TAY DISTRICT SALMON FISHERIES BOARD

MINUTES FROM MEETING

7pm Tuesday, 6th June 2023

Present:	Toby Metcalfe (TPM, Convener), David Godfrey (DG), Calum Innes (CI), Claire Mercer Nairne (CMN), Jerry Saunders (JS), Nicola Thompson (NT), Bobby White (BW), Mike Smith (MS), Jonathon Muir (JM)
In Attendance:	Dr. David Summers (DS) Fisheries Director, Inga MacGillivray (IMacG) Clerk to the Board, Peter Greig (PG) Tay Rivers Trust – TRT Trustee, Jack Welch (JW) TRT Trustee, Dr. Alan Wells (AW) Fisheries Management Scotland - FMS via Zoom There were two members of the public at the meeting.

1. FMS Update on Salmon Strategy & Implementation Plan by Dr. Alan Wells

The Convener explained he had asked AW to give an update on the strategy and plan amid concerns regarding the Scottish Environmental Protection Agency's (SEPA) ability to address issues.

Implementation Delivery Group

AW stated that there were two main updates. The first being the meeting of the implementation delivery group who had focused their meeting entirely on SEPA and SEPA's management plan, in particular the barriers to fish migration. AW noted that the level or lack of communication between SEPA and district salmon fisheries boards (DSFB's) had been discussed and the group were looking to improve SEPA's engagement with DSFB's. He stated that SEPA had attended the meeting and stressed this was a positive move. He added it was important that the Salmon Strategy team had input to SEPA.

Scientific Advisory Group

AW noted the second main update was the meeting of the scientific advisory group of which himself and DS were both members, along with the Dee Fisheries Director, Marine Scotland, Nature Scot, SEPA and the Atlantic Salmon Trust (AST). He stated the group had a standing agenda item relating to "hot" topics at local level, which would effectively bring topics into focus. The main issue had been the stocking policy and they had also discussed the spread of saprolegnia disease. Indeed, they were hoping to raise money to engage a PHD student to undertake work on the disease.

Outwith the Salmon Strategy, AW stated that Scottish Forestry had seen an uplift in the forestry grant scheme; there was work being done on the temperature logging network; on the predation front, a review of the license process for piscivorous birds was being considered to even the balance between both protected birds and fish.

The Convener thanked AW for his update and asked if there were any questions from the floor.

SEPA Communication Strategy

The Convener noted he had spoken to Marine Scotland and had been informed of a SEPA communication strategy to be issued in June. He asked AW if he was confident this target would be hit. This would affect communications with DSFB's as well as details on delivery of projects. AW replied this was currently being actioned. He noted that SEPA had produced data for DSFB's in the past on an ad hoc basis, but they were being pushed to make this more available as standard. He added SEPA were working on barriers to migration, but he was pushing to see this remit widened to other areas.

AW noted that there was an imminent hydro committee meeting where priorities would be discussed. He thanked DS for his input to the committee and noted that SEPA had committed to reviewing licenses. He was not aware of the June deadline for SEPA's communication strategy.

SEPA Workload

JS expressed his frustration that at least 5-6 issues were awaiting SEPA input and had been on hold for some time. He expressed his concern that the implementation strategy could exacerbate SEPA's already thinly stretched resources.

AW assured JS that most of the current issues were already known to SEPA and were included in their river basin management plan. He had raised this issue with SEPA's new CEO and had urged SEPA to concentrate on core issues, and not just regulation. He was hopeful SEPA would have a fresh view with the new CEO on board.

SEPA perceived bias

JS asked if SEPA were driven to favour the licence applicant, as they appeared to be financially driven to support applicants.

AW noted he had discussed this with SEPA's CEO and made the point that he thought the balance could be better between supporting businesses and protecting the environment. He explained that SEPA had been given a duty through legislation to increase sustainable business growth.

FMS Support

The Convener asked if FMS would consider putting forward projects which the Tay could be getting on with whilst SEPA got up to speed. He added he was very aware that many people were keen to see projects delivered on the ground.

AW agreed and replied that the Wild Salmon Strategy group were currently working on this issue. He asked the board to consider any projects they would wish to see completed. He also explained that SEPA were still not fully functioning following their cyber-attack.

The Convener thanked AW for attending. AW replied he was happy to help.

(AW left the meeting)

The Convener suggested inviting AW to the next board meeting for an update. He stated he had been in contact with both the Spey and the Tweed regarding pressurising FMS to push SEPA. He added that the Wild Salmon Strategy had been agreed and was to be delivered at pace.

