

Dated 8th April 1998

MINISTER FOR THE MARINE
AND NATURAL RESOURCES

WITH

Screebe Fishery Ltd

AQUACULTURE LICENCE

COUNTERPART

AGREEMENT made **8th April 1998**

1. The Minister for the Marine and Natural Resources, (hereinafter referred to as "the Minister"), in exercise of the powers conferred on him by Section 54 of the Fisheries Act, 1980 (No. 1 of 1980) hereby grants to

Screebe Fishery Ltd
Screebe House
Camus
Connemara
Co Galway

(hereinafter referred to as "the Licensee"), at the place and in the waters attached referred to in the Schedule hereto and delineated on the map attached hereto and thereon coloured red (hereinafter referred to as "the fishery"), the exclusive right to

- (a) perform all operations necessary for the cultivation of salmon in cages, details of which have been submitted to and approved by the Minister, placed within that area of Lough Ahalia, within Kilkieran Bay, Co. Galway designated in the Foreshore Licence dated **8th April 1998** between the Minister and the Licensee;
 - (b) carry out all operations necessary for obtaining, storing and disposing of the produce of the fishery as may be authorised by the Minister.
2. This licence shall remain in operation until **7th April 2008** subject to payment of the fee prescribed by the Department of the Marine and Natural Resources and compliance with the conditions set out in paragraph 3 of this licence.
3. This licence shall be subject to the following conditions:
 - (a) no fish other than salmon parr and salmon smolts shall be cultured or taken under the terms of this licence without the prior written permission of the Minister;

- (b) the stock of fish in the cages shall not exceed such quantity as may be specified by the Minister from time to time and in any event shall not exceed a combination of 60,000 salmon smolts and brood stock or 120,000 salmon smolts with no brood stock;
- (c) The Licensee shall notify the Secretary General, Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, and the Fisheries Research Centre (Fish Health Unit), Abbotstown, Castleknock, County Dublin, within forty-eight hours of the appearance of any suspected disease in the fishery or of any abnormal losses or mortalities in the fishery and shall carry out any instructions issued by the Minister as a result of the notification including instructions relating to the treatment, disposal and destruction of stocks of fish at the said fish farm in the interests of safeguarding the stocks of fish in the State;
- (d) disposal of all dead fish shall be in a manner acceptable to the local authority;
- (e) the Licensee shall furnish to the said Secretary General at the said address such returns relating to the fishery as may be required by the Minister;
- (f) the fishery and any equipment, structure, thing or premises wherever situated, used in connection with operations carried on in the fishery shall be open for inspection at any time by an authorised person (within the meaning of section 292 of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959) (as amended by the Fisheries Act, 1980) other than a private water keeper), a sea fisheries protection officer (within the meaning of section 220 of the Fisheries (Consolidation) Act, 1959) or any other person appointed in that regard by the Minister;
- (g) the Licensee shall give all reasonable assistance to a sea fisheries protection officer or any person duly appointed by the Minister, to enable the person or officer enter and inspect the fishery, equipment, structures, things or premises pursuant to sub-paragraph (1) of this paragraph;
- (h) the Licensee shall not use any substance or thing or do anything which has a deleterious effect on the environment and shall make adequate arrangements for the hygienic and disease-free operation of the fishery and shall comply with any directions issued by the Minister from time to time in that regard;

- (i) the Licensee shall not carry out any operations authorised by this licence in the fishery in such a manner as to interfere unreasonably with fishing or navigation in the vicinity of the fishery and shall comply with any direction given to the Licensee in that regard by the Minister;
- (j) the Licensee shall make adequate provision for the removal and disposal of all waste from the fishery;
- (k) the Licensee shall not assign, underlet or part with this demise or the liberties hereby created without the written consent of the Minister, such consent not to be unreasonably withheld;
- (l) in the event of this licence being assigned to a company (within the meaning of the Companies Acts, 1963 to 1990) 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;
- (m) in the event of the benefit of this 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 its 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 fishery, direct that an amendment be made to the rules of the society, from time to time, and the Licensee shall amend its rules in accordance with that direction;

- (n) the Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in connection with the fishery or in the exercise of the rights granted under this Licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition;
 - (0) should the Licensee fail to commence operations under the terms of this licence to the satisfaction of the Minister within one year of the date of issue of this licence, the Minister may revoke without compensation the licence if he thinks fit.
- 4. 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 or that the fishery to which the licence relates is not being properly maintained. Any such revocation or amendment shall be subject to section 54(14) of the Fisheries Act, 1980.
- 5. This licence is non transferable.

