Salmon farming in Scotland

Orkney Trout Fishing Association, 24 October 2024

Dear Sir / Madam,

Response to: Rural Economy and Connectivity Committee's session 5 report recommendations for salmon farming in Scotland

Thank you for the opportunity to respond and contribute to RAIC Inquiry 2024.

With a membership of 500, the Orkney Trout Fishing Association (OTFA) has, for over 100 years, been the main wild salmonid angling body in Orkney. In the absence of a Fisheries Board on the islands, the OTFA is routinely referred to by local authority planners. We strive to retain a sustainable wild fishery for everyone to enjoy. We are nearly unique in the UK in that our angling is entirely free access and effectively belongs to the community. Until recently we had a renowned sea trout fishery, unusually nearly all the angling for this species took place in the sea. We implore you to read our response, and our concerns regarding our rapidly diminishing sea trout population.

Where appropriate we have highlighted the relevant reference to your report recommendations in our response.

Recommendation 1 - Economic arguments regarding aquaculture.

Much is made of aquaculture's contribution to the local and national economy. This needs to be put into perspective. The industry accounts for 0.31% of Scottish GVA and 0.09% Scottish employment.

The industry is capital intensive. While production has increased rapidly over the years, employment has not. In 1990 1,165 employees produced 32,350 tonnes of salmon. In 2022 1,260 employees produced 169,194 tonnes. The industry invests in capital, not people. Production continues to increase, adding to pressure on the environment, while employment barely changes. This trend will only continue if the industry is allowed to grow. Increased automation, increased tonnage, increased pollution, but no significant increase in employment.

It is true that the industry is a significant employer in rural areas. But the reality is complex. In 2022 the industry employed 170 full time workers in Orkney; the value of output was £61m. This is only 2.8 employees per £1m output. By comparison Scottish agriculture employs approximately 23 employees per £1m output. This partly reflects the capital intensity of the aquaculture industry. It also means that relatively little of the value of aquaculture output is retained locally.

Job creation is repeatedly used as the justification for further aquaculture expansion. However, there is not a jobs shortage in Orkney. Every builder, plumber, joiner, and electrician in Orkney need staff. The entire hospitality sector and large parts of the public sector are short of staff. We have a lack of people in Orkney, not a lack of jobs. Aquaculture is always able to pay marginally more than traditional sectors, and consequently it draws labour away from other productive sectors. Orkney needs new houses, and builders to build them. Orkney doesn't need more salmon.

Aquaculture displaces employment and it has capacity to distort the local labour markets.

Recommendations 2 and 4 – Growth of Industry

We strongly agree with "*the view that urgent and meaningful action needs to be taken to address regulatory deficiencies … **before** the industry can expand".* Unfortunately, this has not been the experience in Orkney which is now subject to a series of applications for increase in tonnage. This may be a pre-emptive measure by the industry to secure more tonnage in advance of a more effective regulatory regime. Currently, as of October 2024, we are faced with live applications proposing 6,635 tonnes of increased production in Orkney. Given the current failure of the industry to control sea lice numbers in Orkney, it is impossible to see how present expansion plans will lead to a situation where we see "*the impact reduced*".

It is clear that **a moratorium needs to be put in place** until the new regulatory regime is firmly in place.

Recommendation 15 – Sea Lice threshold levels

It is clear, from published data, that sea lice numbers are out of control in Orkney. It is important that any sea lice threshold levels take into account the tonnage of fish and not just the infection rate per fish. It is the combination of rate of infection and the number of hosts that creates the risk to wild fish. This simple fact is never taken into account in EIA's. Stiffer thresholds need to be put in place in locations with high densities of farmed fish.

Recommendation 16 and 17 – Mandatory reporting

Compliance and monitoring must be mandatory. There are currently many gaps in the reported data. A method needs to be found to verify the accuracy of sea lice counts. Alternatively counts need to be conducted by independent assessors. Meaningful penalties need to be put in place for misreporting of data.

Recommendation 40, 41 and 50 – Wild Fish/Farmed Fish interactions - risk to wild salmon.

It is vitally important that sea trout, a Priority Marine Feature, are properly acknowledged alongside salmon as being at risk.

Siting of farms is a critically important tool to minimise impact. There is no evidence that this has ever been a material consideration when siting salmon farms in Orkney. There needs to be much stronger direction from regulators to clearly identify inappropriate locations for development.

