MARA
An tÚdarás Rialála Limistéir Mhuiri
Maritime Area Regulatory Authority

Application for a Maritime Usage Licence under the Maritime Area Planning Act 2021

Important Information

Before completing this form please read the declaration and consent at the end of the application form

It is important to note that a change in applicant name will require a new application.

This application and supporting documentation should be submitted by email to licence@mara.gov.ie

Please complete the form electronically. Type details in the boxes provided, space will expand as you type. Please complete form to a high level, i.e. give comprehensive answers to questions, answers which only reference supporting documentation are not sufficient.

Maritime Usage Licence:

Part 5 (sections 110 to 133) of the Maritime Area Planning Act 2021 (MAPA) provides for the granting of maritime usage licences.

Section 112 of the Act states that the Maritime Area Regulatory Authority (MARA) is the competent authority for the purposes of Part 5 of the European Communities (Birds and Natural Habitats) regulations 2011 (S.I No. 477 of 2011) and appropriate assessments to which that Part applies.

Section 114 of the Act states that the Minister may by regulations provide for class of Schedule 7 usage to be exempted usage for the purposes of this Part.

Schedule 7 of the Act lists the Maritime Usages that may be undertaken in the maritime area pursuant to licence.

Schedule 8 of the Act lists the types of conditions that MARA may attach to a licence.

Privacy Policy:
MARA may require you to provide certain personal data in order to carry out our legislative and administrative functions. MARA will treat all personal data that you provide as confidential and will process your details in accordance with its obligations under data protection legislation, including the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR).

A Privacy Statement explaining how MARA, as the Data Controller, will process the personal data you provide, how that information will be used and what rights you may exercise in relation to your personal data, is available in this link: **Privacy Statement**.

Freedom of Information (FOI)/ Access to Information on the Environment (AIE)
Applicants should be aware that under the Freedom of Information Act 2014 and the European Communities (Access to Information on the Environment) Regulations 2007 to 2018, information provided by them to MARA may be liable to be disclosed.

Applicants are asked to consider if any of the information supplied by them in their application should not be disclosed and clearly identify the specific sections of their application containing such information, specifying the reasons for its confidentiality/sensitivity. MARA will consult with applicants about this information before making a decision on any Freedom of Information/Access to Information on the Environment request received.

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Part 1: Applicant Information	
1.1 Applicant Details	
Name of Applicant (the name that will appear on the licence)	BioAtlantis Limited
Company/Organisation (if applicable)	BioAtlantis Limited
Address/Company Address	Clash Industrial Estate, Tralee, County Kerry, Ireland.
Eircode/Postcode	V92 RWV5
Contact Name within Company/Organisation	[redacted]
Contact Phone No.	[redacted]
Contact Email Address	[redacted]@bioatlantis.com
Is the company registered in Ireland for tax purposes?	Yes

1.2 Contact Details (if different from above)	
Full Name	As above
Address	As above
Eircode/Postcode	As above
Contact Name	As above
Contact Phone No.	As above
Contact Email Address	As above

1.3 Agent Representing Applicant (if applicable)	
Person/Agency acting on behalf of Applicant	Not applicable
Address	Not applicable
Eircode/Postcode	Not applicable
Contact Name (if applicable)	Not applicable
Contact Phone No.	Not applicable
Contact Email address	Not applicable

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1.4 Applicant's Legal Advisor (if applicable)	
Name/Company Name	Holmes O'Malley Sexton LLP
Address	Suite 1, Bishopsgate, Henry Street, Limerick
Eircode/Postcode	V94 K5R6
Contact Name (if applicable)	[redacted]
Contact Phone No.	[redacted]
Contact Email address	[redacted]@holmeslaw.ie

Part 2: Proposal Details (Attach additional documents as required)

2.1 In relation to this application, have you previously applied for a declaration as to whether or not a licence was required for this usage? If so, please provide the reference number associated with that application.

No. the applicant has not applied for a declaration as to whether or not a license is required for the usage outlined in this application.

2.2 Specify the Maritime Usage(s) being applied for with reference to Schedule 7 of the Maritime Area Planning Act 2021 as amended:

SCHEDULE 7, Section 110:
10. The harvesting, disturbance or removal of seaweed, whether growing or rooted on the seabed, or deposited in or washed up thereon by the action of any one or more than one of the following:
(a) tides;
(b) winds;
(c) waves.

