MINUTE OF MEETING OF THE SPEY DISTRICT FISHERY BOARD IN OPEN SESSION held in person at the Craigellachie Hotel andcommencing at 9.30 a. m. on Friday 19th November 2021

## Present: -

**Chairman** Dr Alexander Scott Craigellachie Fishings

**Proprietors** Angus Gordon Lennox Brae Water Trust

David Greer Seafield Estates

Peter Graham Rothes & Aikenway

Guy Macpherson-Grant Ballindalloch

Toby Metcalfe\* Crown Estates

Callum Robertson Easter Elchies

Dr CMH Wills\* Knockando

**Co-Optees** John Trodden River Spey Anglers Association

**In Attendance** Roger Knight Director

Brian Shaw Senior Biologist

Jennifer Heatley Nature Scotland

Neil Torrance \* Clerk

**Public Attendees**

\*Attending via video conference

**WELCOME,** **INTRODUCTIONS AND CONFLICTS**

On welcoming all to the meeting the Chairman noted that the meeting is in fact a blended meeting.

1. **APOLOGIES and CONFLICT**

Apologies had been received from Grant Mortimer, William Mountain and Lisa Forsyth. The Chairman advised that he had spent some time discussing with them the agenda and various items.

The Chairman asked those present to record any conflict of interest they may have and there were none.

1. **MINUTES OF THE OPEN SESSION OF THE MEETING ON 3RD SEPTEMBER 2021**

The Chairman noted that there were no comments as to accuracy and the Minute was proposed by Peter Graham and seconded by David Greer for signature by the Chairman.

1. **ACTION POINTS AND MATTERS**

It was acknowledged that the summary prepared by the Director was a useful schedule of information highlighting how much is actually going on. Noted that the intention was not to go through such an extensive list line by line. The Senior Biologist noting the ongoing reporting by Spey Scientific Committee on “Spring fish gene” and answering the Chairman’s query on the proposed study on Gull predation of salmonids.

1. **DIRECTOR’S REPORT INCLUDING 2021 CATCH STATISTICS AND ENVIROCENTRE REPORT/SPEY DAM UPDATE**

The presentation to be emailed to those joining the meeting by Zoom so they can see the pictures, slides, etc.

Director confirming at the outset that he will not cover everything in his report, but rather will highlight certain aspects only while willing to take questions on any of the report.

**Catches**

Declared rod catches for the season – 5318, which is above the five-year average but slightly below the 10-year average. Considering the issues with regards to restrictions on travel from COVID – with some of the major beats not opening until beginning of June – considered very creditable results for the river.

Sea trout catches had been slightly disappointing at 1219, below both the 5-year and 10-year averages. COVID restrictions may have had an impact on visiting anglers for those.

With the Conservation Policy, for the third year running 98% of all salmon & grilse that have been caught river-wide have been released back into the river to spawn. 90% of sea trout have been released, just 1% down on last year. Noting some discussion during the Ghillies Committee of amending the Conservation Policy to include a voluntary ceasing of fishing when river water temperatures reached 20 degrees Celsius. Noting that board members may wish to consider that, but in all other respects it is recommended that the policy for 2022 remain as it has been for the last few years. This was approved unanimously.

The Chairman then chairing a discussion on that issue.

**Spey Dam and Envirocentre Report**

The Technical Group will be meeting again in the new year. Chairman and Director met with finance Cabinet Secretary virtually on the 24th of September. She subsequently wrote to SEPA to ask about Spey dam and in their response, they said that the modifications to the fish pass haven't been undertaken this year, principally due to COVID and technical issues. They did, however, confirm that SEPA was using the River Basin Management Planning process to secure improvements, which must be in place by 2024, in order to demonstrate that the fish pass is no longer a barrier to fish passage by the completion of the Water Framework Directive in 2027. SEPA also said that enforcement tools can and will be used if necessary.

The Chief Operating Officer of Jahama Highland estates, our principal contacts within GFG, and their representative on the Spey Catchment Initiative has resigned. No word on a replacement for her, or indeed a decision that she will be replaced.

