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Dear Sir / Madam

Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) – use of Acoustic Deterrent Devices at Scottish finfish farms

My predecessor as Director of Marine Scotland, Graham Black, wrote to you on 30 July 2020 on behalf on Scottish Ministers regarding the use of Acoustic Deterrent Devices (ADDs) at Scottish finfish farms. That letter highlighted the need for the aquaculture sector to ensure compliance with the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and it also addressed the duty on Scottish Ministers, under the Animals and Wildlife (Penalties, Protections and Powers) Act 2020, to report to Parliament on the use of ADDs at fish farms by 01 March 2021

I am pleased to inform you that the report to Parliament has now been published, and I'd like to express my gratitude to the aquaculture sector for the provision of data and information on the use of ADDs that informed the report. The published report can be found at:

[Acoustic Deterrent Device \(ADD\) Use in the Aquaculture Sector: Parliamentary Report - gov.scot \(www.gov.scot\)](http://www.gov.scot)

The report highlights the need for further research, building on the existing evidence base, on the use of ADDs and other non-lethal methods of addressing the risk of predator interactions at fish farms, which can lead to injury and stress to fish and loss of stock. It is my view that this should be taken forward on a collaborative basis in order to determine the best solutions. I hope that the industry and supply chain companies will be able to help support a programme of research, and play a role in developing and delivering it.

I note from the Scottish Salmon Producers Organisation press release of 01 March 2021 that the aquaculture sector is no longer using ADDs that they consider may cause disturbance to European Protected Species. This is welcome news.

I would like to remind all fin fish farm operators that they should apply for ESP licences to ensure compliance with the Conservation (Natural Habitats, &c.) Regulations 1994 (as

amended) if there are any concerns that planned activities, including use of any ADD, may result in disturbance to a European Protected Species.

As a responsible regulator, Marine Scotland has a duty to ensure that the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) are being complied with, including the use of ADDs. Therefore, there will be an assurance process to verify that fish farms are complying with the requirements. This will be undertaken by our compliance division over the coming months, and I request your cooperation with any inspections required.

Yours faithfully



ANNABEL TURPIE

Director of Marine Scotland