



Date 23/12/22

Ref: T09/524A

Mr. Conor O' Malley
Cleggan
Co. Galway

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO GRANT AN AQUACULTURE LI-
CENCE.**

Dear Sir/Madam

I would like to inform you that the Minister for Agriculture, Food and the Marine has approved the granting to you of a 10-year Aquaculture Licence, for the cultivation of blue mussels using longlines on site no. T09/524A (see attached information note). I enclose a copy of the public notice of the decision which **the Department** has arranged to have published in the "Connacht Tribune".

Any person aggrieved by the decision may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against it in writing to the Aquaculture Licences Appeals Board (ALAB). This appeal must be lodged within one month beginning on the date of the publication of the decision.

The Licence will be issued to you as soon as possible after the end of the period of one month from the date of publication of the notice in "Connacht Tribune", if there is no appeal.

Please also find enclosed a draft copy of the Aquaculture Licence that may be issued by the Minister.

Note: As marine aquaculture operations require separate Aquaculture and Foreshore Licences, a separate determination on the foreshore licence application will be made once the licensing authority, or if appealed, ALAB have made a determination on the aquaculture licence application.

Yours sincerely

Bernie McDonald

Aquaculture and Foreshore Management Division

**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULA-
TION 18 OF THE AQUACULTURE (LICENCE APPLICATION) REGULA-
TIONS 1998**

REFERENCE NO: T09/524A

APPLICANT: **Conor O' Malley**

**AQUACULTURE TO WHICH
DECISION RELATES:** Cultivation of blue mussels using longlines on
site T09/524A on the foreshore in Cleggan
Bay, Co. Galway.

NATURE OF DECISION: Grant of Aquaculture Licence.

DATE OF DECISION: **22 December 2022**

CONDITIONS OF LICENCE: See attached.

DURATION OF LICENCE: 10 years

ISSUE OF LICENCE: The licence will be dated and issued
as soon as practicable after the end of the pe-
riod of one month from the date of publication
of a notice in a newspaper circulating in the
vicinity of the aquaculture, if no appeal is
made to the Aquaculture Licences Appeals
Board (ALAB) within that period, under Sec-
tion 40 and 41 of the Fisheries (Amendment)
Act, 1997.

Note: As marine aquaculture operations require separate Aquaculture and
Foreshore Licences, a separate determination on the foreshore licence applica-
tion will be made once the licensing authority, or if appealed, the Aquaculture
Licences Appeals Board (ALAB) have made a determination on the aquaculture
licence application.

To be inserted in the "Connacht Tribune".

FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) NOTICE OF DECISIONS TO GRANT AQUACULTURE LICENCES

The Minister for Agriculture, Food and the Marine has made determinations on the Aquaculture Licence applications as set out in the table below;

Site Ref No	Applicant	Species & Method	Minister's Decisions	Location
T09/524A	Conor O' Malley, Cleggan, Co. Galway	Blue Mussels using longlines	Grant new Licence	Cleggan Bay
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

The reasons for these decisions are elaborated on the Department's website at:
www.gov.ie

An appeal against the Aquaculture Licence decision may be made in writing, within one month of the date of its publication, to THE AQUACULTURE LICENCES APPEALS BOARD, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

Note: As marine aquaculture operations require separate Aquaculture and Foreshore Licences, a separate determination on the foreshore licence applications will be made once the licensing authority, or if appealed, the Aquaculture Licences Appeals Board (ALAB) have made a determination on the aquaculture licence application.

Published 23/12/22

Determination of Aquaculture Licensing application –T09/524A

Conor O' Malley, Cleggan, Co. Galway has applied for authorisation to cultivate blue mussels on longlines on the sub-tidal foreshore on a 6.58 hectare site on the north shore of Cleggan Bay, Co Galway.

The Minister for Agriculture, Food and the Marine has determined that it is in the public interest to grant the licence sought. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with the statutory provisions. The following are the reasons and considerations for the Minister's determination to grant the licence sought: -

- a. Scientific advice is to the effect that the waters are suitable;
- b. Public access to recreational and other activities can be accommodated by this project;
- c. The proposed development should have a positive effect on the economy of the local area;
- d. All issues raised during Public and Statutory consultation phase;
- e. There are no effects anticipated on the man-made environment heritage of value in the area;
- f. No significant effects arise regarding wild fisheries;
- g. The site is located within the West Connacht Coast SAC Special Area of Conservation. An Article 6 Assessment has been carried out in relation to aquaculture activities in the SAC. The Licensing Authority's Conclusion Statement (available on the Department's website) outlines how aquaculture activities in this SAC, including this site, are being licensed and managed so as not to significantly and adversely affect the integrity of the West Connacht Coast SAC;
- h. Scientific observations related to the Appropriate Assessment received during the licensing consultation process are addressed in the Licensing Authority's Appropriate Assessment Conclusion Statement;
- i. Taking account of the recommendations of the Appropriate Assessment the aquaculture activity at this site is consistent with the Conservation Objectives for the SAC;
- j. No significant impacts on the marine environment and the quality status of the area will not be adversely impacted;
- k. The updated Aquaculture licence contains terms and conditions which reflect the environmental protection required under EU and National law."

Submission AGR 01469-22: Recommendation to grant an Aquaculture Licence for 1 site T09/524A

TO: Minister
STATUS: Completed
PURPOSE: Approval

AUTHOR: Nyhan, Jennifer
OWNER: Nyhan, Jennifer
REVIEWERS: Nyhan, Jennifer
McLoughlin, PatrickM
Waldron, Ultan
Beamish, Cecil
Smith, Ann

DIVISION: Aquaculture and Foreshore Management
Division

DECISION BY:

Final comment

approved by Minister

Action required

Ministerial Determination on Aquaculture Licensing Application T09/524A

Executive summary

The Minister's determination is requested in relation to an application for an Aquaculture Licence from Mr. Conor O' Malley, Cleggan, Co. Galway. The application is for the cultivation of blue mussels using longlines on site T09/524A, totalling 6.58 hectares on the foreshore in Cleggan, Co. Galway.

It is recommended that the Minister determines that the Aquaculture Licence **be granted** to Mr. O' Malley for the reasons outlined in the 'Detailed Information' section below.

Detailed information

DECISION SOUGHT

The Minister's determination is requested in relation to an application for an Aquaculture Licence from Mr. Conor O' Malley, Cleggan, Co. Galway, for a site in Cleggan Bay, Co. Galway.

The application is for the cultivation of mussels using longlines on site T09/524A, totalling 6.58 hectares on the foreshore in Cleggan, Co. Galway.

Note: Tabs attached to this submission may contain additional information which is subject to redaction if transmitted to third parties.

BACKGROUND

Marine aquaculture operations require separate Aquaculture and Foreshore Licences.

The Aquaculture Licence defines the activity that is permitted on a particular site and the Foreshore Licence allows for the activity permitted under the Aquaculture Licence to take place in that particular area of the Foreshore. The validity of each licence is contingent on the other licence remaining in force.

Section 82 of the Fisheries (Amendment) Act 1997 requires the Minister in considering a lease or a licence under the Foreshore Act to have regard to the decision of the licensing authority in relation to the aquaculture licence.

82.—The Minister, in considering an application for a lease or a licence under the Foreshore Acts, 1933 and 1992, which is sought in connection with the carrying on of aquaculture pursuant to an aquaculture licence, shall have regard to any decision of the licensing authority in relation to the aquaculture licence.

Therefore, the Foreshore Licence submission will be forwarded for consideration once the Licensing Authority/ALAB have made a decision.

APPLICATION FOR AN AQUACULTURE LICENCE

An application (**TAB A**) for an Aquaculture Licence has been received from the applicant referred to above (in conjunction with an application for a Foreshore Licence), for the cultivation of blue mussels using longlines in relation to a 6.58 hectare site on the foreshore in Cleggan Bay, Co. Galway (numbered T09/524A – see **TAB A**).

LEGISLATION

Section 7 of the Fisheries (Amendment) Act 1997 provides that the licensing authority (i.e. Minister, delegated officer or, on appeal, the Aquaculture Licences Appeals Board) may, if satisfied that it is in the public interest to do so, licence a person to engage in aquaculture.

Article 6 (3) of the Habitats Directive provides that *“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon ... shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives ... the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned ...”*

CONSULTATION AND PUBLIC COMMENT

The application was sent to the Department’s technical experts, statutory consultees and was also publicly advertised in a composite public notice covering both aquaculture and foreshore elements.

Technical Consultation - TAB B

Marine Engineering Division (MED):

MED have no objection to the licensing of this site.

This new site is located in the north shore of Cleggan Bay, Co. Galway. The site is sheltered from the North by Cleggan Head and is within 1 km of Cleggan Pier to the south. Cleggan Pier services the island of Inishbofin. There is an existing licenced aquaculture site directly to the west of this application.

MED stated that the operator proposes to access the site using a boat from Cleggan Pier to the south.

The applicant proposes to cultivate blue mussels (*mytilus edulis*) using 9 No. x 100m longlines on a site 6.58 Ha in size. It is expected to produce 90 Tonnes of mussels from the site.

The MED report of 18 January 2022 on this application highlighted concerns regarding the density of structures and the available depth at the site for the structures proposed in the original application drawings. A revised farm site layout plan and details of structures was submitted to MED on 21 October 2022. The proposed aquaculture site has been configured to maintain the seaward limit in line with existing licenced aquaculture in Cleggan Bay. The applicant now proposes to use 3 blocks of 3 No. x 100m longlines at a spacing of 30m with droppers ranging from 4 to 6m depending on available depth across the site.

The density of the longlines and the spacing of the lines has been revised for this application and are now acceptable. The length of the droppers has been modified to cater for the varying depth across the site.

This site will affect navigation in Cleggan Bay. As there is a licenced aquaculture site adjacent to this proposed one it may be appropriate to develop a Special Uniform Marking Scheme (SUMS) for this location if this site is licenced to allow for co-ordinated marking of the aquaculture activity in the bay. The proposed navigational marking scheme should be approved by CIL.

The MED report notes the Galway County Development Plan 2015-2021 indicates there are scenic routes surrounding Cleggan Bay. The views of this site are limited from scenic routes. The types of structures adhere to the best practices outlined in the Guidelines for Landscape and Visual Impact Assessment of Marine Aquaculture, 2001.

If licenced, the licence conditions will specify the orientation of the structures on the site to minimise the visual impact. The Wild

Atlantic Way runs along the N59 from Letterfrack through Cleggan Village, this site cannot be viewed from this route.

There has been licensed aquaculture activity in Cleggan Bay in recent years. In addition to the ferry route to Inishbofin, there is tourism, fishing and marine leisure in the area. Aquaculture operations should not interfere with these amenities.

Statutory Consultation – TAB C

Regulation 10 of the Aquaculture (Licence Application) Regulations, 1998 requires certain statutory bodies to be notified of an Aquaculture Licence application.

Comments were received from the following statutory bodies:

Marine Survey Office (MSO):

MSO has no objection from a safety and navigation viewpoint to this application.

However, it is advised that Mooring Blocks for the proposed site should be marked in accordance with Special Unified Marking Scheme for that area.

MSO advised that in order for charts and nautical publications to be updated the applicant is required to inform the British Admiralty Hydrographic Office at Taunton, UK, of the location and nature of the site.

The applicant is required to apply to the Commissioners of Irish Lights for sanction to establish any lights and marks that maybe required.

It is also proposed to insert a specific condition covering MSO matters in any licence which may issue as follows:

"The Minister's determination in respect of this licence is conditional upon immediate full compliance by the Licensee in respect of all requirements and conditions which are imposed under the relevant legal provisions applicable to the Marine Survey Office.

Sea Fisheries Protection Authority (SFPA):

SFPA have no objection to this application.

However, they did raise concerns in relation to sewage in the area but is of the view that the site is far enough away to this application.

Commissioner of Irish Lights (CIL):

CIL have no objection to this application provided no navigable inter-tidal channels are impeded by the site.

If a licence is granted all structures must be clearly marked as required by Regulations and Licensing Permit conditions and to the approval of the Nautical Surveyor with the Marine Survey Office.

CIL request that the following are included in the licence:

That the applicant secures Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation required by the Marine Survey Office.

The size and specification of aids to navigation should be of the design and specification approved by the Marine Survey Office and must be agreed in advance with the Commissioners of Irish Lights.

It is recommended that local fishing and leisure interests be consulted prior to a decision being made.

CIL also state that if a licence is granted, the UK Hydrographic Office at Taunton must be informed of the development's geographical position in order to update nautical charts and other nautical publications.

Marine Institute (MI):

The MI stated that considering the location, nature and scale of the proposed aquaculture activity, and in deference to our remit under the Marine Institute Act, and the considerations implicit to Sections 61(e and f) of the Fisheries (Amendment) Act, 1997 they are of the view that there will be no significant impacts on the marine environment and that the quality status of the area will not be adversely impacted.

No chemicals or hazardous substances will be used during the production process.

This is an application for an aquaculture licence for the production of mussels (*M. edulis*) using longlines at Site T09/524A in Cleggan Bay, Co. Galway

The MI also noted that Site T09/524A is located within a designated Natura 2000 site (West Connacht Coast SAC). As concluded in the Appropriate Assessment Screening Report and the Licensing Authority's Natura Conclusion Statement, the Marine Institute is of the view that significant impacts on conservation features for this SAC and any other adjacent Natura sites are not likely to occur.

Site T09/524A is not located in any Shellfish Growing Water or Bivalve Mollusc Production Area.

In order to assess and manage the potential risk of the introduction of invasive non-native species, the MI recommends that the initial source of seed which may be used at any point in the future should be approved by the Minister. This approval should be a specific condition of any licence that may issue.

Notwithstanding the recommendation outlined above, and in the event that an Aquaculture Licence is granted, the movement of stock and structures in and out of the site should follow best practice guidelines as they relate to the risk of introduction of invasive non-native species (e.g. Invasive Species Ireland). Prior to the commencement of operations at this site, the applicant is required to draw up a Contingency Plan, for the approval of DAFM, which shall identify methods for the removal from the environment of any invasive non-native species introduced as a result of operations at this site. If such an event occurs, the Contingency Plan shall be implemented immediately.

A Fish Health Authorisation as required under Council Directive 2006/88/EC must be in place prior to the commencement of the aquaculture activities proposed.

These issues can be dealt with by way of licence conditions to this effect.

An Taisce:

No observations were received.

Irish Water:

No observations were received

Department of Housing Local Government and Heritage (DHLGH):

No observations were received.

BIM:

No observations were received.

Fáilte Ireland:

No observations were received.

-

Inland Fisheries Ireland (IFI):

No observations were received.

Galway County Council:

No observations were received.

Údarás na Gaeltachta:

-

No observations were received.

-

Aquaculture Licence conditions required on foot of the Statutory Consultation process will be contained in Schedules 3 and 4 of the Draft Aquaculture Licence, if granted.

Public Consultation

The application was publicly advertised using a composite public notice covering both aquaculture and foreshore elements in the 'Connacht Tribune' on 18 March 2022. The application and supporting documentation were available for inspection at Clifden Garda Station for a period of 30 days from the date of publication of the notice in the newspaper.

There were no submissions received from the public consultation process.

A copy of all the observations/submissions received at the Public/Statutory consultation stage was forwarded to the applicant.

The applicant did not respond to the Statutory comments.

