

MINUTE OF MEETING OF THE SPEY  
DISTRICT FISHERY BOARD IN OPEN  
SESSION held at the Craigellachie Hotel,  
Craigellachie commencing at 9.30 a. m. on  
Thursday 22<sup>nd</sup> November, 2018

**Present:-**

<b>Chairman</b>	Brian Doran	Craigellachie Fishings
<b>Proprietors</b>	Peter Graham Angus Gordon Lennox William Mountain Dr CMH Wills Alan Williams	Roths & Aikenway Brae Water Trust Delfur Fishings Knockando Carron Fishings
<b>Co-Optees</b>	Craig Mackay	River Spey Anglers Association
<b>In Attendance</b>	Roger Knight Brian Shaw Richard Fyfe Jennifer Heatley Alistair Galloway William Cowie	Director Biologist SEPA SNH SEPA Clerk
<b>Public Attendees</b>	Graham Mackenzie and David Esson	

**1. WELCOME, INTRODUCTIONS AND APOLOGIES**

The Chairman noted the sad passing of Duncan Dunbar Nasmith, latterly Factor at Knockando, who had been known to many Board Members and had worked tirelessly on Speyside. It was noted his funeral was to be held on 3<sup>rd</sup> December at 1.15 p.m. and the Board's thoughts were with his family.

Apologies had been noted from Oliver Russell, Peter Millar, Toby Metcalfe and Grant Mortimer.

**2. MINUTE OF MEETING OF THE OPEN SESSION OF THE BOARD HELD 17<sup>TH</sup> AUGUST, 2018**

This was accepted as a true record and proposed by Peter Graham and seconded by Alan Williams.

### 3. MATTERS ARISING FROM PREVIOUS MINUTES

#### 3.1 Electrofishing Data

In response to enquiry, the Director confirmed there had been no further approach from Government. He reported that the Board would receive approximately £12,000 for its surveys and this would cover costs, but not much more. The Chairman agreed that a close look at costs should be made and to engage with FMS to resolve matters. Other Board Members stressed the need for a commercial appraisal of the project to ensure it did not cost more than the sum allocated against it.

#### 3.2 Support Letter from Richard Fyfe

The Chairman reported that this had not yet been received and Richard, who was present at the meeting, apologised, but advised that this was due to staff redeployment. He undertook to organise this and confirmed that issuing the letter was not a problem in principle. Jen Heatley of SNH confirmed that they would support and Richard Fyfe would speak directly to Colin Bean and would action as soon as possible. The essence of the letter was to state that SEPA and SNH valued the Electrofishing data provided by the Board and were prepared to state this publicly.

**ACTION POINT – RICHARD FYFE TO ISSUE LETTER IN SUPPORT OF BOARD ELECTROFISHING EFFORT.**

#### 3.3 Hydrologist Attendance

It was noted that a Hydrologist was due to attend the meeting but, after discussion with Alistair Galloway, it was felt that this was more appropriate for the new Board.

#### 3.4 AST

It was noted that Mark Bilsby was to be approached by the Chairman following the last meeting and the Chairman confirmed that he had been.

#### 3.5 Distillery Hot Water Leak

Alan Williams asked SEPA representatives what procedures there were for monitoring the temperature of releases from Distilleries. Alistair Galloway advised that monitoring was carried out, but could not answer specific technical details.

Alan Williams requested that a report was brought back to the Board of precise action taken and Alistair Galloway confirmed that he would come back with specific information on that matter.

Peter Graham enquired whether the control of hot water leaks was part of a Distillery's CAR License and Alistair Galloway confirmed that it was, but would be more specifically addressed in the renewed License Applications procedures.

### 3.6 Fisheries Management Planning Template

Brian Shaw noted that a final decision had been made on the trial of a Scottish Government Fisheries Management Planning template and the Spey was to be included in it. The Government will then have a blue print for the whole country ranking pressures in all parts of the country as they affect different areas.

Craig Mackay asked where information on stocking areas and optimum density was publicly available.

