

Kyle of Sutherland District Salmon Fishery Board



MEETING TITLE: Board Ordinary Meeting
Meeting Date: Friday 27th September 2019
Meeting Time: 10.30am
Meeting Place: Kyle Fisheries Office, Ardgay

MEETING MINUTES *(Draft)*

Chair/Facilitator: Richard Sankey

Minute taker: Jacqui Hamblin

In Attendance

Board	Attending
Richard Sankey (RS) Chair Robbie Douglas Miller (RDM) Ashe Windham (AW) John Green (JG) Rob Whitson (RW) Keith Williams, (KW) Alex Hunter (AH) Nicky Griffiths (NG)	Richard Fyfe (RF) SEPA Alastair Harrington (AH) Galbraiths John Audsley (JA) Kyle Fisheries Steven MacKenzie (SM) Kyle of Sutherland Fisheries Trust
Apologies	Legend
Gary Gruber Michael Baird Peter Routledge Alastair Stephen Iain McMyn Sean Robertson	

1. Welcome

Richard Sankey – Chairman, KSDSFB.

RS welcomed members of the Kyle of Sutherland District Salmon Fishery Board and the others to the meeting and thanked Richard Fyfe from SEPA for attending, his expertise and knowledge is much appreciated.

2. Approval of Minutes – Board Ordinary Meeting held 28th June 2019

Minutes approved

3. Open Actions B/Fwd.

No	Action Title	Actions	Owner	Raised	Complete by
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1	CARRON GLEAN BEAG	<p>Action KW - disseminate times and dates of plate being changed at next Carron proprietors meeting and to write a draft document explaining the present situation.</p> <p>Action KW/SR/IM - talk about the feasibility of introducing a sonar device to monitor movement of fish when the ground sluice is opened.</p> <p><i>KW not going to happen this year. Spoken to IM of SSE, will keep on actions list.</i></p>	KW KW/SR/ IM	June 2019	September 2019
2	DUCHALLY	<p>No fish counter data for Duchally has been produced so far in 2019, but data from the fish counter on the Shin has been coming in. Andy Jacobs at SSE has been dealing with this. RS notes disappointment that no data for Duchally has been produced thus far, IM agrees. Action – SR to contact Andy Jacobs regarding Duchally, and to copy IM into email chain. Report back at the next board meeting. <i>Getting more information from fish counter, although Duchally lagging behind. Getting raw data, software is actually very good. Busy with field work and will catch up. To summarise it is getting better. Hold up was problems within SSE. There is a time lag on data. File sharing system is in use. Action SR to continue to monitor data.</i></p>	SR	June 2018	September 2019
3	HEALTH & SAFETY	<p>Health & Safety policy to be updated</p> <p><i>Require a thorough review of H&S policy, overdue. Make priority for winter.</i></p>	KW/SR	October 2018	December 2019
4	SSE AGREEMENT	<p>Action RS- speak to JMD. Emailed twice to JMD with legal department. AS sent a draft that was unacceptable and returned with request for it to be more concise. Nothing arrived yet. Doubt we are vulnerable, machinations of their</p>	RS	October 2018	ASAP

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		legal department. Action RS Keep putting pressure on SSE.			
5	CARRON POLLUTION	<p>RS, Wildlife trusts had meetings some time ago to highlight pollution and produced informative webpage which is no longer available. Their advice is to use phosphate free products suitable for septic tanks. Nearly all sales of these are online. AH, perhaps we might be able to speak to local shop owners to stock these products. RS, Wildlife trusts didn't want to endorse a brand, and most people will shop for these items in larger supermarkets. SM, Bonar bridge treatment plant won't be removing phosphate. RS, Phosphate removal is very expensive. KW, Sea water is high in phosphate anyway, and given the estuarine environment in Bonar Bridge that shouldn't have a major impact. RS, different types of phosphate add complexity to the issue, septic tanks can be more polluting than treatment plants. SM, could the board buy some phosphate free products for people to trial? IM, an information package sent to people/lodges could help. From personal experience these products are effective enough. RS, Perhaps a trust project with some scope for collaboration. MB, HOST has been doing litter picking, perhaps a good opportunity for partnership.</p> <p>Action – RS to contact S&TC to see what information they have. Spoken to them, limited information available.</p>	RS	October 2018	Completed
6	SSE ANNUAL REPORT	<p>SSE require a targeted annual report and finance attribution. Targeted annual report and summary of work completed by SR. Financial attribution still to be completed Action JH</p>	KW/SR/JH	October 2018	Completed