2.3 Description of proposed Maritime Usage.

(a) Overview:

BioAtlantis applied for a license to sustainably hand harvest *A. nodosum* in Kenmare River SAC on the 27th of June, 2022 (pre-application number FS007554). The application has been updated further for submission to the Maritime Area Regulatory Authority, and ensures the following:

- Traditional seaweed harvesting rights are fully respected, in line with clarification provided by the Attorney General in 2018 – this includes both appurtenant and Profit-à-Prendre rights to harvest seaweed. It is envisaged that a clause may be inserted into the license issued to reflect this.
- Provision of a sustainable income in the Kenmare Bay area for local hand harvesters and associated parties, consistent with other sectors of the economy and prices paid by competing companies. This can be in the form of a contractor relationship or direct employee of BioAtlantis.
- Provision of careers in the seaweed harvesting and processing industry that are attractive to young people, offering reliable and attractive primary or stand-alone incomes, rather than secondary incomes only.
- Genuine competition between plant biostimulant companies on the market, ensuring maximum return for harvesters.
- Hand harvesting will be undertaken in a sustainable, regenerative and traceable manner, and in line with traditional hand harvesting methods currently employed in the area.
- Employment of science-based seaweed resource management practices.
- Inclusion of a sustainability Code of Practice and mitigation measures to prevent impacts on Annex I and II marine and coastal habitats and species in the SAC, in line with national and European environmental legislation. This includes measures to protect harbour seals, otters, birds, and sensitive community types and habitats such as shingle, reef, seagrass, large shallow inlets and bays, estuarine mud, muddy-fine sand, intertidal sand/mobile sand and saltmarsh habitat.
- Prevention of in combination and cumulative effects with other businesses and marine and coastal activities, including seaweed harvesting, aquaculture, fisheries, angling, periwinkle collection, tourism, recreation and sport.
- BioAtlantis will cooperate with indigenous Irish companies in Co. Cork and Co. Kerry and the west who are engaged in seaweed harvesting, drying or processing, with the view to building partnerships which benefit the local economy and increase job creation in these areas.

- Full alignment with EU and Irish Government plans and policies, in relation to environmental sustainability and development of the Irish marine Blue Bioeconomy and Circular Bioeconomy.
- Value will be added to the resource in Ireland, maximizing economic returns to the State.
- The harvested seaweed will be utilized to develop and manufacture organically certified products and technologies, with significant environmental and societal benefits, as follows:
  - Mitigating the effects of climate change: BioAtlantis has pioneered the development of a 'Molecular Priming' technology, which mitigates the effects of climate change in agriculture. For example, applying a key product from BioAtlantis' portfolio, SuperFifty® Prime, to a crop 3 to 5 days in advance of an adverse weather event, ensures that the crop will be protected for up to 15 days post-application.
  - Reducing agrichemical inputs in crop production: BioAtlantis has developed products that strengthen crops making them more resilient to disease, thus the requirement for agrichemicals on farms can be minimized. The company is also developing a biopesticide to help crop growers transition from some agrichemicals.
  - Nutraceuticals: BioAtlantis is developing nutraceuticals for human health applications.

(b) Reasons for applying for a license in Kenmare Bay:

BioAtlantis commissioned a new production facility in 2019 at its base in Tralee, Co. Kerry, costing €19M. This is the largest SME-owned, fully automated seaweed extraction facility in Britain or Ireland, including technologies for seaweed intake, extraction, separation, purification and spray drying. *Ascophyllum nodosum* is a critical renewable resource, essential to the company's success and continued growth. To support the company's continued growth and job creation in the Southwest, a reliable local supply of *A. nodosum* is necessary. To secure this supply, BioAtlantis applied to the Foreshore Unit for a license to sustainably hand harvest *A. nodosum* in Kenmare Bay, Co. Cork and Kerry, on the 27th of June 2022 (pre-application number FS007554). The application was later revised for submission to MARA, and involves the sustainable hand harvesting of up to 1,826 wet tonnes of *A. nodosum* per annum on a regenerative and renewable basis. Kenmare Bay was selected due to the sustainable supply of *A. nodosum* in the area, the company's close proximity to the bay, and its 20-year history of economic activity in the region. This application represents an excellent opportunity to establish a vibrant and sustainable industry locally, leading to increased job creation and sustainable employment.

(c) Respecting legal rights of traditional hand harvesters:

