Mike Walsh

Capel Villa, Knockadoon, Ballymacoda, Co. Cork. P25RW25 085-7749955 mike@mikewalsh.te





28th May 2018

Department of Agriculture, Food and the Marine National Seafood Centre Clonakilty Co. Cork

Ref: Aquaculture/Foreshore Licence Applications: T05/395, T05/482A, T05/482B, T05/491A, T05/517A, T05/517B, T05/545, T05/575, T05/595

To whom it may concern,

With respect to the following Aquaculture/Foreshore Licence
Applications: T05/395, T05/482A, T05/482B, T05/491A, T05/517A, T05/517B,
T05/545, T05/575, T05/595 I would like to make the following submission on behalf of
the Capel Clean Coast group which is a sub-committee of the
Ballymacoda/Ladysbridge Community Council and is supported by An Taisce.

I have split this submission into a few headings for the sake of clarity:

- 1. Noise/Aural Pollution
- 2. Requirement for Marking of Sites
- 3. Site Access
- 4. Visual Impact on Amenity of Youghal Bay
- 5. Waste Removal Requirements
- 6. Coastal Recreation
- 7. Conclusion

1. Noise/Aural Pollution

Aquaculture and Foreshore Licences T05/482 and T05/491

In an appendix to the subject licences on Operational Requirements, a number of stipulations are made.

"In order to minimize the disturbance of birds, habitat and the local community the following conditions should be adhered to"

One of these stipulations is the following-

"Access to the licensed site should be limited, as much as possible, to daylight hours, so as to limit disturbance to local residents"

Noise/Aural Pollution - The Reality

The operators pay no heed whatsoever to this and it really is little wonder when it employs such meaningless terms as "should be" and "as much as possible".

Wording of future licenses, if granted, should be hardened to provide better protection to local residents with terms like "should be" replaced by "shall" and "as much as possible" replaced by "without exception"

Furthermore, given the disparity in "daylight hours" between mid June and mid December, it is rendered even more meaningless, and should be replaced with 'between the hours of 08.00 and 18.00 Monday to Friday"

The reality is that local residents, as well as birds and habitat, suffer from this aural pollution twice daily, every day, regardless of the time of day, which is dictated purely by the timing of the tides, except for those few days each month when very weak neap tides do not allow a sufficiently long work window to justify operations commercially for the operators.

2. Requirement for Marking of Sites

Aguaculture and Foreshore Licence T5/395

Additional condition for Foreshore Licence (front cover)

"The Licensee shall cause the site to be marked by ten posts, projecting two metres above sea level at highest astronomical tide and with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map."

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall indicate the presence of the licensed area by erecting posts with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map. All posts to be constructed in accordance with guidelines supplied by the Department of Communications, Marine and Natural Resources. The posts to project two metres above sea level at highest astronomical tide. All posts to be erected prior to the placement of any structures within the licensed area."

Actual Marking of Sites

Of the eight navigation marks stipulated, only three are complete with topmarks, two of which are tilted. The others are reduced to black stumps, which are not visible at high tide.

The accompanying photos (marker 1.jpg, marker 1.jpg) were taken at high tide on Thursday May 24th 2018 with a high water mark of 3.4m, whereas spring tides produce high water marks of up to 4.5m. (Please note that the 8th marker was not visible at 3.4m high tide but 5 of them would not be visible at 4.5m high tide.) The accompanying photo (Wide Shot.jpg) shows just how hard it is to see the markers from even a short distance away with only 2 being visible on the left of the photo.

Drawings attached to renewal applications for the above sites show markings required at the following Grid Coordinates

Easting	Northing	Comment
207511	71565	OK Standing
207395	71663	Standing but tilted
207454	71944	Broken - no topmark - not visible at high tide
207542	72160	Broken - no topmark - not visible at high tide
207625	72202	Broken - no topmark - not visible at high tide
207870	72120	Standing but tilted
208182	71937	Broken - no topmark - not visible at high tide
208027	71573	Broken - no topmark - not visible at high tide
	207511 207395 207454 207542 207625 207870 208182	207511 71565 207395 71663 207454 71944 207542 72160 207625 72202 207870 72120 208182 71937

3. Site Access

Aquaculture and Foreshore Licence T5/395

7. Traffic to and from the site shall be confined to the access route shown in blue on the map annexed hereto.

In fact, the Operators of the site, instead of using the designated access route which is almost directly due north from the point of access on the foreshore, have excavated a route through natural mussel beds to the east of that point.

Aquaculture and Foreshore Licences T05/482 and T05/491

These licences are silent on the subject of access but all operators of the three existing sites use the same access point from the foreshore.

Furthermore the operators use a narrow public road to access the foreshore from their machinery complex several hundred metres away. The constant pounding taken by this road by the constant passing of heavily laden trailers and other heavy equipment has caused the roadway to become heavily potholed and in places it has disintegrated entirely. As can be seen from the accompanying photos (Road 1.jpg, Road 2.jpg, Road 3.jpg, Road 4.jpg) debris/litter is also found on this road relating to their operations.

4. Visual Impact on Amenity of Youghal Bay

Youghal Bay is unquestionably one of the most visually attractive pieces of coastline in the county, if not the country – enjoyed by many over the years for various leisure activities.

It is used by walkers, bird watchers, horse - riders, anglers, swimmers, sailors and many families just having a peaceful day out with a picnic by the sea, as well as those who make a living, fishing shrimp, lobster and other varieties from Knockadoon.

The amenity value has been significantly enhanced in recent years through the many projects that have been undertaken by the Knockadoon Enhancement Project (KEP).

Of the many projects that have been completed, the standout is clearly the coastal walks that have been developed from Barry's Cove to the old lookout post on Knockadoon Head. There are plans to extend the walk this year to Glenawilling, which will allow walkers to do a full loop of Knockadoon Head.

These walks have been hard-cored and railed off and include many features including picnic areas, seating and many other features to enhance the walking experience.

The negative visual impact of the rusting trestles (which are highly visible at low tide) and the noise generated by the heavy machinery seriously detract from the visual and aural enjoyment of this amenity. What is truly remarkable is that volunteers from within the community have undertaken all these projects, with very little recourse to bought-in services.

Most of these volunteers also take part in our beach cleanups and are frustrated by the fact that, as is demonstrated in the photographs enclosed (Bags1.jpg, Sample.jpg, Beach 1.jpg, Beach 2.jpg, Beach 3.jpg and Beach 4.jpg), the vast majority of the litter collected, emanates from the aquaculture activities in the bay, further detracting from the visual enjoyment of these wonderful walks.

We would much prefer to be working on the development plans to enhance the amenity value of the bay rather than collect litter illegally discarded by those profiting while failing to fulfill their responsibilities.

We are also frustrated that those charged with the responsibility of monitoring the aquaculture activities in the bay have failed to enforce the licence stipulations that are currently being, and have been so consistently and flagrantly breached for many years.

5. Waste Removal Requirements

Aquaculture and Foreshore Licence T5/395

Clause 5 of this licence stipulates that-

"The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant bags and trestles, mesh, waste products or materials associated with the development"

Clause 8 states that-

"The Licensee shall ensure that the bags and trestles, clam mesh and frames bear the licence number FCL 570"

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and shall make adequate provision for the prompt removal and disposal of all wastes (including shells) from those areas."

Actual Waste Removal Activities

It is clear that the operators of these sites pay no more than lip service to their responsibilities in this regard. Widespread littering of the coastline from Knockadoon Head to Ring Point as well as the strand from Pilmore to Redbarn is now commonplace. Despite several letters of complaint to the operators and the Department of Agriculture Food and the Marine (DAFM) over the past ten years or more, this littering continues unabated.

We have organised several cleanups in the affected areas and, as the enclosed photographs (Bags1.jpg, Sample.jpg, Beach 1.jpg, Beach 2.jpg, Beach 3.jpg and Beach 4.jpg) clearly demonstrate, the vast majority of the items collected emanate from the aquaculture operations in the bay.

With regard to the requirement to mark bags etc. with the operators licence number, we can only assume that the operator is ignoring this as no bags have been found with such markings.

6. Coastal Recreation

The coastline from Knockadoon Head to Ring Point is used by walkers on a daily basis and as the area is quite sheltered is also used by many kayakers and leisure craft especially during the summer months.

There have been several near misses in the past few years due to the area being poorly marked including one gentleman whose engine got stuck on a trestle during a rising tide. Luckily he escaped without injury. Also people have received cuts and grazes from hooks buried in the sand. The accompanying photo (Beach 2.jpg).is very telling as it shows how much of the debris is camouflaged by the seaweed on the shore. At first glance it just looks like seaweed but on closer inspection you can see several rubber bands and metal hooks.

The nearby Greenlands strand is very busy during the month of July as up to 200 children learn to swim during Swim Week. We need to do avery thorough beach clean prior to this week to try and make the beach as safe as humanly possible.

The volume of walkers is increasing all of the time as volunteers in the Knockadoon Enhancement Project continue to develop walks in the area, helping to make East Cork an active outdoors destination however the visual impact of the oyster beds and the debris associated with them is detracting from the otherwise beautiful vistas.

7. Conclusion

To sum up, it saddens me to see such blatant disregard for our natural environment, not just from the operators themselves but from those who are supposed to be 'policing' them. The Ballymacoda Bay Area includes a Special Area of Conservation (NPWS Site code 000077) and a Special Protection Area (NPWS Site code 004023), however little seems to be offered by way of protection of these sites from the unabated littering and blatant disregard for the safety of the coastal community who use the area on a daily basis. Volunteer groups like Capel Clean Coast are stretched to breaking point trying to ensure a safer and cleaner environment for all.

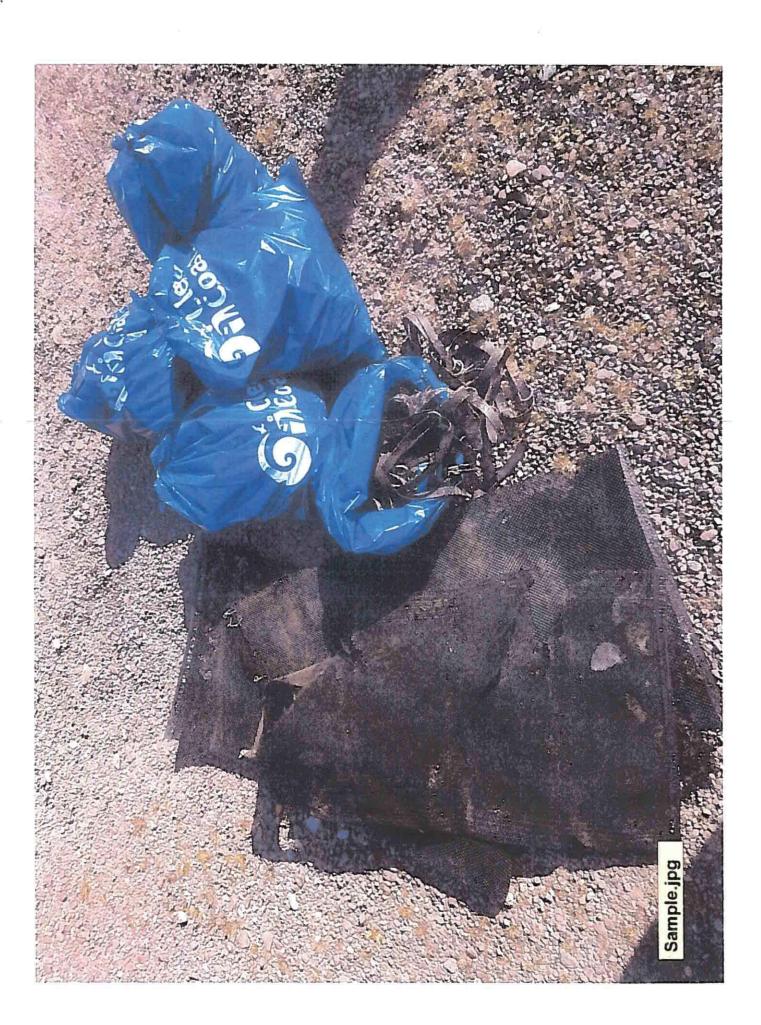
Some Recommendations

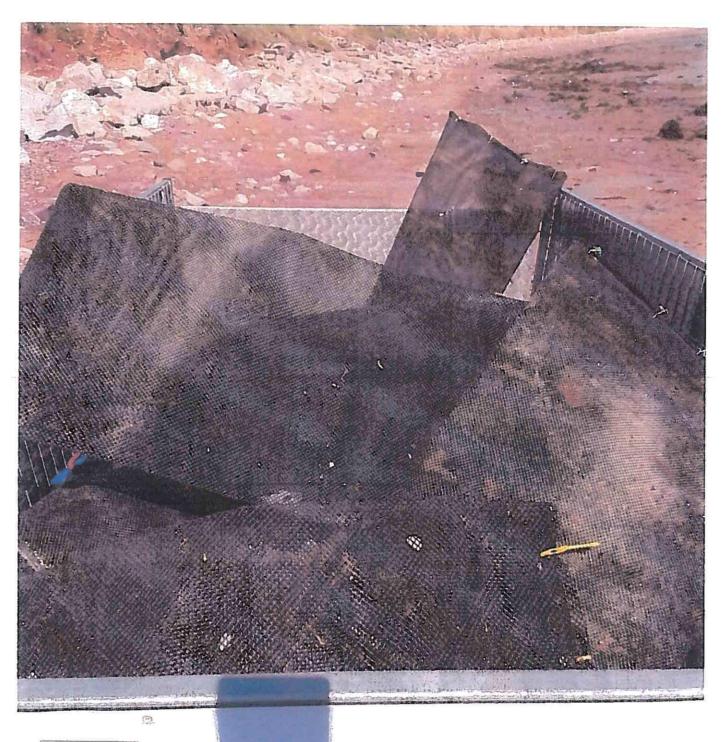
- The operators in the Ballymacoda Bay area should be stripped of their licenses, even if only to highlight to others that blatant and continued disregard for the stipulations of their licenses will not be allowed.
- A system should be put in place to monitor the activities of all foreshore operators including the correct use of and deployment of markers around their site.
- All rubber ties, hooks and bags should be made of highly visible material (possibly fluorescent). This would aid in their discovery among the seaweed and make it safer for walkers.
- 4. All bags and ties should carry a marking unique to each operator.
- Each operator should engage with their local clean coasts group with a view to scheduling cleanups by the operator. This would help monitor the amount of cleanup work done by the operators.

