ENVIRONMENTAL REGULATIONS IN CHILE

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MANAGEMENT FRAMEWORK

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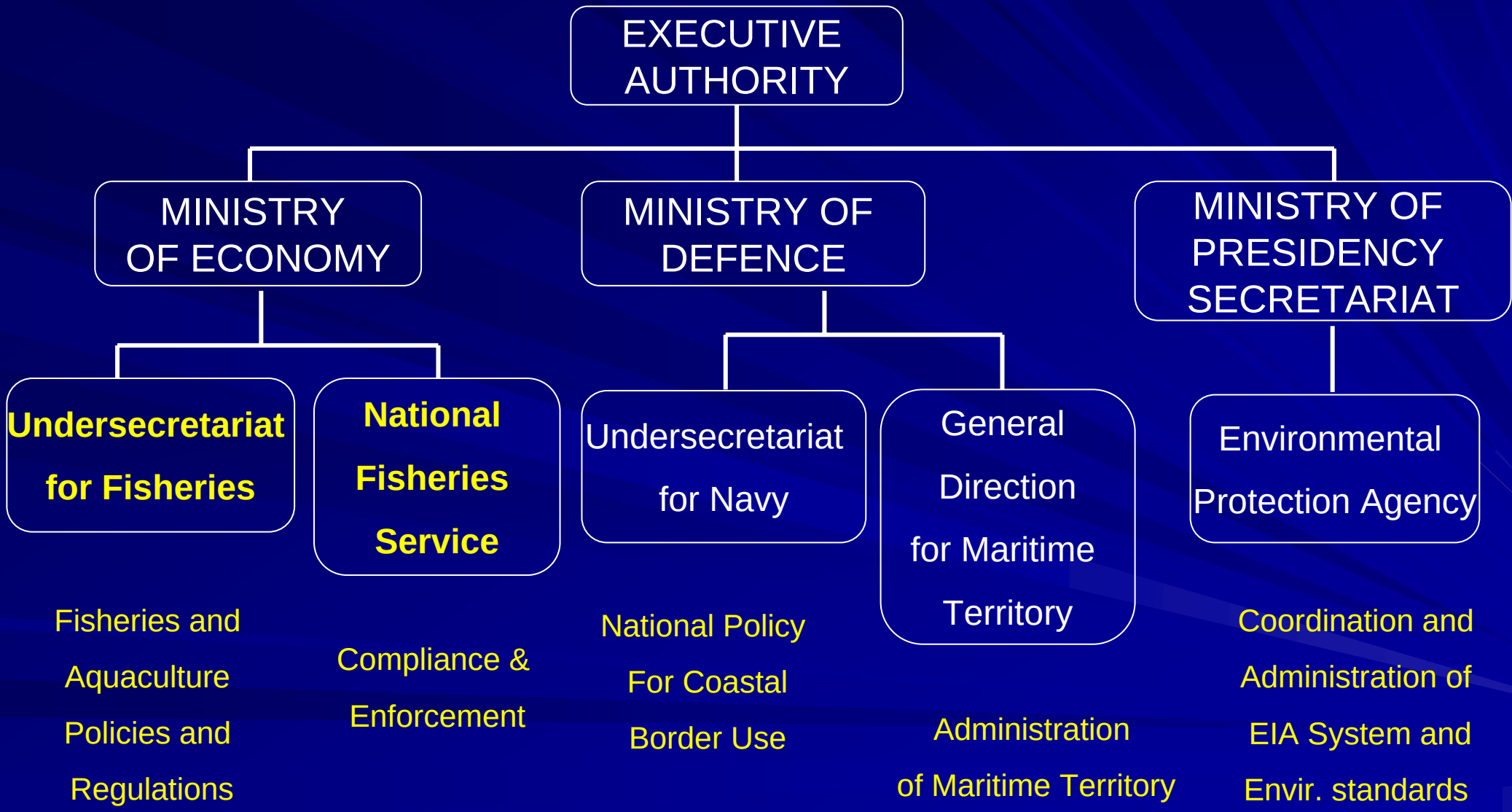


REGULATORY FRAMEWORK

- General Law for Fisheries and Aquaculture
  - ✓ Use of territory regulation
  - ✓ Fish Health Regulation
  - ✓ Environmental Regulation for Aquaculture
    - Environmental Protocols

- General Environmental Law
  - ✓ System for Environmental Impact Assessment Regulation

USE OF TERRITORY REGULATION

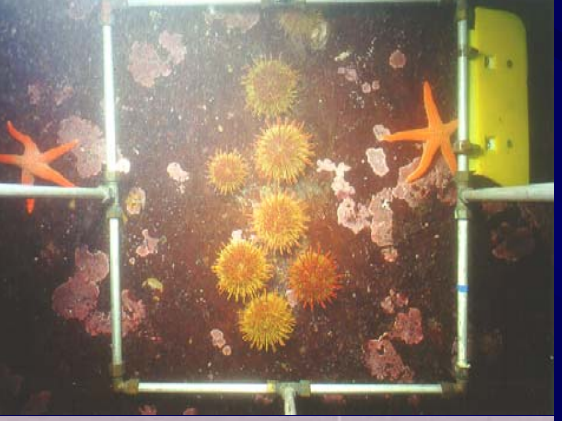
AUTHORIZED AREAS FOR AQUACULTURE

Areas which have been authorized to make aquaculture

- Consultation to governmental agencies and to the community (publication of proposal)
- Technical report of Under Secretariat for Fisheries.
- Decree of Ministry of National Defense - Marine Under-Secretariat

AUTHORIZED AREAS FOR AQUACULTURE

- They were created to promote the activity.
- They don’t exclude other activities.
- Today, they have not been established on rivers and lakes.
- The activity growing will demand to extend the marine areas and to declare new areas on rivers and lakes for aquaculture.