DS explained that the only body who could influence SEPA directly was Scottish Government. NT agreed with this and added that FMS should be involved in the process. The Convener reminded the attendees that the river basin management plan was now in its third round and had yet to be delivered.

MS suggested presenting the SEPA dossier for the Tay catchment to FMS and stressed its importance. DS replied this was already in hand across Scotland and that the Upper Garry was high on the list. He cautioned against being too antagonistic as the result could be the board would be ignored.

The Convener reiterated he had been in talks with the director of the Spey and the chairman of the Tweed, and they shared our frustration. He added that if the strategy was not deliverable then there was no pojnt in having a strategy.

BW suggested involving many groups such as the AST, Missing Salmon Alliance, Scottish Gamekeepers Association and FMS.

CMN asked if FMS was the right medium to carry this forward and suggested using the Chamber of Commerce or the Tourist Board instead.

The Convener explained he had spoken to both the Spey and Tweed as he did not want the Tay to work in isolation. He had suggested DSFB's take on projects and be funded by Scottish Government to ensure projects were delivered. He added that SEPA should not be excluded. DG agreed.
JM suggested highlighting potential business losses as a means to incentivise SEPA.

JS asked if the Spey or Tweed had a SEPA representative on their boards. The Convener replied the Spey had one until he retired 18 months ago and was not replaced. He added the Tweed used to have 9 SEPA officers and now had only 1.

JM suggested publicising the lack of SEPA input to the board by such means as social media. DS cautioned against this as other boards had gone down this route and as a result SEPA appeared to be less cooperative. He added that SEPA had a good working relationship on the Tay. The Convener agreed with DS regarding this "tightrope" situation.

The Convener welcomed the two TRT representatives, PG and JW to the meeting.

2. Apologies

Apologies were received from and Andrew Parrott (AP), David Sands (DSa), and Nicki MacIntyre (NMcI) Nature Scot representative.

3. Declaration of Interests Update

There were no new declarations of interest.

4. Minutes from meeting held 11th April 2023

The Minutes had been circulated prior to the meeting and were taken as read. All agreed the Minutes showed a true and fair reflection of the meeting and the Convener signed the Minutes.

5. Report on Matters Arising from Meeting held 11th April 2023

The report had been circulated prior to the meeting and was taken as read. The Convener suggested only pertinent points be discussed to which all agreed.

Fishpal Contract

The Convener expressed his uneasiness at signing the proposed contract and suggested legal advice be sought. He thought each beat should manage their own contract with Fishpal but that catches

should be recorded overall. Once more admin support was in place, he thought the contract should be dealt with differently.

CI disagreed and stated his understanding was that most of the board had been broadly happy with the proposed contract. He reminded everyone that the TRT benefitted from donations monies and that the catch data was supported by Fishpal.

NT suggested exploring alternatives before making any sudden changes. DG suggested too much time had been spent on an issue which was a fraction of the total budget, and agreed with the convener that legal advice should be sought. He expressed the view that he would like the Fishpal contract to continue.

CMN explained that she had contacted Sam Carlisle at Fishpal and he had clarified the proposed agreement and assured her that contracts with individuals would remain unchanged.

DG suggested for those who proporietors who did not want Fishpal, that they be offered a proportionate rebate on their levy.

JS pointed out that 52 fisheries used Fishpal on the Tay and that they were used to receiving that service via the TDSFB. He suggested a consultation with the participating owners to see what they wished to do.

MS stated that Fishpal would not turn off their website if the TDSFB didn't pay and that the Tay was one of only 3 rivers in Scotland who paid anything to Fishpal, along with the Tweed and the Dee.

NT noted it did not matter what other rivers did. The board should make the decision for the Tay catchment based on its particular requirements.

There followed a brief discussion surrounding these topics with the following action being decided.

ACTION: MS and CMN to renegotiate contract with Fishpal.

Fish Handling Techniques:

IMacG noted she had been asked by Sam Datta to clarify what constituted good fish handling techniques for TDSFB weekly fishing report.

After a brief discussion surrounding fish handling techniques, the following was agreed.

ACTION: IMacG to contact Anne Woodcock and Sam Datta to clarify that fish handled in water only was acceptable for any material and that inappropriate images should be phased out.

CMN took the opportunity to inform the board that drinks could be claimed at Meikleour for released fish, and to contact her for more details.

The Convener asked that the finances and budget (item 7 on agenda) be brought forward.

7. Financial Report & Budget

The current financial position papers had been circulated previously and were taken as read. MS asked what the levy rate was going to be. IMacG replied that the budget determined the rate and this would be discussed next – if the budget was agreed, the levy rate would be 54%.

