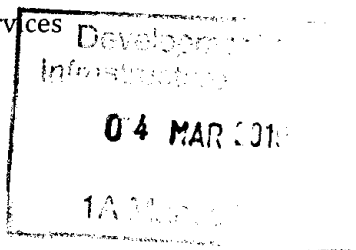


Development and Infrastructure Services
Argyll & Bute Council
1A Manse Brae
Lochgilphead
PA31 8RD



1st March 2019

Dear Sirs,

Screening and scoping opinion: New marine fin fish farm East Off Hawk's Nib, South East Coast of The Island of Bute Argyll And Bute Ref. 19/00233/SCRSCO

We appreciate direct consultation and welcome this opportunity to respond to the above screening and scoping opinion.

On behalf of Ayrshire Rivers Trust (ART), I would like to submit this response. ART is a Scottish Registered Charity that aims to ensure that freshwater habitat and the species they support are operated in a sustainable manner for this and future generations. We provide advice and guidance to our members, the four Ayrshire District Salmon fishery Boards, The River Irvine and Garnock Angling Improvement Association, angling clubs and anglers. The District Salmon Fishery Boards have a statutory responsibility to improve and protect salmon and migratory trout fisheries in their district.

The North Ayrshire Rivers Irvine and Garnock and North Ayrshire Coastal Burns are not covered by District Salmon Fishery Boards and therefore, ART will engage fully in the process and relay information back to stakeholders in these catchments.

We would like to highlight that Dawnfresh Foods Ltd (DFF) have also lodged screening and scoping opinions with North Ayrshire Council for two similar sized aquaculture facilities at Cumbrae and Little Cumbrae nearby (reference numbers 19/00087/EIA and 19/00086EA). ART considers that these proposals are likely to have a cumulative impact on species and the environment and it would be inappropriate to consider any proposal individually.

To the north of the scoping area lies the inner Firth of Clyde into which flows the River Clyde, the River Leven (including Loch Lomond and the Endrick (Special Area of Conservation)) and their tributaries. Similarly, there are several Argyllshire rivers flowing into the inner firth and all these rivers rely on successful salmon migration through the narrows in which these aquaculture facilities are being considered. Consequently, extensive stakeholder engagement will be required throughout the planning process.

Dawnfresh FoodsLtd (DFF) have at no time engaged with ourselves or any of the 4 DSFB's or angling interests within Ayrshire prior to application. This is disappointing and doesn't foster good relations with local interests and stakeholders that may be affected by their proposals. We would encourage and welcome full engagement with local interests throughout this process.

Similarly, we understand that DFF has not sought pre scoping or consultation with Argyll Fisheries Trust or the District Salmon Fishery Boards that may be affected within Argyll or Island of Arran areas or any interests within the Clyde or Lomond systems.

We are of the opinion that this development is likely to have a significant impact on migratory salmonids and therefore consider that a full Environmental Impact Assessment, and Habitats Regulations Appraisal, is required.

We believe that the EIA should cover the following points:

- The proposed location of the aquaculture facility lies within a migratory route for salmon and sea trout
- Recently, the Rural Economy and Connectivity Committee established by the Scottish Parliamentary Committee, made the recommendation that siting of (fish) farms in the vicinity of known routes for wild salmon must be avoided (recommendation45). Available here: <https://sp-bpr-en-prod-cdnep.azureedge.net/published/REC/2018/11/27/Salmon-farming-in-Scotland/REC-S5-18-09.pdf>
- Salmon entering and leaving the rivers located inner Firth of Clyde (the River Clyde and its tributaries, the Leven, Loch Lomond and its tributaries (including the Endrick which is an SAC river), the Echaig and Loch Eck, the Goil and Donich Water, the Loin Water and others, use this migratory route.
- The Rivers Irvine, Garnock and North Ayrshire coastal burns are all important salmon and migratory trout waters and the fish migration routes lie in close proximity with the proposed location of this farm
- Dawnfreshfoods Ltd has a history of escapes from their other sites. Any such escape from the proposed location may lead to increased competition in Ayrshire rivers should the escaped rainbow trout enter these watercourses.
- In 2016 Scottish Government introduced Salmon Conservation Regulations with the aim of determining whether or not salmon stocks can support harvesting by fisheries. For 2019, the River Irvine has been determined a Category 3 meaning: Exploitation is unsustainable therefore management actions required to reduce exploitation for 1 year i.e. mandatory catch and release (all methods).
- The Rivers Ayr, Garnock and Girvan are category 2 meaning: Management action is necessary to reduce exploitation: Catch and release should be promoted strongly in the first instance. The need for mandatory catch and release will be reviewed annually.
- The developer should submit a draft Environmental Management Plan, developed in partnership with the relevant DSFBs and Fisheries Trusts with any future planning application. The EMP should cover appropriate monitoring of impacts on wild fish, with a feedback to farm management. These impacts should include infestation of wild fish from farm-derived sea lice, the possibility of disease transfer from farmed to wild fish and a suitable escape contingency plan. This is consistent with the response of the Cabinet Secretary for the Rural Economy to the REC Committees which stated; *"as part of any future request for planning advice from now on Marine Scotland will expect an Environmental Monitoring Plan to be delivered as a condition of any consents for marine aquaculture planning applications and the format of the monitoring regime will be informed by a current project being developed by Mowi (formerly Marine Harvest)*

and Fisheries Management Scotland (FMS) and will also be considered by the Salmon Interactions Working Group before introduction."

- Dawnfresh Foods have indicated their intention to use Acoustic Deterrent Devices (ADD) if considered appropriate and as a last resort, lethal methods. While ADDs may prove effective, their impact on other species using this channel may be detrimental and deter them from entering or reaching their natural habitat in the upper Firth of Clyde. It will be essential that ADD use (and lethal methods) are fully assessed within an EIA for all fish and mammal species that may be affected.

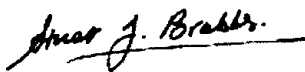
There are many other environmental factors that may affect the suitability of the choice of site(s) for fin fish aquaculture and they must all be fully explored through the EIA process.

In relation to the Endrick Water (SAC) The Habitats Directive (article 6) requires that *Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive.* It also states: *In the light of the conclusions of the [appropriate] assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

The proposal can only be allowed to proceed if there are imperative reasons of overriding public interest. We do not consider that this is the case with regard to the current proposed development and therefore we are likely to object, should a full planning application be submitted.

Finally, we would request that all District Salmon Fishery Boards within and surrounding area are consulted fully throughout this process. ART can supply contact details for each.

Yours faithfully



Stuart Brabbs
Senior Fisheries Biologist and Trust Manager

