

AQUACULTURE LICENCE NO. 467

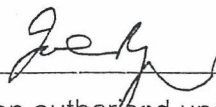
GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

The Minister for Communications, Marine and Natural Resources, in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No.23), hereby grants an Aquaculture licence to:

**COOMHOLA SALMON TRUST LTD,
COOMHOLA,
BANTRY,
CO. CORK.**

For the cultivation of salmon and brown trout at the townland of Mill Little in the Barony of Bantry, County Cork in accordance with plans approved of by the Minister, subject to the provisions of the Act referred to and to the terms and conditions set out in the Schedule attached.

Subject as aforesaid, this Aquaculture Licence shall remain in force for a maximum period of ten (10) years commencing on 18 August ,2004.



A person authorised under section 15(1) of the
Ministers and Secretaries Act, 1924 to
authenticate the Seal of the Minister for
Communications, Marine and Natural
Resources

18 August, 2004

SCHEDULE

TERMS AND CONDITIONS OF 10 YEAR AQUACULTURE LICENCE GRANTED TO COOMHOLA SALMON TRUST LTD TO CULTIVATE SALMON AND BROWN TROUT AT THE TOWNLAND OF MILL LITTLE IN THE BARONY OF BANTRY, CO. CORK.

General

- 1.(a) This Licence shall remain in force only for so long as the fish farm complies with the planning permission granted by Cork County Council on 7 November 2001 (ref. W/01/4569).
- (b) This Licence shall be reviewed by the Minister not later than 3 years after the date of the start of the Licence.
2. The Licensee shall comply with such instructions as the Minister may issue from time to time for the proper operation of the fish farm, including in particular, instructions issued in relation to any of the matters referred to in the following paragraphs.
3. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, claims, damages, costs, expenses or demands arising in any manner whatsoever in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in the exercise of the rights granted under this Licence and the Licensee shall take all steps specified in order to ensure compliance with this condition.
- 4.(a) The Licensee shall ensure that no derelict or redundant structure, apparatus, equipment or thing associated with the fish farm is allowed to remain on the licensed area or on adjoining land and that any such structure, apparatus, equipment or thing is properly removed for proper disposal elsewhere.
- (b) In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit (including revocation of this Licence or the disposal of any fish or any structure, apparatus, equipment or thing there) and the Licensee shall be liable to reimburse the Minister in respect of the expense involved in so doing.
5. This Licence is not to be construed as authorising the Licensee to interfere with or infringe in any way the rights of any other person.
6. The Minister shall be at liberty at any time to revoke or amend the 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, or in the event of water quality results or general performance at the fish farm not meeting the standards set by the Department of Communications, Marine and Natural Resources (hereinafter referred to as the Department). Any such revocation or amendment shall be subject to the provisions of the Fisheries (Amendment) Act, 1997, or any amendment thereto.

Stocking etc., restrictions

7. No fish other than salmon or brown trout shall be bred and handled at the fish farm.
8. The annual production of salmon and brown trout will not exceed 1 tonne. The salmon and brown trout cultivated shall not be used for restocking purposes.
9. Such precautions shall be taken by the Licensee as the Minister may specify from time to time in relation to the introduction of salmon and brown trout (including ova and fry) into the fish farm, including disease-free certification and any adaptation of methods of operation or type of installation at the fish farm.
10. No salmon or brown trout (including ova and fry thereof) shall be sold or disposed of to any person or in any way transferred outside the fish farm (except in any case to which paragraph 15 refers) save in accordance with the prior written permission of the Department.

Hygiene, Fish Health & Monitoring of Water Quality

11. The Licensee shall make adequate arrangements for the hygienic operation of the fish farm (including proper selection and preparation of food, and proper treatment and disposal of wastes).
12. The Licensee shall make arrangements for the disposal of dead fish in accordance with the applicable statutory provisions and requirements.
13. The Licensee shall carry out regular monitoring of water quality at the fish farm and provide results of such monitoring to the Department and Cork County Council.
14. The Licensee shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible introduction of disease by predators.
15. The Licensee shall notify the Department (Coastal Zone Management Division, Leeson Lane, Dublin 2) and the Fish Health Unit, Marine Institute, Snugborough Road, Abbotstown, Dublin 15, within twenty-four hours of the appearance or suspected appearance of any disease or abnormal losses or mortalities at the fish farm and shall send samples to the Fish Health Unit at the above address in a prescribed manner as, and when, requested to do so and shall comply with any directions issued by the Department including the treatment, disposal or destruction of stocks of fish at the fish farm in the interests of safeguarding the stocks of fish in the State.
16. The Licensee shall notify the Department (Coastal Zone Management Division) and the Fish Health Unit, Marine Institute, at the above addresses, within twenty-four hours of any escapes of fish from the fish farm and shall keep records of fish escaped, including numbers, origin, species and year classes and shall make these records available to the Department, the Fish Health Unit and South Western Regional Fisheries Board on request.

