

**BIM/IFA OYSTER WORKSHOP
DUNGARVAN— 17TH APRIL 2023**

Teresa Morrissey
IFA Aquaculture Executive



IFA AQUACULTURE POLICY PRIORITIES

Aquaculture licensing review recommendations

- Increased engagement with DAFM – 3 meetings
- Focus on legislative reform

National Strategic Plan for Sustainable Aquaculture & EMFAF Programme

- Public Consultation Aug & Sept 2022
- IFA contributed Submissions on both
- NSP due to be Published shortly & EMFAF Operational Programme approved

Marine Protected Areas

- Ongoing process of designation over the next few years
- Heads of Bill published – Joint Submission to JOC pre-legislative scrutiny
- Online meeting with JOC – continued engagement when Bill is published

Seafood ORE Working Group

- Member of the Working Group
- Guidelines for Seafood/ORE engagement being drafted
- Working with other Seafood Organisations

IFA AQUACULTURE POLICY PRIORITIES

Carbon Policy

- BIM report – Carbon footprint report of the Irish Seafood Sector
- Resolution - *IFA need to develop policy on carbon contribution to climate action targets*

Input Costs – temporary crisis framework

- EU Commission activated crisis mechanism for fisheries & aquaculture
- Compensation for income foregone & additional costs due to market disruption
- Temporary Crisis Framework can be created using National fund

Seafood Taskforce

- Brexit Sustainable Aquaculture Growth Scheme (**€20m, up to 50% support**)
- Brexit Blue Economy Enterprise Development Scheme (**€25m, up to 50% support**)

Legislative Reform

- IFA Aquaculture seeking appropriate legislative reforms
- Addressed in submissions to DAFM & Joint Oireachtas Committee

JOINT OIREACHTAS COMMITTEE HEARING

- **IFA Aquaculture Opening Statement:**

1. Implementation of the Review of the Aquaculture Licensing Recommendations
2. Inclusion of Aquaculture in the Marine Planning and Development Management Bill
3. Coherence of policies through the open-method of co-ordination
4. Input Costs Support
5. Legislative Reform

- Positive exchange with Committee members

- Seeking follow-up hearing in this Dail session - before Summer 2023

IFA Aquaculture



The Challenges facing the Aquaculture Industry
Wednesday 21st September 2022

IFA AQUA BEST PRACTICE GUIDANCE

- *IFA policy proposal to provide a service/resource to members in relation to Environmental Objectives with a view to licencing renewals process*
- In conjunction with Aquacence consulting
- Best Practice Guidance & Information
- Focused on 3 main aspects:
 - Aquaculture Licensing
 - Legislative Responsibilities
 - Environmental Objectives
- Print & Online version available – www.ifa.ie

IFA Aquaculture – Best Practice Guidance & Information for Aquaculture licensing, Legislative responsibilities & Environmental objectives

Guidance Document prepared in conjunction with Aquacence - February 2023



Table of Contents

Introduction.	3	The Shellfish Licence application process.	15
What is Aquaculture?	5	Preparing the Aquaculture Licence application.	13
Aquaculture versus Foreshore Licence.	5	What happens when the Aquaculture Licence application is sent to the Department of Agriculture, Food, and the Marine.	14
Types of Aquaculture Licence.	5	Application form, maps, drawings etc received by Department of Agriculture, Food, and the Marine.	14
Aquaculture activity cannot commence in advance of receiving an Aquaculture Licence.	5	Determining whether or not an Environmental Impact Assessment Report (EIA) is required.	18
The detail of Aquaculture Licences explained.	7	The Statutory and Public Consultation processes.	14
What does an Aquaculture Licence allow you to do?	7	The Public Consultation Process.	15
How long does an Aquaculture Licence last for?	7	The Statutory Consultation Process.	15
Section 19A(4) of the 1997 Fisheries (Amendment) Act	7	The applicants right to respond to Public and Statutory Consultees.	15
Organising amendments or updates to your Aquaculture Licence.	8	The Aquaculture Licence Decision.	15
Assigning or transferring an aquaculture licence to another person or company.	8	Land based Aquaculture Licence applications.	17
Leasing or sub-letting an aquaculture site.	8	Background.	17
Aquaculture and the Environment.	11	Environmental Requirements.	17
Aquaculture Licence conditions and the environment.	11	The Land-based Aquaculture Licence application process.	17
Environmental legislation and the Aquaculture Licence application and renewal process.	11	Preparing the Aquaculture Licence application.	17
Applying for a Shellfish or Aquatic Plants Aquaculture Licence.	13	What happens when the Aquaculture Licence application is sent to the Department of Agriculture, Food, and the Marine.	18
Background.	13	Processing the application.	18
New Application or Renewal.	13	Application form, maps, drawings etc received by Department of Agriculture, Food, and the Marine.	18
Environmental Requirements.	13		
The Appropriate Assessment process.	13		
The Appropriate Assessment and draft Conclusion Statement.	13		

Determining whether or not an Environmental Impact Assessment Report (EIA) is required.	18	Preparation of an Environmental Impact Assessment (EIA) by the Department of Agriculture Food and the Marine.	24
The Statutory and Public Consultation processes.	18	The Licensing Decision.	24
The Public Consultation Process.	18	Useful Information – Marine Finfish Protocols.	24
The Statutory Consultation Process.	19	Aquaculture Licence Appeals Board.	27
The applicants right to respond to Public and Statutory Consultees.	19	Judicial Review of decision on an Aquaculture Licence application.	29
Applying for a Marine Finfish Aquaculture Licence.	21	Aquaculture Legislation	31
Background.	21	Fisheries (Amendment) Act, 1997.	31
The Marine Finfish licence application process.	21	Aquaculture (Licence Application) Regulations, 1998 S.I. No. 234/1998 –	31
Preparing the Aquaculture Licence application.	21	Statutory Instruments amending Statutory Instrument 234/1998.	31
Preparing the Environmental Impact Assessment Report (EIA), Natura Impact Statement (NIS).	22	Marine Finfish Protocols.	32
Requirement to notify the Department of Housing, Local Government and Heritage of your proposed Aquaculture Licence application.	22	Department of Agriculture, Food, and the Marine, information, and points of contact.	32
What happens when the Aquaculture Licence application is sent to the Department of Agriculture Food and the Marine.	23	Common omissions/mistakes that will lead to applications being returned to applicant.	32
Application form, EIA, NIS and Maps received by Department of Agriculture Food and the Marine.	23	Aquaculture & Foreshore Management Division contact points.	33
In-house initial review of the application.	23	Marine Engineering Division contact points.	33
The Statutory and Public Consultation processes.	23	Marine Engineering Head Office	33
Statutory Consultation Process.	23	Marine Engineering East Region	33
Public Consultation.	23	Marine Engineering Northwest Region	33
Consideration of the Statutory & Public consultation processes.	24	Marine Engineering South Region	33
Public participation in the decision-making procedure.	24	Marine Engineering West Region	33
		BIM Contacts and Aquaculture Resource Development.	34





Aquaculture Legislation.

Fisheries (Amendment) Act, 1997.

[Fisheries \(Amendment\) Act, 1997.](#)

Fisheries (Amendment) Act, 1997 (Consolidated - 8th December 2021)

<https://revisedacts.lawreform.ie/eli/1997/act/23/revised/en/pdf?annotations=true>

Aquaculture (Licence Application) Regulations, 1998 S.I. No. 236/1998

[S.I. No. 236/1998 - Aquaculture \(Licence Application\) Regulations, 1998 \(Irishstatutebook.ie\)](#)

Statutory Instruments amending Statutory Instrument 236/1998.

Aquaculture (Licence Application) (Amendment) Regulations, 2001 (S.I. No. 145 of 2001).