While *A. nodosum* was harvested in Kenmare Bay in previous decades, opportunities for local hand harvesters has been relatively limited. BioAtlantis is in an excellent position to create well paid employment for hand harvesters in the Kenmare area, given the company's focus on developing patented technologies and manufacturing high value added products from the resource. In addition to creating new jobs in the area, BioAtlantis also wish to work in partnership with local hand harvesters to create a vibrant and sustainable industry, whilst also ensuring that existing seaweed harvesting rights are respected. On the 28th of June 2018, Minister Damien English clarified the legal position around seaweed harvesting and applications received under the Foreshore Act, as advised by the Attorney General. In line with this, this application ensures that traditional seaweed harvesting rights are fully respected and measures are included to ensure the license has no impacts on existing harvesting rights in Kenmare River SAC. BioAtlantis will not harvest in any area where existing appurtenant rights exist, without first obtaining permission from the owner of such rights. Where Profit-à-Prendre rights are successfully registered with the Property Registration Authority of Ireland (PRAI)/Tailte Éireann, the harvesting plan will be adjusted to ensure that those individuals can continue to harvest. It is envisaged that a clause may be included in the licence issued to allow the harvesting of *A. nodosum*, stating that if a Profit-à-Prendre rights holder provides sufficient proof of their right, the licensee would be prohibited from harvesting in that area, without first obtaining permission from the owner of such rights. As confirmed by the Government, existing seaweed rights holders can continue to exercise their right to harvest seaweed and do not require consent under the Foreshore Act. However, requirements for operating in SACs and relevant national and European environmental legislation must be respected.

BioAtlantis will explore the potential of purchasing a boat for the area to collect/tow the harvested *A. nodosum* to pick up points, whilst also providing the option for local hand harvesters (including those with existing harvesting rights) to tow their harvested seaweed directly to pick-up points, or in accordance with other common practices employed by harvesters in the bay. The price paid for the harvested seaweed will be consistent with other sectors of the economy and prices paid by competing companies.

(d) Compliance with EU and Irish laws in relation to SACs:

At any time, the current commercial harvesting of seaweeds underway in SACs along Ireland's coast may be stopped, as it is likely to be considered illegal under EU and Irish laws. To comply with EU laws in relation to commercial harvesting activities in SACs the activity must be regulated and licensed. This license application will bring increased traceability to harvesting, helping to ensure compliance with Irish and EU regulations for human activities operating in SACs. Central to this is a sustainable hand harvesting methodology which ensures rapid recovery and re-growth post-harvest, monitored by a Resource Management team and a Marine Ecologist. In line with the EU Birds and Habitats Directives, this application includes measures to prevent impacts on Large Shallow Inlets and Bays [1160] and Annex I and II marine and coastal habitats and species in the SAC. The application is supported by the development of a sustainable harvesting Code of Practice, which includes a range of measures to prevent impacts from occurring. This application is also supported by the following environmental reports:

- Supporting Information for Screening for Appropriate Assessment (SISAA).
- Natura Impact Statement (NIS).
- Risk Assessment for Annex IV Species.

Granting a license to BioAtlantis will allow for improved management of sustainable harvesting, as it:

- Improves traceability.
- Ensures sustainable harvesting and post-harvest recovery.
- Ensure that activities are in line with conservation objectives for the SAC.
- Prevents in combination or cumulative effects with other marine and coastal activities.
- Complies with European and Irish laws in relation to commercial activities in SACs.

(e) Preventing interactions with other operators, plans and activities:
Measures are in place to prevent in combination or cumulative effects with existing business and marine and coastal activities, including other seaweed harvesting activities, aquaculture, fisheries activities, angling, periwinkle collection, tourism, recreation and sport. This includes both existing and planned developments and activities. Measures are also in place to prevent interactions with other activities during the transfer and pick-up of harvested seaweed. Site-specific measures are in place to prevent interactions with specific sites and locations during certain times of the year, and a code of practice for environmentally safe navigation and other health and safety measures are also included.

(f) Alignment of the application with Government plans and policies:
This application aligns with several Government plans and policies listed below. In order for these plans and policies to be realised, it is imperative that the Government prioritise the marine biotech sector and in particular, the regulation and licensing of seaweed harvesting:

