

# CAITHNESS DISTRICT SALMON FISHERY BOARD

## ANNUAL REPORT

2014

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### BOARD MEMBERSHIP AS AT 31 DECEMBER 2014

<b>Chairman</b>	Viscount Thurso MP
<b>Upper Proprietor Representatives</b>	Earl of Caithness – Forss House Fishings Sir Richard Dunbar – Wick River S W M Threipland – Dunbeath River A MacAuslan – Berriedale/Langwell
<b>Lower Proprietor Representatives</b>	J Mackay – Wick Angling Association S W D Laird – Thurso River Ltd
<b>Co-opted Salmon Angler Representatives</b>	I Cormack – Wick Angling Association T Stitt – Thurso Angling Association
<b>Co-opted Tenant Netsmen Representative</b>	R Willis
<b>Scientific Advisor</b>	A Youngson
<b>Inspector/Head Bailiff</b>	E McCarthy
<b>Clerk</b>	Mrs E Constable

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### CONTACT DETAILS

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The purpose of the Annual Report is to summarise the work of the Board during 2014 and plans for the current year, with particular regard to the Board's statutory functions and responsibilities.

## 1. 2014 ACTIVITY

### Catch data

The Board is required to publish catch data for the district. The Board wrote to proprietors in December requesting catch returns for 2014 to assist with this exercise and to contribute to its archive on fish populations. The numbers below are taken from returns received, supplemented by Marine Scotland's catch statistics. Many thanks to all who responded on this occasion but we look forward to receiving a 100% response for future years for the Board's records. Figures for 2013 are shown in brackets for comparison.

	Total Catch: Salmon/Grilse		Released	
<u>Rod Catch</u>				
Berriedale	70	(147)	61	(116)
Dunbeath	99	(58)	45	(30)
Wick	404	(322)	131	(133)
Thurso	951	(1177)	811	(975)
Forss	250	(343)	104	(193)
 <u>Fixed Engine</u>				
Thurso area	1496	(1078)		
 <u>Net and coble</u>				
Berriedale area	3	(47)		

### Conservation

As stated in last year's report, the majority of the rivers in the Board's area are in single ownership which facilitates conservation action by those owners. As each river is actively engaged in conservation measures the Board believes it is not appropriate to adopt single policies covering all rivers where different rivers have different requirements. The Board regularly reviews salmon stocks and juvenile populations in all the rivers in its area and discusses conservation policies adopted by each river.

### Regulatory measures

The Board reviewed its approvals process for specific operations to be carried out within the terms of the 2003 Salmon and Freshwater Fisheries and 2013 Aquaculture and Fisheries Acts.

Stocking/Re-stocking: A policy statement covering the conditions for approval is now available for proprietors to refer to on the Board's website <http://caithness.dsfb.org.uk>. From 2015 stocking requests will be a standing item on the agenda of the summer meeting. Proprietors are requested to submit their requirements in writing to the Clerk by 10 August for approval at the meeting in respect of the forthcoming year.

Electric fishing: The Board's policy and conditions for approval have been published on the website in response to the increasing number of requests received from public bodies and developers. A condition of permission will be for the Board to be supplied with all survey findings on completion for its archive.

Hatcheries: Applications received during 2014 from the Dunbeath, Wick and Thurso rivers for the continued operation of hatcheries were approved.

### **Fish Surveys**

In September 2014, the Board's electric-fishing team again surveyed the standard set of 20 Caithness river sites first set up in September 2013. As for 2013, densities of salmon fry were classed as excellent. Indeed, values for fry exceeded 2013 values by around 40%. Parr densities were also excellent and, overall, at around the same levels as in 2013. As for 2013, the 2014 survey results indicate that juvenile salmon numbers in the Caithness rivers are highly favourable. This in turn indicates that levels of spawning in the Caithness rivers are sufficient to fully replenish juvenile populations at all the survey sites, despite concerns being expressed elsewhere about high levels of marine mortality and low numbers of returning adult fish. Further progress was made on devising new ways to extract more information from the electric-fishing data.

Thanks are due to the Crown Estate for supporting the project for a second year. The reports for 2013 and 2014 can be viewed on the website.

### **Involvement in other Research**

Pentland Salmon Initiative workshop on monitoring salmon & sea trout in the Moray Firth

The Pentland Salmon Initiative (PSI) arose from discussions between the Board and the Environmental Research Institute (ERI) in Thurso and was conceived as a means for considering issues for salmon that will arise from planned marine renewables developments in the seas around Caithness. The Pentland Firth is both a hub for salmon migrating to and from the northern and eastern rivers and a hot-spot for renewables development. The PSI is a forum in which Boards, Trusts, academics, managers, policy-makers and other stakeholders can discuss issues related to migratory under the scientific auspices of ERI. In 2014, ERI/ PSI hosted a meeting in Thurso on monitoring salmon and sea trout in and around the Moray Firth. The meeting considered the adequacy of existing arrangements for monitoring in the run-up to marine renewables development and the possibilities for improvement and innovation. Several of the Board's members contributed to the meeting and the Board's scientific advisor prepared the main discussion document which critiques existing methods and suggests some new approaches. The document will be posted on the new PSI website when it is up and running.

