a range of additional areas. BioAtlantis has an annual expenditure in the Irish economy of approximately €2M. This is set to increase further with the continued growth of the company which has grown at an average rate of 45% per annum since 2007. BioAtlantis currently export to over 30 countries and to ensure security of supply of <i>A. nodosum</i>, a fifteen year licence will be required.</p>
1.11	<p>Capital cost of proposed works</p> <p>The proposed investment by BioAtlantis will be ~€500,000, to cover various capital and setup costs.</p>
1.12	<p>Do the proposed works involve the draw down of European Union or State funding? If "Yes" give details, including any time restrictions, etc. applying</p> <p>No</p>

Part 2: Proposed Site. (Attach additional documents as required)

2.1	County: Mayo
2.2	Location name and nearest townland name: Clew Bay Complex

2.3	<p>Geographic co-ordinates of the area under application in degrees minutes and seconds WGS84 for offshore developments and where the area can also be identified on the Ordnance Survey map and /or is connected to the seashore/mainland , specify Ordnance Survey map no and Irish National Grid co-ordinates</p> <p>Ordnance Survey Map No's 30 & 31 National Grid Coordinates of 991821, 851962 (See Attached Map)</p>
2.4	<p>Please indicate the size of the Foreshore area (Ha²) or (M2) or (KM2)</p> <p>The Total Area = 93.73km²</p>
2.5	<p>If offshore please indicate distance from shore (Km):</p> <p>N/A</p>
2.6	<p>Is any of the foreshore in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio)</p> <p>None</p>
2.7	<p>Any other site details considered relevant:</p> <p>None</p>

Part 3. Maps and Drawings, Please refer to Guidance on map and drawing requirements.

3.1	<p>Site location map attached? Please include reference no(s).</p> <p>Yes, BioA_04-13-001.1 Harvest Area Map</p>
3.2	<p>Foreshore Lease/Licence map attached? Please include reference no(s).</p> <p>Yes,</p> <ul style="list-style-type: none"> • BioA_04-13-001.2 Foreshore License Map 1 • BioA_04-13-001.3 Foreshore License Map 2
3.3	<p>Drawings of structures to be used and or layout (if required) attached? Please detail and include reference no(s).</p> <p>N/A</p>
3.4	<p>Admiralty Chart attached?</p> <p>Yes</p>
3.5	<p>Other maps/drawings attached ?– please detail and include reference numbers</p> <p>Map Showing Aquaculture Locations</p> <ul style="list-style-type: none"> • BioA_04-13-001.4 Aquaculture

Part 4: Pre- application consultations

4.1	<p>Describe briefly any consultations undertaken with the following bodies.</p> <ul style="list-style-type: none"> • National Parks & Wildlife Service (NPWS) • National Monuments Service (NMS) of Department of Arts, Heritage and the Gaeltacht • Inland Fisheries Ireland • Sea Fisheries Protection Authority • Marine Institute • Marine Survey Office <p>Please also provide copies of correspondence.</p> <p>Meeting#1: Dept. of the Environment Heritage and Local Government (DOEHLG): Pre-application meeting (Wexford, 19/06/2013)</p> <ul style="list-style-type: none"> • In Attendance: four representatives of DOEHLG and two from BioAtlantis. • Recommendations: advice on mechanism in which to construct and proceed with application. <p>Meeting #2: National Parks and Wildlife Service (NPWS), Pre-application meeting (04/07/2013, Dublin)</p> <ul style="list-style-type: none"> • In Attendance: Two representatives of NPWS and two from BioAtlantis. • Recommendations: Develop application document further and send document to NPWS for scoping comments, paying close attention to requirements for harbour seals and other protected species. <p>Meeting #3: NPWS, Scoping Meeting (13/11/2013, Galway).</p> <ul style="list-style-type: none"> • In Attendance: three regional staff members of the Western Division of NPWS, three representatives from BioAtlantis and one representative of Ecofact Environmental Consultants Ltd. • Recommendations: Further amendments to be made to the application, including the incorporation of breeding and wintering bird data and re-structuring in order to ensure compliance with Natura format. <p>Inland Fisheries Ireland Letter sent to Inland Fisheries Ireland (29/11/2013) outlining our plans. Official response and views of IFI received 20/12/2013 (see attached).</p>
4.2	<p>Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, port/harbour authority etc) or State Agencies.</p> <p>None other than that outlined in 4.1 above</p>
4.3	<p>Describe any consultations undertaken to date with other foreshore users.</p> <p>None to date</p>

4.4	<p>Describe any likely interactions with activities of the public or other foreshore users during the construction and operational phases of the works/activities (e.g. fishing, aquaculture, sailing, and surfing swimming, walking). Describe any measures proposed to minimise inconvenience to other users.</p> <p>In preparing our plan, we considered the requirements and extent of the inland fisheries and sea angling resources of Clew Bay. In doing so, we have worked to ensure that the hand harvesting of <i>A. nodosum</i> by BioAtlantis does not impact on these activities. In brief, BioAtlantis have incorporated the following aspects into their plan:</p> <ul style="list-style-type: none"> a) Access to sites: areas of known relevance to fisheries and sea angling have been identified. The BioAtlantis plan works to ensure that these activities are un-affected by harvest of <i>A. nodosum</i>. Moreover, these sites will not be blocked in any way due to hand harvest activities. b) Charter Skippers: Fisheries, angling and tourism-related activities of Charter Skippers in Clew Bay will be unaffected by hand harvest activities. In particular, all bases, departure points and operational areas which have been identified will not be blocked or restricted in any way. <p>The above details were communicated via letter to Inland Fisheries Ireland on 29/11/2013 with the views of IFI provided by letter on 20/12/2013.</p> <p>Interactions with public or foreshore users will be minimal. Harvesters will work to ensure that angler's space is respected.</p>
4.5	<p>Have adjacent land owners, whose properties may be affected by these works been consulted? Please provide details/permissions as appropriate.</p> <p>Access to all islands will be by boat. There are sufficient routes and rights of way for coastline access. It is not necessary to use land in private ownership.</p>

Part 5: Environmental Considerations
(your consultations with National Parks and Wildlife Service and National Monuments Service may inform your answers. Attach additional reports as required and mark under the R column)

www.epa.ie/downloads/advice/ea/guidelines/

www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssessment/

<http://www.npws.ie/protectedsites/appropriateassessment/>

<http://webgis.npws.ie/npwsviewer/>

	Environmental legislative requirements	Yes	No	R
5.1	Is an Environmental Impact Statement required for this proposal?		X	
5.2	Is a Natura Impact Statement required for this proposal? Yes – See Attached	✓		
5.3	Is the area within or adjacent to a NHA, pNHA, SAC, SPA, or National Park? Specify site names and code(s). The area concerned is Clew Bay, SAC Site Code: 1482.	✓		
5.4	Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site: Please list with planning reference numbers (where available).		None	

	Environmental Considerations	Yes	No	R
5.5	Will the proposal have any potential environmental impacts? If yes, please describe See Attached NIS.	✓		
5.6	Are you proposing any measures to mitigate the potential environmental impacts? If yes, please describe See Attached NIS.	✓		

5.7	Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.) If yes, please describe		X	
5.8	Will the works involve the storage and/or disposal of waste? If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)		X	
5.9	Other Environmental Considerations? If yes, please specify.		None	

	Built Heritage Considerations	Yes	No	R
5.10	<p>Does the area contain an archaeological site or feature? If yes, please specify.</p> <p>1. SMR No. MA067-042 Irish Grid Reference 97216,292446 Class – Crannog</p> <p>2. SMR No. MA076-001005 Irish Grid Reference 97050,292328 Class – Penitential Station</p> <p>3. SMR No. MA077-025 Irish Grid Reference 94117,286275 Class – Enclosure</p>	✓		
5.11	Does the area contain or adjoin a listed archaeological site or monument? If yes, please specify.		X	
5.12	Will the proposal have any potential impacts on the archaeological integrity of the site? If yes please describe		X	
5.13	<p>Are you proposing any measures to mitigate potential archaeological impacts? If yes, please describe?</p> <p>Sites will be avoided by a distance of 15m. Prior to harvesting near these sites, the Resource Manager will mark them.</p>		X	

Part 6: Navigational Safety Considerations. (Your consultations with relevant stakeholders may inform your answers. Attach additional documents as required and mark under the R column)