I hope you find this submission satisfactory. If you have any questions or would like a digital copy of this document or any of the enclosed photos then please contact me at the above email.

Regards,

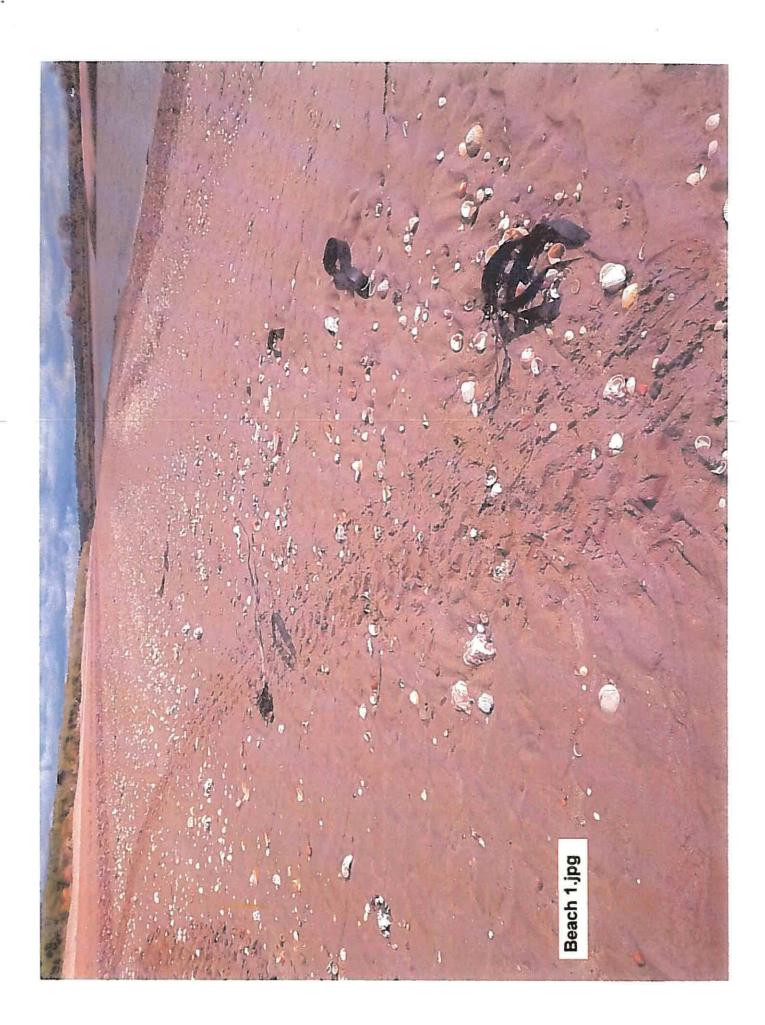
Mike Walsh

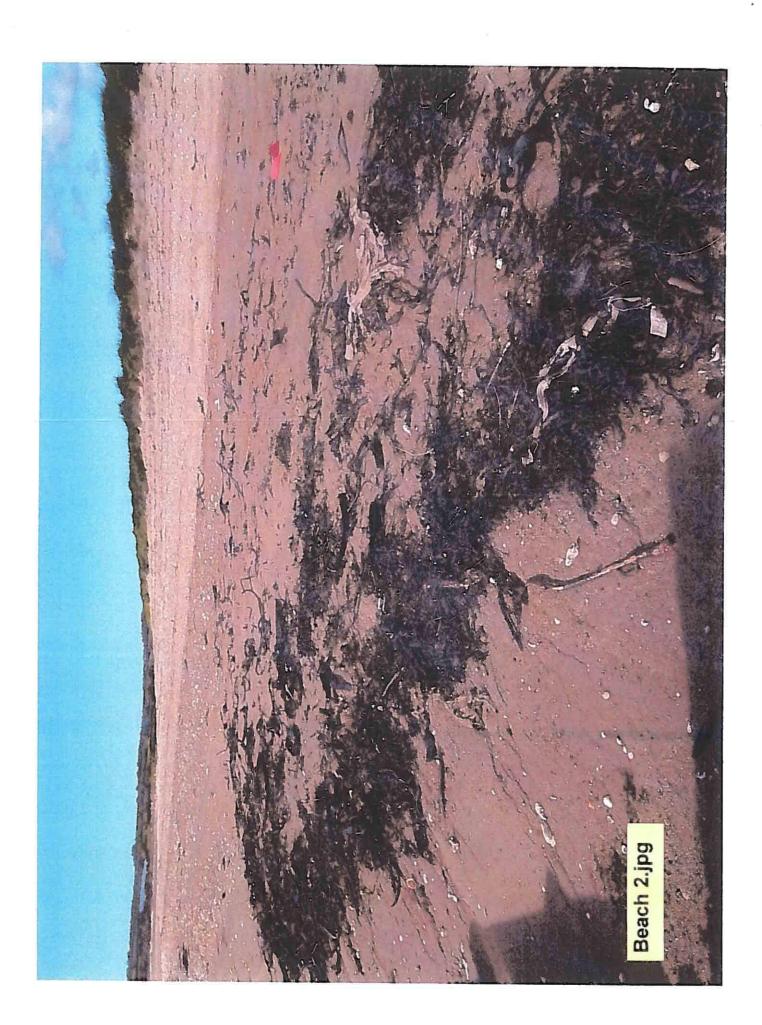


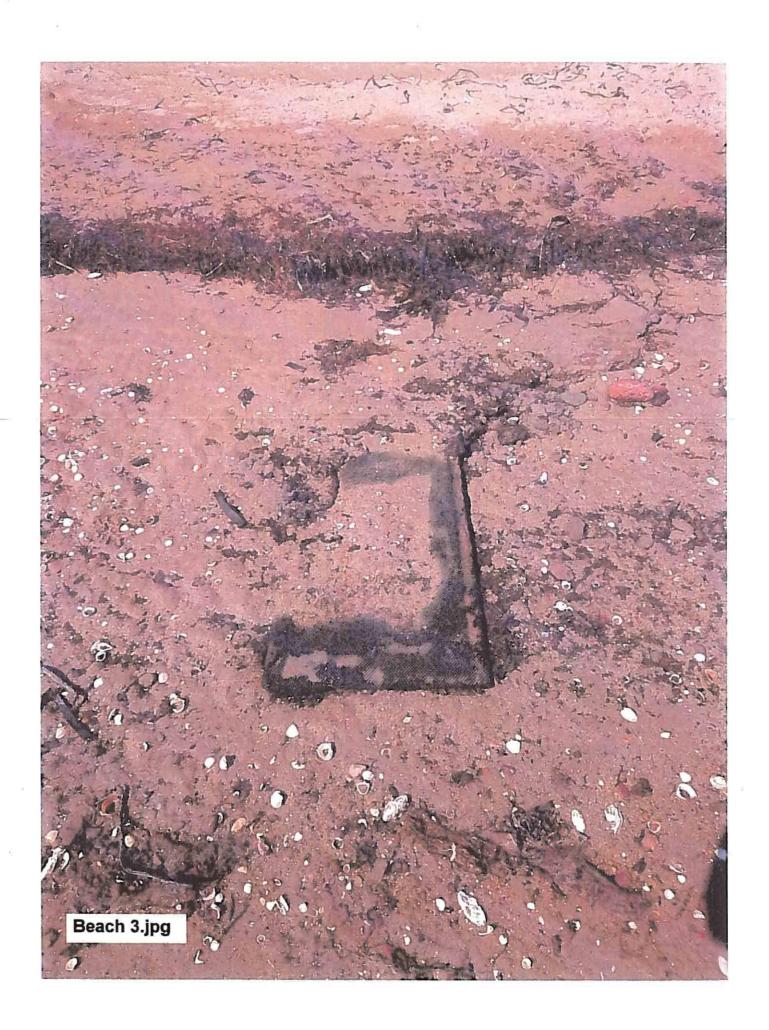


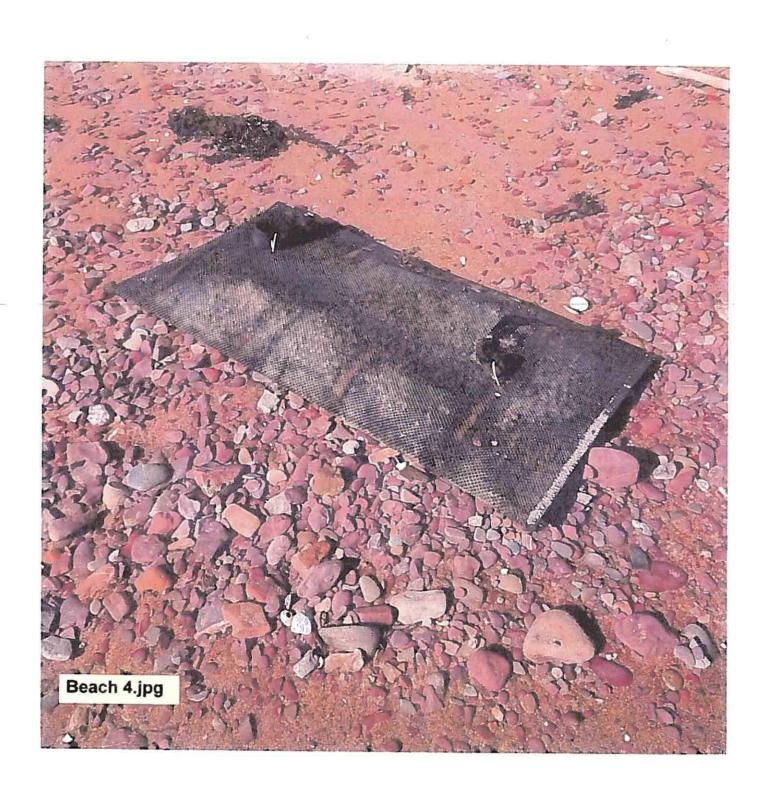
Bags1.jpg

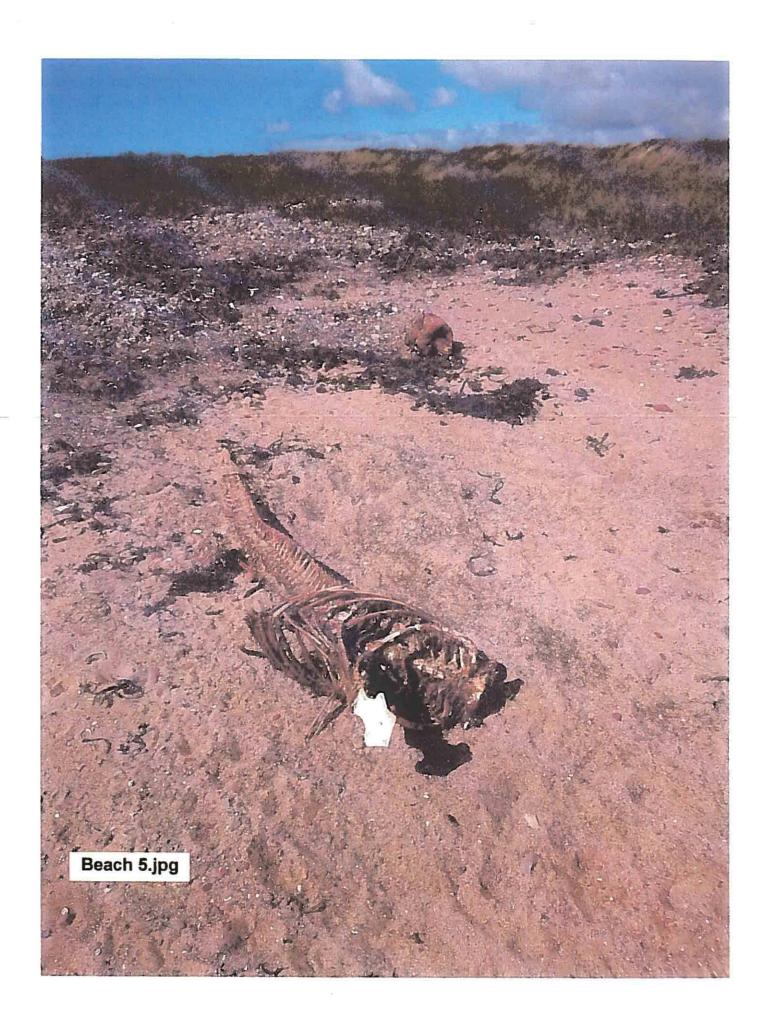


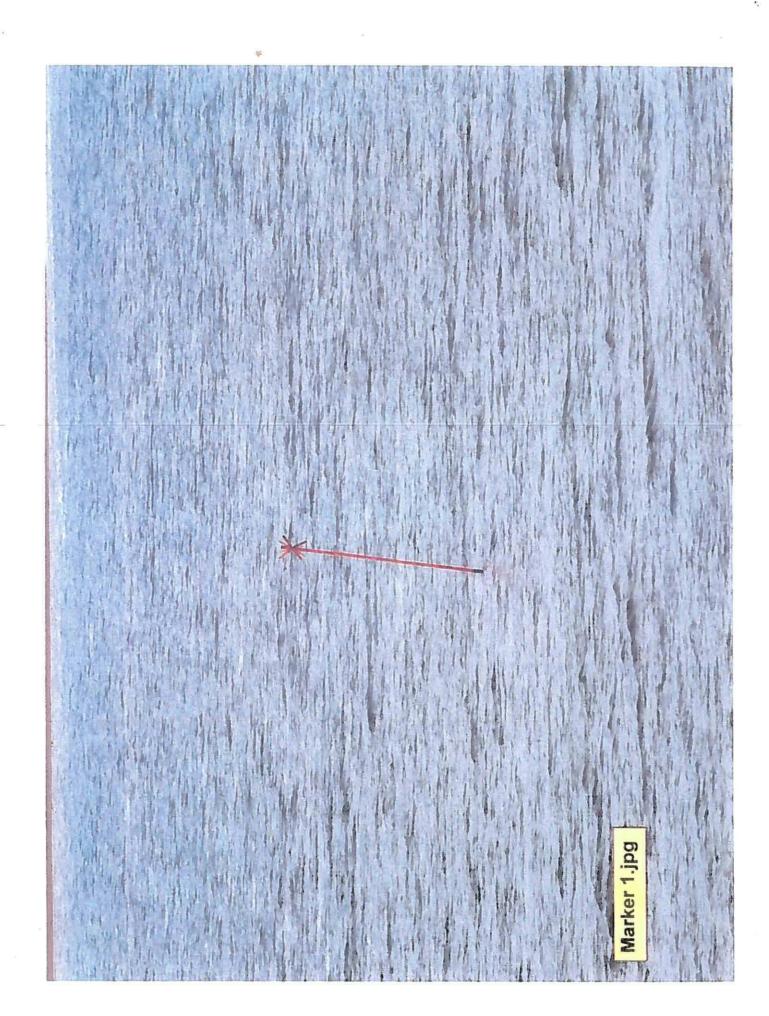


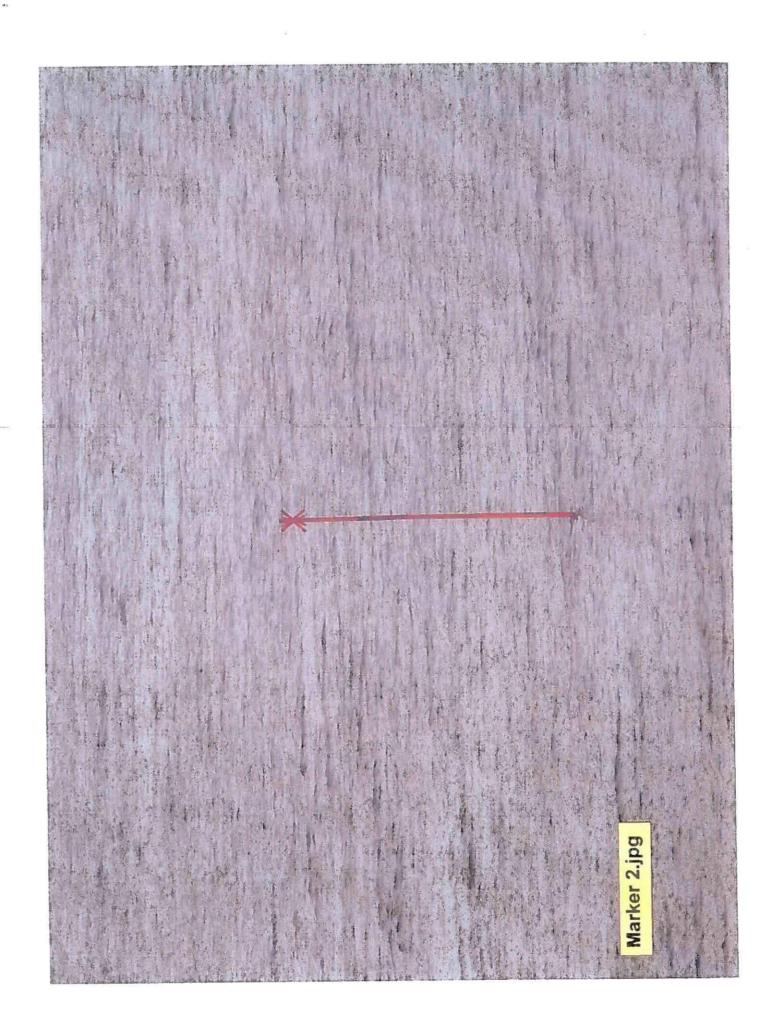




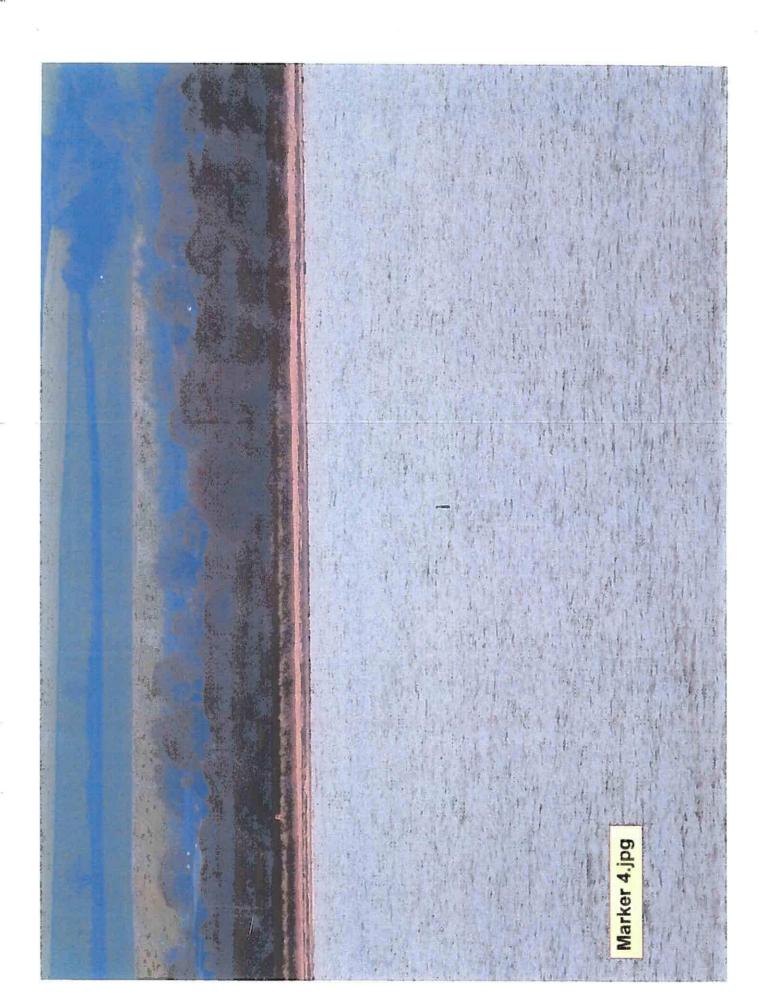




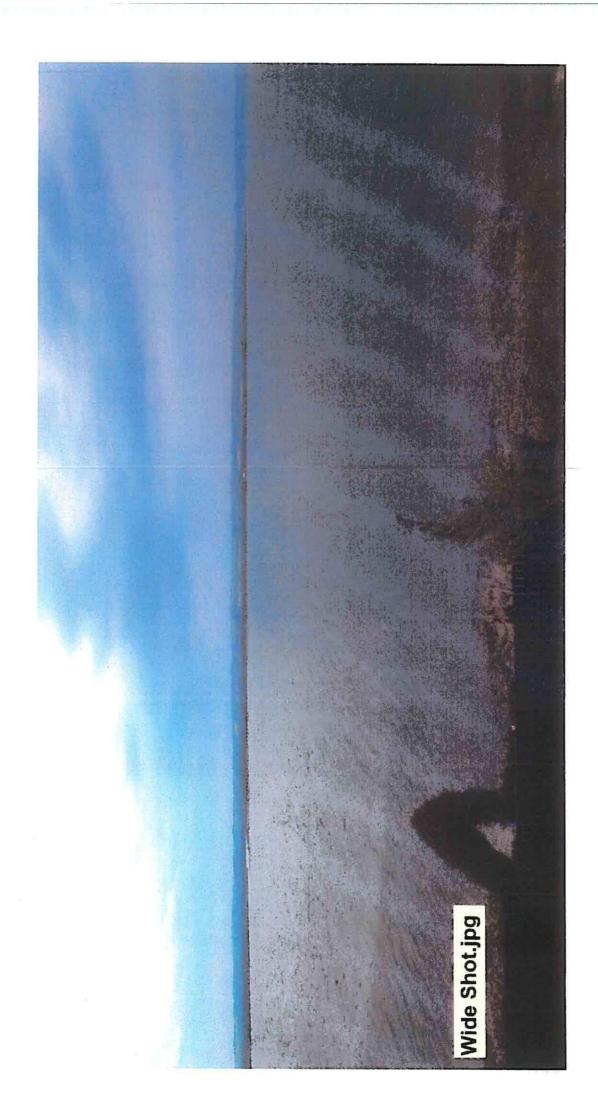


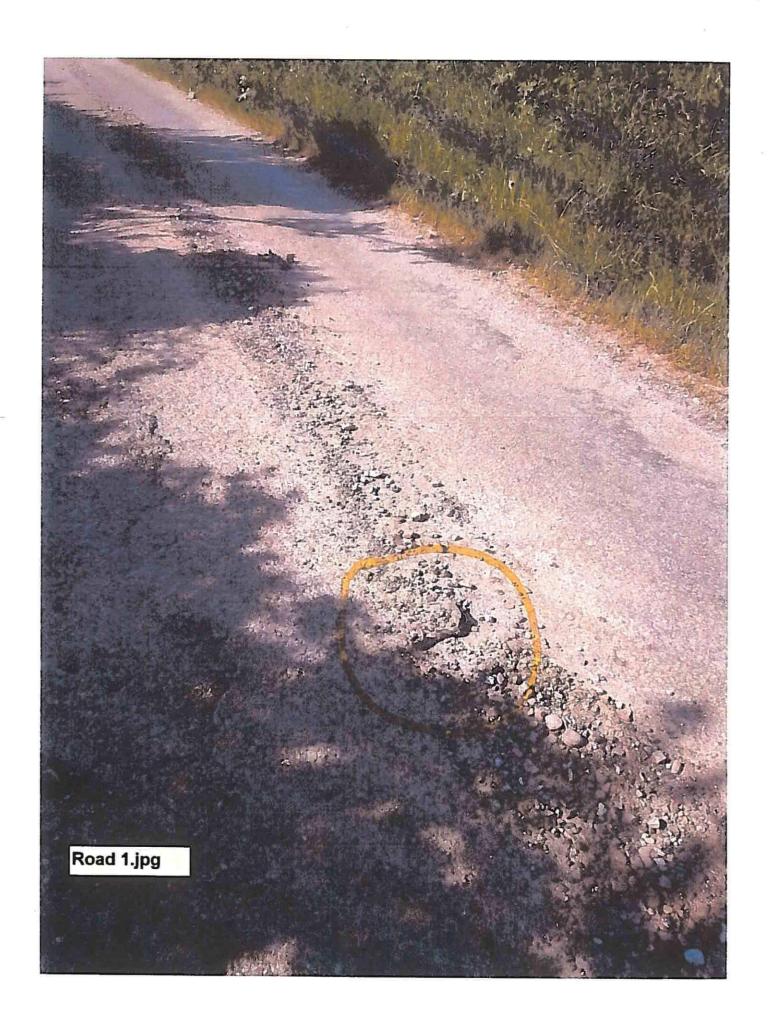


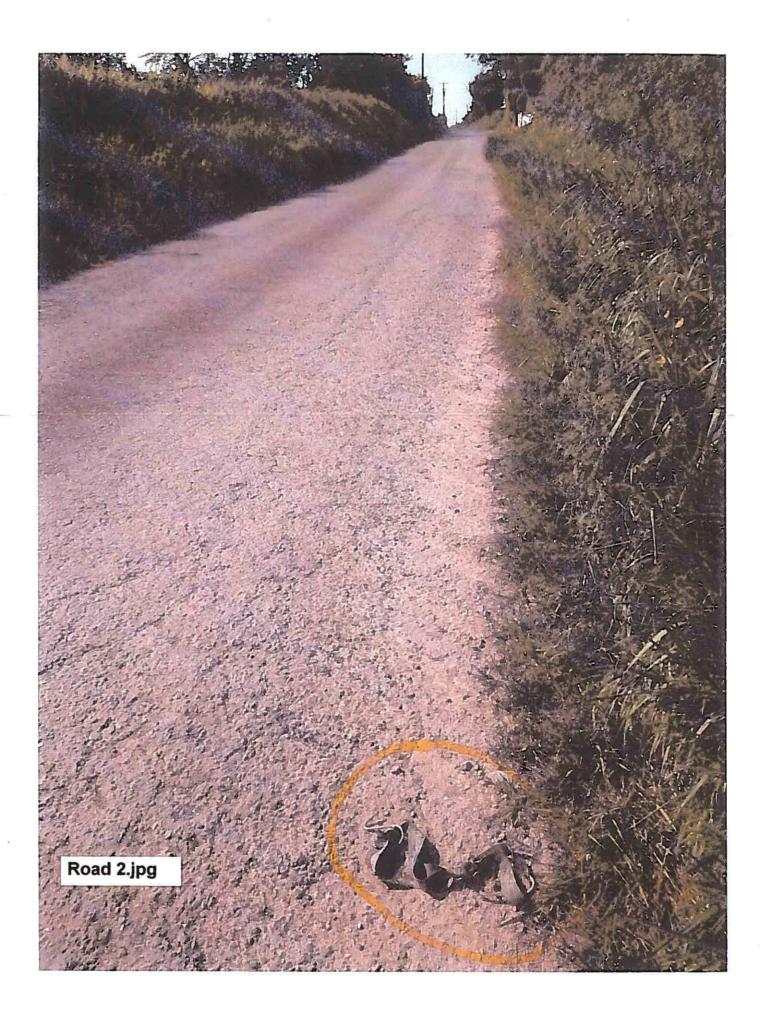


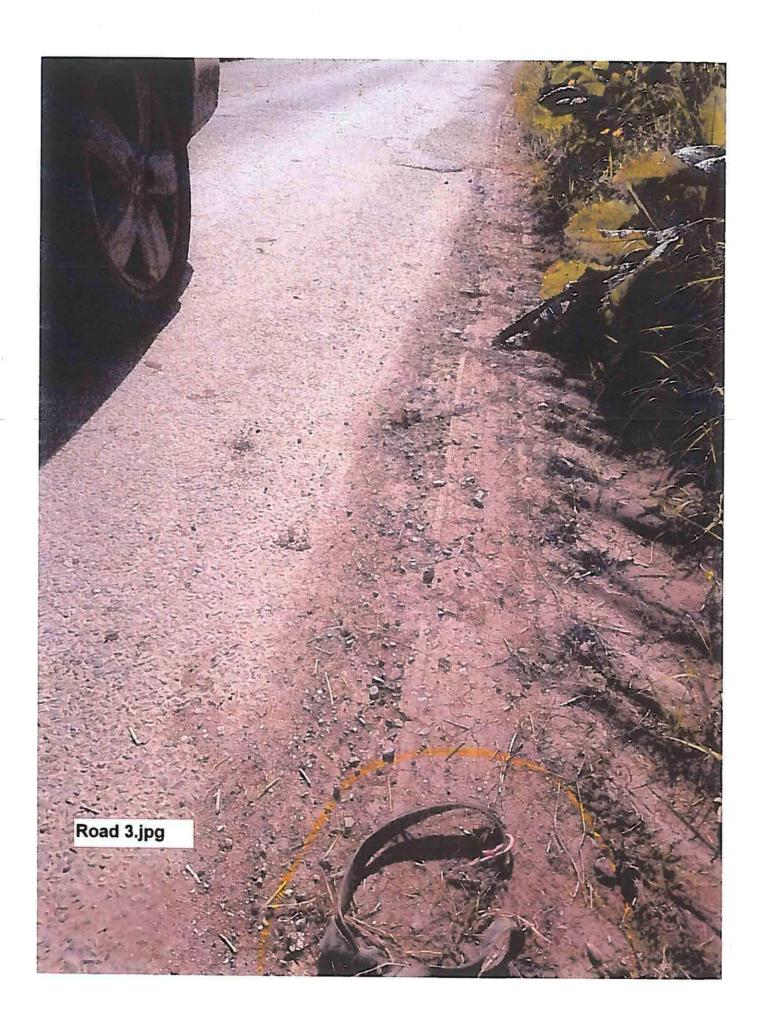


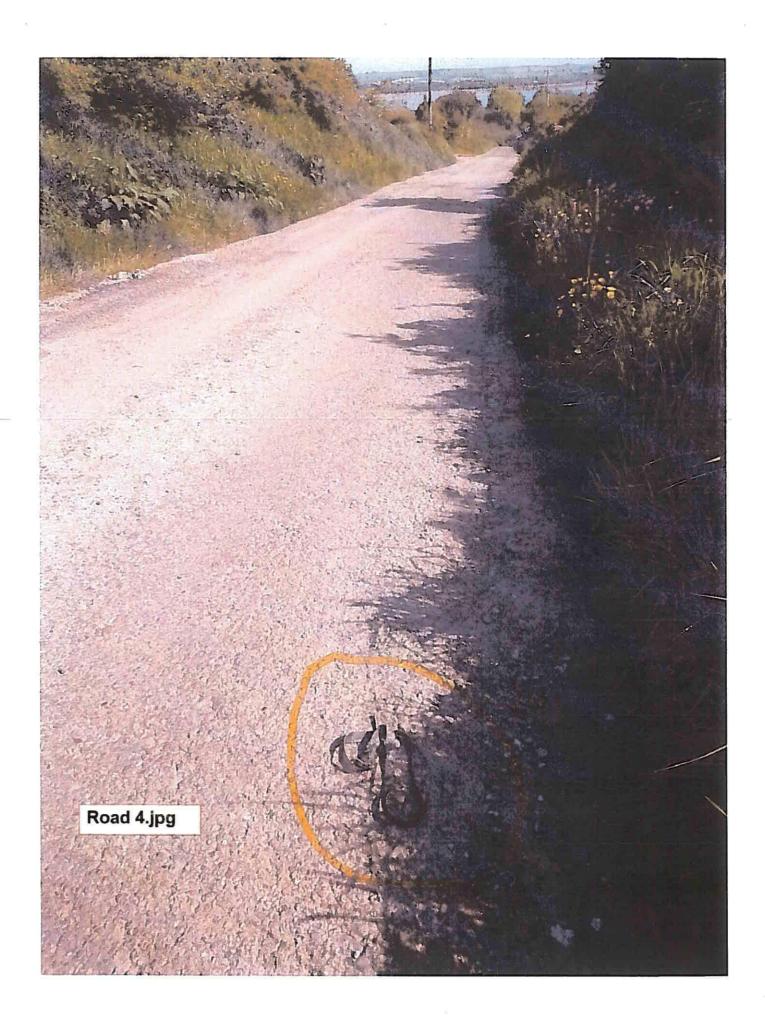


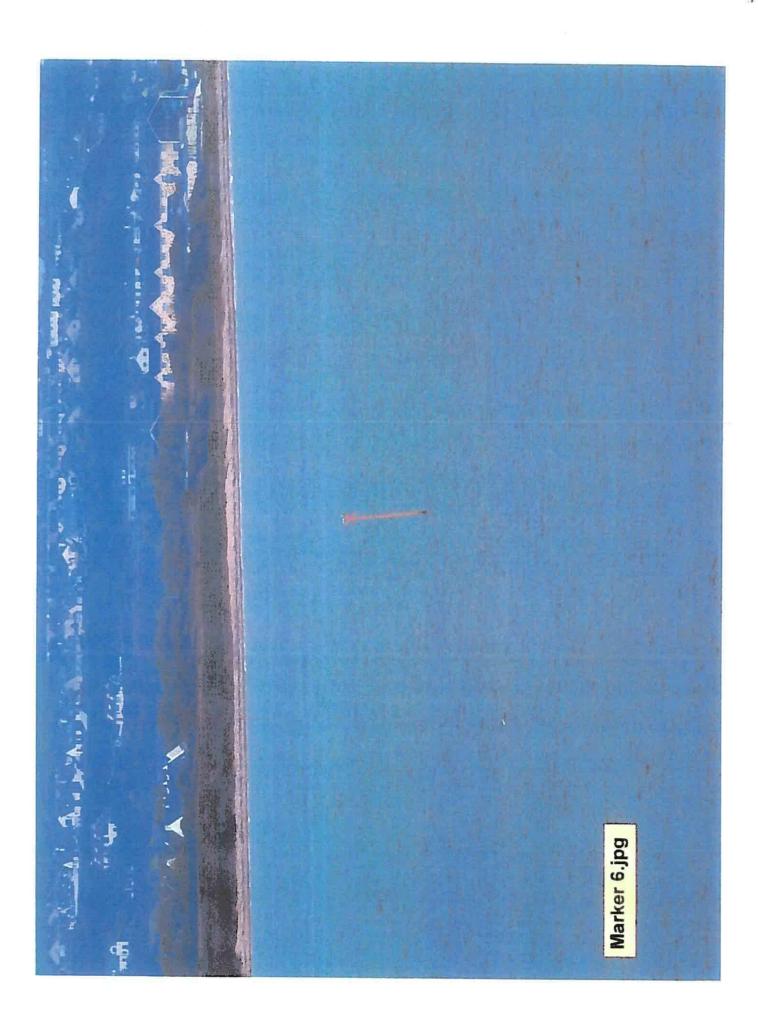












Marker 7.jpg





Sea View House Ring Ballymacoda Co. Cork P25 KT25

28th May 2018

Minister for Agriculture Food & the Marine
Dept. of Agriculture Food & the Marine
Aquaculture and Foreshore Management Division,
National Seafood Centre,
Clonakilty
Co. Cork

Re; Aquaculture Licenses in Ballymacoda Bay

Dear Sir or Madam.

I refer to the applications for new Aquaculture and Foreshore Licences as well as applications for renewal of existing licences listed below;

Renewals

T05/395, T05/482A, T05/491A

