
NESS DISTRICT SALMON FISHERY BOARD MINUTES FROM BOARD MEETING

Time: 14:17

Date: 17th December 2015

Location: Telford Suite, Inverness Caledonian Thistle Football Club

Present:

Andrew Duncan: Ness Castle, Mandate (AD) *Acting Chair*
Alan Scott: Angling Club, Co Option (ASc)
Alexander Patience: Netsman, Co Option (AP)
Angus MacGruer: Co-Option (AM)
Graham MacKenzie: Co-Option (GM)
Neil Cameron: Ness & Beaully Fisheries Trust (NBFT), Co-option (NC)

In Attendance:

Alastair Stephen: SSE (ASt)
April Conroy: Board Secretary
Chris Conroy: Chief Executive/Clerk (CC)
John MacColl: Head Bailiff (JM)
Nick Barker: N&BFT, (NB)

Observing:

Kenneth Knott, Forestry Commission

Apologies:

Michael Martin: Dochfour, Mandate (MM)
Annie Girvan: River Moriston, Mandate (AG)
Ben Leyshon: Scottish Natural Heritage (BL)
Bob Morgan: River Gary, Mandate/Alternate (BM)
Cllr Ken Gowans: Highland Council, Mandate (KG)
Ryan Rutherford: Ness Side, Mandate (RR)

1. WELCOME & APOLOGIES

AD noted apologies as above and agreed to act as chair in MMs absence. AD welcomed Kenneth Knott as Environmental Manager for the Forestry Commission in Lochaber.

AD noted GMs appointment to the post of chairman of the Inverness Angling Club and congratulated him on the appointment.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the previous meeting were circulated and AD invited comments. Minor amendments were noted with agreement that an updated final version would be circulated as the final version. Taking these changes into account, the minutes were approved.

3. ACTIONS LOG

CC reviewed the actions completed this quarter and provided an update on those actions which remain open:

6.09 - Arranging and facilitate a meeting between Mr MacDougal (netsman) and SEPA to discuss water quality in the Inner Moray Firth. CC acknowledged that this action was overdue due and apologised for not progressing it sooner. He made a commitment to address the action before the next meeting.

(Alexander Patience joined the meeting)

8.01 - Produce and circulate guidelines for canoeist/angler interactions similar to those on the River Spey. This item remains open and not currently a priority.

8.02 - Politely enquiring with canoeists at Dochfour Weir which group they belong too. This item remains open and not currently a priority.

8.03 - Review the potential to elect a new upper catchment member periodically. This item remains open. All agreed that it would be desirable for an upper catchment proprietor to mandate a representative.

8.04 - CC has signed the AS3IG agreement with UHI on behalf of the Ness DSFB.

8.05 - Raise issues regarding our ability to discharge the seal management licence at the next Moray Firth Seal Management Group (MFSMG) Meeting. The issue has been raised with Roger Knight (Chair of the MFSMG) and the action can be closed.

8.06 - Meeting with Scottish Canals, SSE and SEPA to discuss water management in the upper system. The meeting planned had to be cancelled due to weather and therefore the meeting has been postponed until New Year.

8.07 - FMO Critical analysis document finalised and submitted to the Scottish Government.

8.08 - CC recommended that the biosecurity declaration due to be issued to proprietors be issued with the next communication to proprietors, rather than as a separate address.

4. H & S REPORT

CC provided a brief overview of the health and safety update and noted a recent vehicle collision with a deer resulting in no injuries to the passengers, but some minor damage to the vehicle. No further actions or enquiries were raised.

5. GOOD GOVERNANCE

AD noted the Good Governance Paper, drawing attention to each section in turn:

- Register of Interest
- Voting procedures
- Upper Proprietor Board Member

Comments were invited. No comments were raised.

6. FINANCE REPORT

AD introduced the Financial Report. AD noted that the Toyota Hilux was now fully paid off and that it had been somewhat liable to breakdown and so replacement was worthy of consideration. JM confirmed the current mileage was over 90,000 miles. AD suggested a review be carried out of potential replacement vehicles in order to return with a recommendation to the Board, at the next meeting.

Action 9.01 – CC to review potential options for replacing the Hilux.

Comments were invited. No comments were raised.

7. DIRECTOR/CLERK'S REPORT

PROVISIONAL 2015 SEASON CATCHES

CC noted the catch returns and he provided a 'PowerPoint' presentation reviewing some key statistics.

Overall, 2015 was an extremely encouraging season on the Ness system. The total catch of 1,222 fish was the best for 8 years, with 'spring' fish being caught in numbers not seen for 20 years. This was largely due to the exceptional seasons experienced on the River Oich and River Garry.

In a more detailed review of the last 5 years by management area, the 2015 season saw an increase in catches for the River Ness, Loch Ness, River Oich and River Gary & Loch Oich with a slight reduction on the River Morrison (linked to fishing conditions rather than a lack of fish).