PRESENT when the Seal of Office
of the **MINISTER FOR THE MARINE
AND NATURAL RESOURCES**
was affixed and was authenticated
by the Signature of:

THOMAS J. TOBIN



A person so authorised under Section

WITNESS: Lorraine Hughes

15(1) of the Ministers and Secretaries

ADDRESS: Department of Marine &

Act, 1924 to authenticate the seal of the

Natural Resources, Leeson House, Dublin 2

Minister.

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee



Screbbe Fishery Ltd

in the presence of:

WITNESS: Ethna O'Brien

ADDRESS: Screbbe, Camus

Co. Galway

OCCUPATION: Hatchery Manager

SCHEDULE

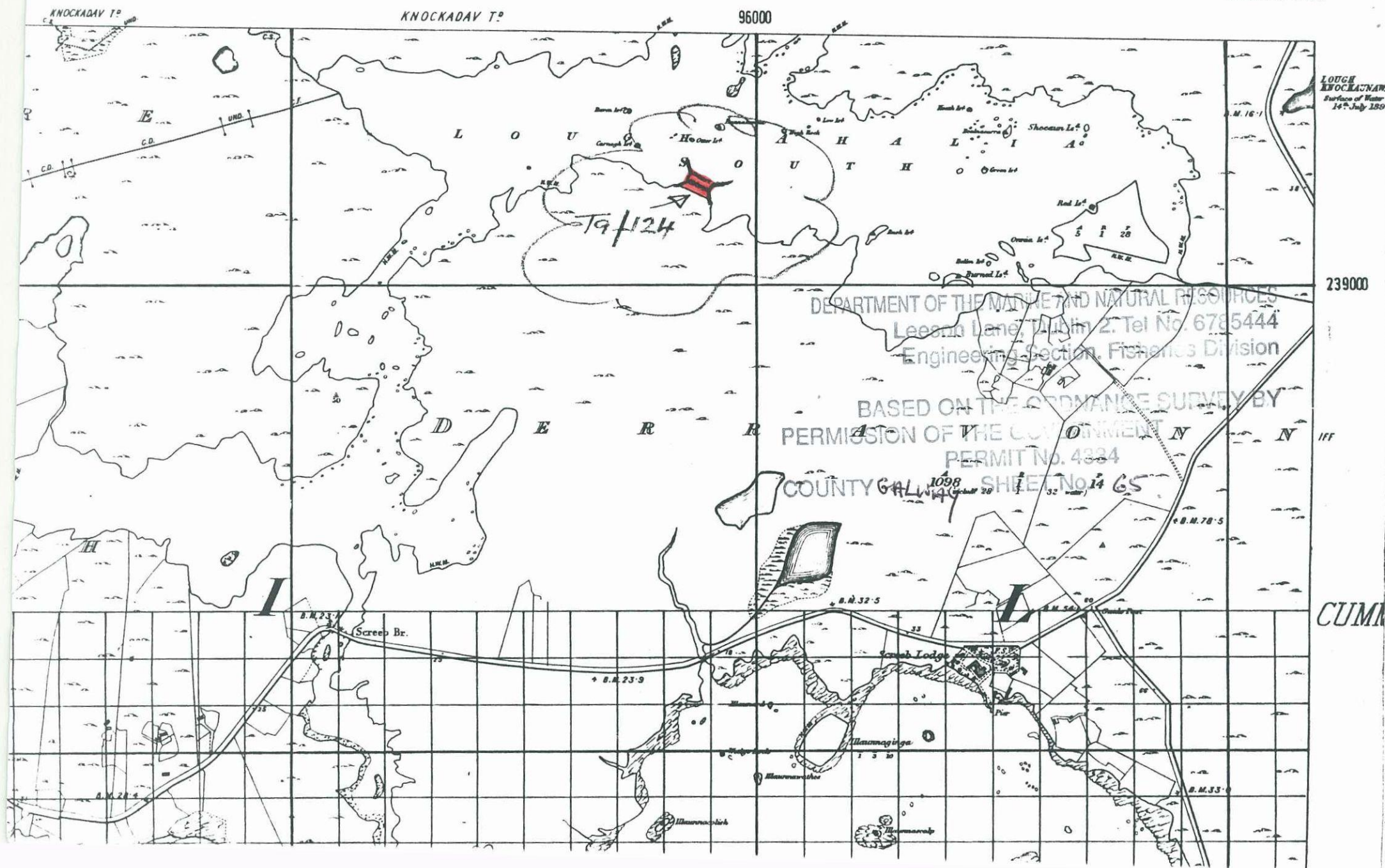
This licence covers all that area which lies within the area designated under the Aquaculture (Kilkieran Bay) Order, 1986 and is enclosed by a line drawn from Irish National Grid Reference point

