

# Fisheries Law and Regulations

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# EIA

- Article 8 of Aquaculture Regulation No. 25507 states that an aquaculture licence may, as a general rule, only be granted if it is pursuant to relevant provisions of the Regulation of Environmental Impact Assessment (EIA) No. 26939. The EIA process is regulated by the DG for EIA in the Ministry of Environment and Urban Planning.



- According to No. 26939, fish farms with an annual production capacity of 30 mt/y or less are exempted from EIA. Farms with an annual capacity between 30 and 1000 mt/y, and hatcheries with an annual capacity of over 40 million fry, are inspected by the Ministry of Environment and Urban Planning, which then makes a decision regarding whether “EIA is required” or “EIA is not required.” EIA is required for large farms with a capacity of 1 000 tonnes/year or more.

- In order to reach a decision on whether “EIA is required” or “EIA is not required,” a project description file is prepared by the entrepreneur(s) and is submitted to the Ministry. The file includes the general features and location of the project, as well as an alternate project and project location. The Ministry evaluates the file within fifteen (15) days and makes a decision in the following five (5) days. The decision is sent to the Governor of the relevant province and the entrepreneur(s).

- If an EIA is required, the entrepreneur applies to the Ministry with an application form and two EIA application files. The Ministry first inspects the file pursuant to the format provided in the EIA Regulation. The file is returned to the applicant if it is not in the required format. Otherwise, a commission is formed including representatives of the relevant institutes/institutions, authorities from the Ministry and the entrepreneur or his/her representatives. The project files are sent to the Governor of the relevant province for public hearing, and to members of the commission. Data/information included in EIA files for fish farm applications:

- Description and project objectives. Cost-benefit analysis.
- Locations of the production units (e.g. size and numbers of cages) .
- Detailed maps/plans of the area/site.
- Other farms and settlements around project site.

- Physical and biological characteristics and utilization of natural resources at site or impact area: coast and water use, species and ecosystems, meteorological data, currents, transport, socio-economic properties.
- Potential environmental impacts of the project and measure will be taken.
- Impacts after ceasing the activity and mitigation plans.
- Emergency action/ response plans and monitoring.