- National Marine Planning Framework (NMPF) and Marine Spatial Planning policies: This proposal is consistent with the NMPF's aims to support sustainable harvesting of seaweed given its important economic and social contribution. Harvesting will be undertaken on a renewable and sustainable basis, without any negative interactions with other marine-based activities.
- Climate Action Plan, 2024 and 2025: As hand harvesting of *A. nodosum* is a sustainable and renewable activity, the proposal aligns with the Government's climate action plan in relation to the Marine Environment. BioAtlantis' products also provide a means of enhancing crop yields (10% increase) without increased use of fertilizer and agrichemicals, thus aligning closely with the action plan.
- National Adaptation Framework Planning for a Climate Resilient Ireland, 2024: Drought is listed as a sectoral impact associated with climate change, due to impacts on crop growth and soil. BioAtlantis has developed a 'Molecular Priming technology' (based on bioactive compounds from *A. nodosum)* that enhances crop tolerance to drought stress. This technology has been validated by the Max Plank Institute and the University of Potsdam in Germany and by the Center of Plant Systems Biology and Biotechnology (CPSBB), Bulgaria, as part of a number of EU Horizon research projects (ref: Rasul *et al.,* 2021. *International journal of molecular sciences*, *22*(3), p.1469).
- Ireland's National Biodiversity Action Plan 2023–2030: The application aligns with targets specifying requirements for a licence to harvest seaweed. The application is compatible with biodiversity policies, as harvesting will be undertaken sustainably and with ecological monitoring. Studies also show that hand-harvesting of *A. nodosum* has no impact on overall biodiversity.
- Bioeconomy Action Plan 2023-2025: This proposal aligns with Government actions to support the development of the bioeconomy and steps needed to deliver on these actions, including facilitating opportunities for new high added-value biobased products and ensuring that enterprise, industrial and research policy support the goal of moving from research to industrial production with accelerated speed.
- The European Green Deal, EU Farm to Fork strategy (EC, 2020), EU biodiversity strategy for 2030 and EU soil strategy for 2030: The products developed by BioAtlantis are organically certified, listed by the Organic Materials Review Institute (OMRI), attested by EcoCert and are EU REACH compliant. These products provide a means of increasing yields (10%) with normal fertilizer and agrochemical use. The next step is to achieve the same yields with less agrichemical inputs. The products are safe to the environment, pollinators and humans alike. BioAtlantis has also developed a technology to restore soil health and function (MicroGrow®), thus aligning with relevant EU policies in this area.

(g) Blue Bioeconomy development along the western seaboard:
Coastal and marine areas along the west of Ireland face many challenges including:

- Rural population declines,
- Lack of economic opportunities,
- Lack of job creation,
- Challenges facing the Agri-sector,
- Increasing pressures associated with climate change and other environmental challenges.

These pressures are felt by communities and stakeholders throughout the western seaboard, and are experienced by people in a range of counties throughout the northwest, west and south west. However, the development of a thriving Blue Bioeconomy along the western seaboard has the potential to address some of these issues. Development of a Blue Bioeconomy, based on innovation, science and export of high value-added products, will require stakeholders from various counties along the western seaboard to work together to overcome these shared challenges. The indigenous Irish seaweed and marine biotechnology sectors are well established along the west of Ireland and have a proven track record in job creation and in stimulating economic growth in rural and coastal areas. BioAtlantis has been a key driver of this success and wishes to contribute further to sustainable growth in the Blue Bioeconomy in the west of Ireland, by expanding further and building strong relationships with local hand harvesters and other stakeholders in Co. Cork and Kerry.

BioAtlantis, a founding member the European Biostimulants Industry Council (EBIC), strives to position Ireland's seaweed industry as a global leader at the cutting edge of research and innovation, benefiting coastal communities and society by delivering highly innovative and sustainable applications. A stable supply of this essential raw material is required in order to maximise the potential of the industry and to create new jobs in the Blue Bioeconomy in rural, coastal and marine areas. A license granted to BioAtlantis will provide greater structure and opportunities to grow the harvesting industry and the Blue Bioeconomy, as it will:

- Provide sustainable quantities of renewable raw materials required to bring new environmentally friendly technologies to market, in crop, animal and human health areas.
- Facilitate investment in Ireland's indigenous harvesting sector, providing a sustainable income along the western seaboard, creating opportunities in coastal and rural communities in the process.
- Ensure responsible management of the sustainability of the resource, fostering collaboration between private and government interests to prevent impacts.
- Allow harvesters to be contracted or directly employed by BioAtlantis if they wish.

(h) About BioAtlantis:

BioAtlantis, an Irish-owned SME, was established with the vision of utilizing bioactive compounds sustainably derived from nature to solve significant environmental, societal and health problems. To realise this vision, the company had to invest in developing a cutting-edge R&D and engineering base, a highly automated be-spoke manufacturing facility and a technical sales and agronomy team to compete on the world market. BioAtlantis has become a leading innovator in the Irish bioeconomy, delivering environmentally friendly and sustainable solutions to its customers in over 30 countries worldwide. The company employs over 50 people in Ireland in a range of areas, including: science, engineering, skilled trades, sales, marketing and finance, and is committed to continuing its development as a major employer in the west of Ireland. A further 14 people are employed overseas in agronomy and technical sales, with subsidiary offices located in Brazil, China, India, Mexico and USA.

BioAtlantis has grown rapidly since 2004 and has developed an extremely strong scientific base. In line with its strong reputation as an innovator in the European biotechnology sector, BioAtlantis is a partner in a range of EU Horizon research projects and collaborates with over 20 universities worldwide. The company also collaborates with a range of universities in Ireland, co-funding scholarships in education, internships and graduate programs, and co-funding MSc and PhD students and Post Doctoral Researchers. BioAtlantis is part of the following organizations and groups: European Biostimulants Industry Council (EBIC), Circular Bioeconomy Cluster in south-west Ireland, Marine Ireland Industry Network, Marine Spatial Planning, Climate KIC – DAFM programme, Tech Industry Alliance and Kerry Sci-Tech.

