

SEPA Position Statement

Sea lice regulatory conditions

Version 1.0

2nd September 2025

1. Background

This regulatory position statement is made in response to interest by fish farm developers in the use of semi-enclosed and fully enclosed fish pen systems and in establishing farms using more conventional open-net pen designs in locations distant from the coast.

SEPA is aware of several fish farm developers considering using, or proposing to use, semi-enclosed (rather than open net) pens to contain farmed fish.

As of August 2025:

- No semi-enclosed pen marine fish farms are in operation in Scotland.
- SEPA has issued one licence for a semi-enclosed pen farm in Loch Long.

Semi-enclosed and enclosed pen farming systems offer the potential to reduce or avoid infections of farmed fish with sea lice or, if infections occur, the release of juvenile sea lice from farms into the sea.

The effectiveness of the systems in reducing or avoiding the farm becoming a source of sea lice releases into the sea depends on how effectively sea lice are prevented from:

- entering the pens (e.g. via water intakes and outlets or via waves) and infecting the farmed fish; and/or
- sea lice juveniles exiting the pens after hatching from sea lice on the farmed fish if infections do occur (e.g. via water intakes and water/waste outlets).

2. Regulatory position

SEPA's regulatory position is that, in respect of qualifying fish farming operations, it is neither necessary nor expedient for the protection of the water environment to impose the following licence conditions (the "sea lice regulatory conditions"):

- Conditions requiring the counting of adult female sea lice and fish numbers for the purposes of calculating the total number of adult female sea lice on the farm.
- Conditions requiring the reporting of the above information to SEPA.
- Conditions limiting the average and maximum numbers of adult female sea lice permitted on a farm.
- Conditions specifying a minimum fallow period between production cycles.

2.1 Qualifying fish farming operations

The qualifying fish farming operations to which this regulatory position applies are as follows:

2.1.1 Marine fish farms operating using semi-enclosed or fully enclosed fish pen systems for which the developer or operator, as applicable, has provided SEPA with suitable monitoring data:

- (a) from the operation of the same pen system elsewhere (including in another relevant jurisdiction) demonstrating that the system prevents farms employing the system from becoming a source of sea lice into the sea; or
- (b) from the farm concerned demonstrating that the pen system is preventing the farm from being a source of sea lice releases into the sea.

“Semi-enclosed fish pen system” means a fish pen system that:

- is open at the sea surface;
- has an impermeable physical barrier for containing the fish or a barrier that is, at a minimum, impermeable to sea lice (i.e. impermeable to organisms larger than around 0.3 mm); and
- actively manages (e.g. by pumping) the intake and exit of water and waste solids from the pen.

“Fully enclosed fish pen system” means a fish pen system that:

- is fully surrounded by an impermeable physical barrier; and
- actively manages (e.g. by pumping) the intake and exit of water and waste solids from the pen.

“Suitable” monitoring data for the purposes of (a) and (b) above means monitoring data demonstrating to SEPA’s satisfaction that:

- i. the system prevents sea lice infestations of farmed fish during the operation of the farm; and/or
- ii. if sea lice infect fish on the farm, the system prevents juvenile sea lice from subsequently entering the surrounding sea.

The monitoring data must be collected for a period that ensures:

- the range of sea states typical for the location will be experienced (e.g. to ensure that wave heights that might lead to overtopping are experienced); and
- infective-stage sea lice concentration peaks in the surrounding sea are experienced.

If monitoring data from elsewhere is used, the monitoring location or locations must experience appropriately high sea lice concentrations and at least equivalent wave heights to those expected at the location of the farm concerned.

2.1.2 Marine fish farms operating at locations distant from any coastline for which a suitable sea lice dispersion model demonstrates that sea lice released at the locations will not, while still infective, reach any wild salmon protection zone or any sea area used by sea trout.

“Suitable sea lice dispersion modelling” means modelling carried out in accordance with a method agreed with SEPA and calibrated with data verified as being sufficient and suitable by SEPA.

3. Conditions of the regulatory position

With respect to qualifying operations falling under category 1 above (semi-enclosed and fully enclosed fish pen farms), the regulatory position is subject to the following conditions:

- (a) The operator must notify SEPA within 48 hours if sea lice infestations are found on the farmed fish during fish health checks.
- (b) If sea lice infestations are found, the number of adult female sea lice on the farm are monitored weekly in the period from day 1 of week 12 until day 7 of week 22, as defined in the BSI ISO 8601 calendar.
- (c) Action is taken by the operator to investigate the reason for the infection and to prevent its recurrence and/or confirm that juvenile sea lice are being prevented from exiting the pens.
- (d) The operator must keep records of the monitoring results obtained under point (b) above; the action referred to in point (c) above; and the outcomes of the action referred to in point (c) above. Such records must be made available to SEPA on request.

4. Variation of licence conditions

If an operator obtains monitoring or modelling evidence that they consider demonstrates that a licenced marine fish farm meets the criteria for being a qualifying fish farming operation under this regulatory position, they may submit that evidence to SEPA at any time.

If:

- SEPA considers that the evidence submitted is suitable evidence within the meaning of section 2.1 of this regulatory position; and
- the licence for the fish farm (or farms) for which such evidence is provided is currently subject to any, or all, of the sea lice regulatory conditions covered by this regulatory position,

SEPA will:

- not treat non-adherence to those licence conditions as non-compliances for the purposes of reporting on compliance or for enforcement;
- grant applications for administrative variations to remove those conditions from licences; and
- if relevant, add the conditions referred to in section 3 of this regulatory position to the relevant licence(s).

5. About this position

This regulatory position:

- Applies only in Scotland; and
- Will be subject to periodic review and may be amended or withdrawn by SEPA at any time.

SEPA reserves its discretion to depart from the regulatory position where it considers it necessary to do so for protection of the water environment.

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