CRITERIA IN MAKING LICENSING DECISIONS

The Licensing Authority, in considering an application, is required by statute to take account of, as appropriate, of the following points and also be satisfied that it is in the public interest to license a person to engage in aquaculture:

(a) The suitability of the place or waters

*Scientific advice is to the effect that the waters are suitable for the cultivation of mussels (*M. edulis*), using longlines.*

(b) other beneficial uses of the waters concerned

Public access to recreational and other activities can be accommodated by this project.

Aquaculture appropriately licensed can co-exist with leisure activities.

(c) the particular statutory status of the waters

(i) Natura 2000

*The site is located within the West Connacht Coast SAC. An Article 6 Appropriate Assessment has been carried out in relation to aquaculture activities in this SAC. This Assessment and its findings were examined by the Department and its scientific/technical advisors. This led to the Licensing Authority (i.e. the Minister) producing a Conclusion Statement (**TAB D**) outlining how it is proposed to licence and manage aquaculture activities in the above Natura site in compliance with the EU Habitats and Birds Directives.*

(ii) Shellfish Waters

The proposed site is not located within the Cleggan Bay Shellfish Designated Waters.

(d) the likely effects on the economy of the area

Aquaculture has the potential to provide a range of benefits to the local community such as attraction of investment capital, development of support services etc.

(e) the likely ecological effects on wild fisheries, natural habitats, flora and fauna

No significant issues arose regarding wild fisheries. The potential ecological impacts of aquaculture activities on natural habitats, flora and fauna are addressed in the Appropriate Assessment reports for the West Connacht Coast SAC and in the Licensing Authority's Conclusion Statement (which are available on the Department's website).

The Department of Housing, Local Government and Heritage had no objection on nature conservation grounds.

(f) The effect on the environment generally

The Department's Scientific Advisors the Marine Institute, are of the view that there will be no significant impacts on the marine environment and that the quality status of the area will not be adversely impacted.

(g) DHLGH raised no objection to the development from an underwater archaeological perspective.

RECOMMENDATION

It is recommended that the Minister:

approves the granting of an Aquaculture Licence (**TAB E**) to Conor O' Malley, Cleggan, Co. Galway for a period of ten (10) years for the purpose of cultivating blue mussels using longlines in accordance with the terms and conditions of the attached draft Aquaculture Licence

REASONS FOR DECISION

The Minister for Agriculture, Food and the Marine is required to give public notice of both the licensing determination and the reasons for it. To accommodate this, it is proposed to publish the following on the Department's website, subject to the Minister approving the above recommendation:

"Determination of Aquaculture Licensing application –T09/524A

Conor O' Malley, Cleggan, Co. Galway has applied for authorisation to cultivate blue mussels on longlines on the sub-tidal foreshore on a 6.58 hectare site on the north shore of Cleggan Bay, Co Galway.

The Minister for Agriculture, Food and the Marine has determined that it is in the public interest to grant the licence sought. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with the statutory provisions. The following are the reasons and considerations for the Minister's determination to grant the licence sought: -

- a. *Scientific advice is to the effect that the waters are suitable;*
- b. *Public access to recreational and other activities can be accommodated by this project;*
- c. *The proposed development should have a positive effect on the economy of the local area;*
- d. *All issues raised during Public and Statutory consultation phase;*
- e. *There are no effects anticipated on the man-made environment heritage of value in the area;*
- f. *No significant effects arise regarding wild fisheries;*
- g. *The site is located within the West Connacht Coast SAC Special Area of Conservation. An Article 6 Assessment has been carried out in relation to aquaculture activities in the SAC. The Licensing Authority's Conclusion Statement (available on the Department's website) outlines how aquaculture activities in this SAC, including this site, are being licensed and managed so as not to significantly and adversely affect the integrity of the West Connacht Coast SAC;*
- h. *Scientific observations related to the Appropriate Assessment received during the licensing consultation process are addressed in the Licensing Authority's Appropriate Assessment Conclusion Statement;*
- i. *Taking account of the recommendations of the Appropriate Assessment the aquaculture activity at this site is consistent with the Conservation Objectives for the SAC;*
- j. *No significant impacts on the marine environment and the quality status of the area will not be adversely impacted;*
- k. *The updated Aquaculture licence contains terms and conditions which reflect the environmental protection required under EU and National law."*

Related submissions

There are no related submissions.

User details

INVOLVED: Nyhan, Jennifer
McLoughlin, PatrickM
Waldron, Ultan
Beamish, Cecil
Sub Sec Gens Office
eSub Sec Gen
eSub Ministers Office
eSub Minister

READ RECEIPT: Nyhan, Jennifer
McLoughlin, PatrickM
Waldron, Ultan
Beamish, Cecil
Ennis, Joan
Smith, Ann
Whelan, Paul



AQUACULTURE - LICENSING UNDER
FISHERIES (AMENDMENT) ACT 1997 as amended
and
FORESHORE ACT 1933 as amended

*Application Form for an Aquaculture and Foreshore Licence for
a single specific site.*

*If a Licence is required for more than one site a separate
application form must be completed for each site.*

Important Note

Section 4 of the Fisheries and Foreshore (Amendment) Act, 1998 (No. 54 of 1998) prohibits any person making an application for an Aquaculture Licence from commencing aquaculture operations until duly licensed under the Fisheries (Amendment) Act, 1997 (No. 23 of 1997), and provides that a breach of that prohibition will cause the application to fail.

A copy of an Environmental Impact Statement and Natura Impact Statement should be enclosed, if required, with all new, review and renewal applications. See Guidance Notes Section 3.

Aquaculture & Foreshore Management Division
Department of Agriculture, Food and the Marine
National Seafood Centre
Clonakilty, Co. Cork
P85 TX47
Telephone: (023) 8859500
Fax: (023) 8821782

Revised May 2018

**AQUACULTURE AND FORESHORE LICENCE APPLICATION FORM, for purposes of
FISHERIES (AMENDMENT) ACT, 1997 and FORESHORE ACT, 1933**

NB: The accompanying Guidance Notes should be read before completing this form.

Note: Details provided in Parts 1 and 2 will be made available for public inspection. Details provided in Parts 3 and 4 and any other information supplied will not be released except as may be required by law, including the Freedom of Information Act 1997 as amended.

**USE BLOCK CAPITALS IN BLACK INK
PLEASE**

For Office Use

Application Ref. No. _____

Date of Receipt (Dept. Stamp):

Type of Applicant (tick one)	
Sole Trader	<input checked="" type="checkbox"/>
Partnership	<input type="checkbox"/>
Company	<input type="checkbox"/>
Co-Operative	<input type="checkbox"/>
Other	Please specify- <input type="checkbox"/>

PART 1: PRELIMINARY DETAILS

Applicant's Name(s)	
1.	Conor O Malley
Address:	Cleggan Co Galway.
2.	
Address:	
3.	
Address:	
4.	
Address:	

Contact in case of enquiries (if different from above)	
Contact Name	
Organisation Name (if applicable)	
Address	

PART 1: PRELIMINARY DETAILS

TYPE OF APPLICATION – please indicate relevant type of application	
This Application Form is valid for each type of application - <i>See Guidance Note 3.1</i>	
(i) Aquaculture Licence	<input checked="" type="checkbox"/>
(ii) Trial Licence	<input type="checkbox"/>
(iii) Foreshore Licence, if Marine Based	<input type="checkbox"/>
(iv) Review of Aquaculture Licence	<input type="checkbox"/>
(v) Renewal of Aquaculture Licence	<input type="checkbox"/>

TYPE OF AQUACULTURE

See Guidance Note 3.2

Indicate the relevant type of application with a tick.

(i) MARINE-BASED

- | | | |
|--|-------------------------------------|--------------------------|
| Finfish | <input type="checkbox"/> | Go to Parts 2.1 and 2.1A |
| Shellfish <i>Subtidal</i> | <input checked="" type="checkbox"/> | Go to Parts 2.2 and 2.2A |
| <i>Intertidal</i> | <input type="checkbox"/> | Go to Parts 2.2 and 2.2A |
| Seaweed/Aquatic Plants/Aquatic Fish Food | <input type="checkbox"/> | Go to Parts 2.3 and 2.3A |

(ii) LAND-BASED

- | | | | | |
|----------------|--------------------------|-------------------|--------------------------|--------------------------|
| Finfish | <input type="checkbox"/> | Shellfish | <input type="checkbox"/> | Go to Parts 2.4 and 2.4A |
| Aquatic Plants | <input type="checkbox"/> | Aquatic Fish Food | <input type="checkbox"/> | Go to Parts 2.4 and 2.4A |

(iii) TRIAL LICENCE

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Go to appropriate Parts as above and to Part 2.5. |
|--------------------------|---|

2.2 MARINE-BASED SHELLFISH AQUACULTURE

When filling out this section refer also to 2.2A and Guidance Note 3.3 for information on Conditions and Documents required with this application type

Proposed Site Location

- (i) Bay: Cleggan
- (ii) County: Galway G4009 / G4022
- (iii) OS Map No: Discovery Series No 9 No 22
- (iv) Co-ordinates of Site: (please specify coordinate reference system used e.g. Irish Grid (IG) or Irish Transverse Mercator (ITM) or Latitude/Longitude [in which case specify whether ETRS89 or WG84 etc.]
Please see attached MAP.
- (v) Size of Site (hectares): 6.58 Ha.

(vi) Species (common and scientific name) and whether native or non-native species: (see Guidance Notes 3.3.1)

Blue Mussel *Mytilus Edulis*

(vii) Whether production will be sub-tidal or inter-tidal?

Sub Tidal

(viii) Please supply details of (a) source of seed e.g. wild hatchery and location and (b) means of collection and introduction to culture.

Seed collection on suspended
Collection rope.

NB Importation of seed into the State or movement of seed within the State requires notification to the Marine Institute as per the Fish Health Authorisation Regulations - See Guidance Notes Section 6

(ix) Method of culture (rope, trestles - intensive; bottom - extensive; other)

Ropes x Harvest

(x) Proposed number of lines/ropes/trestles as per site layout drawing

(xi) Proposed Production Tonnage:

Year 1	0	Year 2	30	Year 3	90	Year 4	90	Year 5	90
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(xii) (a) Please outline the reasons for site selection:

Sheltered, Good exchange of water, Home pair
easy access Good growth.

(b) If using trestles please outline the physical characteristics of the site which make it suitable for using trestles

N/A.

(xiii) Is it intended that the product is for direct human consumption or half grown? Please specify

fully grown.

(xiv) How will the visual impact issues of the flotation devices for the proposed application be addressed?

Use of low visual impact grey barrels

(xv) Is the site located in Designated Shellfish Waters Area? (Refer to Guidance Note 3.3.2)

Yes

No

If yes give details.

If no outline the reasons why you believe the site suitable for the proposed aquaculture, notwithstanding its location outside Designated Shellfish Waters Area?

Due to the fact it is a ~~designated~~ Shellfish Designation. There is an A Designation in the next Bay.

(xvi) Has the area been classified under Food Safety Legislation? (For Bivalve Molluscs) What is the current classification of the area for the proposed species applied for?

N/A.

(xvii) Is the site located in/adjacent to a sensitive area e.g. SPA (Special Protection Area) or SAC (Special Area of Conservation) i.e. a Natura 2000 site? (Refer to Guidance Note 3.3.1- Natura 2000 sites)

No

(xviii) Are there known sources of pollution in the vicinity e.g. sewage outfall? If yes please give full details.

Yes/No

No

(xix) Methods used to harvest the shellfish and details of any subsequent processing of shellfish

By Boat.

(xx) Describe any proposed purification facilities to be used:

N/A.

**2.6 Employment, Qualifications, Experience, etc
TO BE FILLED IN BY ALL AQUACULTURE APPLICANTS**

(i) Please provide details of experience/qualifications of the applicant and any key personnel which are relevant to the aquaculture now proposed:

8 years working on my Father's Mussel & oyster farm. Extensive time spent at sea both Coastal & Deep Sea.
 BIM Safety course, K/Llicent Deckhand ticket, advanced Fire fighting course.

(ii) If a new application please provide details of projected employment creation during first four years of the proposed aquaculture project:

(iii) In the case of a renewal please provide current and future details:

FULLTIME JOBS

Year 1:	1	Year 2:	2	Year 3:	2	Year 4:	2
---------	---	---------	---	---------	---	---------	---

PART TIME JOBS

Year 1:	2	Year 2:	1	Year 3:	1	Year 4:	1
---------	---	---------	---	---------	---	---------	---

CONFIDENTIAL

PART 3: APPLICANT DETAILS

PART 3 A. INDIVIDUAL(S)/SOLE TRADER(S)

(If necessary continue with extra page(s))

1. Name: Conor O'Malley

Personal Public Service No. [REDACTED]

Date of Birth: [REDACTED]

Telephone No. 05 _____

Mobile No. [REDACTED]

E-mail Address _____

2. Name: _____

Personal Public Service No. _____

Date of Birth: _____

Telephone No. _____

Mobile No. _____

E-mail Address _____

3. Name: _____

Personal Public Service No. _____

Date of Birth: _____

Telephone No. _____

Mobile No. _____

E-mail Address _____

4. Name: _____

Personal Public Service No. _____

Date of Birth: _____

Telephone No. _____

Mobile No. _____


E-mail Address _____


PART 3E DETAILS FOR CONTACT IF DIFFERENT FROM APPLICANT(S)	
Contact in case of enquiries	
Contact Name	
Organisation Name (if applicable)	
Address	
Telephone No.	
Mobile No.	
E-mail Address	


CONFIDENTIAL

PART 4: FINANCE AND MARKETING

PART 4 A. FINANCE

1.(a) If new application give cost of project (total capital and current costs as at 7 and 8 below):
 € 


(b) If renew 

2. How will t 
an

3. Will this project be your only source of employment / income? YES NO

4. If not, give details: _____

5. Do you intend to apply for grant aid or other funding from any State source (BIM, Udarás na Gaeltachta, FORFÁS, etc.)? YES NO

6. If yes, give details: 

7. Proposed capital costs of project, including navigation marks and lighting.

Item	Cost €
Rope.	[REDACTED]
Anchors.	
Chain.	
Boat hire.	
Buoys.	
Navigation Marks.	
Total:	[REDACTED]

PART 4 A. FINANCE (continued)

8. Proposed non-capital costs of project (i.e. seed, feed, labour, etc.):

Item	Cost €
Wages.	[REDACTED]
Fuel etc.	
Insurance.	
Bank interest & charges.	
Accountancy.	
Total:	[REDACTED]

9. Provide an estimate of the value of production over the first (next if renewal) four years based on projected annual production:

Year	Production
10. H expe	[REDACTED]
	[REDACTED]
11. C	[REDACTED]
12. I prod	[REDACTED]
	[REDACTED]

13. If this application relates to an existing site, please set out below the production by quantities on an annual basis for the last 4 years showing stock inputs, growth, survival rates and harvest production

CONFIDENTIAL

PART 4 B. MARKETING

1. Have possible markets been considered, or has market advice for products been sought?

YES NO

2. If yes, give details:

[Redacted area]

3. Will the product be processed or packaged?

YES NO

4. If yes, give details:

[Redacted area]

PART 5: DECLARATION AND SIGNING

NB: Refer to Guidance Note Section 3.5 and Section 4 - Guidance on Declaration and Signing and Annual Aquaculture and Foreshore Licence Fees

If this is a renewal/review have you met all licence conditions of the existing aquaculture licence? If applicable, explain why you have not complied with all conditions:

I/We hereby declare the information provided in Parts 1, 2, 3 and 4 above to be true to the best of my/our knowledge and that I am over 18 years of age. I/We enclose an application fee* of € 95-23 with this application.