I am objecting to the renewal of existing licences because of the deleterious affect of the rusting trestles and widespread detritus on the visual amenity of the bay.

I am also objecting because the operators have failed to observe a number of the stipulations/conditions of the licences granted, as follows:

Failure to observe the stipulated requirements to clean up litter/detritus caused by their activities and thereby damaging the visual amenity of the bay as well as having a deleterious affect on the bird and other wildlife habitat.

Failure to provide the stipulated navigational marking thereby causing danger to other users of the bay.

Failure to limit hours of operation as stipulated, thereby causing excessive Aural Pollution, which affects local residents day and night, as well as the bird and wildlife habitat.

Failure to observe the licence stipulations regarding access to the site as well as damage caused to the public road used to access the foreshore from the machinery complex some several hundred metres from foreshore.

These grounds for objection are amplified in the various documents and photographs attached which should be considered as part of this submission.

New Applications

T05/482B, T05/517A, T05/517B, T05/545, T05/575, T05/595

I am also objecting to the granting of any new licences, as any expansion of current activities would serve to further exacerbate the many issues listed above, as well as have further deleterious consequences for the bird and wildlife habitat.

Yours sincerely,

Dorothy Hayden

Visual Impact on Amenity of Youghal Bay

Youghal Bay is unquestionably one of the most visually attractive pieces of coastline in the county, if not the entire country – enjoyed by many over the years for various leisure activities.

It is used by walkers, bird watchers, horse - riders, anglers, swimmers, sailors and many families just having a peaceful day out with a picnic by the sea, as well as those who make a living, fishing shrimp, lobster and other varieties from Knockadoon.

The amenity value has been significantly enhanced in recent years through the many projects that have been undertaken by the Knockadoon Enhancement Project (KEP).

Of the many projects that have been completed, the standout is clearly the coastal walks that have been developed from Barry's Cove to the old lookout post on Knockadoon Head. There are plans to extend the walk this year to Glenawilling, which will allow walkers to do a full loop of Knockadoon Head.

These walks have been hard-cored and railed off and include many features including picnic areas, seating and many other features to enhance the walking experience.