POLICY FOR THE USE OF COASTAL BORDER

- Supreme Decree Nº 475 (1995) creates the Policy for the Use of Coastal Border and the National Commission for the Use of Coastal Border.
- Marine Under-Secretariat: convokes regions to start zoning processes of coastal border.
- Regional Commissions for the use of coastal border are created.

ZONING

- There is no legal regulation that determines it.
- Conflict is generated among regulated activities (aquaculture) and non regulated ones (tourism).
- Regional progress has occurred with the support of international agencies.
- First zoning took place in Aysen, XI Region.




ELEMENTS TO CONSIDER

- Participation of governmental agencies.
- Citizenship participation.
- Technical information.
- Economic and social information.
- Negotiation among interested sectors.

FISH HEALTH REGULATION

FISH HEALTH REGULATION
Main contents

- Classification of diseases
- Emergency measures
- Development of health programs
- Certification for importation
- Zoning of diseases
- Drugs control
- Diagnostic laboratories certification
- Mandatory health registers

*Carried out by National Fisheries Service

FISH HEALTH REGULATION
Health Programs

General Health Programs (by activity):

- About health management practices

Specific Health Programs (by disease):

- Epidemiological Surveillance
- Disease Control
- Disease Eradication

ENVIRONMENTAL REGULATION

ENVIRONMENTAL REGULATION
Main contents

- Distances between tenures
  - Finfish-finfish: **2,778 m**
  - Finfish-shellfish: **400 m**
  - Shellfish-shellfish: **200 m**
- Mandatory: AEROBIC CONDITIONS IN SEDIMENTS
  - Mandatory reduction of production levels for a farm that is operating if anoxic conditions are detected during monitoring
- Companies are required to submit environmental baseline data and monitoring to the government (as per regulation which sets out parameters, requirements and frequency)

ENVIRONMENTAL REGULATION
Main contents

- Release of species or culture of transgenic species only with special authorization
- Solid and liquid wastes must be managed to comply with national emission standards
- Contingency plan for massive mortalities and escapes
- Net maintenance can only be conducted in approved facilities

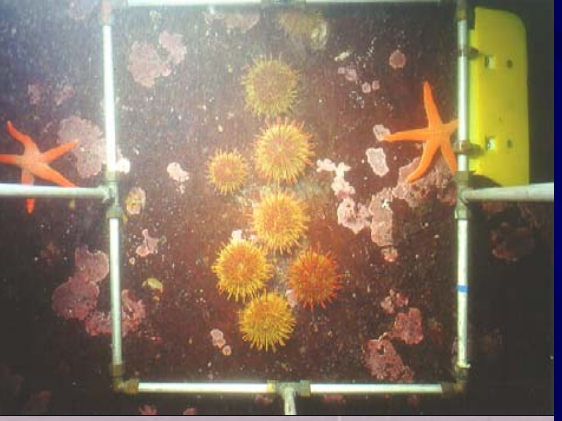
ENVIRONMENTAL PROTOCOLS

- Establishes information requirements and methodologies for collection of baseline data and required samples for the Annual Environmental Report (monitoring)

- The information must be collected by a qualified professional with expertise in marine and environmental sciences (quality control)

ENVIRONMENTAL PROTOCOLS

- Site classification based on:
  - ✓ Production level
  - ✓ Production system
    - Extensive (shellfish & seaweed)
    - Intensive (finfish & abalone)
  - ✓ Bathymetry of the area (60 m)
  - ✓ Nature of substrate (hard or soft)



ENVIRONMENTAL PROTOCOLS

CATEGORIES	1	a) Extensive culture on seabed b) Suspended extensive culture < 300 t/y and ≤ 60 m
	2	a) Suspended extensive culture 301-750 t/y and ≤ 60 m b) Intensive culture < 50 t/y and ≤ 60 m
	3	a) Inland water aquaculture and ≤ 60 m b) Suspended extensive culture > 750 t/y and ≤ 60 m c) Intensive culture > 50 t/y and ≤ 60 m
	4	Hard substrate and ≤ 60 m
	5	> 60 m

REQUERIMENTS ACCORDING TO CATEGORY

	CATEGORIES				
PARAMETERS	**1**	**2**	**3**	**4**	**5**
Bathymetry	x	x	x	x	x
Organic matter	x	x	x		
Grain size		x	x		
Benthic macrofauna		x	x		
Eulerian current			x	x	x
pH & redox potential			x		
Dissolved Oxygen			x		x
Sub tidal Video				x	