ASt noted a similar trend on the Spey and positive outlook.

CC noted slight improvements in the Summer MSW Salmon, but still considered them as at risk. Catches of autumn MSW Salmon during the 2015 season were the third lowest on record. He explained that this was significant and worthy of further investigation.

CC reported that the results of NASCO rod tool the assessment on the Ness for 2015 indicates a problem with the autumn salmon catches in the mid to lower system (River Ness and Loch Ness). The NASCO rod tool recommends that steps should be taken to reduce exploitation.

ASc noted Inverness Angling Club catch return trends.

CC drew particular attention to a 3 per cent decrease in the proportion of salmon and grilse returned when compared to the previous season, likely linked to the Scottish Governments kill licence proposals. Looking at the release rates in each management unit, further improvements could be made on Loch Ness and the River Ness in particular.

AP suggested that some research should be carried out in the future and that the EMFF Funding may be relevant to fund the research.

Action 9.02 – CC and AP agreed to work together to explore the potential for research work to assess the impacts on the stock of reduced fishing effort by nets.

Finally, CC reported that sea trout catch returns remained low, which may be attributable to poor reporting, rather than actual catch rates.

UPPER GARRY SALMON RESTORATION PROJECT

CC provided a detailed description of issues experienced in relation to the successful transition of smolts from freshwater to salt water. He explained that in response, an option appraisal exercise had been completed, problem areas identified and solutions put in place for the 2016 operations. ASt commented that the first two years of the project had been a steep learning curve and that it has further underlined the vast differences between farming fish and rearing wild salmon.

Discussion was given to considering all aspects of the risks, processes and outcomes of the project. The board collectively agreed upon a long-term commitment to the project and continued improvement year on year.

CC reported that SSE had approved the purchase of a Thermal Imaging Camera from the project fund. This would provide added protection to the naturally spawning 'wild' Garry salmon.

ASt reported that efforts were also underway to explore potential improvements to smolt escapement at Garry Dam by changing the existing screening arrangements. SSE had met with the NDSFB, NBFT and SEPA on site to discuss various options. CC added that he fully supported this proposed approach.

HOLM BURN RESTORATION PROJECT

ASt requested further feedback on the current situation with the Holm Burn Weir. CC reported that further progress has been made with regards to raising funds to improving fish passage on the Holm Burn. CC added that the team have been monitoring the structure closely under varying flow conditions and carrying out regular salmon and trout redd counts in a defined reach upstream.

ROUGH BURN

CC described the fish passage issues associated with emergency works carried out by Network Rail to repair scour below a bridge on the Rough Burn after flood damage in October 2014. He explained that the Ness DSFB had provided advice regarding a solution (series of stepped pools with notched sleeper weirs). This had been implemented and CC is confident that the structure will now facilitate fish passage.

ELECRIC BURN

CC explained that Highland Council had once again allowed the Electric Burn (Whin Park Lade) to dewater on the 1st October 2015, resulting in the requirement for a fish rescue and associated remedial works. Due to the quick actions of the Ness DSFB, NBFT and Council representatives, the flows were restored and only one dead fish was recovered. ACC believes that large scale fish mortality was averted.

8. HEAD BAILIFF'S REPORT

JM reviewed his report, including a summary of outstanding court cases. CC highlighted that a large number of individuals were found to be fishing without permission and in the close season this year, further details of which can be found within the 2015 Annual Report. ASc suggested that the warning signage within the IAC area may now be due for review.

CC noted thanks to JM for all of his efforts this season, especially given the very antisocial hours required. All agreed.

9. NBFT SENIOR BIOLOGIST REPORT

NB provided a brief overview of his Senior Biologists report and focused on the initial results of the 2015 juvenile salmonid electrofishing survey programme in more detail.

NB reported very high densities of salmon fry at the Dochfour site (417 fish per 100m²), the highest ever recorded by the NBFT. Fry and parr densities at all sites on the main River Ness were very encouraging.

Fry and parr densities on the lower River Enrick in Drumnadrochit were both classed as 'excellent', however the long-term data suggests a decline. The upper site at Corrimony indicated the lowest density of fry since surveys began at the site in 2007, although still classed as 'good'. Parr densities were 'excellent'. The survey on the River Coiltie at Lewiston indicated a marked decline in salmon fry density ('moderate'), although parr density remained stable.

Surveys on the Lower Garry suggest that numbers of salmon fry decreased between 2013 and 2015, however parr numbers are in line with previous results. Productivity in the tributaries of Loch Garry was very low as expected; other for the first time every site on the Kingie produced salmon fry, with a total of three year classes of fish present.

NC asked whether surveys were being carried out at the same times of year and in the same conditions. NB confirmed that an effort is made to keep the dates within a few weeks of the same time of year. CC confirmed survey data was based on wetted area as well.

