Submission AGR 00407-26: Recommendation to grant an Aquaculture Licence for 1 site (T10/028C)

TO:	Minister of State	AUTHOR:	Lanigan, Aoife
STATUS:	Completed	OWNER:	Lanigan, Aoife
PURPOSE:	For Decision	REVIEWERS:	Dennis, Shona McLoughlin, PatrickM (Aquaculture) Batt, Brian McSherry, Sinead Meenan, Edel
DIVISION:	Aquaculture and Foreshore Management Division		
DECISION BY:			

Final comment

Minister of State Timmy Dooley provided his approval.

Action required

Ministerial Determination on Aquaculture Licensing Application (T10/028C)

Executive summary

The Minister of State at the Department of Agriculture, Food and the Marine's determination is requested in relation to a renew and review application for an Aquaculture Licence from North Mayo Oyster Development Co-op Society, Tallagh, Belmullet, Co. Mayo. The application is for the culture of Native Oysters using bottom culture, on site T10/028C totalling 172.97 hectares on the foreshore in Blacksod Bay, Co. Mayo. Site T10/028C is within the original boundary of site T10/028.

It is recommended that the Minister determines the Aquaculture Licence sought **be granted** to the North Mayo Oyster Development Co-op Society for the reasons 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 North Mayo Oyster Development Co-op Society, Tallagh, Belmullet, Co. Mayo. The application is for the cultivation of Native Oysters using bottom culture on site T10/028C, totalling 172.97 hectares on the foreshore in Blacksod Bay, Co. Mayo.

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 – TAB A

An application to renew and review 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 Native Oysters using bottom culture in relation to a 172.97 hectare site on the foreshore in Blacksod Bay, Co. Mayo (numbered T10/028C).

LICENCE FEES

There are outstanding Section 19 A. (4) fees associated with this licence. This issue is being dealt with through the standard debt management procedures.

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):

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

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 Institute (MI):

The MI in their submission 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 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."*

The MI made the following recommendations should the Aquaculture licence be granted:

- *"In the event that an Aquaculture Licence is granted, any 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."*

Commissioner of Irish Lights (CIL):

CIL stated they have *"no objections to the renewal of this licence"* and noted that the nature of bottom cultivation "*would generally indicate that there is no navigational hazard, it is important to ensure that no navigable inter-tidal channels are impeded by the development."*

Inland Fisheries Ireland (IFI):

IFI stated it has no objections to this application provided *"any imported seed is sourced from a certified, disease free stock"*

The main points raised by IFI are as follows:

- *"Native Oyster harvesting must be carried out in accordance with a dredge licence and must not overlap with sensitive habitat areas as identified in the Natura Impact Statement."*
- *"Measures should be put in place to prevent the spread of invasive species as a result of this operation."*

These observations were shared with the Marine Institute and addressed in Section 8.1, page 63 of of the final 'Appropriate Assessment Report for Extensive Aquaculture operations in Mullet/Blacksod Bay Complex SAC [00470] and Blacksod Bay/Broad Haven SPA [004037]'.

The MI in their reply stated : *"It should be clarified that all native oyster seed is sourced from within Blacksod Bay. The import of native oyster seed from outside of the bay will not be carried out as part of the activities at the sites."*

Marine Survey Office (MSO):

No observations were received from the MSO.

It is 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.

Uisce Éireann (Irish Water):
Irish Water stated that site T10-028C lies within the designated shellfish water area and indicated that existing primary and secondary discharges operated by Uisce Éireann discharging within 10 km of the proposed development were identified.

Department of Housing (Development Applications Unit, DAU):

Department of Housing, Local Government and Heritage stated that *"The Natura Impact Statement (NIS) SPA supporting report contain numerous errors and contradictions which require clarification, and additional available data relevant to the assessment was not included."* These items are expanded on in their submission.

These observations were shared with the Marine Institute and addressed on page 66 of Section 8.2 of the final 'Appropriate Assessment Report for Extensive Aquaculture operations in Mullet/Blacksod Bay Complex SAC [00470] and Blacksod Bay/Broad Haven SPA [004037]'. The MI in their reply addressed that while low tide counts have not been updated for this SPA in 15 years, they were in a position to utilise other available data such as "*IWeBS data and Suddaby (2016 and 2017)"*.

Other items raised by NPWS such as typographical errors and issues with the shape file identifying the SPA boundary were also addressed and amendments made where necessary. All these items were addressed in the aforementioned final Appropriate Assessment report which can be found in the associated submission AGR 00071-25.

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 Mayo News on 07 May 2024. The application and supporting documentation were available for inspection at Belmullet and Glenamoy Garda Stations for a period of 30 days from 14 May 2024 until 12 June 2024.

A copy of all the submissions or observations received at the Statutory consultation stage were forwarded to the applicant. The applicant provided a response to the submission received from MARA but did not respond to any submissions received as part of the Statutory consultation on the Aquaculture licence application. The submission from MARA and the applicant's response will be addressed in any future Foreshore Licence submission.

There were no submissions received from the Public consultation process.

Appropriate Assessment Mitigation Measures and Recommendations

The Appropriate Assessment recommended a number of mitigation measures and/or recommendations: (AGR 00071-25). The following apply to this application:

- *"a potential measure worth considering is that harvesting does not occur within all three favoured areas on the same days; thus, if birds are displaced suitable alternate habitat does occur within which they can temporally forage. The status of Red-breasted Merganser in Blacksod Bay (as well as other diving species) should also continue to be monitored against annual fishing effort /location."*
- *"dogs on site result in a significant negative impact as noted, it should therefore be a condition of any licence that operators may not bring dogs onto the shore."*

CRITERIA IN MAKING LICENSING DECISIONS

The licensing authority, in considering an application, is required by statute to take account of, as appropriate, the following points and must 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 Native Oysters using bottom culture.

b) other beneficial uses of the waters concerned

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

c) the particular statutory status of the waters

(i) Natura 2000

The site is located within the Mullet/Blacksod Bay Complex SAC [Site Code: 00470] and Blacksod/ Broad Haven Bay SPA [Site Code: 004037]. An Article 6 Appropriate Assessment was carried out in relation to the aquaculture activities in this SAC and SPA. The Minister of State at the Department of Agriculture, Food and the Marine determined that *"In accordance with Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, that the proposed project, either alone or in-combination with other projects, will not adversely affect the integrity of any European Site".*

(ii) Shellfish Waters

The site is located within a designated Bivalve Mollusc Production Area, Blacksod Bay, with a Classification of Class A.

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 Article 6 Appropriate Assessment for Extensive Aquaculture operation in Mullet/Blacksod Bay Complex SAC [00470] and Blacksod Bay/Broad Haven SPA [004037].

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 D)** to North Mayo Oyster Development Co-op Society, Tallagh, Belmullet, Co. Mayo, for a period of ten (10) years for the purpose of cultivating Native Oysters using bottom culture in accordance with the terms and conditions of the attached draft Aquaculture Licence.

REASONS FOR DECISION

The Minister of State at the Department of 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 –T10/028C

North Mayo Oyster Development Co-op Society has applied for authorisation to cultivate Native Oysters using Bottom Culture on the foreshore on a 172.97 hectare site (T10/028C) in Blacksod Bay, Co. Mayo.

The Minister of State at the Department of 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. *An Article 6 Appropriate Assessment was carried out in relation aquaculture activities in the Mullet/Blacksod Bay Complex SAC [00470] and Blacksod Bay/Broad Haven SPA [004037]. The Minister of State at the Department of Agriculture, Food and the Marine previously determined that the proposed project, either alone or in-combination with other projects and with the application of appropriate mitigation measures, will not adversely affect the integrity of any European Site.*
h. *Taking account of the recommendations of the Appropriate Assessment the aquaculture activity at this site is consistent with the Conservation Objectives for the SAC/SPA.*
i. *No significant impacts on the marine environment and the quality status of the area will not be adversely impacted;*
j. *The Aquaculture licence contains terms and conditions which reflect the environmental protection required under EU and National law."*

Related submissions

AGR 00071-25: Appropriate Assessment Determination for Extensive Aquaculture in Mullet/Blacksod Bay Complex SAC/SPA

Comments

Lanigan, Aoife - 13/04/2026 14:54
It is recommended that the Minister approves the granting of an Aquaculture Licence (site reference T10/028C) to North Mayo Oyster Development Co-op Society for the reasons outlined in the submission.

Dennis, Shona - 02/06/2026 14:30
It is recommended that the Minister approves the granting of an Aquaculture Licence to North Mayo Oyster Development Co-op Society for the reasons outlined in this submission. For your review and onward transmission, please.

Lanigan, Aoife - 16/06/2026 15:35
TAB D updated. For review and onward submission.

McLoughlin, PatrickM (Aquaculture) - 16/06/2026 15:50
I agree with the recommendation as set out in the submission. Grateful or your review and approval.

Lanigan, Aoife - 18/06/2026 15:38
Edits complete. For review and onward submission.

Batt, Brian - 18/06/2026 16:57
Sinéad, I agree with the recommendation that the Minister approves the granting of an Aquaculture Licence (site reference T10/028C) to North Mayo Oyster Development Co-op Society for the reasons outlined in the submission. Regards, Brian

McSherry, Sinead - 25/06/2026 10:27
It is recommended that the Minister determine an Aquaculture Licence be granted for site T10/028C. Please note that this is one of eight applications for this bay and for publication and appeals purposes they should be considered at the same time. Relevant eSubs are 402,405,407,410,413,424,441,450 of 2026.

Meenan, Edel - 25/06/2026 16:52
Approved for submission to the Minister of State by the Secretary General

Deegan, Craig - 01/07/2026 12:30
Minister of State Timmy Dooley provided his approval.

User details

INVOLVED:	Lanigan, Aoife Dennis, Shona McLoughlin, PatrickM (Aquaculture) Batt, Brian McSherry, Sinead Sub Sec Gens Office eSub Sec Gen eSub MOS Office
READ RECEIPT:	Lanigan, Aoife Dennis, Shona McLoughlin, PatrickM (Aquaculture) Batt, Brian McSherry, Sinead Moran, Jacqueline Meenan, Edel Deegan, Craig Hanrahan, Simon

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. T10/28C

Date of Receipt (Dept. Stamp): Aquaculture & Foreshore Management Division 26 OCT 2021 Department of Agriculture, Food & The Marine

Type of Applicant (tick one)	
Sole Trader	
Partnership	
Company	
Co-Operative	X
Other Please specify-	

PART 1: PRELIMINARY DETAILS

Applicant's Name(s) **NORTH MAYO OYSTER DEVELOPMENT CO-OPERATIVE SOCIETY LTD.**
1.
Address: c/o EDDIE O'TOOLE TALLAGH BELMULLET CO. MAYO
2.
Address:
3.
Address:
4.

