



**Council**

**CNL(15)61**

***Special Session: Evaluation of Annual Progress Reports  
under the 2013 – 2018 Implementation Plan  
(EU – Ireland)***



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### 32<sup>nd</sup> NASCO Annual Meeting

#### *Special Session: Evaluation of Annual Progress Reports under the 2013 – 2018 Implementation Plan*

#### *(EU – Ireland)*

#### **Introduction**

At the 32<sup>nd</sup> NASCO Annual Meeting the questions below were raised to Ireland concerning their Annual Progress Report for the year 2014. Those questions were forwarded to the Department of Agriculture, Food and the Marine, as competent authority for aquaculture policy. The replies below were provided by that Department.

**1. What sanctions, if any, were imposed by the Irish licencing Authority on its licensee for this breach of the licencing conditions?**

On Friday 7<sup>th</sup> February 2014 at 17.31pm Murphy's Irish Seafood Ltd (licensed operator of Site No. T05/122) advised the Department of Agriculture, Food and the Marine in writing that following the repeated storm conditions "*some structural damage has been sustained at our cage sites, Gearhies, Bantry*". The company further advised that it was unable to ascertain whether there had been material damage to the fish stock in terms of loss due to the continuous bad weather, hostile water conditions, turbulence and bad visibility. The Department sought to arrange a dive survey of the site at the first available opportunity but due to the prevailing severe weather conditions the survey could not be conducted until the 13<sup>th</sup> March 2014.

There is evidence to indicate that due to a mooring failure the nets on some of the cages appear to have 'bagged', trapping fish and leading to extensive mortalities. It is not possible, at this time, to exclude the possibility that fish escaped nor is it possible to quantify the potential number of mortalities versus escapees.

**2. If Ireland are now effectively saying there is "no evidence of escape" the implication, as regards the loss of some 230,000 fish, is that a large scale mortality event happened on or close to the site. Is this the case?**

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**3. What evidence can the Licensing Authority provide to support assertions of a significant mortality rate?**

Due to the ongoing exceptionally severe weather conditions that prevailed at the site after the storm damage to the cages no fish mortalities were collected. At the first available opportunity however the Department of Agriculture, Food and the Marine arranged a dive inspection of the area and this took place on the 13<sup>th</sup> March 2014. The dive inspection indicated that there were no dead fish present. The Department of Agriculture, Food and the Marine was advised by the Marine Institute however, that

where dead fish remain in the bottom of a cage for extended periods (i.e. more than a week or so) they decompose and the bodies of the fish disintegrate making any estimate of numbers difficult. In addition the effects of tough weather and scavengers feeding on the remains will tend to accelerate the disintegration process.

**4. If the Irish Aquaculture Authorities are still uncertain as to what occurred (as regards mortalities or escapees) when will definitive details be made available to the NGO group and NASCO.**

The Department of Agriculture, Food and the Marine's examination of the damage to structures at the aquaculture site in Bantry Bay is in the final stages of completion. This examination is detailed and involves all engineering, scientific, environmental and technical matters associated with the incident. A draft of the report is currently at an advanced stage. The report when finalised will be forwarded to the Department of Communications, Energy and Natural Resources for comment.

**5. In view of a significant mortality event on or near the site, what efforts were made by the Licencing Authority or the licensee to remove these mortalities from the aquatic environment.**

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**6. Has the Licencing Authority ever made, or does it intend to make, efforts to remove carcasses from the aquatic environment or was this material left on site?**

At the first available opportunity the Department arranged a dive inspection of the area and this took place on the 13<sup>th</sup> March. The dive inspection indicated that there were no dead fish present. The Department was advised by the Marine Institute however, that where dead fish remain in the bottom of a cage for extended periods (i.e. more than a week or so) they decompose and the bodies of the fish disintegrate making any estimate of numbers difficult. In addition the effects of rough weather and scavengers feeding on the remains will tend to accelerate the disintegration process.

**7. What provisions are in place, under licencing conditions, for the cost of rehabilitation which may be required in respect of environmental or other damage resulting from the licenced activity?**

The Department is not aware of any environmental damage caused to the site on foot of the storm damage to the cages at the site.

**8. The last question related to media reports, which emerged during the meeting, of large scale dumping of fish, allegedly of farmed origin, onto a beach in Co. Galway. The following question was tabled:**

**The NGO Group expects the Irish Authorities to investigate this matter fully as a matter of urgency and to provide a report of this investigation to the NGO group and/or NASCO**

The Department is aware of an incident in 2015 involving dumped fish waste at Spiddal Pier, Co. Galway and initiated an investigation into the incident in conjunction with the Sea Fisheries Protection Authority and the Marine Institute. Indications were that the

material concerned was by-product from either a processing or retail premises and did not originate from a marine finfish farm.

The Department is currently in the process of verifying the situation with the Sea Fisheries Protection Authority.

**9. What is the status of work on the new cage specifications and why was there no reference to work on these new specifications in the ARP? Will there be any consultation with non-farming stakeholders in the finalisation of this protocol? Will the terms of the protocol be applied retrospectively to existing licences and in cases of licence renewal?**

The Department of Agriculture, Food and the Marine is currently finalising a “Protocol for the Structural Design of Marine Finfish Farms”. It is envisaged that the protocol will apply to all new Finfish Aquaculture License applications as well as all applications for the renewal of Finfish Aquaculture Licenses.

The protocol has been drafted in consultation with the Department’s Marine Engineering Division, the Marine Institute, Bord Iascaigh Mhara and Industry representatives. There are two distinct elements to the protocol:

- A Preliminary Design stage (in conjunction with the initial application)
- A Detailed Design Stage where the Minister issues a positive determination in relation to a license application or renewal.

The principal output from the preliminary design shall include a set of drawings showing the proposed farm as designed following completion of the preliminary structural design and be to such a level of detail so that the later detailed design will not significantly alter the principal dimensions and orientation of the proposed net, pen and mooring system.

The Detailed Design Stage will include written confirmation by a Chartered Engineer that the marine finfish farm to be used in the licensed site has been designed with skill, care, diligence and professional conduct reasonably to be expected from a designer with the qualifications and experience suitable for the design work involved.

**10. What action, if any, was taken by the Irish authorities in respect of these breaches of licence conditions especially by persistent offenders?**

The primary responsibility for ensuring that aquaculture licence conditions are fully adhered to rests, in the first instance, with each licence holder. Where instances of non-compliance with the terms and conditions of an aquaculture licence are identified by the Department the matter is referred to the licence holder for corrective action.

The efficient and effective regulation of aquaculture is a key operational priority for the Department and every effort is made to address pro-actively instances of non-compliance having regard to the legislative, scientific and technical complexities that are sometimes involved.