095850, 239270 to Irish National Grid Reference point

095950, 239225 to Irish National Grid Reference point

095900, 239175 to Irish National Grid Reference point

095820, 239215 to the point first mentioned and know as site 124.



Dated **8th April 1998**

MINISTER FOR THE MARINE
AND NATURAL RESOURCES

with

Screbbe Fishery Ltd

FORESHORE LICENCE

COUNTERPART

Foreshore Licence

AGREEMENT made **8th April 1998** between the Minister for the Marine and Natural Resources (hereinafter referred to as "the Minister"), of the one part and

Screebe Fishery Ltd

Screebe Hatchery

Camus

Connemara

Co Galway

(hereinafter referred to as "the Licensee") of the other part whereby the Minister in exercise of the powers vested in him by Section 3(1) of the Foreshore Act, 1933 (No. 12 of 1933) hereby grants to the Licensee a licence to use and occupy that part of the Foreshore at Lough Ahalia, in Kilkieran Bay, Co Galway, defined in the attached schedule and more particularly delineated on the map annexed hereto and thereon coloured red for the purpose of mooring 6 cages, 10 metres X 10 metres for the cultivation of salmon subject to the terms and conditions following:

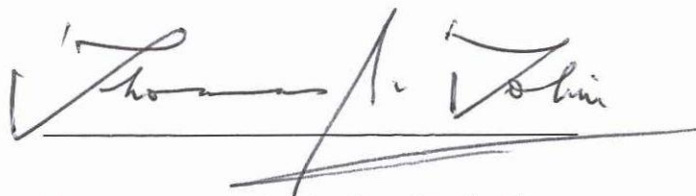
1. This licence shall commence on **8th April 1998** and remain in force until **7th April 2008** except as hereinafter provided.
2. The Licensee shall pay to the Minister, through the Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, the sum of **£50** per annum such payment to be made on **8th April** in every year during the continuance of this licence the first of such payments to be made on the signing hereof in respect of the period ending **7th April 1999**.
3.
 - (i) The Licensee shall use that part of the foreshore, the subject matter of this licence, for the mooring of cages as detailed above in connection with the cultivation of salmon and for no other purpose whatsoever.
 - (ii) The Licensee shall ensure that the cages are moored within the licensed area only. A breach of this condition may lead to the revocation of this licence by the Minister.

4. The Licensee shall at all times during the continuance of this licence keep the said cages in a good and proper state of repair and condition to the satisfaction of the Minister and ensure that they will not be injurious to navigation, the adjacent lands or the public interest.
5. The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all redundant structures, waste products or materials associated with the development and shall comply with any directions which may be issued by the Minister from time to time in that regard.
6. The Licensee shall cause each cage to be fitted to the satisfaction of the Minister with a low intensity, battery-powered yellow coloured flashing light and an approved type of radar reflector for the safety of navigation during the hours of darkness and reduced visibility.
7. The Licensee shall ensure that each cage shall bear the licence number AQ 648.
8. The Licensee shall indemnify and keep indemnified the State and the Minister, their officers, agents and employees against all actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the construction, maintenance or use of the said cages or in exercise of the permission hereby granted.
9. The Licensee shall at the expense of the Licensee, if so required by the Minister, and within three weeks after receipt of such notice or on determination of this licence from any other cause, remove the said cages to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said cages to be removed and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred in connection with the removal and restoration, and the Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition.
10. 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 or that the fishery to which the licence relates is not being properly maintained.

11. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.

PRESENT when the Seal of Office
of the **MINISTER FOR THE MARINE
AND NATURAL RESOURCES**
was affixed and was authenticated
by the Signature of:

THOMAS J. TOBIN



A person so authorised under Section

WITNESS: horraine Hughes

15(1) of the Ministers and Secretaries

ADDRESS: Department of Marine &

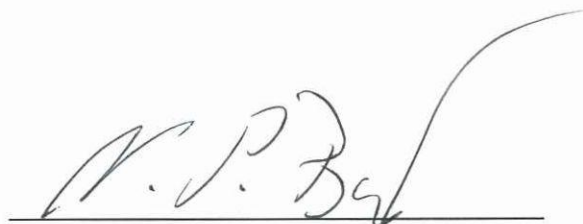
Act, 1924 to authenticate the seal of the

Natural Resources, heerson lane, Dublin 2

Minister.

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee



Screebe Fishery Ltd

in the presence of:

WITNESS: Marius Carey

ADDRESS: Screebe House

Carrus, Co. Galway

OCCUPATION: ESTATE MANAGER

SCHEDULE

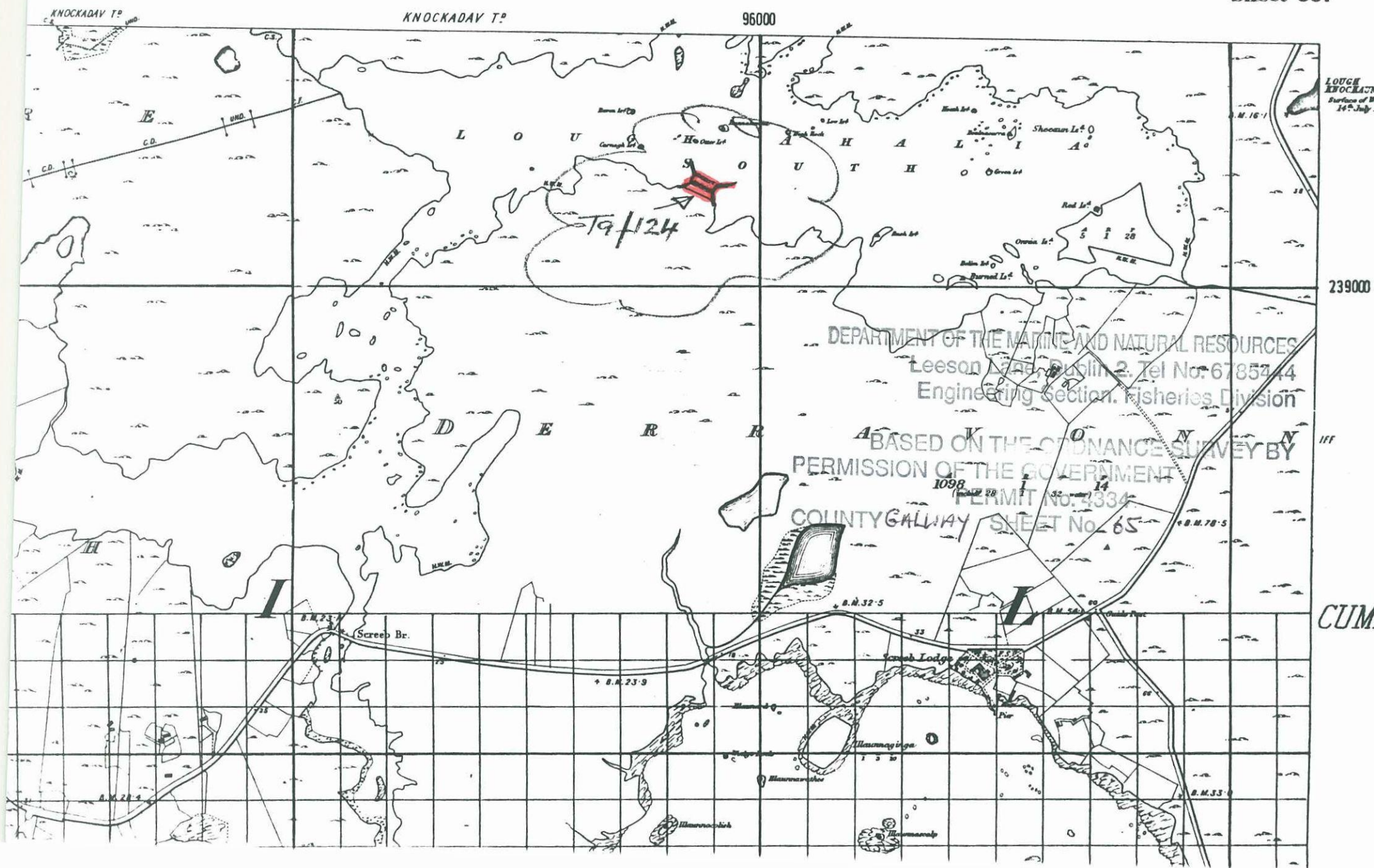
This licence covers all that area which lies within the area designated under the Aquaculture (Kilkieran Bay) Order, 1986 and is enclosed by a line drawn from Irish National Grid Reference point

