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Submission to the Independent Aquaculture Licence Review Group

My company, Blackshell Farm Ltd has been farming rope grown mussels in Clew Bay since 1983.

In the 1984 the company was approved for both a foreshore license and an aquaculture license. This enabled the company to receive grant aid both from national and EU funds. The company has slowly expanded and improved its systems for husbandry and logistics. Licenses were renewed in 1999 for 10 years to 2009. From the periods 1994 to 1999 and from 2009 to 2015 the company operated without the protection or benefits of an aquaculture license. This meant the company could not avail of grant aid from national and EU sources unlike our competitors in other European jurisdictions. This had the effect of postponing any plans for expansion and investment in our company as reliable information on the license renewal process was not available from government.

My company produces up to 1000 tons of mussels per year employing 6 people, generating annual sales of up to €600,000 to a processing unit located adjacent to our farm. All product from our growing operation is processed to a high value product generating further employment locally. The lack of consistent licensing throughout the company's history has hampered its progress and has undoubtedly reduced the returns both for the company and the exchequer.

With this in mind, we very much welcome the aquaculture license review announced by Minister Creed at the end of last year and welcome the opportunity provided to make this submission.

It is my belief that the review needs to address the following issues:

- We require a definite time line from the acknowledged receipt of a valid and complete application by the Department to the communication of a license decision by the Department.
- In the case of a renewal where considerable investment has already been put in place and where the operator is operating within the conditions of his/her license a license period for up to 50 years should be available to reflect the sustainability of the aquaculture industry.
- In the case of a first time applicant I suggest that a period of 10 years is appropriate subject to the commencement of the project to the extent that actual commercial levels of husbandry of the species applied for are taking place within 3 years of the granting of the license.
- Applicants for licensed areas should provide a thorough and informed business plan. Officials in the Department must have the necessary expertise and training to assess the business plans submitted for the various species. The business plans submitted must be referenced in adjudicating the withdrawal of a licence for an inactive licensed area.
- The activities of all licensed operators should be monitored by the Department of Agriculture which has responsibility for issuing licenses and managing the aquaculture licensing system. Sales of shellfish are recorded and forwarded to the SFPA as required by EU Food Hygiene Regulations. Aquaculture producers are requested by BIM to submit annual production and employment figures under EU Regs. 762 and 199/2008. The department could ascertain the productivity of the licensed areas it manages using these required statistics. The department must implement a “use it or lose it” rule where it is proven that no husbandry of the licensed species has taken place in a licensed area within 3 years of license approval.
- All licenced aquaculture areas should be made available on interactive maps online showing the name and contact details of the operators with the status of the licensed area (whether active or inactive) clearly indicated. An inactive site could be defined as an area from which no annual production return to BIM has been made for 2 years and/or that no recorded sale or movement of fish or shellfish from a licenced production area.
- The licensing authority should ensure that the relevant local authorities refer to the aquaculture licensed areas in the determination of their development plans with reference to water quality and infrastructure provision.
- The licensing authorities must represent the market conditions and long term global demand for aquaculture species in their assessments of license applications.
- In the current license application form an assumption that the activity applied for will have a negative effect on the environment is made. In future the environmental impact of protein production in finfish and shellfish aquaculture should be referenced to alternative sources of protein production and their associated environmental impacts.
- The requirements of the authorities relating to Environmental Impact Statements are a huge burden to the industry and discriminate against smaller applicant companies.

Thank you again for the opportunity to make this submission to the License review process.

Best regards,

Michael Mulloy, Blackshell Farm Ltd

Chairman Irish Shellfish Association

