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Clerk to the Committee
The Rural Affairs and Islands Committee
The Scottish Parliament
Edinburgh
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03/03/2026

Dear Rural Affairs and Islands Committee members,

Written submission to support evidence given in committee

We thank the Committee for inviting Fisheries Management Scotland to provide evidence as part of its follow up into the implementation of its recommendations for salmon farming in Scotland.

Fisheries Management Scotland is the membership organisation for Scotland's District Salmon Fishery Boards, the River Tweed Commission, and Rivers and Fisheries Trusts. These statutory and charitable bodies are responsible for the conservation of salmon and freshwater fish and for the protection and enhancement of fisheries.

Under the Nature Conservation (Scotland) Act 2004, all public bodies in Scotland have a duty to further the conservation of biodiversity when carrying out their responsibilities. In addition, the Scottish Biodiversity Strategy, commits the Scottish Government to halt biodiversity loss by 2030 and restore it by 2045. These commitments provide the policy and statutory context within which public authorities are expected to exercise their functions.

Our position regarding interactions between wild and farmed salmon has been consistent and evidence based. Wild Atlantic salmon populations are in documented decline across Scotland and internationally. Where identifiable and manageable risks to wild fish exist, those risks should be addressed. The relevant policy question is whether the current regulatory system provides sufficient and continuous safeguards to prevent avoidable additional pressures on already depleted populations.

On sea lice, the salmon farming sector recognises the risk to wild fish. The industry Code of Good Practice includes a treatment threshold during the smolt migration

period, and the Salmon Interactions Working Group agreed that sea lice control should be delivered through enforceable conditions within operational licences.

We note the substantial number of appeals lodged against regulatory decisions in relation to sea lice. Legal appeal is a legitimate process. However, during prolonged appeals there are currently no defined interim measures that ensure equivalent protection remains in place. Wild smolts continue to migrate past farms during these periods. The absence of interim safeguards represents a regulatory gap rather than a neutral position.

On escapes, comparisons between the number of escaped fish and the total stock of farmed fish do not address the conservation question. The relevant comparison is between the number of escaped fish and the abundance of wild salmon in affected catchments. Repeated large scale escape events, particularly in circumstances such as severe storms which are now foreseeable operating conditions, indicate a need for strengthened preventative systems.

We recognise that progress and good practice exist within parts of the sector. There are examples of constructive engagement, improved transparency in lice monitoring in some areas, and responsible post escape responses. These demonstrate that higher operational standards are achievable.

Our position is straightforward.

Wild salmon face multiple pressures, many beyond immediate management control. Sea lice and farmed fish escapes are among the pressures that can be managed through precautionary regulation, effective enforcement, and transparent engagement. This is a matter of proportional risk management for a species in documented decline.

If the sector seeks to secure long term trust and social licence, it must demonstrate through consistent and verifiable systems that wild fish are protected during vulnerable life stages.

We remain willing to engage constructively with all parties. Effective collaboration depends on transparency, accountability, and precaution being applied consistently across the sector.

Below we provide a detailed response, including case studies and supporting evidence on the current status of wild and farmed interaction issues.

Yours faithfully,

Dr Alan Wells
Chief Executive

1. Sea Lice

1.1 Appeals Against SEPA Regulation

Since the 2024 inquiry, the salmon farming sector has lodged approximately 260 appeals against SEPA licence variation notices within the sea lice regulatory framework.

Fisheries Management Scotland does not comment on the legal merits of individual appeals, which fall within the remit of the Planning and Environmental Appeals Division. Our position is that management of sea lice interactions must be grounded in evidence, guided by risk assessment, and clearly defined within enforceable licence conditions.

As a statutory stakeholder representing wild fish interests, we were not consulted in advance of these appeals. Engagement to explain the rationale occurred more than four months after submission and only following a request from our organisation. For a regulatory issue that directly concerns wild fish interactions, we would have expected earlier and structured engagement.