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095900, 239175 to Irish National Grid Reference point

095820, 239215 to the point first mentioned and know as site 124.



DEPARTMENT OF THE MARINE

Certificate of authorisation under Section 14 of the Fisheries

(Consolidation) Act 1959

The Minister for the Marine in exercise of the powers conferred on him by the Fisheries Acts 1959 to 1980 hereby authorises, subject to the conditions set out in the schedule to this permit, ~~Curraun Fisheries Ltd., Doughill, Mulrany, Westport, Co. Mayo~~ ^{SCREEBE FISHERY LTD., SCREEBE HOUSE, CAMUS, CONEMARA, CO GALWAY} (hereinafter referred to as "the licensee") to have in possession ~~30,000~~ ^{100,000} smolts in not more than ~~(4)~~ ¹⁰ cages (total cubic capacity is ~~nine hundred~~ ^{ONE THOUSAND} cubic metres) at their experimental unit at ~~Bunnaveela Lake, Co. Mayo,~~ ^{LOUGH AHALIA, CO GALWAY} for the period ~~1~~ December 1987 to ~~1-May~~ 1988.

SCHEDULE

Conditions of Permit

1. No fish other than salmon ^{AND TROUT} shall be held under the terms of this permit.
2. The smolts shall be held in cages, details of which have been submitted to and approved by the Minister for the Marine.
3. The licensee 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 ^{OR TROUT} from the cages and shall carry out any instructions as may be required from time to time by the Minister for the Marine.

- AND TROUT
1
4. The stock of salmon held in the cages shall not exceed such quantity as may be specified by the Minister for the Marine from time to time.
- AND TROUT
AND TROUT
1
5. The licensee shall keep records of all salmon held in the cages and of all sales and transfers of salmon from the cages and such records shall be made available by the licensee for inspection at all reasonable times by an inspector.
6. The licensee shall furnish to the Secretary, Department of the Marine (~~Fisheries Division~~) such returns from the record referred to at Condition No. 5 above as may be required from time to time by the Minister for the Marine.
- AND TROUT OR THEIR SMOLTS
7. Live salmon ~~or salmon smolts~~ shall not be sold or disposed of by the licensee to any person or in any way removed or transferred by the licensee outside the cages save in accordance with the written permission of the Minister for the Marine.
- OR TROUT
1
8. 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.
- AND TROUT
1
9. For the culture of salmon under this permit the licensee 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 for the Marine.

10. Water quality ~~and nutrient~~ ^{analysis} are to be carried out on a ~~monthly~~ ^{regular} basis at a number of stations on the lake and outflowing river ^{the parameters to be monitored; the frequency of sampling} and the location of such stations to be agreed between the Department and the licensee. (See Appendix 1).

11. In the operations necessary for the culture of salmon ^{AND TROUT} the licensee shall not use any substance which is deleterious to the aquatic environment.

12. The licensee 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 cages, 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. The licensee shall provide a lime pit for the safe disposal of dead fish.