BioAtlantis has invested heavily in its business and the foundations are in place to build a world-leading Irish biotechnology company based in the west of Ireland. BioAtlantis is well known in the Plant Biostimulant industry and has built a strong reputation as a company which prioritizes honesty and integrity. BioAtlantis has also taken the necessary steps to secure the protection of its intellectual property, with several international patents granted in the areas of crop, animal and human health. In recognition of the company's success, BioAtlantis' CEO, [redacted] was nominated for the EY Entrepreneur of the Year Awards, 2022, in the international entrepreneur category.

Bioactive compounds from seaweeds such as *A. nodosum* and *Laminaria* spp., are essential components of BioAtlantis' products and technologies, which provide substantial societal and environmental benefits, as follows:

- **Crops:** The AgriPrime product portfolio is a range of biostimulant technologies developed to aid growers in both organic and non-organic agriculture. These proven tools nourish crops from soil to harvest and help them cope with a variety of stresses and growth limiting factors, allowing crops achieve their genetic potential. Key technologies include:
  - **Oxidative stress reduction:** BioAtlantis has pioneered the development of a 'Molecular Priming' technology which mitigates the effects of climate change. The company's main product, SuperFifty® Prime, is a novel 'oxidative stress inhibitor' that works by modulating gene expression and inducing stress tolerance mechanisms in treated crops. SuperFifty Prime, works by 'priming' and preparing crops to tolerate and respond more efficiently to future 'abiotic' stresses, including adverse weather events associated with climate change, such as cold, drought, heat and water logging. Trials in Ireland and UK show that SuperFifty® Prime provides an extra 10% yield to potato growers, without the requirement for additional agrichemical inputs. SuperFifty Prime has been validated by the Max Plank Institute and University of Potsdam in Germany and by CPSBB, Bulgaria, as part of a number of EU Horizon projects, culminating in the publication of several research papers in high-impact international scientific journals. The technology was launched and featured in Irish Times on October 26th, 2023: ***"Science and seaweed combine to protect crops from climate change"*** (https://www.irishtimes.com/business/innovation/2023/10/26/science-and-seaweed-combine-to-protect-crops-from-climate-change). BioAtlantis was recognized for this innovation by receiving the *'Smart Technology Innovation Award'* at the 2024 Tech Industry Alliance Awards.
  - **Soil Health:** MicroGrow® improves the soil microbiome and microbial activity, fostering growth of beneficial microorganisms. The product targets early crop establishment, improving rooting and shoot formation and increasing yield.
  - **Fruit finishing and shelf-life:** AtlantiCal® improve fruit-finish and post-harvest shelf-life, with application at the fruit-sizing stage.
- **Animals**: BioAtlantis has developed a technology that modulates the immune system and gastrointestinal microbiome in animals. This pioneering product (LactoShield®) improves maternal immunity transfer to piglets, reducing the requirement for antibiotics and zinc oxide in the first six weeks of the piglet's life. Administered in the form of a feed supplement, this product provides a sustainable, effective and economical means of preventing infectious diseases and enhancing gastrointestinal health and performance, aligning with the Irish Government's *'One Health National Action Plan on Antimicrobial Resistance 2021-2025'*. LactoShield's efficacy has been validated by world-leading scientific experts in the School of Agriculture and Food Science, University College Dublin, Ireland.
- **Humans**: BioAtlantis is developing nutraceuticals targeting immunological, metabolic and stress-related conditions in humans. This technology is based on natural compounds that modulate biological processes, with efficacy proven in a range of cohorts. Our flagship nutraceutical is based on a unique composition that addresses immunological and metabolic problems.

(i) Concluding remarks:

To continue to bring societal and environmental solutions to market, BioAtlantis must grow and expand. The company's main barrier to growth is a lack of security over raw material supply. Issues with licensing and a lack of security over raw material supply have also been identified in the *"Ireland's Ocean Economy"* reports (2022, 2023 and 2024), as major barriers to the growth of the seaweed, marine biotechnology and bio-products industry. BioAtlantis requires the Government to take the necessary steps to regulate seaweed harvesting to ensure that it benefits all relevant stakeholders, including seaweed harvesters and indigenous Irish companies. Regulation and licensing is also necessary in order for the Government to meet its targets and goals in relation to environmental sustainability, climate mitigation and development of the blue bioeconomy. Granting a license to BioAtlantis will allow for improved management of sustainable harvesting, in line with EU and Irish environmental laws, whilst also helping to drive the development of the blue bioeconomy along the western seaboard of Ireland. A partnership approach with local hand harvesters in Kenmare Bay will be central to this, and as the technologies the company brings to the market are novel, BioAtlantis will be able to pay harvesters a competitive price for harvested seaweed.

