

CERTIFICATE OF RENEWAL

Of

AQUACULTURE LICENCE NO. 23

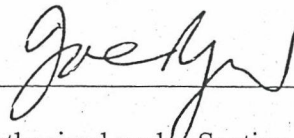
Dated 21 July 1993

GRANTED TO


**ESB FISHERIES CONSERVATION,
ARDNARUSHA
CO. CLARE**

This is to certify that the above mentioned licence has been renewed, for the period up to and including 7th December 2007, subject to the terms and conditions thereof and subject to the provisions of the Fisheries (Amendment) Act, 1997 (No.23).

Signed: _____



A person authorised under Section 15 of the Minister and Secretaries Act, 1924, to authenticate the seal of the Minister for Communications, Marine and Natural Resources.

 March, 2003



T5/156

5 March, 2003

Ms Mary O'Meara
Fisheries Administration Officer
ESB Fisheries Conservation,
Ardnacrusha,
Co. Clare


FISHERIES (AMENDMENT) ACT, 1997

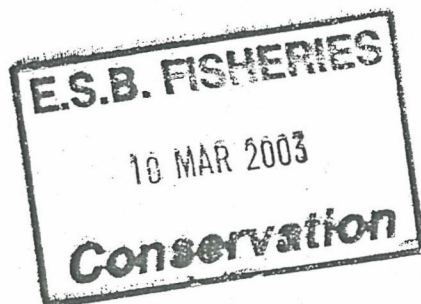
Dear Ms O'Meara,

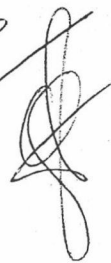
I refer to Aquaculture Licence No. AQ 23 (Carrigadrohid, Macroom) granted to ESB Fisheries Conservation on 21 July, 1993 of which expired on 7 December, 1997.

Enclosed is Certification of Renewal for the licence, which now renders it valid up until 7 December, 2007.

Yours sincerely


JOE RYAN
Principal
Coastal Zone Administration Division



copy
Copy to Deela / G. Manning
for info


DEPARTMENT OF THE MARINE

Certificate of authorisation under Section 14 of the Fisheries

(Consolidation) Act, 1959

The Minister for the Marine (hereinafter referred to as "the Minister") in exercise of the powers conferred on him by the Fisheries Acts, 1959 to 1991 hereby authorises, subject to the conditions set out in the schedule to this permit, Salmara Fisheries Ltd., whose registered address is at 39 Merrion Square, Dublin 2, (hereinafter referred to as "the Authorised Person") to have in possession not more than eight hundred and eighty five thousand (885,000) salmon smolts in cages at Lough Leigh and Nadrid, Coachford, Co. Cork (hereinafter referred to as "the Fishery").

SCHEDULE

Conditions of Permit

1. This authorisation shall remain in force until the 1st day of July, 1997 except as hereinafter provided.
2. No fish other than salmon shall be held under the terms of this Permit.
3. The salmon smolts and parr shall be held in cages, details of which have been submitted to and approved by the Minister.

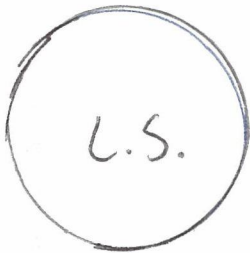
4. The Authorised Person shall make adequate arrangements to ensure that the cages shall not obstruct the passage of migratory fish and shall take all measures necessary to prevent the escape of salmon smolts or parr from the fishery and shall carry out any instructions as may be required from time to time by the Minister.
5. The standing stock of salmon smolts or parr held in the fishery shall not exceed such quantity as may be specified by the Minister from time to time and will not in any event exceed eight hundred and eighty five thousand (885,000) salmon smolts.
6. The Authorised Person shall keep records of all fish held in the fishery and of all sales and transfers of salmon smolts and parr from the fishery and such records shall be made available by the Authorised Person for inspection at all reasonable times by an inspector.
7. The Authorised Person shall furnish to the Secretary, Department of the Marine, Aquaculture Section, Leeson Lane, Dublin 2 such returns from the records referred to at Condition No. 6 above as may be required from time to time by the Minister.
8. Live salmon smolts or parr shall not be sold or disposed of by the Authorised Person to any person or in any way removed or transferred by the Authorised Person outside the fishery or into the fishery save in accordance with the written permission of the Minister.
9. The cages and all premises used in connection with the culture of salmon under this Permit shall be open to inspection at any time by an authorised officer within the meaning of the Fisheries Acts.

