**LOCHABER DISTRICT SALMON FISHERY BOARD**

**CLERK’S UPDATE March 2013**

Below is a brief summary of activity on behalf of the Board since the last meeting. Please ask for further details on any item.

**CHANGE OF ADDRESS**

Please note that the registered address of the Lochaber DSFB has now changed to –

FUIAM NA MARA

CURTAIG

MORAR

INVERNESSHIRE

PH40 4PD

The email for the Fishery Board has now changed to riverlochy@btconnect.com and the telephone number to contact me on is **07786 493 048**. There is also a new website for the Fishery Board - <http://lochaber.dsfb.org.uk>

**FISHERIES BOARD ADMINISRATION**

The Aquaculture and Fisheries Bill has come to the end of its first stage in the Scottish Parliament. It puts significant new requirements on Boards, which will be discussed at the next Board meeting. These requirements can be summarised as –

* A duty to publish and copy to Scottish Ministers an annual report and audited accounts
* A duty to hold all meetings in public
* A duty to hold one public meeting per year where members of the public are allowed to raise issues and speak
* A duty to keep a record of all members financial interests which might preclude them from a discussion of parts of the Board’s business due to a conflict of interest
* A duty to maintain a record and a procedure for dealing with complaints to the Board about the way in which they have carried out their duties
* A power for Scottish Ministers to disband a Board committee if they are seen to be not delivering their role in a responsible or transparent manner

It looks like all of these measures will make it into the final legislation expected within the next few months. As an overview, Ministers have said –

*Scottish Ministers do not intend to become more involved in administering or monitoring DSFBs. The clear preference is for accountable, effective management at a local level and for DSFBs to be held to account by their local constituency.*

**SUB BOARD FUNDING REQUIREMENTS**

Following a meeting I attended of the Morar sub Board, an issue was raised about the ability of sub Boards to raise money for their management operations from their local proprietors. Without the statutory levy-raising powers of the central Board it is proving difficult to raise these monies from their proprietors. It was suggested that the Lochaber DSFB might raise the levy to all proprietors in the region and then reimburse individual sub Boards and management groups based on their management funding requirements. It was acknowledged that with the vast range of different proprietors in the region (only some of which are part of a management group) such a scheme might prove problematic but I suggested to the Morar Board that their representative should (perhaps along with any other catchments that support such an idea) present their proposal at the next Lochaber DSFB meeting for consideration.

**COIRE GLAS PUMPED STORAGE SCHEME**

Within the last few months I have made statutory responses on behalf of the DSFB to this very large proposed hydropower scheme on

1. Scottish Government planning application
2. SEPA Controlled Activities abstraction and discharge licence application
3. Scottish Government water rights licence application

In all three cases I have made the same point – until such time as Scottish and Southern tell us what structure is to be left at Mucomir (where the fluctuating water will discharge from this scheme from the loch to the River Lochy) then it is impossible to make an informed decision on any of the above. The scheme will alter the natural level of Loch Lochy quite considerably and the manner in which the water will be regulated through Mucomir Power Station is of considerable importance both for fish habitats and for salmon fishing in the River Lochy.

Please ask if you wish to be sent any of my responses – no decisions have been taken so far on any of the above. We can only hope that both Scottish Government and SEPA are taking these (and other objections made by other catchment users) up with Scottish and Southern Energy.

**SMALL SCALE HYDROPOWER**

The number of small scale hydros being planned in our region keeps increasing (not surprisingly due to the local topography and the tariffs that continue to be available). One factor I am now noticing though is that developers are beginning to push at the boundaries of the potential environmental impacts of these schemes. For instance, we are seeing more and more proposals that are being planned below (rather than above) barriers to migratory fish. It is noticeable that my responses are becoming increasingly more robust as this takes place.

I also have a concern (which I have raised with SEPA) that there appears to be no regard and measurement of the potential cumulative effects of these installations. As more and more schemes get authorised we are now finding catchments where there are several schemes on many of the spawning burns – for instance the top end of Loch Shiel and the burns around Loch Eil. I believe SEPA may be looking at this issue internally but consideration of it has not made it into policy yet.

I have dealt with the following small scale hydro applications in recent weeks -

Ardechive (Loch Arkaig/Locheil Estate) – issue raised about the location of the power house and how it did not correspond to the location shown in the fishery report in the application. Potential impact on a significant stretch of good juvenile fish habitat unless the powerhouse is moved. I also learnt through this application that there is a proposal for an Archimedes screw trap scheme on the River Arkaig (as yet we have seen no details). The issue of cumulative effect, as mentioned above, is relevant here.

Upper and Lower Suileag schemes (Loch Eil/Fassfern Estate) – the fact that neither of these schemes is located above the migratory limit for migratory fish is of some concern. Although not historically noted as a very productive spawning burn, I have raised the issue of sufficient flows being created through the August to November period to allow access for migratory fish and also the issue of cumulative negative effect on fish in this catchment and also the wider Loch Eil waterbody.

Ranachan scheme (Loch Eilt/Inverailort Estate). – I have raised the issue that the very brief fisheries report provided in this application does not sufficiently monitor the full potential impacted length of the proposed scheme on this very important tributary of the Loch Eilt fishery.

Allt Na Criche scheme (River Ailort/Paolo Berradelli) – this proposal is at pre-application stage but I was approached by the developer before a full application was made. I indicated that the Board would be unlikely to support his proposal of a power house location as it impacted on a significant stretch of juvenile habitat. As a result the developer has contacted me to say that they have moved the power house to our preferred location (just below an impassable barrier).

