

TAY DISTRICT SALMON FISHERIES BOARD

Minutes of the Tay District Salmon Fisheries Board meeting held at Cromwell park, Almondbank, on Tuesday 18th June 2019.

Present: Simon Furniss
David Godfrey
Claire Mercer Nairne
Cohn O’Dea (TGA rep)
Iain McLaren (Convener)
Tom Monaghan
Alec Stewart
Allister Wallace

In Attendance: Inga MacGillivray - Clerk
Dr. David Summers - Fisheries Director
Brian Roxburgh (SEPA)

Apologies: Councillor Andrew Parrott
David Brown
Steve Mannion
Nicki MacIntyre (SNH)
Jim Perrett (Vice Chairman)
Alastair Riddell

2 members of the public

2. Declarations of Interest

There were no new declarations of interest.

3. Minutes from Meeting 9th April 2019

The Minutes were then taken as being read, agreed unanimously and signed by the Convener.

4. Matters Arising

Stuart Middlemass Presentation

The Convener informed the attendees that Stuart had agreed to attend a future Board meeting.

Datta Fishing Report

DS explained that he had been in touch with the Dattas and that they thought the best medium for the weekly report would be a blog.

ACTION: DS/CMN to liaise with Dattas regarding starting a fresh blog with archiving facilities.

Eden

DS suggested Eden broodstock collection topic be brought up once Item 7 on agenda had been discussed (Marine Scotland Stocking Policy). Regarding the Ranunculus survey, he understood a member of the Eden Angling Association and one of the Fisheries Officers had been liaising. A member of the EAA explained that the drone survey had been thwarted by the weather but members of the EAA had walked the river and identified areas of Ranunculus they thought the drone would miss. All information would be filed in a report which they hoped to complete mid July.

ACTION: EAA to provide DS with *Ranunculus* survey by mid July.

Luncarty Weir

DS explained he had liaised with SEPA, who had intimated they were not in favour of simply removing the weir entirely, due to the possibility of erosion afterwards, but had suggested replacing it with a stepped sequence of weirs. DS had visited the site and sent photos to SEPA, as a result of which it was agreed such an approach would be too costly, bearing in mind all indications suggested the juvenile count upstream was good and therefore the current fish pass would appear to be effective.

C'OD pointed out MS's main concern was the fact that the weir could be turned into a hydro.

DS stated he had been in contact with one local landowner, who was also concerned about Battleby Loch, where the dam had fallen into disrepair. BR concurred and stated that a SEPA hydrologist had investigated the issue and found the dam to be in poor condition. After some discussion, the Convener stated that the general consensus amongst Board members was to leave Luncarty weir as is but keep checking it and concentrate on Battleby Dam instead.

ACTION: DS to meet with landowner and update at next meeting regarding Battleby Dam.

Bird Predation

DS stated that a Fisheries Officer had carried out a bird count, but that he had then found out a member of the public was organising a bird count for the 1st of every month on a larger scale. C'OD explained that the Ghillies would like to help with the bird count, to which DS replied the count would have to be done in a co-ordinated manner for it to be meaningful and useful for licence application. AS stated that the member of the public had approached individuals in his area to help with the count. DG stated it wouldn't do any harm to have the count and pictorial evidence would be useful, although he questioned whether the project would have any bearing on the licence.

Piscivorous Birds licence - Firearms

The Convener explained he had liaised with DS and DG and the consensus was to approve firearms use on an individual basis, based on the person (minimum Deer Stalking Certificate Level 1) and the locality. AS agreed with the methodology.

ACTION: AS to pass individual names to the Convener/DG for vetting by September 2019.

ACTION: Beats wishing to use firearms should first have their personnel and beat vetted by the Convener/DG

Water Abstraction

BR stated that the Ericht fish farm had been issued with a new banded licence which they had until 10th July to appeal, although he thought an appeal unlikely. DS agreed with BR that the overall abstraction package was better than before but there were still potential issues regarding smolt passage past the fish farm intake from the lade to the fish farm. DG asked if the lade could be screened, to which DS replied this had been talked about but there was resistance from the operators on the grounds of cost and operational implications plus complications arising from the ambiguous ownership of the site. He had however asked the Operations Manager to take footage of smolts passing the fish farm intake area and was in the process of editing the data to be sent on to SEPA.

BR explained that the licence was a two stage process, with the first looking at water flow, and the second looking at fish passage.

ACTION: DS to edit Ericht fish farm intake footage and pass on to SEPA

Regarding the Lochay abstraction, AS stated this had not progressed. However SSE have been working on the Lochay transformer replacement and AS had asked SSE/SEPA at a meeting whether the Borland lift would be affected by the works, to which the answer was it would not. He also asked whether SSE/SEPA were aware of the lack of salmon, and SEPA stated they were happy to take this into the equation. The Convener thanked AS for his help on the matter.

ACTION: AS to update on Lochay abstraction at next Board meeting.

Beavers

The Convener noted that there were beaver dams at Battleby and this should be kept in mind when looking at removing Battleby dam. DS stated that a licence would be required if the beaver dam was over 2 weeks old and perceived to be a natal dam.

Stocking

To be covered under item 7 on the agenda.

Riverworks

CMN explained she had a meeting with the Forestry Commission in the next fortnight to progress the works on the Lunan.

ACTION: CMN to update the Board on the Lunan riverworks at next Board meeting.

Invasives

TM explained the extent of the Japanese Knotweed problem on the Earn and asked for the Board's help to eradicate. He stated that a survey by the Fisheries Officers had found knotweed covered some 51,500 square metres of land and that he had called an urgent meeting of the River Earn Improvement Association to tackle the problem.

AW suggested contacting local MP's to highlight the problem and CMN/DG suggested contacting the responsible riparian owners to have them deal with the problem. DS suggested scoping out the work required above Comrie and tackle it upstream first and indicated there may be money available from the Tay Rivers Trust. He also suggested TM get in touch with the National Park as they had in the past run a scheme to train up volunteers to spray knotweed.

ACTION: TM to arrange tenders from Comrie upwards with related costs.

5. Financial Summary and road update

IMacG had circulated papers prior to the meeting and these were taken as read. She then gave a brief financial summary of the cash account to 17th June 2019 and explained the larger numbers and variances. She also updated the Board on the situation regarding the road.

6. Catch & Release Code 2020

The Convener explained that as fish numbers were still low, he proposed that perhaps the Board should consider 100% Mandatory catch and release for 2020 unless or until things improved. ALL agreed this was a sound proposal and wished to see it carried forward, with a couple of caveats. TM voiced his concerns that once 100% mandatory C&R was introduced, it would be difficult to end it, but the Convener explained he thought it could be reviewed on an annual basis but would look into this further. DG voiced his concerns that MSS had declared the Tay a Category 1 river and therefore we would be flouting their guidelines by applying for 100% C&R as mandatory. The Convener stated that the juvenile density surveys had been OK but could have been better.

DS/DG both stated that there should be a consultation with riparian owners before applying for the 100% mandatory catch & release policy from Scottish Government.

ACTION: DS/IMacG to send out letter to all riparian owners canvassing their opinion on 100% mandatory catch & release for 2020.

ACTION: The Convener/DS to seek guidance from Simon Dryden regarding the proposal.

7. Marine Scotland Stocking Policy

DS explained that Marine Scotland had published a stocking policy on their website. He had spoken to Simon Dryden of MS who had clarified that kelt reconditioning would be admissible under the new policy (other than if you were breeding fish to second generation which we don't do anyway). We are principally stocking with eyed ova and unfed fry which is admissible under the new policy, as is stocking for mitigation and restoration purposes.

CMN asked if we could influence the stocking policy to which DS replied he and IMcL would be meeting with Simon Dryden to gauge his reaction.

After much discussion the main conclusion was we have two choices namely (a) accept the decision and look to wind the hatchery operation down over the next couple of years or (b) publicise the work we do at the hatchery and fight to keep it open. The Board unanimously agreed to accept the latter option.

ACTION: The Convener/DS to meet Simon Dryden and discuss hatchery with him ASAP.
ACTION: DS to send letter to John Swinney and Roseanna Cunningham regarding threat to hatchery
ACTION: Hatchery open day idea to be fleshed out – CMN?

10. Jim Henderson Presentation – Review of Board’s top ten objectives

(Mr. Henderson had previously emailed the Board to demand a slot on the agenda but did not disclose the purpose of the meeting until pressed.)

Top ten objectives

Mr. Henderson introduced himself and gave a brief background of himself. He proceeded to hand out copies of the Board’s top ten objectives, as agreed by the Board in a previous meeting. He expressed his displeasure with the objectives document as to his mind it did not show a business case, costing nor an action plan and he saw no basis for it going forward. He stated that he had studied the objectives and was of the opinion that none of them were achievable with the current staffing level.

Bird Predation

Mr. Henderson presented the bird predation topic at length, stating he and some ghillies had met with Simon Dryden and he could contact Simon directly. Mr. Henderson was of the opinion that the ghillies knowledge of the river went largely ignored. He proposed running a bird count every month to give a true figure of the predation issue.

Water Abstraction

Mr. Henderson then presented the water abstraction issue on the Ericht which he thought SEPA should be managing better. He stated that the Earn was on its back with water pumps and hydro abstraction and he would like to see the Board pull together with the likes of the NFU and SEPA.

Garry Rewatering

Mr Henderson expressed his incredulity that he could not find a costing for the Garry rewatering project, nor an abstraction plan. BR stated that SEPA did not cost projects as such as they had a prioritised plan and worked mainly to requirements through directives. The Convener added that the Board’s costs to run the Garry project could be found in the annual report.

Mr. Henderson asked if the Board were happy with the way the Garry project had gone, to which DS replied in the affirmative, stating that we had used reconditioned fish and had stocked the Garry and now there were breeding salmon that had not been there previously. Apart from the temporary cost of stocking, there had been minimal cost to proprietors. The expense of the project had been borne by SSE.

AW then challenged Mr Henderson about his previous comment regarding ghillies being unrepresented on the river and told Mr. Henderson that both C’OD and DG were ghillies on the river and their views were listened to by the Board. AW asked Mr. Henderson not to waste Board time and to be more constructive in his approach.