10. For the culture of salmon under this Permit the Authorised Person shall operate the cages and any premises or other structure concerned in a hygienic manner (including selection and preparation of food, environmental monitoring and where necessary, treatment of effluent) and shall carry out any instructions issued in this connection by the Minister.
11. In the operations necessary for the culture of salmon, the Authorised Person shall not use any substance which is deleterious to the aquatic environment.
12. The Authorised Person shall notify the Secretary, Department of the Marine and the Fisheries Research Centre, (Fish Pathology Unit), Abbotstown, Castleknock, Co. Dublin, within forty-eight hours of the appearance or suspected appearance of any disease at the fishery, or abnormal losses or mortalities and shall send samples to the Fish Pathology Unit, Abbotstown, Castleknock, Co. Dublin, in a prescribed manner as and when requested to do so and shall carry out any instructions issued as to the treatment, disposal or destruction of fish concerned.
13. All chemicals and antibiotics used in the fishery shall be used in accordance with instructions issued by the Minister from time to time.
14. The Authorised Person shall keep records of all chemicals and antibiotics with which the fish have been treated, including quantities and times of use.
15. The Authorised Person shall notify the Secretary, Department of the Marine, Aquaculture Section, Leeson Lane, Dublin 2, within twenty-four hours of any escapes of fish from the fishery and

shall keep records of fish escaped, including types and year classes and shall make these records available to the Secretary on request.

16. The Authorised Person shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible spreading of disease by predators and shall comply with any directions which may be issued by the Minister from time to time in that regard.
17. The Authorised Person shall ensure that all mortalities are disposed of in a manner acceptable to the local Authority.
18. The Authorised Person shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the construction, maintenance or use of any aquaculture structures, apparatus or equipment in the exercise of the rights granted under this Permit.
19. The Authorised Person shall comply with such instructions as the Minister may issue from time to time for the control of all fish culture activities concerned in the operation of the fishery and associated premises and structures.
20. In the event of neglect or abandonment of the fish in the fishery the Minister shall take such action as he thinks fit to dispose of the fish and associated fittings. Abandonment or neglect of the cages will result in the permit being immediately revoked.

21. This Permit remains valid only for as long as the Licence dated 24th November, 1992 to discharge effluent and the Planning Permission dated 19th July, 1993 granted by Cork County Council remain valid.
22. This Permit is non transferable.
23. This Permit is not to be construed as authorising the Authorised Person in any way to interfere with or infringe the rights of any other person.



Dated this 10th day of March, 1994
For the Minister for the Marine

David Flynn

An Officer of the Department of the
Marine authorised in that behalf.

Roinn na Mara
(Department of the Marine)

Fisheries (Consolidation) Act, 1959

Fish Culture Licence

The Minister for the Marine (hereinafter referred to as "the Minister"), in the exercise of the powers conferred on him by Section 15 of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959) and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30 of 1977), (as adapted by the Tourism, Fisheries and Forestry (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 82 of 1987), hereby authorises, subject to the conditions set out in the Schedule to this licence, Salmara Fisheries Ltd., whose registered address is at 39 Merrion Square, Dublin 2, (hereinafter referred to as "the Licensee"):

1. To carry on at or in connection with the fish farm situate in the townland of Carrigadrohid in the Barony of Muskerry, County of Cork, the plans of which have been submitted to and approved by the Minister, all necessary operations in relation to the culture of salmon.
2. To purchase, have in possession and sell live salmon, salmon smolts and the ova, fry and fingerlings thereof the acquisition of which has been approved by the Minister.
3. To capture and have in possession within the confines of the said fish farm live salmon, salmon smolts and the ova, fry or fingerlings thereof at any time of the year.
4. For the management of the said fish farm to have in possession and use nets, traps, or such engines as may be approved from time to time by the Minister.

SCHEDULE

Conditions subject to which this licence is granted

- 1 This licence shall remain in force until the 7th day of December, 1997 except as hereinafter provided.
2. No fish other than salmon shall be bred and handled at the said fish farm.
3. The Licensee shall comply with such instructions as the Minister may issue from time to time for the control of all fish culture activities concerned in the operation of the fish farm.
4. The Licensee shall provide and maintain such gratings or other devices at the point of water abstraction from the river or other source and also at a point as near as possible to the confluence of the fish farm waste channel and the river as will effectually prevent the admission of migratory fish into the fish farm feed channels, the fish farm water waste channels and other water courses and ponds of the fish farm, and shall make adequate arrangements to ensure the safe passage past the farm of migratory fish, and shall make all necessary provisions to prevent the escape of fish from the ponds and water courses of the farm and shall carry out any such instructions issued in this connection from time to time by the Minister.
5. Abstraction of water shall be so regulated that sufficient water will be maintained at all times in the natural water courses adjoining the fish farm to ensure the free passage of migratory fish past the fish farm. The licensee shall comply with any directions issued in that connection by the Minister from time to time.