Chairman then chairing a discussion on: Jahama’s failures; the lack of ability for the Board to do the work itself; engagement with SEPA; the electricity generated by the dam; obtaining a legally endorsed analysis of the obligations on any new owner of the dam; the possibility with pricing-up the cost of the work identified in the report; of putting pressure on SEPA and the Scottish Government to fund that work, if Jahama do not do it by 2024; the continuation of the raising of the public awareness of the issues; and how to do so with a credible report.

Chairman noting that we should start investigating obtaining the legal analysis and have discussions with the Director re Peter Graham’s suggestion as regards preparation of a report by an ecological consultant.

**Action: Chairman and Director to investigate legal analysis of obligations for a new owner of Spey Dam and an ecological analysis of the impact of the dam’s removal.**

The Chairman then referred back to the Director to allow him to continue.

A second press release was put out on Tuesday 16 November 2021 via Zambuni who were the PR agents operating for the Missing Salmon Alliance. This publicised not only the ecological impacts that are shown by the Envirocentre report, but also the impacts on the fishery and on the local economy. Kate Forbes has agreed to chair a tripartite meeting between the Board, GFG and SEPA and also to invite to that the Cabinet Secretary Michael Matheson. Richard Lochhead, as the local MSP, has offered to chair a mini summit involving Chief Exec of SEPA, Terry A'Hearn, John Armstrong (the Director of Marine Scotland Science) and Joyce Carr, who heads up Water Environment for the Scottish Government. SEPA’s hydro electricity generation review team have visited the Allt Bhran (River Tromie tributary) and the River Cuaich up near Dalwhinnie and they are keen to see a re-watering of those. They also said that they are keen to resolve the Spey Dam issues. A letter from the Environment Minister Mary McAllen to Kate Forbes was also issued, reiterating all of that and confirming the 2024 deadline for improvements to the Dam.

Chairman noting that his action points include pushing for dates for those meetings.

**Action: Chairman to pursue dates for Tripartite Meeting and Mini Summit.**

**Publicity**

The Digital Marketing and Communications Manager, Paul Hughes, had created a campaign for social media “#releasethespey” via our website and also promoted on social media. It's been the second-most viewed page on our website in the last month, after only the homepage. On social media - Facebook, Twitter, Instagram and LinkedIn - a total of 26,360 views as of three days ago, with 19,000 the day before. Interestingly, people were also spending an average of 3 minutes 32 seconds on the website. So they're not just glancing at the catch reports, they're actually reading this, which is tremendous. It is our highest- performing post ever on Twitter, LinkedIn and Instagram.

**Spey Catchment Initiative.**

Riparian project planning alongside the River Truim near Dalwhinnie was extended by a further three kilometres last year. The fencing was completed last year, with the tree planting being postponed due to COVID and also due to the surge in demand for trees. Those trees have been delivered to the contractor and planting is going to begin next week, to be completed by the end of this month. That will complete that project.

Work on the Delliefure Burn was completed in mid-October. Previous monitoring had shown reasonable populations of juvenile salmon above and below the breach created. The work will extend the habitat for both breeding and juvenile fish through this section as well. It also benefits the wider biodiversity - the invertebrates, bird populations, etc. - the whole ecology of the area.

Together with the Spey Catchment Initiative, work has also been undertaken on a couple of burns that flow into Loch Morlich up in the Cairngorms near Aviemore to remove two culverts and a blockage from tributaries – funded through the Nature Restoration Fund. It is to be completed by the end of March 2022 and it is on course for that. This highlights the Spey Catchment Initiative and the Spey Board’s reputation for actual project implementation,

Continuing that theme at a meeting with the Tamdhu Distillery, at their request, they have asked for help in implementing their sustainability strategy. They own Glengoyne distillery down in Sterling and have put in place a wetlands project in Dumfriesshire. They're keen to do something locally up here. Discussion have taken place about the potential development of a tree nursery, a potential project on the Upper Knock Burn building on the success of the fish passes that went in 2018. Again, the reason for highlighting this as it shows the emerging opportunities to ask not just as a board but with the Spey Catchment Initiative as well for the implementation of sustainability strategies in response to the climate emergency.

The Director thereafter completing his report with the Chairman then chairing a short discussion on whether there is a consultancy or advisory business that produces the sorts of visions mentioned, land values and driving forward of future projects.

