

**AQUACULTURE LICENCE NO. 505****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:

**ABALONE CHONAMARA TEORANTA**

**CASHLA BAY**

**BALLINTELEVA**

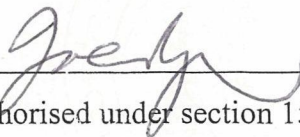
**KILCUMMIN**

**BALLINAHOWN**

**CO. GALWAY**

for the cultivation of abalone in tanks at site 456 Cashla Bay, Ballinteleva, Kilcummin, Ballinahown, Co. Galway, 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 until for a maximum period of ten (10) years commencing on 2 December, 2005.



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

## SCHEDULE I

### TERMS AND CONDITIONS TO APPLY TO 10-YEAR AQUACULTURE LICENCE FOR THE CULTIVATION OF ABALONE IN TANKS AT CASHLA BAY, CO. GALWAY BY ABALONE CHONAMARA TEORANTA.

#### General

- 1.(a) This licence shall remain in force only for so long as the fish farm complies with both the planning permission granted by Galway County Council on 10<sup>th</sup> January, 2005 (ref. PL/04/2850) and the Effluent Discharge Licence granted by Galway County Council on 19<sup>th</sup> August, 2005 (ref. W/380/05) (or a further such licence granted by the said Council or by the Environmental Protection Agency).
- (b) This licence shall be reviewed by the Minister not later than 3 years after the date of the start of the licence.
- 2.(a) The cultivation of abalone in tanks forming part of a re-circulation unit approved of by the Department of Communications, Marine and Natural Resources.
- (b) Seed shall only be obtained from certified disease-free sources within Ireland or another Member State of the European Union and only introduced into the re-circulation unit with the written approval of the Department of Communications, Marine and Natural Resources.
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 including the public pier and slipway located to the south of the fish farm. Any such structure, apparatus, equipment or thing shall be properly removed for proper disposal elsewhere.
- (b) The Licensee shall ensure that the fish farm does not restrict the use of the public pier and slipway.
- (c) 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.**

- 7.(a) No fish other than abalone shall be bred and handled at the fish farm.
8. Such precautions shall be taken by the Licensee as the Minister may specify from time to time in relation to the introduction of abalone (including brood, spawn or larvae) into the fish farm, including disease-free certification and any adaptation of methods of operation or type of installation at the fish farm.
9. No abalone (including brood, spawn or larvae) 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**

10. 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) and shall carry out any instructions issued in this connection by the Department.
11. The Licensee shall regularly update its comprehensive Emergency Plan which shall, in particular, provide for appropriate response to significant fish or other mortalities; fish or other disease; chemical spills; failure of ultraviolet disinfection equipment, or any other significant matters that could in the course of the Licensee's operations.
12. The Licensee shall make arrangements for the disposal of dead abalone in accordance with the applicable statutory provisions and requirements.
13. The Licensee shall carry out regular water quality and other monitoring at the fish farm in accordance with the specifications of the Department (including the essential reference standards against which the monitoring shall be carried out) and provide the results of such monitoring to the Department on request.

14. The Licensee shall notify the Department of Communications, Marine and Natural Resources, 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 abalone at the fish farm in the interests of safeguarding the stocks of abalone in the State.

#### **Special requirements on chemical usage**

15. 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.

