

NESS DISTRICT SALMON FISHERY BOARD Board Meeting Minutes

Time: 14:00

Date: 13th June 2019

Location: Press and Journal Suite, Inverness Caledonian Thistle Football Club

Present:

Michael Martin: Dochfour, Mandate (MM), Chairman

Neil Cameron: Ness & Beaully Fisheries Trust (NBFT), Co-option (NC)

Alexander Patience: Netsman, Co Option (AP)

Graham Mackenzie: Co-Option (GM)

Walter MacKay: Inverness Angling Club (WM)

In Attendance:

Alastair Stephen (AS)

April Conroy: Board Secretary (AC)

Chris Conroy: Chief Executive/Clerk (CC)

Iain McMinn: SSE (IM)

**John MacColl: Head Bailiff (JM)*

Observing:

**Dougie McDougal*

Harry Fraser: Inverness Angling Club

David Haas: The Highland Council, Inverness City Manager

Tracey Stronach: Inverness Angling Club

Sam Beck: UHI Rivers and Lochs Institute

Apologies:

Andrew Steel: SEPA (AS)

Ben Leyshon: Scottish Natural Heritage (BL)

Bob Morgan: River Gary, Mandate/Alternate (BM)

Angus MacGruer: River Oich, Proprietor (AM)

David Sutherland Ness Castle Lodges, Proprietor (DS)

Dr Diego del Villar: Ness & Beaully Fisheries Trust Biologist (DV)

Ryan Rutherford: Ness Castle, Mandate (RR)

Janet Campbell: The Highland Council, Mandate (JC)

1. APOLOGIES

MM provided an update and reported that Dochfour Fishings has been sold to Aldourie Castle Ltd. He has met with representatives of the new proprietor and has been asked to remain as their mandate for the time being.

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

MM invited comments on the minutes.

Garry Screens Project, date should have read 2020 (not 2019). Predator control notes came from the Scottish Farmer.

The meeting minutes were proposed for approval by GM and seconded by WM.

*[*Dougie MacDougal and John McColl left the meeting at this point]*

3. ACTIONS LOG

The Actions log was reviewed:

- **20.02 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.**
Now would be a good time to meet with SEPA and discuss the results of their monitoring buoy investigation.
- **20.03 Review the current situation with regards to smolts escapement at Ceannacroc and report back on next steps.**
Ongoing action.
- **21.01 Follow-up with David Haas regarding legal advice for the outstanding debtors**
CC is progressing with solicitors.
- **21.02 David Haas to have a site meeting with GM and CC including Debbie Sutton and Janet Campbell**
GM reported that a meeting has now taken place and the action can be closed.
- **21.04 CC to add an ongoing Agenda item regarding compensation for the netsmen.**
Included under the Conservation Regulations agenda item.

4. HEALTH AND SAFETY REPORT

CC reported that there have been no reportable incidents in this period.

Greens of Haddington review still to take place.

MM commented that the updated Risk Assessments are very detailed and comprehensive.

CC reported that enforcement training has been refreshed. Chris Daphne the newly appointed 'Fisheries Officer' attended alongside Chris, John and bailiffs from the Spey DSFB.

AS asked if this is a local initiative or whether other areas are doing the same. AS suggested that the training could be rolled out elsewhere.

5. GOOD GOVERNANCE

CC reminded all voting members that up-to-date documents are required, especially in light of the Money Laundering Regulations. CC asked that all members provide this today or via email this week.

6. FINANCE REPORT

CC noted the finance paper. He explained a net loss for the quarter of £11,037, compared to a planned profit of £250. This variance is largely due to an unplanned contribution of £10,000 from SSE towards the 'Moray Firth Tracking Project'. This was received in a previous quarter and passed on in full to the Atlantic Salmon Trust this quarter as a contribution towards the cost of acoustic tags. CC also noted increased costs due to vehicle breakdowns and that two vehicles are due for replacement.

MM noted with disappointment that the Beauly DSFB declined to pay for the time that had been spent by the Ness Board assisting with poaching incidents in the Beauly catchment.

CC provided an update on the action that will be taken against outstanding debtors.

7. DIRECTOR / CLERK REPORT

CC introduced the Director's report.