IMacG presented the amended budget, admitting that she had not removed the old office rent and rates as per last meeting's action point because the TDSFB and TRT had not signed the lease and therefore the TDSFB were still legally liable for the rent. All agreed the budget.

ACTION: IMacG to invoice proprietors at 54% of rateable value.

6. **TRT Update**

CI (Chairman of TRT) explained the TRT met monthly and had a big agenda. He then listed some of the projects the TRT were actively leading:

- Constitution Update - Work was near completion on updating the TRT memorandum and articles
- Riparian Planting Project – the TRT had approved expenditure on temperature loggers and were now looking at larger, rather than smaller planting projects.
- Project Development Officer – The search continues for the TRT PDO with a refined wishlist of which a key part is the ability to raise finance.
- Gene Banking – this had been considered by the TRT but was now on Scottish Government agenda.
- Salmon in the Classroom – continuing project.
- Malloch Trophy – High profile judges have been selected and images are screened by fish handling techniques.
- Fundraising Dinner – CI explained the dinner would be held on Saturday, 7th October and asked the TDSFB for its support.

The Chairman suggested the £10k project budget may be used to support the TRT.

BW introduced Ian Law (IL) who was representative of the Earn.

IL explained he was frustrated by the lack of fish in the river and had become involved with the river in April 2023. He was now trying to join the River Earn Improvement Association (REIA). He stated he would like to see a fecundity study carried out on Earn fish using spring versus back-end fish. He had around 48 anglers and 8 Tay ghillies who wished to volunteer to catch the necessary fish required for the study.

IL stated he had also considered predation issues and had a team for smolt shepherding. He had also undertaken burn walking and had sent the resultant photos to DS. He suggested fencing and planting to stabilise banks and also re-narrowing sections between Comrie and Crieff. He had read the TDSFB management plan and was interested in tree planting. He also thought temperature loggers were important, citing Meggernie as an area prone to overheating.

CI agreed that temperature loggers were critical to produce data to back up projects.

ACTION: CI to arrange TRT meeting with Ian Law regarding projects for the Earn.

JS added that the fundraising dinner would provide funds for temperature loggers.

CI concluded that the main message from the TRT to the TDSFB was to support and help the TRT.

JS expressed his pleasure at hearing IL's ideas and stated it was fantastic to see someone with such passion for the river.

Peter Hutchinson (PH) asked how the public could get involved with TRT. CI replied that PH should put something in writing to him.

8. Management Plan – Director Report

DS stated the catches were poor and this was widespread, with something happening at sea.

The Convener stated that he had received figures to suggest millions of tonnes of fish were being taken from the North Atlantic and he had contacted AW of FMS regarding the subject.
DS had see the figures too and suggested that someone had misrepresented a comma for a point as they appeared rather overinflated. He added that the figures were not substantiated.

JS pointed out that the lack of fish was not a specific Tay issue and that he thought it was important not to criticise the Tay, as it was actually ahead of the Dee and Spey. He pointed out that compared to these two other rivers, the Tay had small amounts of employees and resources and yet it was still fishing better.

Scientific Advisory Committee:
DS advised the committee was investigating various issues, with stocking and genebanking being a priority.

Seal Licence:
There had been no update on the seal licence application from Marine Scotland.

Hydro Group:
DS stated he would be attending a meeting the following day.

Tay Ghillies Association Information request:
DS hoped the Tay Ghillies Association were happy with the response he had sent in answer to their request on counter information. He added that although this had not been an official Environmental Information Request, it had taken some time to prepare.

Saprolegnia Outbreak:
DS explained the Tay and North Esk had been aware of this disease for a number of years, but it had now spread to the far north. He noted an Aberdeen University member was looking into the issue and had discovered different strains of the disease. It would appear a new strain was causing issues in the north. From his experience, he summised that natural obstructions tended to aggravate the disease, particularly when waters were warmer, and fish were stressed.

JM stated he had seen a bulletin that day on the subject and his assumption was this was a secondary infection. DS argued it had been clear to some people this wasn't the case, and it was a primary infection. JM then agreed there was more evidence of it being a primary pathogen and he was not sure which study had proven a 100% death rate in fish affected by a strain of saprolegnia.
DS stated it was all very well studying the disease but at the end of the day, what measures could be taken to halt its deadly effects. JM noted he believed improved biosecurity would help. DS explained waterfalls appeared to cause issues. He stated that in 2000 there was a spate and fish made

their way up past Islamouth and on to the leap. They became stuck there and the water became hotter which caused them to be over stressed and large numbers then died as a result. Their eyes bulged and eventually burst - samples were sent for testing but nothing of note was discovered.

DS explained a PHD student had been tasked with analysing the disease and that the board should ensure the project was delivered and had a practical outcome.