Signature(s) of Applicant(s): Conor O'Malley
(Please state capacity of persons signing on behalf of a Company/Co-op)

Date: 12-11-2020.

NB All persons named on this licence application must sign and date this application form. Only the existing licence holder(s) can apply for the renewal/review of an Aquaculture Licence.

*Preferred method of payment is by cheque or bank draft. The fee should be made payable to the Department of Agriculture, Food and the Marine.

Refer to Guidance Note Section 4 - Guidance on Aquaculture and Foreshore Licence Fees

The application form should be forwarded, with the required documents and application fee, to:

Aquaculture Licensing
Aquaculture & Foreshore Management Division
Department of Agriculture, Food and the Marine
National Seafood Centre
Clonakilty
Co. Cork
P85 TX47

1 NO. SITE AT CLEGGAN BAY CO.GALWAY

Co-ordinates & Area

Site T09/524A (6.58 Ha)

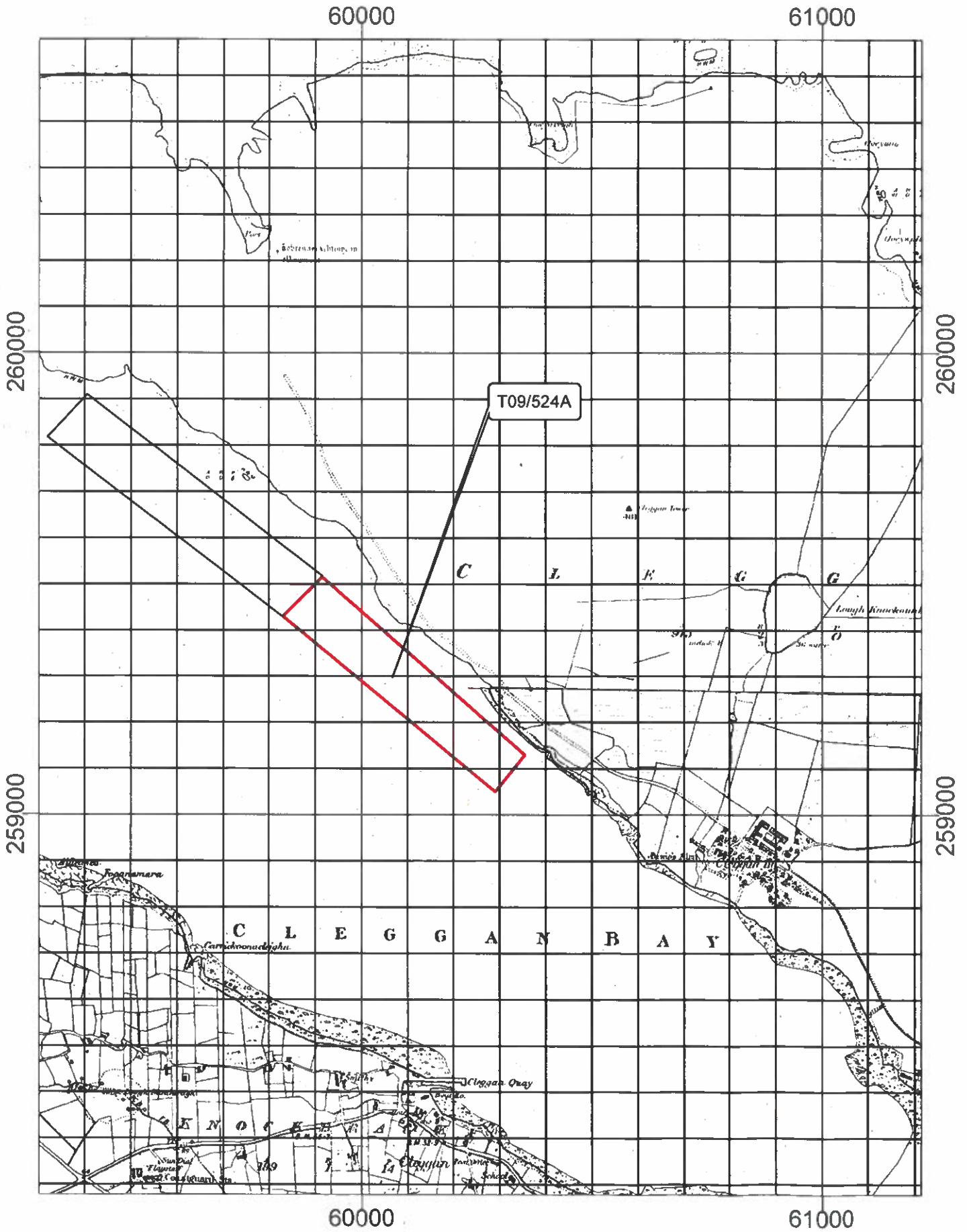
The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

059915, 259515 to Irish National Grid Reference point

060355, 259130 to Irish National Grid Reference point

060290, 259050 to Irish National Grid Reference point

059830, 259430 to the first mentioned point.



Legend

Site_Status

-  Application
-  Licensed
-  100mgrid

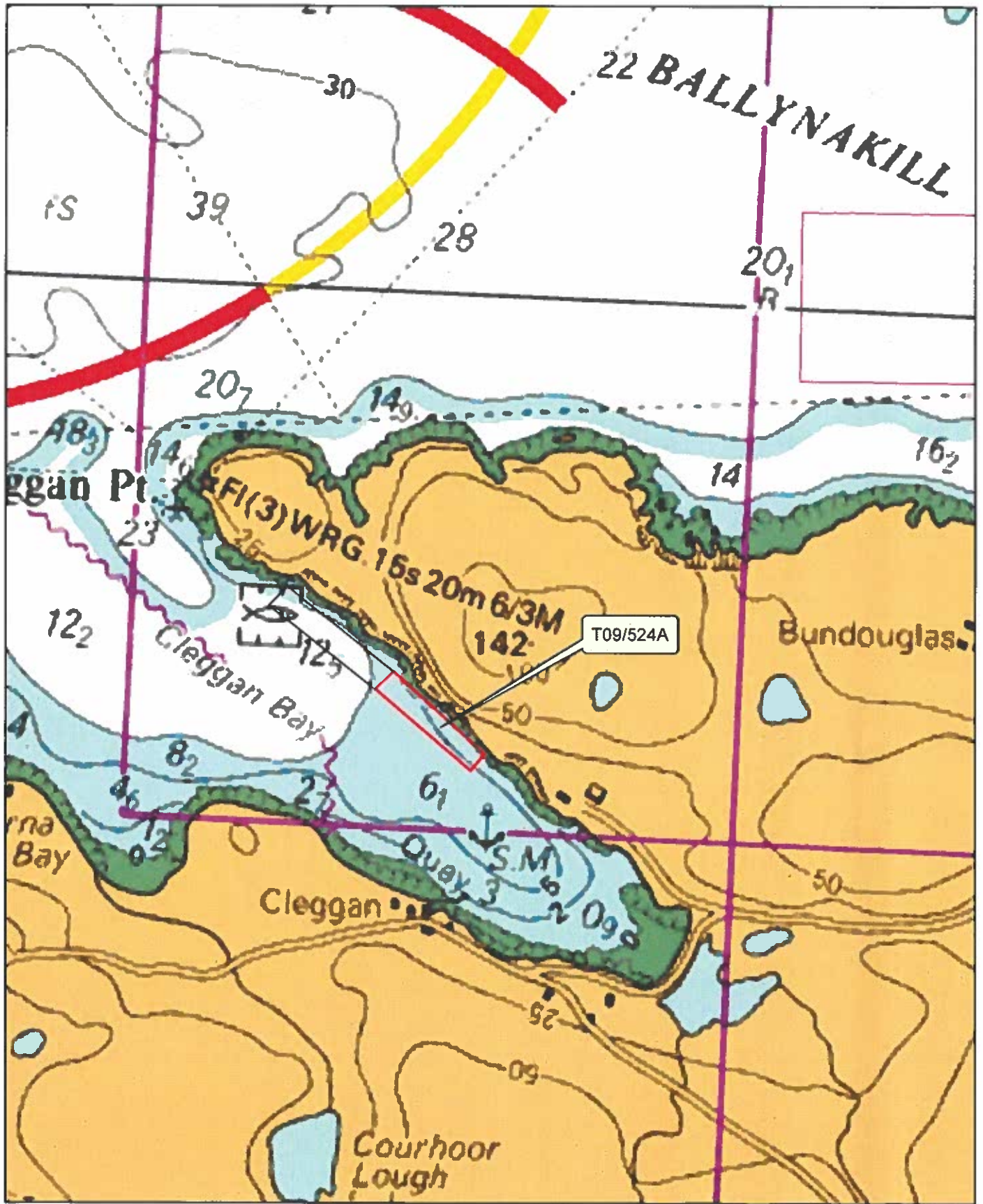
1:10,560

Sites highlighted in red denotes Application

Ordnance Survey Ireland Licence No. EN 0076420
 © Ordnance Survey Ireland/Government of Ireland



An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine



1:24,000

Legend
 Site_Status
 Application
 Licensed

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1820-0
 Not to be used for Navigation



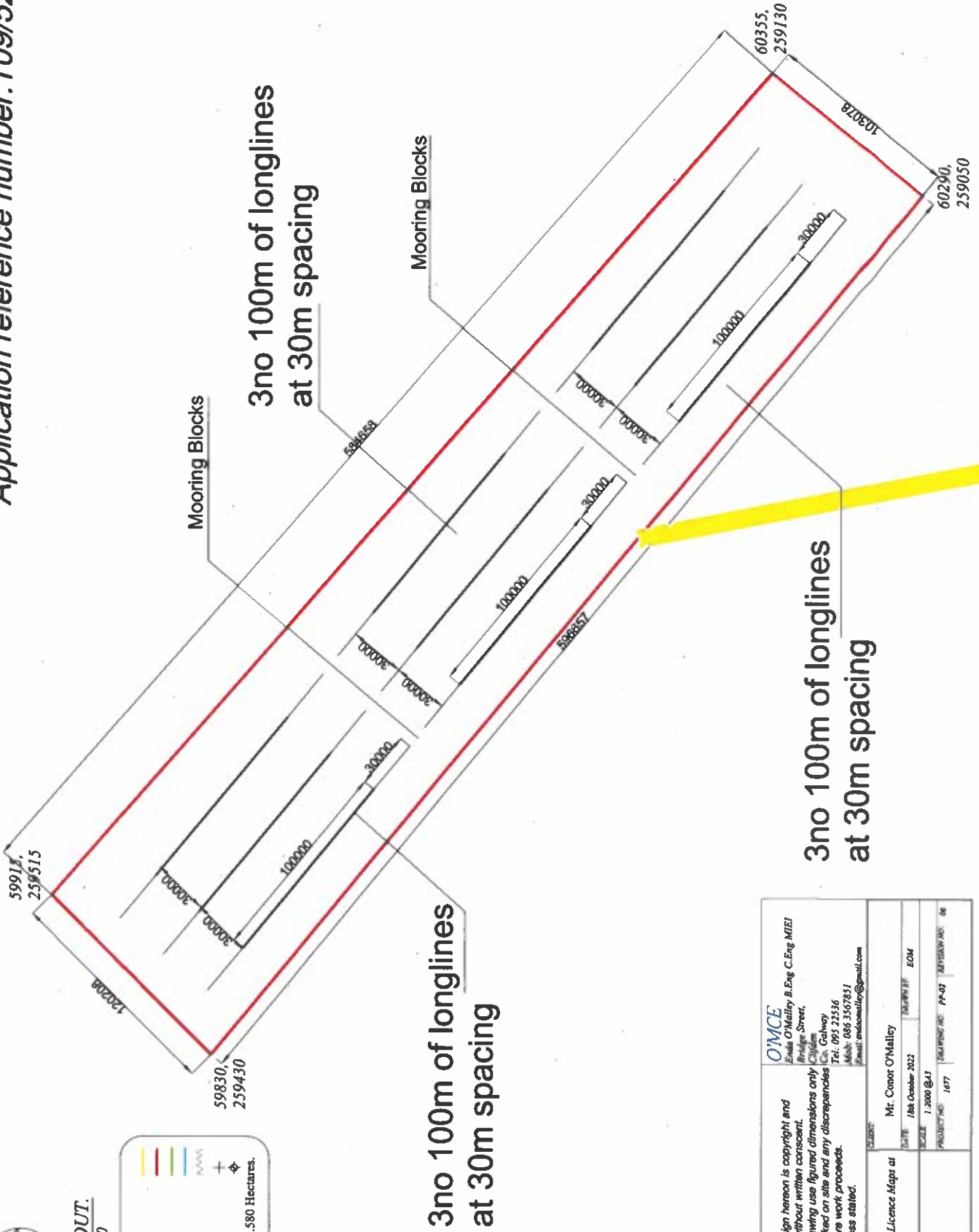
An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine



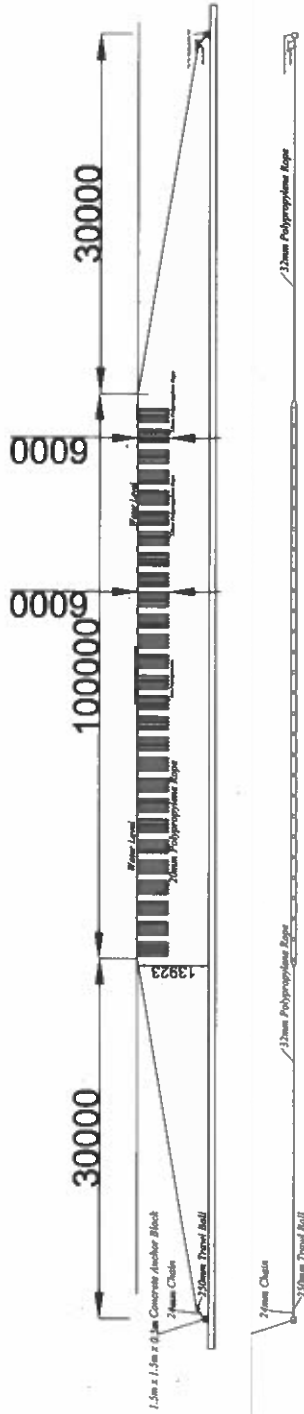
SITE LAYOUT.
SCALE 1:1000

LEGEND	
	Proposed Boat Access
	Site Boundary
	N/A
	Existing Rock
	Existing Levels (mAOD)
	Proposed Levels (mAOD)
	RED AREA OF SITE: 6.580 Hectares.

Application reference number: T09/524A

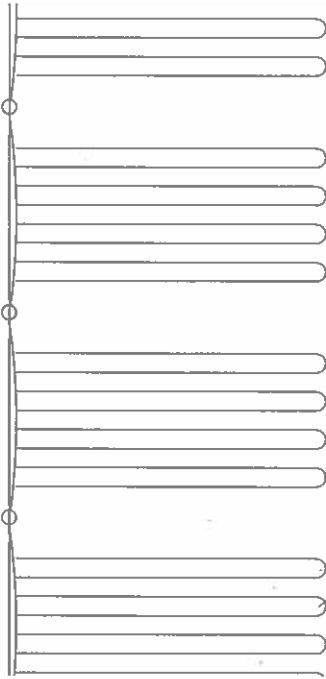


<p>Notes: This drawing and any design hereon is copyright and must not be reproduced without written consent. DO NOT SCALE from drawing use figured dimensions only. All dimensions to be checked on site and any discrepancies reported immediately before work proceeds. All Dimensions in mm unless stated.</p>	<p>OMCE Eoin O'Malley, B.Eng C.Eng MIEI Pringle Street, Clonsilla Co. Galway Tel: 095 22536 Mob: 086 3167851 Email: eoinomalley@gmail.com</p>
	<p>CLIENT: Mt. Conor O'Malley</p>
<p>DATE: 18th October 2022</p>	<p>DESIGNER: EOM</p>
<p>SCALE: 1:2000 @A1</p>	<p>PROJECT NO.: PP-02 MAPSHEET NO.: 04</p>
<p>PROJECT TITLE: Agriculture and Foreshore Licence Maps at Cleggan, Co. Galway</p>	<p>PRODUCT NO.: 1677</p>
<p>DATE: 18th October 2022</p>	<p>PROJECT NO.: PP-02 MAPSHEET NO.: 04</p>
<p>SCALE: 1:2000 @A1</p>	<p>PROJECT NO.: 1677</p>
<p>PROJECT TITLE: Farm Layout</p>	<p>PRODUCT NO.: 1677</p>



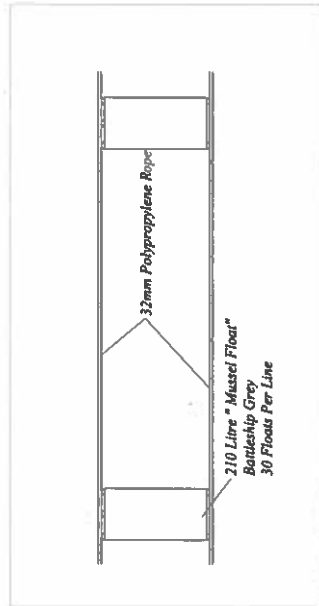
Typical Longline Section & Plan Detail (Scale 1:1000)

Dropper length varies from 4-6m as per available depth on site

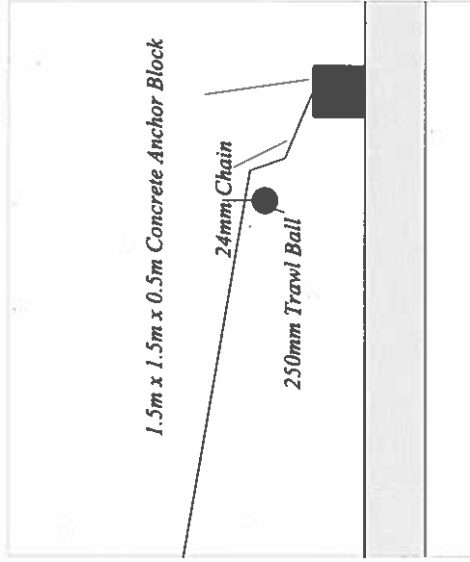


32mm Polypropylene Rope

Typical Float & Rope Section Detail (Scale 1:100)



Typical Float & Rope Plan Detail (Scale 1:50)



Typical Anchorage Section Detail (Scale 1:100)

Notes:
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 All dimensions to be checked on site and any discrepancies reported immediately before work proceeds.
 All Dimensions in mm unless stated.

OMCE
 Eada O'Malley B.Eng C.Eng MICE
 Bridge Street
 Clifden
 Co. Galway
 Tel: 095 22336
 Mob: 086 3567951
 Email: eadamo@omce.com

NO.	Revision	Date	Description

PROJECT TITLE Aquaculture and Foreshore Licence Maps for Clifden and Ardara, Clifden, Co. Galway		CLIENT Mr. Conor O'Malley	
DRAWING TITLE Mussel Longlines		DATE 17th November 2020	DRAWN BY ROM
SCALE As Shown @ A3		PROJECT NO. 1677	REVISION NO. 06



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Marine Engineering Division
Report on Aquaculture Licence Application

Application Reference No: T09/524

Report Prepared By: Raphael Crowley

Date: 25 October 2022

Applicant: Conor O'Malley, Cleggan, Co. Galway

Location: Cleggan Bay

Applicant Type: Aquaculture/Foreshore Licence Application

Sites	T09/524
Site Area (Ha)	6.58

Species: Blue Mussels (*Mytilus edulis*)

Cultivation Method: Extensive- longlines

Intertidal/Non-Intertidal: Sub-tidal

Source of seed: Local seed

Annual Production Estimates: 90 Tonnes (Year 5)

Shellfish Waters Designation Reference: Yes No

Environmental Designation Reference: Yes No
West Connaught Coast SAC (002998)

Development Plans Reference: Yes No
Galway County Development Plan 2022-2028
Objective AF1 - Aquaculture

Pre-Consultation Meeting: Yes No
Date: Various – October 2022

Drawing Validation Sheet

OSI Maps

Yes No

Comment:

6" scale maps prepared by GIS Mapping Section.

BA Chart

Yes No

Comment:

BA Charts prepared by GIS Mapping Section.

Farm Layout Drawing

Yes No

Directional Arrow

Yes No

Scale

Yes No

Title Block

Yes No

Date

Yes No

Comment: Revised drawings submitted are suitable.

Drawings of structures

Yes No

Comment:

Revised drawings submitted are suitable

Details of Proposed

Navigation Marking

Yes No

Comment:

No Drawings Submitted. MSO/CIL to advise.

Site Access Indicated

Yes No

Comment:

Site access map is suitable.

Site Co-Ordinates

Indicated

Yes No

Comment:

Site Overlap

Yes No

Comment:

Oyster Fishery Order

Overlap

Yes No

Comment:

The application is submitted with each of the requirements listed and is therefore deemed to be a valid application.

AFMD should be aware that insufficient details have been submitted as per above.

Site Suitability Assessment

Site Location

This new site is located on the north shore of Cleggan Bay, Co. Galway. The site is sheltered from the North by Cleggan Head and is within 1km of Cleggan Pier to the south. Cleggan Pier services the island of Inishbofin. The site location maps provided by MED GIS Mapping are suitable for advertising. There is an existing licenced aquaculture site directly to the west of this application.

Site Management

This application is for new aquaculture activity in Cleggan Bay, Co. Galway. Access is by boat from Cleggan Pier to the south. This applicant proposes to cultivate blue mussels (*mytilus edulis*) using 9No. x 100m longlines on a site 6.58 Ha in size. It is expected to produce 90 Tonnes of mussels from the site.

Proposed Site Layout and Structures

The MED report of 18 January 2022 on this application highlighted concerns regarding the density of structures and the available depth at the site for the structures proposed in the original application drawings. A revised farm site layout plan and details of structures was submitted to MED on 21 October 2022 – see attached drawings. The proposed aquaculture site has been configured to maintain the seaward limit in line with existing licenced aquaculture in Cleggan Bay. The applicant now proposes to use 3 blocks of 3 No. x 100m longlines at a spacing of 30m with droppers ranging from 4 to 6m depending on available depth across the site.

The density of the longlines and the spacing of the lines has been revised for this application and are now acceptable. The length of the droppers has been modified to cater for the varying depth across the site.

AFMD should ensure the correct farm layout and structure details are included in any licence, if issued.

Land Based Facilities / Site Access

The operator proposes to access the site using a boat from Cleggan Pier located 1km to the south. Details of the access route were included with an earlier copy of the application forwarded to MED. This access drawing should be included in any licence, if issued.

Navigation

This site will affect navigation in Cleggan Bay. Details of navigation marking drawing were not submitted with the application. As there is a licenced aquaculture site adjacent to this proposed one it may be appropriate to develop a Special Uniform Marking Scheme (SUMS) for this location if this site is licenced to allow for co-ordinated marking of the aquaculture activity in the bay. The proposed navigational marking scheme should be approved by CIL.

Visual Impact

The Galway County Development Plan 2022-2028 indicates there are scenic routes surrounding Cleggan Bay. The views of this site are limited from scenic routes. The types of structures proposed adhere to the best practices outlined in the Guidelines for Landscape and Visual Impact Assessment of Marine Aquaculture, 2001. The licence conditions will specify the orientation of the structures on the sites to minimise the visual impact. The Wild Atlantic Way runs along the N59 from Letterfrack through Cleggan Village, this site cannot be view directly from the route.

Impact / Cumulative Impact

There has been licensed aquaculture activity in Cleggan Bay in recent years. In addition to the ferry route to Inishbofin, there is tourism, fishing and marine leisure in the area. Aquaculture operations should not interfere with these amenities. The West Connaught Coast SAC (002998) should be consulted for details of the aquaculture activity that may pose a potential significant negative impact on the West Connaught Coast SAC.

Marine Engineering Division has no objection to the licencing of this site.

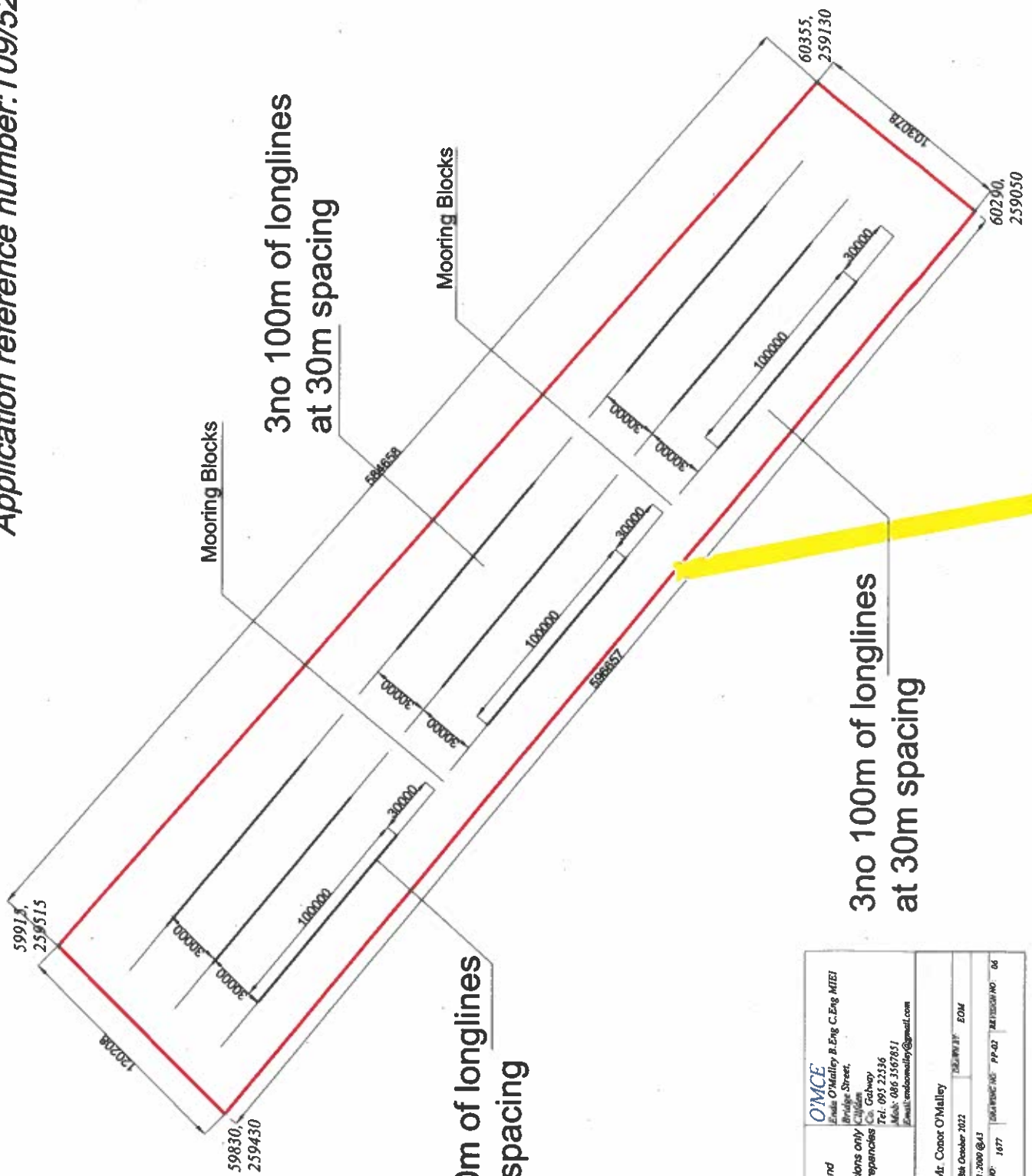


SITE LAYOUT.

SCALE 1:1000

LEGEND	
	Proposed Boat Access
	Site Boundary
	N/A
	Existing Rock
	Existing Levels (mAOD)
	Proposed Levels (mAOD)
	RED AREA OF SITE: 6.580 Hectares.

Application reference number: T09/524A

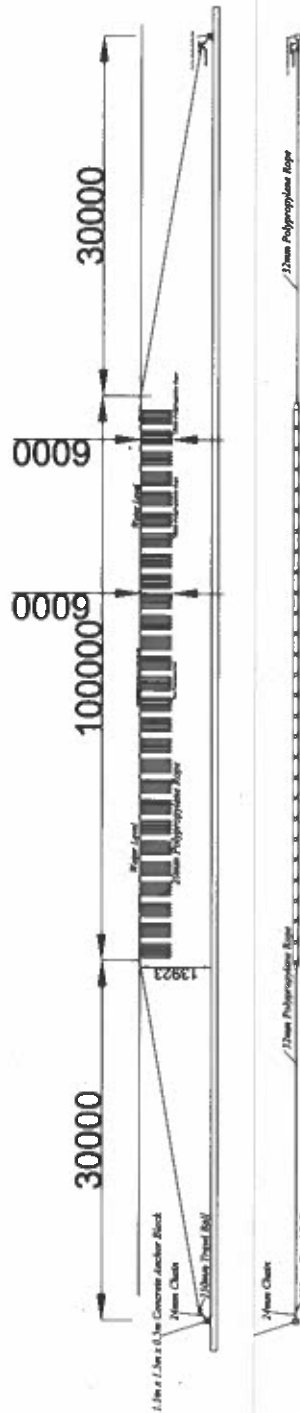


3no 100m of longlines
at 30m spacing

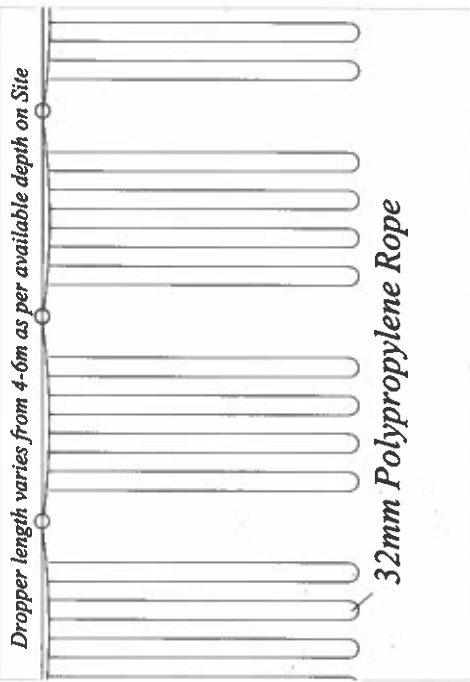
3no 100m of longlines
at 30m spacing

3no 100m of longlines
at 30m spacing

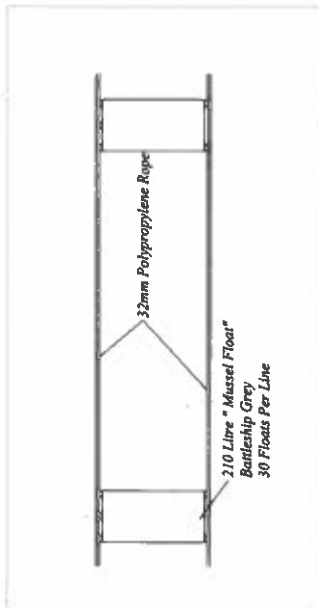
<p>Notes: This drawing and any design hereon is copyright and must not be reproduced without written consent. DO NOT SCALE from drawing use figured dimensions only All dimensions to be checked on site and any discrepancies reported immediately before work proceeds. All Dimensions in mm unless stated.</p>	<p>CLIENT Mr. Conor O'Malley Agriculture and Foreshore Licences Maps at Cleggan, Co. Galway</p>
	<p>DATE 18th October 2022 SCALE 1:2000 @ A3 PROJECT NO. 1077</p>
<p>PROJECT TITLE Form Layout</p>	<p>CLIENT Mr. Conor O'Malley</p>
<p>DATE 18th October 2022 SCALE 1:2000 @ A3 PROJECT NO. 1077</p>	<p>DESIGNER EDM DRAWING NO. PP-02 REVISION NO. 06</p>
<p>COMPANY O'MCE Ennis O'Malley B.Eng C.Eng MIEI Bridge Street, Cleggan Co. Galway Tel: 095 22536 Mob: 086 3567851 Email: emdoomalley@gmail.com</p>	