1. **THE BIOLOGIST’S REPORT**

The Chairman then referred to the Senior Biologist for his report, while it was noted that this would be the Senior Biologist’s last meeting.

**Missing Salmon Project**.

After two years of consistent results, the initial aspirations for the third year is to track the smolts from the upper river. That is what is being worked on with the Atlantic Salmon Trust at the moment, with the benefit of smolt trapping history from traps operated for up to five years. Discussion on predator tagging to develop more effective information on predation, with the progression to the upper river being a logical progression of smolt tracking within the Spey catchment.

A tender is to be submitted for the Marine Scotland smolt tagging survey which will involve tagging 60 fish from the upper river with smaller predator tags. A good opportunity to compare different types of tags and different technologies. If the tender is successful, it was acknowledged as an enormous amount of work for the Research Team next year.

Discussion occurring in relation to the extent of the tracking, the rate of return, the message being given and how the results are conveyed/explained, including brown trout as predator species, and in-river mortality due to tag burden.

Data gathered from the same places every year in the same manner by the same team show that the fry and parr densities above Spey dam are actually improving. There's also been a similar increase in the upper river below Spey Dam over the last year. So a trend of improving fry and parr results in the upper river. The overall picture in the main stem is one of stability, while acknowledging that if you have an environmental catastrophic event (as has occurred in the past on the Dee as a result of Storm Frank) there would be a long period of recovery for Spey salmon in terms of sustainable spawning stock. The system is designed to cope with one-off events, but the problem is when it becomes more frequent than one-off, with e.g. a combination of low spawning stock and environmental stress. Also acknowledged that higher water events are happening much more frequently in this decade than ever before, including higher intensity of rainfall.

**Stocking Monitoring**

Monitoring results this year show good densities of salmon fry following stocking with eyed ova, which shows the process can work in good habitat as well as it did with stocking fed fry. Discussing comparisons and results shown in the table illustrated.

**River Temperature**

Monitoring for Marine Scotland at Arndilly highlighted and results reviewed. Similar temperatures were recorded at other loggers. View expressed that temperatures are probably going to become higher and probably for more sustained periods. Discussed warm water protocols operated in other countries, whereas all the Board can do is provide guidance, including on the population level effects, as well as the effects on the individual fish i.e. sub-lethal effects here that work on a population scale. Confirmed that the information recorded by the loggers can be cross-correlated with numbers of fish caught. Concern expressed that if the move is towards advocating stopping fishing when the temperature is over 20 degrees, that would take out nearly three weeks of high peak fishing at the most valuable time of year in July, when fewer fish are actually caught at that time in those circumstances. Undertook to write up a paper on this before his departure.

**Action: Biologist to produce a paper on water temperatures before departure.**

Opined in relation to the query from Toby Metcalfe that if the Spey Dam was to be removed, it would not result in an increase in the water temperatures in the river, but rather may result in denuded gravel being restored, the base flow in the river being higher, and more water in the river, which would be helpful in avoiding extreme temperatures. There is a requirement to look at the catchment restoration, as the effect of removing a dam is wider than just the flow – it is the restoration of the underground aquifer. Peter Graham commenting that this is one of the arguments that was canvassed at the Connon Board i.e. whether or not the surface area of a dam entrapment increases the heat that is held within that water, or whether the water coming out of the bottom of the dam is cooler and therefore has an impact in cooling the river below it. Noted that unfortunately that has been work/studies left unfinished and the answer is unknown.

**Pink Salmon**

Reference made to the numbers mentioned in his report. Suggested that a huge growth in pink salmon over the next few years should be expected, as the rivers in Scotland are ideal for them. Comment made that there will be a lot of consequences from that that we are just not yet aware of. Attempts have been made to capture them unsuccessfully. The resources needed to catch even a few pink salmon are beyond our means.

Discussion then undertaken in relation to sea trout in the river, the movement to re-instate the 3-mile limit at the Moray Firth, ban on treble hooks and adding that to our voluntary Conservation Policy, when do we officially count a fish as being caught? When we're in touch with it; when you touch the leader; when we touch the fish? Further discussion on when a fish is considered to be caught and guidance on the holding/photographing of the fish which can in itself cause damage to that fish.

