

## **RURAL ECONOMY AND CONNECTIVITY COMMITTEE**

### **SALMON FARMING IN SCOTLAND**

#### **SUBMISSION FROM ORKNEY TROUT FISHING ASSOCIATION**

##### **The Orkney Trout Fishing Association (OTFA)**

To put our response in context, here is a brief overview of our organisation and its role in the Orkney community.

The OTFA has been in existence for over 110yrs, with in the region of 600 members. We do not own any fishing and membership is entirely voluntary. Our membership is approximately 50% local and 50% visitors. The OTFA is run entirely on a voluntary basis to keep a sustainable trout fishery that can be enjoyed by the entire Orkney community and visitors alike. In the absence of a fisheries trust or district fisheries board, OTFA is recognised as the key local stakeholder regarding the wild trout population in Orkney waters. Our main areas of activity supported by our members include:

- Provide facilities for anglers (boat launching facilities etc).
- Maintain access to fishing for all is a central objective of the OTFA
- Increasing availability of fishing (stock waters where spawning habitat has been lost)
- Protecting habitat and environment – often through partnership work with others (SEPA, SNH etc) and campaigning when necessary
- Education – e.g. trout in the classroom
- Science investigation – (e.g. electro fishing) in support of the above

##### **Orkney Wild Salmonid Fisheries**

The Orkney salmonid fishery is basically for one species: *salmo trutta*, in both its resident (brown trout) and migratory (sea trout) forms. Salmon are biologically present but not in significant numbers. This is a wild trout fishery which is unsurpassed in terms of quality, diversity and availability and is, in this respect, unique in the UK and Europe. This is partly a consequence of alkali base geology and partly a consequence of the high value placed on it by the local community. The fishery is almost 100% open access and with the exception of Shetland, this situation is unique in the UK. The sea trout fishing is also open access and practiced in the sea, a tradition practically unique in Scotland. Attracting visitors from across Europe, the fishery is economically important to a variety of businesses and individuals, with £1.9m visitor spend (2006) before multiplier effects. The fishery is equally important culturally and has an international reputation. Ultimately it has helped project an image of natural quality that underpins much of the economy (food and drink; tourism etc) and underlines a quality of life and richness of experience to be had in Orkney.

We responded to the Scottish Parliament's Environment Climate Change and Land Reform (ECCLR) Committee Inquiry into the Environmental Impacts of Salmon Farming call for evidence previously and would encourage you to take that documented response into account as well as the ECCLR committee report and our comments below on the specific questions in your own committee's call for evidence.

**1. Do you have any general views on the current state of the farmed salmon industry in Scotland?**

We agree with many of the findings of the ECCLR committee report into the Environmental Impacts of Salmon Farming and have experienced many of the points at first hand. Despite claiming to be over regulated, the industry has huge on-going environmental problems. This is exacerbated by a case by case approach to decision making and a lack of strategic environmental assessment. Regulatory frameworks serially fail to address these issues. The emerging policy framework is worded in a way that aquaculture expansion is assured regardless of impact. We recognise that aquaculture has an important role to play in Scotland's economy but this must be balanced against other valid interests.

Over a period of almost 20yrs, we have sought to engage with the industry and the regulatory process both locally and nationally. In the absence of scientific data, regarding vulnerable wild fish stocks, we have trained volunteers and undertaken electrofishing and other scientific studies in order to improve our collective knowledge. We have undertaken work which arguably should have been conducted by the public sector, or the aquaculture industry. This has been done in an attempt to improve evidence available for decision making. Despite our best efforts we feel increasingly marginalised and ignored - by a regulatory process unable to consider cumulative effects; decisions made by local authorities without expertise/resource to understand the issues; national regulators unwilling to give clear advice; and a political establishment which is too close to industry. The removal of third party right of appeal against planning decisions has further tilted the balance of power. Industry can, and will, appeal against any planning decisions not in its favour while local groups no longer have this opportunity.

**2. There have been several recent reports which suggest how the farmed salmon industry might be developed. Do you have any views on action that might be taken to help the sector grow in the future?**

The only thing that will allow the sector to grow in the future is the truly effective addressing of the many problems and data gaps identified in the ECCLR report before there is any further expansion. Failing to do so opens the door to even more controversy that could in turn lead to even more negative publicity for the Scottish industry.

It is clear that location is the key to minimising environmental impact. At the moment we have a planning regime which deals with applications on a case by case basis. Developers select a site and then put every effort into securing necessary

permissions. It is always possible for well resourced companies to argue the case for 'one more development'. It is impossible for local stakeholders groups to respond to this. To a large extent the planning process seems to be adopting the role of referee, in a highly uneven game, rather than actually protecting the public good. This piecemeal approach to planning cannot take into account cumulative effects. We desperately need effective zoning which keeps aquaculture away from the most vulnerable sites. This has been adopted in Norway and should be done here. This should be done on a precautionary basis. If evidence emerges to suggest that aquaculture does not impact on wild fish then these zones can be relaxed; the reverse situation is not so easily achieved.