Local authority officials are poorly equipped to give informed advice to local councillors. Training for both officials, and decision makers, is essential. Advice from statutory consultees (Marine Directorate and NatureScot) is often vague and non-committal; leaving the critical assessment to under-trained, over-worked, local officials (often with land planning backgrounds). We now frequently have EIA

documentation running to several hundred pages (e.g. Quanterness over 1000 pages). It is unreasonable to expect councillors to make informed decision when the information presented is knowingly biased.

Recommendation 52 – Location of Salmon Farms

Much stronger direction needs to be given regarding locations for salmon farms – probably in the form of a zoning approach combined with a carrying capacity for zoned locations. We do not currently have a planning system – we do not *plan* where salmon farming will develop. Guidance documents simply highlight sensitivities which must be addressed in the EIA. This creates a situation where the EIA's are used to justify inappropriate sites by claiming mitigation measures which are unproven, never monitored, and with no penalty if they are not achieved. It is always possible with such piecemeal decision making to argue that the impact of 'one more development' is marginal or insignificant. This is precisely why we do not allow such practices on land. The existing system, with individual decisions, based on single EIA, completely fails to take account of cumulative impacts.

The above problems are now compounded with the spectacle of developers completing their own EIAs in-house. It is simply impossible for such documents to be impartial. Yet these documents are all that an ill-informed and under-pressure decision making process has to base decisions upon.

A further problem with the existing process is the lack of third party right of appeal. The developer can appeal against a decision it dislikes, but local stakeholders cannot. This principle has been inappropriately adopted from land planning where primacy is given to landowners with property rights. Until their lease is awarded, fish farmers have no more rights in sea space than any other stakeholders. Developers make a planning application for their preferred site – but they hold no property rights in that location. This is fundamentally different from the situation on land where there is a reasonable presumption in favour of landowners wishing to develop their property. Yet somehow fish farm developers, given the right of appeal, are treated more favourably by the system than other stakeholders. This places yet more power in the hands of developers in a system that is already manifestly unfair.

Recommendation 53 - Relocation of Existing Sites

There is a prima facia argument for doing relocation of existing sites in sensitive locations. However, we make two observations. (i) Despite repeated suggestions in Orkney for developers to give up very poorly located sites when seeking to expand elsewhere this has not happened. It could be made a condition of planning consent. (ii) Using increased capacity as an "*incentive"* to relocate should be treated with extreme caution. New evidence from dispersion models is showing the potential for relatively far field impacts[1]. This means expanding tonnage in any location may fail to achieve net environmental gain. Farms in inappropriate locations should simply be moved or removed.

Recommendation 62 - Role of SEPA

[1] E.g. Scanlon and Stickland (2024) Orkney and Shetland Salmon Lice Modelling, www.mts-cfd.com

It is important that salmon farms and not allowed to expand rapidly before the implementation of an enhanced regulatory regime. This is what is happening in Orkney right now.

Other points to note.

We would like to comment on **Environmental Management Plans** (EMPs). There is an emphasis on post-consent monitoring in EMPs. Monitoring is not mitigation; but EIAs often imply that the existence of an EMP is a mitigating factor. Monitoring needs to happen before consent, to establish an appropriate baseline. Many other marine developments (e.g. offshore wind) are forced to undertake detailed environmental monitoring in advance of development. Why is aquaculture treated differently? The EMP should specify what enforcement actions will take place if post-consent monitoring reveals inappropriate levels of impact.

Finally, EMP monitoring data needs to be made publicly available. EMP monitoring data is clearly no more commercially sensitive than on-farm sea lice data which is now reported. We are aware of EMP data being collected, in Orkney, but not being used in EIA's for further expansion plans. There is a strong public interest in making EMP data available.

We appreciate the opportunity to respond to the inquiry. However, we must record our frustration having been forced to make the same observation over a period of twenty years. It is deeply upsetting that our concerns of many years have been systematically ignored, while the passage of time has proven nearly all of them to be true. Or wild fish stocks are on a knife edge, and sea lice numbers are out of control.

There is a profound imbalance of power that runs deep through the existing regulatory regime. This has caused science to be ignored, the precautionary principle to be abandoned, and the voices of local stakeholders to be marginalised in favour of multinational business.

Yours faithfully

Colin Kirkpatrick

Chair, Environment Sub committee
Orkney Trout Fishing Association