

NESS DISTRICT SALMON FISHERY BOARD Board Meeting Minutes

Time: 14:10

Date: 13th December 2018

Location: Press & Journal Boardroom, Inverness Caledonian Thistle Football Club

Present:

Michael Martin: Dochfour, Mandate (MM) Chairman
Alexander Patience: Netsman, Co Option (AP)
Angus MacGruer: River Oich, Proprietor (AM)
Gordon Armstrong: Ness Castle, Mandate (GA)
Graham Mackenzie: Co-Option (GM)
Neil Cameron: Ness & Beaully Fisheries Trust (NBFT), Co-option (NC)
Ryan Rutherford: Ness Castle, Mandate (RR)
Walter Mackay: Angling Club, Co Option (WM)

In Attendance:

Alastair Stephen: SSE (AS)
April Conroy: Board Secretary (AC)
Chris Conroy: Chief Executive/Clerk (CC)
Dr Diego del Villar: NBFT Senior Biologist (DV)
Iain McMynn: SSE (IM)
John MacColl: Head Bailiff (JM)

Observing:

Dougie McDougal, Netsman

Apologies:

Bob Morgan: River Gary, Mandate/Alternate (BM)
Janet Campbell: Highland Council, Mandate (JC)
Eric Craig: Angling Club, Co Option (EC)
David Sutherland Ness Castle Lodges, Proprietor (DS)
Andrew Steel: SEPA (AS)
Ben Leyshon: Scottish Natural Heritage (BL)
Melanie Smith: UHI Rivers and Lochs Institute (MS)
Stephen Gray: Glen Moriston Estate, Mandate (SG)

1. APOLOGIES

Michael Martin (MM) introduced the meeting and noted apologies as above.

The Ness DSFB took a moment to pause and recognise the sad loss of Simon McKelvey, Director of the Conon Fishery Board and Trust. Recognition was given to the great contribution that he made fisheries management across Scotland. He was a true friend and mentor to many around the table. AS reported that support was being given to Simon's family at this difficult time, but that he would be getting in touch with Fishery Boards across Scotland in the near future to seek further support.

GM explained that Eric Craig has stepped down from his role as Inverness Angling Club representative on the Ness DSFB and introduced Walter Mackay (WM) as a proposed replacement. All agreed and welcomed WM.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

The minutes from the Ness DSFB Board Meeting held on the 13th September 2018 meeting minutes were reviewed. AS noted that he had sent apologies and this was noted. The meeting minutes were approved unanimously.

3. ACTIONS LOG

- **18.03 Arrange a meeting with HIE to explore potential funding.**
CC confirmed this action is ongoing
- **19.04 Complete a review of review of the Upper Garry Salmon Restoration Project supportive breeding programme to inform any future extension.**
CC confirmed this action is ongoing
- **20.01 Arrange Greens of Haddington external review of the Ness DSFB health and safety policy and procedures.**
CC confirmed that Greens have been commissioned to carry out the review and that it is now in progress.
- **20.02 Issue the 2018/19 Fishery Assessments at £1.55 in the pound.**
CC confirmed that assessment notices were issued on the 5th October 2018
- **20.03 Produce the 2018 Annual Report in advance of the Annual Meeting of Qualified Proprietors on the 13th December 2018.**
Action complete.

4. HEALTH AND SAFETY REPORT

CC reviewed the H&S report and noted that the Greens of Haddington Review has been commissioned.

5. GOOD GOVERNANCE

CC introduced the Good Governance Report. He commented that the statutory returns are due to be submitted and that the appropriate preparations have been made.

6. FINANCE REPORT

CC introduced the finance paper and invited questions and comments.

CC reported on recent communications with the UHI Rivers and Lochs Institute (RLI). They have assured us that delays will not continue and a positive line of communication has been established regarding improved turnaround times.

AS commented on some of the recent changes in the RLI and that the work they undertake is ground-breaking. Now they are set-up and familiar with the equipment, they expect to be able to deliver results in a more timely manner. The work is non-trivial and now that they are more experienced they can more reliably time their work.

CC reviewed the current debtors and confirmed the actions being taken.

MM invited comment or query on the Finance Report. MM noted that balance sheet that had been issued had one column mistitled, and that a corrected version would be issued.

ACTION 21.01 – CC to produce a corrected version of balance sheet.

7. SSE CONTRIBUTION

CC outlined current proposals that are being considered by SSE for potential contributions to the Ness DSFB and the Beauly DSFBs. Should these contributions be approved, there is the potential for the DSFBs to work closer together.

Any increased funding from SSE would be primarily used to fund a new 'Catchment Officer' position on both the Ness and Beauly catchments. This would provide a cost-effective way of addressing the resource gaps in both areas (i.e. both fisheries protection and monitoring).

