

Don Staniford, Director of Scottish Salmon Watch

By email: salmonfarmingkills@gmail.com

Our Ref: SIR158549/A3220427

29 April 2020

Dear Mr Staniford

Information Request – Acoustic Deterrent Devices (ADDs) Seals, Cetaceans and Salmon Farms Since 1 January 2019

Thank you for your information request, which we received on 29 April 2020. We have considered your request under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

Your Request

“Please provide information on Acoustic Deterrent Devices (ADDs), seals, cetaceans and salmon farms since 1 January 2019.

Please include emails, letters, Government briefings, internal discussions, correspondence with salmon farmers and other parties such as manufacturers of ADDs and SARF, scientific papers, reports and other information in relation to Acoustic Deterrent Devices (ADDs), seals, cetaceans and salmon farms.

Please include any data on the use and prevalence of ADDs on salmon farms.

Data on the use of ADDs was previously published in 2018 and in 2017:

<https://donstaniford.typepad.com/files/pr-adds-deafening-impact-on-cetaceans-18-april-2018-1.pdf>

<https://donstaniford.typepad.com/files/pr-cetaceans-sound-alarm-over-noisy-salmon-farms-7-may-2017.pdf>

An update was published in September 2018 via <https://donstaniford.typepad.com/files/pr-sounding-off---adds-evade-marine-noise-registry-10-sept-2018.pdf>

Please consider this a formal request for information under the relevant FOI and Environmental Information Regulations.

Please provide the information electronically.

Please provide a receipt of this FOI request.”

Our Response

We have carried out a detailed search of the information we hold, and, as there is a large amount of information, we have collated it into eight separate attachments with this response.

These attachments relate to your request as follows:

- Collated Information No1-8 – These 8 attachments relate to an EIR request about ADDs, which we received on 26 August 2019. This information includes details of several previous FOI/EIR requests that relate to disturbance of cetaceans by ADDs and to their licensing under the EPS regulations, up to that date.
- Collated Information No9 – 12 These 4 attachments include additional information that meets the criteria you have specified in your request.

We have marked out (redacted) some personal data in the documents provided. Releasing the 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(1) and 11(2) (Personal data).

We have also withheld some information relating to ongoing consultations where we have not yet formulated our final response. Whilst there is a public interest having access to information about the potential impacts of ADDs on cetaceans and seals, in these instances, the public interest does not outweigh the potential to cause substantial harm by releasing information before we have agreed our response internally. We are therefore withholding the information under EIRs Regulation 10(4)(d) (Material in the course of completion etc). You are welcome to request this information again in two months' time.

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 requests 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:

<http://www.itspublicknowledge.info/nmsruntime/saveasdialog.aspx?IID=5487&sID=5024>.

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. 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

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

Telephone: 01334 464610

Yours sincerely

Stan

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