	Navigational Safety Considerations.	Yes	No	R
6.1	Are there public navigational safety implications arising from the proposed works?		X	
6.2	What marine activity is there in the area? Fishing, angling and boating. In consultation with IFI, the plan has been developed to ensure no impacts on these activities (see attached letter).	✓		
6.3	How will the marine activity be affected by the proposed works?		X	
6.4	What mitigating measures will be put in place?		N/A	
6.5	How will the proposed works affect Marine Navigation in the future?		X	

Part 7: Fishing/Aquaculture considerations (your consultations with IFI, SFP, DAFM may inform your answers. Attach additional documents as required and mark under the R column)

	Fishing/Aquaculture considerations	Yes	No	R
7.1	Is the proposal located in proximity to any of the following: <ul style="list-style-type: none"> • aquaculture operation • designated Shellfish Growing Waters • fish spawning ground • other sensitive fisheries location Please Illustrate on appropriate chart including distance in Km. See Attached Map - BioA_04-13-001.4 Aquaculture	✓		
7.2	Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.		X	

7.3	Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.		N/A	
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Part 8 – Additional information

8.1	Please detail any additional relevant information.
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Declaration and Consent:

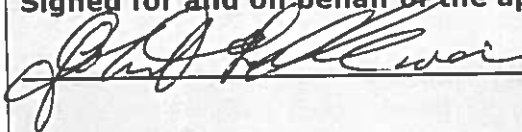
The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister.

I agree that on completion of the works, all environmental data that is not commercially-sensitive shall be provided within a reasonable timeframe to the Marine Institute; the format and timeframe to be agreed with the Marine Institute. I understand that the Marine Institute may make this information available to individuals and organisations in line with its data access policy.

I give consent to the Minister and his servants to copy this application and to make it available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document.

Signed for and on behalf of the applicant:



Name of above Signatory (block letters):

JOHN T. O'SULLIVAN

Position Held:

CEO

Date

20th January 2014

Return completed applications to:

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

Enquiries to: Foreshore@environ.ie (Other contact details to be included in Guidance materials)

Email a copy of application documents: Foreshore@environ.ie

Enclosures Checklist

**One hard copy of every document is required unless otherwise stated.
All documentation must be provided electronically (either by email or on
CD) where possible in searchable PDF format.**

Item No.	Description	No. of copies Required	
1	Application Form. With original signature	4	✓
2	Mapping (see guidelines document) (i) Site Location map: Enclosed as: BioA-04-13-001.1 (ii) Foreshore Lease/licence map Enclosed as: BioA-04-13-001.2 and BioA-04-13-001.3	4 4	✓
3	British Admiralty Chart (largest available scale)	1	✓
4	Drawings of the structures to be used and/or layout	4	N/A
5	Pre-application correspondence with stakeholders. Letters of correspondence with IFI are enclosed.	1	✓
6	Other statutory permissions: (i) Planning permission (ii) Effluent Discharge Licence (iii) Other consent (Please specify)	1 1 1	N/A
7	Company documentation (1): Certified copy of the Company's Memorandum and Articles of Association	1	✓
8	Company documentation (2) Certificate of Incorporation of a Limited Liability, or Company/Rule Book/Constitution for a Club or Co-Operative Society as appropriate	1	✓
9	Environmental Impact Statement (EIS). (i) Hard copy (ii) CDs	5 50	N/A
10	Natura Impact Statement (NIS)	5	✓
11	Property-related owner permissions/wayleaves (i) Folio – (or other evidence of private ownership) (ii) Wayleave/consent from other property owners (iii) Other (Please specify)	2 1 1	N/A

12	<p>Other – Please specify</p> <p>BioAtlantis provide a number of documents enclosed with this application form. This includes a document detailing our plans for sustainably harvesting <i>A. nodosum</i> in Clew Bay along with six associated appendices, summarised as follows:</p> <p>Main document:</p> <ul style="list-style-type: none"> • BioAtlantis Licence Application for Sustainable hand-harvesting of <i>Ascophyllum nodosum</i> at Clew Bay (SAC Site Code 1482). <p>Appendices:</p> <ul style="list-style-type: none"> • Appendix 1, Assessment of Resources • Appendix 2, Maps • Appendix 3, Compliance & Record forms • Appendix 4, Codes of Practice • Appendix 5, Risk Assessment • Appendix 6, Assessment of Bird species 	1	✓
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