

AQUACULTURE LICENCE NO. 457

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:

LOUGH REE FISH HATCHERY ASSOCIATION

12 ASHFORD

CUSHLA

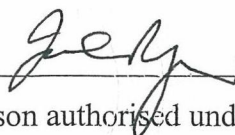
MONKSLAND

ATHLONE

CO. WESTMEATH

For the cultivation of brown trout at Coosan, Athlone, Co. Westmeath 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 LOUGH REE FISH HATCHERY ASSOCIATION TO CULTIVATE BROWN TROUT AT COOSAN, ATHLONE, CO. WESTMEATH.

General

- 1.(a) This Licence shall remain in force only for so long as the hatchery complies with both the planning permission granted by Westmeath County Council on 10 September 1999 (ref. 99/893) and the Effluent Discharge Licence granted by Westmeath County Council on 11 November 2003 (ref. ENV/W53/2003) (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. The Licensee shall comply with such instructions as the Minister may issue from time to time for the proper operation of the hatchery, 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 hatchery 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 hatchery, 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 hatchery 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 unfed brown trout fry shall be bred and handled at the hatchery.
8. Not more than 75,000 unfed brown trout fry shall be produced annually at the hatchery and they shall be used only for restocking Lough Ree feeder streams.
9. Such precautions shall be taken by the Licensee as the Minister may specify from time to time in relation to the introduction of brown trout (including ova and fry) into the hatchery, including disease-free certification and any adaptation of methods of operation or type of installation at the hatchery.
10. No brown trout (including ova and fry thereof) shall be sold or disposed of to any person or in any way transferred outside the hatchery (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 hatchery (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 hatchery and provide results of such monitoring to the Department and Westmeath County Council.
14. The Licensee shall fit adequate anti-predator netting on hatchery 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 hatchery 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 hatchery 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 hatchery 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 Shannon Regional Fisheries Board on request.

Special requirements on chemical usage

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

Inspections, records and returns

18. The hatchery and all equipment or premises used in connection with operations carried on at the hatchery 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 hatchery of
 - all fish stripped, bred, held and handled at the hatchery;
 - 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 hatchery.
20. The Licensee shall furnish to the Department (Coastal Zone Management Division, Leeson Lane, Dublin 2) such returns from the records kept at the hatchery 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.

AQUACULTURE LICENCE NO. 300

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

AGREEMENT made the 4 October, 2000, between the Minister for the Marine and Natural Resources (hereinafter referred to as the "Minister"), of the one part, and

LOUGH REE FISH HATCHERY ASSOCIATION

12 ASHFORD

CUSHLA

MONKSLAND

ATHLONE

CO WESTMEATH

(hereinafter referred to as the "Licensee") of the other part, whereby the Minister in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No. 23) grants an Aquaculture Licence for the culture of brown trout at Coosan, Athlone, Co. Westmeath, 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 of 3 years from the 4 October, 2000.

SCHEDULE

TERMS AND CONDITIONS TO APPLY TO 3-YEAR AQUACULTURE LICENCE FOR THE LOUGH REE FISH HATCHERY ASSOCIATION TO OPERATE A SEA TROUT HATCHERY ON COOSAN, ATHLONE, CO WESTMEATH

General

1. Subject to the provisions of the Fisheries (Amendment) Act, 1997, this Licence shall remain in force for a maximum of THREE years from the date of grant.
2. This Licence is valid only for so long as the layout of the hatchery conforms to the plans submitted to and approved of by the Minister and for so long as the planning permission granted by Westmeath County Council remains in force.
3. The Licensee shall comply with such instructions as the Minister may issue from time to time for the proper operation of the hatchery, including in particular instructions issued in relation to any of the matters referred to in the following paragraphs.
4. 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.
5. In the event of neglect or abandonment of the hatchery, the Minister shall take such action as he thinks fit (including the disposal of any fish there) and the Licensee shall be liable to reimburse the Minister the expense involved in so doing.
6. 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.
7. 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 hatchery not meeting the standards set by the Department of the 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

8. No fish other than brown trout from Lough Ree shall be bred and handled at the hatchery.

9. Broodstock introduced into the hatchery in any year shall not be kept in the hatchery later than the 31st day of January in the following year.
10. Not more than 50,000 unfed brown trout fry shall be produced annually at the hatchery and they shall be used only for restocking Lough Ree feeder streams.
11. Such precautions shall be taken by the Licensee as the Minister may specify from time to time in relation to the introduction of brown trout (including ova) into the hatchery, including disease free certification and any adaptation of methods of operation or type of installation at the hatchery.
12. No brown trout (including ova and fry thereof) shall be sold or disposed of to any person or in any way transferred outside the hatchery (except in any case to which paragraph 18 refers) save in accordance with the prior written permission of the Minister.

Hygiene, Fish Health & Water Quality

13. The Licensee shall make adequate arrangements for the hygienic operation of the hatchery (including proper selection and preparation of food, and proper treatment and disposal of wastes).
14. The Licensee shall make arrangements for the disposal of dead fish in a manner acceptable to Westmeath County Council.
15. The Licensee shall carry out regular water quality monitoring at the hatchery and provide such data relating to such monitoring as may be requested from time to time by the Department of the Marine and Natural Resources.
16. The Licensee shall provide and maintain such gratings or other devices at the point of water abstraction from the natural watercourses adjoining the hatchery and also at a point as near as possible to the confluence of the hatchery waste channel and the natural watercourses as will effectively prevent the admission of migratory fish into the hatchery feed channels, the hatchery water waste channels and other watercourses and ponds of the hatchery, and shall make adequate arrangements to ensure the safe passage past the hatchery of migratory fish, and shall make all necessary provisions to prevent the escape of fish from the ponds and watercourses of the hatchery.
17. The Licensee shall fit adequate anti-predator netting on hatchery structures so as to prevent predation and the possible introduction of disease by predators.
18. The Licensee shall notify the Department of the Marine and Natural Resources (Coastal Zone Administration Division), Leeson Lane, Dublin 2 and the Fish Pathology Unit, Marine Institute, Marine Environment and Health Services Division, 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 hatchery and shall send samples to the Fish Pathology 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 of the Marine and Natural

Resources including the treatment, disposal or destruction of stocks of fish at the hatchery in the interests of safeguarding the stocks of fish in the State.

19. The Licensee shall notify the Department of the Marine and Natural Resources (Coastal Zone Administration Division) and the Fish Pathology Unit, at the above address, within twenty-four hours of any escapes of fish from the hatchery and shall keep records of fish escaped, including numbers, origin, types and year classes and shall make these records available to the Department and the Fish Pathology Unit on request.
20. No water abstraction for the hatchery shall take place in the period June to October in any year. When abstraction does take place in allowable abstraction periods (November to May inclusive) intake flows must be so regulated that an adequate residual flow is maintained in the natural watercourses adjoining the hatchery at all such times. This residual flow shall be at least one-half of the total flow available at any given time when abstraction is taking place.
21. No obstruction of wild fish shall be caused in the natural watercourses as a result of water diversion/water intake structures for the hatchery. Passage over such structures by wild fish shall be allowed for.

Special requirements on chemical usage

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

Inspections, records and returns

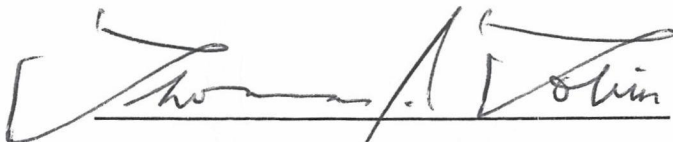
23. The hatchery and all equipment or premises used in connection with operations carried on at the hatchery shall be open to inspection at any time by any authorised officer (within the meaning of the Fisheries Acts), or any other person appointed by the Minister for the purpose.
24. Records shall be kept at the hatchery of
 - all fish stripped, bred, held and handled at the hatchery;
 - all chemicals, antibiotics and disinfectants with which the fish have been treated, including quantities and times of use;
 - the results of water quality monitoring at the hatchery; and
 - water flows and water quality in the natural watercourses from which water is abstracted for the hatchery,

and such records shall be available for inspection at the hatchery at all reasonable times by any inspector appointed for any purpose of the Fisheries Acts.

25. The Licensee shall furnish to the Department of the Marine and Natural Resources (Coastal Zone Administration Division) Leeson Lane, Dublin 2 such returns from the records kept at the hatchery as may be required from time to time by the Department.

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: Gene Hayes

ADDRESS: Dept of Marine &
Natural Resources.

OCCUPATION: CIVIL SERVANT

 SIGNED on behalf of Licensee


LOUGH REE FISH HATCHERY
ASSOCIATION 

in the presence of:

WITNESS: Mark McEnroe

ADDRESS: Newmanstown
Bay of Lough Athlone

OCCUPATION: Qu Port