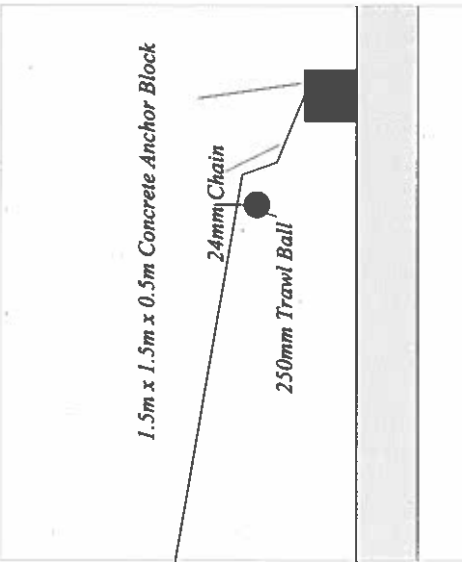
Typical Longline Section & Plan Detail (Scale 1:1000)



Typical Float & Rope Section Detail (Scale 1:100)

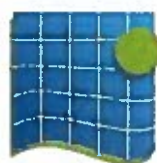


Typical Float & Rope Plan Detail (Scale 1:50)



Typical Anchorage Section Detail (Scale 1:100)

<p>Notes: This drawing and any design hereon is copyright and must not be reproduced without written consent. DO NOT SCALE from drawing use figured dimensions only All dimensions to be checked on site and any discrepancies reported immediately before work proceeds. All Dimensions in mm unless stated.</p>		<p>OMCE O'Malley B.Eng C.Eng MICE Bridge Street Clijden Co. Galway Tel: 095 2536 Mob: 086 3567851 Email: omd@omce.ie</p>	
<p>Revision Date</p>	<p>Description</p>	<p>PROJECT TITLE: Aquaculture and Foreshore Licence Maps for Cleggan and Ardara, Clijden, Co. Galway</p>	<p>CLIENT: Mt. Conor O'Malley</p>
<p>NO</p>	<p>DATE</p>	<p>DATE: 17th November 2020</p>	<p>DATE: 17th November 2020</p>
<p>NO</p>	<p>DATE</p>	<p>SCALE: As Shown @ A3</p>	<p>SCALE: As Shown @ A3</p>
<p>NO</p>	<p>DATE</p>	<p>PRIORITY NO: 1637</p>	<p>PRIORITY NO: 1637</p>
<p>NO</p>	<p>DATE</p>	<p>DRAWING TITLE: Mussel Longlines</p>	<p>DRAWING BY: BOM</p>



Marine Institute
Foras na Mara

Rinville,
Oranmore,
Co. Galway
Tel: 091 387200

Bernie McDonald
Aquaculture and Foreshore Management Division
Department of Agriculture, Food and the Marine
Clogheen,
Clonakilty
Co. Cork.

Advice on Aquaculture Licence Application

Applicant	Conor O'Malley
Application type	New
Site Reference No	T09/524A
Species	Mussels (<i>M. edulis</i>) – longlines
Site Status	Located within the West Connacht Coast SAC (Site Code: 2998), a Natura 2000 site

Dear Bernie,

This is an application for an aquaculture licence to cultivate mussels (*M. edulis*), using longlines, at Site T09/524A in Cleggan Bay, Co. Galway. The area of foreshore at Site T09/524A is circa 6.58Ha.

No chemicals or hazardous substances will be used during the production process.

The cultivation of shellfish at this site will produce faeces and pseudofaeces. Any impact will be limited to the area of the site. The build-up of excess organic matter beyond the footprint of the sites is not considered likely.

Considering the location, nature and scale of the proposed aquaculture activity, and in deference to our remit under the Marine Institute Act, and the considerations implicit to Sections 61(f) of the Fisheries (Amendment) Act, 1997 the Marine Institute is of the view that there will be no significant impacts on the marine environment and that the quality status of the area will not be adversely impacted

Site T09/524A is not located within any Shellfish Growing Water or Bivalve Mollusc Production Area. It is recommended that the implications of licencing sites that are not located within a designated Shellfish Growing Waters Area should be fully considered by DAFM as part of the licence determination process.

Site T09-524A is located within a designated Natura 2000 site (West Connacht Coast SAC). However, as concluded in the AA Screening Report for Aquaculture in West Connacht Coast SAC¹ and subsequent Conclusion Statement, the Marine Institute is of the view that significant impacts on conservation features for this SAC and any other adjacent Natura sites are not likely to occur.

In order to be able to assess and manage the potential risk of the introduction of invasive non-native species, the MI recommends that the initial source of seed and other sources which may be used at any point in the future should be approved by the Minister. This approval should be a specific condition of any licence that may issue. It should be noted that the control of alien species is a separate issue to the control of diseases in the context of the current Fish Health legislation.

¹ <https://www.gov.ie/en/collection/a62d9-aquacultureforeshore-licence-applications-galway/>

Notwithstanding the recommendation outlined above, and in the event that an Aquaculture Licence is granted, the movement of stock in and out of the site should follow best practice guidelines as they relate to the risk of introduction of invasive non-native species (e.g. Invasive Species Ireland). In this regard it is recommended that, prior to the commencement of operations at the site, the applicant be required to draw up a contingency plan, for the approval of DAFM, which shall identify, inter alia, methods for the removal from the environment of any invasive non-native species introduced as a result of operations at this site. If such an event occurs, the contingency plan shall be implemented immediately.

It is statutory requirement that a Fish Health Authorisation as required under Council Directive 2006/88/EC be in place prior to the commencement of the aquaculture activities proposed.

Best wishes,



Dr. Francis O'Beirn
Section Manager,
Marine Environment and Food Safety Services,
The Marine Institute.

Date: 7th February 2022



AN t-ÚDARÁS UM
CHOSAINT
IASCAIGH MHARA

SEA-FISHERIES
PROTECTION
AUTHORITY

From: Murray, Paul <Paul.Murray@sfpa.ie>
Sent: Friday 19 February 2021 13:57
To: Phair, Ann <Ann.Phair@sfpa.ie>
Subject: RE: Aquaculture Application: T09/524 Cleggan Bay, Galway

Hi Ann,

Other than promoting awareness of an ongoing issue as clarified by Siubhan (3) we don't have any difficulty with regard to the other parameters as noted below.

1. Possible impacts, if any, on existing wild fisheries in the area, with an emphasis on the possible implications for the SFPA conducting official controls and possible non-compliance issues that could arise.
2. Impacts, if any, on shellfish growing areas adjacent to or within the area and the possible impact on the ability of the SFPA to conduct official controls and possible non-compliance issues that could arise.
3. Possible impacts, if any, on seafood safety.

Many thanks,

Paul

Paul Murray
Senior Port Officer
SFPA
Ros A Mhil

From: Curran, Siubhan
Sent: 18 February 2021 09:49
To: Murray, Paul; McDermott, Brian
Subject: RE: Aquaculture Application: T09/524 Cleggan Bay, Galway

Hi

In relation to this one , the sewage situation has not improved in Cleggan but I think the proposed site is far enough away. So I would have no objections

S



AN t-ÚDARÁS UM
CHOSAINT
IASCAIGH MHARA

SEA-FISHERIES
PROTECTION
AUTHORITY

From: Murray, Paul <Paul.Murray@sfpa.ie>
Sent: Monday 8 February 2021 11:42
To: Curran, Siubhan <siubhan.curran@sfpa.ie>; McDermott, Brian <Brian.McDermott@sfpa.ie>
Cc: Phair, Ann <Ann.Phair@sfpa.ie>
Subject: Fwd: Aquaculture Application: T09/524 Cleggan Bay, Galway

Hi Siubhan/Brian,

Can you take a look at this application and come back with observations/comments etc,

Many thanks,

Paul

From: "Phair, Ann" <Ann.Phair@sfpa.ie>
Date: 8 February 2021 at 11:30:25 GMT
To: "Murray, Paul" <Paul.Murray@sfpa.ie>
Cc: "Foley, Tina" <Tina.Foley@sfpa.ie>
Subject: Aquaculture Application: T09/524 Cleggan Bay, Galway

Hi Paul,

Please see attached application T09/524 Conor O'Malley for the cultivation of Blue Mussels, *Mytilus edulis* in Cleggan Bay, Galway, for observations by the SFPA. Section 43 of the Sea Fisheries and Maritime Jurisdiction Act 2006, obligates the SFPA to provide assistance and information to the Minister in relation to the remit of the Authority.

The SFPA is therefore required to submit observations as requested to the Aquaculture and Foreshore Management Section, DAFM, in order to assist the decision making process by DAFM.

When completing such applications, the response is to be limited to observations on the following areas:

2. Possible impacts, if any, on existing wild fisheries in the area, with an emphasis on the possible implications for the SFPA conducting official controls and possible non-compliance issues that could arise.
3. Impacts, if any, on shellfish growing areas adjacent to or within the area and the possible impact on the ability of the SFPA to conduct official controls and possible non-compliance issues that could arise.
4. Possible impacts, if any, on seafood safety.



Commissioners of
IRISH LIGHTS | Navigation
and Maritime
Services

Commissioners of Irish Lights
Harbour Road, Dun Laoghaire
Co Dublin, Ireland

T +353.1.271.5400
F +353.1.271.5566

E info@irishlights.ie
W www.irishlights.ie

Mr. John Coakley
Aquaculture and Foreshore Management Division
Dept. of Agriculture Food & the Marine
National Seafood Centre
Clonakilty
Co. Cork

Reference: T09-524

Date: 15/04/2021

Applicant: Conor O'Malley
Site: Cleggan Bay, Co. Galway

Dear Mr. Coakley,

Thank you for your letter advising us of this application, which we received on 8/2/21.

Based on the information supplied, there appears to be no objection to the development. It is important to ensure that no navigable inter-tidal channels are impeded by the site.

If a licence is granted, all structures must be clearly marked as required by Regulations and Licensing Permit conditions and to the approval of the Nautical Surveyor with the Marine Survey Office.

We would request that you include the following terms in the licence –

- That the applicant secures Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation that may be required by the Marine Survey Office. These aids should be in place before development on the site commences. Statutory sanction forms are available at <http://www.irishlights.ie/safety-navigation/statutory-sanction.aspx>
- The size and specification of aids to navigation should be of the design and specification approved by the Marine Survey Office and must be agreed in advance with the Commissioners of Irish Lights.

It is recommended that local fishing and leisure interests be consulted prior to a decision being made.

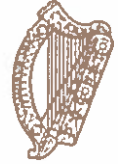
Furthermore, if a licence is granted, the UK Hydrographic Office at Taunton: sdr@ukho.gov.uk must be informed of the development's geographical position in order to update nautical charts and other nautical publications.

Yours sincerely,

Capt. Catriona Schmegner Tosco
Navigation Services Manager

cc. Capt. L. Kilbane, MSO, Dept. of Transport





Marine Survey Office
Leeson Lane,
Dublin 2,
D02 TR60,
Ireland
T +353 1 6707444
info@transport.gov.ie
www.gov.ie/transport

26/03/2021

Ref: Aquaculture License Application T09/524 Conor O'Malley, Cleggan Co Galway.

This office has no objections from a safety of navigation viewpoint to the above application however it is advised of the following:

1. The mooring blocks for the proposed site should be marked in accordance with the Special Unified Marking Scheme for that area.

In order for charts and nautical publications to be updated the British Admiralty Hydrographic Office at Taunton ,UK, is to be informed of the location and nature of the site.

(Fax:0044 1823 284077), Email: sdr@ukho.gov.uk

The applicant is required to apply to the Commissioners of Irish Lights for sanction to establish any lights and marks that maybe required.

Email: info@irishlights.ie

Yours Sincerely

Capt. Lawrence Kilbane.

Nautical Surveyor,
Marine Survey Office.

Appropriate Assessment Screening Conclusion Statement by the Licensing Authority for aquaculture activities in the West Connacht Coast Special Area of Conservation (SAC) (Natura 2000 Site code: 002998)

- 1.1 This Conclusion Statement outlines how it is proposed to licence and manage aquaculture activities in the West Connacht Coast Special Area of Conservation (SAC) (Natura 2000 Site code: 002998) in compliance with the EU Habitats Directive.
- 1.2 Aquaculture in this Natura site will, if approved, be licensed in accordance with the standard licence terms and conditions as set out in the aquaculture licence templatesⁱ. The licences will also incorporate specific conditions to accommodate Natura requirements, as appropriate.
- 1.3 A Screening Report for the Appropriate Assessment of aquaculture in the West Connacht SAC has been carried out by the Marine Institute on behalf of the Department of Agriculture, Food and the Marineⁱⁱ. This Report considered the likelihood of significant impacts from aquaculture activities on the SAC, and the other proximate SAC and Special Protection Area (SPA) sites.
- 1.4 The information upon which the Screening Report for the Appropriate Assessment of aquaculture is based is the definitive list of existing licences and applications for aquaculture available at the time of assessment. This information was provided by the Department of Agriculture, Food and the Marine.
- 1.5 The aim of the report was to determine whether or not aquaculture activities at the existing and proposed sites within the West Connacht SAC are consistent with the Conservation Objectives set for the Qualifying Interests of the SAC or if such activities will lead to deterioration in the attributes of the Qualifying Interests for which the site is designated over time due to the scale, frequency and intensity of the activities.
- 1.6 The report specifically considered if the suspended aquaculture operations (mussel or macro-algal culture) are likely to significantly impact on the conservation features of the West Connacht Coast SAC and adjacent Natura 2000 sites.

2. West Connacht Coast Special Area of Conservation

- 2.1 The West Connacht Coast SAC consists of two large bodies of marine waters off the coasts of Mayo and Galway. The site is a Special Area of Conservation selected for the Annex II species, the Bottle-nosed Dolphin (Tursiops truncatus) [Natura 2000 Code: 1349].