Fisheries Monitoring and Research

Moray Firth Smolt Tracking Project - CC explained that a total of 100 salmon smolts over 130mm in length were successfully acoustically tagged and released on the River Garry between the 12th and 26th April 2019. Of the 100 Garry tags, 25 were new 'predator tags' which detect when a tagged fish has been consumed. The tags were surgically implanted by Home Office licenced biologists and the fish will be tracked as they pass acoustic receivers. Discussion took place regarding the potential information to be gained from the tagging project, the practical management applications and equivalent projects taking place elsewhere.

Updates also provided on:

- **WQIQ Challenge Fund Application** – UHI Rivers and Lochs Institute have secured funding for a project;
- **Pacific Pink Salmon** – The Scottish Government is preparing a Topic Sheet. If a Pacific Pink Salmon is caught, it should not be returned to the River, instead the fisher should humanely dispatch and contact the Board;
- **Routine Monitoring Programme** - The Scottish Government have secured funding for a second year of the National Electrofishing Programme for Scotland (NEPS). Sampling will once again be delivered locally by DSFBs and fishery trusts.
- **Moray Firth Monitoring Buoy Investigative Deployment 2018** - SEPA have published a report to assess concerns that the discharge from the Allanfearn Waste Water Treatment Works. It concludes that is no evidence that the discharge from the Allanfearn WWTW is responsible for the decline in salmon catches and the behavior observed.

Fisheries Management

Upper Garry Salmon Restoration Project - IM and CC discussed repair of the rotary screw trap which sustained damage during this season's smolt collection. They also discussed the return of a trailer loaned to SSE.

CC noted the application process required to gain permission to capture smolts in the closed period. Marine Scotland state that the numbers removed must not be more than 2% of the estimated smolt run. A question was raised regarding estimated smolt escapement from the Garry. AS commented on mark recapture that had been done elsewhere, CC explained that this was not possible at the Garry site due to the width of the river and impact of freshets. CC commented that the Garry produced an estimated 30-40k smolts.

Garry screens project - AS confirmed that the tailrace screens will need to be replaced if smolts are to be allowed to pass through the turbines, at a significant cost, but that this has been accepted. CC will write to John Macdonald in order to get an updated timeline for this project.

ACTION – CC write to John Macdonald in order to get an updated timeline for this project.

Predator Management - CC reported that there have been regular seal incursions into the Rivers Ness this season. Of particular concern is what may be a resident harbour (common) seal living in the freshwater reaches of the River Ness. Harbour seals do not currently feature on the Moray Firth Seal Management Licence, which means that management options are limited. CC reported that the team have been working with the Sea Mammal Research Unit at St. Andrews University to explore a range of non-lethal options.

Updates also provided on:

- **Scottish Canals Fish Rescue** - The Ness DSFB team assisted the NBFT with a series of pre-planned fish rescues on the Caledonian Canal at Fort Augustus.
- **Proposed Torvean Hydro Power Scheme** - Construction works associated with this development are due to commence this summer (after the smolt migration), with site clearance works having already begun.
- **Red John Pump Storage Scheme, Loch Ness** – The developer provided a technical in support of their assessment that scheme will not create new or exacerbating existing problems associated with low flow at the Ness Weir. It contained a lack of information, as such the Ness DSFB objection withheld.
- **Torbeck Bridge, Holm Burn** - The Highland Council to scale back proposals to a level that, in the short-term, will not require the provision of a fish pass.
- **Scottish Government Draft Stocking Policy** – Makes a presumption in favour of introductions for mitigation and a neutral presumption in respect of introductions for restoration. There is a presumption against all other forms of stocking.

[Break]

BBC Spring Watch

CC played a recent BBC Spring Watch episode featuring the Upper Garry Restoration Project.



8. HEAD BAILIFF'S REPORT

JM introduced the Bailiff Report.

Four persons reported to the Procurator Fiscal (2018) during a joint operation with the River Beauly for serious poaching activities. All have pled guilty, sentencing deferred until mid-June.

9. NBFT SENIOR BIOLOGIST REPORT

MM Reported that Dr Diego del Villar has handed in his notice for the position of Senior Biologist, NBFT, to take up a new position in Ireland. MM expressed thanks on behalf of the Ness DSFB for his contributions and wished him the best in his new position.

CC invited comment on the Senior Biologist Report.

