

T9/144

NO. 73

Dated 8th April, 1998

MINISTER FOR THE MARINE AND NATURAL RESOURCES

WITH

SCREEBE FISHERY LTD

FISH CULTURE LICENCE

AGREEMENT made 8th April 1998.

The Minister for the Marine and Natural Resources (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), hereby authorises, subject to the conditions set out in the Schedule to this licence,

**Screebe Fishery Ltd
Screebe House
Camus
Connemara
Co Galway**

(hereinafter referred to as "the Licensee"):

1. To carry on at or in connection with the fish farm situate in the townland of Knockadav, Barony of Moycullen, Co Galway, the plans of which have been submitted to and approved by the Minister, all necessary operations in relation to the culture of salmon and sea trout.
2. To purchase, have in possession and sell live salmon smolts and the ova, fry, fingerlings or parr of salmon and sea trout eggs (up to first feeding), 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 smolts and the ova, fry, fingerlings or parr of salmon and sea trout eggs (up to first feeding), 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 for a period of ten years from the date hereof except as hereinafter provided.
2. No fish other than salmon and sea trout eggs (up to first feeding) 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. In particular, the flow from L. Nahillion must be maintained at or above 5 litres per second at all times and a flow of at least 40 litres per second must be maintained in the Screebe river, after abstraction by the hatchery, at all times. The Licensee shall also comply with any further directions that may be issued in that connection by the Minister from time to time.
6. The annual production of fish 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 380,000 salmon smolts and 60,000 sea trout eggs (up to first feeding).
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 purposes of Part X of the Fisheries (Consolidation) Act, 1959.
8. The Licensee shall furnish to the Secretary General, Department of the Marine and Natural Resources, 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.

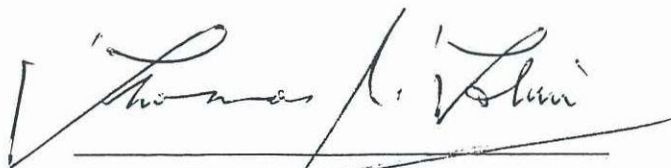
9. Live salmon smolts and the ova, fry, fingerlings and parr of salmon and sea trout eggs (up to first feeding) shall not be sold or disposed of to any person or in any way transferred outside the said fish farm save in accordance with the written permission of the Minister.
10. The said fish farm and 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 General, Department of the Marine and Natural Resources at the above address.
12. 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 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.
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 General, Department of the Marine and Natural Resources 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 General on request.
18. Such precautions shall be taken as the Minister may specify from time to time, in relation to (a) introduction of the ova, fry, fingerlings or parr of salmon, 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 for so long as the layout of the fish farm conforms to the plans duly approved and referred to in Paragraph 1 of this licence and for so long as the licence granted by Galway County Council on 17 April 1990 to discharge effluent from the fish farm remains valid.
24. This licence may be amended or revoked as provided by Section 15 of the Fisheries (Consolidation) Act, 1959.
25. 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.

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
15(1) of the Ministers and Secretaries
Act, 1924 to authenticate the seal of the
Minister.

WITNESS: horraine nughes

ADDRESS: Department of Marine &
Natural Resources, heeson house, Dublin 2

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee



SCREEBE FISHERY LTD

in the presence of:

WITNESS: Ethna O'Brien

ADDRESS: Screebe, Camus,
Co. Galway.

OCCUPATION: Hatchery Manager

WP.