6. The standing stock of fish held at the farm shall not exceed such quantity as may be specified by the Minister from time to time and will not in any event exceed six hundred thousand (600,000) salmon smolts.
7. Records shall be kept at the said fish farm of all fish stripped, bred, held and handled at the said fish farm and of all sales of fish from it and such records shall be available for inspection at all reasonable times by any inspector appointed for the purpose of Part X of the Fisheries (Consolidation) Act, 1959.
8. The Licensee shall furnish to the Secretary, Department of the Marine (Aquaculture Section) Leeson Lane, Dublin 2 such returns from the records kept at the said fish farm as may be required from time to time by the Minister.
9. Live salmon, salmon smolts and the ova, fry or fingerlings thereof shall not be sold or disposed of to any person or in any way transferred outside the said fish farm save in accordance with the written permission of the Minister.
10. The said fish farm and all premises used in connection with operations carried on at the said fish farm shall be open to inspection at any time by any authorised officer within the meaning of the Fisheries Acts.
11. The Licensee shall carry out such water quality monitoring and provide such data relating to such monitoring as may be requested from time to time by the Secretary, Department of the Marine at the above address.
12. The Licensee shall notify the Secretary, Department of the Marine at the above address within forty-eight hours of the appearance or suspected appearance of any disease at the said fish farm or abnormal losses or mortalities and shall send samples to the Fish

Pathology Unit, Abbotstown, Castleknock, Co. Dublin, in a prescribed manner as and when requested to do so and shall comply with any directions as to the treatment, disposal or destruction of stocks of fish at the said fish farm in the interests of safeguarding the stocks of fish in the State.

13. The Licensee shall make arrangements for the provision of a lime pit for the disposal of dead fish. All dead fish shall be disposed of in a manner approved by the Minister and acceptable to the Local Authority.
14. The Licensee shall make adequate arrangements for the hygienic operation of the said fish farm (including selection and preparation of food, treatment and disposal of effluent) and in that connection shall comply with any directions which may be issued from time to time by the Minister.
15. All chemicals and antibiotics used in the fishery shall be used in accordance with instructions issued by the Minister from time to time.
16. The Licensee shall keep records of all drugs (including antibiotics), chemicals and disinfectants with which the fish have been treated, including quantities and times of use.
17. The Licensee shall notify the Secretary, Department of the Marine, (Aquaculture Section) at the above address within twenty-four hours of any escapes of fish from the fishery and shall keep records of fish escaped, including types and year classes and shall make these records available to the Secretary on request.
18. Such precautions shall be taken as the Minister may specify from time to time, in relation to (a) introduction of salmon and salmon smolts, and the ova, fry or fingerlings thereof for stocking the farm, including disease free certification, in appropriate terms, and (b) the adaptation of methods of operation or type of installation (e.g. use of concrete ponds).

19. The Licensee shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible spreading of disease by predators and shall comply with any directions which may be issued by the Minister from time to time in that regard.
20. The Licensee shall indemnify and keep indemnified the State, the Minister, their officers, servants or agents against actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the construction, maintenance or use of any aquaculture structures, apparatus or equipment in the exercise of rights granted under this licence.
21. In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit to dispose of the fish including revocation of licence.
22. The Minister shall be at liberty at any time to revoke or amend this licence if he considers that it is in the public interest to do so or if he is satisfied that there has been a breach of any condition specified in the licence. Any such revocation or amendment shall be subject to the provisions of Section 15 of the Fisheries (Consolidation) Act, 1959.
23. This licence is valid only so long as the grant of Planning Permission by Cork County Council dated 7th December, 1992 and licence granted by Cork County Council on 24th November, 1992 to discharge effluent from the fish farm, remain valid.
24. This licence is not to be construed as authorising the Licensee in any way to interfere with or infringe the rights of any other person.

Dated this 21st day of July 1993
For the Minister for the Marine

David Flynn

L.S.

An Officer of the Department of the Marine
duly authorised in that behalf.