



March 2022

Public consultation on “Proposals for a risk-based framework for managing interactions between sea lice from marine finfish developments and wild Atlantic salmon in Scotland”.

I write on behalf of the British Trout Association in response to your invitation to comment on this proposal and to express our concerns about the way in which this will, if implemented as written, affect marine rainbow trout production businesses into the future.

There can be little doubt that historical and current advice on sea lice and wild salmon has been generally inadequate and often contradictory, and BTA and its members have been broadly supportive of the need to create better advice for use by planners and others. In contrast to what has been available so far, we strongly believe that such advice must be based on sound, verifiable science and real time data and information, including data and information gathered and published by industry. Advice must also recognise and take account of the very substantial and significant measures already implemented by marine fish farmers to deal with sea lice, measures which are primarily driven by the welfare needs of farmed fish. Such measures sit alongside the regulatory measures already in place.

We strongly support the view that sea lice have not been responsible for driving the decline of wild salmon populations that have, in fact, been in a parlous state for decades primarily as a consequence of the impacts of global climate change in general, and sea surface temperature increase in particular. We are reminded that the work of Friedland and Reddin, amongst others, predicted what we are now seeing over thirty years ago. In this regard, the aquaculture industry’s dialogue with NASCO over the past twenty years or so ago was based on the understanding and agreement that sea lice associated with salmonid farming was not responsible for driving the predicted decline in Atlantic salmon but, while stocks remained in a parlous state, farmers would do what they could to minimise possible additional impacts on vulnerable populations. This position has been publicly echoed on many occasions and recently. Despite this, and notwithstanding the reference to “other pressures” on wild Atlantic salmon, SEPA’s approach to consulting on the proposed framework stresses “substantial impacts on the marine survival of wild Atlantic salmon resulting from sea lice from marine finfish farms”, citing evidence from Norway and Ireland (despite the fact that some published literature from studies in Ireland highlight lice as a minor component affecting the marine survival of salmon smolts). This appears to wind back on discussions during the development process and has, unfortunately, undermined trust.

We continue to be very disappointed that the substantial efforts and resources directed towards developing the proposed sea lice risk framework have not been matched by efforts to deal with the

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other factors that clearly threaten wild Atlantic salmon. It is ironic that, for example, salmon angling is still being actively supported by Government and the wild fish sector, when it is patently obvious that recreational exploitation clearly threatens both the welfare and survival of individuals, and potentially populations, of an endangered species. The recently published 'Scottish Wild Salmon Strategy' does little to reassure that measures of equivalent scale to the proposed framework designed to address the dozen or so other factors that significantly threaten wild salmon are likely to be put in place. This proposal, when read alongside the wild salmon strategy, conveys the impression that finfish aquaculture is being targeted because this is possible and popular, while addressing the other factors that seriously threaten wild salmon remains firmly in the too difficult basket.

During the development of the proposed framework, BTA has worked willingly and in cooperation with SEPA and Marine Scotland Science, alongside Salmon Scotland and other aquaculture interests. Work on this proposal has taken place over several years and has involved many meetings to discuss assumptions derived from the science and technical elements with industry specialists and other stakeholders. Throughout this time BTA has taken the view that the framework under discussion is completely new and remains, by definition, wholly untested; is based on many assumptions derived almost entirely and sometimes selectively from science that has carried out elsewhere and in circumstances that may not be relevant to Scotland; and that, even once a broad consensus has been reached, remaining uncertainties mean that it is reasonable to implement it only after a suitable period of validation and ground truthing to ensure that theoretical assumptions and predictions about any effects of lice on wild salmon match real time information and data gathered from the environment. Questions about whether it is, in fact, even possible to validate the framework remain. While it has been described as 'adaptive', there are still uncertainties about what this means. Given the potentially significant adverse implications of the framework on the future development of our businesses, and even their existence in current locations, we cannot stress our concerns about the need for phasing in over an appropriate period of time and assessment of its relevance and effectiveness strongly enough. We certainly do not think that the proposed initial phasing in period of one year is adequate.