The discussion moved on to the impacts of fish eating birds on the Ness and the problems associated with bird scaring. JM described how flags plastic flags had been used in the past, they make a loud cracking noise. AD suggested that flags and other mechanical methods should be investigated particularly for the IAC area in the centre of Inverness where the use of a starting pistol may not be appropriate.

Action 9.03 – GM to investigate further potential methods of safe bird scaring including flags.

NB drew attention to the link, at the end of his report, to the online survey as part of the Scottish Invasive Species Initiative. He urged members to complete this survey.

10. WILD FISHERIES REVIEW – UPDATE

CC explained that in response to significant local representation from the Ness Board and others, the Scottish Government was currently re-assessing the categorisation of the Ness District due to uncertainties with regards to the initial inclusion of loch in the total wetted areas calculations.

CC noted that a re-assessment does not necessarily mean that the categorisation on the Ness will rise from a 'Grade 3'. The NBFT have been invited to a biologists meeting on the 17th December 2015 to discuss how local biologists might feed into the process.

CC recommended that the results of the re-assessment would determine the '2016 Ness Salmon Conservation Policy'. He recommended three potential outcomes and associated management options:

- **Ness District and/or Moriston SAC retain 'Grade 3' status** – Mandatory catch and release will be required to reduce exploitation for at least one year.
- **Ness District and/or Moriston SAC reclassified to 'Grade 2' status** – Management action will be necessary to reduce exploitation, however mandatory catch and release will not be required in the first instance. Under this scenario, the Conservation Plan is likely to include details of an 'enhanced' catch and release policy to reduce exploitation; and
- **Ness District and/or Moriston SAC reclassified to Grade 1 or proposals postponed** – Under this scenario the DRAFT '2016 Salmon Conservation Policy' be adopted, seeking buy-in from all proprietors and anglers across the system. It is also recommended that continuation of existing netting agreements be explored.

At this stage, CC recommended that a proposal be agreed for each possible outcome in readiness of the new season. The conservation plan would be required by the 1st April 2016. Even with certainty on the classification, this timeframe would be challenging especially if proper consultations were to be carried out.

CC suggested the main issue within the current policy is that it is not being adhered to consistently across the catchment. ASC confirmed the current approach taken on the IAC catchment was not in line with this. CC reviewed the current recommendations.

AP asked whether netting would be allowed if the grading was changed from 'Category 3' to 'Category 2'. CC confirmed that netting under licences/quota would be allowed in that case. AP asked whether there have been any discussions about compensation for netting. CC confirmed there had not been any information made available with regards to 'inland' netting stations.

AP asked that a copy of the Wild Fisheries Reform report be shared with Dougie McDougal. CC agreed to do this as part of action 6.09.

AD suggested a liaison committee between the Board and the IAC with a much smaller number of members be reinstated to look for resolutions. GM agreed.

Action 9.04 – AD/GM to form liaison committee between the Board and the IAC members.

CC suggested a similar line of communication be established with Loch Ness. AD agreed. All agreed.

Action 9.05 – AD/CC to form liaison committee between the Board and the Loch Ness proprietors.

AD recommended the DRAFT '2016 Salmon Conservation Policy', as circulated to members, be accepted by the Board as a practical approach given the current information. All agreed.

AD noted that the IAC may need to be given a year to consider their own approach. All agreed. NC commented that whilst not ideal, it was understandable that time would be required to find commonly agreeable solutions.

AD reviewed the recommendations including the need for additional Water Bailiff Resource. The budget implications were reviewed and rationale. The Board approved this recommendation.

Action 9.06 – CC to explore options for additional water bailiff resource for the 2016 season.

AD directed the Board to the recommendation regarding increasing boat patrols on Loch Ness to ensure that the new regulations are adequately enforced. All options, costs and implications were reviewed. AD summarised that the relatively lower cost of fitting out and using a boat offered by Glenmoriston Estate made this an appealing option. All agreed to this recommendation.

Action 9.07 – CC to except the offer of the use of a Glenmoriston Estate boat and explore coding requirements.

11. 2017 REVALUATION

AD drew attention to the potential Revaluation. CC recommended that this be supported. NC cautioned that it may not be wise to proceed. ASt noted that the Tweed have chosen not to be evaluated. All agreed that a revaluation should not be carried out.

Action 9.08 – CC to inform the District Assessor that a revaluation for 2017 would not be required.

12. WORKPLACE PENSIONS

AD summarised that the recommended option was for the book-keeper to register and conduct the pensions scheme through the statutory programme Nest. NC summarised the investigations taken to date on behalf of the Trust.

Action 9.03 – AD/CC Ensure the nest scheme is be put in place by the current book-keeper.

13. AOCB

AD noted that in previous years a member of the Forestry Commission sat on the Board, in attendance, and that Kenneth Knott was available should the board choose to reinstate this role. All agreed. The Board welcomed Kenneth as a non-voting member to be invited to all future meetings.

THE MEETING CLOSED AT 17:15