

Lin Buntin
Chief Compliance Officer
Scottish Environment Protection Agency
[by email]

15 September 2023

Dear Ms Buntin,

SEPA consultation: Detailed proposals for a risk-based, spatial framework for managing interaction between sea lice from marine finfish farm developments and wild salmonids in Scotland

With the closure of the consultation on the proposed Sea Lice Risk Framework today I wish to confirm Mowi's continued objection to the proposals as presented. A separate detailed response has been submitted which outlines fully the reasons for our objection, the key areas of concern are highlighted in the annex to this letter.

Mowi acknowledges that uncontrolled, farm-derived sea lice may present a hazard to wild salmonids, especially in areas of restricted water exchange such as the upper sections of sea lochs or potentially within constrained passages of coastal waters through which migrating smolts may pass through. While we maintain that this particular pressure on wild salmon should not be overstated beyond the evidence available, we recognise our obligations and responsibilities for environmental protection.

Mowi is therefore committed to work in partnership with SEPA to support the development of a proportionate and balanced regulatory framework for the protection of wild salmonids. We believe the best way forward is a collaborative programme of work to develop a robust, validated model to assess the risks that might arise from fish farms. This should be delivered through appropriately scaled pilot studies, with suitable model development, data collection (inc. sentinel pen studies), and with model validation and calibration. Salmon Scotland is presenting this as a sector wide commitment, which will have Mowi's full support, engagement, and resourcing capabilities.

We implore SEPA to take the appropriate time to fully assess and validate the screening models and then implement a framework that has the appropriate scientific rigour which all parties can find acceptable. The outcome must be transparent, accountable, consistent, and proportionate, targeting action where needed, based on environmental risk. We do not believe the present proposal meets these requirements, it has been developed in haste to meet political objectives without scientific justification or rigour and implementation, as presented, will invite legal challenges.

I would therefore urge SEPA to recognise the significant concerns that Mowi and the wider sector have with the proposed sea lice risk framework as it currently stands. We would also reiterate our willingness to work collaboratively with SEPA and other stakeholders on the delivery of a validated model, tested through robust pilot trials in suitable locations.



Yours sincerely,



COO Mowi Scotland

Annex:

SEPA consultation: Detailed proposals for a risk-based, spatial framework for managing interaction between sea lice from marine finfish farm developments and wild salmonids in Scotland

Key Points from Mowi's Consultation Response / Issues of Concern

- We do not support the current proposal for a SLRF, as presented in the consultation document. SEPA have failed to demonstrate risk of significant environmental harm to wild salmonids, arising from the activities of salmon farms
- We do not agree with the proposed revisions to WSPZs. No scientific justification or explanation has been provided for designation of the Wild Salmon Protection Zones.
- We do not agree with the development of a specific framework for sea trout. Based on current scientific understanding and likely risk, further development of a dedicated SLRF for sea trout is not justified.
- The modelling proposals presented in the consultation and engagement activity to date only describe an approach to initial screening of farms. They do not describe the approach to detailed modelling that will be required to consent farms that are identified, from screening, as requiring further modelling. The overriding focus on screening models has resulted in misrepresentation on risk.
- We support the development of a properly constructed, tested, and validated model that accurately assesses the risks that might arise from sea lice from fish farms. This should be delivered through appropriately scaled pilot studies, with suitable model development, data collection (inc. sentinel pen studies), and with model validation and calibration
- The proposed framework makes no consideration for farmed fish health, welfare and survival, and introduces a legal conflict where there is not one at present.
- The modelling framework should be based on the assessment of gravid lice and not adult females.
- We do not support the proposal to require salmon farmers to use automated lice counting technology.

- We do not support any change to the current lice counting protocols adopted by Scottish salmon farmers.
- We urgently require SEPA to lead engagement with the salmon farming sector and local authorities to understand the implications of the SLRF proposals on planning permission obligations. There is a clear risk of double regulation and the lack of attention to this matter is a clear oversight.
- We strongly object to farms receiving a non-compliance for scenario's where, for legitimate reasons, it has not been possible to undertake a weekly lice count.
- We have no confidence that SEPA will introduce a fair, balanced, and proportionate compliance assessment framework that will consider the fish health and welfare needs of farm raised salmon. The absence of such a framework, or even recognition of the issue within the consultation, is a clear failure to follow the Scottish Regulators Strategic Code of Practice.
- We have significant concerns with the proposals for environmental monitoring.
- SEPA's assessment of the potential social and economic impact of the proposed framework is insufficient and falls well short of what can be reasonably be expected for such a significant change in legislation.
- SEPA's current timeframes for the development of the SLRF, and for its implementation are unrealistic and not achievable.
- Implementation of the timetable as published will simply cause delays and introduce confusion to already complex set of regulatory structures for fish farming in Scotland.