

MINUTE OF MEETING OF THE SPEY  
DISTRICT FISHERY BOARD IN OPEN  
SESSION held at the Craigellachie Hotel,  
Craigellachie commencing at 10.00 a. m. on  
Friday 13<sup>th</sup> May, 2016

**Present:-**

<b>Chairman</b>	Brian Doran	Craigellachie Fishings
<b>Proprietors</b>	Peter Graham Angus Gordon Lennox Peter Millar William Mountain Oliver Russell Dr CMH Wills Alan Williams	Roths & Aikenway and Laggan Brae Water Trust Orton Delfur Fishings Ballindalloch Knockando Carron Fishings
<b>Co-Optees</b>	Craig Mackay Grant Mortimer	River Spey Anglers Association Strathspey Angling Improvement Association
<b>In Attendance</b>	Roger Knight Brian Shaw Jen Heatley Caroline Simmers William Cowie	Director Biologist SNH SEPA Clerk
<b>Public Attendees</b>	Mark Hancox and Warren Gain	

**1. INTRODUCTIONS AND APOLOGIES**

The Chairman introduced both William Mountain from Delfur Fishings, who had been elected to serve on the Board at the Tri-ennial Elections and Craig Mackay, who had replaced Mel McDonald as a Co-Opted representative of the River Spey Anglers Association. Apologies were received from Toby Metcalfe.

**2. MINUTES OF PREVIOUS MEETING**

2.1 Minutes of the Open Session Meeting held on 19<sup>th</sup> February, 2016. There were no comments as to accuracy and the Minute was proposed for adoption by Angus Gordon Lennox and seconded by Peter Graham.

### **3. MATTERS ARISING FROM PREVIOUS MINUTES**

3.1 There were none.

### **4. DIRECTOR'S REPORT**

The Director delivered his Report as attached to the Minute but the following additional points arose:-

#### 4.1 Wild Fisheries Reform

The Director was grateful to all, both from the Board and elsewhere, who had contributed to the consultation process.

#### 4.1.3 Stakeholder Reference Group

It was noted that a paper looking at the components and responsibilities of the Scottish Government's Central Unit had been prepared, with considerable input from Marine Scotland Science. In doing so, there was a danger that they sought to increase their role within this Unit and this would be monitored.

#### 4.3.1 Rio Tinto

The Director advised that the date of the rescheduled meeting with SEPA had not yet been fixed and there was concern that figures produced by Rio Tinto appeared to show abstraction levels had increased dramatically over the last 7 years.

#### 4.4.2 Seal Licence

The Director reported that Marine Scotland had confirmed that they were not going to reconsider the application for a revised seal licence and there was no prospect of providing a licence for any common seals.

#### 4.5 Ranunculus

The Foundation, at their meeting the previous day, had recommended a letter was sent to the new Environment Minister to reaffirm that if progress was not made within the 6-month period, then the Board would refer matters to Europe.

#### 4.6 Spey Catchment Initiative

The Director conveyed his thanks to all of those who had given up time to be involved in the Initiative.

He then invited questions:-

i. Spey Dam

Q: Alan Williams asked whether the Board would be taking further action given the apparent huge increase in water abstraction over the 7 year period to 2014, which represented an almost 20% increase.

A: The Director confirmed that this would be a matter that would be put to SEPA with the strongest recommendation that they investigate further.

ii. Ranunculus

Q: Peter Graham acknowledged this issue had been discussed ad nauseum and responses from all Government Agencies and Ministers had been pathetic. He felt we now must make a very clear statement that the Board would refer matters to Europe without significant progress. He felt, however, that 6 months should not be the time limit for the new Minister to consider matters and familiarise themselves with the issue. In support of this position, Angus Gordon Lennox said that the request should be for a solution within 6 months, rather than the minimum substantive progress. The point was addressed to Jen Heatley for response.

A: Jen responded to advise that they had already issued a response to a first Government request for information and could make that available to the Board.

The Director reported that officials in general were supportive of a strongly-worded letter to the new Minister, which could perhaps point them towards the United States where a successful product had already been used by BASF.

iii. Predator Count

Q: Angus Gordon Lennox enquired about the protocol for sawbill bird counts.

