MINUTE OF MEETING OF THE SPEY DISTRICT FISHERY BOARD IN OPEN SESSION held at the Craigellachie Hotel, Craigellachie commencing at 9.30am. on Friday 7 February 2020

## Present: -

**Chairman** Dr Alexander Scott Craigellachie Fishings

**Proprietors** Angus Gordon Lennox Brae Water Trust

David Greer Seafield Estates

 Toby Metcalfe Crown Estate

 William Mountain Delfur Fishings

 Oliver Russell Ballindalloch

 Dr CMH Wills Knockando

**Co-optees** John Trodden RSAA

 Grant Mortimer Strathspey Angling Improvement

 Association

**In Attendance** Roger Knight Director

 Brian Shaw Senior Biologist

 Richard Fyfe SEPA

 Jennifer Heatley SNH

 Miranda Edwards Office Administrator

 Jamie Whittle Stand-in Clerk

**Public Attendees** none

**1.** **WELCOME,** **INTRODUCTIONS AND APOLOGIES**

The Chair welcomed everybody to the meeting and noted that apologies had been received from Peter Graham, Callum Robertson and Will Cowie. The Chair welcomed John Trodden as a new Board member on behalf of the River Spey Anglers’ Association.

**2. MINUTE OF OPEN SESSION MEETING HELD ON FRIDAY 22 NOVEMBER 2019**

There were no comments as to accuracy and the Minutes were accepted for signature.

**3. ACTION POINTS AND MATTERS ARISING FROM PREVIOUS MINUTES**

**3.1 ABSTRACTION**

William Mountain asked in relation to point 3.3 of the previous Minutes whether there was a particular process that required to be followed before water abstraction permissions were granted, and whether or not there were specific trigger points for approving the in-river abstractions. Angus Gordon Lennox provided the Board with some background on the situation at Dipple. Richard Fyfe explained that several pieces of legislation were involved, of which SEPA were only a part. Scottish Water were empowered by separate legislation and it was noted that the process was far from clear. It was subsequently agreed that the processes for the Dipple Wellfield abstraction was a matter for the relevant riparian owners to resolve with Scottish Water.

**3.2 DISCHARGES**

The Director commented that he felt it was important for the Board to develop its knowledge of discharges from distilleries, including the issue of water temperatures. It was anticipated that the forthcoming report by Envirocentre would assist the Board to some degree. It was noted, however, that the Envirocentre Report would not be focusing on water temperature. Richard Fyfe agreed to produce some slides to illustrate the process for monitoring distillery abstractions and discharges.

**ACTION: SEPA to produce slides to illustrate the process for monitoring distillery abstractions and discharges.**

**3.3** **BEAVERS**

 It was noted that the Director would provide a paper in due course on the reintroduction ofbeavers.

**ACTION: The Director to produce a briefing paper on beavers.**

**3.4 POLLUTION INCIDENT AT ABERLOUR**

William Mountain commented that he felt it would be useful for pollution incidents to be categorised so as to quantify the impact of any incident. The Chairman commented that there would be instances where the Board may be made aware of pollution events, following which SEPA may need to take enforcement action and so the details of these may need to remain confidential whilst such action was pending. Richard Fyfe commented that SEPA have a categorisation system for pollution events where 1 is categorised as the worst, running to number 4 which is an event with the least environmental impact.

**ACTION: The Director would liaise with Richard Fyfe on categorisation of pollution incidents.**

**3.5 SPECIFIC ACTION POINTS**

The Director commented on the list of action points which had been circulated to the Board as follows: -

#2 The Director commented that there was no specific funding available for piscivorous bird tagging and control, however there was a fund of some £25,000 available between Moray Firth river boards to improve an understanding of piscivorous birds. It was noted that this action could be removed from the list.

#3 Brian Shaw confirmed that the “spring fish gene” study was still ongoing.

#5 It was noted that there was no kelt reconditioning funding available. It was also noted that the River Tay offered a facility for this and a project had been relatively successful in the Tay catchment. It was agreed that this action point could be discharged.

#6 It was agreed that the summary being provided to proprietors was beneficial.

#9 It was agreed that the health and safety action point could be removed.

#11 It was noted that the District Valuer had been unable as yet to update a valuation roll for a beat where the proprietors were late in paying their assessment. It was agreed that this would be investigated further, failing which legal action may require to be initiated.

#12 It was noted that pumps had been removed from Dipple by Scottish Water. It was noted that the construction of bore holes was something within SEPA’s remit and that pumps had been installed by Scottish Water on Crown Estate land. It was also noted that the matter had been referred back to the local team at SEPA to review.

#13 It was noted that SEPA had recently prepared a sector plan for the whisky/distilling industry in Scotland.

#14 It was noted that matters relating to the Spey Dam would be dealt with later on at the meeting.

#15 It was noted that the report on beavers would be provided separately.

#16 It was noted that the meeting with the ghillies had gone well, although it was also noted that there had been no representation from either Tulchan or Arndilly. It was further noted that the next ghillies’ meeting would take place in December, rather than January.

#17 It was noted that the Director would cover the issue of eyed ova and fed fry in his report.

**4. ANNUAL REPORT 2019**

The Director provided introductory comments relating to the Annual Report 2019. The Board commented generally that they felt the Report was well detailed and well written, and congratulations were expressed to all of the team involved in its production.

**5. DIRECTOR’S REPORT**

The Director then provided comments and fielded questions in relation to his report (the following numbering relates to numbering in the report).

2.1 It was noted that matters relating to the Spey Dam were to be covered more fully later in the meeting.

2.2 The Director commented that he had expected Envirocentre to present their draft updated report on water abstractions to the Board for the meeting, however that was not the case and would be followed-up.