**SALMON FARMING**

There are a number of new provisions in the Aquaculture and Fisheries Bill that also relate to salmon farming and it is hoped some of them will bring about improved management. Currently one of the most controversial of these currently being debated within the parliament is whether fish farmers will be required to publish sea lice information on an individual farm basis. The industry is highly resistant to this (on the grounds of ‘commercial sensitivity, and the Minister is at the moment supporting them) but the committee of MSP’s that has been hearing evidence on the Bill has stated that it is in support of individual farm lice data being in the public domain. The result of this debate will be known within the next few weeks.

The committee of MSP’s that are hearing evidence on the Bill visited Drimsallie Hatchery as part of their ‘fact finding’ prior to their debate on the provisions in the Bill. I used this as an opportunity to reiterate some of the issues we have with fish farms in the Lochaber region. Interestingly, the committee in a recent press release stated that it was their view that as much as new legislation is required, the industry could perhaps be working more closely with the wild fish community in restoration projects. During the hatchery visit I was able to highlight to the MSP’s some of this partnership style approach being taken in parts of Lochaber.

Over the last few months I have dealt with two new fish farm applications – one at Maclean’s Nose in Loch Sunart and a large new prosed farm in Loch Hourn. In both instances I liaised with the LFT about a suitable response. These responses are available on request.

Earlier this month I met with ASFB and RAFTS about possible funding of a project on the River Lochy (and perhaps elsewhere) to look at the effect that sea lice have on the actual numbers of adult salmon returning to a river, by measuring the difference in survival between SLICE treated and untreated reared smolts (for details of this project see my September 2012 report). This work is critical to all west coast rivers – and it seems very odd that this study has never been done in Scotland. We discussed the recent announcement by the Environment Minister of £1million of funding for aquaculture related projects through the Scottish Aquaculture Research Forum, particularly with regards to its effect on wild fish through sea lice interactions. Alan Wells of ASFB is now pursuing this avenue to try and get the project funded here in Lochaber.

It is beginning to be recognised that the most effective way of resisting and preventing unwanted aquaculture development on the West Coast is through community action (rather than just the usual objections from wild fish representatives). With this in mind, the Sustainable Inshore Fisheries Trust has produced an excellent ‘Aquaculture Information Pack’ which is aimed at communities that are faced with fish farm applications and how to best contest them. It is a very good summary of how all the planning/licence processes work and I recommend it to anyone however scant their knowledge is on the subject. It can be found on [www.sift-uk.org](http://www.sift-uk.org)

The Managing Interactions Project

There has been much debate locally and nationally about the RAFTS Managing Interaction Project, and in particular the Locational Model part of the project (for details on this see my report from September 2012).

RAFTS representatives came to Lochaber in December to explain the project to a range of Lochaber fishery interests. Following on from that meeting the decision was taken that the Lochaber Board do not wish to support the Locational project in MIAP. Shortly afterwards, the Lochaber Fishery Trust also withdrew from the Locational Project. As a result, Lochaber will not feature on the risk analysis map being produced by this project for existing and future fish farm locations. The main reasons for taking this decision are as follows –

* The project aims to assess the risk of future fish farm developments, in particular from sea lice on sea trout and salmon smolts. The project does not include any information on either sea lice dispersal or smolt migration routes. The Board contends that without the information of where either smolts or sea lice from fish farms are then a risk analysis of their potential effects on each other is impossible. The project therefore is not scientifically robust.
* The model aims to include the ‘ranking’ of rivers in terms of economic and sporting importance as part of the model. We have repeated to RAFTS many times that any such measurement is against the very manner in which we believe rivers should be managed. It does, for example, not take into account discreet individual genetic populations, which can be the most vulnerable in the smallest (not the largest) of rivers.
* Neither the Government nor the industry has stated that they will adhere to the findings of this model. Without such commitment, we believe that further precious funding resources should not be committed to this project. It should be noted that a similar study was undertaken by Watt and Butler in 2003, which identified ‘priority rivers’ for conservation, and it was completely ignored by any future policy makers.

**BAILIFFS AND FISHERIES PROTECTION**

Two poaching cases from last year in the Lochy catchment were reported to the PF. One case resulted in a ‘Fiscal warning’ - the other case is being heard in May at which I will be giving evidence on behalf of the Board.

Bailiff warrants will be issued next month. I invigilated an IFM bailiff exam in Mallaig earlier this month, at which there was one Lochaber candidate (and 2 from Sutherland). Our candidates’ result should be known within the next few weeks.

**STOCKING APPLICATIONS**

I will be sending out these forms in the next few weeks. *Please note that all stocking without Board prior consent is illegal.* Scottish Ministers, as part of their recent debate on the Fisheries Bill, have stated that they will take over all stocking authorisation powers from Fishery Boards should they believe that stocking activity and monitoring is not being undertaken in a robust manner. I will be explaining this in more detail to all proprietors along with their stocking forms.

**OTHER ISSUES**

I have been informed by Transport Scotland of a plan to build several new bridges along the A830 from Glenfinnan to Lochailort. These will be forwarded to the River Ailort proprietors for their response as the individual CAR applications are received.

There are a few other items of note in the new Fisheries Bill – these include compulsory carcass tagging, Ministerial powers to take samples of fish from rivers, and further powers to require information on catches, fishing effort and stocking activities. <http://www.scottish.parliament.uk/parliamentarybusiness/Bills/55381.aspx>