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7	KEEP EM WET	“Keep em Wet” campaign rebranding in June, waiting until then to distribute new material. New posters & material being produced in June linked to their website. New material still not available, in process of re-branding. Action SR Check on their progress. Daniel Logie keen to do video on best practice. Research showing ‘gripping & grinning’ can be harmful to fish.	SR	October 2018	ASAP
8	KEY MAN INSURANCE	RS, “Key Man” insurance is used in other organizations. It ensures the ability to pay salaries and cover the cost of bringing someone else in. PR agrees on the point of key man insurance. It is more for the organization than the individual. Action KW/JH to speak to NFU during October review.	KW/JH	June 2019	October 2019
9	VICARIOUS LIABILITY	Introduce option to attend to neighbouring boards at FMS regional meetings. Neighbouring groups. Awaiting DMK coming back with dates and costs. Potential to bolt on to existing meetings.	RS	April 2019	ASAP
10	CROICK ESTATE	KW will raise the fishing rights issue with James Hall at the next Carron proprietors meeting. KW Didn’t have chance to speak to James Hall re church fishings.	KW	June 2019	30 th July 2019
11	BUDGET Amendment	Create a new line in the budget for the UHI Shin genetics project	JH	June 2019	Completed

4. Standard Items

- a) Declarations of Interest in agenda items to be discussed
No declarations
- b) Health & Safety
No reportable incidents, 1 minor incident.

5. Complaints

No new formal complaints received.

6. Governance

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No policy changes

7. Directors Report

A copy of the report was circulated for review prior to the meeting.

Directors Report September 2019

Health & Safety

- No reportable incidents, however, one incident occurred when a set of scales fell on Jacqui's foot which resulted in bruising. The area has been tidied in order to avoid a similar incident.
- PAT testing of the electrical appliances has been undertaken.
- Fire extinguishers have been serviced.
- The Sea Rider RHIB has successfully undergone its five-year certification. Some equipment had to be replaced and minor repairs were undertaken.

Complaints

- No reportable complaints.

Budgets & Finance

- Updated budgets until the end of August have been produced.
- Board assessments have all been received with the exception of two non-payers. A further reminder has been sent out. The SSE income has been received. Other items remain largely within budget at the moment. It is likely that trap repair costs for the Merkland traps will be higher than budgeted for due to damage caused in the high flows experienced at the end of the trapping season.

Staffing

- Leanne Munro has returned to University and Eoghan Gollan will shortly be leaving having completed his seasonal employment.
- Sean has completed a barrier assessment course and pearl mussel survey training. Sean successfully passed his drone training course. Sean also undertook a STEM ambassador and digital filming day.

Enforcement

- Activity has largely been restricted to rod and line incidents.
- One restaurant selling wild sea trout was asked to provide details of the source of fish. Details were provided.

Rod catches

- Fishing was generally difficult in August despite good water levels. Many beats are suggesting that reasonable numbers of salmon are present, but the fish are often poor takers. High water at the beginning of September appeared to improve catches. I would estimate that the total catches up to the middle of September is around 2,300 –2,500. The picture for Scotland as a whole appears mixed, albeit a general improvement on the 2018 season.
- Fish counter information is slowly becoming more readily available. Shin figures are presently in line with recent years, however the Cassley is well down on what would be considered to be normal. PIT downloads at Shin Diversion have taken place regularly and the results will be fully collated at the end of the fieldwork season.