2.4 In relation to the application to Marine Scotland to be able to stock a limited number of fed fry into the Tommore Burn at Ballindalloch, it was noted that there was a cost consideration of keeping some 20,000 fed fry in the hatchery for an extra 4 months. The Board then discussed the merits of introducing fed fry and eyed ova into the Macallan Burn, and Brian Shaw commented that a great deal would be learned from stocking eyed ova. Angus Gordon Lennox commented that he was keen to “debunk the myth” that eyed ova could not be successfully released. After discussion it was agreed, following a proposal by the Chair, that the monitoring at the Tommore Burn should continue for the next year and that the Board would test the boundaries of the licensing system by requesting a modest stocking of fed fry in 2021. If this application was successful, the Board would then consider extending the project to additional experiments in due course. The Chairman also noted the Scottish Gamekeepers Association petition, which would provide an opportunity to raise awareness of the whole stocking issue.

**ACTION: Senior Biologist and Director to develop an experiment to stock a modest number of fed fry in 2021.**

3.1.1 The Director commented that he was heartened by the joint approach of the various organisations involved in attending the Fisheries Management Scotland Predation Committee meeting.

3.1.2 It was noted that at present there appeared to be a limited number of sawbill ducks on the River Spey. By way of comparison, this pattern had been replicated on other rivers, including the Findhorn, Deveron and Dee. It was acknowledged that this was likely to impact on the licences we expected to receive later this year, which would have significantly reduced quotas as a result. It was also suggested that the process for removing the protected status of certain birds should be established.

**ACTION: Director to establish the process for removal of the Protected Status of certain bird species.**

3.1.3 The Board discussed the question of whether or not acoustic devices to deter seals had an adverse impact on salmon. It was noted that this was an issue which had considerable focus for the River Dee. Brian Shaw commented that he was comfortable with the fact that salmon were not adversely impacted by acoustic devices.

5.1 The Board noted that during the “Salmon Summit” at the Scottish Parliament in January 2020, two of the ghillies from the Spey in attendance (Simon Crozier from Seafield Estates and David Buley from Gordon Castle) had spoken particularly well and had captured the attention of MSPs.

5.3 It was noted that the ghillies’ meeting had been a successful event and that there had been positive feedback. The Director had suggested that the next meeting would involve a visit to the Tromie and thereafter the Truim. It was also noted by Toby Metcalfe that it was important to make the Ghillies aware of the current issues the Board was addressing, as well as the actions being taken to future-proof the catchment. It was also discussed that the tours provided to ghillies could potentially be opened-up to others beyond ghillies, and that there might also be some scope to consider developing “virtual” tours to allow people to visit parts of the river via technology.

**6. QUESTIONS ON THE BIOLOGIST’S REPORT**

6.1 **Adult Fish Tagging Project**

It was noted that many fish tagged in the previous year had not in fact moved that far in the river from the point of original capture. It was further noted that spring fish tended to move more quickly through the river. Brian Shaw also commented that, through tremendous effort from the Ghillies, the numbers of fish tagged last year had equated to the number tagged over three years previously. We would repeat the project this year, but if the results were the same as in 2019, we would probably not undertake it for a third year.

6.2 **Thermal Discharges**

The Senior Biologist explained the thermal monitoring work they had been commissioned by Glenfiddich to undertake. One of the tactics fish used to overcome warmer water was to smolt earlier and in the Fiddich, fish were now smolting at one- year old. This was a cause for concern as there was no further scope for fish to adapt. It was agreed that the Board needed to look more closely at distillery discharges as well as pesticides, salt run-off, copper levels and waste. Angus Gordon Lennox commented that Audrey Baxter had been taking daily samples of the water in the river next to the Baxters facility and was happy to offer those to the Board’s scientific team. It was recognised that Richard Fyfe had already been asked to brief the Board in relation to discharges. It was further noted that distilleries were generally keen to maintain a high environmental record and so there was considered to be good scope to engage with the distilleries more fully on water quality issues.

**7. THE ATLANTIC SALMON TRUST’S MORAY FIRTH TRACKING PROJECT**

Brian Shaw provided comments on this project together with commentary on the comparable statistics from the other main rivers. It was noted that the project would repeat its methodology in 2020 for consistency. It was also noted that the Board was still awaiting the final report from the Atlantic Salmon Trust and that the Director would press for this, as well as for a pictorial report for dissemination to the sponsoring anglers, to be produced and released.

**ACTION: The Director to contact the Atlantic Salmon Trust for timing on the final report release and production of a pictorial report.**

**8.** **A.O.C.B.**

8.1 Toby Metcalfe asked whether or not communications would be an agenda item including publicity strategy. The Chair commented that the Board would consider further how funds could potentially be put towards increasing communication outreach. It was noted that it would be preferred for this role to be an in-house role, which could be part-time and that a fund-raising element would be attached to make it self-perpetuating.

8.2 The Chair commented that many of the new projects which the Board had discussed wished to carry out would involve additional costs, which would stretch the Board financially. The Director confirmed that there were enough funds in place for the tags required for the Atlantic Salmon Trust project. William Mountain noted that we needed a report from the Atlantic Salmon Trust to then look at how we might raise further funds, with which he was content to assist.

**ACTION: Determine how to raise funds for future sponsorship of AST tracking project.**

**9. DATE OF NEXT MEETING**

It was noted that the next meeting would take place on Friday 22nd May 2020. It was also noted that Dr Catherine Wills sent her apologies for that meeting in advance.