Peter Graham reported that this would be on the website and is made available publicly.

It was also suggested an approach be made to Colin Bean to publicise the specific advice behind the broodstock capture licence application, so that the public and the Board could understand the background.

Peter Graham agreed that there was no reason not to put all of the portfolio of information on the website and Board Members agreed.

SNH also confirmed that they had taken into account the economic effect in providing advice but, in the end, it was a Marine Scotland decision. Conservation objectives were for Marine Scotland to decide, who approach matters on a precautionary basis, with advice from SNH. She stressed that SNH were advisors and not regulators.

**ACTION POINT – THE PORTFOLIO OF INFORMATION WOULD BE PUT TOGETHER IN A PACK AND ALL RELEVANT DETAILS WOULD BE PUBLISHED ON THE WEBSITE. THE DIRECTOR AND THE BIOLOGIST WOULD DEAL WITH THIS ASPECT.**

## 4. DIRECTOR'S REPORT

The Director's Report was as attached to this Minute, but the following particular points arose using the numbering on the Director's report.

### 1.1 Salmon and Grilse

The salmon catch was now 3,178 compared to 5,292 in 2007, 7,632 in 2006 and 7,728 in 2015. On conservation, the return rate was now 98%.

## 1.2 Sea Trout

The number of sea trout for the year was at 1,830 against the 10-year average of 2,025. As far as conservation was concerned 88% had been released as against 82% the previous year.

## 1.3 Conservation Policy

The Board resolved to maintain this unchanged.

## 2 Stocking and Broodstock Capture License

A huge amount of time and effort had been spent by Roger Knight and Brian Shaw, but despite this, the Scottish Government had declined the increase sought by the Board. The Director indicated that the Board was not alone in this treatment from Scottish Government and in response to questions, he confirmed that, as far as he was aware, the Tay had applied for similar numbers. A significant issue was that the Scottish Government were moving towards a National Policy on broodstock capture and stocking which would have an impact in the future. Questions were then asked:-

Q Peter Graham enquired why there was a lack of local volunteers in broodstock capture.

A In response it appeared that there were a number of normal participants who were ill, and others who had normally been involved were getting older.

Q Peter Graham also asked about the method of stripping fish, which had been advertised on Facebook. He was concerned that it could attract negative comment and wanted therefore to know whether the Board were acting under the best practice.

A Brian Shaw confirmed that there was not necessarily a recognised method, but welfare should be foremost and he suggested that it should be for the Biologist to determine.

The Chairman felt that it was important to continue to use social media to provide information to the public, but it was felt that the description or showing of actual stripping fish would be unhelpful. It was resolved that it would be for Brian Shaw to determine what was best practice for stripping fish and to ensure best practice guidelines were available for the following year.

**ACTION POINT – BRIAN SHAW TO PRODUCE BEST PRACTICE POLICY FOR STRIPPING FISH.**

Alan Williams suggested that there should also be revised line management responsibility for the various activities that Board employees carried out and this should be reviewed. The Chairman agreed with this.

**ACTION POINT – REVIEW OF BOARD LINE EMPLOYEES RESPONSIBILITY TO BE UNDERTAKEN.**

Q Dr Catherine Wills enquired whether a full number of fish for the hatchery had been collected so far.

A In response the Director advised that the broodstock capture was still underway and they were still working on this. There had been very few fish in the upper river to date, though.

3 Spey Fishery Board Action Plan

This would be considered in more detail, but with regard to marketing salmon rivers, an initial meeting with the “big four“ rivers had taken place on the 28th September.

In response to enquiry, the Director confirmed that all of the other larger rivers had seen a major decline in salmon numbers, although some of the northern and smaller rivers had done better.

4 Spey Dam

Richard Fyfe was asked to comment on the current position and he was pleased that Professor Colin Adams and Matt Newton had been able to attend the meeting reported upon in the Director’s Report.