14. The licensee shall indemnify and keep indemnified the State, the Minister for the Marine, his officers, servants or agents against all actions, loss, claims, damages, costs, expense 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.
15. The licensee shall comply with such instructions as the Minister for the Marine may issue from time to time for the control of all fish culture activities concerned in the operation of the cages and associated premises and structures.
- 16(a) The licensee shall ensure that the following monitoring must be carried out at 3 stations shown on the map attached to this permit and numbered page 7.

Parameter	Results expressed as	Sampling Frequency
Total Phosphorous	: mg/l P	Once per month
Soluble reactive P	: mg/l P	" " "
Ammonia (NH ₃)	: mg/l N	" " "
Oxidized Nitrogen (NO ₂ +NO ₃)	: mg/l N	" " "
Ph	:	" " "
Temperature	: Degrees C	" " "
Oxygen concentration:	mg/l O ₂	" " "
Transparency	: metres	" " "


(Samples should be taken at depth profile intervals of 0m, 10m, 20m, 30m etc. and 1 m off bottom).

Appendix I

Monitoring Requirements

- ~~16.~~ (a) Prior to placing fish in the cages, the licensee shall provide general water quality data expressed as follows:-

Parameter	:	Results expressed as
PH		
Temperature	:	degrees ^o C
Transparency	:	metres
Conductivity @ 20 degrees C		expressed as (s/cm)
Colour	:	Hazen units
Total Hardness	:	mg/l CaCO ₃
Alkalinity	:	mg/l CaCO ₃
Turbidity	:	mg/l SiO ₂
Chloride	:	mg/l Cl
Silica	:	mg/l Si
Total Nitrogen (NH ₃ +NH ₄)	:	mg/l N
Nitrite/Nitrate (NO ₂ +NO ₃)	:	mg/l N
Nitrate (NO ₃)	:	mg/l N
Total Ammonia	:	mg/l N
Ortho-phosphate	:	mg/l P
Total Phosphorous	:	mg/l P
Iron	:	mg/l Fe
Copper	:	mg/l Cu
Lead	:	mg/l Pb
Zinc	:	mg/l Zn
Cadmium	:	mg/l Cd
Aluminium	:	mg/l Al

-  (b) When the fish are placed in the cages the following monitoring must be carried out at the 3 stations shown on the map attached to this licence and numbered page ~~4~~ 7.

Parameter	Results expressed as	Sampling Frequency
Total Phosphorous	: mg/l P	Once per month
Soluble reactive P	: mg/l P	" " "
Ammonia (NH ₃)	: mg/l N	" " "
Oxidized Nitrogen (NO ₂ +NO ₃)	: mg/l N	" " "
PH		
Temperature	: Degrees C	" " "
Oxygen concentration	: mg/l O ₂	" " "
Transparency	: metres	" " "

(Samples should be taken at depth profile intervals of 0m, 10m, 20m, 30m etc and 1m off bottom).

Chlorophyll	: Composite sample 0-6m	monthly
Identification and quantification of the major constituents of phytoplankton		monthly

Sampling must ^{be} continued ^{for as long as} until ~~31st August 1988~~ ^{such time as the Department believes necessary}.

- (c) Heavy metals (Iron, Copper, Lead, Zinc, Cadmium and Aluminium) should be monitored once during water mixing and also in ~~July 1988~~. The results to be expressed as per 16 a.

Samples should be taken in depth profiles specified in 16 b.

The analysis is to be carried out at Laboratories approved for Water Quality Monitoring.

Intercalibration with National laboratories may be required to ensure that results are accurate.

Results should be forwarded for evaluation to ^{the MARINE} Department of ~~Tourism, Fisheries and Forestry~~, Aquaculture Section, Leeson Lane, Dublin 2, at quarterly intervals.

17. In the event of neglect or abandonment of the fish in the cages 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.
18. This permit is non transferable.
19. This permit shall not be assigned without the written consent of the Minister for the Marine and any purported such transfer or assignment without such consent shall be void.

Dated this 11 day of December 1988



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

To note specially

1. This permit may be amended or revoked under Section 14 of the Fisheries (Consolidation) Act, 1959.
2. This permit is not to be construed as authorising the licensee in any way to interfere with or infringe the rights of any other person.