URGENT

Pl.
B Conroy

X 447

An Roinn Turasoireachta, Iascaigh agus Foraoiseachta

Department of Tourism, Fisheries and Forestry

FISHERIES (CONSOLIDATION) ACT, 1959

Fish Culture Licence

The Minister for Tourism, Fisheries and Forestry hereby by this licence authorises, subject to the conditions set out in the Schedule to this licence

*Scriebe Estates Ltd., Scriebe Lodge, Maam Cross
Co Galway (hereinafter referred to as "the licensee")*

1. To carry on at or in connection with the salmon hatchery and early rearing station situate in the townland of *Knockdave* in the Barony of *Knockdave*, Co. Galway, the plans of which have been submitted to and approved by the Minister for Tourism, Fisheries and Forestry, all necessary operations in relation to the culture of salmon ova and rearing of salmon to the fry stage.
2. To purchase and have in possession salmon ova and fry, the acquisition of which has been approved by the Minister for Tourism, Fisheries and Forestry.
3. To capture and have in possession within the confines of the said salmon hatchery and early rearing station live salmon ova and fry 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 purpose of capture of fish as aforesaid to have in possession and use nets, traps, or such other engines as may be approved from time to time by the Minister for Tourism, Fisheries and Forestry.

SCHEDULE

Conditions subject to which this licence is granted

1. No fish other than salmon shall be bred and handled at the said salmon hatchery and early rearing station.
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 salmon hatchery and early rearing station and make adequate arrangements to ensure the safe passage past the salmon hatchery and early rearing unit of migratory fish and shall make all necessary provisions to prevent the escape of salmon from the ponds and water courses of the salmon hatchery and early rearing station and shall carry out any instructions issued in this connection from time to time by the Minister for Tourism, Fisheries and Forestry.
3. Abstraction of water shall be so regulated that sufficient water will be maintained at all times in the natural water courses adjoining the salmon hatchery and early rearing station to ensure the free passage of migratory fish past the salmon hatchery and early rearing unit. The licensee shall comply with any directions issued in that connection by the Minister for Tourism, Fisheries and Forestry from time to time.

4. The stock of salmon held in the salmon hatchery and early rearing unit shall not exceed ^{hundred} two thousand (200,000) salmon smelts and ^{without () thousand ova using single use water} without oxygenation
5. Records shall be kept at the said salmon hatchery and early rearing station of all fish stripped, bred, held and handled at the said salmon hatchery and early rearing station 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 Tourism, Fisheries and Forestry (Fisheries Division) such returns from the records kept at the said salmon hatchery and early rearing station as may be required from time to time by the Minister for Tourism, Fisheries and Forestry.
7. Live salmon or the ova or fry thereof shall not be sold or disposed of to any person or in any way transferred outside the said salmon hatchery and early rearing station save in accordance with the written permission of the Minister for Tourism, Fisheries and Forestry.
8. The said salmon hatchery and early rearing station and all premises used in connection with operations carried on at the said salmon hatchery and early rearing unit shall be open to inspection at any time by any authorised officer within the meaning of the Fisheries Acts.

9. The licensee shall notify the Secretary, Department of Tourism, Fisheries and Forestry (Fisheries Division) within forty-eight hours of the appearance or suspected appearance of any disease 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, or abnormal losses or mortalities, and shall comply with any directions as to the treatment, disposal or destruction of stocks of fish at the said salmon hatchery and early rearing station in the interests of safeguarding the stocks of fish in the State.
10. The licensee shall make arrangements for the provision of a lime pit for the disposal of dead fish.
11. The licensee shall make adequate arrangements for the hygienic operation of the said salmon hatchery and early rearing station (including selection and preparation of food, treatment and disposal of effluent) and in that connection shall comply with any direction which may be issued from time to time by the Minister for Tourism, Fisheries and Forestry.

12. Such precautions shall be taken as the Minister for Tourism, Fisheries and Forestry may specify from time to time, in relation to (a) introductions of salmon ova or fry for stocking the salmon hatchery and early rearing station 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).

13. 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.

14. This licence is ^{subject to review on the day of 1992.} ~~valid until 31 May 1986.~~
A

Dated this day of 198~~7~~
for the Minister for Tourism, Fisheries and
Forestry.

An Officer of the Department of Tourism,
Fisheries and Forestry duly authorised in
that behalf.

To Note Specifically

- (1) This licence is valid only so long as the layout of the ~~temporary~~ salmon hatchery and early rearing station 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.