

Salmon and Trout Conservation Scotland

Briefing for MSPs

Rural Economy and Connectivity (REC) Committee and Environment Climate Change and Land Reform (ECCLR) Committee Reports into Salmon Farming

January / February 2019

Introduction

Salmon & Trout Conservation Scotland's Petition in 2016 led directly to the ECCLR and REC Committee inquiries and the two reports. S&TCS concerns concentrate on the proven negative effects of salmon and rainbow trout farming at sea on wild salmonids - both Atlantic salmon and sea trout. These concerns have been set out in great detail in written and oral evidence to the both ECCLR and REC Committees.

The North Atlantic Salmon Conservation Organisation (NASCO)¹ – to which Scotland is a party – has long concluded that there are significant adverse impacts from salmon farming. S&TCS would emphasise to MSPs, NASCO's internationally agreed Guidance on Best Management Practices to Address Impacts of Sea Lice and Escaped Farmed Salmon on Wild Salmon Stocks' which established goals for NASCO jurisdictions relating to containment and sea lice management.

For sea lice, NASCO best practice is for "100% of farms to have effective sea lice management such that there is no increase in sea lice loads or lice-induced mortality of wild salmonids attributable to the farms". For escapes, NASCO best practice is to ensure that "100% of farmed fish are retained in both freshwater and marine production facilities".

It has been clear for many years that Scotland's performance, particularly on sea lice, falls very far short of the internationally agreed NASCO goals.

While S&TCS welcomes the start that the Interactions Group has made, it should be absolutely clear to all MSPs that the work of that Group alone is insufficient to address the recommendations of the two Committees.

Specifically, MSPs should be suspicious of announcements of further working groups on fish health or further repeat reviews of existing licencing and permitting, designed to kick the Committees' concerns into the long grass. We have been there before. This time we need action, not words.

As a bare minimum, S&TCS wishes to see the following five changes in Scotland, all of which were supported by both REC and ECCLR Committees:

- **the development and introduction of full closed containment farming;**

S&TCS believes that the industry should move into closed containment, either on land or in tanks in the sea, involving a complete biological separation of farmed and wild fish, with this to be achieved over the medium to long term (five to ten years).

¹ Scotland is a party by virtue of the EU's participation. Scotland is expected to continue as a party to NASCO after Brexit, under any scenario.

For the industry to make this change it will require further research but importantly, generous incentives need to be put in place rapidly to ensure the industry does not fall behind its international competitors. This is in line with the ECCLR Committee's conclusions and Recommendation 56 of the RECC Report, which asks for both research into and incentives for closed containment.

- **the clear identification of a Scottish public authority charged with the statutory function to protect wild fish from the negative interactions of fish farming;**

Both ECCLR and REC Committees agreed with S&TCS that there is a glaring regulatory gap and that it is not clear which Scottish public body has the responsibility to protect wild fish from the negative interactions of fish farming and that, as a result, wild fish have been and remain insufficiently protected from the negative impacts of fish farming, such as sea lice, disease and escapes of farmed fish.

Having considered all options, S&TCS supports the application by the Scottish Environment Protection Agency (SEPA) of a licensing process, analogous in many ways to the existing Controlled Activities Regulations that SEPA applies in respect of chemical and organic pollution from fish farms, but based on the precautionary approach that REC and ECCLR Committees advocate, overlaid with rigorous adaptive management conditions in the licences to control impacts upon wild salmonids. This would need to be underpinned by strict enforcement and policing by SEPA (which must be properly resourced), which the ECCLR and REC Committees have concluded is currently lacking (add reference), but which SEPA's recent Sector Plan indicates SEPA accepts it must now adopt.

- **no expansion of the industry while wild fish interactions remain uncontrolled;**

The RECC Report's Recommendation 2 "strongly agrees with the view of the Environment, Climate Change and Land Reform Committee (ECCLR) Committee that if the industry is to grow, the "status quo" in terms of regulation and enforcement is not acceptable. It is of the view that urgent and meaningful action needs to be taken to address regulatory deficiencies as well as fish health and environmental issues before the industry can expand".

In the interim, while a new regulatory framework is introduced that properly protects wild fish, S&TCS urges MSPs to support a moratorium, such that no new farms are built and there is no expansion of existing farms, in line with Recommendations 1 and 2 of the RECC Report, until the industry's problems and failures are properly addressed.