3. Description of the Aquaculture Activities

3.1 There are five existing licensed sites and one new application within the West Connacht Coast SAC:

T10/058A – finfish – licensed;

T09/143A – finfish - licensed;

T09/132A – finfish - licensed;

T09/434A – longline seaweed- licensed, renewal application;

T09/492A – longline mussels - licensed;

T09/524A – longline mussels - application

3.2 There were three aquaculture licences for suspended aquaculture operations to be assessed within the report, comprising of two applications and one existing licence. One application is for renewal of licence at site T09/434A for macro-algal culture and one is an application for a new licence for the culture of mussels at site T09/524A. These applications are considered cumulatively with the existing licensed site for the culture of mussels T09/492A.

3.3 The overall footprint of specified suspended aquaculture operations is small (i.e., approx. 30ha) and represents a very small proportion of the Dolphin habitat in the SAC (i.e., 0.05%)

3.4 In addition, the locations of the structures are relatively close to the shorelines, and as such they do not present a barrier to movement of this species. Furthermore and based upon scientific studies, the structures are such that echolocating species, such as dolphin, can easily avoid the structures/sites (Watson-Capps and Mann, 2005ⁱⁱⁱ; Heinrich, 2006^{iv}; Ribeiro et al., 2007^v) and therefore, avoid any risk of entanglement.

3.5 It is also noted that there are no energy sources (e.g., light, noise etc.) likely to result from activities at the sites that pose a risk to dolphins.

4. Appropriate Assessment Screening of the SAC

4.1 A screening assessment is an initial evaluation of the possible impacts that such aquaculture activities may have on the qualifying interests.

4.2 The Annex II Qualifying Interest species for which the SAC is designated Annex II Species - Marine Mammals, Tursiops truncatus (Bottlenose Dolphin).

4.3 Within this large SAC (circa 65,000ha), it is estimated, on the basis of surveys conducted during the summers of 2013 and 2014, that there are between 140-296 dolphins resident in the SAC.

5. Screening of Adjacent Special Areas of Conservation (SAC) for *ex-situ* Effects

5.1 A total of 12 SACs are located within 15km of the proposed aquaculture sites at West Connacht Coast SAC. The sites are:

- Aghrusbeg Machair and Lake SAC
- Barnahallia Lough SAC
- Omey Island Machair SAC
- Inishbofin and Inishshark SAC
- Kingstown Bay SAC
- Tully Mountain SAC
- Rusheenduff Lough SAC
- Tully Lough SAC
- Slyne Head Peninsula SAC
- The Twelve Bens/Garraun Complex SAC
- Connemara Bog Complex SAC
- Slyne Head Islands SAC

5.2 The characteristic features of the above SAC sites were identified and a screening was carried out on the likely interaction of the Conservation features with specified aquaculture activities within West Connacht Coast SAC.

6 Screening of Adjacent Special Protection Areas (SPA) for *ex-situ* Effects

6.1 A total of 5 SPAs are located within 15km of the proposed aquaculture sites at West Connacht Coast SAC. The sites are:

1. Inishbofin, Omey Island and Turbot Island SPA
2. High Island, Inishshark and Davillaun SPA
3. Cruagh Island SPA
4. Illaunnanoon SPA
5. Connemara Bog Complex SPA

The characteristic Species of Conservation Interests (SCIs) of the above SPA sites were identified and a preliminary screening was carried out on the likely interaction with aquaculture activities within the West Connacht Coast SAC.

7 Findings and Recommendations of the Article 6 (3) Appropriate Assessment of Aquaculture

7.1 The screening assessment investigates the potential for suspended aquaculture activities to have significant effects on the conservation interests of the West Connacht Coast SAC and adjacent Natura sites within the Natura 2000 network.

7.2 The screening assessment has determined, in light of best available scientific data, that there is no potential for significant effects of proposed or existing suspended aquaculture activities (i.e., mussel and macro-algal culture) on the following Qualifying Interests of Site 002998:

- Tursiops truncatus (Common Bottlenose Dolphin) [1349]

7.3 The likelihood of significant ex-situ effects on Qualifying Interests of adjacent SAC and SPA sites have also been excluded (screened out).

8 Summary of Management Actions that are being implemented for aquaculture activities in Cleggan Bay

The following measures are being taken in relation to licensing suspended aquaculture operations in Cleggan Bay:

- To manage the risk of introduction of alien species to the Qualifying Interest habitats and associated constituent community types, all stock movement in the bay should strictly adhere to relevant legislation and follow best practice guidelines.
- The source of seed and any changes to the source of seed are to be approved by the Department of Agriculture, Food and the Marine in advance.
- A licence condition requiring all movement of stock in and out of the West Connacht SAC should adhere to relevant fish health legislation and follow best practice guidelines (e.g. <http://invasivespeciesireland.com/cops/aquaculture/>) will apply to mitigate the risk of introduction of alien species into the SAC as a result of aquaculture activities.
- All aquaculture licences are subject to standard licence conditions, which cover, amongst other things, any further actions that might be required in the event of deterioration of conservation status of species/habitats at site level that is directly attributable to aquaculture operations.

9 Conclusion

The Licensing Authority is satisfied that, given the conclusions of the Appropriate Assessment Screening process, and subject to other licensing considerations, a decision can be taken in favour of licensing existing and proposed suspended aquaculture operations in the West Connacht SAC.

A full Appropriate Assessment was not deemed necessary as the proposed licensing of suspended aquaculture operations in the West Connacht SAC is not likely to have any significant effects on the qualifying interests of the SAC, or other proximate Natura 2000 sites as there is no direct impact (spatial overlap) or likely interactions with the conservation features of these sites.

July 2022

ⁱ Aquaculture Licence Templates <https://www.gov.ie/en/publication/fcd20-aquaculture-foreshore-management/>

ⁱⁱ Screening Report for West Connacht Coast SAC <https://www.gov.ie/en/publication/fcd20-aquaculture-foreshore-management/#appropriate-assessments-carried-out>

ⁱⁱⁱ Watson-Capps JJ, Mann J (2005) The effects of aquaculture on bottlenose dolphin (*Tursiops* sp.) ranging in Shark Bay, Western Australia. *Biological Conservation* 124: 519–526.

^{iv} Heinrich, S. (2006) Ecology of Chilean dolphins and Peale's dolphins at Isla Chiloe, southern Chile (PhD dissertation). University of St Andrews, 239 p.

^v Ribeiro S, Vidali FA, Cordeiro JL, Freitas TRO (2007) Fine-scale habitat selection of Chilean dolphins (*Cephalorhynchus eutropia*): interactions with aquaculture activities in southern Chiloe Island, Chile. *Journal of the Marine Biological Association of the United Kingdom* 87: 119–128.



T09/524A

AQUACULTURE LICENCE

AQUACULTURE MARINE
SHELLFISH LONGLINES

Conor O' Malley

Cleggan

Co Galway

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T09/524A

AQUACULTURE LICENCE NO. XXXX

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

The Minister for Agriculture, Food and the Marine (hereinafter referred to as the “Minister”), in exercise of the powers conferred on him by the Fisheries (Amendment) Act 1997 (No. 23 of 1997) (hereinafter referred to as the “Act”), hereby grants an Aquaculture Licence to:

Conor O’ Malley

Cleggan

Co. Galway

(hereinafter referred to as the “Licensee”) for the cultivation of blue mussels on a site in Cleggan Bay, Co. Galway, as specified in Schedule 1 attached (numbered T09/524A) and indicated by a red line on the attached map in accordance with the plans and drawing(s) in Schedule 2 attached as approved of by the Minister, subject to the Act and Regulations made under the Act and to the terms and conditions set out in the attached pages.

This Aquaculture Licence shall remain in force for a maximum period of ten (10) years, provided for so long as the Foreshore Licence granted under section 3(1) of the Foreshore Act 1933 (No. 12 of 1933) in respect of the same site for the purpose referred to is in force.

A person authorised under Section 15(1)
of the Ministers and Secretaries Act 1924 to
authenticate the Seal of the Minister for
Agriculture, Food and the Marine.

TERMS AND CONDITIONS APPLYING TO THIS AQUACULTURE LICENCE

1. Licensed Area

- 1.1. The area specified in *Schedule 1* attached (6.58 hectares) (labelled T09/524A) and outlined in red on the map(s) in *Schedule 1*.
- 1.2. The co-ordinates for the site are based on the Irish National Grid Co-ordinate System.

2. Species, Cultivation and Method Licensed

- 2.1. Species to be farmed: Blue Mussels (*Mytilus*).
- 2.2. Method: Longlines – subject to the seeding/plant and/or deployment limits as may be specified in *Schedule 4* attached.
- 2.3. The introduction of seed to the site shall comply with the legislation relating to fish health, except in the case of rope mussel farming where a natural mussel spat collection system is being applied.

3. Infrastructure and Site Management

Indemnity

- 3.1. 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 however arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or any other thing used in connection with the licensed operation in the licensed area or in the exercise of the rights granted under the licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition.
- 3.2. The duty of maintenance and responsibility for the upkeep and safety of the site rests with the Licensee.

Design, Arrangement and Maintenance of Structures

- 3.3. The Licensee shall ensure that the equipment (including all flotation, mooring and anchoring devices) is placed within the licensed area only. Storage or placement of equipment or stock on the foreshore or seashore outside the licensed area is not permitted under any circumstances.
- 3.4. The Minister may direct as to the deployment of apparatus, including number or orientation of longlines and flotation devices and their colour, within the site.
- 3.5. The Licensee shall obtain the prior approval of the Minister to any proposed material change to the plan/drawings or equipment as approved being used during the licensing period as specified in *Schedule 2* attached.

- 3.6. The Licensee shall at all times for the duration of the licence keep all equipment used for the purposes of the licensed operations in a good and proper state of repair and condition to the satisfaction of the Minister or other competent State authority.
- 3.7. The Licensee shall ensure that the ends of each longline in the licensed area legibly bear the Aquaculture Licence Number in an indelible weatherproof format.

Operational Conduct

- 3.8. The Licensee shall conduct its operations in a safe manner and with regard for other persons in the area and the environment and shall ensure that the operations are not injurious to adjacent lands or the public interest (including the environment) and do not interfere with navigation or other lawful activity in the vicinity of the licensed area, and shall comply with any lawful directions issued by the Minister and any other competent State authority in that regard.
- 3.9. The Licensee shall ensure that any aquaculture or other activity conducted under this licence does not adversely affect the integrity of the Natura 2000 network (if applicable) through the deterioration of natural habitats and the habitats of species and/or through disturbance of the species for which the area has been designated in so far as such a disturbance may be significant in relation to the stated conservation objectives of the site concerned.
- 3.10. The Licensee shall ensure that best practice is employed to keep structures and netting clean at all times and any biofouling by alien invasive species shall be removed and disposed of in a responsible manner. In particular, in 'Natura 2000' sites care must be taken to ensure that any biofouling by alien invasive species will not pose a risk to the conservation features of the site. Measures to be undertaken are set out in the draft Marine Code of Practice prepared by Invasive Species Ireland and can be found on the web site at: <http://invasivespeciesireland.com/>.

Waste Management

- 3.11. The Licensee shall ensure that the licensed and adjoining areas shall be kept clear of all redundant structures (including apparatus, equipment and/or uncontained stock), waste products and operational litter or debris and shall make provision for the prompt removal and proper disposal of such material. If the Licensee refuses or fails to do so, the Minister may cause the said structures, apparatus, equipment or other thing to be removed and the licensed area restored 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 by him in connection with the removal and restoration.

Inspection

- 3.12. The licensed area and any equipment, structure, thing, or premises wherever situated used in connection with operations carried out in the licensed area 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) (No. 1 of 1980), a Sea Fisheries Protection Officer (within the meaning of the Sea Fisheries and Maritime Jurisdiction Act 2006) (No. 8 of 2006) or any other person appointed in that regard by the Minister or other competent State authority.

- 3.13. The Licensee shall give all reasonable assistance to an authorised officer or a Sea Fisheries Protection Officer or any person duly appointed by any competent State authority to enable the person or officer enter, inspect, examine, measure and test the licensed area and any equipment, structure, thing or premises used in connection with the operations carried out in the licensed area and to take whatever samples may be deemed appropriate by that person or officer.
- 3.14. The Licensee shall keep and maintain in the State for inspection on demand by the Minister or a competent State authority, at all times, records of all operations including compliance monitoring and any required follow up action. These records shall be produced by the Licensee on demand by the Minister or other competent State authority and in any event not later than 24 hours from the making of that demand.
- 3.15. The Licensee shall furnish to the Minister or other competent State authority in the form and at the intervals determined by the Minister or other competent State authority, such information relating to the licensed area as may be required to determine compliance by the Licensee with the terms of this licence and applicable legislation.

4. Navigation and Safety

- 4.1. The Licensee shall ensure that statutory sanction from the Commissioners of Irish Lights is in place prior to the commencement of operations, regarding all aids to navigation. Statutory Sanction forms are available at <http://www.cil.ie/safety-navigation/statutory-sanction.aspx>
- 4.2. The Licensee shall ensure that the site is marked in accordance with the requirements of both the Marine Survey Office and the Commissioners of Irish Lights as specified in *Schedule 3*.
The navigation marking detail is also illustrated in *Schedule 3*.
- 4.3. The Licensee shall comply with any specification requirement relating to navigational aids, flotation and mooring devices, supporting/marking posts/poles, as required by the Minister or any other competent State authority.
- 4.4. The Minister's determination in respect of this licence is conditional upon immediate full compliance by the Licensee in respect of all requirements and conditions which are imposed under the relevant legal provisions applicable to the Marine Survey Office.
- 4.5. Prior to commencement of operation the Licensee shall inform the UK Hydrographic Office at Taunton, of the location and nature of the site in order that charts and nautical publications can be updated. Tel: 00 44 1823322352 Email sdr@ukho.gov.uk and the Licensee shall submit proof to the Department within 14 days of the date of this licence that the UK Hydrographic Office has been so informed.

5. **Monitoring**

5.1. The Licensee shall undertake and/or partake in monitoring, in particular environmental monitoring, as directed by the Minister or other competent State authority.

6. **Fish Health / Mortality Management / Movement of Fish**

Fish Health Regulations

6.1. Before the site is stocked the Licensee shall ensure that a Fish Health Authorisation under statutory provisions giving effect to Council Directive No. 2006/88/EC, as amended, or any other legislative act that replaces that Directive on animal health requirements for aquaculture animals and their products, and on the prevention and control of certain diseases in aquatic animals, is in place.

Disposal of Mortalities

6.2. The Licensee shall dispose of dead fish in accordance with the applicable statutory provisions and requirements.

Movement of Fish

6.3. The Licensee shall comply with any regulations in force governing the movement of fish.

7. **Duration, Cessation, Review, Revocation, Amendment, Assignment**

Duration, Cessation

7.1. This Licence shall remain in force as long as the accompanying Foreshore Licence remains in force.

Review

7.2. The Licensee may apply for a review of the licence at any time after the expiration of three years since the granting of the licence or its last renewal in accordance with section 70 of the Act.

Revocation, Amendment

7.3. Subject to the Act, the Minister may revoke or amend the licence if:-

- (a) he considers that it is in the public interest to do so,
- (b) he is satisfied that there has been a breach of any condition specified in the licence e.g., operating outside the licensed area,
- (c) the licensed area to which the licence relates is not being properly maintained,
- (d) water quality results or general performance in the licensed area do not meet the standards set by the Minister or the competent State authority.