He advised that it was likely that work would be broken down into different packages and separate meetings would follow. There had been some hiatus in terms of personnel, as Bob Morgan had been absent through illness, but progress was being made and they were looking for the Gupta Group to provide an update prior to Christmas.

It was also noted that a lot of past survey work had been carried out and that it would be important to collate this together. This would be something that Richard Fyfe would press the Gupta Group to take on. As far as smolt rearing was concerned, though, next year would see most resources focused primarily on the AST’s Missing Salmon Project.

Q Alan Williams asked what the relationship was between the Science and Technical Appraisal Committees.

A Richard Fyfe confirmed that the science committee were looking primarily at fish tracking options and the tech group were looking at the technical

aspects of Spey Dam. In connection with time frames, Richard Fyfe felt that progress was being made, but acknowledged that the Board were looking for a much quicker resolution of matters.

As an aside, Peter Graham had been discussing a project in Canada which involved a Hydro Dam and which had similarities with the Spey Dam. He felt it was possible that the information from Canada would be useful for the science group to study.

The Chairman felt that huge progress had been made in the last 18 months and was very pleased with SEPA's increased engagement in the last 18 months.

Richard Fyfe advised that as they had delved-in further, they had realised that there were a lot of areas which were unknown i.e. smolt behaviour and loss etc., but there were two major issues that were being addressed: up-stream passage; and down-stream passage. He reported that everywhere where there had been a large dam with difficulty of up-stream passage of adults, there was a corresponding problem with down-stream passage of smolts.

Board Members were however concerned that by concentrating on down-stream passage, the progress on the work up-stream would be delayed, but Richard Fyfe confirmed that they were absolutely focused on progress on both issues.

Alan Williams stressed the need for Richard Fyfe to liaise with Brian Shaw and identify the link to research which had been carried out in Norway. They had looked into fish passage in dams on a number of occasions and there was a huge body of information available there.

Brian Shaw, for his part, asked for a vote of thanks to Alistair Galloway and Richard Fyfe for now taking this on and for their engagement. The Chairman echoed these sentiments, but encouraged them to look at any link for other evidence or research available elsewhere.

Craig Mackay was concerned that the Gupta Group may be using the technical assessment as a second guess on classification, but Richard Fyfe responded to say he did not think that was the case and that Gupta do accept the classification, which stems from a lack of fish above the dam.

The Chairman reiterated that currently the relationship around the Spey Dam issue was at its best stage and Richard Fyfe would be invited to come back to the next meeting with his reaction to the other research.

**ACTION POINT – TO INVITE RICHARD FYFE FOR NEXT MEETING.**

5 Predator Control

Q Angus Gordon Lennox enquired whether it was possible to reapply for the sawbill licence, given that the previous application had been based on earlier counts and now there appeared to be increased numbers.

A In response the Director confirmed that sawbill licensing procedures were being looked at as part of a review, but at present there was no current mechanism to do this. He was also particularly concerned about the lack of knowledge on populations of sawbills amongst the regulators.

Brian Shaw felt that there could be a number of reasons for higher numbers in October and there was something to be said for concentrating Bailiff effort to move on or scare birds away when they are seen at the riverside.

Angus Gordon Lennox remained concerned about the double standards demonstrated by regulators in restricting broodstock measures, but not providing sufficient quotas to control predators.

6 Seals

See report.

7 Fisheries Management Scotland

In general terms, the Chairman was pleased that FMS had now matured and were recognised as a promoter of fisheries interests across Scotland.

Q Peter Graham asked whether FMS had a particular policy on stocking, given that the Government was looking at developing their own policy.

A The Chairman reported that there was now a draft policy being discussed with Simon Dryden and Alan Wells, which would be issued shortly.

Q Angus Gordon Lennox enquired whether this might impact what the Board were currently doing, but the Chairman felt that it would not, although definitions would become much clearer. Discussion on who was the proper stocking authority would also take place as there had been conflict between the control of stocking-out, which was the Board's responsibility, and broodstock capture licenses, which were the responsibility of the Government. It was likely that the Government's policy would have a presumption against enhancement stocking, but mitigation and restoration would still be allowed. The definitions between the two would be tightened-up significantly. He felt that FMS would continue to fight the Board's corner, but the final decision would be with Scottish Government.