The vision of BioAtlantis in 2004 was to research, produce and market products that enhance crop, animal and human health. The technologies are proven and can be produced at scale to fulfil market requirements for natural and safe products, equally as effective as synthetic chemicals. The only significant barrier to market entry is a sustainable supply of seaweed harvested in Ireland. This can be resolved by following the regulatory process and issuing a license for the sustainable harvesting of seaweed, as outlined in this application. BioAtlantis welcomes all comments regarding this proposal, and invites interested members of the public to contact the company directly if they wish to discuss any aspects of the proposal further.

2.4 Describe the nature and scale of any structure to be erected in the maritime area.

No structures will be erected in the maritime area under this license.

2.5 Proposed licence duration and reasons for proposed duration.

A licence is sought for a duration of up to 10 years.

2.6 Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.

Start date: Subject to being granted a license, the activity will begin shortly thereafter. Duration: 10 years.

2.7 Do the proposed maritime usages provide for public use, commercial use or private use? Provide details.

The maritime usage involves the sustainable hand harvesting of *Ascophyllum nodosum* seaweed. The harvested seaweed will be used for commercial purposes, in particular the development of high value added products and technologies for the plant, animal and human health markets.

2.8 Could the proposed works restrict public use/enjoyment of the nearshore e.g. fishing, sailing, surfing, swimming, walking or other activities? Provide details.

Activities related to hand harvesting of *A. nodosum* are temporary in nature and localised to the shoreline in the intertidal zone, whilst also involving transfer of harvested *A. nodosum* to pick up points such as established piers and harbours. Given the temporary nature of these activities, they are unlikely to restrict public use/enjoyment of the nearshore, e.g. fishing, sailing, surfing, swimming, walking or other activities. In preparing this application, BioAtlantis assessed the nature and extent of human activities in the bay (see Appendix 7 of the Proposal document to this application), to identify and introduce measures where required, to prevent in combination and cumulative effects with other activities. Interactions with public or foreshore users will be minimal and mitigation measures are in place to prevent such interactions, including those related to marine users, businesses, other relevant stakeholders and marine and coastal activities such as seaweed harvesting, tourism, sport, leisure, recreation, periwinkle collection, angling, fisheries and aquaculture activities (see Appendix 4). Appendix 10 provides details regarding fish, crustaceans and shellfish of commercial relevance.

2.9 Please outline any engagements that have taken place with marine users or other stakeholders in the proposed area that may be affected by the proposal and attach supporting documentation where relevant.

BioAtlantis has been in contact with a number of local harvesters and other relevant parties in the Kenmare Bay area.

2.10 Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc.) or State Agencies. e.g. National Parks & Wildlife Service, National Monuments Service of Department of Housing, Local Government and Heritage.

BioAtlantis consulted and liaised with the following relevant authorities and state agencies:

- **Department of Housing, Local Government and Heritage (DHLGH):** BioAtlantis applied to the Foreshore Unit of the Department of Housing, Local Government and Heritage (DHLGH) for a foreshore license to hand harvest *Ascophyllum nodosum* seaweed in Kenmare Bay on the 27th June 2022 (ref: FS007554).
- **National Parks and Wildlife (NPWS):** BioAtlantis liaised with the NPWS regarding the conservation requirements for the Kenmare River SAC (002158) and to obtain shapefile(s) with Marine Community type data as part of the Site Specific Conservation Objectives for Kenmare River SAC.
- **Property Registration Authority of Ireland** (merged with the Valuation Office & Ordnance Survey Ireland, as part of Tailte Éireann): BioAtlantis liaised with the PRAI to identify the nature and extent of existing seaweed rights within and in the vicinity of the licence area. A report outlining the results of the assessment is provided.

2.11 Please provide the reference number and title of any existing Foreshore licence you may hold within the footprint, or otherwise in the vicinity of the proposed Maritime Usage area.

The applicant does not hold any existing foreshore license within the footprint or otherwise in the vicinity of the proposed Maritime Usage Area.

2.12 Please provide the reference number of any current application for a Foreshore Licence to the Minister for Housing, Local Government and Heritage. Does this application for a foreshore licence relate to or impact any part of the maritime area the subject of this licence application? If so, please provide details of the foreshore licence application.

FS006269: Foreshore License application to sustainably hand-harvest *Ascophyllum nodosum* seaweed in Clew Bay (November 4, 2014). This application was accepted by the Maritime Area Regulatory Authority (MARA) for consideration for a Maritime Usage Licence (MUL) under Schedule 7 of the MAP Act 2021, meeting the transitional provisions of Section 1E (5(A)) of the Foreshore Act (ref: MUL240043). The application does not relate to or impact any part of the maritime area which is the subject of this current licence application in Kenmare Bay.