Fisheries monitoring, management and enforcement across the Ness and Beauly catchments could potentially be delivered via a 'service level agreement' between the Ness and Beauly DSFBs, the NBFT and SSE. The Ness and Beauly DSFBs (together with the NBFT) would continue to exist as separate entities. However, it may be beneficial for all staff to be employed and managed by the Ness DSFB and deliver an agreed programme of works under the banner of 'Ness and Beauly Fisheries'.

This approach would require the agreement of both the Ness and Beauly fishery boards and SSE, underpinned by a robust legal agreement. If both DSFBs agreed to do this, the resource sharing would enable an enhanced response to incidents, on either river.

AS confirmed that the existing agreement with the Ness DSFB still stands, however that many of the clauses within it are now out of date. Much of the current funding is based on an MOU and the correct intention to uphold the intent of the original agreement. AS explained that similar discussions are being had on other rivers, with some further along, and that the intention is to formalise updated agreements that are fit for purpose. The proposals outlined in the paper are based on work between AS and CC to identify the appropriate attributable costs.

AS commented that the proposal, which includes 27% contribution towards overhead costs, would be taken seriously as there is a recognition that staff positions that are being funded should be afforded the proper benefits such as death benefit.

GM commented that these proposals are based on agreement between the two boards. MM confirmed that the Beauly will make their own decisions. The ability of and degree to which the two organisations share resources would be determined by such an agreement, but would not prevent SSE from funding the Ness DSFB. The proposal for funding to the Ness DSFB could go ahead in isolation.

CC clarified that this agreement would not be the same as a merger between the two boards. The agreement would only pertain to the management of the newly funded staff positions and the resource sharing capacity of managing the two proposed roles under one organisation. A service-level agreement would need to be established that explicitly outlined the duties that the Ness DSFB commit to deliver.

DV commented on the impact on himself, on a personal level, of working across both the Ness and Beauly. He listed a number of current concerns that he hoped might be alleviated by the proposal.

GA commented that DS welcomes the proposal. DS has a query to discuss offline but that the proposal was seen as very positive.

AS commented that the agreement would need to be flexible.

MM reinforced that communications leading to this proposal have been very collaborative and inclusive between the Ness DSFB and SSE.

8. DIRECTOR / CLERK REPORT

CC provided a review of the Director/Clerk report.

The provisional total 2018 catches were discussed, with 866 salmon reported across the district. Overall catches were down by around six per cent on the previous year, however the Ness district did not suffer quite as severe a decline as on many rivers in Scotland.

CC noted poor catches in the upper system. GA noted the issues with lack of water at key points in the season and CC acknowledged that these issues are documented.

CC was concerned that catches of summer and autumn MSW salmon (250 fish) were the second lowest on record. Grilse catches (432 fish) on the other had saw a 14 per cent increase on the previous year. The 184 'spring' salmon reported in 2018 represents a 21 per cent decrease on the previous year, with catches below both the five and ten-year averages (255 fish and 216 fish respectively). This decrease seems to largely relate to the particularly poor fishing conditions in the upper system during the 2018 spring period.

CC noted that the SSE Dam Counts software is receiving significant investment from SSE. The trust staff have attended training on the new software and this will enable greatly improved data.

AP asked about the results of the adult salmon tagging programme carried out with Marine Scotland last year. CC reported that the data from the acoustic receivers is not yet available, but that he is looking forward to receiving the data.

Predation on salmon smolts by brown trout was discussed. GA asked whether it was appropriate to review the policy on fishing for and taking brown trout. The fact that salmon and trout had co-evolved over thousands of years was discussed, together with the fact that there were currently no measures in place to prevent the taking of brown trout by rod and line anglers. It was however highly unlikely that the fishery board would consider, or be granted consent to actively cull brown trout.

CC give an update on the Moray Firth Tracking element of the Missing Salmon Project. GA asked whether acoustic receivers would be put into the canal. CC confirmed they would, subject to permission from Scottish Canals.

CC noted statistical analysis carried out by DV on the River Ness mainstem electrofishing sites. The results were encouraging, with a trend for improving densities of both salmon fry and salmon parr.

CC noted that significant progress was being made on the Upper Garry Salmon Restoration Project. AS commented that this project, whilst unproven at this stage, is very well thought out. In particular he acknowledged that the approach that doesn't rely on removing adults from the river, only smolts, and that it uses precision selective breeding based on the genetic analysis.

CC reported on progress with the Garry Dam Screens Project. 'Smolt trials' were completed by APEM Ltd last year to assess the survival rates of fish passing through the turbines. Passing fish through the turbines, rather than the existing fish pass, is considered to be a potential way of maximising smolt escapement. CC reported that the results of the trials had been present at a recent Upper Garry Project steering group meeting. AS confirmed that the results of the study indicate an estimated survival rate of 84% of smolts passing the turbine.

CC reported on developments with the proposed Torvean Hydro Power Scheme on the River Ness. He commented that the Ness DSFB would rather not see such a development on the mainstem of the River Ness. However, if constructed and installed correctly, all the available evidence suggests that potential impacts on salmon should be low or negligible. He went on to stress the importance of an adequate monitoring programme being put in place to ensure it is indeed installed correctly. This will allow any problems to be identified and any required adjustments to be made at a later date.

The Board discussed its concerns regarding the Red John Pump Storage Hydro proposal on Loch Ness and the need for a robust assessment of likely impacts of the proposed scheme on fish populations. CC highlighted potential negative impacts which included entrainment or impingement of fish on the intake screens, cumulative impacts of other developments, reduction in loch levels potential affecting the ability of fish to negotiate Ness Weir and disruption of migratory behaviour of salmon and sea trout at the outlet.

AP asked about the Alturlie Point SEPA monitoring data. CC reported that it does not seem to indicate any significant water quality issues.

ACTION 21.02 – AP asked for support from CC in seeking a meeting with Andrew Steel for himself and Dougie MacDougal, at a mutually convenient date that would need to be after the 21 January 2019.

9. HEAD BAILIFF'S REPORT

JM noted a blockage in the Greenfield Burn and that support may be sought from the local Forestry.

JM asked AS about the weir at Ceannacroc Heck on the upper River Moriston. He has concerns that smolts may be damaged under certain river conditions as they fall a significant height onto bedrock.

ACTION 21.03 – IM agreed to review the current situation with regards to smolts escapement at Ceannacroc and report back on next steps.

10. NBFT SENIOR BIOLOGIST REPORT

DV noted that this has been a particularly warm year and that this has consequences that cannot be mitigated.

DV summarised work that has been carried out by the NBFT, including the pearl mussel encystment project, the Scottish Invasive Species Initiative and mink raft initiatives. DV acknowledged the work that Chris Daphne from the trust has carried out with local schools, together with a new project to collaborate with a student from UHI based in Perth.

DV noted that the electrofishing sites this year have been randomly selected which will reduce the bias.

AS noted that there is an opportunity to use the electrofishing surveys to monitor the impact of the Upper Garry Salmon Restoration Project by collecting genetic samples at the same time.

AP thanked DV for reporting on the Moray Firth Adult Salmon Tracking Project. He commented that a three-year project would be more meaningful, rather than a one-off study. CC reported that he has raised this point with the Scottish Government. AS reported that he is seeking funding to enhance the number of tags that will be used across the Conan, Ness and Shin as part of the Moray Firth Smolt Tracking Project (part of the Missing Salmon Project).

AP made the link between the dependence of dolphins and the protection of their food stocks. The data is required from the Missing Salmon Project in order to understand the true extent of dependence of dolphins upon salmon.

AP also noted that in spring there will be an issue for the netsman in that they will need to pay fishery assessments to the Ness DSFB, but that also there is no agreed source of funding to compensate for not netting.

ACTION 21.04 – Arrange meeting between CC, AP and the salmon netsmen.

11. CONSERVATION REGULATIONS UPDATE

CC reported that the proposed 2019 assessments have been published by the Scottish Government, with the entire Ness system having been upgraded to 'Category 1' status. The significant difference between the 2018 and 2019 assessments is the result of changes in the methodology, rather than an improvement in the status of our salmon populations. CC noted that the Ness DSFB has challenged previous assessments for the River Moriston, however the proposed 2019 assessment is much more in line with our own calculations.

MM asked whether the current system for grading rivers has now been refined to a point that it is accurate. CC commented that the system has improved, but that it is not 'live' and that it would not necessarily reflect changes such a couple of bad years.

GM commented that the current grading has created misunderstanding among the angling community. There are anglers who will read a 'grade 1' classifications as an indicator equates to 'open season' on the killing of fish.

CC summarised that the current situation is that there are 'just enough' fish to populate the system. A sustainable 'Grade 1' salmon population may not therefore necessarily equate to a productive salmon fishery.

CC explained that, given an overall trend for decreasing catches in the Ness district, it is essential that the exploitation of salmon is limited to protect the long-term future of the fishery. Consequently, the Ness District Salmon Fishery Board's Salmon Conservation Policy for the 2019 season will contain the same key elements as that for the previous year.

The proposed 2019 Conservation Policy was unanimously approved by the board.

12. AOCB

MM invited AOB.

GM asked whether CC had received any information from the Scottish Government regarding a new requirement for rod fisheries to record 'fishing effort'. CC reported that he saw a post from Marine Scotland on twitter, and that it was discussed at the FMS annual meeting, but that the Ness DSFB has not received any information directly from the Government. GM agreed to share the pamphlet that he had seen.

MM noted that the Ness DSFB welcomes visitors to attend and observe at all board meetings, but he asked that proprietors get in touch in advance of a meeting where they are sending a mandate. This will allow the Chairman and Clerk to clarify who is present with the mandate and who is present as an observer. Observers should speak if invited to speak by the chair, but are not normally expected to contribute.

CC noted that the 2019 Annual Public Meeting will be held on the 17th January 2019 and he outlined potential guest speakers. The Board agreed to invite Gordon Sim, CEO of Loop Tackle Design on this occasion.

The meeting closed at 16:28