Fieldwork

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- There has been significant pink salmon spawning activity on the Oykel. Sean has utilised the drone to assess the location and extent of redd-cutting activity.
- Electro-fishing surveys are still being undertaken.

Developments & Projects

Carron – Gleann Beag Gauging Weir

The weir has now been removed. Discussions have been held between SSE, SEPA and ourselves with a view to gaining some publicity about the project.

KW - At the meeting of the Carron proprietors, proposals were put forward re Gleann Beag and preventing salmon getting upstream of weir. It was a very constructive meeting. The Carron proprietors agreed in principle for a compromise flow to be introduced for a time limited period which would remove the need to periodically introduce and remove the metal plate at the weir. RS - The hydrologists will need to set a compromise flow on scientific basis. RF - The plan would be to do the necessary studies over the winter. RS - Are we looking at this time next year for a compromise flow? RF - We would like to see proposals before that and have an agreement in principal. KW - Keen that any trials are time limited and reviewed with a 'get-out' option. RF - There will be a 5-year monitoring programme. RS - The structure needs to prevent salmon migrating upstream and spawning. It is possible that salmon find other ways past the structure in very high flows.

Consultations

- We are currently collating responses we have received in respect of the draft Marine Scotland (MS) river gradings for the 2020 season. It is proposed that the gradings will remain unchanged from the 2019 season i.e. all category one with the exception of the Evelix which is a category three. Concerns raised from proprietors and others include whether the Shin is correctly categorised given the lack of smolt passage and the lack of an individual classification for the Cassley. In respect of the latter, I have written to a member of staff at MS to ascertain the feasibility of an assessment of the Cassley being undertaken and I await a response.
- A follow up response in respect of Garvary wind farm (near Lairg) has been submitted due to the proposed increased number and size of turbines.

Other Activities & Meetings

- I attended an FMS fish farming committee meeting in Inverness.
- A meeting of the Carron proprietors' group was held in the Trust office. The meeting was well attended. Richard Fyfe gave an outline of the proposals for flow alteration which were generally well received. Discussions also took place about the proposed removal of Diebidale Dam, Gleann Beag weir removal and the radio tracking project.

Diebidale Dam – RS opportunities may have been lost as Water Environment Fund priorities are likely to change. RF - This year's money has been spent. The Scottish Government's priority is to see money targeted towards areas of inequality and deprivation. There is nothing more the Board or Trust can do regarding this. It is down to the proprietor and SEPA.

- I attended an IFM/FMS meeting at Clunie. The discussions centred on future provision of training and avoiding duplication of effort.
- I attended a meeting of SEPAs Fish and Fishery Advisory Group to discuss the issue of smolt passage. I gave a short presentation on the history of smolt passage issues on the Shin system.

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- The screening of the Artifishal film in Inverness was attended by both myself and Sean. I was part of the panel for the questions and answers session following the screening.
- A telephone meeting was held to discuss potential publicity for the Deanich weir removal.
- I provided William Patterson with some general angling economic survey information at his request.
- A meeting was held with Iain McMyn to discuss staffing arrangements for the 2020 smolt run.