Appeals may take many months or years to resolve. During this period:

- Wild salmon and sea trout smolts continue to migrate past farms
- Sea lice dispersal from farms continues
- No defined interim mitigation framework has been implemented to reduce risk while legal processes proceed

For a species in documented decline, regulatory delay without interim safeguards results in continued exposure to risk. We would support structured discussion on proportionate voluntary interim measures during the appeals period.

1.2 Judicial Review Against SEPA and Impacts on National Monitoring

We understand that the sector has sought judicial review of SEPA's charging scheme. Again, we only became aware of this through correspondence submitted to the Committee rather than through direct engagement.

As a consequence, SEPA has withdrawn from delivering its planned national monitoring programme and has limited activity to smaller scale trials. This reduces the scope and consistency of data collection intended to inform protection of wild salmonids.

The practical effect of this legal challenge has been a reduction in planned monitoring coverage during a period of regulatory transition. Continuous and comprehensive monitoring is necessary to underpin evidence-based management of sea lice risk.

1.3 Risk of Regulatory Regression During Appeals Process

We are concerned that the current combination of policy direction, ongoing appeals, and judicial review creates a credible risk of reduced regulatory coverage.

Scottish Government is advising Local Authorities not to apply new Environmental Management Plan conditions to planning consents on the basis that SEPA's national sea lice framework will supersede these requirements. In principle, a comprehensive and enforceable national regime is appropriate.

However, that regime is not yet fully operational.

Previously, Environmental Management Plans attached to planning consents provided site specific monitoring and adaptive management requirements. The current position creates a scenario in which:

- New consents may be granted without Environmental Management Plan conditions
- SEPA's full national monitoring framework is not yet operational
- No explicit contingency mechanism has been set out to ensure equivalent protection

If the appeals were to result in SEPA's framework being quashed, Scotland could have fewer monitoring and management measures in place than existed prior to SEPA assuming the lead role. That would constitute a weakening of safeguards.

We seek clear assurance that monitoring and protection will not fall below pre-existing levels, irrespective of the outcome of appeals and judicial review. Transitional arrangements should be explicitly defined to maintain regulatory coverage throughout the appeals period and subsequent implementation. In our view, Environmental Management Plan conditions should continue to apply to all new consents until SEPA's framework is fully operational.

1.4 Evidence of Impacts from Sea Lice

The scientific evidence base regarding sea lice interactions has been shared previously with the Committee. This included the summary of science published by the Scottish Government, and a more recent paper (Ives *et al.*, 2024), which showed a significant positive association between adult female salmon lice abundance on farms and juvenile salmon lice on wild trout. They also found that average levels of mobile salmon lice on trout were truncated at around 13 lice per fish, consistent with laboratory

studies that indicate that sea trout suffer severe physiological impacts when levels of mobile lice exceed about 13 lice per fish.

In January 2026, the Marine Directorate published a twenty-year study[1] examining sea lice pressure on sea trout emigrating from a defined river system in Loch Shieldaig. The study identified negative effects on return rates and growth under increased infestation pressure, consistent with wider evidence that lice originating from farms can cause measurable harm to wild salmonids.

The risk to wild fish is supported by a substantial body of scientific evidence. Management measures should be applied to reduce this risk as far as practicable.

Average lice per farm has reduced over time. However, from a wild fish perspective, the relevant metric is total lice output to the environment, calculated as the average number of lice per fish multiplied by the number of fish on the farm. Risk assessment should therefore consider total parasite loading rather than per fish averages alone.

2. Escapes of Farmed Salmon

2.1 Framing of Escape Statistics

The sector frequently presents escape numbers relative to the total number of farmed fish held in sea pens. From a conservation perspective, this is not the appropriate comparator.