Special requirements on chemical usage

17. All chemicals, antibiotics and disinfectants used at the fish farm shall be used in accordance with instructions issued by the Veterinary Surgeon to the fish farm.

Inspections, records and returns

18. The fish farm and all equipment or premises used in connection with operations carried on at the fish farm and the records referred to in condition 19 shall be open to inspection at any time by any authorised officer (within the meaning of the Fisheries Acts), or any other person appointed by the Minister for the purpose.
19. Records shall be kept at the fish farm of
- all fish stripped, bred, held and handled at the fish farm;
 - the types and quantities of fish foods used (including their phosphate content), and the times of use;
 - all chemicals, antibiotics and disinfectants with which the fish have been treated, including types, quantities and times of use; and
 - the results of regular monitoring of water quality at the fish farm.
20. The Licensee shall furnish to the Department (Coastal Zone Management Division, Leeson Lane, Dublin 2) such returns from the records kept at the fish farm as may be required from time to time by the Department.
21. In the event of the benefit of the Licence being granted to a company (within the meaning of the Companies Acts, 1963 to 1999) the following condition shall apply, namely, the Licensees shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensees where such change substantially alters the identity of the Licensees.

Roinn na Mara
(Department of the Marine)

Fisheries (Consolidation) Act, 1959

Fish Culture Licence

The Minister for the Marine by this licence authorises, subject to the conditions set out in the Schedule to this licence Cuan Baoi Fisheries Ltd., Harbour View, Bantry, Co. Cork, (hereinafter referred to as "th licensee").

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

Conditions subjected to which this licence is granted

1. No fish other than salmon shall be bred and handled at the said fish farm.
2. The licensee shall provide and maintain such gratings or other devices in the intake and discharge channels as will effectually prevent the admission of migratory fish into other water courses and ponds of the fish farm, and 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 salmon from the ponds and water courses of the farm and shall carry out any instructions issued in this connection from time to time by the Minister for the Marine.
3. Abstraction of water shall be so regulated that sufficient water will be maintained at all time in the natural water courses adjoining the farm to ensure the free passage of migratory fish past the farm. The licensee shall comply with any directions issued in that connection by the Minister for the Marine from time to time.
4. The stock of fish held in the farm shall not exceed such quantity as may be specified by the Minister for the Marine from time to time and will not in any event exceed 25,000 smolts.
5. 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.
6. The Licensee shall furnish to the Secretary, Department of the Marine such returns from the records kept at the said fish farm as may be required from time to time by the Minister for the Marine.
7. Live salmon, salmon smolts or 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 for the Marine.
8. Environmental monitoring shall be carried out as directed by the Minister for the Marine from time to time.
9. 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.

10. The Licensee shall notify the Secretary, Department of the Marine within forty-eight hours of the appearance or suspected appearance of any disease at the said fish farm or abnormal losses or mortalities, at the said salmon hatchery and early rearing station 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.
11. The Licensee shall make arrangements for the provision of a lime pit for the disposal of dead fish.
12. 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 for the Marine.
13. Such precautions shall be taken as the Minister for the Marine may specify from time to time, in relation to (a) introductions of salmon and the ova or fry 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).
14. 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.
15. Should the licensee fail to comply with any or all of the conditions in this licence, the Minister for the Marine may revoke the licence.
16. This licence shall be subject to review and/or amendment on or before 30 April 1992.

Dated this day of 1987
For the Minister for the Marine

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

- N.B. (1) This licence is valid only so long as the layout of the fish farm conforms to the plans duly approved as provided in Paragraph 1 of this licence.
- (2) This licence may be amended or revoked as provided by Section 15 of the Fisheries (Consolidation) Act, 1959.
- (3) 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.