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 - ***See Guidance Note 3.1***

(i) Aquaculture Licence		
(ii) Trial Licence		
(iii) Foreshore Licence, if Marine Based		
(iv) Review of Aquaculture Licence	**T10/28C**	X
(v) Renewal of Aquaculture Licence		X

TYPE OF AQUACULTURE *See Guidance Note 3.2*

Indicate the relevant type of application with a tick.

(i) MARINE-BASED

Finfish			Go to Parts 2.1 and 2.1A
Shellfish	***Subtidal***	X	Go to Parts 2.2 and 2.2A
	Intertidal		Go to Parts 2.2 and 2.2A
Seaweed/Aquatic Plants/Aquatic Fish Food			Go to Parts 2.3 and 2.3A

(ii) LAND-BASED

Finfish ☐ **Shellfish** ☐ Go to Parts 2.4 and 2.4A

Aquatic Plants ☐ **Aquatic Fish Food** ☐ Go to Parts 2.4 and 2.4A

(iii) TRIAL LICENCE ☐ 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: BLACKSOD BAY

(ii) County: MAYO

(iii) OS Map No: _____

(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.]

North Mayo Oyster Development Society Ltd. Site T10/028C Site Size = c.172.97 hectares Site Coordinates Irish Grid		
Corner No.	East	North
1	66820	328831
2	67739	328676
3	67907	328447
4	67716	328221
5	67853	328050
6	68079	328214
7	68632	327463
8	67750	326418
9	67284	327024
10	67952	327655
11	67170	328055

_____

(v) Size of Site (hectares): SIZE SITE T10/028A = CIRCA 172.97HECTARE

(vi) Species (common and scientific name) and whether native or non-native species: (see Guidance Notes 3.3.1)
NATIVE SPECIES: NATIVE FLAT OYSTER – *OSTREA EDULIS*

(vii) Whether production will be sub-tidal or inter-tidal? SUB-TIDAL . THIS IS AN EXTENSIVE CULTIVATION – THE NATIVE OYSTERS ARE GROWN ON THE SEABED

(viii) Please supply details of (a) source of seed e.g. wild hatchery and location and (b) means of collection and introduction to culture. NATURAL WILD SETTLEMENT OF LOCAL STOCK. THERE MAY BE FUTURE DEVELOPMENT OF USING NATIVE OYSTERS FROM IRISH HATCHERIES FOR STOCK ENHANCEMENT PROGRAMMES.
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)_BOTTOM – EXTENSIVE

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

(xi) Proposed Production Tonnage: CURRENT LANDINGS ARE C. 15 TONNES PER YEAR. ALL OYSTERS ARE FISHED AND SOLD BY EACH INDIVIDUAL BOAT. THE CO-OP DOES NOT SELL THE OYSTERS. IT IS DIFFICULT TO DETERMINE EACH YEAR LANDINGS AS CAN VARY.

Year 1	15	Year 2	15	Year 3	15	Year 4	15	Year 5	15

(xii) (a) Please outline the reasons for site selection:
THE CO-OP HAVE THIS AQUACULTURE LICENCE SINCE 1993 AS AREA GOOD FOR GROWING NATIVE OYSTERS.

(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

DIRECT HUMAN CONSUMPTION

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

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

Yes [X] No [ ]

If **yes** give details.

BLACKSOD BAY DESIGNATION MAP NO. 15

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

(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?

YES . CURRENT STATUS 2021/22 'A CLASSIFICATION'

Blacksod Bay (Belmullet)	Blacksod Point to Kanfinalta Point	All Beds	Oysters	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)
YES. WITHIN BLACKSOD-BROADHAVEN SPA SITE 004037 AND MULLET BLACKSOD SAC 000470.

(xviii) Are there known sources of pollution in the vicinity e.g. sewage outfall NEW BELMULLET WWTP OUTFALL PIPE DISCHARGES DIRECTLY INTO SITE T10/28B.

(xix) Methods used to harvest the shellfish and details of any subsequent processing of shellfish; NATIVE OYSTERS ARE FISHED USING DREDGE. ALL BOATS ARE MEMBERS OF CO-OP , HAVE REGISTERED VESSELS AND HAVE DREDGE PERMIT FROM IFI.

(xx) Describe any proposed purification facilities to be used:
EACH BOAT SELLS DIRECTLY TO MAINLY 2 MAYO BASED SHELLFISH BUYERS WHO EXPORT PRIMARIY TO FRANCE AND HOLLAND. EU.

(xxi) What are the main predators of the species to be cultivated?

MAINLY STARFISH

(xxii) Describe the method(s) which will be used to control them STARFISH ARE KEPT ON BOARD BOATS AFTER BEING TAKEN OUT OF DREDGE ON OYSTER FISHING DAYS. STARFISH ARE ALSO REMOVED FROM FISHERY WHEN OTHER FISHERMEN REMOVE THEM WHEN POTTING FOR SHRIMP AND OTHER CRUSTACEANS.

See Part 2.2A for details of documentation to be included with this application type

2.2A DOCUMENTATION REQUIRED FOR MARINE-BASED SHELLFISH AQUACULTURE

(to be included separately with a Licence Application for a new site or for a renewal or review of an existing Licence)

1. **An appropriate Ordnance Survey Map (recommendation is a map to the Scale of 1:10,000/1:10,560, i.e. equivalent to a six inch map).** Note: The proposed access route to the site from the public road across tidal foreshore must also be shown on the map.

2. **Scale drawing of the structures to be used and the layout of the farm.**
   The proposed site drawings must illustrate all site structures above and below the water including mooring blocks. (recommended scales normally 1:100 for structures and 1:200 for layout) (See Guidance Note 3.3.2)

3. **The prescribed application fee (See Guidance Note Section 4)**

4. **If the applicant is a limited Company within the meaning of the Companies Act 1963. as amended, the Certificate of Incorporation and Memorandum and Articles of Association**

5. **If the applicant is a Co-operative, the Certificate of Incorporation and Rules of the Co-operative Society**

6. **Environmental Impact Statement (if required) in certain cases- See Guidance Notes Section 3.3.1**

7. **Alien Species dossier (where required) – See Guidance Notes Section 3.3.1**

NOW COMPLETE PARTS 2.6, 3, 4 AND 5 PLEASE

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:

YES WE HAVE COMPILED WITH ALL LICECNE 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. I/We enclose an application fee* of €63.49 with this application.

Signature(s) of Applicant(s):
(Please state capacity of persons
signing on behalf of a Company/Co-op) : EDDIE O'TOOLE, SECRETARY

Eddie O'Toole

Date: 15th October 2021

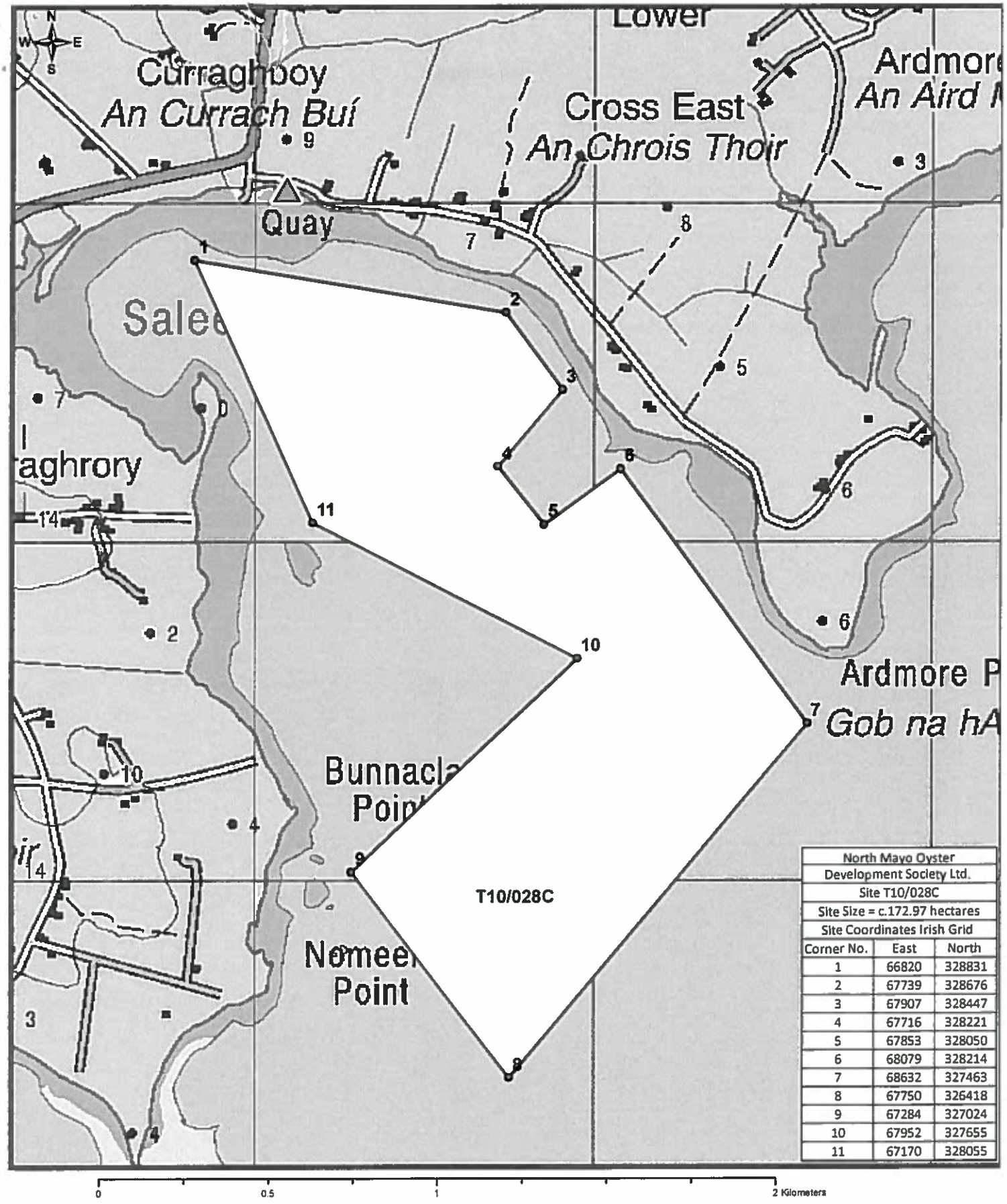
NB All persons named on this licence application must sign and date this application form.
Only the existing licence holder(s) can apply for the renewal/review of an Aquaculture Licence.