The relevant comparisons are:

- The number of escaped farmed salmon relative to the abundance of wild salmonids in affected catchments and coastal areas
- The ecological and genetic impacts on wild populations, including introgression and competition

The National Electrofishing Programme for Scotland has identified the presence of farm origin genetic material in wild populations within aquaculture zones, effects not observed outwith those zones. Wild salmon populations are at historically low levels in many rivers. In this context, even escape events described as small can represent material ecological and genetic risk.

[1] Morris et al 2026. A 20-year study examining the effects of salmon lice on the return rate, time at sea, and marine growth of sea trout migrating from the river Shieldaig in Scotland.

2.2 Escapes and Preventative Responsibility

Published data indicate that 150,080 farmed salmon have escaped over the past five years, with the largest single mass escape occurring in the most recent reporting year. Approximately 97 percent of these escapes originated from Mowi farms.

This raises a legitimate operational question regarding differential performance between operators within the same water bodies. Post incident monitoring and engagement are appropriate responses. However, prevention must be the primary regulatory objective.

Severe weather events are foreseeable operational conditions. The Met Office recorded 12 named storms during the 2023/24 season and 6 named storms during 2024/25. Infrastructure design, moorings, containment systems, and site selection should reflect this. Repeated large-scale escapes suggest that further examination of containment resilience and preventative systems is warranted.

The issue is whether demonstrable and measurable preventative actions are in place to reduce recurrence. In the context of depleted wild stocks, additional pressures arising from escapes must be avoided.

2.3 Environmental Stewardship and Compliance Failures

At the previous evidence session, we informed the Committee that Migdale Smolts operating in Loch Shin had been in breach of a planning condition for more than six years. The condition was imposed to assess and mitigate risks to local wild fish populations arising from escapes.

Progress toward compliance has since been made. However, this followed a formal report of breach to the relevant authority by one of our members. Compliance was therefore enforcement led rather than proactive.

Planning conditions are statutory requirements designed to protect public interests including biodiversity and ecosystem integrity. Extended non-compliance indicates deficiencies in internal governance and oversight. The operator supplies larger companies that were, or should have been, aware of the situation. No proactive sector-wide action was taken.

We acknowledge the constructive engagement of the current Principal Planner for Aquaculture and Coastal Developments at the Local Authority in addressing this matter.

In our view, operators that have failed to comply with planning conditions over extended periods should not be granted permanent planning permission without clear evidence of systemic improvement.

2.4 Penalty System

The Salmon Interactions Working Group recommended consideration of a penalty system for escaped farmed fish. We welcome the Scottish Government's establishment of a steering group in early 2025 to explore options, and its commitment to progress this work within the 2026 to 2027 programme.

In the interim, we remain willing to work with the sector to develop a mutually agreed voluntary approach. Any such approach must be clearly defined, proportionate, and effective in ensuring that farmed fish are retained in production facilities.

2.5 Escapes Reporting

In February 2023 approximately 80,000 fish escaped at sea during a wellboat transfer from Sutherland to Orkney. This incident is not recorded in the aquaculture database alongside other escape events.

To our knowledge, District Salmon Fishery Boards and Fisheries Trusts were not notified at the time, despite notification being a requirement of the industry Code of Good Practice and a recommendation of the Fish Health Inspectorate.

We also previously highlighted the issue of unreported freshwater escapes. No substantive corrective measures have yet been implemented.

Consistent reporting standards should apply to all escapes, irrespective of circumstance or location. Comprehensive and transparent reporting is essential for effective risk management and stakeholder confidence.

3. Examples of Constructive Engagement and Emerging Practice

Fisheries Management Scotland considers it important to recognise constructive engagement and professional practice where it occurs.

3.1 Positive Stakeholder Engagement

In recent years, we have experienced professional and timely engagement from Bakkafrost Scotland, including proactive communication and willingness to discuss technical matters openly. Constructive engagement supports proportionate and evidence-based responses to emerging risks and strengthens mutual understanding.