The negative visual impact of the rusting trestles which are highly visible at low tide seriously detract from the visual and aural enjoyment of this amenity.

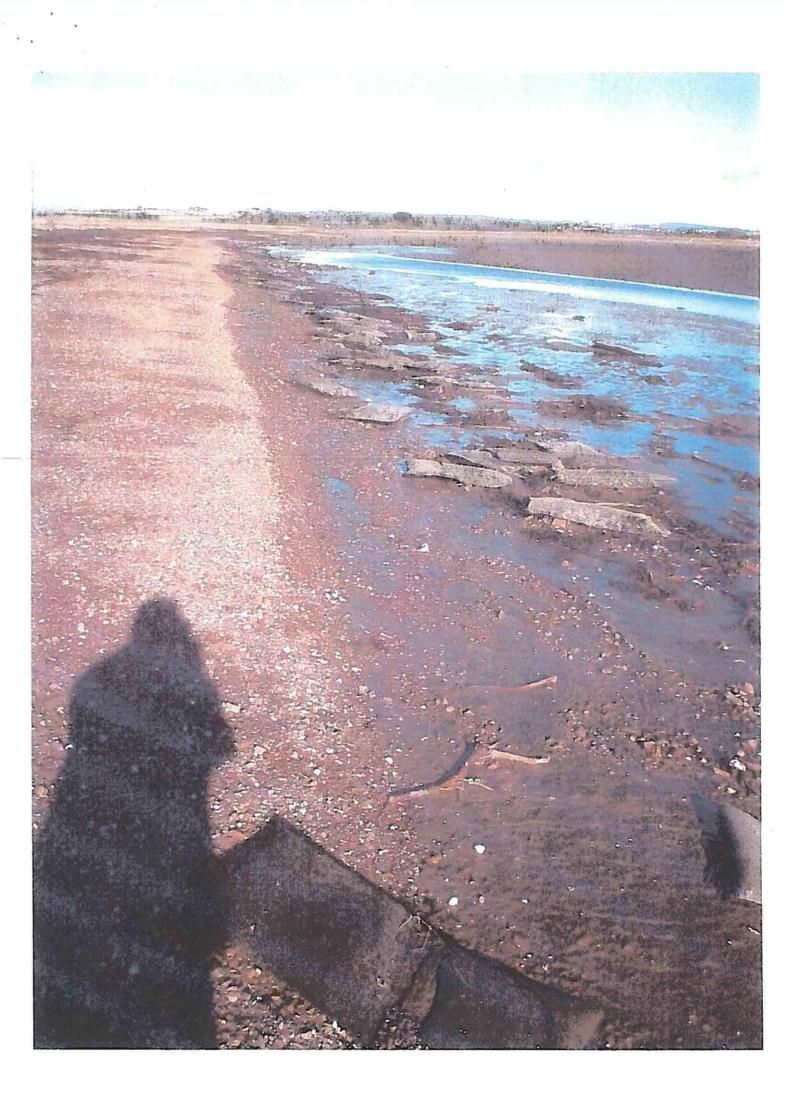
What is truly remarkable is that volunteers from within the community have undertaken all these projects, with very little recourse to bought-in services.

Most of these volunteers also take part in beach cleanups and are frustrated by the fact that, as is demonstrated in the photographs enclosed, the vast majority of the litter collected, emanates from the aquaculture activities in the bay, further detracting from the visual enjoyment of these wonderful walks.

These people would much prefer to be working on the development plans to enhance the amenity value of the bay rather than collect litter illegally discarded by those profiting from their own failure to fulfill their responsibilities.

There is also growing frustration that those charged with responsibility for monitoring the aquaculture activities in the bay have failed to enforce the licence stipulations that are currently being, and have been so consistently and flagrantly breached for many years.

Cork County Council 三乙門他のい





Waste Removal Requirements

Aquaculture and Foreshore Licence T5/395

Clause 5 of this licence stipulates that-

"The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant bags and trestles, mesh, waste products or materials associated with the development"

Clause 8 states that-

"The Licensee shall ensure that the bags and trestles, clam mesh and frames bear the licence number FCL 570"

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and shall make adequate provision for the prompt removal and disposal of all wastes (including shells) from those areas."

Actual Waste Removal Activities

It is clear that the operators of these sites pay no more than lip service to their responsibilities in this regard. Widespread littering of the coastline from Knockadoon Head to Ring Point as well as the strand from Pilmore to Redbarn is now commonplace. Despite several complaints to the operators and the Department of Agriculture Food and the Marine (DAFM) over the past ten years or more, this littering continues unabated.

There have been several cleanups organised by local residents in the affected areas and, as the attached photographs clearly demonstrate, the vast majority of the items collected emanate from the aquaculture operations in the bay.

With regard to the requirement to mark bags etc. with the operators licence number, we can only assume that the operator is ignoring this as no bags have been found with such markings.



Requirement for Marking of Sites

Aquaculture and Foreshore Licence T5/395

Additional condition for Foreshore Licence (front cover)

"The Licensee shall cause the site to be marked by ten posts, projecting two metres above sea level at highest astronomical tide and with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map."

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall indicate the presence of the licensed area by erecting posts with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map. All posts to be constructed in accordance with guidelines supplied by the Department of Communications, Marine and Natural Resources. The posts to project two metres above sea level at highest astronomical tide. All posts to be erected prior to the placement of any structures within the licensed area."

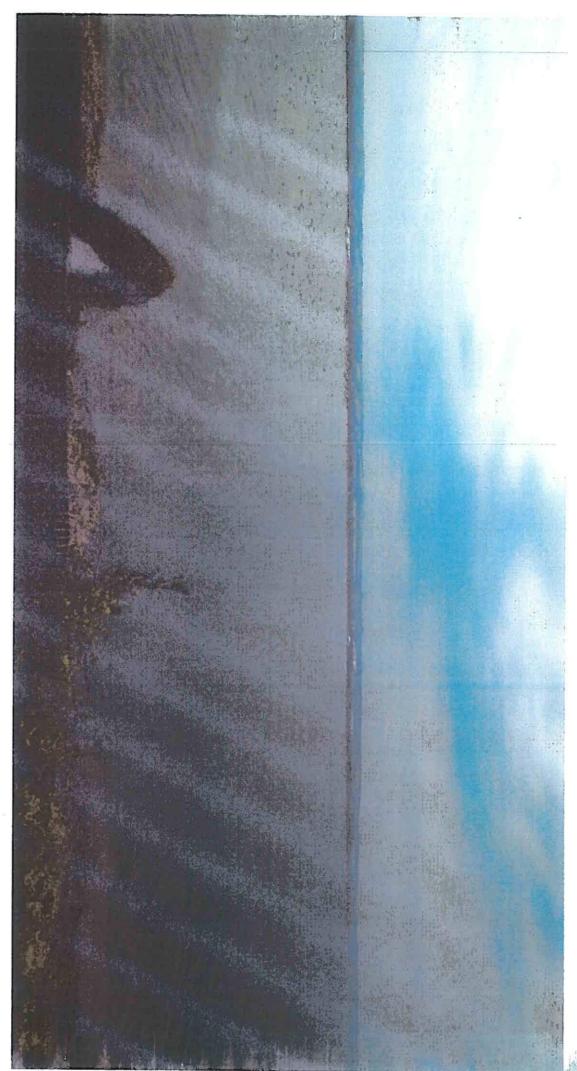
Actual Marking of Sites

Of the eight navigation marks stipulated, only three are complete with topmarks, two of which are tilted. The others are reduced to black stumps, which are not visible at high tide.

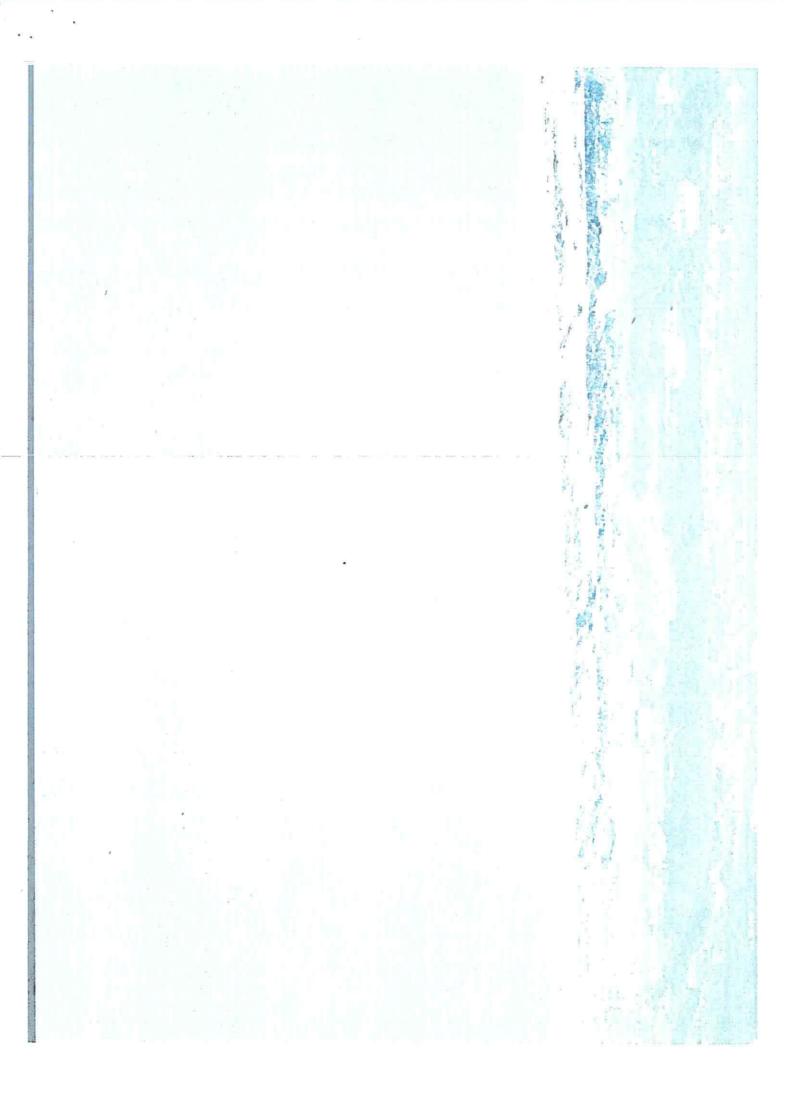
The attached photographs were taken at high tide on Thursday May 24th 2018 with a high water mark of 3.4m. whereas spring tides produce high water marks of up to 4.5m.

Drawings attached to renewal applications for the above sites show markings required at the following Grid Coordinates

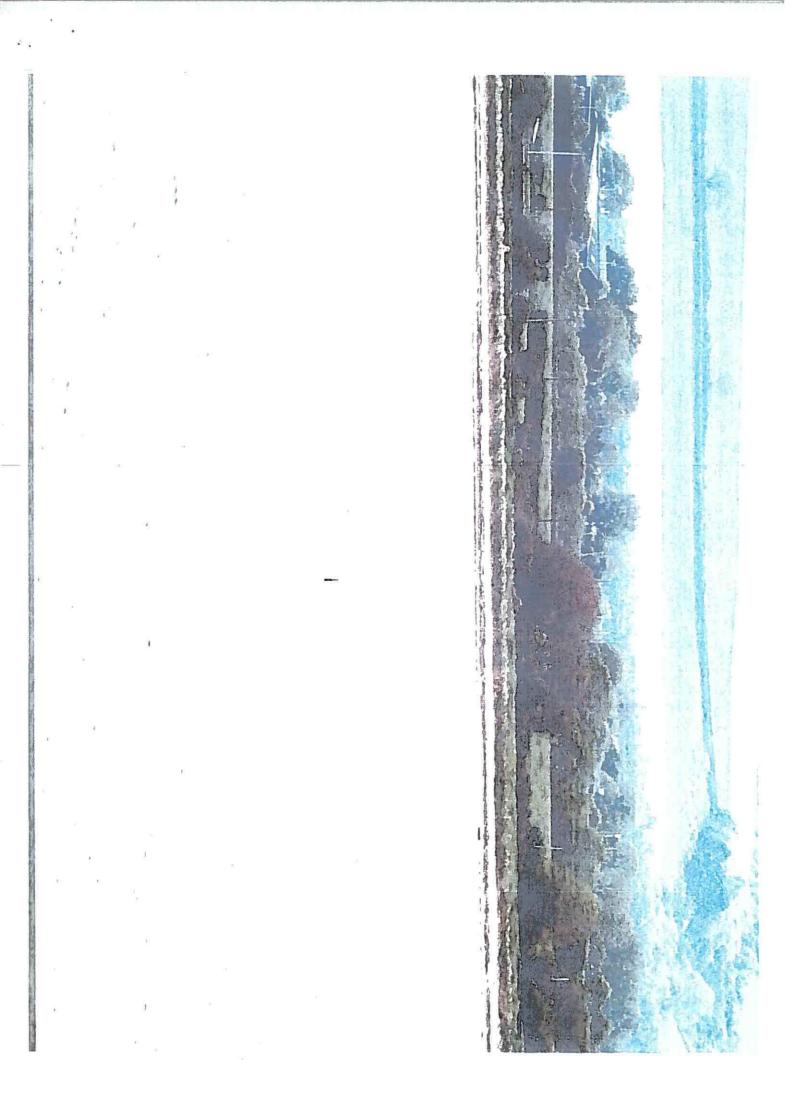
<u>Licence</u>	Easting	Northing	Comment
T05/395	207511	71565	OK Standing
T05/395	207395	71663	Standing but tilted
T05/395	207454	71944	Broken - no topmark - not visible at high tide
T05/482	207542	72160	Broken - no topmark - not visible at high tide
T05/482	207625	72202	Broken - no topmark - not visible at high tide
T05/482	207870	72120	Standing but tilted
T05/491	208182	71937	Broken - no topmark - not visible at high tide
T05/491	208027	71573	Broken - no topmark - not visible at high tide