CC will temporarily take up responsibility for collecting data from the counters and reporting this via the fish counting system.

ACTION – CC to take up responsibility for collecting data from the counters and reporting this via the fish counting system.

10. CONSERVATION REGULATIONS

AP reported that the netsmen are pleased that funding for a netting research project is going to be made available again this year. This would involve catching and acoustically tagging adult fish in the Moray Firth. AP asked whether the same number of fish would need to be tagged as last year. CC said that he did not yet know how many. AP commented on the weather last year and that the weather could affect the operations of the project.

CC noted there are still many details to be worked out, including whether a Home Office licence is required. CC added that this is a great collaborative project and an excellent opportunity to gain useful information.

11. SSE CONTRIBUTIONS – NESS AND BEAULY FISHERIES OFFICERS

MM commented that the revised agreement with SSE has resulted in increased funding for the current annual income with view to formalising an agreement for long-term funding to be increased as well.

AS stated that SSE are having a review of the funding allocated to mitigation overall, across all rivers. This starts with a meeting tomorrow (14-June-2019). The outcome is evidence-based activity-based mitigations with funding that is aligned.

MM confirmed that the outcome of the increased funding this year has resulted in the ability to advertise a new Fisheries Officer position for the Ness Catchment. The successful candidate was Chris Daphne, previously an employee of the N&BFT.

MM noted that the NBFT will have no staff by the end of June, with both the Senior Biologist and the Assistant Biologist taking up new roles. Both positions are currently being advertised.

In parallel, the Beaully DSFB are in their own process of agreeing next steps with regards to the employment of a new Fisheries Officer with the SSE funding.

AS asked whether it looked likely that there would be new NBFT staff this summer. NC commented that this will be wholly dependent upon the calibre and experience of the applicants that apply. NC commented that the office will be reviewed, at a cost. Timing with regards to employment of two staff is a concern.

MM noted that the situation with regards to the NBFT is an immediate issue. The Ness DSFB must look at the essential duties and obligations that are currently being fulfilled by the Trust.

AS noted that a number of rivers are also recruiting at this current time which will diminish the available resources.

CC noted that this is evidence as to why short-term recruitment, to fulfil the immediate needs, may need to be considered. Permanent recruitment within the NBFT may take longer. MM noted that the other option being looked at is whether it is possible for contracts to be fulfilled by other parties. CC confirmed that the Scottish Government do not currently have a contract with the Trust and that it is highly unlikely that the trust would be able to fulfil a contract for either the Ness or Beaully surveys.

AS asked whether UHI might be able to provide assistance, if they have staff who are suitably trained. Observer Sam Beck (UHI) volunteered one day a week, on Fridays. UHI may have other candidates. Some other potential candidates were discussed. It was discussed and agreed that a very temporary arrangement may be used with regards to getting the surveys completed this year. The long-term employment within the Trust may take much longer.

NC confirmed that he has spoken to Jock Miller (Chairman of the Beaully Board) to highlight that the staff are not present within the Trust to fulfil the surveys and that they too will need to explore potential options.

MM noted that the Ness DSFB are keen to protect and preserve the relationship with the Beaully DSFB.

AP asked why Simon Dryden is not providing staff resource for the tagging project this year. CC thinks this may be a funding issue, but that the question has been asked, especially given the local staff resource issues.

AS noted, that Simon Dryden is leaving his post with the Scottish Government.

12. FORTHCOMING TRIANNIAL ELECTIONS

MM noted that the next meeting, Thurs 12 September 2019, will be the Triennial Election. MM will not be present.

Candidates for election will need to be known in advance of the elections.

MM may not be in a position to stand as Chairman. It is not yet agreed as to whether MM will continue, long-term, as the Dochfour Mandate.



13. AOCB

GM asked about generation on the Garry this week, as the water was 'down' since midnight last Sunday. GM asked whether they had received any communication. GM asked for advanced warning.

ACTION – IM agreed to make enquiries regarding recent water levels on the River Garry and Oich.

AS noted a meeting with Wendy Harpe about the Junior Angling Club on the Beaully who were looking for support from SSE for their 18+ junior anglers. AS wondered if it might be possible to pay the N&BFT and for the trust to pay them. NC and AS to discuss this non-board matter directly.

The meeting closed at 17.18