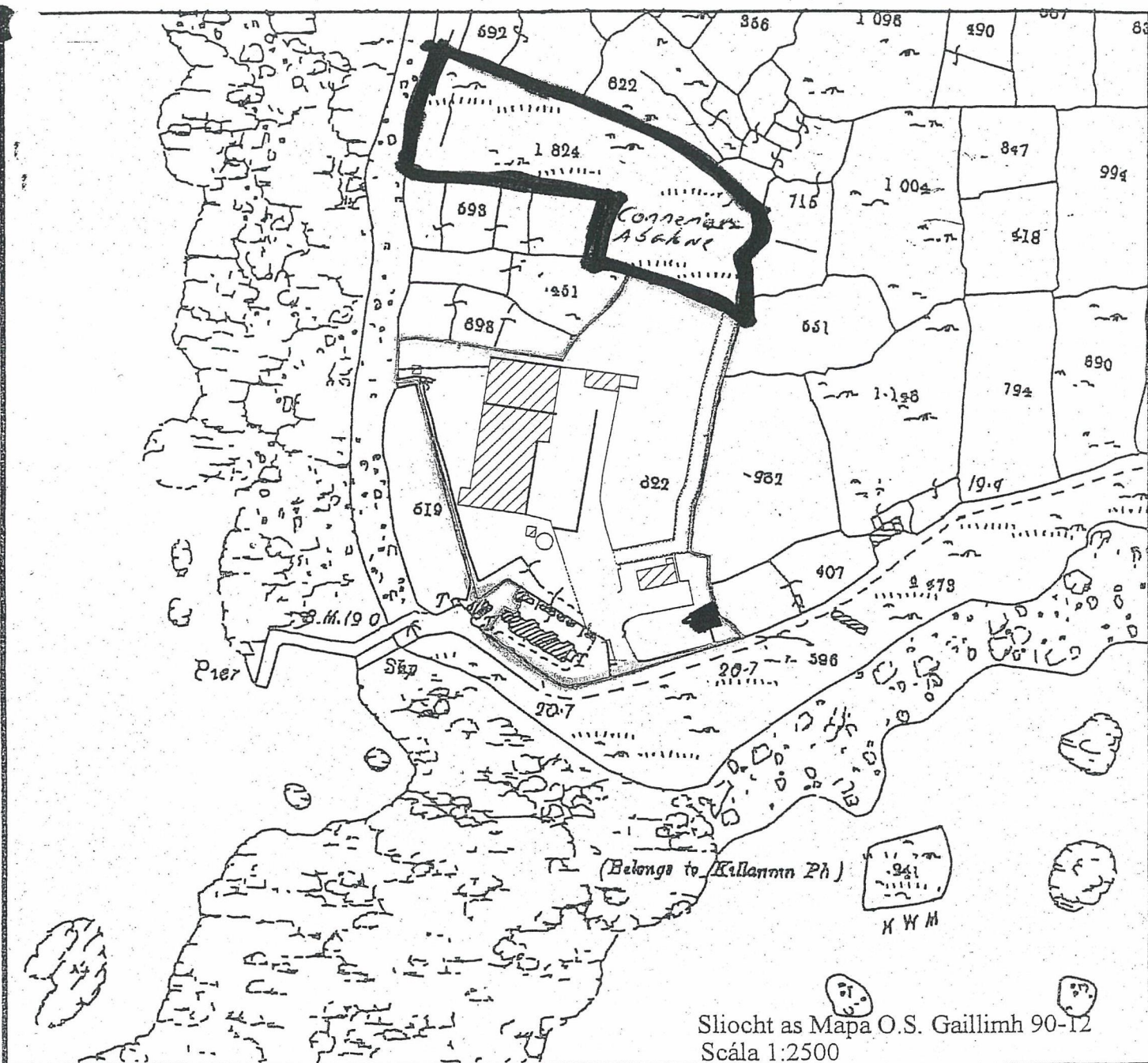
#### **Inspections, records and returns**

16. 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 18 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.
17. The Licensee shall keep full records at the fish farm of:
- all fish stripped, bred, held and handled at the fish farm;
  - the types and quantities of fish food used and the times of use;
  - all chemicals, antibiotics and disinfectants with which the stock have been treated, including types, quantities and times of use; and
  - the result of regular monitoring of water quality at the fish farm.
18. 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.
19. The Licensee shall not assign the benefit of the licence without the written consent of the Minister, such consent not to be unreasonably withheld.
20. 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 Licensee shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensee where such change substantially alters the identity of the Licensee.



21. In the event of the benefit of the licence being granted to a society (within the meaning of Section 2 of the Industrial and Provident Societies (Amendment) Act, 1978 (No. 23 of 1978)) the following conditions shall apply, namely,

- (i) the rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
- (ii) the rules relating to the society shall be submitted to the Minister as soon as practicable after such assignment and the society shall not amend the rules thereafter, other than with the consent of the Minister; and
- (iii) the Minister may, if he considers it necessary in the interests of good management of the licensed area, direct that an amendment may be made to the rules of the society, from time to time, and the Licensee shall amend the rules in accordance with that direction.



## MAPA LÉASA

LÉAS IDIR ÚDARÁS NA GAELTACHTA AGUS Abalone Chonamara

- Achar imlínithe í ndearg *Red*
- An eastáit imlínithe i nglas *green*
- Limistéar comónta seachtaireacht daite buí
- Córas eisilteach daite corcra *purple*



Tag. Suíomh 0070	Tag. Foirgneamh	Ainm & Seoladh an Foirgneamh Baile na hAbhainn, Ros a Mhí, Co. na Gaillimhe	
Clár uimhir G108 28670 G10 3189F & 2810F.	Scála 1:2500	Baile Fearainn & Cód Baile Fearainn Baile na tSleibhe - 330201	Uimhir Léas
Sliocht as mapa O.S. Gaillimh 90 - 12	Achar	Dáta 13 Aibreán 2004	Línitheoir L.G.
RANNÓG MAOINE, ÚDARÁS NA GAELTACHTA, NA FORBACHA, GAILLIMH.		Fón: (091) 503100 Facs: (091) 503101	Scrúdaithe