Furthermore the industry and government would need to recognize that aquaculture is now a largely foreign owned industry in Scotland operating as a relative newcomer in a marine ecosystem that has seen most of the other historic users have to review all their practices to truly demonstrate accountability and real sustainability in a whole series of initiatives.

### **3. The farmed salmon industry is currently managing a range of fish health and environmental challenges. Do you have any views on how these might be addressed?**

Our own experience has been that Orkney's wild sea trout fishery has regressed in almost perfect unison to local aquaculture expansion. In the early 2000's there was a migration of Norwegian owned aquaculture production to Chile encouraged by cheaper costs and lighter regulation. The tonnage of farmed salmon in Scapa Flow virtually halved in a very short period and we witnessed first-hand a very significant recovery in local sea trout populations and rod catch. As quickly as the phenomena appeared it disappeared as the industry brought production back to Scotland in the wake of large scale disease problems in Chile aggravated by the recent production boom. It was obvious to us that as far as the risk of sea lice transfer in artificially large numbers from salmon farms to wild salmonids was concerned that location of the cages is key to addressing this particular issue. The industry has managed to avoid this increasingly obvious solution despite virtually the whole industry having cages in close proximity to wild salmonid spawning burns and rivers across the country.

The industry is manifestly unable to control its problem with sea lice. Even if lice are controlled to the point where there is no husbandry problem (i.e. on farm health issue) they continue to feed larvae to the external environment potentially impacting on wild fish. As the industry expands and the tonnage of fish increases, sea lice production increases, even if lice infection rates are constant. The consequence is that we are necessarily chasing a harder and harder target. As the industry expands the 'environmentally safe' lice target gets harder to achieve.

As noted above from the perspective of wild fish impacts location is the key. Alternatively bringing production on shore or into contained systems

#### **4. Do you feel that the current national collection of data on salmon operations and fish health and related matters is adequate?**

Absolutely not. All too often when seeking clarity on independently verified sea lice counts and medicines used, financial confidentiality and sensitivity has been used to withhold information. There is simply no justification for keeping this information from the public. This should be available at the level of the farm. Freely available long term data is essential for the scientific community. Together with a lack of funding this is one of the reasons that there is little evidence of causal link between aquaculture and wild fish impacts “in Scotland”. Of course this is not the case in other countries. The “*absence of evidence*” argument is not a credible basis for decision making but it has become a mantra repeated in numerous EIAs and planning applications.

#### **5. Do you have any views on whether the regulatory regime which applies to the farmed salmon industry is sufficiently robust?**

We have seen over the last twenty years the whole responsibility for the sea lice issue refuted by SEPA and eventually landing within the remit of Marine Scotland. Marine Scotland in a number of recent applications for developments in Scapa Flow have acknowledged that sea lice impact on wild fish was likely to be “moderate” yet go on to advise local planners it was ok to recommend approval. The ECCLR committee’s report was alarmed to note that the precautionary principle was being ignored at a decision-making level and that there were numerous data gaps being worked around rather than addressed. This is exactly our experience for the last two decades.

There is a subtle but very important point to be made about the current planning process for aquaculture. Aquaculture planning decisions are now made by local authorities using processes and institutions originally developed for land planning. On land a decision to refuse planning permission impacts on the private rights of landowners to do as they wish with their property. A difficult balance must be struck between the private rights of the individual and the wider public good. Restricting the right to develop is a serious one. The aquaculture industry has no existing property right in the marine environment. This industry is being granted the privilege of private access (for the creation of private profit) to what was previously public space. Aquaculture does not have a right to develop where it chooses. It is asking the state for access to this space; the state should tell the industry where it is acceptable to develop. In the case of oil and gas specified blocks are released to industry; a similar process exists with offshore wind in England. A similar approach should be adopted for aquaculture. The existing planning (and appeal) processes have been developed around terrestrial institutions and property rights; balancing private and public rights. The balance of the planning decision at sea is fundamentally different and this should be recognised.

#### **6. Do you have any comments on how the UK’s departure from the European Union might impact on the farmed salmon sector?**

We are concerned about the impacts of BREXIT. Currently EU regulation gives some protection to wild salmonids. In Scotland this has been exercised through the selection of a small number of SACs. While this is welcome, such a location specific approach seems perversely inadequate to protecting species which are distributed

across the entire country. The combination of the Marine Strategy Framework Directive (its concept of “good environmental status”) and recent moves towards marine spatial planning provide hope for a more integrated whole system approach to protecting our seas. This provides us with a framework to develop a truly sustainable blue economy. Of course, in principle, outside the EU we could develop our own policies for sustainable management of natural resources. However if BREXIT is accompanied by clarion calls for deregulation from a powerful, and politically connected, aquaculture sector things could get significantly worse.

Fundamentally the OTFA wishes to see that the best possible science informs this debate and that a precautionary approach is taken where clear scientific evidence is absent. Unfortunately to date this has not happened. There is a major imbalance of power between the industry and other resource users. And this has resulted in a dysfunctional regulatory and planning process. If we can help the inquiry in its deliberations in any way, please do not hesitate to contact us.

Orkney Trout Fishing Association  
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