ENVIRONMENTAL IMPACT ASSESSMENT

GENERAL ENVIRONMENTAL LAW

Environmental Impact Assessment

Kelp >500 t/y or >100,000 m^2

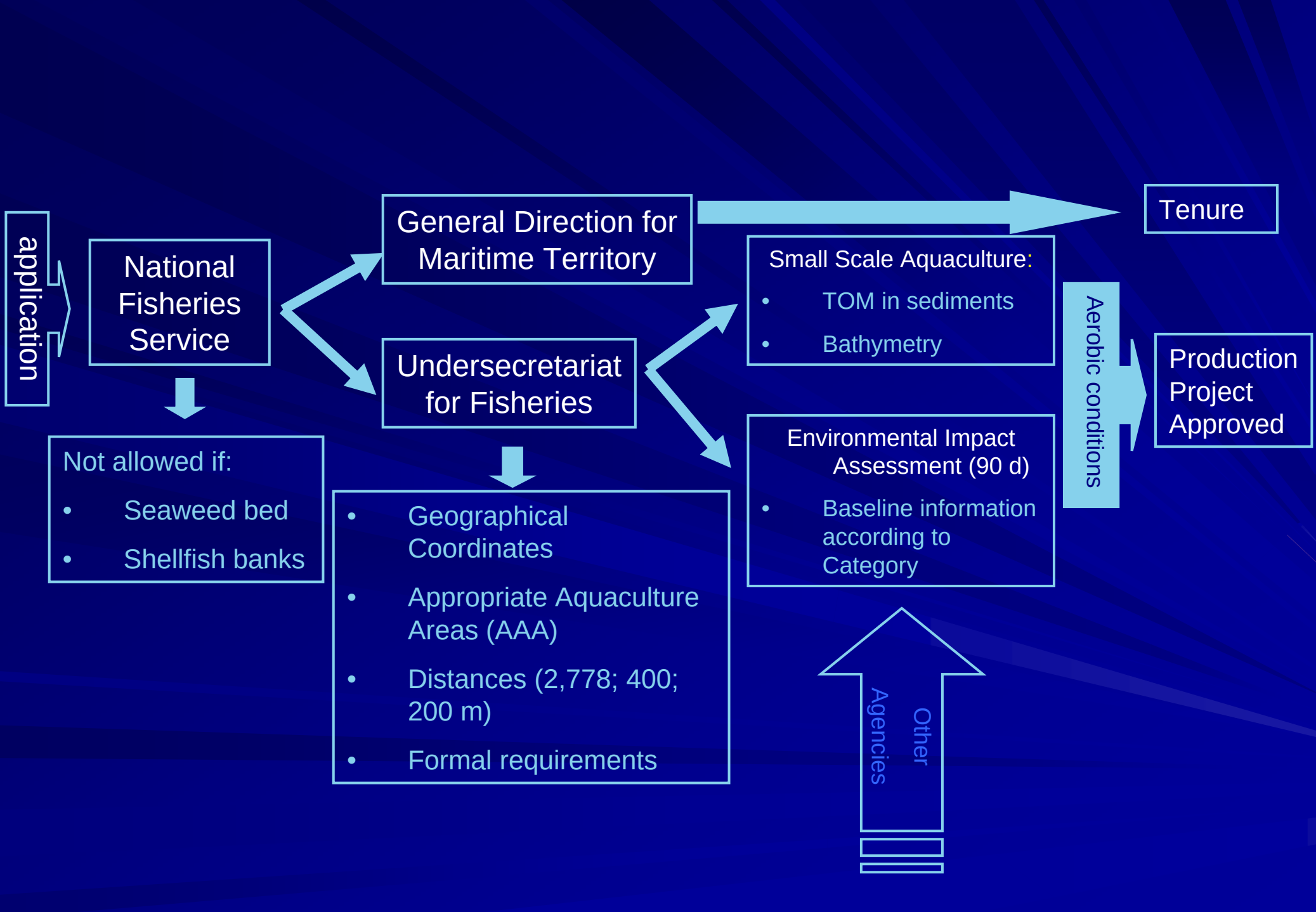
Other algae >250 t/y or >50,000 m^2

Finfish, sea urchin and abalone

> 35 t/y

Shellfish >300 t/y or >60,000 m^2

TENURE PROCESS


application
National Fisheries Service
Not allowed if:
• Seaweed bed
• Shellfish banks
General Direction for Maritime Territory
Undersecretariat for Fisheries
• Geographical Coordinates
• Appropriate Aquaculture Areas (AAA)
• Distances (2,778; 400; 200 m)
• Formal requirements
Tenure
Small Scale Aquaculture:
• TOM in sediments
• Bathymetry
Environmental Impact Assessment (90 d)
• Baseline information according to Category
Aerobic conditions
Production Project Approved
Other Agencies

RESPONSIBILITIES OF FARMER

GENERAL LAW FOR FISHERIES AND AQUACULTURE

Operation

- Aquatic species imports (certification)
- Specific and periodic reporting
- Protection, control and eradication measures for aquatic animal high risk diseases
- Environmental Monitoring Report (annual)
- Fee payment