

WESTER ROSS AREA SALMON FISHERY BOARD
c/o Wester Ross Fisheries Trust Office
Harbour Centre

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Mr Andrew Steel
Scottish Environment Protection Agency
Dingwall Office
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IV15 9XB

02 October 2015

Dear Mr Steel,

THE WATER ENVIRONMENT (CONTROLLED ACTIVITIES)(SCOTLAND) REGULATIONS 2011 (AS AMENDED)

LOCH A'CHRACAICH MARINE CAGE FISH FARM, KENMORE, LOCH TORRIDON, CAR/L/1004153

Thank you for your letter of 18th September 2015 (your reference AS/SM/CLS/1004153) relating to the above CAR licence application and its approval.

In your response to the Board's concerns regarding the existing extremely heavy sea lice infestation of the fish farms there and the increased threat that infestation poses to migratory wild salmonids in the Loch Torridon area, you state that *"It is therefore SEPA's view that this issue of sea lice infestation on wild salmonids is not a factor that should prevent an authorisation being granted in this instance, especially as this falls under the regulatory remit of Marine Scotland."* (My underlining)

I have attached a pdf file of a letter dated 9th February 2015 relating to a similar application (CAR/L/1100533/VN02) in which the same sentence appears. The pdf file also contains a response letter (addressed to Mr Douglas Sinclair) from WRASFB that corrects this notion that the issue of sea lice infestation on wild salmonids falls under the remit of Marine Scotland. Marine Scotland has no remit relating to sea lice infestation on wild salmonids.

The Board also drew to your attention the fact that monitoring for possible interactions between the farmed fish and wild fish in Loch Torridon was on-going. This work was in relation to the two fish farms in Loch Torridon that both had a ten-year condition as part of their planning permission. Any increase in biomass in Loch Torridon is likely to skew, and may even compromise, the data that has been collected. Your reply to this particular concern of the Board was *"Monitoring work on fish interactions related to Highland Council remains with Highland Council, who have their own planning controls and can consider whether this development has the potential to seriously affect the work."* I am at a loss as to how Highland Council can possibly "consider whether this development has the potential to seriously affect the work" when they have not been consulted. Moreover, as you know, this site has never been through the Highland Council's planning application procedure but was granted permission through the Audit and Review process.

I want to put on record the view of the WRASFB relative to the Kenmore decision and the apparent decision making process relating to it.

It would appear that the only response from Marine Scotland in relation to this application was the letter that

appears on the Aquaculture web site under this CAR licence portal. That response focussed solely on a hydrographic modelling study of the loch, did not raise any concerns of Marine Scotland and was submitted on 29/07/2015.

The WRASFB's response (submitted on 05/08/2015) focused on three issues:

- 1) Two previous benthic impact surveys for this site were "borderline" passes and these results along with the awaited third benthic impact survey of earlier this year should have triggered SEPA's own policy stated in the SEPA letter to TSSC dated 15th January 2014, "*The borderline result indicates the site may be operating in excess of the local environmental carrying capacity, therefore the success of any future application to increase biomass at this site in the future will be dependent upon achieving compliance at the current biomass*".
- 2) WRASFB and WRFT are currently undertaking a programme of monitoring, in Loch Torridon, what effects/interactions the two fish farms (Sgeir Dughall and Torridon) may be having on the wild salmonids in that area. Both these farms have a ten-year condition to their planning permission and this monitoring programme seeks to collect, over that same timescale, data that will demonstrate the effects/interactions these farms may or may not be having on wild salmonids.
- 3) WRASFB provided clear evidence (using SSPO's own data) of the complete lack of control, over the past two years, of the sea lice situation within the existing fish farms in Loch Torridon yet no one at SEPA seemed to have thought to ask Marine Scotland Science to make any comment on those sea lice figures that in one production quarter were 24 times over the CoGP guidelines.

Questions:

- 1) Please can you supply the information that this site "*achieved compliance at its current biomass*".
- 2) Would you not agree that the introduction of addition biomass into Loch Torridon may well compromise the monitoring programme that is in operation there and may even compromise the very continuity of the two fish farms that have only a ten-year planning consent?
Is this a responsible professional decision made after due consideration?
- 3) Whilst WRASFB accepts that sea lice infestation on either farm fish or wild fish is not SEPA's remit, we would ask why unacceptable levels of sea lice infestation, that are actually occurring and have occurred for some time in the past, on the fish in the farms within Loch Torridon seems to have been "out-weighed" by a computer "hydrographic modelling study in relation to the inputs of nutrients from this development"?

Yours sincerely,



Bill Whyte

WRASFB Convener