3.2 Transparency in Sea Lice Monitoring

Loch Duart has invited local wild fishery stakeholders to observe or participate in sea lice counts on farm sites. This approach enhances transparency and shared understanding of reported data. The company also participates in local District Salmon Fishery Board meetings and provides production updates. Elevated lice levels

were recorded on some farms last year, but engagement with stakeholders was maintained throughout.

3.3 Constructive Response to Escapes

Following marine escape events, Mowi has engaged promptly with local wild fishery stakeholders and commissioned significant post incident monitoring to assess impacts. We consider this a positive example of accountability that should help inform wider industry expectations for managing and mitigating escape events.

3.4 Broader Implications

If certain operators can demonstrate high standards of transparency and constructive engagement it shows that these practices are achievable across the sector. Sector-wide adoption of both engagement and risk-management measures would materially improve confidence, reduce conflict, and enable a shift from dispute toward collaborative stewardship of Scotland's aquatic environment.

We also note the farmed salmon sector's commitment to a five-year programme investing £1.5 million to support wild fisheries through both national and grassroots organisations. We would welcome greater collaboration in the governance of this fund.

4. Stakeholder Engagement and Shared Responsibility in Wild Salmon Conservation

Despite examples of good practice, stakeholder engagement across the sector remains inconsistent. Fisheries Management Scotland has sought to engage on a pragmatic and solution-focused basis, with the objective of reducing risk where evidence indicates it exists.

There have been instances where legitimate concerns have been mischaracterised or dismissed. Such approaches do not support evidence-based resolution and can divert attention from substantive issues.

We also note public narratives suggesting that the sector is doing more than any other body to protect wild fish through funding initiatives. Conservation of wild salmon is undertaken by a broad network of District Salmon Fishery Boards, trusts, regulators, non-governmental organisations, and other sectors. It is a collective effort. While contributions such as funding initiatives are valuable, wild salmon conservation is a shared responsibility and should not become a marketing exercise. Philanthropic or corporate social responsibility actions do not substitute for operational and regulatory measures to mitigate risks from sea lice, escapes, or other sector impacts.

Effective collaboration requires transparency, mutual respect, and recognition of shared but differentiated responsibilities. Without consistent behavioural standards, regulatory pressure and public scrutiny are likely to increase.

The proposition that effort should be redirected solely toward downstream conservation projects, rather than addressing manageable operational pressures such as sea lice and escapes, is not supported by risk management principles. Both preventative action and restoration work are required. Scotland has an established network of fisheries managers and scientists addressing freshwater and marine pressures, and manageable additional pressures should not be left unaddressed.

5. Conclusion

Wild salmon populations are at historically low levels. Pressures include habitat loss, climate change, and marine survival challenges, alongside avoidable risks associated with sea lice and farmed fish escapes. These pressures, alongside other identifiable and manageable pressures under human control, must be addressed without delay.

The evidence presented demonstrates that higher operational standards are achievable and that regulatory uncertainty currently presents identifiable gaps.

We ask the Committee to give further consideration to the following areas:

1. **Regulatory protection must be maintained and strengthened.** Appeals, judicial review, and incomplete monitoring create potential gaps in safeguards. Transitional measures should ensure continuous protection.
2. **Prevention must be the primary objective.** Repeated large-scale escapes and prolonged non-compliance with planning conditions indicate systemic weaknesses. Operators should demonstrate measurable preventative improvements, including design for foreseeable severe weather.
3. **Continued oversight of wild and farmed interactions is necessary**. Given outstanding issues and ongoing regulatory transition, a successor committee should keep wild-farmed interactions under active review.
4. **Structured stakeholder engagement is essential.** Consistent, professional, and transparent engagement improves evidence-based decision making and public confidence.
5. **Conservation of wild salmon is a shared responsibility.** Regulators, conservation bodies, and operators each have defined roles. Transparent and proportionate management of controllable risks is fundamental to maintaining trust and social licence.

Fisheries Management Scotland remains committed to constructive engagement to secure improved outcomes for wild salmonids and the wider aquatic environment.