*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



North Mayo Oyster Development Society Ltd.		
Site T10/028C		
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6	68079	328214
7	68632	327463
8	67750	326418
9	67284	327024
10	67952	327655
11	67170	328055

Title:	**North Mayo Oyster Development Co-operative Society Ltd.**
Project:	**Renewal & Review of Aquaculture Licence T10/028C**
Date:	**12/10/2021**
Drawing No.:	**1a - revised site coordinates and access point**
Scale:	**1:15,000**

Legend T10/28C

North Mayo Oyster redraft licence site coords T10-028A, B & C

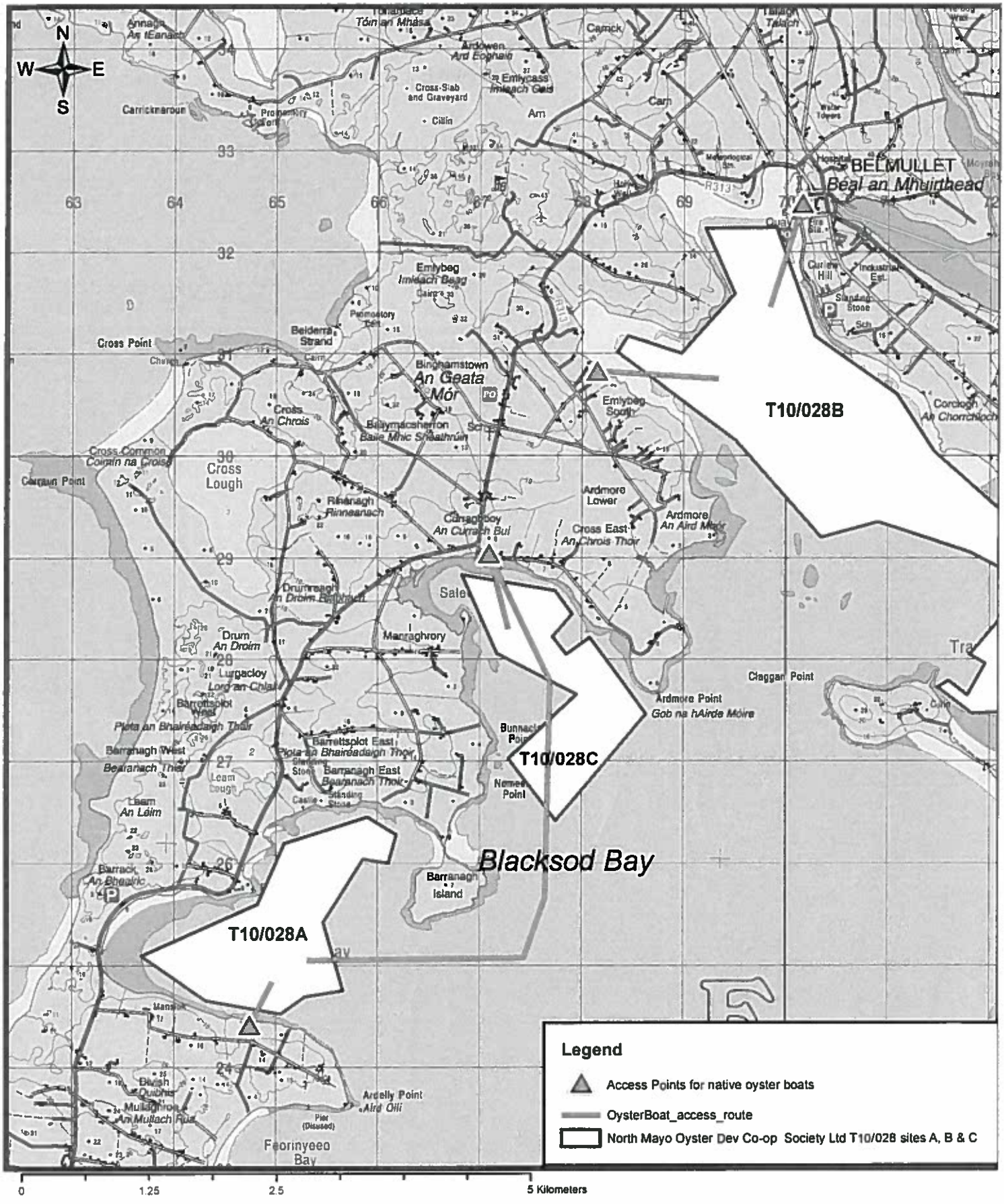
North Mayo Oyster Dev Co-op Society Ltd T10/028 sites A, B & C

Access Point for North Oyster boats

Aquaculture & Foreshore Management Division

26 OCT 2021

Department of Agriculture, Food & The Marine



Aquaculture & Foreshore Management Division
26 OCT 2021
Department of Agriculture, Food & The Marine

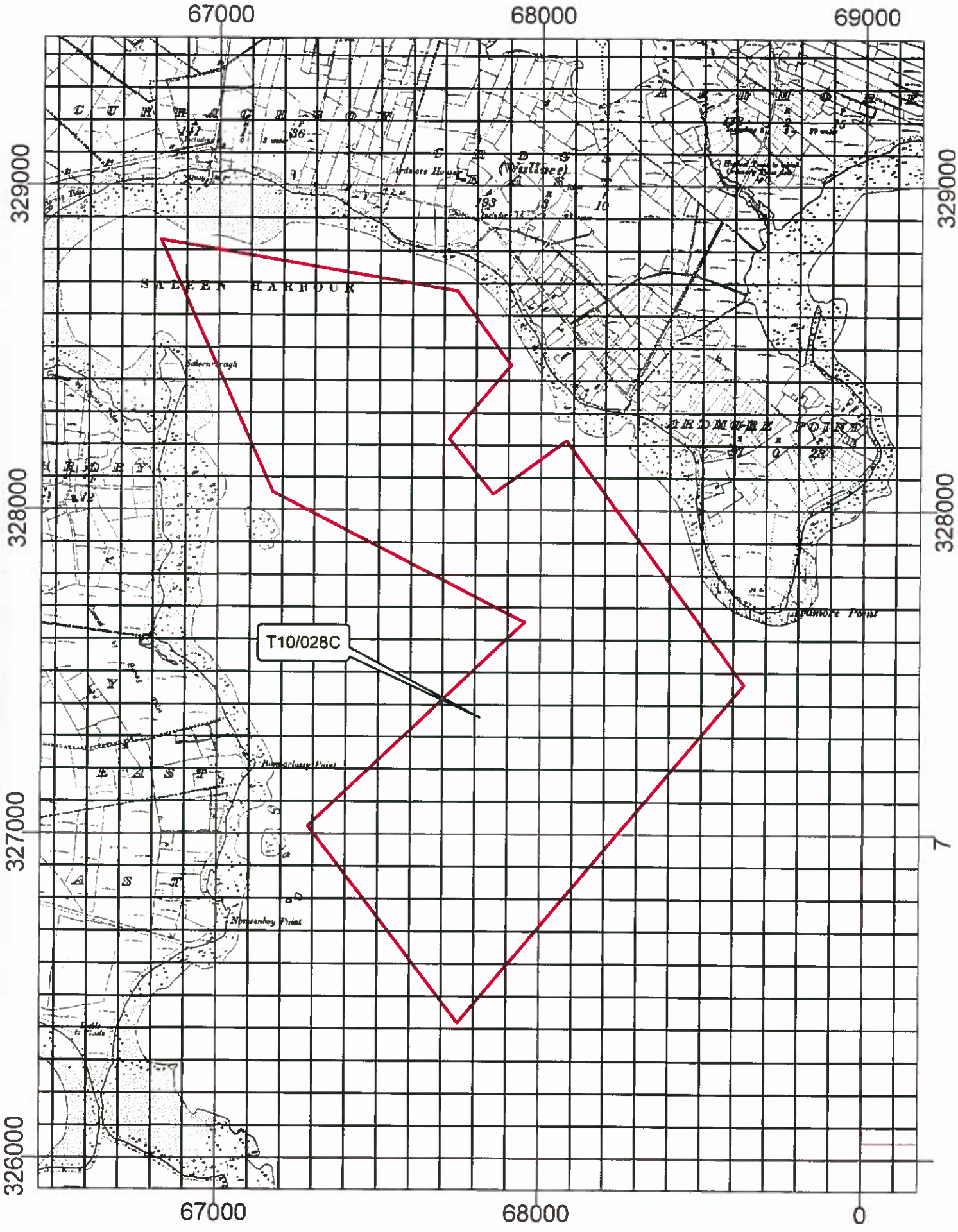
Title: North Mayo Oyster Development Co-operative Society Ltd.

