

[REDACTED]

From: John Toner [REDACTED]
Sent: 09 February 2017 17:51
To: aquaculturereview
Subject: Aquaculture Consultation

Dear Ms. Morgan,

With regard to the Public Consultation independent review of Aquaculture Licensing process I would like to make the following observations.

I am chartered Marine Engineer and Naval Architect and have been involved, under previous legislation, to assess the role of what would have been required as "Chartered Engineer" for approval marine fin fish farms. We carried some detailed research on the Norwegian Regulations and the draft regulations being proposed, at the time, in Scotland in order to understand the best practice.

I am aware that we have not had much activity with new finfish farms over the last 10 years as my services were not required.

However it is very encouraging to read the DAFM "Protocol for Structural Design of Marine Finfish Farms" from April 2016 and under that Protocol I will be putting myself forward as "Competent Person" (CP).

The protocol makes it much clearer for me to understand the role and the responsibility of the CP. We also note that the Marine Scotland "A technique for Scottish Finfish Aquaculture" has since been published in June 2015.

I do not get involved in the non-technical elements of the licensing process but there are some elements over which I would see an overlap with the efficiency of the technical design review.

I note that the CP is not expected to be involved in the Preliminary Design Stage but is required at the detailed design stage to give a confirmation.

Can it be clarified if the CP will be employed by the Department or is expected to be employed by the farm owner/operator?

Should it be the latter, is there foreseen for CP to be precluded for doing other work with the owner? I agree that the CP should be independent of the actual designer and owner but it is not explicit in the Protocol.

If the CP is to be engaged by the owner then I would see it as good and valuable for the CP to be involved from the Initial Design stage.

It would be appreciated to clarify if that would be acceptable by the department and in the best interests and not seen as a conflict of interest.

A second element of the licensing process which has some impact on the CP is that, for current aquaculture licensing, the statutory and public consultation are run consecutively, which can mean a considerable work load for the owner prior to having any feel for the public consultation. It would seem better to have both consultations run concurrently and there may be constructive iteration from the public consultation that could be applied to the statutory consultation and any changes to be incorporated in to both processes.

In the Protocol, under Section 10, there is requirement for the structural design records to be maintained.

In section 9, the CP is required to make a periodic review after "not more than 5 years". In my opinion it would be advisable to have a periodic review by the CP on an annual basis in order to ensure continued integrity of the fish farm and where possible highlight preventative works, modifications or improvements in the design or construction to avoid any possible failure of the containment system.

Yours Sincerely,

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