A discussion took place regarding the issue of smolt trap provision as mitigation for lack of smolt passage on the Shin system. RF - SSE must come up with a programme for the provision of a suitable trap on the Tirry and SEPA are waiting their response. At the meeting of the Fish and Fisheries Advisory Group an indicative list of waterbodies where smolt passage issues are believed to exist was discussed and SEPA are committed to producing protocols for prioritising remedial action around the country. The Tirry is currently at the top of the list. RF advised that the Fiag is not included in the priority list as the mitigation in place is working at present. The evidence is the Fiag trap is successful. RS - Rotary screw traps are sampling devices normally used for short studies, not as permanent structures. They are also easily damaged in high water events. We had a big water event and nearly lost the traps this year. RS said the use of these vulnerable sampling traps risked losing the majority of smolts if an event significantly damaged them during peak migration periods. The whole thing is on a 'wing and prayer'. RF responded that until such times as it doesn't work, there is no lever for action. Wolf traps are designed for a range of river flows and there may be disproportionate costs in terms of provision of traps that operate over a wide range of flows. There is a study currently being undertaken looking at this. RS felt that a permanent solution to the Fiag trapping was equally important as currently thousands of wild smolts are knowingly being wasted each year. Current NASCO advice to managers is to optimise the numbers of wild smolts leaving rivers. RS will raise the matter with Fisheries Management Scotland with a view to ascertaining MS thoughts on the matter. RF said SEPA will continue to try and find the right solutions. RS - This should not delay SSE doing at least part of the process. RF is discussing the possibility of looking to Norway or Canada for data on trap efficiency etc. RS will register with MS the disappointment in the apparent downgrading of Fiag in the priority list. Whilst the Fiag trap is functioning to a degree, how many wrongs make a right?

KW – At the meeting held at Shieldaig RF made it very clear that smolt passage is now a CAR licensing issue rather than a Water Framework Directive (WFD) matter per se. Previously it was clear that the measure of success on the Fiag and Tirry would be improved juvenile fish WFD classifications. With the change now to a CAR license approach what is now the measure of success? RF - It should be a weight of evidence approach, electro-fishing up stream of an obstacle as an example, or there might be other ways of detecting impact. KW advised he is still unclear on this matter and agreed to discuss this further outside the meeting. KW – there must be best practice mitigation in place for the Fiag and Tirry otherwise all concerned are in danger of merely storing up problems for the future.

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RDM - Completely concurred with the points raised regarding the Fiag by RS and KW. However, with the Tirry, is it now agreed that they are going to install a Wolf trap? RF - SEPA have told SSE that they must install this. RF – SEPA have stopped short of issuing enforcement notices as they want to avoid an entrenched situation which can become counterproductive and would likely result in a lengthy appeal by SSE. However, if SEPA do not get traction from SSE in the coming weeks they will issue an official notice. RF advised SSE of the situation in July and they have a commitment to provide a project plan by the end of October. RDM expressed concern that this will drag on and asked if SEPA can just go straight to formal notice. RF advised that they have to allow a reasonable timescale before this and are looking to see a trap in place by the 2021 smolt season. RF - Your frustration, however, is noted.

RDM – Atlantic Salmon Trust (AST) would like to publicly acknowledge the help and support received from the Kyle Board and staff members. Mark Bilsby is proposing to give the directors a briefing on the 9th October.

*RDM – What is the update on the UHI report on genetic integration on the Shin? KW – Multiple deadlines have passed. The Board have not handed over the financial contribution to UHI as we have only received one relevant email with little results contained therein. UHI have failed to deliver on this project. RDM asked if we could write to the principal. RS - Has raised it on several occasions and have been told things are not in the best shape. We need to take the study elsewhere. KW - Would strongly consider using Exeter or Aberdeen Universities. However, MS have initiated a study looking at parr and their genetics. We were part of this aquaculture zone project. John Gilbey from MS was asked to come to this meeting, however he was unable to attend on this occasion. KW – Would like to see the results of this study prior to considering other options for research. John Gilbey has made an offer to present results to a future meeting. Politically this might be a big issue and to our advantage if a MS report highlights evidence of introgression. RS - We need to go elsewhere for future genetics work. **Action (9) KW – Line up other options.***

RDM – asked KW if the ‘water budget’ for proposed alterations to hydroelectric generation had been under committed at a national level? KW - At recent SEPA meetings where smolt issues had been discussed, it had become apparent that the maximum amount of generation that could be lost as indicated by the Scottish Government had seemingly not been fully utilised. KW asked RF how this ‘extra’ water could be obtained. RF – explained that in order to achieve good ecological status/potential in relation to hydro schemes the Scottish Government had indicated there was an upper limit of what they would accept in losses of generation. However, this was intended for meeting WFD objectives. The River Shin fish ecology is not presently in a category that requires improvement therefore it was not included in the water budget. It is probably too late to make a case. RDM - The habitat is deteriorating and I am concerned about the long-term future. RF- informally there is talk of a fifth cycle of the River Basin Plan but the commission may not be keen in seeing that happen. RDM – In future we need to be in position to take advantage of any opportunities that arise. KW - There may be things we can do to help improve the spawning habitat within the existing water budget.