Assignment

7.4. This Licence shall not be assigned without the prior written consent of the Minister and may not be assigned during the period of three years, dating from the

commencement or renewal of this licence, unless the Minister determines that it may be assigned under condition 7(5) or the condition set out in 7(6) applies.

- 7.5. A Licensee, who considers that there are exceptional reasons for the assignment of the Licence during the first three years, may apply to the Minister, giving those reasons, for a determination that the Licence may be assigned. The Minister may, at his discretion, having considered the reasons given by the Licensee, determine whether or not the Licence may be assigned. The determination of the Minister in this regard is final.
- 7.6. Where the Licensee is a company (within the meaning of the Companies Acts) and goes into Liquidation (within the meaning of the Companies Acts) in the first three years dating from the commencement of the licence, the Liquidator shall, with the consent of the Minister, be entitled to assign the licence to enable him to discharge any debts of the liquidated company.
- 7.7. This licence is issued subject to any order that the High Court may make under section 218 of the Companies Act 1963 or otherwise with regard to the assignment of this licence.

8. Fees

- 8.1. The Licensee shall pay to the Minister an annual aquaculture licence fee in accordance with the Aquaculture (Licence Application and Licence Fees) Regulations 1998 (S.I. No. 270/1998) as amended by the Aquaculture (Licence Fees) Regulations 2000 (S.I. No. 282 of 2000) or an amount payable under Regulations made under section 64 of the Act.
- 8.2. The Minister may revoke the licence where the Licensee fails to pay the aquaculture licence fees on demand.

9. General Terms and Conditions

- 9.1. The Licensee shall at all times comply with all laws and protocols applicable to aquaculture operations.
- 9.2. Any reference to a statute or an act of an institution of the European Union (whether specifically named or not) includes any amendments or re-enactments in force and all statutory instruments, orders, notices, regulations, directions, bye-laws, certificates, permissions and plans made, issued or given effect under such legislation shall remain valid.
- 9.3. If any condition or part of a condition in this licence is held to be illegal or unenforceable in whole or in part, such condition shall be deemed not to form part of this licence but the enforceability of the remainder of this licence is not affected.
- 9.4. The Licensee shall at all times hold all necessary licences, consents, permissions, permits or authorisations associated with any activities of the Licensee in connection with the licensed area.

Notification

- 9.5. Without prejudice to any other remedy under the licence or in law, if the Minister is of the view that the Licensee is in breach of any obligation under this licence, the Minister may, by notice in writing, require that the Licensee rectifies such breach, within such time as is specified by the Minister. The Licensee shall comply with any direction of the Minister within the time specified in the notice.
- 9.6. 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.
- 9.7. The Licensee shall notify the Minister within 7 days of any change in the Licensee's address, telephone, e-mail or facsimile number.

Tax Clearance Certificate

- 9.8. During the term of this licence the Licensee shall provide to the Minister on demand a current tax clearance certificate.

Companies and Co-operatives

- 9.9. In the event of the licence being granted to a company (within the meaning of the Companies Acts), control of the licensee company shall not change in any respect from the control of the company as existed on the date that the licence was granted so long as this licence shall remain in force save with the prior written permission of the Minister.
- 9.10. In the event of a licence being granted to a company that has been incorporated outside this State, the licensee company shall register with the Companies Registration Office within one month of the establishment of a place of business in the State or alternatively, within one month of the establishment of a branch of the said company in the State and the licensee company shall submit proof to the Department within 14 days of the end of that month that it has been so registered.
- 9.11. Where the licensee is a Company within the meaning of the Companies Acts, the licensee company shall ensure that it does not become dissolved within the meaning of the Companies Acts for so long as this licence shall remain in force.
- 9.12. In the event 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:-
- 9.12.1 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;
- 9.12.2 The rules relating to the society as submitted to the Minister before the grant of this licence shall not be amended subsequently other than with the written permission of the Minister; and
- 9.12.3 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 and the Licensee shall amend the rules in accordance with that direction.

Clearance of Site

9.13. The Licensee shall, at the Licensee's own expense, if so required by written notice from the Minister and within three weeks after receipt of such notice or on cessation of the licence for any other cause, remove the structures, apparatus, equipment or any other thing to the satisfaction of the Minister. If the Licensee refuses or fails to do so, the Minister may cause the said structures, apparatus, equipment or other thing to be removed and the licensed area restored 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 by him in connection with the removal and restoration. The Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition.

DRAFT

SCHEDULE 1

Schedule 1 contains:

- **the co-ordinates of the site based on the Irish National Grid Co-ordinate System and the area of the site**
- **site map(s)**
- **a chart showing the location of the site in relation to the surrounding area**
- **access to site.**

DRAFT

1 NO. SITE AT CLEGGAN BAY CO.GALWAY

Co-ordinates & Area

Site T09/524A (6.58 Ha)

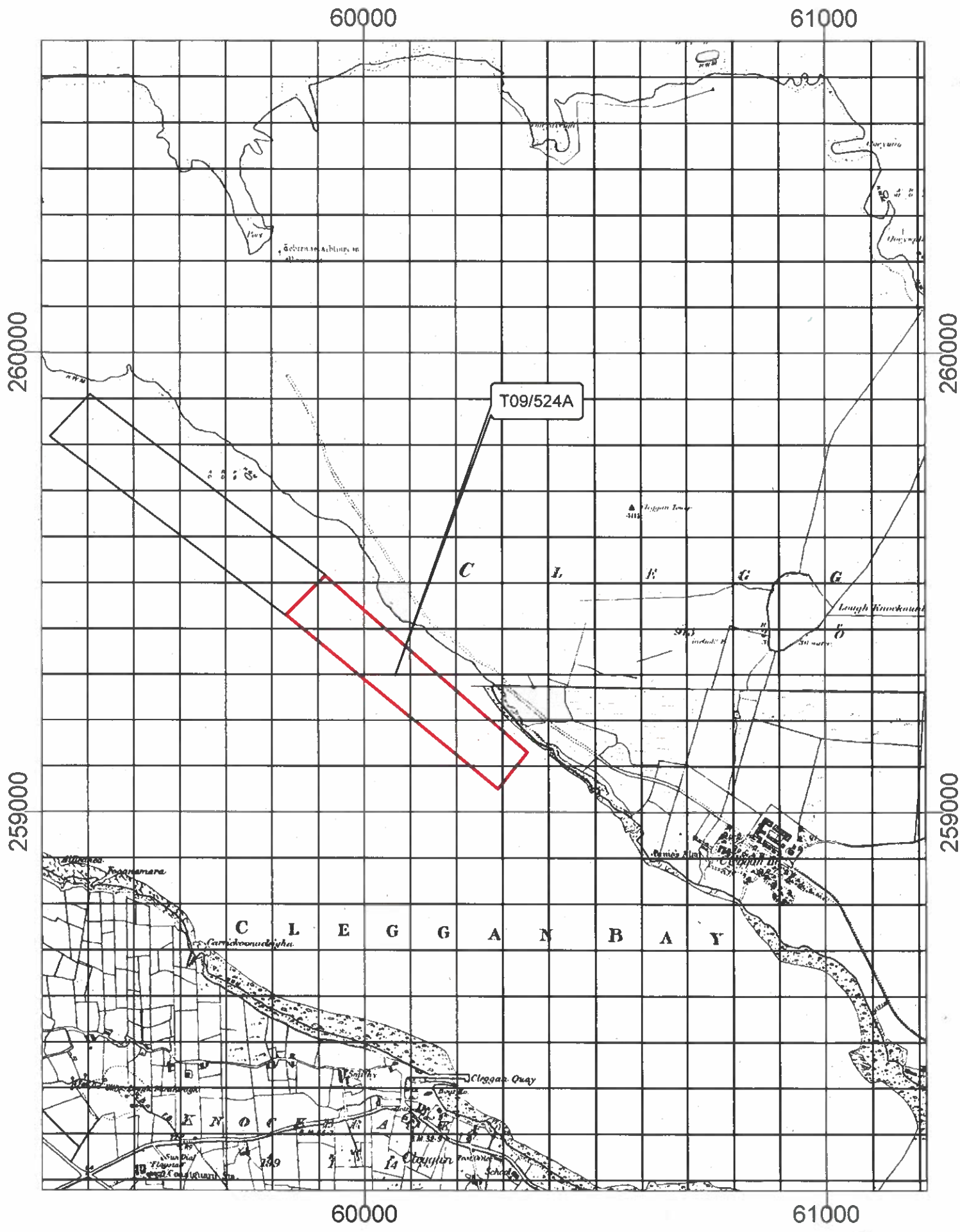
The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

059915, 259515 to Irish National Grid Reference point

060355, 259130 to Irish National Grid Reference point

060290, 259050 to Irish National Grid Reference point

059830, 259430 to the first mentioned point.



1:10,560

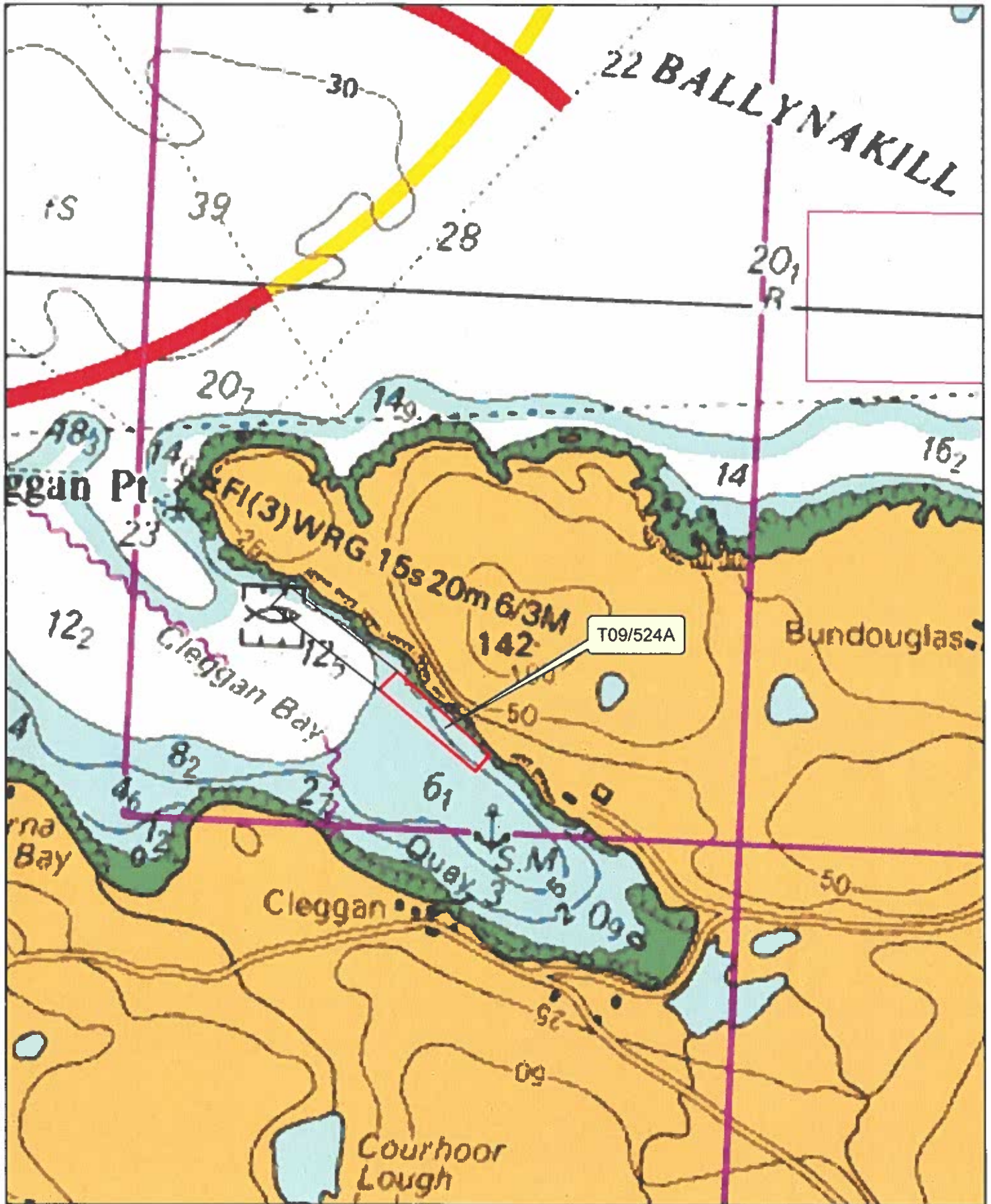
- Legend**
- Site_Status
 - Application
 - Licensed
 - 100mgrid

Sites highlighted in red denotes Application

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An Roinn Talmhaíochta,
 Bia agus Mara
 Department of Agriculture,
 Food and the Marine



1:24,000

Sites highlighted in red denotes Application

Part of Admiralty Chart No =1820-0
Not to be used for Navigation

Legend
Site_Status
Application
Licensed



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Access Route 79/524

1st Edition 6 Inch Historic Map

Departments Reference Number:



CENTRE COORDINATES:
ITM 459995,759150

PUBLISHED: 15/11/2020 **ORDER NO.:** 50155418_1

MAP SERIES: 6Inch COL ED01 **MAP SHEETS:** GY009
6Inch COL ED01 GY022

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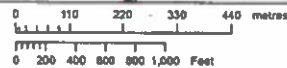
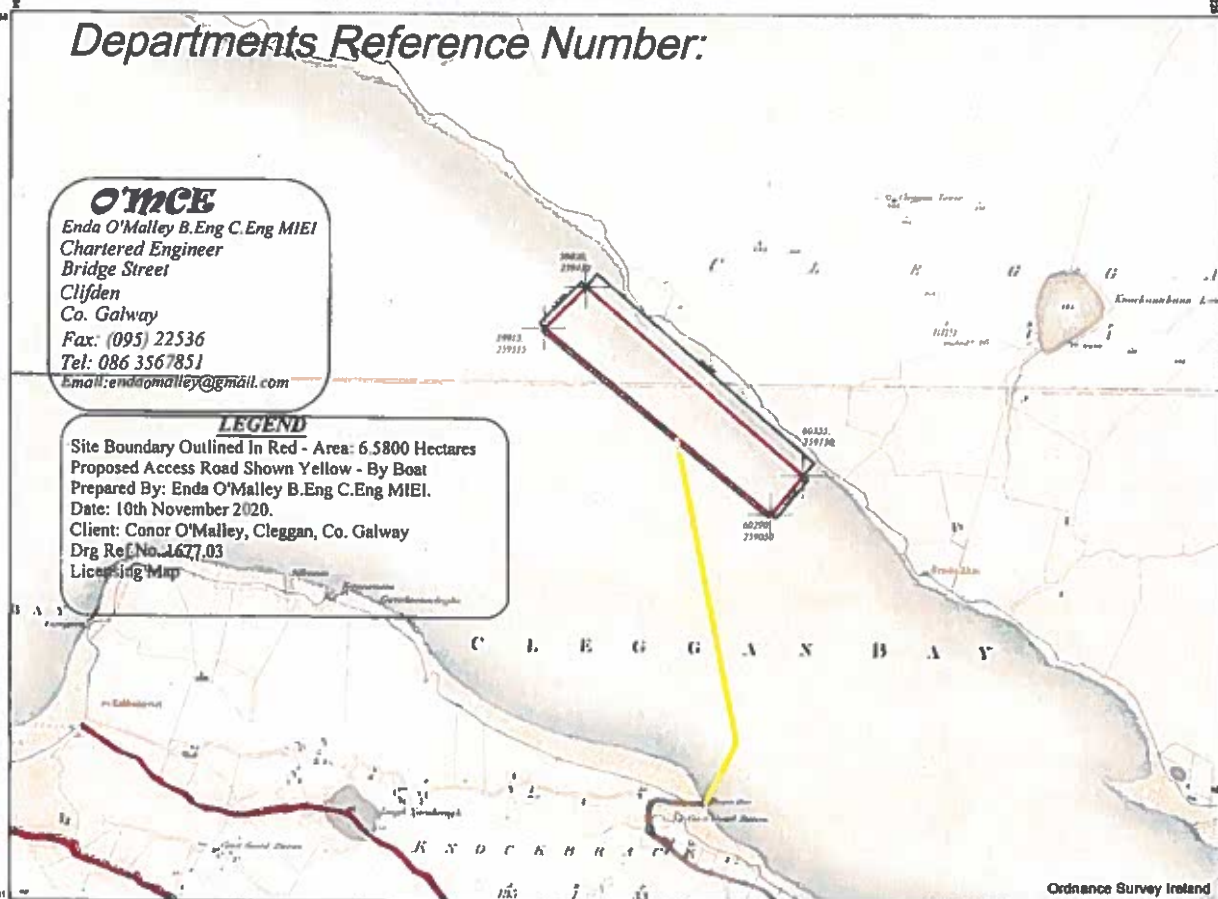
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LEGEND:
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Email: endaomalley@gmail.com