Project: Renewal of Aquaculture Licence T10/028

Date: 12/10/2021

Drawing No.: 1a - revised site locations with fishing boa access points & routes

Scale: 1:50,000



1:15,000

Sites highlighted in red denotes Application

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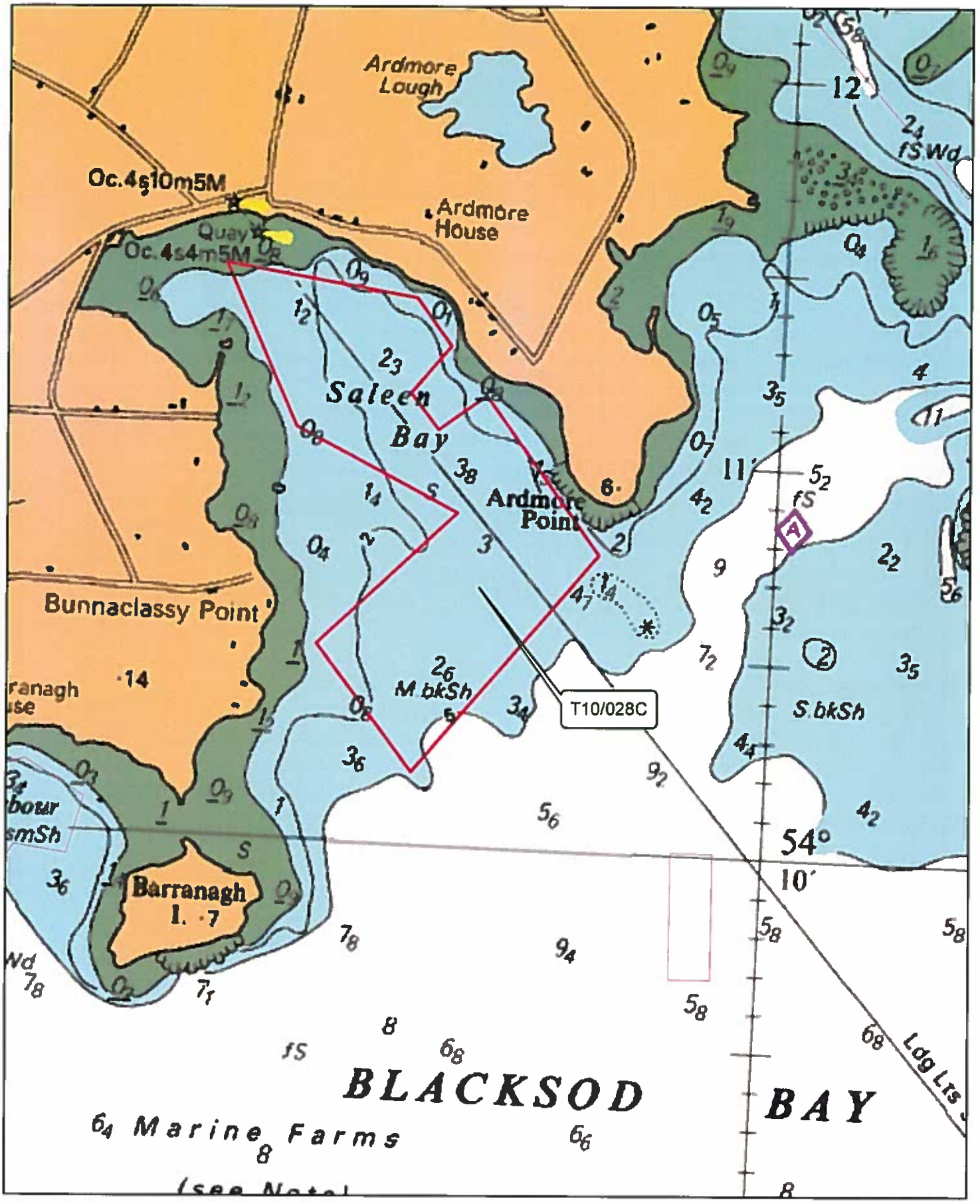


1:24,000

Site_Status
Application
Licensed

Sites highlighted in red denotes Application

Part of Admiralty Chart No =2704-0
Not to be used for Navigation

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

1 NO. SITE AT BLACKSOD BAY CO.MAYO

Co-ordinates & Area

Site T10/028C (172.97 Ha)

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

067750, 326418 to Irish National Grid Reference point
067284, 327024 to Irish National Grid Reference point
067952, 327655 to Irish National Grid Reference point
067170, 328055 to Irish National Grid Reference point
066820, 328831 to Irish National Grid Reference point
067739, 328676 to Irish National Grid Reference point
067907, 328447 to Irish National Grid Reference point
067716, 328221 to Irish National Grid Reference point
067853, 328050 to Irish National Grid Reference point
068079, 328214 to Irish National Grid Reference point
068632, 327463 to the first mentioned point.

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

Marine Engineering Division

Report on Aquaculture Licence Application

Application Reference No:	**T10/028C**
Report Prepared By:	**Edwina Forde**
Date:	22/02/2022
Applicant	North Mayo Development Co-op Society ltd, C/O Eddie O'Toole, Tallagh, Belmullet, Co. Mayo
Location	Blacksod Bay, Co. Mayo (incl. Elly Harbour and Saleen Harbour)
Applicant Type	Aquaculture/Foreshore Licence Application
Sites	C
Site Area (Ha)	172.97
Species	Native flat Oysters (*ostrea edulis*)
Cultivation Method	Bottom culture
Intertidal/Non-Intertidal	Subtidal
Annual Production Estimates	15 Tonnes (Year 4)
Shellfish Waters Designation Reference:	Yes ☒ No ☐ S.I.268 of 2006 Blacksod Bay
Environmental Designation Reference:	Yes ☒ No ☐ Blacksod/Broadhaven SPA (Site Code 004037) Mullet/Blacksod Bay Complex SAC (000470)
Development Plans Reference:	Yes ☒ No ☐ Mayo County Development Plan 2014-2020 Section 2 –Economic & Development Policy MF-02
Pre-Consultation Meeting	Yes ☐ No ☒ Date:

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: Bottom culture.

Drawings of structures **Yes** ☐ **No** ☒
Comment: Bottom culture, no structures

Details of Proposed Navigation Marking **Yes** ☐ **No** ☒
Comment: Bottom culture, no structures.

Site Access Indicated **Yes** ☒ **No** ☐
Comment: Access by boat from 3 piers at Belmullet, Ardelly and Saleen

Site Co-Ordinates Indicated **Yes** ☒ **No** ☐
Comment: Site co-ordinates indicated in application

Site Overlap **Yes** ☒ **No** ☐
Comment: Overlap with protected habitats detailed in AA

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

Site location maps have been submitted with the application. The site is located at Blacksod Bay, Belmullet, Co. Mayo. Blacksod Bay is bounded on its western side by the Mullet Peninsula. The Bay is fed by numerous small rivers and streams and a canal links Blacksod Bay to Broadhaven Bay to the north through the town of Belmullet. The aquaculture at this location has been in existence for many years, the North Mayo Co-Op has held this license since 1994 which indicates that the hydrodynamic regime is suitable for this type of aquaculture. The consistency of the seabed at this location is intertidal mudflats and sand flats with a firm substrate and suitable for the aquaculture proposed. The Wild Atlantic Way surrounds Blacksod Bay with a point of interest at Blacksod Harbour. The area applied for is a significant public amenity. There is a quay in Belmullet, Ardelly and Saleen that harbours relatively large boats. Any access to these quays should not be restricted. There is a water sports leisure centre and summer college in Elly Bay and any aquaculture activity should not interfere with people using this facility. Nor should the any aquaculture activity interfere with the public beaches in the area.

Site Management

The applicant has indicated that they intend to cultivate native flat oysters extensively on the seabed. They propose to use a 4ft dredge which is fished from the side or back of a boat. There is a restricted season of approximately 8 to 12 days in February and March, and only registered fishing vessel and members of the co-op are allowed to fish. Each vessel (12-15 boats) has to obtain a dredge license from Inland Fisheries Ireland and there is a legal minimum size for oysters to be sold. The application implies that there would be no equipment used or left on the seabed that may be hazardous to other users of the area.

The activities associated with this culture practice (dredging of the seabed) are considered disturbing and can lead to removal and or destruction of infaunal species and changes to sediment composition. The development can be considered as minor and reversible and no new infrastructure is required. Given the nature and the short duration of harvest period, significant impact on fishing and marine leisure are not considered likely. The site is currently in use and is satisfactorily managed.

The Marine Institute Appropriate Assessment Summary Report of Aquaculture states *"For most species there are no potentially significant impacts that are likely to arise from the cultivation and harvesting of oysters in sub tidal waters, with the exception of:*

Zostera-dominated community*- This habitat is not tolerant of any overlap of any activity. The cumulative pressure of likely impacting activities on this habitat is 53.78%***.**

Maerl-dominated community *- This habitat is not tolerant of any overlap of any activity. The cumulative pressure of likely impacting activities on this habitat is significant at 83.54%***.**

Serpula vermicularis dominated community *- The cumulative pressure of likely impacting activities on this habitat is 8.9%***.** *"*

These habitats have been removed from the application and new drawings submitted.

Proposed Site Layout and Structures

This application is for bottom culture of oysters and no structures will be used.

Land Based Facilities / Site Access

The operators propose to access the site using existing routes from the quay in Belmullet, Ardelly and Saleen Harbours. Details of the access route were included with the application.

Navigation
As there are no structures navigation aids are not required.

Visual Impact
The Mayo County Development Plan 2017-2023 indicates there are scenic routes surrounding Blacksod Bay. As this application is for extensive bottom culture there will be no visual impact.

Impact / Cumulative Impact
This application is part of the overall oyster aquaculture industry in Blacksod Bay. This existing aquaculture has been in place for some time and there is no significant impact due to this application. There is other fishing and marine leisure in the area. A group navigational marking scheme is in place for other aquaculture which reduces the impact on navigation in the area. Protected habitats identified under the AA have been removed from the application area.
The 2017 report supporting Appropriate Assessment of Aquaculture and risk assessment of fisheries in Mullet/Blacksod Bay complex SAC(site code: 0470) should be consulted for details of the aquaculture activity that may pose a potential significant negative impact on the Mullet Blacksod Bay complex SAC.

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

Lanigan, Aoife

From: Simon Dolan (Housing) <Simon.Dolan@npws.gov.ie>
Sent: Tuesday 28 May 2024 14:42
To: McDonald, Bernie
Subject: Aquaculture Licence Application - 8 Applicants - Marine Shellfish/Aquatic Plants in Blacksod Bay, Co. Mayo

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

T10-028A, T10-02B & T10-028C, T10-344A, T10-347A,

A Chara,

Attached please find the Nature Conservation recommendations.

The Natura Impact Statement (NIS) SPA supporting report contain numerous errors and contradictions which require clarification, and additional available data relevant to the assessment was not included. These are detailed below:

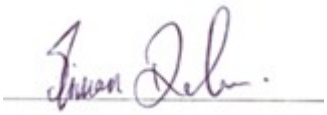
1. The NIS relies heavily on low tide data from 2009/10, which is now almost 15 years old. The NIS clearly highlights this and the need for more contemporary data. The age of the data thus questions the validity and robustness of the assessments and its conclusions. This issue would have been apparent when the previous NIS for this bay was completed. Where data gaps exist, surveying to address said gaps should be undertaken to inform a robust assessment.

