TAY DISTRICT SALMON FISHERIES BOARD

Minutes of Annual Public Meeting held On Wednesday, 19th April 2023 at 5pm

Board Members Present

Toby Metcalfe (Convener)
Calum Innes (CI)
Claire Mercer Nairne (CMN) (part)
David Sands (DSa)
Jerry Saunders (JS)
Bobby White (BW)

In attendance

David Summers (Fisheries Director) (DS)
Inga MacGillivray (Clerk to the Board) (IMacG)
Grant Kellie (Ericht Sub Committee) (GK)
Gavin Robertson (Ericht Sub Committee) (GR)
Andrew Lees (Ericht Sub Committee) (AL)
Mark Purrmann Charles (SISI Project Officer) (MPC)

At Blairgowrie:	6 members of the public
At Stanley Mills:	5 members of the public
At Hatchery:	9 members of the public

Apologies

Nikki Thompson
Andrew Parrott
Michael Campbell
William Jackson

Prior to the meeting, the Accounts for the year ending 31 December 2021/2 and the Annual Report 2021/22 were available on the website and had been distributed in hard copy form to all proprietors and interested parties. The agenda was also available on the website prior to the meeting, as well as Minutes from the last Annual Public Meeting held in March 2022.

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The annual public meeting started at 5pm in Blairgowrie, overlooking the Ericht, to highlight the issues faced on this particular part of the river. The participants then headed to Stanley Mills after 6pm to learn of a hydro issue on the river, before heading to the Summerhill Hatchery for presentation of the accounts and annual report, and a Q & A session.

Opening Statement from the Convener

The Convener opened the tenth Annual Public Meeting by welcoming all attendees and introducing himself and the format for the evening. He then handed over to JS.

River Ericht Sub Committee

JS explained that the situation on the Ericht was not new and had been around for some years. Indeed, he cited 13 crisis points which had been identified as potential threats to smolts and adult salmon passage. He explained the methodology behind the sub committee's work and explained the three areas which would improve the situation, being:

- Making the lade smolt proof
- Making adult passage in low flows easier
- Reducing abstraction – this was in SEPA's control but the Sub Committee and TDSFB could try to influence.

DS noted that a new fish screen would require development and that he had been to tender for a fish pass design and costing. He added that funding would need to be sought for the build.

JS thanked the Ericht sub committee for all their hard work. He informed the group that a letter had been sent to Perth and Kinross Council explaining the issues and this had been backed by both council representatives on the Tay District Salmon Fisheries Board (TDSFB) and the Tay Rivers Trust (TRT). He had received feedback that the works would go ahead.
Furthermore, the group had contacted Scottish Government and pushed for action. He had received word from Scottish Government that the issue would be included in the salmon strategy implementation plan, but there had been no mention of it in the plan.

GK asked if any of the recent secured funding for the area would be used for the issues identified on the river. JS replied he thought the £120k was for cycle tracks and such like but it would be worth following up.

JS added that during low flows, the TDSFB proposed the fisheries officer team would set up a diverting net upstream to prevent smolts approaching the lade. He noted that local help would be sought to avoid nets being damaged or becoming filled with debris.

A member of the public recommended fitting a surveillance camera to avoid such issues. GK offered to pay up to £2,500 for the camera if no other funding solutions could be found.

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The Convener thanked the Ericht sub committee for their measured thoughts and actions. He noted that SEPA were under considerable pressure, and it would be a challenge to finalise the work required. He added that he had attended the Fisheries Management Scotland (FMS) conference recently and had gleaned that Scottish Government had limited resources and were exploring "green funding". Indeed, the Atlantic Salmon Trust (AST) had recently appointed Alison Baker from the Forth to explore this avenue. He urged all to be realistic and to help the AST and TRT to meet the challenges ahead. DS added that FMS had also appointed someone to look at green funding.

DS explained that the Ericht issue had been raised by GK to John Swinney MSP when there was a severe drought in 2018. This had led to SEPA agreeing to review the issue in 2019. Unfortunately, the cyber attack on SEPA coupled with the pandemic had delayed this process. He added that SEPA's hydrologists were still working on it, but the progress was unfortunately very slow.

GR expressed his disappointment regarding the reply to the Ericht Sub Committee's letter from Scottish Government and suggested taking this to local MSPs to increase pressure.

A member of the public asked if screens could be deployed once river levels dropped. DS replied this was what was supposed to happen. He added that the fish farmer was entitled to extract most of the water at certain flows, but not at very low water.

CMN asked if SEPA was comfortable with TDSFB finding funds to solve the issue. Furthermore, if TDSFB provided funding streams, would it then not have a say on abstraction levels.

(CI joined the meeting)

DS replied the proposed screen would have to be agreed with SEPA in the first instance. He passed round some mock-ups to the attendees. The Convener added that these would require board approval and stressed the need for action.

CMN asked about control of abstraction again. DS replied it would be unlikely for the TDSFB to control abstraction. Indeed, the abstractor should be paying for the remedy, and the onus should not be on the TDSFB.

CMN asked about the public water gauge and asked why it had not been installed, as it had been one of the conditions of the licence. DS replied that SEPA allowed the removal of gravel build up and therefore no consistent place had been found to install the gauge as yet.

DSa asked what TDSFB's relationship with the fish farmer was like. DS replied the fisheries officers had a generally good relationship with the fish farmer.

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AL explained that he represented a proprietor below the fish farm and pointed out that in low water, the beat was not fishable.

GR noted that the Ericht represented a key spring spawning area. Adult passage was impeded at Blairgowrie, leading to fish becoming stressed, diseased and there was also a predation issue. He saw the current impasse as optimal for the fish farmer, as he was not required to do anything and optimal for SEPA as they also were not required to take action.

A number of solutions were discussed including quantifying the value of fishing to use as a bargaining tool, buying out the fish farm with no actions arising.

CMN stated that perhaps SEPA favoured fish farms. DS replied that SEPA were obliged to consider business implications but would also be swayed by local community pressure.

TDSFB Bird Count:

JS used the opportunity to advertise BW's bird count. BW explained he had been coordinating bird counts for two years but needed more volunteers. He asked anyone who wanted to get involved to get in touch with him directly. He would try to map out the areas not covered, and he thanked everyone that had contributed.

Crayfish Issue:

The convener explained the issue with crayfish on the Tay catchment. He had been in touch with NatureScot regarding the issue and had received a detailed response. Unfortunately, there was nothing the TDSFB could do at present.

David Morton asked what the effect of crayfish was on the catchment. DS replied that there was not a lot of knowledge on the subject regarding crayfish impact on salmon populations. However, there was a fear they could impact salmon. He added that it would have been optimal to have baseline data from the Blackwater prior to crayfish explosion.

DS explained that the TRT had been consulting the University of the Highlands and Islands (UHI) on using environmental DNA studies. This would give some indication on the spread of the issue and ascertain whether there is an impact.

CMN asked if stomach analysis of crayfish would be helpful. DS replied that crayfish tended to eat salmon food and in any case a licence to catch crayfish would be against NatureScot policy. He had been informed that Nature Scot wanted to avoid people fishing for crayfish as they would inevitably introduce them to other parts of the catchment. GK added that he had been informed of this too.

The group then ended the Ericht section of the meeting and headed to Stanley Mills.

(AL & GR left the meeting)

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Stanley Mills Section:

DS explained the history behind the electric turbine and that in latter years N-Power had developed the site then sold on to a company from the Czech Republic. Screens had been added to divert smolts away from the turbine, but DS was concerned that their effectiveness had never been properly tested.

During N-Power's ownership, there were never issues, but in recently there have been issues with clogging. BW added that the last couple of years had seen situations where fish were stranded on the walkway above the screens and any spates had seen near-disastrous consequences.

DS explained that SEPA had been very helpful on an occasion in May 2022 when the bywash pipe broke and smolts had no way past. SEPA had basically told the operators to adhere to TDSFB advice. DS described how one of the Board's staff had attended the lade to be faced with thousands of smolts in the screen area which promptly relocated themselves to a nearby tunnel to hide when a rescue attempt was made. JS explained that if the TDSFB had not been alerted to the issue by BW, thousands of smolts could have perished.

DS outlined a proposal to film smolt movement through the structure to ascertain where the issues lay.

The group then ended the Stanley Mills section of the meeting and headed to the Summerhill Hatchery.

Summerhill Hatchery Presentation of Accounts and work of the TDSFB

The Convener explained the format of this section of the open meeting.

2021 Annual Accounts Presentation:

IMacG presented the 2021 audited financials, highlighting the main areas of income and expenditure and their relationship to prior years. She explained 2023 was a revaluation year and the implications of this. The Convener added an explanation on the new assessor rules for appeal.

Colin Lowson asked what contribution John Apthorp had made during COVID pandemic. IMacG replied £60k and that the TDSFB were extremely grateful for all John's help.

Colin Lowson asked where he could find the cash in bank figure. IMacG replied this was in the balance sheet section of the accounts and currently stood around £220k to date.

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TDSFB Activities in prior year and future

River Plan 2022-4

DS explained the Scottish Wild Salmon Strategy was published in January 2022 and the strategy implementation plan was published in February 2023. He added that more detail was expected from the implementation plan than was delivered.

He explained the TDSFB river plan dovetailed into the Strategy, so our priorities aligned with Scottish Government. He pointed out that many areas of the plan were outwith the TDSFB control, but that there were also other projects the TDSFB wished to develop.

Enforcement

DS noted that bailiffing still played a large part in the TDSFB workload, but it had been reduced from what it had been in the past.

Ericht

DS explained the group had just been to the Ericht earlier in the evening and he gave a brief outline of the issues faced there.

River Lochay

DS explained that the River Lochay is a tributary to Loch Tay at Killin. It had been opened up by the Hydro Board in the 1960s but had never fully colonised. There was electrofishing data to back this up. DS noted there were two main reasons for this, namely the fish passes may not be wholly effective and the fact that summer flows were greatly reduced. The licence for SSE abstraction is still under SEPA review and it is a slow process. DS mentioned the Convener had met with Scottish Government officials and hoped the contents of the wild salmon strategy would help the process.

River Garry

DS gave a brief history of the project, stating that partial flow had been restored in 2017. He explained the kelt reconditioning project in the hatchery had been used to stock the river. Part of the condition of the stocking exercise is that the TDSFB have to monitor the river. DS explained that fin clippings were taken and sent to UHI for analysis. He advised that water was now reaching Loch Garry but there was no ability for salmon to get over the Garry intake. As part of SEPA's river basin management plan, ideally smolt screens would be installed and adult salmon should be given passage above the intake. Effectively, he added, the onus was on SEPA to take this forward and the TDSFB would like to see Scottish Government promote the process.

Predation

DS explained the TDSFB had received a licence for a moderate amount of birds for many years. He added that thanks to BW expanding the bird count, the board now had a better handle on bird numbers and the licence had been increased as a direct result of the bird counting team's

actions. He stated that anyone who wished to be involved with the count should contact BW directly.

Habitat Improvement

DS gave a brief overview of the Fillan bank project.

He then described a possible project in the upper Shee area. He explained that salmon production activity was noted in the area. He was concerned about water temperature and the ability of salmon to survive high temperatures. He added that tree planting may help in this area and that there was funding for such a project.

DS explained that other projects were in the development stage such as bank erosion on the Isla and Earn which would be carried out by the TRT. He added that the TRT were currently in the process of appointing a project development officer to take such projects forward.

DS noted that there was funding available from "green funding" sources and indeed FMS had appointed a person to help with securing funding. He added that tree planting projects featured heavily in such funding and that it would need to be clear that tee planting would work in certain areas.

Lunan

DS explained the issue on the Lunan was it had too many trees and that Meikleour estate were keen to thin these out. However, the Scottish Forestry had refused their application since 2019. DS hoped the wild salmon strategy would help to resolve this issue.

Fish Population

DS described a project which would be developed with TRT to carry out a fish population study on the main stem of the river. This area was impossible to electrofish due to its nature but sweep netting would be appropriate.

DS pointed out that the board and trust were trying to grow resources in order to be able to carry out more work. He added that there were always incidents that presented themselves such as the Dighty Burn at Monifieth. Recently, there had been an issue with a new bridge and fish passage which would require to be monitored over the summer.

GK stated that although there was erosion on the Isla, the Ericht had similar erosion caused by beaver damage.

BW brought up the subject of diffuse pollution in the river.

The Convener introduced MPC, the SISI Project Officer for the Tay and explained that MPC would now be with the Tay full time instead of splitting his time between the Tay and the Esks.

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Scottish Invasive Species Initiative Project (SISI)

MPC confirmed he was now in the process of handing over the Esks and was effectively full time on the Tay.

He explained the SISI project began in 2018. The project had received funding in March 2023 to expand core staff and keep the project going. MPC's role had been extended to March 2026 and was funded by the Nature Restoration Fund.

He explained the project deployed contractors and worked with landowners and volunteers to eradicate invasive species. MPC highlighted the progress made in Phase 1 and 2 of the project. He also described the Almond project in conjunction with Perth & Kinross Council.

MPC advised he was now handing back sites to landowners to manage, as well as bringing on board new landowners to start the process.

BW asked it the SISI project covered the Earn. MPC replied it was to be included once the area from Luncarty to Perth had been tackled.

George Thomson (GT) asked if MPC could offer training for Earn volunteers. MPC replied he thought this could be arranged.

Colin Lowson dtated the Earn AGM was imminent and asked if MPC could come along and advise what they should do about invasives. MPC replied he would be happy to attend and offer any support he could.

GK noted there were mink at the lower end of the Ericht.

The Convener thanked all 3 presenters and thanked BW for all his efforts on the bird counting front. He added that predation had been top of the list on the consultation process. He then opened up the Q &A session.

Q&A Session

Stocking

Ian Law (IL) asked if there was any way to increase stocking capacity on the river, given the problems were predominantly at sea.

DS explained that this was not considered mitigation stocking by Marine Scotland, the licensing authority. IL argued that mitigation policy could be connected to marine mortality.

The Convener added that the wild salmon implementation plan had given rise to Scottish Government pledging to review their stocking policy this year. DS explained that the Earn and Eden had more latitude when it came to stocking as they did not have Special Area of Conservation (SAC) status.

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IL noted from the December meeting minutes that stocking the Earn was mentioned. DS replied this had not happened yet but was a possibility for the future. He added that Marine Scotland had stated the current stocking policy was an interim measure but he was not sure of the timescale. IL stated the policy document had been released that month.

IL asked what stocking would be allowed with regards to the Earn. DS replied in order to justify stocking, it could be for investigative purposes. He added that for example this could be to gauge lack of juveniles in particular areas. He explained that the Operations Manager had been recording declining numbers in recent years in some areas and these areas could be used for investigative stocking.

IL stated he understood the limitations the TDSFB faced with staffing etc.

DS suggested a study to look at fish fecundity and explained that Marine Scotland were keen to investigate this issue. He had received a licence to do this for several years but not enough volunteers had been willing to participate in the broodstock fishing. It appeared that autumn fish produce a different number of eggs compared to spring fish. DS stated that the Earn was not dealt with fairly in the current categorisation process. He added that this study would mean volunteers fishing in December which from past experience had not proven popular. IL stated he would like to be involved in the project.

The Convener thanked everyone for attending and brought the meeting to a close.

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End of Minutes