

4th June 2013

Colin Wishart,
Planning and Development Services,
Highland Council,
Glenurquhart Road,
Inverness
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Email to colin.wishart@highland.gov.uk

Dear Mr Wishart,

Application for alteration of existing fish farm to 46 square steel pens at Loch Kanaird, eastern side of Isle Martin - reference 13/01494/FUL

The Salmon & Trout Association Scotland (S&TAS) wishes to register an objection to the above application by Wester Ross Fisheries Limited for an expansion in Loch Kanaird.

Existing fish-farms in Two Brooms

There is ample evidence from farm inspections carried out by the Fish Health Inspectorate (of Marine Scotland Science) and from both self-reported and audit monitoring carried out by the Scottish Environment Protection Agency (SEPA) of the failure of Wester Ross Fisheries Limited to adequately contain the environmental impact of its existing farms in the Two Brooms area, including on Loch Kanaird.

The S&TAS notes that the Highland Council has been supplied with very great detail by other objectors, much of it derived from freedom of information requests made by the S&TAS, concerning what is known of the impact of the Wester Ross Fisheries Limited' s existing farms in Two Brooms, including that in Loch Kanaird. The record of those farms is not good.

Relevant reports, including farm-specific information, into breaches of sea-bed lice treatment residue Environmental Quality Standards, breaches of the Code of Good Practice sea-lice thresholds and unsatisfactory benthic pollution under fishfarms can be found on www.standupforwildsalmon.org

If the Highland Council wishes to see any of the original information requested and supplied by the Fish Health Inspectorate, the Scottish Environment Protection or others to the S&TAS concerning the existing Loch Kanaird site, please do not hesitate to contact guy@linley-adams.co.uk.

However, as a bare minimum, the S&TAS believes the Highland Council should require the submission and publication of weekly sea-lice count data from Wester Ross Fisheries Limited farms, including that on Loch Kanaird, going back over the last 6 years, against which any ambition the applicant may express now to farm in accordance with the Code of

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Good Practice can properly be judged by those wishing to examine the application and comment upon it.

The S&TAS would also refer the Highland Council to reports produced by the Wester Ross Fisheries Trust concerning the impact of sea-lice on wild fish in Two Brooms and the strong link between sea-lice epizootics on wild fish and the second year of production cycles within fish farms.

There can be no doubt that an expansion of this farm, in this location, will increase the threat to wild salmonids in Two Brooms.

MIAP

The Marine Scotland-funded Managing Interactions Project (MIAP), carried out by RAFTS, has shown the area in question to be in a highly sensitive area for wild fish, such that fish farms should ideally not be sited in the area and from where existing farms should be considered for relocation.

The S&TAS would like to remind the Council that the impact upon wild fish is not taken into account by either Marine Scotland Science or the Scottish Environment Protection Agency in their responses to this or any fish-farm planning application.

The recent debates at the Scottish Parliament during Stage 2 of the Aquaculture and Fisheries Bill confirmed that it is not the role of the Fish Health Inspectorate or Marine Scotland to control fish farms in order to protect wild fish (their role being limited to the health of the farmed fish under the Aquaculture Act 2007). SEPA has also confirmed on many occasions that sea-lice numbers on farmed fish and the subsequent impact upon wild fish is NOT taken into account in the Controlled Activities Regulations (CAR) licencing process.

It therefore falls to the Highland Council, acting on the advice of the Wester Ross Area Salmon Fishery Board and others, to consider how best to use the planning system to protect wild fisheries from the wider environmental impact of fish-farms in Two Brooms.

The MIAP work is a planning tool specifically and precisely designed to assist local authorities plug the gaps in their knowledge and understanding of the likely impacts of aquaculture on wild fish populations which has in the past made local authority decisions on fish-farms so problematic.

As applied to Loch Kanaird, MIAP would certainly not support an expansion of the existing farm in Loch Kanaird.

Two Brooms Coastal Plan

Quite apart from what MIAP concludes about Loch Kanaird, the 2006 Coastal Plan for the Two Brooms Area recommended, some time ago, the relocation of existing fish farms within Two Brooms to less sensitive areas.

Specifically, page 18 of the Coastal Plan *“encourages measures to relocate existing finfish farms away from inner sea loch areas and the mouths of rivers, where possible, to suitable more seaward locations identified in this plan”*.

Page 46 of the Plan suggests that *“relocation of finfish production away from the mouth of the River Kanaird to sites further out towards the Summer Isles may be possible using more robust and self-contained installations” and that the finfish farm sites in Loch Kanaird “are obvious candidates for relocation should alternative sites become available”*.

While the Plan does, somewhat counter-intuitively given the above statements, reach a policy of a presumption in favour of aquaculture on the west side of Loch Kanaird, the plan also states that finfish production elsewhere in Loch Kanaird should be relocated if possible to safeguard and help rebuild the wild salmonid stocks of the nearby River Kanaird.

Attached to this letter is a recent summary of fisheries science proceed by the S&TAS together with a naturally cautious Marine Scotland Science paper summarising the state of knowledge with respect to wild salmonids and the impact of aquaculture, both of which strongly suggest that Loch Kanaird is not a good location for salmon farming.

In the view of the S&TAS, massively increased knowledge, since the Plan was written in 2006, concerning the impact of sea-lice epizootics on wild sea-trout, and the sheer size of installation now proposed, would suggest the proposed farm, sited anywhere in Loch Kanaird, would if granted increase unacceptably the threat to the River Kanaird wild salmonid stocks, and indeed those on other nearby rivers.

In conclusion, the S&TAS urges the Highland Council to reject this application. The S&TAS will want to examine the decision-making process in relation to this application closely, particularly in respect of the cumulative impact of fish-farms within Two Brooms upon wild fish, which is a highly relevant planning matter and how that is taken into account by the Council.

Yours sincerely,

Guy Linley-Adams
Solicitor to the S&TAS Aquaculture Campaign