



Association of Salmon Fishery Boards

Comments on 'Extension of Permitted Development Rights and Changes of Use to Finfish and Shellfish Developments'

June 2011

Introduction

The Association of Salmon Fishery Boards is the representative body for Scotland's 41 District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), which have a statutory responsibility to protect and improve salmon and sea trout fisheries. The Association and Boards work to create the environment in which sustainable fisheries for salmon and sea trout can be enjoyed. Conservation of fish stocks, and the habitats on which they depend, is essential and many DSFBs operate riparian habitat enhancement schemes and have voluntarily adopted 'catch and release' practices, which in some cases are made mandatory by the introduction of Salmon Conservation Regulations. ASFB creates policies that seek where possible to protect wider biodiversity and our environment as well as enhancing the economic benefits for our rural economy that result from angling. An analysis completed in 2004 demonstrated that freshwater angling in Scotland results in the Scottish economy producing over £100 million worth of annual output, which supports around 2,800 jobs and generates nearly £50million in wages and self-employment into Scottish households, most of which are in rural areas.

General comments

We welcome the opportunity to comment on this consultation. We are supportive of the general principle of introducing Permitted Development Rights (PDRs) to the aquaculture industry for non-contentious proposals. However, we do not believe that all of the proposed PDRs are non-contentious and we are particularly concerned that some of the proposed PDRs would allow for an increase in production biomass. We do not believe that any increase in biomass is appropriate without taking proper account, via the planning process, of the potential negative consequences for wild salmonids of the inevitable increase in the numbers of sea lice on farms.

Specific comments

Question 1: Do you support fish farmers being granted a PDR to replace or change their cage type and sizes as described and what increase in biomass should be allowed?

No. Whilst we have no issue with the industry moving from small and medium sized pens to a reduced number of larger cages, or indeed with the overall production surface being increased to accommodate that change, we **do not** support any increase in biomass under Permitted Development Rights. The consultation document states that any increase in biomass would be subject to SEPA consent (via The Water Environment (Controlled Activities) (Scotland) Regulations 2005). However, the CAR licensing process is limited to 'discharges' such as fish waste and chemo-therapeutants and these are not currently interpreted as including sea lice. The primary concern for the ASFB is the likelihood of an increase in biomass under this PDR resulting in increased numbers of sea lice being released from farms, with the associated potential for negative impacts on wild salmon and sea trout. The NASCO Focus Area Review Group Report on Aquaculture, Introductions and Transfers and Transgenics clearly states that '*the number of sea lice may be less than one per farmed fish but that may still translate to large numbers of lice in the environment because of the scale of production*'. Indeed, Marine Scotland Science have recently stated in a number of submissions to EIA screening and scoping exercises: '*It should be noted that adherence to Integrated Sea Lice Management (ISLM) as described in the industry Code of Good Practice may not necessarily prevent release of substantial numbers of lice from aquaculture installations. The CoGP takes no account of farm size, or number of farms in an area, in setting threshold levels for sea lice treatments. This may be appropriate when the aim is to protect the welfare of farmed fish but it will not necessarily prevent significant numbers of larval lice being shed into the environment, and posing a risk for wild fish particularly*

in the case of larger farms or management areas holding a large biomass of farmed fish'. We agree that the absolute number of sea lice released from a farm (which is clearly a function of the overall production biomass) is more important than the relative number of lice per fish. We do not believe that the potential for additional negative effects of sea lice on wild fish, resulting from an increase in biomass, could be considered under the consultation proposals. In addition, the PDR process would not allow planners to take into account the potential cumulative effect of a large number of individual farms using this PDR in areas where significant proportions of the total Scottish aquaculture production is embedded (such as Loch Linnhe). Again, Marine Scotland Science have stated: 'The area [Loch Linnhe] has a relatively high concentration of farms and consideration should be given to the potential cumulative effect that may lead to a detrimental impact upon wild salmonids in the area. However, the current state of knowledge does not allow us to quantify the severity of that impact if any'.

Finally, we are concerned that this PDR may be exercised on more than one occasion (presumably with an increase in biomass on each occasion). This would potentially allow the PDR to be exploited to increase production, in a step wise manner, subject to SEPA consent, but without appropriate consideration of wider planning considerations (of which our primary concern would be escapes and sea lice).

Question 2: Do you agree that a PDR should be available to allow farmers to add extra cages with no increase in biomass?

Yes. We have no difficulty with an increase in the number of cages provided that there is no associated increase in biomass. However, if this PDR is used we believe that, following any subsequent application for an increase in biomass, SEPA should actively seek advice from the planning authority, in order that the potential for increased numbers of sea lice released from farms, with their associated negative impacts on wild salmon and sea trout can be fully considered.

Question 3: Do you support fish farmers being granted a PDR to change their feed barges as described and to move elsewhere within the consented area?

Yes.

Question 4: Do you agree that fish farmers should be able to change the size, colour, design and location of a feed barge subject to prior notification/prior approval?

Yes.

Question 5: Do you support fish farmers being granted a PDR to change their top netting and top netting support structures as described?

Yes – provided that any permitted changes make it no more likely that escapes would occur.

Question 6: Do you agree that farmers should be able to change the size, colour and design of top nets and their support structures subject to prior notification/prior approval?

Yes.

Question 7: Do you support fish farmers being granted a PDR to install a temporary harvesting cage?

Yes. Given that the cage may not be used to feed or treat fish we have no issue with this PDR.

Question 8: Do you support finfish farmers being granted a PDR to install a temporary production cage?

No. We do not support an increase in production biomass via this measure (see also answer to Q1 above). The consultation document states '*We recognise that over-production may be an issue but, as part of normal planning, we would expect the farmer to factor this into their consideration and seek a permanent solution*'. We agree with this sentiment and believe that the industry should operate in such a way to prevent overstocking in the first instance. If this PDR is passed we believe that it would represent an incentive for some farmers to overstock cages safe in the knowledge that they can utilise such a temporary production cage to prevent culling fish, or selling to market at a sub-optimal time.

Question 9: Do you support fish farmers being granted a PDR to install other temporary equipment?

Yes.

Question 10: Do you support fish farmers being granted a PDR to switch production within the same species and between species?

We would support a PDR to switch production from salmon to halibut as we believe that such a proposal would not constitute an increased risk to wild salmonids from sea lice (although we note that Atlantic halibut are subject to infection by *Caligus elongatus*). However, we would not support a PDR to switch production from halibut to salmon (or indeed cod to salmon) on the basis of the increased potential negative consequences for wild salmonids from escapes, sea lice and other diseases. We believe that these consequences should be fully assessed as part of the planning consent process.

We believe that the effective control of sea lice, such that there is no increase in sea lice loads or lice-induced mortality of wild salmonids attributable to lice from farms, represents the single most important issue with regard to the sustainability of the industry in Scotland. Given the concerns about the build-up of resistance to sea lice chemo-therapeutants we support the use of wrasse as part of an integrated pest management approach. However, we believe that this new development must be subject to rigorous research and development in order to minimise the potential for unforeseen negative environmental consequences prior to being considered as a candidate for PDR in the future.

Question 11: Do you support a change of use from finfish farming to shellfish farming and back to finfish farming?

Under the strict understanding that this PDR **does not** allow existing shellfish farms, which have never been consented for salmon farming, to convert to salmon farms we would support such a change.

Question 12: Do you support a PDR to install, or change the size and number of longlines on a farm?

No comment.

For further information please contact:

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RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

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3. Permissions - I am responding as...

Individual / Group/Organisation

Please tick as

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

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(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

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(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes No