
NESS DISTRICT SALMON FISHERY BOARD MINUTES FROM BOARD MEETING

Time: 14:15

Date: 22nd December 2016

Location: Telford Suite, Inverness Caledonian Thistle Football Club

Present:

Alexander Patience: Netsman, Co Option (AP)
Angus MacGruer: River Oich, Mandate (AM)
Annie Girvan: River Moriston, Mandate (AG)
Eric Craig: Angling Club, Co Option (EC)
Gordon Armstrong: Ness Castle, Mandate (GA)
Graham Mackenzie: Co-Option (GM)
Michael Martin: Dochfour, Mandate (MM) *Chairman*
Ryan Rutherford: Ness Side, Mandate (RR)

In Attendance:

Alastair Stephen: SSE (ASt)
Andrew Steel: SEPA (AS)
Chris Conroy: Chief Executive/Clerk (CC)
Chris Daphne: NBFT (CD)
John MacColl: Head Bailiff (JM)
Nick Barker: NBFT, (NB)
Melanie Smith: UHI Rivers and Lochs Institute (MS)

Observing:

David Haas: The Highland Council (DH)

Apologies:

April Conroy: Board Secretary (AC)
Ben Leyshon: Scottish Natural Heritage (BL)
Bob Morgan: River Gary, Mandate/Alternate (BM)
David Sutherland: Ness Castle, Proprietor (DS)
Cllr Ken Gowans: Highland Council, Mandate (KG)
Kenneth Knott: Forestry Commission (KK)
Neil Cameron: Ness & Beaulieu Fisheries Trust (NBFT), Co-option (NC)

1. WELCOME & APOLOGIES

Apologies were noted as above and CC welcomed Melanie Smith (UHI Rivers and Lochs Institute) and Andrew Steele (SEPA) as new 'non-voting' attendees. Michael Martin arrived and chaired proceedings from this point on.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MM invited comment on the Minutes from the September Board Meeting, Triennial Elections and Inaugural Meeting of the new board. CC apologised for misspelling AMcG's name on minutes of the Triennial Elections.

Action 13.01 – CC to amend spelling of Angus MacGruer’s name in the minutes of the Triennial Election

GM informed the board that Callum Campbell (based at Temple Pier) would be happy to take up the vacant position as representative for Loch Ness anglers on the board. CC agreed that it would be good to have a representative from the East end of Loch Ness.

Action 13.02 – GM to set up meeting with Callum Campbell and CC to make the necessary arrangements.

All three sets of minutes were approved.

3. ACTIONS LOG

CC reported on progress against the actions log. Only one item, relating to the production of guidelines for anglers and canoeists, remained open. It was agreed that this is not a priority at this time. No further comments on the action log were received.

4. H & S REPORT

CC reported that there had been no reportable health and safety accidents or issues since the last meeting.

In terms of health and safety policy and risk assessments, CC explained that we are in the process of liaising with our insurance providers (NFU mutual) regarding an independent review of our current health and safety arrangements.

5. GOOD GOVERNANCE

For the benefit of the new board members, CC explained that statutory ‘good governance’ obligations are placed on District Salmon Fishery Boards as defined in law by section 46 of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003.

This includes a requirement to maintain and keep under review a ‘Complaints Policy’ and a ‘Register of Members Interests’. In addition to this, the Ness DSFB has opted to produce a voluntary ‘General Voting Procedure’.

CC explained that he had reviewed these documents in light of the recent triennial elections. The ‘Complaints Procedure’ had been left un-altered following review, with the ‘General Voting Procedure’ updated to include new board members. The latter would require a further update when the representative of Loch Ness anglers is confirmed. All approved the updated documents.

CC asked that all voting members complete a new declaration of financial interests from – this applies to new and existing members. The updated ‘Register of Interests’ will be posted on the Ness DSFB website and a copy sent to the Scottish Government as per our ‘good governance’ obligations.

Action 13.03 – All voting board members to complete a new declaration of financial interest form at the earliest opportunity.

6. FINANCE REPORT

CC provided a review of the Finance Report.

The Management Accounts for the period from the 16th August 2016 to the 15th November 2016 showed a net loss for the quarter of £8,943. The quarterly budget had made allowances for a planned loss of £10,483.

CC explained that the planned loss had not been achieved due to a continued underspend on the Upper Garry Salmon Restoration Project (UGSRP), in particular the RLI genetics support. He confirmed that the budget for this project is ring fenced and so any overspend will be carried over and spent in the next financial year. CC described additional Garry project costs relating to fish husbandry at Drimsallie Hatchery.

MM asked about current debtors. CC explained that main debtor was a single proprietor and that, although the assessments owed were relatively small, it was an old debt and the amount had begun to build up. MM commented that it was time to take a 'hard line' on the debt and instruct a solicitor's letter to the debtor.

Action 13.04 – CC to arrange for a solicitors letter to all current fishery assessment debtors

ASt requested that CC meet with UHI to arrange for a scope of works and quote for the Garry Project genetic analysis and that this should be distributed to himself. CC agreed to do this and also to produce a review of the project to date which would accompany this year's application for smolt trapping consents.