The Chairman thanking the senior Biologist for his report and input in the discussion before referring to Jennifer Heatley for her presentation on nature-based solutions.

1. **NATURE-BASED SOLUTIONS: A PRESENTATION BY NATURESCOT**

Jennifer Heatley commenting that the report was first prepared nearly 20 months ago, before COP26 etc., but that it has been updated to take account of what is now known that wasn’t known back then. It is designed so that it is a pretty easy flick-through, with lots of pictures that can be emailed to those attending the meeting on Zoom.

She then took the Board through the presentation slides, highlighting key points: -

* The convenience that we've been used to over the decades may start to wane slightly. We all are going to start making choices that are difficult to stomach. How to tackle the issues without losing the convenience and the food we've come to love?
* Targets are Scotland net zero by 2045, 75% by 2030. While a big, big ask, we've got to get there.
* Impact known and being experienced e.g., more pests, diseases, invasive species, degraded habitats and soils, less aid in support, productive land, and water supplies.
* Struggles with food supplies, and food chains where not evenly spread globally.
* Extreme events impacting on energy generation and communications, disrupting transport and business, and affecting insurance costs etc.
* Retrofitting systems to buildings to help them deal with under- or over-heating.
* IT systems and cooling of supercomputers, which all adds to the cost of maintaining the high-speed networks that we are all craving.
* Nature based solutions provide ways of targeting investment in our natural capital to maximise the benefits, which are usually referred to as ecosystem services.
* Effectively, it is investment in our natural capital and what it can mean for your land and businesses and business interests.
* Nature based solutions primarily have one or two primary benefits, plus secondary benefits - wetland creation for natural flood management, delivery of green infrastructure for land use, woodland regeneration, enhancing carbon in farm soils,
* Looking at an issue and using nature's processes to work for you, rather than trying to work against them.
* The nature-based jobs and skills action plan – highlighting the need for experts and skilled persons on the ground that are able to do the jobs that are needed to be done and the number and diversity of skills to be developed all the way through to university level.
* Recognition of the problems with an area of land, what could help that land, change it or re-purpose it, protecting other bits of land that are more productive or better for example agriculture or forestry.
* Rewilding or restoring a more natural system - trying to get the best for nature and giving it space, and trying to ensure that helps us with pests and diseases.
* Need to look at innovative thinking about how we do things differently or better from now on - whether it's farming, forestry, wetland creation, natural flood management etc.
* Peatland restoration – with Peatland Action being a massive fund that Nature Scot administer (£250 million over the next 10 years) - having the knock-on effects of better quality water, with less organic matter, the peatland soaks up the water and releases it slower, with more and more water flowing out of the peat bogs during summer to help with droughts, helps with floods and peak flows.
* Degraded peatland contributes significantly to our carbon emissions.
* Nature Scot are to be encouraging people to do things at home on a very small scale.
* Part of Nature Scot’s job as well as other Scottish agencies is to promote messages that are clear and give ideas on what you can do and what people can do that will be of benefit to them and to nature and climate change.
* Discussion on single species approach and the move away from that, with the way designated sites are to be dealt with definitely going to change.
* New corporate plan coming out in 2022 and the question of legislative changes.
* Steps to make sure that funding is there for the right things.
* Discussion on availability of funding for natural capital which could include Spey Dam – including the Nature Restoration Fund also administered by Nature Scot.
* Strengthening of partnership working as part of the potential changes to legislative approach.

The Chairman thanking Jennifer and commenting that there will be a big discussion on this in the Closed Meeting, as it drives the board’s entire strategy.

1. **DATES FOR 2022 MEETINGS**

The dates of next year’s meetings were confirmed by the Director as being: -

* Friday 4th February 2022, with the Board meeting in the morning starting at 9.30am and the Annual General Meeting at 2pm that afternoon. Those meetings intended to be face-to-face meetings
* Friday 27th May at 9.30 am
* Friday 2nd September at 9.30 am, and
* Friday 18th November at 9.30 am

On the subject of meetings, the Board members were requested by the Director to encourage their Ghillies to respond to the invitation to the annual Gillies meeting, which this year would take place on the 30th of November.

The meeting then closed at 11.55 am.