For Approval
File ref. MS 51/9/617

Approved to issue licence as drafted.

1. Mr. Padraic Dempsey
2. Mr. George Burke

30/03/2012

Foreshore Licence Application by Mr. James Lynch for the Hand Harvesting of Seaweed at Ballyheigue Bay, Co. Kerry

Application

Approval is sought to grant a Licence under Section 3(3) of the Foreshore Act, 1933 (as amended) to Mr. James Lynch, Sammy's Rock, Fenit, Co. Kerry, for the hand harvesting of seaweed at Ballyheigue Bay, Co. Kerry. A Site Location Map pertaining to the project is attached. (*Annexe I)*

Approval of the Licence application will provide employment for 2 people. The proposed activity involves the hand harvesting of seaweeds on the foreshore at Ballyheigue Bay, adjacent to Ballinprior, Banna, Co. Kerry. The quantities and species to be harvested annually include 10 tonnes of Kelp (Laminaria digitata), 2.5 tonnes of wrack (Fucus serratus), 2 tonnes of Carrageen (Chondrus crispus) and 2 tonnes of Dillisk (Palmaria palmata). It is intended to use the material for the production and sale of a dried seaweed product.

Statutory Bodies Consultation

Written submissions were received from DECLG (Water Inspectorate), Sea Fisheries Protection Authority, Marine Institute, Inland Fisheries Ireland, , DAFM (Aquaculture and Foreshore Management Division), Marine Survey Office, DAHG (Development Applications Unit – Underwater Archaeology Unit & NPWS). (*Annexe II*)

Environmental Assessment

Screening for EIA report:

The proposal is not of a class that requires the submission of an Environmental Impact Statement (*Annexe III*).

Appropriate Assessment Report: – (*Annexe IV*)

The application was assessed by The Marine Institute on behalf of the Marine Licence Vetting Committee (MLVC) with regard to the requirements for Appropriate Assessment. The location of the proposed activity lies within the Akeragh, Banna and Barrow Harbour SAC (Site Code 00332). The Conservation Objectives for the site were sourced from the NPWS of DAHG.

The impact of the project on Key Species and Key Habitats was outlined including:

- Impact on the dune system as a result of vehicle access to and egress from seaweed harvesting site.
- The disturbance and displacement of bird species due to noise

The MLVC concluded that any impacts would be minor, localised and temporary and that significant effects on the Conservation Objectives of Akeragh, Banna and Barrow Harbour SAC would be unlikely.

MLVC Report *(Annexe V)*

The application was assessed by the MLVC with regard to potential environmental impacts.

The MLVC considered the following documents:

- Foreshore Application
- Written submissions from DECLG (Water Inspectorate), Sea Fisheries Protection Authority, Marine Institute, Inland Fisheries Ireland, , DAFM (Aquaculture and Foreshore Management Division), Marine Survey Office, DAHG (Development Applications Unit – Underwater Archaeology Unit & NPWS)
- A Site Synopsis and Conservation Objectives for the Akeragh, Banna and Barrow Harbour SAC (sourced from the NPWS)
- Appropriate Assessment Report

The MLVC concluded that subject to compliance with the specific conditions (*Annexe VI*), the activity would not have a significant negative impact on the marine environment, would not interfere with other legitimate users of the area in question and would not have a significant impact on the Conservation Objectives of the Akeragh, Banna and Barrow Harbour SAC. The MLVC recommended that a permit be issued. In view of the recurring nature of the activity the MLVC was of the view that it is appropriate to issue a multi- annual permit for a period not exceeding 5-years.

Basis for Recommendation

In its report, the Marine Licence Vetting Committee recommended that the foreshore licence be granted. The granting of the licence is unlikely to have any significant impact on either the ecology of the foreshore or on other legitimate users of the area in question. Therefore, in consideration of the relatively small scale and nature of the proposed activity, and the sustainability of the quantities and species involved, I recommend that a Licence be issued for a 5 year term in this instance.

Agreement of applicant

Mr. Lynch has agreed to pay the licence fee ([redacted]) and has agreed to adhere to the Specific Conditions.

Next Steps

If approval is granted, Mr. Lynch will be informed and the Licence (see pouch opposite) will be issued on receipt of the appropriate fee.

Peter Connaughton
Marine Planning - Foreshore

March 2012