2. The NIS utilises data from the Suddaby 2016 report (unpublished report to NPWS) but does not utilise additional relevant data available from the Suddaby 2017 report (unpublished report to NPWS) which is highly relevant to the NIS. This 2017 report was highlighted in previous comments on 2018 licence applications for the same area. It is requested that this additional report be considered in full within the NIS. NPWS can provide a copy as required.

3. The SPA shapefile used to inform the NIS is not the most up to date shapefile for the Blacksod Bay/Broadhaven SPA. The NIS uses an old file which does not include a very significant area of sub-tidal/open water in Blacksod Bay. The supporting report (Atkins) clearly states it uses SPA shapefile version 2.01, whereas the latest version available which includes the extended area is version 3.04. The various maps within the document demonstrate this very clearly (showing the old SPA boundary), as the maps were originally produced in 2017, and while apparently checked and authorised again in 2023 (as per document) they do not utilise the most recent available SPA shapefiles with the full extent of the SPA boundary included. It is requested that the most recent SPA boundary file is included for assessment.

4. The NIS includes many contradicting statements, all of which should be clarified. Without which, there is a lack of clarity of exactly what operations were assessed under the NIS. For example, for licence application T10-343 it states it is for sub-tidal cultivation and then separately states that it is for intertidal cultivation; additionally, for another licence application the NIS states it is unclear whether the licence application is for seaweed or sub-tidal bivalve cultivation or both. Clarity on such information is central to any assessment and as such we suggested the NIS needs careful revisions.

Regards,



Simon Dolan

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
Executive Officer
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

Aquaculture and Foreshore Management Division,
Department of Agriculture, Food and the Marine,
National Seafood Centre
Clonakilty
Co Cork

Uisce Éireann
Bosca OP 6000
Baile Átha Cliath 1
D01 WA07
Éire

Uisce Éireann
PO Box 6000
Dublin 1
D01 WA07
Ireland

27th May, 2024

Re: Aquaculture Licence Application T10/28A; T10/28B; T10/28C

Dear Sir/Madam,

We refer to your email notification of the 18/04/2024 regarding the review and renewal of the **T10/28A; T10/28B** and **T10/28C**, in respect of native flat oysters, bottom culture and make the following observations.

We note that the developments lie within the designated shellfish water area (see screengrab 2). For your information, we identify in Table 1 the coordinates of existing primary and secondary discharges operated by Uisce Eireann discharging within 10 km of the proposed development (as indicated in screengrab 1 and 2). Please note the Shore Road Waste Water Pump Station has been decommissioned as indicated with a red cross in screengrab 1) and Table 1

Table 1

Primary Discharge	Secondary Discharge	Easting	Northing
	~~Yes - Decommissioned~~	~~70,144~~	~~331,988~~
Yes		71,439	330,628
Yes		70599	332395
	Yes	70134	332888
Yes		76048	320076

Yours faithfully,

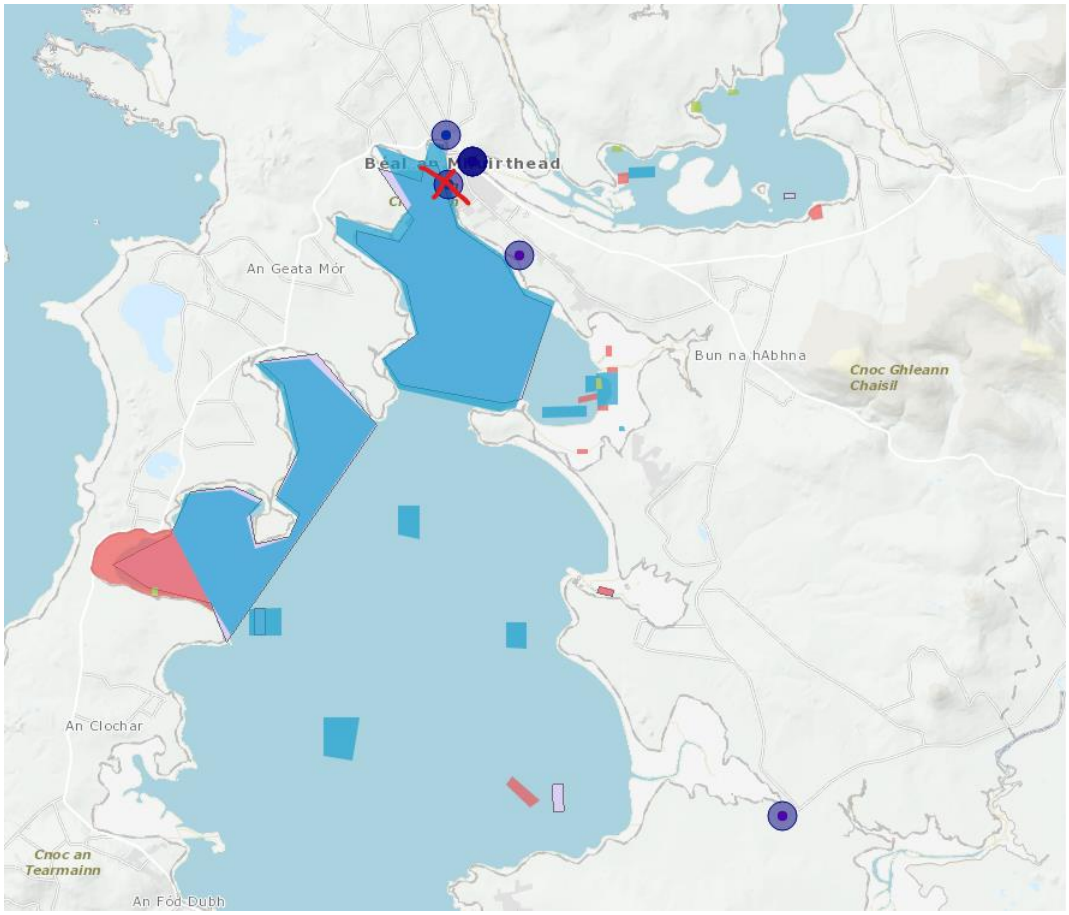
Sheila Convery

Sheila Convery
Spatial Analyst
Asset Strategy

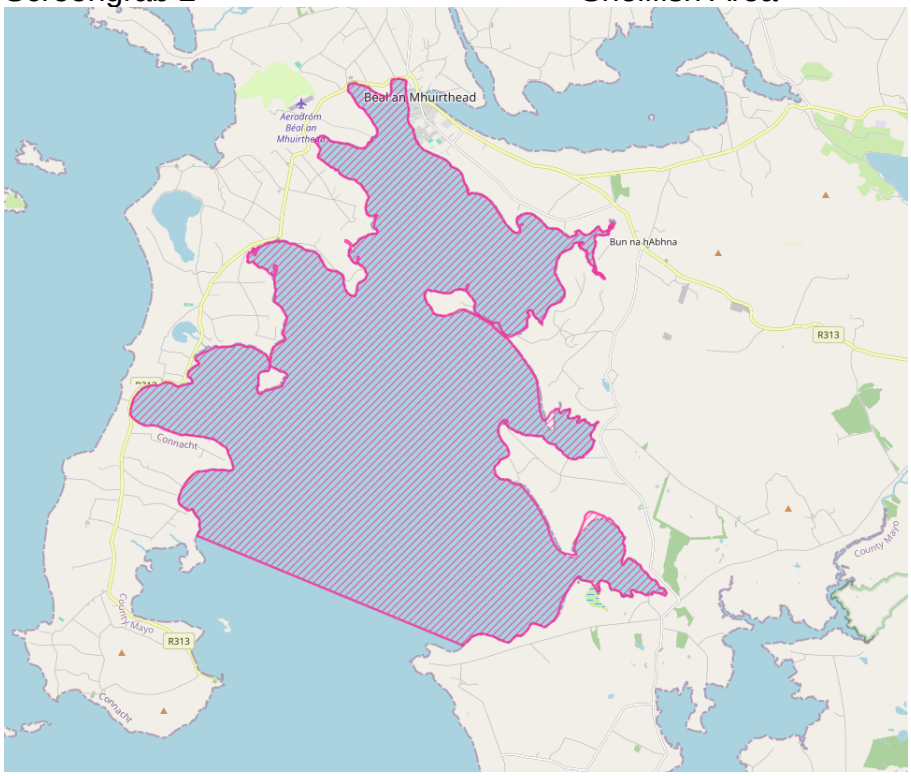
Stiúrthóirí / Directors: Tony Keohane (Cathaoirleach / Chairman), Niall Gleeson (POF / CEO), Christopher Banks, Fred Barry, Gerard Britchfield, Liz Joyce, Patricia King, Eileen Maher, Cathy Mannion, Michael Walsh.
Oifig Chláraithe / Registered Office: Teach Colvill, 24-26 Sráid Thalbóid, Baile Átha Cliath 1, D01 NP86 / Colvill House, 24-26 Talbot Street, Dublin, Ireland D01NP86
Is cuideachta ghníomhaíochta ainmnithe atá faoi theorainn scaireanna é Uisce Éireann / Uisce Éireann is a design activity company, limited by shares.
Cláraithe in Éirinn Uimh.: 530363 / Registered in Ireland No.: 530363.

UE / LH / OP6000 / 0323

Screengrab 1 Discharge Locations within 10km of the proposed development



Screengrab 2 Shellfish Area -



Ref: T10-028C

Ms Bernie McDonald
Aquaculture and Foreshore Management Division
National Seafood Centre
Clonakilty
Co. Cork

21st May 2024

Re: Applications for Aquaculture Licences at Blacksod Bay, Co Mayo by North Mayo Oyster Development Co-Operative Society Ltd

Dear Ms McDonald

The above application site for an aquaculture licence for the cultivation of Native Flat Oysters lies within Blacksod Bay which is a designated shellfish water. Blacksod Bay is popular for sea angling and supports a wide variety of fish species including mullet, sea trout, flounder, pollack, coalfish, wrasse, tope, ray, bull huss, dab, dogfish and monkfish. The Blacksod Bay fishery supports a number of charter boats operating in the area.

Blacksod Bay forms part of the Mullet/Blacksod Bay Complex Special Area of Conservation which is designated for the protection of aquatic habitats and species. Blacksod Bay has been allocated high ecological status in the River Basin Management Plan and this status must be protected.

Native Oyster harvesting must be carried out in accordance with a dredge licence and must not overlap with sensitive habitat areas as identified in the Natura Impact Statement.

