

**REGULATORY & LEGISLATIVE
FRAMEWORKS FOR LICENSING NEW
AQUACULTURE FARMS (ONSHORE &
OFFSHORE) IN THE ATLANTIC AREA
REGION (IRISH REGION)**

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INTRODUCTION

As part of the programme of work included in Work Package Six of the Access2Sea project, Action Two involved Project Partners undertaking to characterise the project territory's regulatory and legislative frameworks for licensing new aquaculture farms in the Atlantic Area (onshore and offshore). The objective of this Action is to facilitate data comparison across the participating regions and to highlight best case models in regulatory and legislative frameworks.

Project Partners from the Irish region in the Access2Sea project collected the following information relating to the regulatory and legislative environment in their own region:

1. Policy Context for Aquaculture Regulation
2. Analysis of Socio-Economic Impact on Coastal Communities
3. Legislation and Regulations
4. Regulatory Agencies and their roles
5. Licensing Application Process
6. Identification of Best Practices in regulation and licensing
7. Related Scientific Publications

Irish Region

Partners: WestBIC & Údarás na Gaeltachta
Country: Ireland

1) Policy Context for Aquaculture Regulation in Ireland

The policy context for the Aquaculture Sector in Ireland is outlined in the following publications:

- “Harnessing our Ocean Wealth – An Integrated Marine Plan for Ireland” (July 2012). This report set out a roadmap for the Government’s vision, high-level goals and integrated actions across policy, governance and business. Implementation of this Plan included an integrated system of policy and programme planning for Irish marine affairs. www.ouroceanwealth.ie
- “Review of the Aquaculture Licensing Process” Independent Aquaculture Licensing Review Group (2017)
<http://www.fishingnet.ie/media/fishingnet/content/ReviewoftheAquacultureLicensingProcess310517.pdf>
- “Food Wise 2025” (July 2015). This report set out a ten year plan for the agri-food sector and illustrated the potential for this sector to grow even further. The report noted trends such as:
 - Projections that world consumption of fish will grow by an average annual consumption of 17 kg per person per annum resulting in a requirement for an extra 40 million tonnes of seafood by 2030
 - The projected shift in global economic gravity towards the east where there is a strong cultural preference for seafood
 - The growing health and wellness trends with seafood being a versatile, convenient and protein source with specific and recognised health properties which resonate with the modern consumer.

2) Analysis of Socio-Economic Impact on Coastal Communities in Ireland

Aquaculture activities are very important to sustain the employment and livelihoods of the people in Ireland. A reliance on the aquaculture industry in remote coastal areas of the northwest and southwest of Ireland, where economy faces greater challenges in a national context due to its geographic isolation. The economic significance of the aquaculture industry in these peripheral areas is indisputable. All jobs created in these regions will have a knock-on effect on improved livelihoods for the people as they have a regular income.

There has been a steady reduction in the number of businesses operating in some sectors of Irish aquaculture from 2009 to 2018. This consolidation process has been fueled by foreign direct investment by a large multinational in the case of salmon farming and in the case of bottom grown mussels and oyster farming via investments from Dutch and French shellfish farmers. There is a move away from seasonal employment in the shellfish sector, with an increase in automation due to associated rising costs.

Employment over the 2009 to 2018 period, has fluctuated between 1,700 and 1,900. In 2018, 1,948 persons, equating to 1,077 Full Time Equivalents (FTEs) were directly employed.

In 2018 employment increased slightly by 1%, when compared to 2017, despite it being a challenging year. Overall employment in 2018 was highest in the North (25%), followed by the Southeast (18%) and the West (15%). Employment is set to remain stable for 2019 and beyond given present production trends and steady market demand.

Employment in 2009 was over 1,900 persons and after some fluctuations has returned to this level in 2018, having dropped to lows between 1,700 and 1,800 persons in 2012. Full-time equivalent employment (FTE) meanwhile varied from just over 900 to 1,050 in the same period. Native oyster employment may have been over-estimated due to lack of data obtained.

Female employment level, over this time, has remained relatively static, ranging from 120 to 150 or from 6.4% to 8.2 % of total employed.

The shellfish sector was the biggest employer over the period and included the greatest proportion of part-time or seasonal work. The Finfish sector by contrast, provided mainly full-time employment and the best average wage, in excess of €40,000 annually.

3) Legislation and Regulations in Ireland

The Fisheries Amendment Act (1997) sets out the legislation for regulation and licensing of aquaculture in Ireland. This Act has been amended on a number of occasions. The main regulation is the Aquaculture (Licence Application) Regulations 1998 which has also been amended on a number of occasions. Aquaculture is also guided by a number of EU Directives and Statutory Instruments including: the EU Directives on Environmental Impact Assessment (EIA) and the Protection of Birds and Natural Habitats.

Licences in the marine environment generally involve part of the State owned foreshore (defined as the seabed and shore from the high water mark out to the limit of the territorial seas). Any activity on the foreshore requires consent and these applications are processed in parallel with aquaculture licence applications.

4) Regulatory Agencies and their roles in Ireland

Licensing Authority:

The Licensing Authority in Ireland is the Minister for Agriculture, Food and the Marine. The Aquaculture of Foreshore Management Division of the Department for Agriculture, Food and the Marine manages the processing of aquaculture licences on behalf of the Minister.

Support Agencies involved:

- The Marine Engineering Division of the Department of Agriculture, Food and the Marine undertakes site mapping duties.
- The Marine Institute, An Bord Iascaigh Mhara, and The Sea Fisheries Protection Authorities (State Agencies) provide scientific advice on environmental and aquaculture matters.
- Where necessary Local Authorities and / or Harbour Authorities may also be consulted.

5) Licensing Application Process in Ireland

Licences in Ireland fall into three main categories as follows:

- Marine Finfish

- Shellfish
- Land-based

Licences are typically issued for 10 years but the 1997 Act provides for licence duration of up to 20 years.

6) Best practice in regulation and licensing in Ireland

There is an opinion amongst Stakeholders that there is currently no best practice in place in regulation and licensing in Ireland. A review of regulation and licensing is underway by the Irish Government and includes:

- Report of the Independent Aquaculture Licensing Review Group – 2017
- Marine Planning Policy Statement – 2019
- Review of Co-ordinated Local Aquaculture Management Systems (C.L.A.M.S.) *

The backlog of license applications in shellfish, while addressed in terms of applications is still unsatisfactory to the industry as it does not allow any degree of best practice. This is even more so the case with the finfish industry. It is hoped that with the CLAMS review and with the inclusion of a stated goal in the Programme for Government 2020, that the Review of Aquaculture 2017 would be implemented along with the Housing Dept's nascent marine plan, and that these developments will begin to show best practice results soon.

** The Co-ordinated Local Aquaculture Management Systems (C.L.A.M.S.) process is a nationwide initiative to manage the development of aquaculture in bays and inshore waters throughout Ireland at a local level. In each case, the plan fully integrates aquaculture interests with relevant national policies. While it is not a licensing or regulatory process, C.L.A.M.S provides a policy backdrop which helps in the formation of a detailed evaluation of individual licence conditions. C.L.A.M.S. can inform those tasked with compliance monitoring regarding general issues such as bay carrying capacity.*

7) References:

- “Harnessing our Ocean Wealth – An Integrated Marine Plan for Ireland” (July 2012).
www.oceanwealth.ie
- “Review of the Aquaculture Licensing Process” Independent Aquaculture Licensing Review Group (2017)
<http://www.fishingnet.ie/media/fishingnet/content/ReviewoftheAquacultureLicensingProcess310517.pdf>
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- Marine Planning Policy Statement – 2019
https://www.housing.gov.ie/sites/default/files/publications/files/marine_planning_policy_statement.pdf
- The Co-ordinated Local Aquaculture Management Systems (C.L.A.M.S.)
http://www.bim.ie/media/bim/content/BIM_CLAMS_Explanatory_Handbook.pdf



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✓ **Association of Aquaculture Marine
Businesses of Andalusia (ASEMA)**
www.asemaonline.com

✓ **Union Chamber of Algae and Marine Vegetables (CSAVM)**
www.chambre-syndicale-algues.org



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