In the broader context, the appointment of SEPA as regulators of sea lice has puzzled us on two main fronts. Firstly, SEPA's role has largely centred around the regulation of chemical inputs to the environment and their knowledge and experience of regulating the release of pathogens is extremely limited. Responsibility for regulation of pathogens and parasites normally rests with statutory veterinary and health agencies (and in the case of pathogens and parasites associated with aquaculture, with Scotland's Fish Health Inspectorate) so the appointment of SEPA in such a role seems anomalous. Our experience of working with SEPA, and especially over the course of the

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past two years or so, has reinforced our view that they have tended more towards focusing on modelling the fate and behaviour of lice as if they were inert particles rather than as living organisms, and that acknowledgement of factors such as mobility, survival, viability, depredation, etc. have come from scientific publications, with the substantial knowledge and understanding of industry vets, fish health professionals and environmental modellers being regarded as of second order importance. In the absence of an ability to demonstrate competence in this area, confidence and trust will continue to be eroded. Secondly, and more importantly, SEPA proposes not only to regulate lice via the framework, and specifically through the Water Environment (Controlled Activities) (Scotland) Regulations 2011, but also to effectively define policy on lice and marine finfish farms. Defining Scottish aquaculture policy is the responsibility of Scottish Government. Regulation is a matter for SEPA, acting in accordance with Scottish Government policy. In this connection, we strongly agree with the recommendations in the independent Griggs Review. We are encouraged by Scottish Ministers' acceptance of the Griggs recommendations, in principle, and we look forward to learning how Government proposes to implement these. We believe that plans to implement the proposed Sea Lice Risk Framework should be deferred until such times as Government decides on whether this is indeed the most appropriate way to proceed.

We strongly endorse the Griggs Review proposal on the creation of a central science and evidence base jointly run and managed by industry and the Scottish Government that has responsibility for gathering, collating and examining scientific and other evidence as the way forward on this. We suggest that the vehicle created to manage the central science and evidence base should be tasked with advising on a more holistic approach to risk reduction and management that encompasses all of the identified risks to wild salmon, as well as other considerations, notably the obvious conflicts between fish welfare and the protection of wild salmon created by separate work streams.

Being conscious that the proposed framework focuses specifically on risks to Atlantic salmon but not sea trout, it is clear that the framework could lead to a muddying of the waters when applying for planning permission, through the refocusing of objections to new and existing developments based on supposed impacts on sea trout even where risks to salmon smolts are deemed to be low.

Beyond the generalities of the proposed framework for finfish aquaculture, BTA wishes to make a number of points pertaining to marine rainbow trout cultivation. Firstly, the biology of the rainbow trout is different to that of the Atlantic salmon, especially in relation to susceptibility and innate response to sea lice, and any future approach to risk minimisation must recognise this. Secondly, the proposed approach would create significant obligations for smaller businesses like ours, especially in relation to the costs and resources likely to be required where complex and

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sophisticated environmental modelling is necessary. Such a resource does not currently exist and costs would be additional to those already being borne by marine trout farming businesses. The verbal assurances on finding a way through this that have been offered so far require to be substantiated if our concerns on this are to be assuaged. Thirdly, we have already expressed particular concerns that, while the collaborative work between SEPA and industry over the past two years or so has focused on new developments only, the consultation fails to clearly distinguish between existing and new developments, signalling an intention to apply it to existing marine rainbow trout sites. This would not be acceptable. Finally, the proposed framework has its origins in the debate about the growth and development of the marine salmon sector, and especially the development of potentially larger sites in more exposed, previously unexploited areas. Given the nature, scale and ambitions of our marine trout businesses, they are unlikely to have a significant interest in movement into such areas, although there may be as yet unknown implications in adopting a one size fits all approach.

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