2.13 What environmental reports, if any, have you submitted with this application?

(Supporting information for screening for Appropriate Assessment/ Natura Impact Statement/ Risk Assessment for Annex IV Species/ Assessment of Impact on the Maritime Usage Report)

The following environmental reports are included with this application:

- Assessment of Impacts of the Maritime Usage (AIMU) Report
- Proposal document and associated appendices.
- Supporting Information for Screening for Appropriate Assessment (SISAA).
- Natura Impact Statement (NIS).
- Risk Assessment for Annex IV Species.

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Part 3: Location and Spatial Extent of Proposed Maritime Area (Attach additional documents as required)

3.1 Location of proposed Maritime Usage

The Maritime Usage is located in Kenmare Bay, consisting of a range of coastal and island zones within the intertidal zone, as outlined in the attached maps.

3.2 Total size of the proposed Maritime Area (in m^2, ha or km^2, as appropriate).

Total area of harvestable zones: 239.14 ha.

3.3 Please provide the distance of the main body of the proposed maritime area from the shore at its closest point in km.

The main body of the proposed maritime area is the intertidal zone. This maritime area is within 1 km of the shore.

3.4 Is any of the maritime area in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio).

The maritime area is primarily in State ownership. A number of islands are privately owned and listed in the attached report on existing seaweed harvesting rights in Kenmare Bay (see point 3.5 below). Harvesting will not take place in privately owned maritime areas without prior consent of the property owners.

3.5 Any other site details considered relevant:

BioAtlantis liaised with the PRAI to identify the nature and extent of existing seaweed rights within the licence area. Following an in depth examination of Land Registry folios, a number of folios have been identified that specify existing appurtenant rights in relation to the gathering or removal of seaweed in Kenmare Bay. There are also folios containing burdens with seaweed-related rights in certain areas. Folios that refer to seaweed in the license area were identified. This is described in a separate report, along with maps showing the location of these harvesting rights. BioAtlantis will not harvest in any area where existing appurtenant rights and burdens exist in relation to seaweed, without first obtaining permission from the owner of such rights. See attached report "Assessment of the nature and extent of seaweed harvesting rights in Kenmare Bay", for further details.

Where Profit-à-Prendre rights to harvest seaweed are successfully registered with the PRAI, the harvesting plan will be adjusted to ensure that those individuals can continue to harvest *A. nodosum*. It is envisaged that a clause will be inserted into the licence that will issue to allow the harvesting of *A. nodosum*, stating that if a Profit-à-Prendre right holder provides sufficient proof of their right, the licensee would be prohibited from harvesting in that area, without first obtaining permission from the owner of such rights.

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Part 4: Maps and Drawings.
Please refer to Technical Guidance on map and drawing requirements.

4.1 **Please draft a map, titled "Licence Map", outlining the proposed Maritime Area in accordance with the Technical Guidance for Maritime Area Licence Applications and submit same with this application.**

4.2 **Please submit GIS Shapefiles, in accordance with the Applicant Technical Guidance Note and submit same with this application.**

4.3 **Please list any Admiralty Charts, Maps, GIS Shapefiles and/or other Drawings submitted with this application.**

The following maps and GIS files are included with this application:

No.	Type	Status
1	Licence Map (Kenmare Bay)	This includes harvestable areas; provided as a stand-alone document.
2	GIS_FILE_MULKenmareBay	Provided as a stand-alone Zip file.
3	Admiralty map with Licensing area	Provided as a stand-alone document.
4	Archaeological sites (map, Kenmare Bay)	Attached to report entitled "Appendix 1: Archaeological sites".
5	Harbour Seal and Bird sites (map, Kenmare Bay)	Provided as a stand-alone document.
6	Otter sightings (map, Kenmare Bay)	Attached to report entitled "Appendix 9: Assessment of Otter (Lutra Lutra) distribution in Kenmare Bay".
7	SPAs and SACs (map, Kenmare Bay)	Provided as a stand-alone document.
8	pNHAs and NHAs (map, Kenmare Bay)	Provided as a stand-alone document.
9	Aquaculture and shellfish (maps, Kenmare Bay)	Provided as a stand-alone document.
10	Areas associated with appurtenant rights or burdens in relation to seaweed within Kenmare Bay.	Attached to report entitled "Assessment of seaweed harvesting rights (subject to legal privilege)"

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Part 5: Fishing/Aquaculture Considerations:

5.1 Is the proposal located in proximity to any of the following:

- **aquaculture operation**
- **designated Shellfish Growing Waters**
- **fish spawning ground**
- **other sensitive fisheries location**

Please Illustrate on appropriate chart including distance in Km.