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*AW – Revisiting the Fiag trap, the present situation represents a danger to the trap and a danger to staff. KW - We are aware of the inherent dangers although historically we were torn between doing what is best for the fish and ensuring safe operation. However, we now take a much more cautious approach, if in doubt we do not access the trap and a risk assessment is undertaken. RS - Are we putting our staff at risk? KW - We are operating to SSEs H&S policy but Wolf traps are inherently safer than rotary screw traps. RDM - Can we make a case to MS, that it is not reasonable to ask us to do this when safer alternatives are available? RS – If situation is not fixed, we will take the issue much further. **Action (10) RS - Take up with FMS. Action (10) KW – Revisit H&S our policy with SSE.***

8. Budget & Finance:

a. 2019-2020 Budget

- ii. Legal contingency £5K
- iii. Vehicle costs are in line with expectations.
- iv. 2 non-payers on assessment. **The Board agreed to send a final reminder. Action (11) JH**
- v. Provision for genetics is still in budget.
- vi. There is no provision for a new vehicle this year. (there will be next year).

AH – Does assessment income stay the same or alter? KW – In last year’s budget there was a contingency for appeals hence the higher headline figure. This has now fallen in line with expectations as the appeals process is over.

*RDM - Trap rental to Trust- **Action (12) KW notify SSE to provide a new trap for next season.***

AW- line 58 UHI genetics, review at a later date.

b. Potential Cassley smolt tracking

*KW – The Moray Firth tracking project run by the AST in 2019 included the, Oykel and Shin. If a project is undertaken in 2020, he would like to see the Cassley included to investigate smolt passage at Duchally. He has briefly spoken to Mark Bilsby. Some funding is required for this and no approach to Cassley proprietors directly has yet been made. He would like the board to commit some funds to this project. As part of the agreement with SSE, there are some funds available for general Kyle projects. We would require a minimum of 25-30, but preferably 50, tags. RDM this is costly at circa 12.5K. RDM there are also resource issues for AST on tagging. It may also be possible to borrow additional receivers. KW - SSE do not appear particularly keen to pit tag. RDM – suggest board to contribute as a starting point £3K and seek SSE and proprietor’s/angler’s contributions. **Action (13) KW – speak to RW to about getting information out to Cassley proprietors.***

c. Rob Whitson bank signatory approval

*The Board approved the addition of Robert Whitson as a signatory on the Board bank accounts. **Action (14) JH – Complete process with bank.***

9. Carron

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a. Radio Tracking

*KW updated the meeting on the project which had not worked satisfactorily in 2019. He asked if Board funds could be made available for extra tags in 2020 which would extend the remit of the project. RDM – This is vital piece of work – flows, temperature, daylight hours etc. could be considered. Speak to Innes of Alladale and Carron proprietors regarding possible funding. Existing project funding is coming out of SSE mitigation fund. **Action (15) KW to provide more detail to Carron proprietors.***

b. Deanich Weir removal

The weir had now been removed. It was likely that a joint SEPA/SSE/Board press release would be produced.

10. Proposal to stock nets, midge spray; etc

It was agreed that a small stock of essential items for fish welfare such as forceps and replacement nets would be kept at the office for resale. It was agreed that there was no desire to compete with local commercial fishing tackle suppliers.

11. AOCB

a. *AW – What is the status of the proposals to have closer links with the Fleet. RS – Previous discussions were part of the Wild Fisheries Reform process and have not continued.*

b. *KW advised a possible issue with current meeting timings in that there is too big a gap from September to April and too short a gap from April to June. **Action (16) JH to provide proposals asap.***

Open & **New Actions** C/Fwd.