Action 13.05 – CC to arrange meeting with UHI Rivers and Lochs Institute to arrange for a scope of works and quote for the Garry Project genetic analysis.

Action 13.06 – CC to produce an Upper Garry Restoration Project Review to accompany this year's fish trapping applications.

7. DIRECTOR/CLERK'S REPORT

CC provided a review of the Director/Clerk report.

CC reported that the total provisional catches for the 2016 season (1,054 fish) were 'encouraging', particularly considering the poor 'back end'. CC went on to present actual figures (PowerPoint).

CC also reported that provisional returns for 2016 suggest another good year for 'springers', with the 324 fish reported representing the highest spring catch in 21 years. He went on to explain that the upturn in spring catches was not Ness-specific and was likely part of a cycle switching from grilse to MSW spring fish. He recommended that the fishery in the Ness District may wish to adapt to this changing cycle, with increased fishing effort during the spring period.

CC presented results from the NASCO rod catch tool, which indicates a problem with the autumn salmon catches in the mid to lower system (River Ness and Loch Ness). GA commented that it was

Ness Castle's best spring and early summer for many years, but catches tailed off significantly in August. ASt agreed and suggested that the SSE counter network showed a similar trend.

CC described the background to a fish rescue carried out by the Ness and Beaully Fisheries Trust on behalf of The Highland Council as part of a flood elevation scheme on the River Enrick in Drumnadrochit. This had resulted in losses of fish as a result of poor communication from contractor. A warning letter had been issued by SEPA to The Highland Council.

David Haas (Inverness City Manager) arrived at the meeting on behalf of The Highland Council.

CC introduced David Haas (DH) from The Highland Council and described the background to the ongoing issues at Whin Park Lade. These relate to a number of de-watering events and associated fish mortalities.

DH explained his role in THC. CC went on to explain that he had a productive meeting with THC to discuss the issues. DH said he recognised the incidents as the THC's issue/responsibility and that a solution needs to be found. DH said that a concrete plan was difficult to ascertain as a number of council services were included, but mitigation was underway, with the establishment of gauging boards to monitor flow/depth.

DH explained that the next stage was to deal with the build-up of debris which acted to block the flow of water through the Lade. He went on to explain that there was a need to tackle maintenance e.g. screens, but this was a specialist area where proper advice was needed.

ASt asked about smolt management in the Lade. CC informed that he had been consulted and that he had suggested angled screens at the upstream extent to direct smolts away from the Lade and down the fish pass. Any changes made to the existing screens would need to be informed by a specialist. ASt agreed with this point and that designs should also be agreed with SEPA.

GM asked about screen cleaning and explained some of the history surrounding this. CC informed that an operative had been cleaning the screens by opening them up, but that this was not appropriate due to issues surrounding entrainment of fish.

MM thanked DH for his support in helping to resolve this long standing issue.

CC reported that the first phase of the Holm Burn fish passage improvement works, involving the creation of the notch in the top weir, had been completed by The Highland Council in October 2016. The rest of the works will be completed in summer 2017, once the salmon spawning, egg incubation and smolt migration is complete.

CC provided an update on the West Link Bridge works, in particular issues relating to silt discharge and the loss of introduced gravel from the working platforms into the River Ness. CC reported that the Ness DSFB sent an email to the project team requesting that operations be paused on a regularly basis to allow the silt to clear. Furthermore it was stressed that every effort be made to remove all introduced gravel from the river bed, including a large 'bar' that had formed directly downstream of the south pier. During a site visit the next day it was clear that they had acted upon all of our comments.

CC presented the 'Predator Management' section of the report. Copies of the bird licence have now been issued to all 'agents' who will be discharging it. The Moray Firth Seal Management Group has

also also submitted a seal management licence application for the 2017 season on behalf of all DSFBs in the area.

No seals have been shot with in the Ness district for a number of years, however there is currently a 'problem' common seal frequenting the upper reaches of the River Ness and Loch Ness. CC showed an underwater video of the seal chasing salmon and trout in the River Ness. He explained that there was no quota for common seals on our management licence and so non-lethal options were being explored with Marine Scotland and the Scottish Marine Mammal Research Unit.

CC gave an update on the Upper Garry Salmon Restoration Project, the difficulties experienced in previous years and how the 2016 programme has proven to be very successful with a 56 per cent survival rate to date.

CC reported that the new patrol boat had passed its inspection and was now certified as 'fit for purpose'. Patrols would therefore commence in the spring as conditions allow.

CC reported that financing issues relating to a new vehicle purchase had been resolved and a new van had been purchased.

CC reported that, in recognition of the significant contribution that Inverness Angling Club makes to the promotion of 'angling for all' in the Inverness area, they had been awarded a cheque for £2,500 from the Ness DSFB on the 13th December 2016. In return they will provide a weekly catch return to the Ness DSFB.

CC explained concept of the Salmon Centre. It would be a new building on the banks of the River Ness that would incorporate office space (for the board, trust and other related organisations), a research hatchery and other related facilities, a visitor centre and lecture theatre. The concept was submitted to a UHI Business competition and subsequently won £500 for the 'best researched' idea. This money will be used to seek match funding towards the development of the concept.