ACTION: IMacG to communicate to proprietors regarding increasing biosecurity to help combat saprolegnia.

PG asked if trout were also affected by saprolegnia. DS replied he would send him Matthews PHD on the matter.

ACTION: DS to send PG the Matthews PhD paper on saprolegnia in trout populations.

Ferryfield – River Earn:
The Convener advised he and DS had and another interested party had visited the beat. The conclusionwas that there was no material impact on stocks and there was nothing practical the board could do at this stage.

Lochay:
DS advised that SSE and SEPA would be meeting imminently on the issue. SEPA had intimated they would have an update in a few weeks.

Signal Crayfish:
DS advised he was awaiting prices from the University of Highlands and Islands (UHI) to carry out a piece of work to determine the spread of the issue.

Fillan Embankment:
DS explained the Loch Lomond group had secured money from the nature restoration fund and had engaged a hydrologist.

Temperature Loggers:
This had been discussed under item 6 on the agenda – TRT Update

Buchanty Spout:
DS had consulted the road contractor and was awaiting feedback on feasibility.

Stormontfield Hydro:
DS noted there had been some concerns regarding the hydro, but the fisheries officer team had put cameras in to film and reported nothing untoward.
DS added the owner had been cooperative however he may not have realised the impact the speed of the hydro was having on fish.
JW noted he knew the owner and could help liaise if required.

JS added the Council had responded promptly regarding the rubbish dump issue on the Ericht. They were to spend circa £400k on the fix and hoped to recoup this from Scottish Government. JS praised the action of the council and asked that DS be kept in the loop on any progress.

ACTION: JS to email the council regarding Ericht rubbish dump issue and ask that DS be kept in the loop, and to copy JW in on the email.

Ericht:

JS stated that local constituents were due to meet with John Swinney and Marie Gougon regarding the issues on the Ericht. He thanked the fisheries officer team for all their hard work smolt shepherding.

9. Operations Manager Report

The Operations Manager report had been sent out prior to the meeting and was taken as read.
The Convener noted he would like Mike Brown to put more detail into the report.

10. Hatchery Report

The Hatchery Report had been sent out prior to the meeting and was taken as read.
The Convener noted there was to be a Tay Ghillies Association visit to the hatchery.

ACTION: DS to arrange visit with MS.

11. Health & Safety Report

DS advised there had been no reportable incidents since the last meeting. He noted that all staff now had an updated copy of the H&S manual and policy and they had been invited to give feedback. He foresaw some changes to the manual due to the SISI officer now moving wholly to the Tay catchment.

12. Staffing Report Update

NT reported that all staff now had contracts available to sign with the exception of DS and IMacG. IMacG would also be looking to advertise for an admin assistant the following week.

IMacG noted that she had received the cv's for the replacement Fisheries Officer role.

ACTION: All to feed back any suitable candidates to DS for inclusion in recruitment process.

13 .Marketing Update

IMacG explained there was no marketing report but she would send it on ASAP.

14.AOB

Broodstock Licence:

JS asked when DS would apply for the licence. DS replied he would apply before July. JS asked if hatchery production could be increased, specifically for Earn fish. DS replied that was the plan for the Earnas IL now had a team to gather broodstock fish.

JS asked if the hatchery could commit to producing 1 million eggs. DS replied under the current stocking policy this would be difficult.

The Convener noted that there was a stocking review and that there was an opportunity to stock more due to losses caused by disease. DS pointed out that this would be considered enhancement stocking and was prohibited under current stocking policy.

JS suggested renting hatchery space to other rivers if there was spare capacity. DS replied the Dee had already asked for a price to use the hatchery facilities. DG suggested this was not in the Tay's remit.

DS explained that both the Dee and Spey had looked at catching smolts and keeping them in captivity till they matured before returning to the river to spawn.

JS expressed the need to nurture the hatchery and look at gene banking as a possibility. The Convener noted he had written to Marine Scotland regarding a national provision but had been told there were no funds available.

Bird Licence:
The Convener asked DS about the bird licence. DS replied he would apply this month and it would run to the following May. BW added he had another bird count set of figures for DS.

The Chairman thanked everyone for attending and the Open section of the meeting came to a close.

(Peter Hutchinson, Ian Law, PG & JW left the meeting)

The following items were discussed in private by the Board due to the fact they are of a commercially sensitive nature.

16. Minutes of Closed Meeting held 11th April 2023
17.Financial Report – Debtors Update
18.AOB

End of Open Meeting Minutes

The next meeting is scheduled to be held physically at the Summerhill hatchery on Tuesday 8th August 2023 at 7pm.