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Independent Aquaculture Licensing Review - Public Consultation 2017

AQUAFACT International Services Ltd. has offered a consultancy service to the aquaculture industry over the past 30 years. As part of this service, we have compiled numerous Environmental Impact Statements in support of salmon aquaculture licence applications. In order to remain within the terms of reference of this public consultation, we are submitting the following observations on our experiences of the licencing process and suggest areas where this process can be improved and delivered in a timely manner in support of the actions and priorities of Food Wise 2025 and the National Strategic Plan for Sustainable Aquaculture Development.

As set out in the Aquaculture (Licence Application) (Amendment) Regulations 2010 (SI 280 of 2010) an application for an aquaculture licence in respect of a seawater salmonid breeding installation shall be accompanied by an Environmental Impact Statement (EIS). The EPA has provided guidelines on the information to be contained within the EIS. However, projects are site specific and in order that the data and information presented in the EIS is appropriate and relevant to that project, direction is needed from the Department of Agriculture, Food and the Marine, which is the governing body for all aquaculture licence applications. However, due to various circumstances within the Department *e.g.* personnel changes, this information is not always forthcoming and this can cause delays later in the process as further information is requested. These delays can be avoided by:

- DAFM actively encouraging consultation with the applicant/consultant on the requirements of an EIS.
- DAFM providing a clear definition of the data and information to be contained within a supporting EIS
- DAFM providing a clear definition of the information needed to be submitted by the applicant/consultant at the scoping stage in order for DAFM to carry out point 2 above
- That the information being assimilated and provided by DAFM is done by a technically expert person(s) who is familiar with the EIS process and the aquaculture process that a licence is being applied for.
- DAFM providing a clear definition on the responsibilities of the applicant/consultant in compiling the EIS. There are a number of areas *e.g.* consultation with statutory bodies that have changed over the years and it has left it unclear on the process to be followed.
- DAFM to provide a clear timeline on each stage of the process

In compiling an EIS, information is required for other state and semi state bodies. These organisations or individuals within the organisation are not always open to the development of aquaculture with the result that the provision of information is delayed. All state bodies should be encouraged to provide relevant information in a timely manner.

The majority of salmon aquaculture licences are currently due for renewal. Although there is no legal obligation, DAFM has determined that an EIS should accompany all salmon licence renewal applications. This requirement significantly delays the licencing process and causes backlogs for new applications. Unless there is a significant change to an existing licence, there should be no need for a full EIS to accompany the application. This conclusion is reached by the following;

- The statutory requirement has already been fulfilled by the original application that was accompanied by an EIS
- Aquaculture has been ongoing at the site for at least 10 years. The impact from that culture is documented on an annual basis *e.g.* benthic audits, lice loads, water quality and if significant impact was found remedial procedures would have been put in place as part of the licence requirements or the licence would have been revoked
- Due to ongoing culture with cages, mooring chains, etc. located on site, a new archaeological survey of the site is worthless as these items from the farm will dominate the findings

- The farm has been in existence for at least 10 years and will not change the landscape

What constitutes a significant change from the original licence would have to be determined by DAFM. However, if deemed that a significant change has taken place, only the elements that have significantly changed should be dealt with and a full EIS not required.

The time taken to process a licence from submission to final award or rejection is variable with no clear timeline in place. Although elements have a specified time limit *e.g.* consultation periods, time to appeal from award or rejection, there are numerous steps where there is no set time and a licence can be held in limbo for a prolonged period. This can be overcome whereby reasonable timelines are set for each step of the process, including within the appeal system, and if overrun, the application proceeds to the next stage without bias.

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