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Dear Jeff

I have recently become aware of information received by Don Staniford under FOI. Having reviewed the information I thought it would be useful to write to you to clarify our position. As you know, we have, for a number of years, been attempting to engage with the industry, to make progress on issues of concern. As part of this process we have taken a conscious decision to minimise the extent to which these discussions take place in the press. It is therefore particularly disappointing that the fact that we have not been vocal in the press has been reflected to Ministers and the RACCE Committee as tacit support for the *status quo*.

The comments below primarily relate to a document entitled *Aquaculture – Hot topic - Sea lice management and impacts on wild fish*, included in the 74 page FOI response.

#### **Legislative and Regulatory Framework**

We do not consider that the legislative and regulatory framework is sufficiently robust to protect migratory salmonids – the arguments in relation to this were clearly voiced during the 2013 Bill process. The current regulatory system is focussed on the health and welfare of farmed fish, and we do not consider that the system has sufficient regard to minimising any impacts on wild migratory salmonids.

#### **Presumption against development on the north and east coasts**

Whilst it is true that the rivers of the north and east coasts account for around 80% of Scotland's wild caught salmon, we do not manage migratory salmonids on a Scotland-wide basis. Rather, we do so on a catchment by catchment or river by river basis, a principle accepted by the Wild Fisheries Reform process. Therefore, whilst we welcome the presumption against development, from our perspective this places a *greater* priority on the protection of the valuable North-West Highlands and Islands salmon and sea trout from the potential impacts of aquaculture. We also note, that freshwater smolt production is not limited to the North-West Highlands and Islands. The document states that there are a number of SACs where wild salmon are afforded additional protection. One of the most densely farmed areas in Scotland is Loch Roag in the Western Isles, into which the Langavat SAC drains. We are not aware of any additional legislative or regulatory protections, or management regime for existing farms in this area.

### **Sea lice management policy**

As you know we have concerns and outstanding questions about the new sea lice management policy. This has not been discussed with, or explained to, wild fish interests and the reporting limits and backstop limits appear arbitrary and are far higher than equivalent limits in other jurisdictions. Whilst we hope that this new approach will reduce lice levels in problem areas, we await further detail on the suite of options available as interventions when sea lice levels breach the backstop limit. We understand that this policy is driven by the health and welfare of farmed fish. However, unless and until the regulatory regime focusses equally on the needs of wild migratory salmonids, we remain sceptical about the benefits to wild fish.

### **Improvements in the management of sea lice**

Whilst we support the focus on investment in biological management techniques and other new technologies, without information on the success or otherwise of such techniques it is impossible to judge whether such techniques, when coupled with Scottish Government and Industry growth targets, will have a meaningful effect on the health and welfare of wild migratory salmonids in the North-West Highlands and Islands. We would very much welcome more discussion about such methods, and crucially, the extent to which they may reduce the release of juvenile sea lice from fish farms.

### **Scottish Aquaculture Innovation Centre**

There are several references to the Scottish Aquaculture Innovation Centre. The sole focus of the SAIC appears to be the needs of the industry, with little or no regard given to the needs of wild fish. We do not believe that this is appropriate given the significant investment of public funds and we would have expected considerably more input and direction from Government. Whilst we support research to combat the effects of sea lice, the SAIC website includes very little information about the work being undertaken to date and the success or otherwise of that work. Again, it is therefore impossible to judge whether this approach will have a meaningful effect on the health and welfare of wild migratory salmonids in the North-West Highlands and Islands.

### **Site Level Reporting of sea lice**

Reference is made to a review of the public reporting of sea lice which concluded that it was fit for purpose and at an appropriate level for public awareness. However, given that the review did not look at site by site sea lice levels for comparison, it is difficult to see how such a conclusion could have been reached. The papers released under FOI focus on the '*minor but vocal anti-aquaculture lobby*' but does not recognise the almost universal call for site-by-site publication of sea lice levels from wild fisheries managers.

The submission to the Minister of 4 March 2016 states that '*only Salmon and Trout Conservation have called for the reports to be further disaggregated... and hasn't registered in the wider media or with other environmental NGOs*'. Our position on site by site publication of sea lice data was clearly stated during the Parliamentary passage of the 2013 Bill, but for the avoidance of doubt, we do not consider the current level of sea lice reporting to be fit for purpose, and it remains our clear position that all farms should be required by law to publish site by site sea lice data. This is a point we continued to make during the Ministerial Group on Sustainable Aquaculture Interactions Working Group. In particular, the current aggregation of data from farms within different farm management areas, which are often in different production years, is not consistent with the management approach for either farmed or wild fish.

We note that some current areas (such as Loch Ewe) contain only one farm and therefore the precedent of farm by farm reporting has already been set. We further note that Marine Harvest have committed to meeting ASC standards and a number of other Scottish Companies have signed up to the Global Salmon Initiative which would have essentially the same result. The ASC standards require site by site publication of data and we consider that Scottish Government should take a lead on this issue.

I hope that our position, which is consistent with the views of all the DSFBs and Trusts operating within the North-West Highlands and Islands, will be reflected to Scottish Ministers in future submissions.

### **Environmental Management Plans**

In addition to the above comments relating to information released under FOI, I am also aware of recent developments regarding Environmental Management Plans. Having seen some recent examples of these plans, unfortunately I do not consider that these will help to address issues around interaction, as they do not place any additional responsibilities on companies with regard to wild fish and contain no provision to do anything beyond 'business as usual'.

However, the wild fisheries sector do see considerable value in developing an industry-wide protocol for monitoring interactions with wild fish, underpinned by farm-by-farm publication of sea lice and meaningful regulatory intervention where such monitoring demonstrates negative impacts on migratory salmonids. Clearly, agreement on the precise nature of such monitoring plans will require considerable thought from government, wild fish interests, the aquaculture industry and academia. We consider that such a process would go a long way to addressing the current impasse between wild and farmed interests, and would be consistent with some of the wider policy drivers discussed above.

### **Independent Review of Scottish Aquaculture Consenting**

I note from the Scottish Government's response to this review that further work is required to improve consideration of farmed and wild fish interactions - a key issue identified by all stakeholders. I would like to emphasise the importance of wild fish interests being fully engaged in any process to address the issues raised in the review, in order to maximise the chances of a satisfactory conclusion being achieved.

### **Conclusion**

As you know, we recognise that declines in Atlantic salmon and sea trout may have been influenced by a number of contributory factors and it is not, and has never been, the policy position of Fisheries Management Scotland, ASFB or RAFTS that aquaculture is the sole reason for declines in salmonids in the West Highlands of Scotland. It is accepted that survival of salmon and sea trout during their marine migration phase has fallen over the last 40 years across the North Atlantic. Some of this reduced survival can be explained by changes in sea surface temperature and subsequent contraction of feeding grounds. However, these issues can only be addressed at an international level and a key strategy for managing adaptation of species sensitive to climate change (such as Atlantic salmon and sea trout) is to minimise additional pressures such as those which are man-induced. This would include increased protection from the effects of sea lice (in some locations in certain circumstances), reducing exploitation and protection from the potential effects of marine renewables. You are aware of the range of work that our sector is engaged in to address potential impacts of developments on all stages of wild migratory fish.

We remain committed to engaging with Scottish Government and the aquaculture industry with a view to making meaningful progress on interaction issues. We hope that Scottish Government involvement in the Industry Liaison Group and other policy drivers such as the Aquaculture Independent Consenting Review will help to facilitate an environment to allow more effective progress to be made in future.

Yours sincerely,



Dr Alan Wells

Chief Executive, Fisheries Management Scotland