Provided any imported seed is sourced from a certified, disease free, stock, IFI has no objection to this licence application.

Measures should be put in place to prevent the spread of invasive species as a result of this operation. The Draft Aquaculture Code of Practice is available at: http://invasivespeciesireland.com/cops/aquaculture

Yours sincerely

Aisling Donegan
Senior Fisheries Environmental Officer

aq-nmod-3-0424

Commissioners of Irish Lights
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Co. Dublin, Ireland

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W www.irishlights.ie

Ms Bernie McDonald
Aquaculture and Foreshore Management Division
Dept. of Agriculture Food & the Marine
National Seafood Centre
Clonakilty
Co. Cork

Reference: T10-028C

Date: 22/05/2024

Applicant: North Mayo Oyster Development Co-Operative Society Ltd
Site: Blacksod Bay, Co. Mayo

Dear Ms McDonald,

Thank you for your letter advising Irish Lights of the application for renewal of the above licence which was received on 18/04/2024.

Based on the information supplied, there are no objections to the renewal of this licence. The nature of bottom cultivation would generally indicate that there is no navigational hazard, it is important to ensure that no navigable inter-tidal channels are impeded by the development.

Yours sincerely,

NAVIGATION SERVICES MANAGER
22 MAY 2024
COMMISSIONERS OF IRISH LIGHTS

Capt. Catríona Schmegner Tosco
Navigation Services Manager

cc. Capt. L. Kilbane, MSO, Dept. of Transport, Éanna Ó Mulláin (Transport)
& Ashley Singleton, Dept. of Transport

Rinville,
Oranmore,
Co. Galway

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

Advice on Aquaculture Licence Application

Applicant	**North Mayo Oyster Development Co-Operative Society Ltd**
Application type	**Review and Renewal**
Site Reference No	**T10-028C**
Species	**Native Flat Oysters (Bottom Culture)**
Site Status	**Located within the Mullet/Blacksod Bay Complex SAC - 000470** **Located within the Blacksod Bay/Broad Haven SPA – 004037** **Located within the Shellfish Waters Directive Areas: Blacksod Bay** **Located within the Blacksod Bay (Belmullet) Bivalve Mollusc Production Area: Blacksod Point to Kanfinalta Point**

Dear Bernie,

This is an application for an aquaculture licence for the cultivation of the Native flat oyster (*Ostrea edulis*) on the seafloor Site T10-028C on the foreshore Blacksod Bay, Co. Mayo. The area of foreshore at Site T10-028C is 172.89ha.

The native flat oyster (*Ostrea edulis*) beds of Blacksod Bay are of importance as they are one of only nine such native oyster beds in Ireland. The North Mayo Oyster Development Co-operative manages the naturally occurring beds of native oysters of Inner Blacksod Bay. The original oyster beds were seeded and managed in the 19th Century by local landlords Binham and Carter. The beds lay unmanaged and dormant for much of the 20th Century until local fishermen and fishermen from other parts of Mayo, Galway and Donegal started fishing the beds in the late 1970s. The Co-op was formed in 1983 principally to manage the oyster fishery as it was in danger of being over exploited. Membership today is circa 148 members. The Co-operative was successful in being granted an aquaculture licence for native oysters for two areas in 1993.

The native oyster beds have always depended on the natural settlement for recruitment of young stock. Active management of the beds includes the addition of mussel shell as 'cultch' to promote oyster recruitment. In addition, bags of mussel shell were suspended from buoys – floats in areas of good oyster spatfall. Once settlement occurred the shell was then spread on the seabed. Other active management measures used by the Co-op over the past 22 years include hand harvesting broodstock from very shallow parts of the bay and relaying them in deeper areas designated as spawning sanctuaries. Beds were closed for a number of years to allow stock recovery. The number of days allocated to harvest are restricted to a short season, normally in February and March. It is now no more than 8 harvest days in the season. Only registered vessels and members of the Co-op are allowed to harvest within the Co-ops licensed areas. Each vessel has to obtain a dredging licence from Inland Fisheries Ireland. The recent maximum number of

dredge licences issued by the IFI was 18, although in past few years it has been usually around 12 vessels that fish in the season, if fishing is permitted. The harvest of the native oyster involves the use of a four-foot dredge, which is deployed from the side or back of a boat.

It is noted this application is for a site reduced from a previous renewal application on foot of the conclusions of a earlier AA report.

The site is located within the Blacksod Bay Bivalve molluscan production area.

Under Annex II of EU Regulation 854/2004 oysters in Blacksod bay currently has a "A" Classification[1].

The cultivation of shellfish at this site will likely produce faeces and pseudofaeces. On the basis of open nature of the culture system and the relatively low density of oysters held on the seafloor, it is the view of the Marine Institute that organic matter be unlikely to accumulate. The impact of this culture method on the majority of community types is considered not significant.

The deployment of cultch and redeployment of broodstock oysters is unlikely to occur over a large spatial scale and therefore unlikely to impact on seabed communities.

The harvest method is by four-foot dredge and given small size of individual dredges and the relatively small number of boats engaged in dredging and the short duration of the fishery, it is unlikely that the activity will impact significantly on the seafloor communities.

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

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 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 T10/028C is located within the Mullet/Blacksod Bay Complex SAC [000470] and the Blacksod Bay/Broad Haven SPA [004037] and is considered adjacent to numerous other Natura sites. We note the findings of the Appropriate Assessments reports in relation to likely impacts on the Conservation Objectives within the aforementioned Natura sites.

In making the final determination with respect to this application it is recommended that DAFM take full account of the conclusions and recommendations of the Appropriate Assessment report and any proposed mitigation measures identified.

Notwithstanding the recommendation outlined above, and in the event that an Aquaculture Licence is granted, any 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.

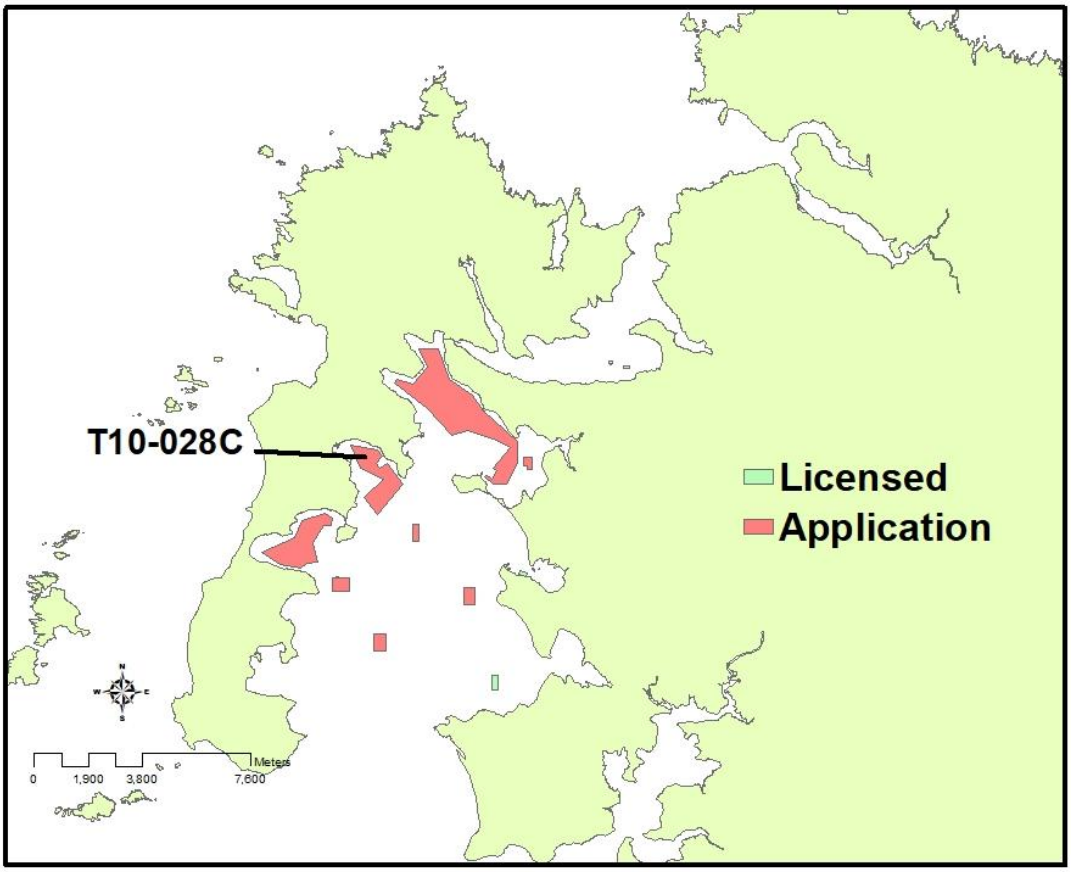
It is statutory requirement that a Fish Health Authorisation as required under Council Directive 2006/88/EC be in place prior to the commencement of the aquaculture activities proposed.

[1] https://www.sfpa.ie/What-We-Do/Molluscan-Shellfish/Classified-Areas

Kind regards,

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

Date: 8th May, 2024



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

T10/028C

AQUACULTURE LICENCE

AQUACULTURE MARINE SHELLFISH SEA-BED CULTURE/BOTTOM CULTURE

North Mayo Development Co-op Society Ltd

Tallagh

Belmullet

Co. Mayo

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DRAFT

T10/028C

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") grants an Aquaculture Licence to:

North Mayo Development Co-op Society Ltd.
Tallagh
Belmullet
Co. Mayo

(hereinafter referred to as the "Licensee") for the cultivation of Native Oysters on a site in Blacksod Bay, Co. Mayo as specified in Schedule 1 attached (numbered T10/028C) and indicated by a red line on the attached map, 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 commencing on XX XXXX 20XX, provided for so long as the Foreshore Licence granted on XX XXXX 20XX, 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.

DRAFT

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 (172.97 hectares) (labelled T10/028C) 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: Native Oysters (*ostrea edulis*)

2.2. Method: Bottom Culture subject to the stocking 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.

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 howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment, vessel 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 any equipment 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 Licensee shall obtain the prior approval of the Minister to any proposed material change to the plans/drawings or equipment as approved being used during the licensing period as maybe specified in ***Schedule 2*** attached.

3.5. 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.

3.6. The Licensee shall ensure that the ends of each fence in the licensed area legibly bear the Aquaculture Licence Number in an indelible weatherproof format.

