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AQUACULTURE LICENCE NO. 81
GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

AGREEMENT made the 2nd day of June, 1999, between the Minister for the Marine and Natural Resources (hereinafter referred to as the "Minister"), of the one part, and

CENTRAL FISHERIES BOARD
BALNAGOWAN
MOBHI BOREEN
GLASNEVIN
DUBLIN 9

(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, rainbow trout, and salmon at Cullionmore, Mullingar, Co Westmeath, (as outlined on the attached drawing) 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 10 years from the 2nd day of June, 1999.

SCHEDULE

TERMS AND CONDITIONS TO APPLY TO 10-YEAR AQUACULTURE LICENCE FOR THE CULTURE OF BROWN TROUT, RAINBOW TROUT AND SALMON BY CENTRAL FISHERIES BOARD AT CULLIONMORE, MULLINGAR, CO. WESTMEATH.

General

1. Subject to the provisions of the Fisheries (Amendment) Act, 1997 this Licence shall remain in force for a maximum of ten years from the date of grant.
2. This Licence is valid only so long as the layout of the fish farm conforms to the plans submitted to and approved of by the Minister and for so long as the licence granted by Westmeath County Council dated 8 June, 1995 to discharge effluent from the fish farm (or a further such licence granted by the said Council or by the Environmental Protection Agency) remains in force.
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 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 fish farm, the Minister shall take such action as he thinks fit to dispose of the fish including revocation of the Licence.
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 fish farm not meeting the standards set by the Department of the Marine and Natural Resources. 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, rainbow trout and salmon shall be bred and handled at the said fish farm.
9. 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

- (a) 24 tonnes of brown or rainbow trout or any combination thereof; and
- (b) 1 tonne of salmon.

In the absence of salmon the production limit of trout at (a) may be increased to 25 tonnes.

- 10. Such precautions shall be taken as the Minister may specify from time to time, in relation to the introduction of the ova, fry, fingerlings or parr of salmon and brown trout and rainbow trout for stocking the farm, including disease free certification, and any adaptation of methods of operation or type of installation.
- 11. Live brown trout, rainbow trout, salmon or the ova, fry, fingerlings or parr thereof shall not be sold or disposed of to any person or in any way transferred outside the said fish farm (except in any case to which paragraph 17 refers) save in accordance with the prior written permission of the Minister.

Hygiene and Fish Health

- 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.
- 13. 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 Department of the Marine and Natural Resources.
- 14. 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 or his agent.
- 15. Suitable arrangements shall be adopted such that any possibility of fish migration into the outlet pipe network from the fish farm unit is completely eliminated.
- 16. The Licensee shall comply with any directions which may be issued by the Minister from time to time regarding the fitting of anti-predator netting on fish farm structures so as to prevent predation and the possible introduction of disease by predators.
- 17. 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, Fisheries Research Centre, Marine Institute, Abbotstown,

Castleknock, Dublin 15, within twenty-four hours of the appearance or suspected appearance of any disease at the said fish farm or abnormal losses or mortalities 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 said fish farm in the interests of safeguarding the stocks of fish in the State.

18. 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 fish farm and shall keep records of fish escaped, including numbers, origin, types and year classes and shall make these records available to the Department and Fish Pathology Unit on request.

Special requirements on chemical usage

19. The Licensee shall make arrangements for the disposal of dead fish in a manner approved of by the Minister and Westmeath County Council.
20.
 - (a) On receipt of advance notification from Westmeath County Council of an intended recirculation of waters to Lough Owel, there shall be a "ZERO" discharge of chemicals from the fish ponds during the entire period of recirculation activities and no chemicals shall be administered at the fish farm during the 48 hours period immediately preceding the pumping/ recirculation start up time.
 - (b) Clearance and written notification from Westmeath County Council shall be obtained to certify that "recirculation has ceased" before chemicals are used again on the farm.
 - (c) During any periods when recirculation of waters occurs or is likely to occur the applicant shall conform to the requirements of the County Council.
21. All animal remedies and chemicals used in the fish farm shall be in accordance with instructions issued by the Minister and/or the Veterinary Surgeon to the farm. The licensee shall keep records of all chemicals and animal remedies used on the farm including quantities and times of use. Such information shall be made available on request to the Minister and the Fish Pathology Unit.

Inspections, records and returns

22. 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.
23. The said fish farm and all equipment or 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), or any other person appointed by the Minister.
24. 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.
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 said fish farm as may be required from time to time by the Minister.

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

WITNESS: _____

ADDRESS: _____

OCCUPATION: CIVIL SERVANT

A person so authorised under Section
15(1) of the Ministers and Secretaries
Act, 1924 to authenticate the seal of
the Minister.

SIGNED on behalf of Licensee

in the presence of:

WITNESS: _____

ADDRESS: _____

OCCUPATION: _____