CC reported that the team have been carrying out spawning observations throughout the autumn period. This has allowed us to 'ground truth' the spawning periods for both salmon and trout. This information will help to protect fish from the impacts of proposed developments during these sensitive periods.

8. HEAD BAILIFF'S REPORT

JM introduced the Head Water Bailiff's report and took it as read. He highlighted issues with people fishing for trout in the close season, particularly Loch Ness. He reported that some burns are still to be cleared to permit free upstream and downstream passage of fish. The necessary action will be taken in due course.

9. NBFT SENIOR BIOLOGIST REPORT

NB introduced the Senior Biologist's paper and invited questions.

AS commented on excellent salmon fry densities from upper Moriston (Buinn Loyne). NB informed that this was the second highest density ever from the Moriston and this was very encouraging.

NB gave an update on the PiP project, in particular this year's artificial encystment programme where juvenile salmon were introduced to freshwater pearl mussel glochidia.

10. CONSERVATION REGULATIONS

CC explained background behind the 2017 Conservation Regulations and the resulting Ness District and Moriston SAC grading.

The Scottish Government had initially proposed that the whole Ness district be assigned 'Category 3' for the second year in a row. MM reported that, after lodging a formal appeal in writing, he and CC had attended a meeting with representatives from the Scottish Government to voice our concerns. Discussions had been extremely productive, with the ultimate result of the Ness being re-graded.

It was now agreed that 'Grade 3' status will remain across the district until the 30th June to protect 'spring' salmon and early running grilse destined for the Moriston. From 1st July it will remain mandatory that all fish caught in the Moriston conservation area be released - but the rest of the Ness district will be uplifted to 'Grade 2' status. CC reported that the Ness is currently the only system with such a dual grading system.

CC introduced the new '2017 Ness District Salmon Conservation Policy'. This has been 'approved' by the Scottish Government and meets its requirement for reduced exploitation on 'Grade 2' systems. The Ness DSFB will have to report to the Scottish Government on voluntary compliance at the end of the season. If there has not been compliance by anglers, then the entire Ness district risks reverting back to 'Grade 3' status (mandatory catch and release).

CC presented a length/weight measuring tape that he had developed and the pricing (£600 for 500 tapes). CC sought approval from the Board to purchase and introduce the tapes during the 2017 season. This was unanimously approved by those present.

Action 13.07 – CC to purchase and issue the length/weight measuring tapes.

11. WILD FISHERIES REFORM

CC reported on the latest Wild Fisheries Reform developments.

The ASFB/RAFTS have reported to the Scottish Government on potential FMO formations across Scotland, including one covering the Lochaber, Ness and Beaully area. The Beaully DSFB is supportive of a Ness and Beaully collaboration, but is opposed to this area being extended to include Lochaber. All parties would welcome further discussion with Scottish Government on this issue.

CC reported that Marine Scotland is postponing the next meeting of the Change Management and Transitional Arrangements Working Group, as well as the Stakeholder Reference Group. They have stated that they are not in a position to be conclusive about the legislative timetable and do not anticipate that it will be clearer until the New Year.

Furthermore, they have been asked to consider funding arrangements further, following the recent budget statement. They therefore intend to reconvene the working group in the New Year, when they expect to be in a position to outline a clear 'road map' for the delivery of the reform agenda.

After a lengthy discussion around the subject, all agreed that developments appeared to have slowed down considerably. This seems to have followed questions regarding the funding of FMO's.

12. NETTING CONSERVATION AGREEMENT

CC explained background to the 'Netting Conservation Agreement' and potential research opportunities with AP that arise from it.

AP explained that initial meetings with the Scottish Government indicated an enthusiasm for potential research, but he had since learned that an 'In-estuary' station (Solway) had been offered compensation. AP requested that the Board write to the SG seeking clarification on this. MM responded by stating that more information was needed first but he would be happy to write personally and make a 'polite enquiry'.

Action 13.08 – CC to contact the Scottish Government to determine whether an 'in-estuary' netting station in Solway had been offered compensation.

13. AOCB

AS confirmed that he would give an update on Garry smolt passage at the next meeting.

AP asked Andrew Steel (SEPA) how often water quality is tested at Alturlie STW and the Inverness Firth. Andrew answered by saying that sewage sampling was carried out fortnightly. MM clarified that samples are taken at the point of discharge rather than in the Firth itself. AP suggested that a sampling programme has been carried out in the Cromarty Firth. AS was not aware of this as Cromarty falls out with his area, he suggested that AP might like to contact him out with the meeting.

Action 13.09 – CC pass Andrew Steel's contact details to AP.

AG highlighted communication issues with SSE regarding outages which affect fishing on the Moriston. AS apologised and explained that SSE Distribution who are responsible for these outages and SSE Hydro are different organisations. He suggested that it was probably best if a third party opened a line of communication to resolve these issues.

Action 13.10 – CC and MM to develop a line of communication between SSE distribution and NDSFB to feed info back to Glenmoriston Estate.

CC thanked GM for his donation of a GoPro to the Ness DSFB

THE MEETING CLOSED AT 17:15