DRAFT

Operational Conduct

3.7. 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.

3.8. 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 have been designated in so far as such a disturbance may be significant in relation to the stated conservation objectives of the site concerned.

3.9. If the shellfish are to be harvested using dredges, the Licensee shall ensure that only toothless dredges are used for harvesting the shellfish.

3.10. The Licensee shall ensure that all vessels, components thereof and all equipment used in connection with the licensed area are kept properly maintained.

3.11. The Licensee shall as soon as possible after the commencement of this licence advise the Department of the quantity of seed placed in the licensed area, the approximate date(s) of the placement and the source(s) of the seed placed and likewise thereafter as and when further seed is so placed.

3.12. The Licensee shall advise the Department on the 31st day of January 20XX and on each succeeding 31st day of January for each year during which this licence continues in force of the quantity of stock harvested in that year and the approximates date(s) of harvesting.

Waste Management

3.13. The Licensee shall ensure that the licensed and adjoining area shall be kept clear of all redundant structures (including apparatus and equipment), 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

3.14. 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 1959) (as amended by Fisheries Act 1980) (No.1 of 1980), a Sea Fisheries Protection Officer (within the meaning of Sea

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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.

3.15. The Licensee shall give all reasonable assistance to an authorised officer or 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.

3.16. 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.

3.17. 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 no hazard is caused to the safety of navigation across or near the licensed area in the use of any vessel or sea borne craft. The navigation and safety conditions are specified in ***Schedule 3***.

4.2. 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.

4.3. 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 annual and other 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

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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 regulation 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 provisions of condition set out in condition 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.

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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 to an act of any 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.

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9.7. The Licensee shall notify the Department 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

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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.

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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.**

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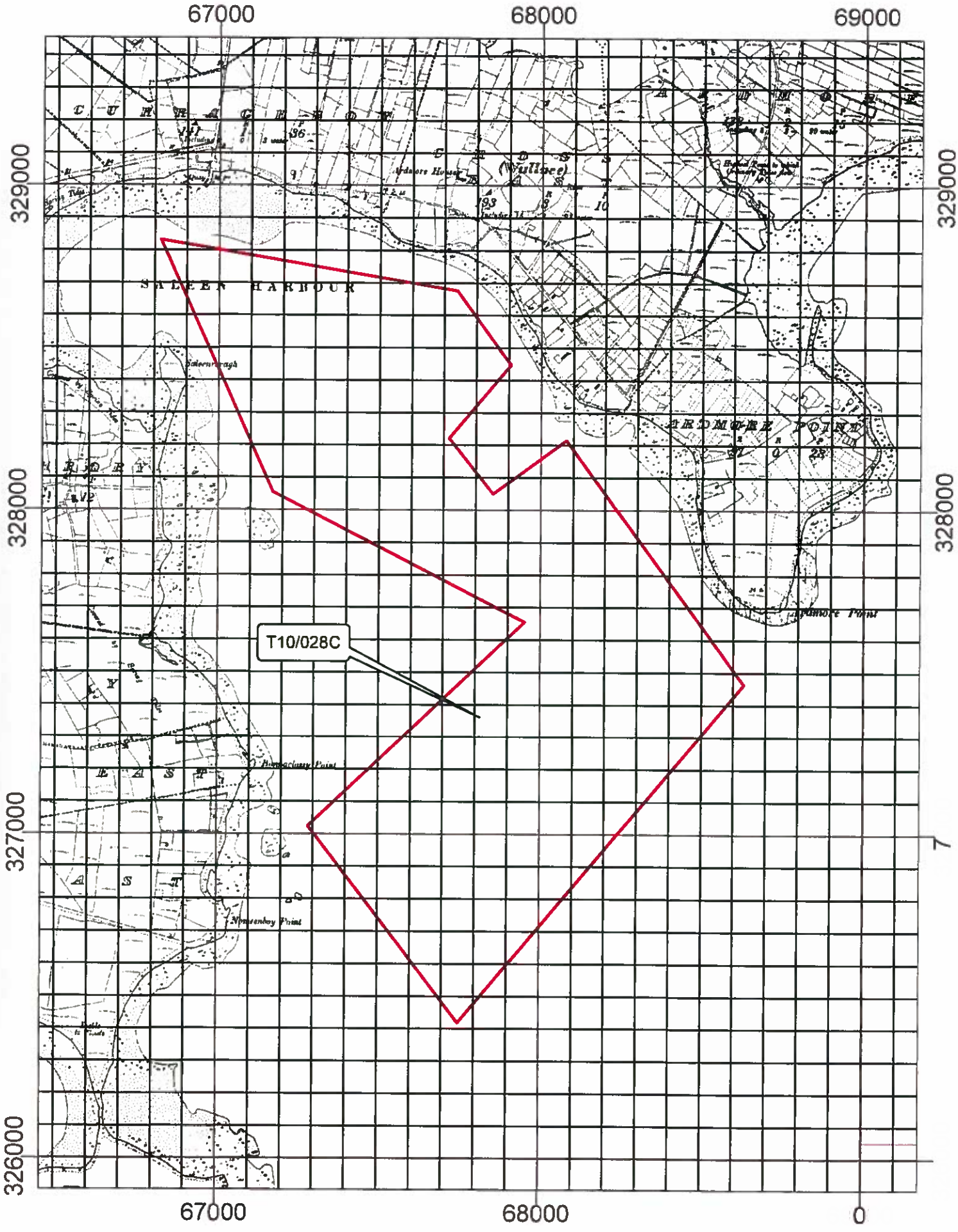
1 NO. SITE AT BLACKSOD BAY CO.MAYO

Co-ordinates & Area

Site T10/028C (172.97 Ha)

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

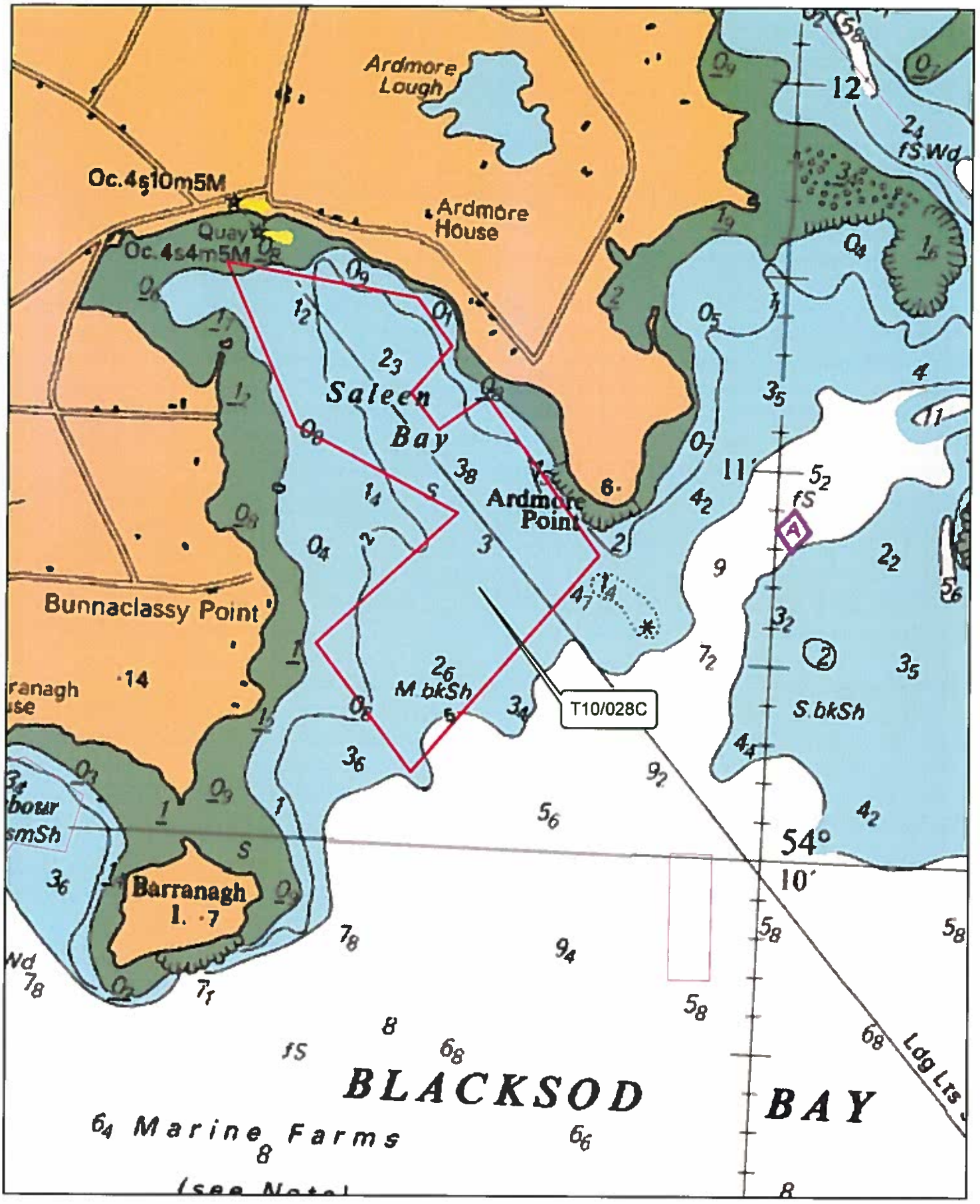
067750, 326418 to Irish National Grid Reference point
067284, 327024 to Irish National Grid Reference point
067952, 327655 to Irish National Grid Reference point
067170, 328055 to Irish National Grid Reference point
066820, 328831 to Irish National Grid Reference point
067739, 328676 to Irish National Grid Reference point
067907, 328447 to Irish National Grid Reference point
067716, 328221 to Irish National Grid Reference point
067853, 328050 to Irish National Grid Reference point
068079, 328214 to Irish National Grid Reference point
068632, 327463 to the first mentioned point.