Information regarding fisheries, aquaculture operations, designated Shellfish Growing Waters, fish spawning grounds, and other sensitive fisheries locations is provided in documents submitted with this application, including:

- The Assessment of Impact on the Maritime Usage (AIMU) report.
- Appendices to the Proposal document:
  - Appendix 5: Impact assessment of *A. nodosum* harvesting activities in Kenmare Bay.
  - Appendix 7: Assessment of cumulative and in-combination effects associated with harvesting *A. nodosum* in Kenmare Bay.
  - Appendix 10: Assessment of fish, crustaceans and shellfish of commercial relevance in Kenmare Bay.
  - Appendix 11: Assessment of compatibility with MSP policies and activities in Kenmare Bay.

Maps showing DAFM licensed aquaculture sites, SWD shellfish waters, Harmful Algal Bloom (HABs) Shellfish Inshore Production Areas and HABs Shellfish Inshore biotoxin sampling areas, are also provided in a standalone document (see index in Appendix 2).

5.2 Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.

No significant impacts with fishing/aquaculture are expected. Hand harvesting of *A. nodosum* is restricted to the intertidal zone, where this species naturally occurs. These areas, typically characterized by reef habitats, are generally unsuitable for aquaculture, resulting in minimal overlap. Similarly, intertidal harvesting is unlikely to interfere with wild fisheries, as most commercial fishing activity takes place subtidally or offshore. Overall, the risk of interaction with fishing or aquaculture activities is considered low. Hand harvesting activities may have the potential to exacerbate effects which may be associated with licensed aquaculture activities, such as potential disturbance at sites of relevant to harbour seals, for which mitigation is required.

5.3 Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.

Measures to prevent interactions or impacts with fishing/aquaculture are described in the "Code of Practice for hand harvest activities in Kenmare River SAC". Measures are also outlined in the Code of Practice to prevent interactions that could lead to disturbance at sites relevant to harbour seals (see Part 9 & 10, Appendix 4 of the application).

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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 the applicant or the applicant's agents on the proposed site, without a valid licence from MARA. The granting of any Maritime Usage Licence will not give rise on the part of the applicant to any expectation whatsoever for, right or entitlement to a grant of any future licence in respect of all or any part of any area of the Maritime Area.

By submitting this application form, the applicant agrees that the details provided (with personal contact details redacted) are to be published on MARAs website and also that the full information provided including contact details are to be processed and retained by MARA and shared with all relevant public authorities in furtherance of consideration for a Maritime Usage Licence under the MAPA.

I give consent to MARA and its agents to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to supporting documentation submitted with the application, to any further information, or submission provided by the applicant or on the applicant's behalf, including any supplementary material submitted in response to a minded to determine notice in respect of this licence application, and to the publication of the licence document.

Signed for and on behalf of the applicant:

[redacted]

Name of signatory (block letters):

[redacted]

Position Held:

C.E.O.

Date:

30th of July, 2025

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Applicant Checklist	
Document	**Included**
Application Form **(Parts 2 to 5 inclusive)**	☒
Supporting Information for Screening for Appropriate Assessment (SISAA) Report	☒
Risk Assessment for Annex IV Species Report	☒
Natura Impact Statement (NIS), if initially included	☒
Assessment of Impact of the Maritime Usage (AIMU) Report	☒
Schedule of Works	☐ *Not provided: Seaweed harvesting is classified as a human activity under Irish law and is not defined as "works".
Licence Mapping (including GIS Shapefiles)	☒
Other (Please list below)	

Other
A complete list of documents submitted with this application is provided below: • Risk Assessment for Annex IV Species Report • SISAA Report • Natura Impact Statement (NIS) • AIMU Report • Proposal Document • Appendices to Proposal document: - Appendix 1, Archaeological sites - Appendix 2, Index of Maps and GIS files - Appendix 3, Compliance & Record forms

- Appendix 4, Code of Practice
- Appendix 5, Impact Assessment
- Appendix 6, Assessment of Bird species
- Appendix 7, Assessment of cumulative and in combination effects
- Appendix 8, Audit Forms
- Appendix 9 Assessment of Otter distribution
- Appendix 10 Assessment of Fish and Shellfish
- Appendix 11, Compatibility with MSP Policies

• Assessment of seaweed harvesting rights (confidential and subject to legal privilege).

Maps and GIS files included with this application are listed in Part 4 above.

***NOTE:** A 'schedule of works' is not provided, as seaweed harvesting is classified as a human activity under Irish law and is not defined as "works." Details of the application, including the Investigation/Initial Phase and the Operation Phase, are outlined in the AIMU report and the Proposal document, along with its associated appendices.