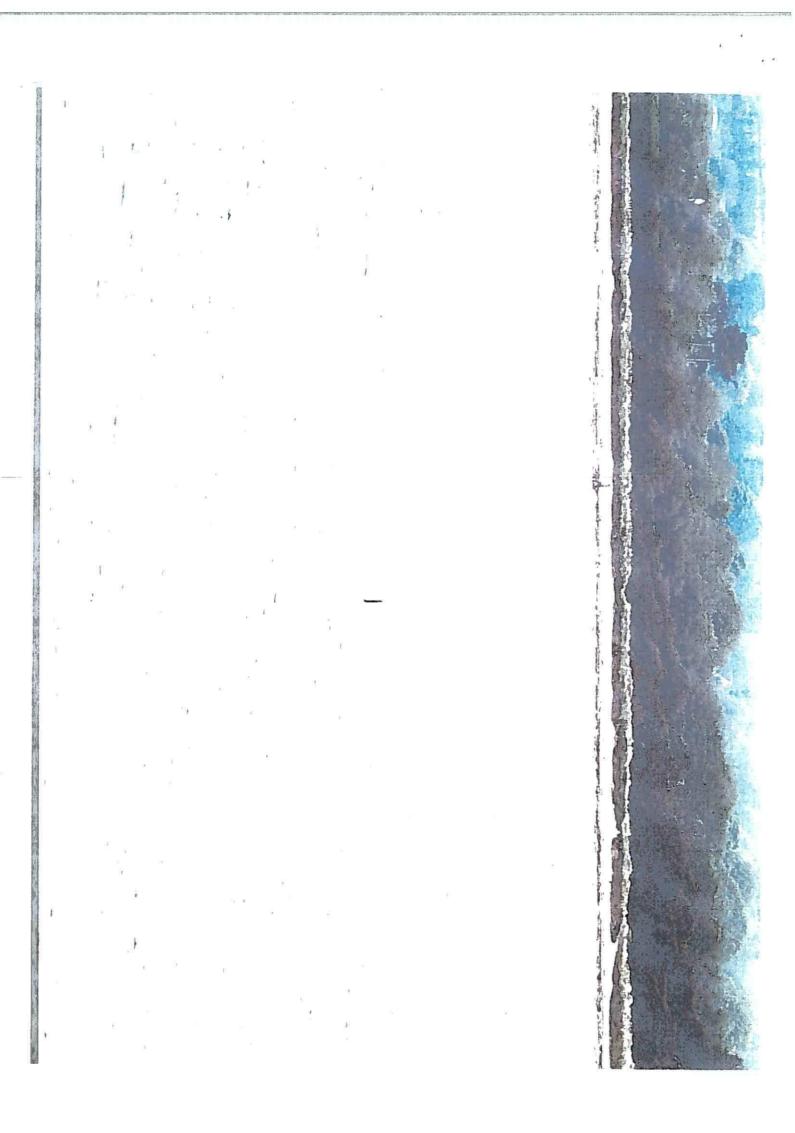


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Noise/Aural Pollution

Aquaculture and Foreshore Licences T05/482 and T05/491

In an appendix to the subject licences on Operational Requirements, a number of stipulations are made.

"In order to minimize the disturbance of birds, habitat and the local community the following conditions should be adhered to"

Amongst them is the following-

5. "Access to the licensed site should be limited, as much as possible, to daylight hours, so as to limit disturbance to local residents"

Noise/Aural Pollution - The Reality

The operators pay no heed whatsoever to this and it really is little wonder when it employs such meaningless terms as "should be" and "as much as possible".

Wording of future licenses, if granted, should be hardened to provide better protection to local residents with terms like "should be" replaced by "shall" and "as much as possible" replaced by "without exception"

Furthermore, given the disparity in "daylight hours" between mid June and mid December, it is rendered even more meaningless, and should be replaced with 'between the hours of 08.00 and 18.00 Monday to Friday"

The reality is that local residents, as well as birds and habitat, suffer from this aural pollution twice daily, every day, regardless of the time of day, which is dictated purely by the timing of the tides, except for those few days each month when very weak neap tides do not allow a sufficiently long work window to justify operations commercially for the operators.

Site Access

Aquaculture and Foreshore Licence T5/395

7. Traffic to and from the site shall be confined to the access route shown in blue on the map annexed hereto.

In fact, the Operators of the site, instead of using the designated access route which is almost directly due north from the point of access on the foreshore, have excavated a route through natural mussel beds to the east of that point.

Aquaculture and Foreshore Licences T05/482 and T05/491

These licences are silent on the subject of access but all operators of the three existing sites use the same access point from the foreshore.

Furthermore the operators use a narrow public road to access the foreshore from their machinery complex several hundred metres away. The constant pounding taken by this road by the passing of heavily laden trailers and other heavy equipment has caused the roadway to become heavily potholed and in places it has disintegrated entirely.







Department of Agriculture, Food and the Marine,

Aquaculture and Foreshore Management Division,

National Seafood Centre,

Clonakilty,

Co. Cork

May 25, 2018

Re: Application for Foreshore License under Foreshore Act 1933 (No 12) for Ballymacoda Bay Co. Cork. Advertisement in East Cork Journal dated 3rd May 2018.

Dear Sir or Madam:

As Chairperson of Ballymacoda Ladysbridge Community Council (BLCC), I am writing on behalf of the Community Council, to object to the following proposed renewal of three Aquaculture licenses and the proposed additional six new applications for Aquaculture licenses on Ballymacoda Bay,

T05/395	Renewal
T05/482A	Renewal
T05/482B	Application
T05/491A	Renewal
T05/517A	Application
T05/517B	Application
T05/545	Application
T05/575	Application
T05/595	Application

We are a community group registered as affiliate members of Muintir Na Tire, we are also Public Participatory Network Members.

We have written to your department over the last three years highlighting the issues around the three current licenses, (copies of letters dated 2nd April 2016 and 11th October 2017 attached). The issues highlighted on these letters noted littering issues at Ring Strand Ballymacoda by the Aquaculture Oyster farms on Ring Strand bay.

The perforated plastic bags frequently wash up on the beach, along with the broken rubber bands. Such debris from the shellfish industry often forms the bulk of litter on Ring Strand, especially towards the northern end of the beach (community observations). We understand that one condition of the license is that the operators of the shellfish industry collect such debris at regular intervals.

It is our experience that the operators leave behind broken plastic bags, and rubber bands with the hooks attached are never collected. The debris left is an environmental hazard. We ourselves have undertaken to clean the beach cleans as the problem persisted.

Following reviewing the nine proposed applications for foreshore license (3 for renewal and 6 new applications as listed above) we have observations on the following issues,

- 1- Waste Removal Activities,
- 2- Visual Impact on Amenity of Youghal Bay,
- 3- Requirements for marking sites
- 4- Site Access
- 5- Noise

1- Waste Removal Requirements

Aquaculture and Foreshore Licence T5/395

Clause 5 of this licence stipulates that-

"The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant bags and trestles, mesh, waste products or materials associated with the development"

Clause 8 states that-

"The Licensee shall ensure that the bags and trestles, clam mesh and frames bear the licence number FCL 570"

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and shall make adequate provision for the prompt removal and disposal of all wastes (including shells) from those areas."

Actual Waste Removal Activities

It is clear that the operators of these sites pay do not carry out their responsibilities in this regard. Widespread littering of the coastline from Knockadoon Head to Ring Point as well as the strand from Pilmore to Redbarn is now commonplace, as noted in our previous letters. Despite these letters of complaint (copies attached) to the operators and the Department of Agriculture Food and the Marine (DAFM) over the past ten years or more, this littering continues unabated.

There have been several cleanups organised by the BLCC and local residents in the affected areas and, as the attached photographs clearly demonstrate, the vast majority of the items collected emanate from the aquaculture operations in the bay.

With regard to the requirement to mark bags etc. with the operators licence number, we can only assume that the operator is ignoring this as no bags have been found with such markings.

In addition, the public roads get littered with the rubber bands and plastic bags but the operator does not ensure these are removed. (See attached photos)

2- Visual Impact on Amenity of Youghal Bay

Youghal Bay is unquestionably one of the most visually attractive pieces of coastline in the county, if not the country – enjoyed by many over the years for various leisure activities.

It is used by walkers, bird watchers, horse - riders, anglers, swimmers, sailors and many families just having a peaceful day out with a picnic by the sea, as well as those who make a living, fishing shrimp, lobster and other varieties from Knockadoon.

The amenity value has been significantly enhanced in recent years through the many projects that have been undertaken by the Knockadoon Enhancement Project (KEP).

Of the many projects that have been completed, the standout is clearly the coastal walks that have been developed from Barry's Cove to the old lookout post on Knockadoon Head. There are plans to extend the walk this year to Glenawilling, which will allow walkers to do a full loop of Knockadoon Head.

These walks have been hard-cored and railed off and include many features including picnic areas seating and many other features to enhance the walking experience.

What is truly remarkable is that volunteers from within the community have undertaken all these projects, with very little recourse to bought-in services.

Most of these volunteers also take part in beach cleanups and are frustrated by the fact that the vast majority of the litter collected, emanates from the aquaculture activities in the bay.

These people would much prefer to be working on the development plans to enhance the amenity value of the bay rather than collect litter illegally discarded by those profiting from their own failure to fulfill their responsibilities.

There is also growing frustration that those charged with responsibility for monitoring the aquaculture activities in the bay and their failure to enforce licence stipulations that are currently and have been so flagrantly breached for many years.

3- Requirement for Marking of Sites

Aquaculture and Foreshore Licence T5/395

Additional condition for Foreshore Licence (front cover)

"The Licensee shall cause the site to be marked by ten posts, projecting two metres above sea level at highest astronomical tide and with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map."

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall indicate the presence of the licensed area by erecting posts with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map. All posts to be constructed in accordance with guidelines supplied by the Department of Communications, Marine and Natural Resources. The posts to project two metres above sea level at highest astronomical tide. All posts to be erected prior to the placement of any structures within the licensed area."

Actual Marking of Sites

Of the eight navigation marks stipulated, only three are complete with topmarks, two of which are tilted. The others are reduced to black stumps, which are not visible at high tide. This is a serious public safety issue.

The attached photo was taken at high tide on Thursday May 24th 2018 with a high-water mark of 3.4m. whereas spring tides produce high water marks of up to 4.5m.

Drawings attached to renewal applications for the above sites show markings required at the following Grid Coordinates

Licence	Easting	Northing	Comment
T05/395	207511	71565	OK Standing
T05/395 T05/395	207395 207454	71663 71944	Standing but tilted Broken - no topmark - not visible at high tide
T05/482	207542	72160	Broken - no topmark - not visible at high tide
T05/482 T05/482	207625 207870	72202 72120	Broken - no topmark - not visible at high tide Standing but tilted
T05/491	208182	71937	Broken - no topmark - not visible at high tide
T05/491	208027	71573	Broken - no topmark - not visible at high tide

4- Site Access

Aquaculture and Foreshore Licence T5/395

7. Traffic to and from the site shall be confined to the access route shown in blue on the map annexed hereto.

In fact, the Operators of the site, instead of using the designated access route which is almost directly due north from the point of access on the foreshore, have excavated a route through natural mussel beds to the east of that point.

Furthermore, the operators use a narrow public road to access the foreshore from their machinery complex several hundred metres away. The constant pounding taken by this road by the constant passing of heavily laden trailers and other heavy equipment has caused the roadway to become heavily potholed and in places it has disintegrated entirely.

5- Noise/Aural Pollution

Aquaculture and Foreshore Licences T05/482 and T05/491

In an appendix to the subject licences on Operational Requirements, a number of stipulations are made.

"In order to minimize the disturbance of birds, habitat and the local community the following conditions should be adhered to"

Amongst them is the following-

5. "Access to the licensed site should be limited, as much as possible, to daylight hours, so as to limit disturbance to local residents"

Noise/Aural Pollution - The Reality

The operators pay no heed whatsoever to this as the tractors and trailers are regularly working on the sites after mid-night. The wording of this requirement with terms such as "should be" and "as much as possible" have made this issue unenforceable.