No	Action Title	Actions	Owner	Raised	Complete by
1	CARRON GLEAN BEAG	<i>Action KW - disseminate times and dates of plate being changed at next Carron proprietors meeting and to write a draft document explaining the present situation. Action KW/SR/IM - talk about the feasibility of introducing a sonar device to monitor movement of fish when the ground sluice is opened. KW Alternative strategy being developed i.e. compromise flow to negate need for plate changing. Sonar element therefore redundant.</i>	KW KW/SR/ IM	June 2019	Ongoing
2	DUCHALLY	Action – SR to contact Andy Jacobs regarding Duchally, and to copy IM into email chain. Report back at the next board meeting.	SR	June 2018	Complete

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		<i>Information now received. Complete.</i>			
3	HEALTH & SAFETY	Health & Safety policy to be updated <i>Review undertaken. Requires final staff meeting to formally complete process.</i>	KW/SR	October 2018	December 2019
4	SSE AGREEMENT	Draft received was unacceptable and request made for more concise agreement. SSE advise it's with their legal department RS. Doubt we are vulnerable in meantime. <i>Action RS Keep putting pressure on SSE.</i>	RS	October 2018	ASAP
5	KEEP EM WET	"Keep em Wet" campaign seems to have lost momentum and new material still not available. <i>Action SR look elsewhere. SR and Daniel Logie keen to do video on best practice. Postpone until autumn.</i>	SR	October 2018	October 2020
6	KEY MAN INSURANCE	Key Man insurance ensures the ability to pay salaries and cover the cost of bringing someone else in. <i>Received quote from NFU through AIG. Business Protection on KW quoted at £67.28 per month, covers £50K Business critical Illness & £50K Business term assurance</i>	KW/JH	June 2019	October 2019
7	VICARIOUS LIABILITY	Re-visited with David McKie and requested possible dates and or bolt on when in area. Introduce option to attend to neighbouring boards <i>DMK suggested bolt onto Skibo in April, now postponed.</i>	RS	April 2019	ASAP
8	CROICK ESTATE	KW will raise the fishing rights issue with James Hall at the next Carron proprietors meeting. <i>KW Didn't have chance to speak to James Hall Action KW.</i>	KW	June 2019	30 th July 2019
9	UHI GENETICS	Line up other provider options. <i>Complete.</i>	KW	September 2019	Complete
10	FIAG TRAP	Trap can be a danger to staff. <i>Action RS - Take up with FMS. Action KW – Revisit H&S our policy with SSE.</i>	RS KW	September 2019	ASAP

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11	ASSESSMENT NON-PAYERS	Board agreed to final reminder. Action JH – All of 1st Half paid, remaining J Shaw unpaid Dec invoice	JH	September 2019	Immediately
12	NEW TRAP	Action KW notify SSE to provide a new trap for next season. Discussed informally with SSE. Suggest formal letter is now written.	KW	September 2019	December 2019
13	CASSLEY SMOLT TAGGING	Combined funding, Board, SSE and potential Cassley proprietors. Action KW – speak to RW to about getting information out to Cassley proprietors. KW wrote to RW. Tags ordered via AST. Complete.	KW	September 2019	Complete
14	BANK SIGNATORY	Approval for Rob Whitson as 3 rd bank signatory. Action JH process with bank. RW moved out of area, signature not approved. New signatory to be recommended.	JH	September 2019	October 2019
15	CARRON RADIO TRACKING	Speak to Innes of Alladale and Carron proprietors regarding possible funding. Action KW to provide more detail. KW wrote a new project brief and brief report of 2019 tracking. Offers of external funding were received. Tracking currently suspended.	KW	September 2019	ASAP
16	MEETING TIMINGS	Too big a gap September to April and too short April to June. Action JH provided new proposals. RS- Date for Autumn meeting to be finalised	JH RS	September 2019	ASAP

Meeting closed: 1300

Date of next meeting: 2nd April 2020