Jen Heatley agreed that matters really rested on the definitions of enhancement, mitigation and restoration and would be focused on minimal impact.

## 8 Atlantic Salmon Trust

The Director's recommendation would be to support the project wholeheartedly. The issues were unlikely to be revised substantially but, Mark Bilsby was seeking 100 tags to be purchased by the Board, so authority for the Board to underwrite this to the sum of £12,000 was requested.

Brian Shaw felt that the tags proposed were suitable and the concept of research was good. If the Board were to put up 100 tags, then the Atlantic Salmon Trust would contribute another 50.

Angus Gordon Lennox would write to anglers on behalf of the Spey Fishing Trust to request contributions, but there was a suggestion that the Board might have to underwrite matters if donations were not sufficient.

Peter Graham indicated that there had been a lot of debate in the Scientific Committee about the size of the tags, because the larger tag is likely to be more lethal and may be pointless as a result. He had suggested two separate projects, one in the river with 5mm tags and one in the estuary with 7mm tags and the Biologist had also suggested a control experiment with dummy tags. This was supported by the Board as an important addition.

The Scientific Committee had recommended two separate experiments, but it was noted that if the project as currently stated went ahead and there were losses, the Board would be blamed for mis-managing the River.

Angus Gordon Lennox suggested that the Board should express its concerns, but support the Missing Salmon Project in principle and explain that the Board's concern was in-river loss as a result of the size of the tag.

Some Board Members felt that they could only support a 5 mm tag experiment and some only the 7 mm if conducted in the marine environment.

The Director advised that the Board were being asked to support 7mm tags for an "in-river study" and the Biologist added that this was an experiment which would be ongoing in other rivers and would be taking a regional approach.

Alan Williams felt that if the larger tags were used in-river, the result would be flawed and this was supported by other Board Members.

In summary, it was resolved to look at the marine phase and the Board agreed to underwrite up to £12,000 to provide for up to 100 tags to monitor estuarine and marine survival, **but not** in-river. This was because of the flaws in the in-river monitoring as currently proposed, on the basis of the likely risk of mortality with 7mm tags and the confusion between the different experiments.

9 Education and Development

See report

10 Spey Catchment Initiative

See report

## 5. SPEY SCIENTIFIC COMMITTEE

Peter Graham reported on the recent discussions with the Spey Scientific Committee which involved: -

### 5.1 Scientific Planning

This was a process of identifying short-, medium- and long-term plans and would be reported on shortly.

### 5.2 Water Chemistry

Long discussions had been undertaken with the impact of metals such as copper within the river and the effect on the chemical balance of the water. There was a focus on metal pollution, rather than naturally occurring metals and the Committee were looking at copper bio-accumulations. The information would be shared with Richard Fyfe and with SEPA, but this was an area that the Committee would look at further.

For his part, Richard Fyfe advised that the vast majority of the Spey meets water quality parameters within the Water Framework Directive, but he accepted that there were some peaks in certain areas.

Peter Graham agreed and indicated that this was why the Committee were looking at this aspect and would invite someone from SEPA to attend and discuss. The question that the Committee were specifically addressing was “was the quality of water in the river as good as it could be?”.

## 6. TRIENNIAL ELECTION PREVIEW

The Clerk circulated a paper on proposed Triennial Election procedure and lengthy discussion followed. The Clerk, Director and Chairman would follow the procedure and invite nominations to stand at the Election shortly.

**7 DATES FOR 2019 MEETINGS**

8<sup>th</sup> February, 2019 which would also include the AGM and Triennial Election

17<sup>th</sup> May, 2019

16<sup>th</sup> August, 2019

22<sup>nd</sup> November, 2019

The meeting then closed at 1.15 p.m.