The Convener stated that he was interested to hear what Mr. Henderson had to say and that the Board were not ignoring issues. He explained to Mr. Henderson that the Board was elected and its remit was to protect and promote salmon. Furthermore, the Board was open to scrutiny as long as it was constructive and that the Board and the TGA all had the same interests at heart.

Luncarty Weir

Mr. Henderson asked about the Luncarty Weir, to which the convener explained it had already been addressed earlier in the meeting and DG went on to furnish Mr. Henderson with the Board's decision regarding the weir and the reasons behind it.

Fish Counters

Mr. Henderson then asked if the Board would support his idea of putting an acoustic counter on the River Tay as he had spoken to the Chief Engineer at Perth & Kinross Council who had, he said, endorsed the idea and would like to put it through to project stage. The cost of a survey would be £1,750 plus VAT and Mr. Henderson had already spoken to a manufacturer in the USA who had tackled rivers as big as the Tay. DG expressed his surprise that this could be done and the Convener concurred.

DS pointed out that he had been at a presentation by a company involved in acoustic counting of a trial on the River Deveron. In that case there was still significant software development work to be done and it did not appear there was yet a reliable off the shelf technology. He questioned also the value of the information obtained, even if reliable. He said there had been interest in counters from people on Category 3 rivers that did not want to be in Category 3 where a counter would be useful to confirm the true numbers of fish, but in the mainstem of the Tay and if people wanted 100% catch and release anyway, he could see little value to be gained from a costly counter.

Fishponds

Mr. Henderson asked if Fishponds was a viable project, to which the Convener replied under new Marine Scotland policy it was unlikely that Fishponds would be granted a licence to operate. He asked Mr. Henderson to read the policy, to which Mr. Henderson said he had and that he understood it.

Earn Netting

Mr. Henderson asked what the Board was doing about the netting on the Earn, to which TM replied this story had been blown out of proportion as the old owner had passed away and he hoped the new owners might be persuaded not to net anymore, although the amount they had caught was minimal.

Mr. Henderson expressed his anger at the Board for his perception that his concerns had not been addressed. The Convener thanked Mr. Henderson for his presentation and said he was sorry Mr Henderson was not happy with the response he received. Mr. Henderson said the Board should not take anything lying down, to which the Convener replied the Board were not taking it lying down.

(Mr. Henderson left the meeting)

8. H&S Report

DS reported no incidents or near misses since the last Board meeting.

9. TDSFB/TRT Plan for the Future

DS had previously circulated a paper regarding the relationship between the Board and the Tay Rivers Trust. He explained that the TRT had become more active and had gone through a revamp and wished to take on a more prominent role, developing a closer relationship with the Board.

He stated that the relationship between the two entities would need to be reviewed. The Board's income stream is very limited but the Trust as a charity has access to further funding, which would only help the river. He explained that there had been negative comments about the Board's annual report, but the Trust could produce a "glossy" report to attract funding and could publicise the work done on the river.

AW stated he could see the opportunities and benefits of a new working partnership. DG voiced his concern that the Trust had been set up for salmon centric purposes and he was worried it would move far outside this remit, to which DS replied the Trust could include all river specific topics but in reality salmon would still be a big part of the Trust's remit. DS proposed that Eric Verspoor, Chairman of the Tay Rivers Trust came along to the next meeting.

ACTION: DS to invite Eric Verspoor to next Board meeting to present the Trust.

AOB:

Eden

A member of the public asked if the Eden could feature more prominently in the projects listing of the Board for next year. He also wanted to discuss how the Eden would fit into the new MS stocking policy and was concerned about pollution issues on the Eden.

DS stated it may be a good idea for Eden representatives to meet with SEPA and any other parties involved in the pollution to garner a way forward.

ACTION: IMacG to give Eden representative details to BR with his consent.

ACTION: BR to arrange meeting with Eden representative and other affected parties regarding pollution

Wages/Pensions Committee

AW proposed the Convener to sit on the committee with DG and CMN, to which ALL agreed.

ACTION: IMacG to note the convener is on the wages and pensions committee with DG and CMN

Earn Netting

DS explained that there had been a lot of information doing the rounds, but the truth of the matter was the new owners had been informed they would require carcass tags in order to retain salmon and that the Fisheries Officers were keeping an eye on the situation. DG pointed out that the TRT may be able to buy the netting rights and put an end to the problem.

Pike Predation:

IMacG brought up Mike Smith's topic of pike predation, but the general consensus was to leave this topic for now.

Finance Sub-Committee

IMacG voiced AR's concern regarding proprietors not wanting to pay the levy and asking that he chair a finance sub-committee to look into possible alternative avenues of funding for the Board. ALL agreed this should be discussed when AR in attendance.

Poaching on Dochart

AS stated there had been a poaching incident on the Dochart and would like the Fisheries Officers to keep an eye out, or a camera.

ACTION: DS to inform Operations Manager regarding the incident and suggest cameras are used.

There were no further items, and the Convener thanked the Board for attending, and closed the meeting.