

Don Staniford

By email: [salmonfarmingkills@gmail.com](mailto:salmonfarmingkills@gmail.com)

Date: 12 December 2022

Our ref: SRI168994/A3866618

Dear Don Staniford

**Information Request – Bakkafrost/Scottish Salmon Co. feed barge**

Thank you for your information request, which we received on 14<sup>th</sup> November 2022. We have considered your request under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

**Your Request**

“Please provide information held by Nature Scotland in relation to the sunken feed barge off Portree since it sank on 26 November 2021.

Please include any emails, letters, warnings and any other information.

Further context is provided via:

[Bakkafrost is Dead in Water in Scotland - "Explosive" FOI Disclosure Lifts Lid on Hazardous Scottish Salmon!](#)

Nature Scotland is cited in some emails: [Scottish Government FOI review reply 11 Nov 2022 EIR Review Reference 202200321470 - Documents for Release with redactions](#)“

**Our Response**

We have carried out a detailed search of the information we hold and have identified a number of documents that are relevant to your request. A copy of the documents is attached along with this letter.

We have redacted some personal data within the documents provided. Releasing this personal data into the public domain in response to an access to information request would breach the

Data Protection Act 2018. We are therefore withholding the information under EIRs Regulation 11(2) (Personal data).

We have also redacted the contractor's environmental and salvage plans, which could result in a significant economic loss if they were widely available. Release under the EIRs has the effect of releasing information into the public domain. The plans could be used by other contractors and reveal working practices, for this reason we consider the plans to be commercially sensitive information and we are withholding this under EIRs Regulation 10(5)(e) (Confidentiality of commercial information).

### **How We Handled Your Request**

We believe you have asked for environmental information as defined in the Environmental Information (Scotland) Regulations 2004 ('the EIRs'), so we are dealing with your request under those regulations. To be able to use the EIRs, we must apply an exemption under section 39(2) of the Freedom of Information (Scotland) Act 2002 ('FOISA'). The Scottish Information Commissioner's guidance recommends that public authorities apply this exemption to environmental information and handle request under the EIRs.

If you would like to find out more about the access to information legislation, there is a guidance booklet available on the Scottish Information Commissioner's website:

[https://www.itspublicknowledge.info/sites/default/files/2022-03/Your Right to Know 2018-compressed.pdf](https://www.itspublicknowledge.info/sites/default/files/2022-03/Your%20Right%20to%20Know%202018-compressed.pdf).

### **Review and Appeal**

I hope this information meets your requirements, but if you are dissatisfied with how we have responded to your information request, please write to us within 40 working days explaining your concerns. You can contact us at Battleby, Redgorton, Perth, PH1 3EW or email us at [foi@nature.scot](mailto:foi@nature.scot). We will carry out a review of our response and contact you with our findings within 20 working days.

If you are not satisfied following this, you can make an appeal to the Scottish Information Commissioner within 6 months. The Scottish Information Commissioner can be contacted at:

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS

Online appeal service: [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

Website: <http://www.itspublicknowledge.info/>

Telephone: 01334 464610

Yours sincerely,

*Stefanie Rankine*

Battleby, Redgorton, Perth PH1 3EW  
Battleby, Ràth a' Ghoirtein, Peairt PH1 3EW  
01738 444177 [nature.scot](http://nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

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