

Ministear airson na h-Àrainneachd agus Atharrachadh Aimsir
Minister for Environment and Climate Change
Roisin Chonaigean BPA
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Fergus D Cochrane
Clerk to the Committee
Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP

17 December 2010

Dear Fergus,

Dear Mr Cochrane. Thank you for your recent letter in which you seek responses to additional questions posed by the Salmon and Trout Association.

In light of the introductory information provided in my letter of 1 October I will focus here directly on the questions posed.

1. *There is only one major and obvious difference between the threats posed on the east and west coasts of Scotland to sea-trout; that being the absence on the east coast of the salmon aquaculture industry. Does the Minister accept this?*

The presence or absence of a salmon aquaculture industry is indeed a major difference between east and west coasts. However, it is not the only factor that may influence the strength of sea trout populations. In general east coast rivers tend to be larger than west coast rivers, and the geography and hydrography of the east coast is markedly different from that of the west coast. These factors may affect migration strategies, distribution at sea, prey availability and exposure to predation which in turn may affect the strength and success of populations. Declines in sea trout on the West coast may be due to a number of factors.

2. *S&TA would welcome recognition from the Minister that sufficient science is already available upon which to protect wild salmonids.*

There is evidence of an impact of sea lice from salmon farms on sea trout on the west coast, however the extent to which the wild fish populations are affected is not clear. This issue is under active consideration by Marine Scotland Science and we are committed to developing the evidence base. Efforts to work with the industry to minimise potential impacts on wild salmonids are already progressing well. We are on course to see this year the lowest level

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of escapes from farms since public reporting began, and the Ministerial Group on Aquaculture will again be discussing proposals to further improve control of sea-lice in February 2011.

3. *Dos the Minister believe the policy against designation of further West coast SACs for Atlantic salmon is lawful?*

In Scotland, Special Areas of Conservation are selected in accordance with the scientific criteria set out in the Habitats Directive and are designated by Scottish Ministers on the basis of advice provided by Scottish Natural Heritage following consultation with relevant owners, occupiers and other interested parties.

The Scottish Government considers that Scotland (and the UK) has fulfilled the obligations set out in the Directive with regard to SAC representation for Atlantic salmon and regards the suite of sites as it currently stands to be complete.

This conclusion has been arrived at following technical evaluations carried out within the framework of two biogeographical seminars for the Atlantic region at Kilkee, Ireland in 1999 and in the Hague in June 2002, and through bilateral contacts between the European Commission and the UK with technical expert advice from the European Topic Centre for Biological Diversity.

4. *In the context of wild fish conservation, does the precautionary principle apply to the west coasts and east coast rivers equally?*

Yes. The decision to implement an assumption against finfish farm development in the North and East coasts for Scotland came following agreement from both sectors. It was not based on a specific understanding of population level impacts of finfish aquaculture on wild stocks.

5. *"The Minister describes work relating to sea lice dispersal models carried out by Marine Scotland's scientists... Does the Minister recognise that that is a completely inadequate approach to the issue and does not enjoy the support of the S&TA, the District Salmon Fishery Boards or other significant players in the wild fish sector?"*

Considerable progress has been made in the development of sea lice dispersal models and the research at Loch Torridon has provided the foundation for the development of models in further loch systems, such as the work now underway in Loch Linnhe and Loch Fyne. Understanding coastal hydrodynamics and sea lice dispersal is an equally high priority in Norway to enable effective sea lice control. We are keen to expand the coverage of such models on the West coast and are surprised that these positive developments have not been welcomed by the Salmon and Trout Association.

6. *Will the Minister issue such Guidance [on obligatory Environmental Impact Assessments with planning applications]?*

I refer the committee to my previous response:

"Fish farm development is listed in Schedule 2 of the Environmental Impact Assessment Directive and EIA is not therefore mandatory. As a matter of best practice, the Scottish Government has introduced combined screening and scoping of finfish farm development proposals. This allows statutory consultees (such as the District Salmon Fisheries Boards) to have an input on whether a farm is likely to have a significant effect on the environment and thus assists planning authorities to determine whether EIA is necessary. Environmental Statements (ES) must be published and this gives the opportunity for interested parties to make their views known on both the ES and planning application."

7. *Through its legal advisers the S&TA offers to bring forward proposed draft regulations [on fish health issues] for consideration by the Minister... Would the Minister undertake to consider such draft regulations?*

I established the Healthier Fish Working Group to develop proposals in this field. Should the decision be taken to bring forward legislation to implement these recommendations there would of course be a period for public consultation. The Scottish Government has sufficient capacity to draft such legislation as is necessary.

8. *In relation to the application of the regulatory system under the 2007 Act, the Minister fails to recognise that the taking of samples from farms following a suspected escape can, using genetics, lead to the quick identification of the farm concerned.*

Genetic methods have been demonstrated to be effective in identifying escaped fish to farm of origin in Norway. When suitable samples are obtained from farms in Scotland it is Marine Scotland Science's intention to validate these methods for deployment in Scotland. I reiterate my pre-existing intention to raise this issue with the aquaculture sector at the next meeting of the Ministerial Group on Aquaculture. We do not intend to appoint District Salmon Fishery Boards as "inspectors" to take samples from fish farms, believing that to be an unnecessary step.

I trust that this response provides reassurance to the Committee.

Roseanna Cunningham

ROSEANNA CUNNINGHAM