Furthermore, given the disparity in "daylight hours" between mid-June and mid-December, it is rendered even more meaningless.

The reality is that local residents suffer from this aural pollution twice daily, every day, regardless of the time of day which is dictated purely by the tides, except for those few days each month when neap tides do not allow a sufficiently long work window to justify operations commercially for the operators.

We value our coast as a natural resource and have been awarded Green Coast and Blue Flag Awards. In addition, considering the status of Ballymacoda Bay as a SAC it is important that the renewal of these foreshore licenses are considered carefully against the performance of the operators to date, in particularly regarding, waste removal, marking of the sites, site access and Noise.

We trust that the above observations will be giving due consideration and that the issues arising from these foreshore licenses are taken into account as damage to the local environment and SAC area cannot be reversed.

Yours Sincerely,

Aidan Healy

Chairperson of Ballymacoda Ladysbridge Community Council

Ring Strand, Ballymacoda,

Co. Cork

E mail secretary@blcconline.com

Ceule Cheshe



Department of Agriculture, Food and the Marine,

Aquaculture and Foreshore Management Division,

National Seafood Centre,

Clonakilty,

Co. Cork

April 2, 2016

Dear Sir or Madam:

As Chairperson of Ballymacoda Ladysbridge Community Council BLCC, I am writing on behalf of the Community Council, to inform you of an issue raised at the February BLCC meeting re littering at Ring Strand Ballymacoda.

The culture of Oysters has been ongoing at Ring Strand for about 20 years. The activity is licensed by the Department of Agriculture, Food and the Marine.

The process involves the placing of immature Oysters (contained within perforated plastic bags) on steel trestles (about 0.5-m high) within the intertidal area close to the low tide mark. The plastic bags are attached to the trestles using black rubber bands and hooks. Severe weather often causes the rubber bands to break, following which the plastic bags are released. These bags frequently wash up on the beach, along with the broken rubber bands. Such debris from the shellfish industry often forms the bulk of litter on Ring Strand, especially towards the northern end of the beach (community observations). We understand that one condition of the license is that the operators of the shellfish industry collect such debris at regular intervals.

It is our experience that the operators do indeed make regular collections of lost plastic bags. However, the problem that has arisen is

because only the undamaged plastic bags are collected. Presumably this is because they can be re-used. Broken plastic bags are often left behind (presumably because they have no value), and rubber bands with the hooks attached are never collected.

Our council and community request that the Department request clean up of Ring Strand as it is a public amenity. The debris left is an environmental hazard. We ourselves have undertaken to clean the beach however the problem continues to persist. We are a community group registered as affiliate members of Muintir Na Tire, We are also Public Participatory Network Members.

We value our coast as a natural resource and have been awarded Green Coast and Blue Flag Awards. We support an annual swim event at Ring Strand for over 100 children during National Swim Week.

We have informed your Department of this issue last April however the problem persists

I look forward to your reply or to any further action that you suggest that we could take to tackle his littering problem.

Regards,
Paul Fearon
Chairperson of Ballymacoda Ladysbridge Community Council
Garranassig,
Ladysbridge,
Co. Cork
E mail secretary@blcconline.com



Department of Agriculture, Food and the Marine,

Aquaculture and Foreshore Management Division,

National Seafood Centre.

Clonakilty,

Co. Cork

October 11, 2017

Dear Sir or Madam

As Chairperson of Ballymacoda Ladysbridge Community Council (BLCC), I am writing on behalf of the Community Council, to inform you of an issue raised again at the September BLCC meeting re littering at Ring Strand Ballymacoda by the Aquaculture Oyster farms on Ring Strand bay.

BLCC wrote previously on this matter (by the then chairperson, Paul Fearon) on 2nd April 2016, but have not received a reply.

The culture of Oysters has been ongoing at Ring Strand for about 20 years. The activity is licensed by the Department of Agriculture, Food and the Marine.

The process involves the placing of immature Oysters (contained within perforated plastic bags) on steel trestles (about 0.5-m high) within the intertidal area close to the low tide mark. The plastic bags are attached to the trestles using black rubber bands and hooks. Severe weather often causes the rubber bands to break, following which the plastic bags are released. These bags frequently wash up on the beach, along with the broken rubber bands. Such debris from the shellfish industry often forms the bulk of litter on Ring Strand, especially towards the northern end of the beach (community observations). We understand that one condition of the license is that the operators of the shellfish industry collect such debris at regular intervals.

It is our experience that the operators do indeed make regular collections of lost plastic bags. However, the problem that has arisen is because only the undamaged plastic bags are collected. Presumably this is because they can be re-used. Broken plastic bags are often left behind (presumably because they have no value), and rubber bands with the hooks attached are never collected.

Our council and community request that the Department request clean up of Ring Strand as it is a public amenity. The debris left is an environmental hazard. We ourselves have undertaken to clean the beach however the problem continues to persist. We are a community group registered as affiliate members of Muintir Na Tire, we are also Public Participatory Network Members.

We value our coast as a natural resource and have been awarded Green Coast and Blue Flag Awards. We support an annual swim event at Ring Strand for over 100 children during National Swim Week.

We have informed your Department previously of this issue in April 2015 and 2nd April 2016 and have not received a reply. In the meantime the problem persists

I look forward to your reply or to any further action that you suggest that we could take to tackle his littering problem.

Yours Sincerely,

Aidan Healy

Chairperson of Ballymacoda Ladysbridge Community Council

Ring Strand,

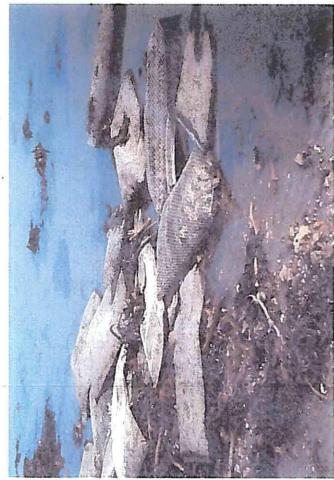
Ballymacoda,

Co. Cork

E mail secretary@blcconline.com

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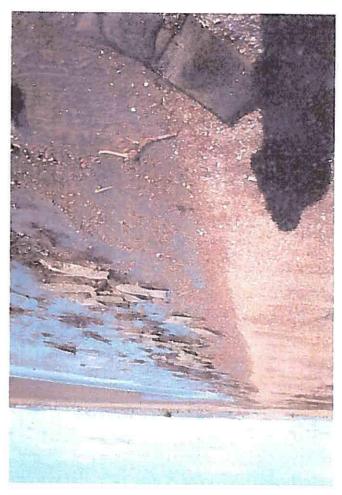














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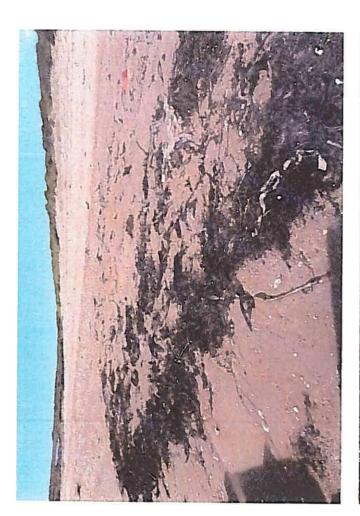


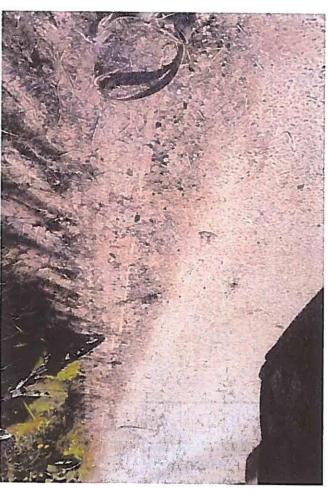












Department of Agriculture, Food and the Marine,

Aquaculture and Foreshore Management Division,

National Seafood Centre.

Clonakilty.

Co. Cork

May 25, 2018



Re: Application for Foreshore License under Foreshore Act 1933 (No 12) for Ballymacoda Bay Co. Cork. Advertisement in East Cork Journal dated 3rd May 2018.

Dear Sir or Madam:

As Chairperson of Knockadoon Enhancement Project (KEP), I am writing on behalf of KEP, to object to the following proposed renewal of three Aquaculture licenses and the proposed additional six new applications for Aquaculture licenses on Ballymacoda Bay,

T05/395	Renewal
T05/482A	Renewal
T05/482B	Application
T05/491A	Renewal
T05/517A	Application
T05/517B	Application
T05/545	Application
T05/575	Application
T05/595	Application

The perforated plastic bags frequently wash up on the beach, along with the broken rubber bands with the hooks attached are never collected. The debris left is an environmental hazard. We ourselves have undertaken to clean the beach cleans as the problem persists.

We have observations on the following issues,

- 1- Waste Removal Activities,
- 2- Visual Impact on Amenity of Youghal Bay,
- 3- Requirements for marking sites
- 4- Site Access
- 5- Noise

1- Waste Removal Requirements

Aquaculture and Foreshore Licence T5/395

Clause 5 of this licence stipulates that-

. .

"The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant bags and trestles, mesh, waste products or materials associated with the development"

Clause 8 states that-

"The Licensee shall ensure that the bags and trestles, clam mesh and frames bear the licence number FCL 570"

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and shall make adequate provision for the prompt removal and disposal of all wastes (including shells) from those areas."

Actual Waste Removal Activities

It is clear that the operators of these sites pay do not carry out their responsibilities in this regard. Widespread littering of the coastline from Knockadoon Head to Ring Point as well as the strand from Pilmore to Redbarn is now commonplace.

There have been several cleanups organised by the KEP and local Knockadoon residents in the affected areas and, as the attached photographs clearly demonstrate, the vast majority of the items collected emanate from the aquaculture operations in the bay.

With regard to the requirement to mark bags etc. with the operators licence number, we can only assume that the operator is ignoring this as no bags have been found with such markings.

2- Visual Impact on Amenity of Youghal Bay

Youghal Bay is unquestionably one of the most visually attractive pieces of coastline in the county, if not the country – enjoyed by many over the years for various leisure activities.

It is used by walkers, bird watchers, horse - riders, anglers, swimmers, sailors and many families just having a peaceful day out with a picnic by the sea, as well as those who make a living, fishing shrimp, lobster and other varieties from Knockadoon.

The amenity value has been significantly enhanced in recent years through the many projects that have been undertaken by the KEP.

Of the many projects that have been completed, the standout is clearly the coastal walks that have been developed from Barry's Cove to the old lookout post on Knockadoon Head. There are plans to extend the walk this year to Glenawilling, which will allow walkers to do a full loop of Knockadoon Head.

These walks have been hard-cored and railed off and include many features including picnic areas seating and many other features to enhance the walking experience.

Our volunteers, from within the community have undertaken all these projects, with very little recourse to bought-in services.

Most of these volunteers also take part in beach cleanups and are frustrated by the fact that the vast majority of the litter collected, emanates from the aquaculture activities in the bay.

These people would much prefer to be working on the development plans to enhance the amenity value of the bay rather than collect litter illegally discarded by those profiting from their own failure to fulfill their responsibilities.

There is also growing frustration that those charged with responsibility for monitoring the aquaculture activities in the bay and their failure to enforce licence stipulations that are currently and have been so flagrantly breached for many years.

3- Requirement for Marking of Sites

Aquaculture and Foreshore Licence T5/395

Additional condition for Foreshore Licence (front cover)

"The Licensee shall cause the site to be marked by ten posts, projecting two metres above sea level at highest astronomical tide and with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map."

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall indicate the presence of the licensed area by erecting posts with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map. All posts to be constructed in accordance with guidelines supplied by the Department of Communications, Marine and Natural Resources. The posts to project two metres above sea level at highest astronomical tide. All posts to be erected prior to the placement of any structures within the licensed area."

Actual Marking of Sites

Of the eight navigation marks stipulated, only three are complete with topmarks, two of which are tilted. The others are reduced to black stumps, which are not visible at high tide.

The attached photo was taken at high tide on Thursday May 24th 2018 with a high-water mark of 3.4m, whereas spring tides produce high water marks of up to 4.5m.

Drawings attached to renewal applications for the above sites show markings required at the following Grid Coordinates

<u>Licence</u>	Easting	Northing	Comment
T05/395	207511	71565	OK Standing
T05/395	207395	71663	Standing but tilted
T05/395	207454	71944	Broken - no topmark - not visible at high tide
T05/482	207542	72160	Broken - no topmark - not visible at high tide
T05/482	207625	72202	Broken - no topmark - not visible at high tide
T05/482	207870	72120	Standing but tilted
T05/491	208182	71937	Broken - no topmark - not visible at high tide
T05/491	208027	71573	Broken - no topmark - not visible at high tide

4- Site Access

Aquaculture and Foreshore Licence T5/395

7. Traffic to and from the site shall be confined to the access route shown in blue on the map annexed hereto.

In fact, the Operators of the site, instead of using the designated access route which is almost directly due north from the point of access on the foreshore, have excavated a route through natural mussel beds to the east of that point.