A: The Director outlined how these were conducted, but it was noted that these were limited to observations on the day that a count was undertaken.

iv. Spey Dam

Q: Craig Mackay enquired what the Board now expected from Rio Tinto over the period to 2027. Putting in place measures to allow

fish passage to replace the existing infrastructure was likely to be at a significant cost. He asked whether the Board were confident that this would happen.

A: The Director reiterated that he was willing to fight and push hard for this and, in support, Caroline Simmers indicated that having issued a direction, SEPA would be pushing for this to be completed within the timescale.

## **5. Spey Foundation Report**

Peter Graham advised that the Foundation had looked at 4 major items at their meeting the previous day as follows:-

### **5.1 Spey Dam Genetic Research Project**

The Foundation had provided information to SEPA regarding juvenile fish densities above Spey Dam, but it required extra input from Eric Verspoor to calculate the proportion of adults to juveniles. Spey Dam provided a good opportunity for Eric Verspoor and his team (from the University of the Highlands and Islands) to target their research.

He also noted that some years ago, the genetic project funded by Dr Catherine Will's Trustees had been completed and there was money left over which the Trustees had generously allowed to be released for this particular project.

### **5.2 Biologist Update**

At the Foundation Committee, the Biologist had updated the Committee on various projects being undertaken, including smolt traps on the Avon which had indicated the productivity of the Tomore Burn. This project was continuing and would be expanded.

The Biologist reported less successful results on the main stem and, in particular, the re-capture rate appeared to have differed from that noted 3 years ago. This was a matter of concern and whilst it could be the aftermath of Storm Bertha, there could also be other factors which affected this.

The Committee had therefore decided to conduct a programme of electro fishing in the Avon and if this showed juvenile densities to be reasonable to good, then no further action would be taken. However, if they were poor, there may be a decision to be made on stocking. It was noted that this would be based on a measured and scientific approach and any decision would be evidence-based. It would, however, send a clear message that the Board are actively looking at this.

In answer to a question from Angus Gordon Lennox, the Biologist confirmed that it was possible to identify the age of the smolts and determine whether they were

pre-Storm Bertha or post-Storm, by scale analysis. He advised that scale analysis was being rigorously applied and results would be disclosed in the final report.

Oliver Russell enquired what the effect of Storm Bertha had been in October 2014 and whether it covered all of the Avon. Peter Graham confirmed that this covered the Avon in particular, but enquired of Brian Shaw what effect more recent storms, such as Storm Frank, had had.

In response, Brian Shaw advised that Storm Frank had mostly affected the eastern tributaries, but could certainly have had an effect on the main stem as well. There was also the issue of the timing of spates.

Peter Graham acknowledged the response and also mentioned that Alastair Stephen (SSE Biologist) was of the view that we were likely to see many more events and storms causing significant impacts in the future.

Finally, in terms of potential stocking, the Director noted that if this was to proceed, a Licence would have to be applied for by the beginning of September. Any decision would therefore require to be made at the August meeting.

### 5.3 Fisheries Reform

The Board offered its assistance to Brian Shaw in his challenging the status of the Conservation Limits. It also supported him in liaison with the Government to inform them of the discrepancies in the designation of limits, particularly with regard to “wetted areas”.

It was also noted that Dr Catherine Wills had suggested that a drone would be a very useful tool to enable surveying of the “wetted area” of the river and had very generously offered financial help to assist in the purchase of the drone, which had been gratefully received.

### 5.4 Predator Control

Peter Graham noted that predator control arrangements required to be tailored to facilitate a quick response to particular issues such as rogue seals in the river.

## 6. AOCB

### 6.1 Catches

Allan Williams encouraged all proprietors and Board Members to provide catch reports to Malcolm Newbould on a regular basis.

## 7 Close of Meeting and Date of Next Meeting

The next meeting was scheduled for Thursday 11<sup>th</sup> August, 2016. The Open Session of the Meeting then closed at 11.10 a.m.