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 Department of Agriculture & the Marine  
 National Seafood Centre  
 Clonakilty  
 Co. Cork.

29.01.2016

RINMORE

**Re. Site T5/233: Marine Engineering inspection on 08/06/15.**

Dear Nicole,

I refer to your letter dated January 6<sup>th</sup> 2016 regarding the remedial measures allegedly required arising from the engineering inspection of the Inishfarnard sea site on August 6<sup>th</sup> 2015.

Under the circumstances I feel that we must point out that some of the terms attaching to the aquaculture licence for this site are to say the least ambiguous, and we would argue that it is actually impossible to interpret them with any degree of precision or reliability.

The licence refers to smolt stocking events not exceeding 400,000. The licence does not contain any condition concerning how many salmon, that are not smolts, may be kept on the site at any point in time. I would suggest that the Marine Institute, who are the minister's advisers on scientific and biological matters be consulted in terms of explaining the different stages of a salmon's lifecycle and in particular the very short-lived and distinct 'smolt' phase.

Marine Harvest Ireland had two separate silver salmon stocking inputs into this site during the period of interest, neither of which concerned fish at the 'smolt' stage in their life cycle. Further, neither of the stocking events involved fish transfers exceeding 400,000 fish. On that basis we strongly contend that we have not breached the licence term concerning smolt stocking and therefore no remedial action is required.

With regard to harvest volumes, It should be noted that no harvesting took place at this site thus the maximum harvest rate of 500 tonnes per annum was not exceeded. On that basis no remedial action is needed with regard to this issue.

It is also very important to point out that the benthic impact monitoring results for this site show clearly that there has been no overstocking and that no adverse biological impacts have occurred. The results show that MHI have operated the site responsibly and well within its 'biological carrying capacity'.

The confusing and biologically incorrect phraseology employed in this licence highlights the recurring drafting problem we have all encountered, whereby inconsistent, contradictory and technically meaningless terms and conditions have found their way into many of the salmon farming licences issued over the years.

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Both as an individual company and through our representative organisation we have repeatedly requested that Irish marine salmon licenses be brought into line with best international practices with regard to the control of stocking levels. The Minister for Agriculture, Food and the Marine, Simon Coveney TD issued a press release on December 5th 2011 to announce the new format for Aquaculture Licence templates. In this press release the Minister confirmed that one of the core changes to Aquaculture licences would be a *"Change from licensing by Annual Harvested Tonnage (i.e. the dead weight of fish harvested from a site in a calendar year measured in tonnes) to Standing Stock Biomass for Finfish (the weight of live fish on a site at any given time, measured in tonnes). Standing Stock Biomass is recognised internationally as the appropriate metric for assessing loading at an aquaculture production site and can be measured on a real time basis thus facilitating effective regulation and management of sites."*

We welcomed this announcement at the time and we fully agree with the minister that maximum allowable biomass (MAB) is the only rational and enforceable way of regulating stocking on marine finfish sites. We look forward to continue working with the Department of Agriculture, Food and Marine (DAFM) with a view to establishing a more logical and consistent regulatory framework for Irish aquaculture. In this particular instance we do not believe that we breached any of the licenced terms as they are written and thus we are of the view that no remedial actions are called for at this point in time.

With Regards

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TECHNICAL MANAGER