LEGEND
Site Boundary Outlined In Red - Area: 6.5800 Hectares
Proposed Access Road Shown Yellow - By Boat
Prepared By: Enda O'Malley B.Eng C.Eng MIEI.
Date: 10th November 2020.
Client: Conor O'Malley, Cleggan, Co. Galway
Drg Ref. No. 1677.03
Licensing Map



OUTPUT SCALE: 1:10,500

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
<http://www.os.ie> search 'Capture Resolution'



SCHEDULE 2

Schedule 2 contains:

- **the approved plans and drawing(s)**

DRAFT



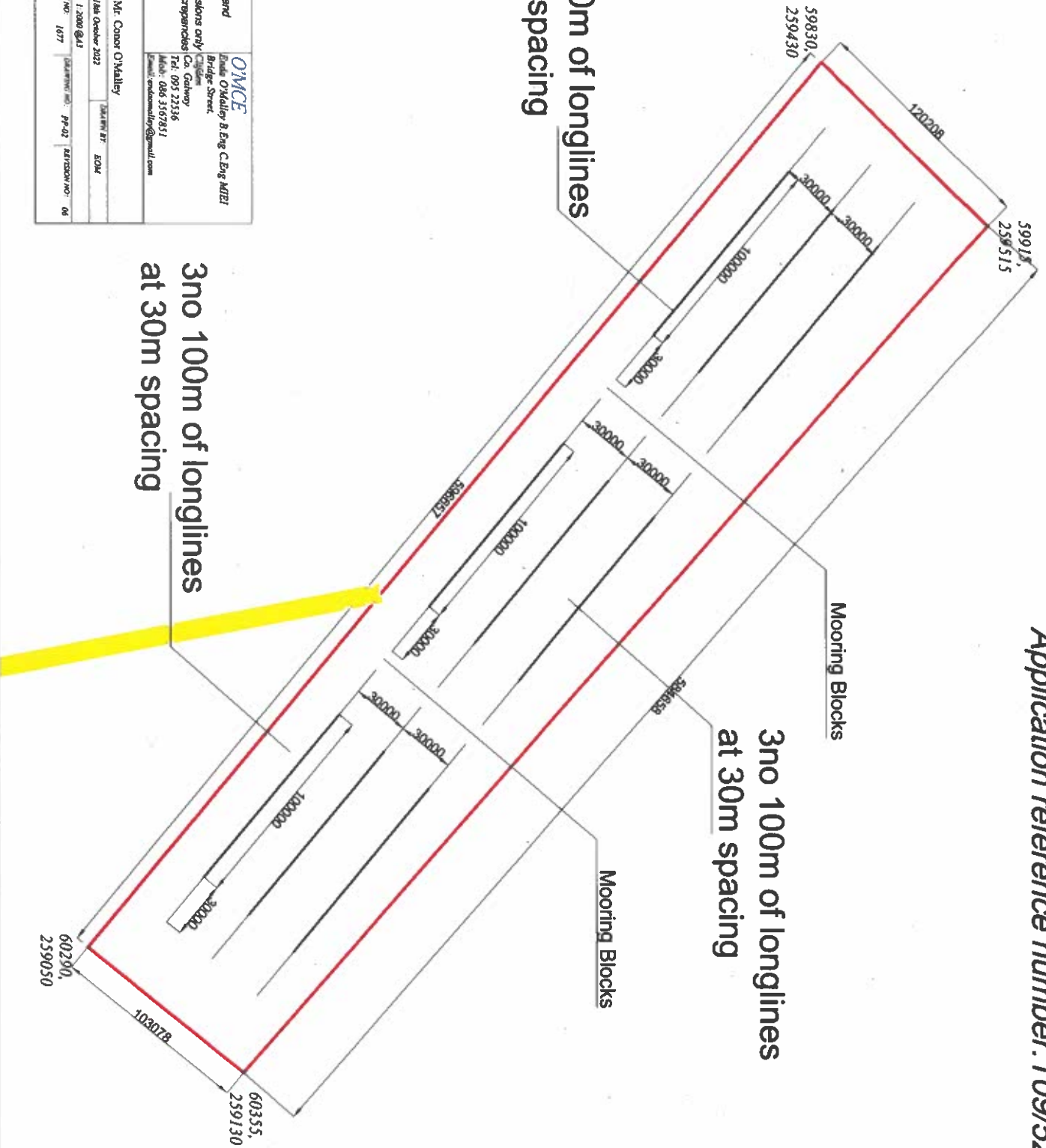
SITE LAYOUT.
SCALE 1:1000

LEGEND

- Proposed Boat Access
- Site Boundary
- N/A
- N/A
- Existing Rock
- Proposed Levels (mAOD)
- Proposed Levels (mAOD)
- RED AREA OF SITE: 6.580 Hectares.

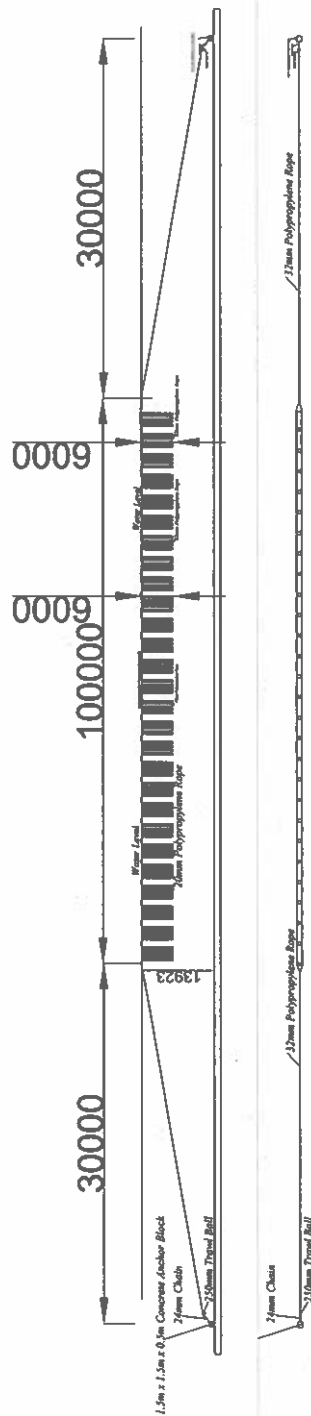
**3no 100m of Longlines
at 30m spacing**

**3no 100m of Longlines
at 30m spacing**

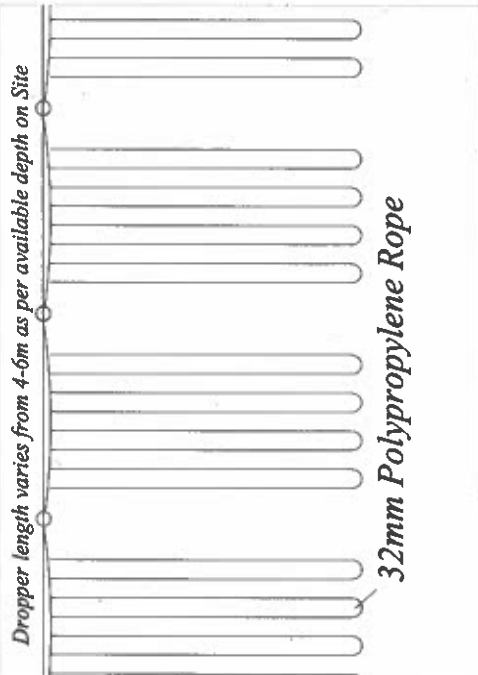


Application reference number: T09/524A

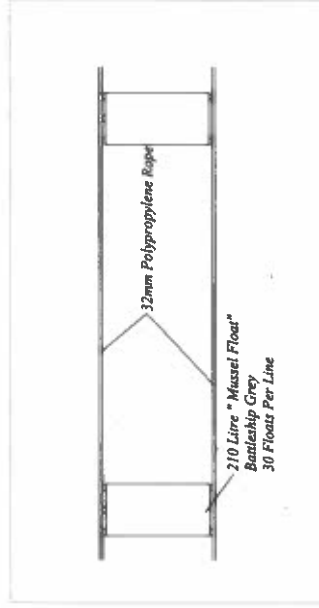
<p>Notes: This drawing and any design hereon is copyright and must not be reproduced without written consent. DO NOT SCALE from drawing use figured dimensions only. All dimensions to be checked on site and any discrepancies reported immediately before work proceeds. All Dimensions in mm unless stated.</p>		<p>ONCE Eddie O'Malley B.Eng. c.Eng. MBEI Bridger Street, Cloghan, Co. Galway Tel: 095 22136 Mobile: 086 3167851 Email: eddieomalley@gmail.com</p>	
<p>Product Title: Aquaculture and Fisheries Licence Maps at Cloghan, Co. Galway</p>		<p>Client: Mr. Conor O'Malley</p>	
<p>DRAWING TITLE: Farm Layout</p>		<p>DATE: 18th October 2022 SCALE: 1:2000 @A3 PROJECT NO.: 1677 DRAWING NO.: PP-42 REVISION NO.: 06</p>	



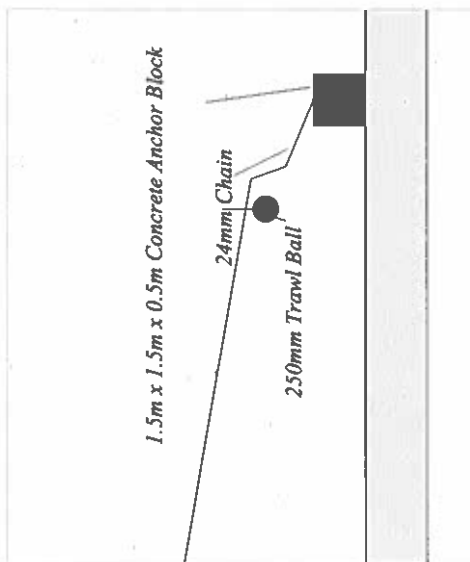
Typical Longline Section & Plan Detail (Scale 1:1000)



Typical Float & Rope Section Detail (Scale 1:100)



Typical Float & Rope Plan Detail (Scale 1:50)



Typical Anchorage Section Detail (Scale 1:100)

<p>Notes: This drawing and any design hereon is copyright and must not be reproduced without written consent. DO NOT SCALE from drawing use figured dimensions only. All dimensions to be checked on site and any discrepancies reported immediately before work proceeds. All Dimensions in mm unless stated.</p>		<p>OMICE Eoin O'Malley B.Eng C.Eng MIEI Bridge Street Clifden Co. Galway Tel: 091 22536 Mob: 086 3547831 Email: eoin.o'malley@omice.com</p>		<p>PROJECT TITLE: Aquaculture and Foreshore Licence Maps for Craggan and Ardber, Clifden, Co. Galway</p>		<p>CLIENT: Mr. Conor O'Malley</p>	
<p>DATE: 17th November 2020</p>		<p>DATE: 17th November 2020</p>		<p>SCALE: As Shown @ 1:1</p>		<p>SCALE: As Shown @ 1:1</p>	
<p>PROJECT NO: 1077</p>		<p>PROJECT NO: 1077</p>		<p>PROJECT NO: 1077</p>		<p>PROJECT NO: 1077</p>	
<p>DRAWING TITLE: Mussel Longlines</p>		<p>DRAWING TITLE: Mussel Longlines</p>		<p>DRAWING TITLE: Mussel Longlines</p>		<p>DRAWING TITLE: Mussel Longlines</p>	
<p>NO.</p>		<p>NO.</p>		<p>NO.</p>		<p>NO.</p>	
<p>REVISION</p>		<p>REVISION</p>		<p>REVISION</p>		<p>REVISION</p>	
<p>DATE</p>		<p>DATE</p>		<p>DATE</p>		<p>DATE</p>	

SCHEDULE 3

Schedule 3 contains:

- requirements of the MSO and/or CIL
 - **the navigation marking detail.**
-
- Statutory Sanction shall be secured from the Commissioners of Irish Lights for the aids to navigation that may be required by the Marine Survey Office. These aids shall be in place before development on the site commences. Statutory sanction forms are available at <http://www.irishlights.ie/safety-navigation/statutory-sanction.aspx>
 - The size and specification of aids to navigation must be of the design and specification approved by the Marine Survey Office and must be agreed in advance with the Commissioners of Irish Lights.
 - The Mooring blocks for the proposed site must be marked in accordance with the Special Unified Marking scheme.

DRAFT

SCHEDULE 4

Schedule 4 contains conditions specific to this licence:

- **the stocking and/or equipment deployment conditions (if applicable).**
- The site will be assessed by boat from Cleggan Pier located 1Km to the south. The access route must be strictly adhered to, in order to minimise habitat disturbance.
- 3 blocks of 3 No X 100m longlines at a spacing of 30m with droppers ranging from 4m to 6m depending on available depth across the site.
- The initial source of seed and other sources which may be used at any point in the future must be approved by the Department of Agriculture, Food and the Marine
- The Licensee shall, prior to the commencement of any aquaculture activity on this site, the applicant is required to prepare a Contingency Plan, for the approval of the Department of Agriculture, Food and the Marine, which must identify, inter alia, methods for the removal from the environment of any invasive non-native species introduced as a result of operation at this site. If such an event occurs, the contingency plan shall be implemented immediately.
- To manage the risk of introduction of alien species to the Qualifying Interest habitats and associated constituent community types, all stock movement in the bay must strictly adhere to relevant legislation and follow best practice guidelines.
- The Licensee shall adhere to any existing or future recommendations that may arise in order to avoid adverse impacts on the integrity of the West Connacht SAC and /or adjacent SACs and SPA.



- Site Status**
- Appealed to ALAB
 - Under Application
 - Lapsed
 - Licensed

**CLEGGAN BAY
CO. GALWAY
Site T09/524A
APPEALED TO ALAB**



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Scale = 1:20,000