There is a long list of organisations that have called expressly for a moratorium on fish farm expansion:

Angling Trust, Argyll District Salmon Fishery Board, Argyll Fisheries Trust, Atlantic Salmon Trust, Community of Arran Seabed Trust, Fauna & Flora International, Fish Legal, Friends of Loch Etive, Friends of the Sound of Jura, Lochaber District Salmon Fishery Board, Lochaber Fisheries Trust, National Trust for Scotland, Orkney Trout Fishing Association, Outer Hebrides Fisheries Trust, Salmon and Trout Conservation Scotland, Scottish Anglers National Association, Salmon Aquaculture Reform Network Scotland, Save Seil Sound, Scottish Creel Fishermen's Federation, Scottish

Sea Angling Conservation Network, Sustainable Inshore Fisheries Trust, Scottish Salmon Think-Tank, Skye District Salmon Fishery Board, Skye & Lochalsh Environment Forum, Skye & Wester Ross Fisheries Trust, Wester Ross Area Salmon Fishery Board and Whale and Dolphin Conservation.

Scottish Environment Link, with 35 member bodies representing a broad spectrum of environmental interests, holds the position is that “there must be no new marine fish farms using current ‘open cage’ practices or any expansion of existing fish farm sites, including any increases in farmed fish biomass at existing sites until the current failings in the regulation of the salmon farming industry and the environmental problems the industry causes, as both identified by ECCLR Committee, are understood and resolved”. In effect, a call for a temporary halt to expansion.

The Coastal Communities Network (CCN), representing many west coast community groups, also believes that “there should be a temporary halt to expanding fish farms and sanctioning new sites”:

While S&TCS notes that Recommendation 3 did not support a moratorium, using that word, in effect both REC and ECCLR Committees called strongly for a pause in expansion while the many issues are addressed – in effect, a moratorium.

The Scottish Government should now announce a moratorium on expansion.

- **relocation of existing sensitive sites**

S&TCS wishes to see the relocation of farms in sensitive locations, in line with RECC Recommendations 41, 45, 46 and 53.

S&TCS notes the RECC Recommendation that there be immediate dialogue with the industry over this issue and urges MSPs to ensure that dialogue not only begins at once, but that it leads to early relocation of the most sensitive farms, unlike the Scottish Executive’s 2006-2008 fish-farm relocation programme, which was allowed to run into the sand without making any progress at all.

- **full transparency and publication of sea lice, escapes, mortalities and disease information.**

S&TCS agrees with both REC and ECCLR Committees that there needs to be complete transparency in relation to the impact of fish farming on wild fish including sea lice, sea lice treatment, other diseases, escapes and genetics and any other interactions.

The ECCLR Committee concluded that the current national collection of data on fish health and related matters is inadequate and that there needs to be real-time publication of farm by farm sea lice numbers, all disease issues, treatments (both chemical and other) and mortalities. At present, data collection is almost entirely reliant on a system of self-monitoring and reporting by the farmers themselves.

This needs to be replaced with a statutory system of inspection, augmented by extensive unannounced independent inspections and monitoring, followed by full production of all data, both self-reported and that produced by regulators.

The ECCLR Committee “believe(d) the efforts of the industry have proven to be largely insufficient to address lice issues” and that “the industry should also be required to publish consistent and comparable weekly historic data sets on sea lice

figures on a farm by farm basis from the time records are available. There should be no delay in the industry publishing this information so this should initially be published on a voluntary basis by the end of April 2018".

That did not happen.

Recommendation 11 of the RECC Report, dealing with mortalities, adopts the same tone as the ECCLRC considering it "essential that this work delivers high levels of transparency that will provide confidence to all stakeholders". RECC Report Recommendations 19 to 25 also address sea lice and other data and the recommended mandatory reporting of such data in as close to real time as possible.

S&TCS agrees with both the ECCLRC and RECC that this needs to be secured by regulation. The voluntary approach has failed to produce the real-time detailed data that the ECCLR Committee requested. S&TCS' preferred method of securing transparency, by way of full freedom of information and proactive publication, is by amending The Fish Farming Businesses (Record Keeping) (Scotland) Order 2008, itself drawn under section 1 of the Aquaculture and Fisheries (Scotland) Act 2007, requiring proactive publication of all relevant records which are already required to be kept by fish farmers (though not published) under the existing 2008 Order.

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