[Aquaculture \(Licence Application\) \(Amendment\) Regulations, 2001 \(S.I. No. 145 of 2001\).](#)

Aquaculture (Licence Application) (Amendment) Regulations, 2006 (S.I. No. 197 of 2006).

[Aquaculture \(Licence Application\) \(Amendment\) Regulations, 2006 \(S.I. No. 197 of 2006\).](#)

Aquaculture (Licence Application) (Amendment) Regulations, 2010 (S.I. No. 280 of 2010)

[Aquaculture \(Licence Application\) \(Amendment\) Regulations, 2010 \(S.I. No. 280 of 2010\).](#)

Aquaculture (Licence Application) (Amendment) (No. 2) Regulations 2010 (S.I. No. 369 of 2010)

[Aquaculture \(Licence Application\) \(Amendment\) \(No. 2\) Regulations 2010 \(S.I. No. 369 of 2010\).](#)

Inland Fisheries Act 2010.

[Inland Fisheries Act 2010.](#)

Aquaculture (Licence Application) (Amendment) Regulations, 2012 (S.I. No. 301 of 2012)

[Aquaculture \(Licence Application\) \(Amendment\) Regulations, 2012 \(S.I. No. 301 of 2012\).](#)

European Union (Environmental Impact Assessment) (Aquaculture) Regulations 2012 (S.I. No. 410 of 2012).

[European Union \(Environmental Impact Assessment\) \(Aquaculture\) Regulations 2012 \(S.I. No. 410 of 2012\).](#)

Aquaculture (Licence Application) (Amendment) Regulations, 2016 (S.I. No. 464 of 2016)

[Aquaculture \(Licence Application\) \(Amendment\) Regulations, 2016 \(S.I. No. 464 of 2016\).](#)

Aquaculture (Licence Application) (Amendment) Regulations, 2018 (S.I. No. 240 of 2018)

[Aquaculture \(Licence Application\) \(Amendment\) Regulations, 2018 \(S.I. No. 240 of 2018\).](#)

| Aquaculture Licensing

Best Practice Guidance & Information for Aquaculture Licensing, Legislative Responsibilities & Environmental Objectives



| Introduction

IFA Aquaculture is a consolidated representative body comprised of representatives from all sectors of the Irish aquaculture industry, this includes all stakeholders that farm fish, shellfish, seaweeds and for other novel species that may be cultured around the coastline of Ireland.

IFA Aquaculture provides strong industry representation nationally and internationally, supporting the improvement and development of the Irish aquaculture industry and promoting positive aspects of Irish aquaculture.

IFA Aquaculture, in conjunction with Aquacence, has aimed to provide best practice guidance and information on aquaculture licencing requirements, associated legislative responsibilities and environmental objectives for aquaculture producers operating an aquaculture business.

This best practice guidance aims to bring wider awareness and knowledge of the aquaculture licensing process in Ireland. Information is also outlined on the requirement for the appropriate licences/consents for aquaculture production in Ireland, the legislative requirements, and environmental objectives that aquaculture operators are required to comply with in Ireland and the various protocols that aquaculture operators must be aware of and comply with when carrying out aquaculture activities in Ireland.

This is best practice guidance only, drafted for the purpose of consolidating information on licencing, legislative requirements, and environmental objectives for aquaculture producers in Ireland. The licensing of aquaculture activity and indeed the Aquaculture Licensing processes employed by the Department of Agriculture.

AQUACULTURE IS PART OF THE SOLUTION

- Aquaculture production will be key to meeting global demands for seafood produce in the coming years
- Irish Aquaculture production needs to be part of meeting these demands
- Aquaculture contributes to meeting Climate action targets - carbon sequestration value, carbon efficient food production, use of renewable energy sources
- Provides employment opportunities in the Irish Seafood sector sustaining coastal communities
- Must be underpinned by appropriate legislative reforms in line with EU & National policies
- **Aquaculture is part of the solution !**

THANK YOU