1:15,000

Sites highlighted in red denotes Application

Ordnance Survey Ireland Licence No. ©2021/OSi_NMA_004
© Ordnance Survey Ireland/Government of Ireland



1:24,000

Site_Status
Application
Licensed

Sites highlighted in red denotes Application

Part of Admiralty Chart No =2704-0
Not to be used for Navigation

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

SCHEDULE 2

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

    1. Bottom Culture (no structures) – therefore, not applicable.

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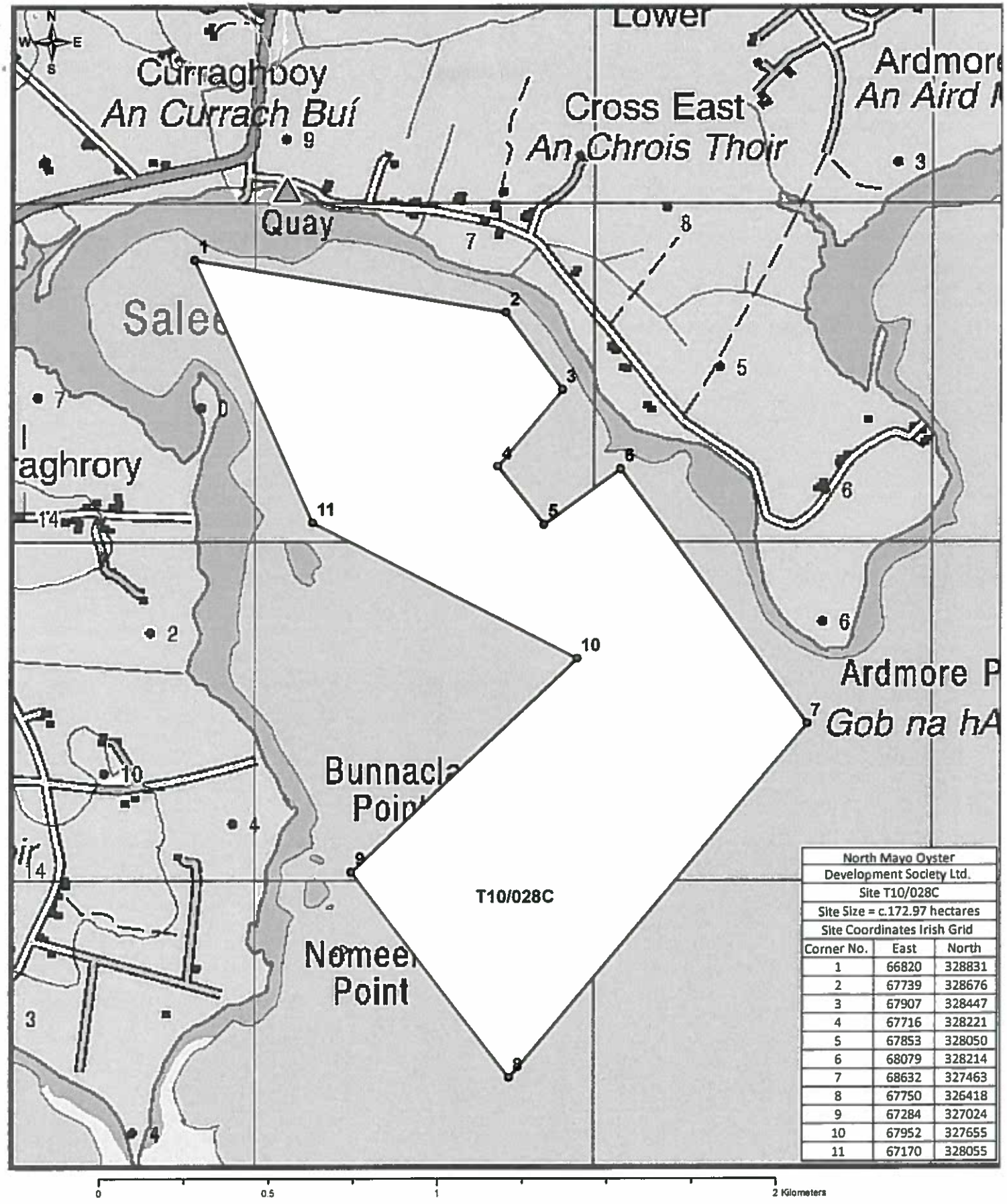


North Mayo Oyster Development Society Ltd.		
Site T10/028C		
Site Size = c.172.97 hectares		
Site Coordinates Irish Grid		
Corner No.	East	North
1	66820	328831
2	67739	328676
3	67907	328447
4	67716	328221
5	67853	328050
6	68079	328214
7	68632	327463
8	67750	326418
9	67284	327024
10	67952	327655
11	67170	328055

Title:	**North Mayo Oyster Development Co-operative Society Ltd.**
Project:	**Renewal & Review of Aquaculture Licence T10/028C**
Date:	**12/10/2021**
Drawing No.:	**1a - revised site coordinates and access point**
Scale:	**1:15,000**

Legend T10/28C

North Mayo Oyster redraft licence site coords T10-028A, B & C

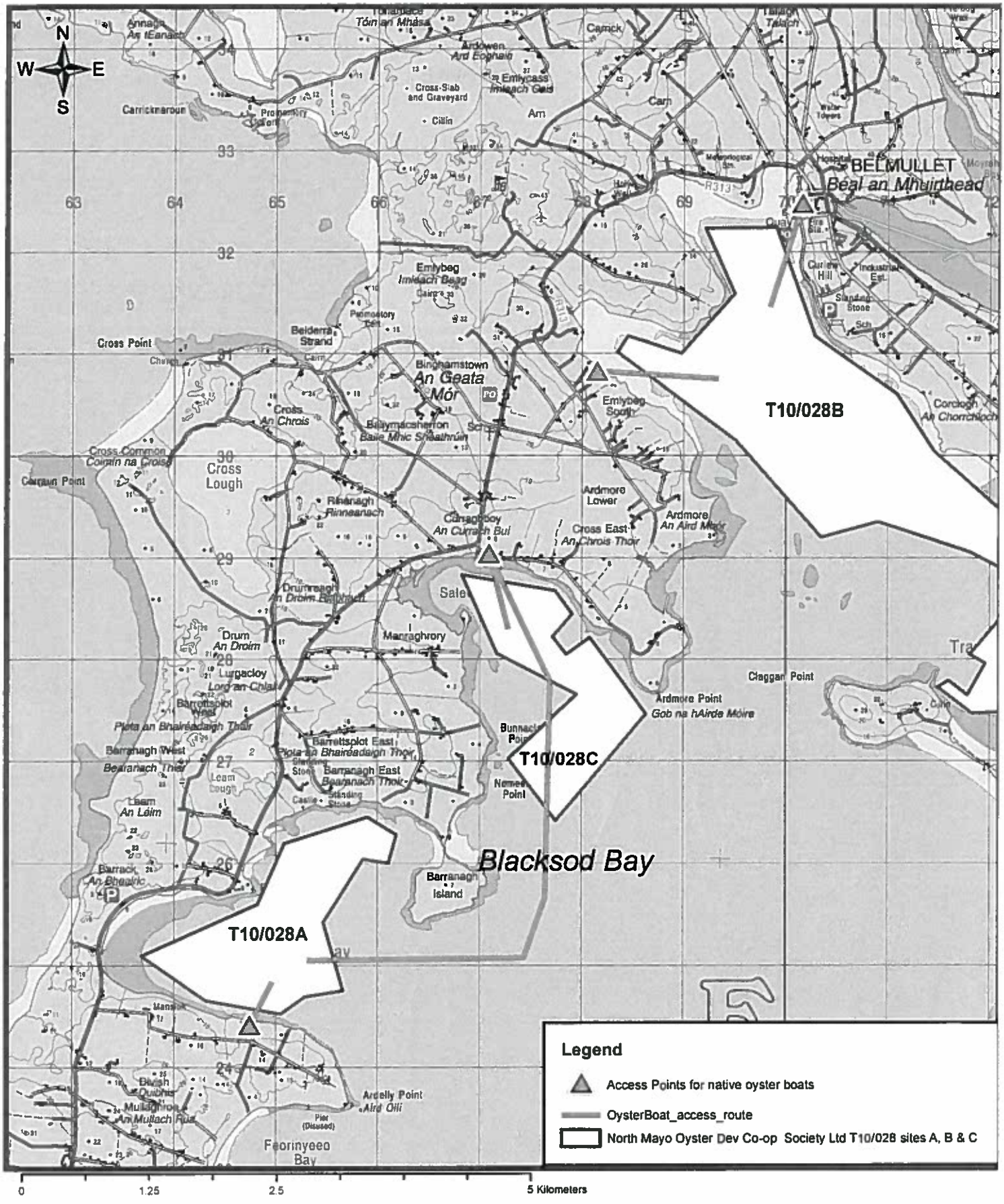
North Mayo Oyster Dev Co-op Society Ltd T10/028 sites A, B & C

Access Point for North Oyster boats

Aquaculture & Foreshore Management Division

26 OCT 2021

Department of Agriculture, Food & The Marine



Aquaculture & Foreshore Management Division
26 OCT 2021
Department of Agriculture, Food & The Marine

Title: North Mayo Oyster Development Co-operative Society Ltd.

Project: Renewal of Aquaculture Licence T10/028

Date: 12/10/2021

Drawing No.: 1a - revised site locations with fishing boa access points & routes

Scale: 1:50,000

SCHEDULE 3

Navigation and safety conditions:

requirements of the MSO and/or CIL

- 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.

- It is important to ensure that no navigable inter-tidal channels are impeded by the development.

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SCHEDULE 4

Schedule 4 contains conditions specific to this licence:

- Operators must not bring dogs onto the shore.
- In order to ensure suitable habitat for birds, harvesting must not occur within all three areas (T10-028A, T10-028B and T10-028C) on the same days.
- All native oyster seed is sourced from within Blacksod Bay. The import of native oyster seed from outside of the bay will not be carried out as part of the activities at the site.
- Native oyster harvesting must be carried out in accordance with a dredge licence and must not overlap with sensitive habitat areas as identified in the Natura Impact Statement.
- Approved access route must be utilised at all times in order to minimise species/ habitat disturbance.
- The Licensee is required to draw up a Contingency Plan, for the approval of the Department of Agriculture, Food and the Marine, which shall identify, inter alia, methods for the management of non-native species under culture and 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.
- Measures should be put in place to prevent the spread of invasive species as a result of this operation. The Draft Aquaculture Code of Practice is available at: http://invasivespeciesireland.com/cops/aquaculture
- To manage the risk of introduction of alien species and invasive non-native species, all stock movements related to this site in the bay must strictly adhere to relevant legislation and follow best practice guidelines as they relate to the risk of introduction of invasive non-native species (e.g. Invasive Species Ireland).

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