Furthermore, the operators use a narrow public road to access the foreshore from their machinery complex several hundred metres away. The constant pounding taken by this road by the constant passing of heavily laden trailers and other heavy equipment has caused the roadway to become heavily potholed and in places it has disintegrated entirely.

5- Noise/Aural Pollution

Aquaculture and Foreshore Licences T05/482 and T05/491

In an appendix to the subject licences on Operational Requirements, a number of stipulations are made.

"In order to minimize the disturbance of birds, habitat and the local community the following conditions should be adhered to"

Amongst them is the following-

5. "Access to the licensed site should be limited, as much as possible, to daylight hours, so as to limit disturbance to local residents"

Noise/Aural Pollution - The Reality

The operators pay no heed whatsoever to this as the tractors and trailers are regularly working on the sites after mid-night. The wording of this requirement with terms such as "should be" and "as much as possible" have made this issue unenforceable.

Furthermore, given the disparity in "daylight hours" between mid-June and mid-December, it is rendered even more meaningless.

The reality is that local residents suffer from this aural pollution twice daily, every day, regardless of the time of day which is dictated purely by the tides, except for those few days each month when neap tides do not allow a sufficiently long work window to justify operations commercially for the operators.

We value our coast as a natural resource and have been awarded Green Coast and Blue Flag Awards. In addition, considering the status of Ballymacoda Bay as a SAC it is important that the renewal of these foreshore licenses are considered carefully against the performance of the operators to date, in particularly regarding, waste removal, marking of the sites, site access and Noise.

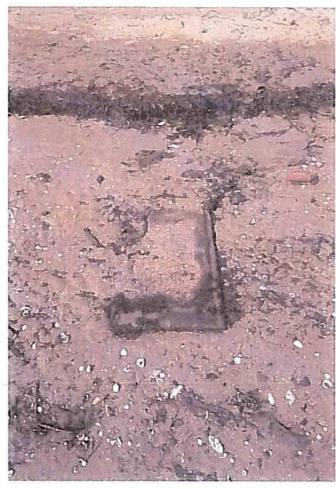
We trust that the above observations will be giving due consideration and that the issues arising from these foreshore licenses are taken into account as damage to the local environment and SAC area cannot be reversed.

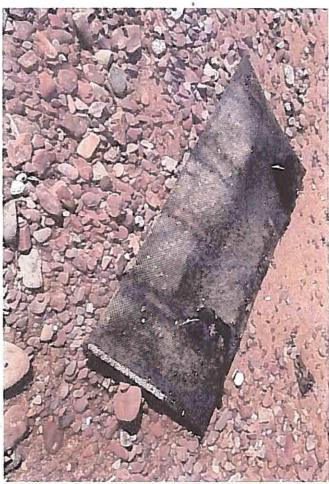
Yours Sincerely,

Billy Harrington Chairperson of Knockadoon Enhancement Project Knockadoon, Co. Cork E mail:

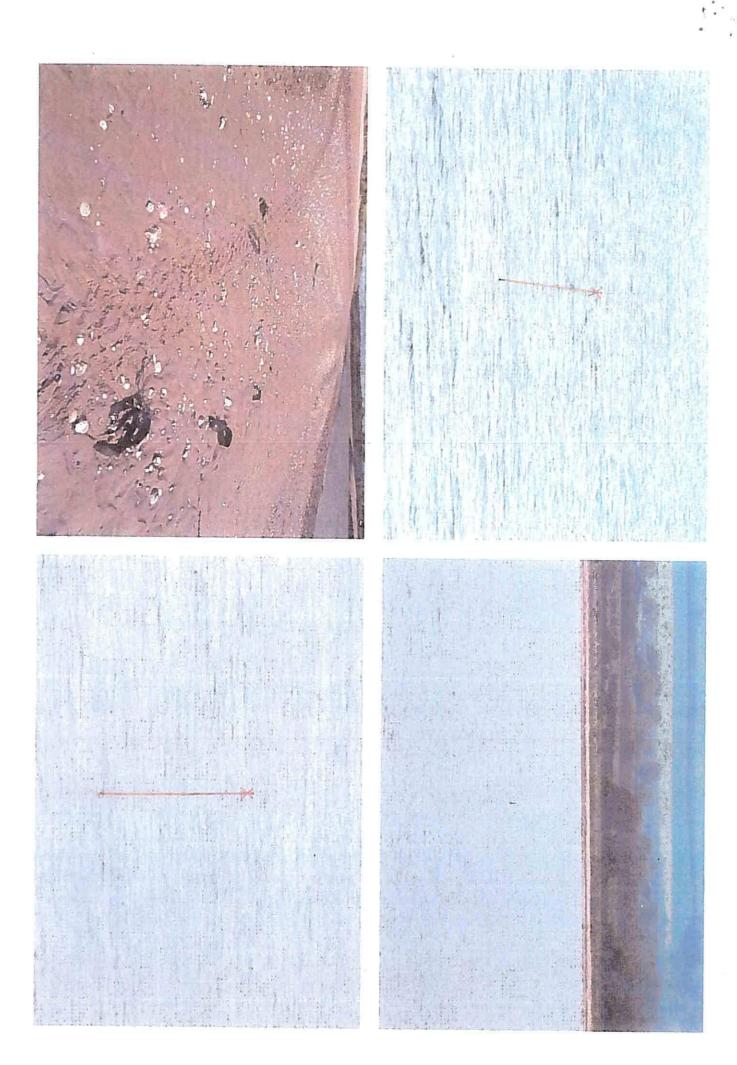












Sonas caravan park,

Ring,

Ballymacoda

Co.Cork.

27/5/18



Dear Sir/Madam,

I am the proprietor of Sonas caravan park, Ring, Ballymacoda. I wish to submit an objection in relation to the renewal of aquaculture licences T05/395, T05/482A, T05/491A and application of licences T05/482B, T05/517A, T05/517B, T05/545, T05/575, T05/595 for extension and expansion of an oyster farm on Ring Strand in Youghal bay.

There are 82 mobile homes on our site, our residents choose our site for a number of reasons but the beautiful scenery, the proximity to the water, water sports and peaceful surroundings are the main ones. The presence of the oyster farm in the bay has a negative impact on these attractions.

Any water activities within the bay are at best impeded and, at worst, hazardous as the installation covers a very large central area and it has poor to non-existent marking, not complying with conditions of the licence.

Aquaculture and Foreshore Licence T5/395

Additional condition for Foreshore Licence (front cover)

"The Licensee shall cause the site to be marked by ten posts, projecting two metres above sea level at highest astronomical tide and with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map."

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall indicate the presence of the licensed area by erecting posts with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map. All posts to be constructed in accordance with guidelines supplied by the Department of Communications, Marine and Natural Resources. The posts to project two metres above sea level at highest astronomical tide. All posts to be erected prior to the placement of any structures within the licensed area."

When the tide is low or out the farm installation is an extremely unattractive sight in an otherwise unspoilt bay and so has a negative visual impact on the amenity of our bay.

The maintenance of the farm requires workers to be transported by tractors and trailers out onto the bay regularly and often at night time, the noise from these is very disturbing and takes greatly from the tranquillity that our guests crave, not complying with the conditions of the licence.

Aquaculture and Foreshore Licences T05/482 and T05/491

In an appendix to the subject licences on Operational Requirements, a number of stipulations are made.

"In order to minimize the disturbance of birds, habitat and the local community the following conditions should be adhered to"

Amongst them is the following-

5. "Access to the licensed site should be limited, as much as possible, to daylight hours, so as to limit disturbance to local residents.

It is also a concern that the tractors used may be leaking hydrocarbons into the bay as they are old and showing the signs of having been repeatedly semi-submerged in the salt water.

The Caravan Park has direct access to the beach and it is possible to walk around the bay and peninsula by way of the beach. The oyster farm mesh bags and rubber straps are regularly found on the beach and shorefront, spoiling what is a very precious area to us, again not complying with conditions of the licence.

Aquaculture and Foreshore Licence T5/395 Clause 5 of this licence stipulates that-

"The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant bags and trestles, mesh, waste products or materials associated with the development"

Clause 8 states that-

"The Licensee shall ensure that the bags and trestles, clam mesh and frames bear the licence number FCL 570"

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and shall make adequate provision for the prompt removal and disposal of all wastes (including shells) from those areas."

The main public access road to our business is in a treacherous condition, and, although this is primarily a result of poor drainage, the heavy machinery servicing the farm only adds to its degradation.

Now that its licences are up for renewal, it is my opinion and the opinion of the local community, that this installation should be removed from the bay for non-compliance with licences.

It is my sincere hope that my concerns regarding the continued existence of the oyster farm and the adverse consequences that it has on my business and our locality will be given valid consideration, and that your decision will recognise and support our concerns.

Regards

Caitriona Reilly.

-05



Department of Agriculture, Food and the Marine,

Aquaculture and Foreshore Management Division,

National Seafood Centre.

Clonakilty,

Co. Cork

May 28, 2018



Re: Application for Foreshore License under Foreshore Act 1933 (No 12) for Ballymacoda Bay Co. Cork. Advertisement in East Cork Journal dated 3rd May 2018.

Dear Sir or Madam:

We the undersigned are fishermen who operate from Knockadoon Head, Knockadoon, Co Cork.

We are writing to object to the following proposed renewal of three Aquaculture licenses and the proposed additional six new applications for Aquaculture licenses on Ballymacoda Bay,

T05/395	Renewal
T05/482A	Renewal
T05/482B	Application
T05/491A	Renewal
T05/517A	Application
T05/517B	Application
T05/545	Application
T05/575	Application
T05/595	Application

It is our experience that the operators leave behind broken plastic bags, and rubber bands with the hooks attached are never collected. The debris left is an environmental hazard. The licenses granted to the operators state the following,

Aquaculture and Foreshore Licence T5/395

Clause 5 of this licence stipulates that-

"The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant bags and trestles, mesh, waste products or materials associated with the development"

Clause 8 states that-

"The Licensee shall ensure that the bags and trestles, clam mesh and frames bear the licence number FCL 570"

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and shall make adequate provision for the prompt removal and disposal of all wastes (including shells) from those areas."

However, it is our experience that the operators of these sites pay do not carry out their responsibilities in this regard. Widespread littering of the coastline from Knockadoon Head to Ring Point as well as the strand from Pilmore to Redbarn is now commonplace. Despite the operators responsibility to ensure that the licensed area and the adjoining area shall be kept clear of all redundant bags and trestles, waste products or materials associated with the licensed operations and the Department of Agriculture Food and the Marine (DAFM) responsibility to monitor this over the past ten years or more, this littering continues unabated.

There is also growing frustration that those charged with responsibility for monitoring the aquaculture activities in the bay and their failure to enforce licence stipulations that are currently and have been so flagrantly breached for many years.

Marking of Sites of Oyster bed sites

Aquaculture and Foreshore Licence T5/395

Additional condition for Foreshore Licence (front cover)

"The Licensee shall cause the site to be marked by ten posts, projecting two metres above sea level at highest astronomical tide and with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map."

Aquaculture and Foreshore Licences T05/482 and T05/491

"The Licensee shall indicate the presence of the licensed area by erecting posts with a topmark of a diagonal St. Andrews Cross painted yellow, at the positions indicated on the attached map. All posts to be constructed in accordance with guidelines supplied by the Department of Communications, Marine and Natural Resources. The posts to project two metres above sea level at highest astronomical tide. All posts to be erected prior to the placement of any structures within the licensed area."

Current Marking of Sites

Of the eight navigation marks stipulated, only three are complete with topmarks, two of which are tilted. The others are reduced to black stumps, which are not visible at high tide. This is a serious health and safety hazard for leisure boats utilizing the bay.

The attached photo was taken at high tide on Thursday May 24th 2018 with a high-water mark of 3.4m, whereas spring tides produce high water marks of up to 4.5m.

Drawings attached to renewal applications for the above sites show markings required at the following Grid Coordinates

Licence	Easting	Northing	Comment
			. 8
T05/395	207511	71565	OK Standing
T05/395	207395	71663	Standing but tilted
T05/395	207454	71944	Broken - no topmark - not visible at high tide
T05/482	207542	72160	Broken - no topmark - not visible at high tide
₫ T05/482	207625	72202	Broken - no topmark - not visible at high tide
T05/482	207870	72120	Standing but tilted
T05/491	208182	71937	Broken - no topmark - not visible at high tide
T05/491	208027	71573	Broken - no topmark - not visible at high tide

We trust that the above observations will be giving due consideration.

Yours Faithfully,

Name	P	ddress	Signature
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Jah Walk	rien	KNOCKABOON	Sala Math
AAN IN PIS	NEX	RING X SATT	MARTIN DONIAN
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CEGHEN MOTH	ENWAY	KNOCKADOON AND CKADOON	Stepper Nother way
JOE BBRI	PNT	KNO CRADOWN	Jo OBRIEN
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