Marine Scotland national river temperature monitoring network: Board support on River Thurso

In 2013, the Board's electric-fishing survey identified unusual growth-checks in the scales of fish captured in many of its survey sites. These checks were almost certainly attributable to the high water temperatures that prevailed in the summer months before the survey took place – a matter of particular interest in the context of climate change. No checks were evident in 2014 when summer temperatures had been less extreme. Unfortunately, records for water temperature are not available for 2013 and it was therefore not possible to further investigate the possible link between high temperatures and impaired fish performance. In 2014 this situation was rectified for the future when the Board collaborated with Marine Scotland Science (MSS) in setting out a permanent array of temperature loggers in the River Thurso as part of a new network for monitoring temperature in streams and rivers throughout Scotland. Eleven loggers were installed on the streambed at suitable locations dispersed throughout the Thurso catchment. The loggers will record water temperature every 15 minutes and have a battery life of more than one year. The Board will look after and maintain the equipment and supply data downloads to MSS.

## Consultations

The Board handled some 30 requests for comments and information during the course of the year. An indication of topics submitted for consideration is given below.

Wind farm proposals:	Slickly, Cnoc Morail, Cogle Moss
Harbour works:	Thurso slipway refurbishment, Wick harbour dredging
Scottish Water:	Loch Calder drought plan, Houstry Burn water mains replacement
SSE cabling plans:	Sandside and Gills landfall schemes
Transport:	A9 Berriedale improvement, A9 Mybster (Little River) maintenance
Nature reserves:	Munsary peatlands water course maintenance

## Bailiffs

One new bailiff qualified in 2014, bringing the total number of warranted staff available to the Board to 16. The primary duties undertaken during the year were coastal protection and electrofishing.

## Incidents

Coastal patrols observed net fishing at sea during the weekly close time on 5 separate occasions during the year. All involved the Castlehill and Murkle netting stations. The first two occurred in July, when shore patrols notified Police Scotland of the offences and statements were taken. On Friday 1 August netsmen remained at sea in the vicinity of their nets after 6 pm in what appeared to be an attempt to provoke a sea patrol, removing their leaders only when advised that the bailiffs would impound them if not removed.

On Friday 8 August sea patrols seized two leaders (one at Castlehill and one at Murkle) after the netsmen failed to bring them in; a further leader was seized from Murkle on the evening of Friday 15 August. The leaders were handed to the police and statements taken for the police to bring charges under Section 13 of the 2003 Salmon and Freshwater Fisheries Act. The Board was informed earlier this year by the Procurator Fiscal that the case would not be pursued.

In order to remove the Castlehill leader safely from their patrol boat and to avoid any risk of damage to bag nets the bailiffs cut the leader in carrying out enforcement action. In the wake of this an altercation took place onshore between the spokesmen for the net operators, who had been monitoring the actions of the bailiffs, and the head bailiff standing nearby directing operations and liaising with the police.

Complaints were subsequently received from the netting proprietor in connection with the events of 8 and 15 August (see under Complaints).

## Flow Country Rivers Trust

2013 was the first year of activity for the Flow Country Rivers Trust, incorporating the rivers of the Caithness and the Northern Districts. A Memorandum of Understanding has been signed between the Trust and the two DSFBs to clarify the roles and responsibilities of all parties. The Board's representative and trustee provides the primary link between the Trust and the CSDFB and there is a standing item on the agenda of each board meeting to cover matters of mutual interest.

The Trust has drawn up an initial 5 year plan with the aim of "acquiring the knowledge necessary to manage the fish populations of the Flow Country and the fisheries they support. The target should be to manage in the best practicable fashion, taking account of the wider ecological and land management settings in which the fish populations exist. The Plan will strengthen the basis on which to argue for the interests of the fisheries and, when necessary, to suggest management actions to improve fisheries or compensate for adverse effects." This plan is subject to direction from both DSFBs. Further information on the Trust can be found on the website <http://fcrt.org/>.

## **2. GOOD GOVERNANCE**

The Board is now fully compliant with the good governance obligations of the Aquaculture and Fisheries (Scotland) 2013 Act.

The Triennial Elections to the Board were held in May 2014 in accordance with procedure. The list of Board members appears at the front of this report.

The Annual Meeting of Proprietors and the Annual Public Meeting were held on 26 August and publicised in the local press. The Scottish Government was duly notified and copies of the 2013 Annual Report and the Accounts submitted in accordance with legislation.

Dates of forthcoming meetings are advertised on the website at least 21 days in advance. Minutes of Board meetings and Proprietors' meetings are available to view on the website once approved, together with copies of annual reports and accounts with effect from 2013.

The Complaints Procedure is kept under review; there have been no changes in the past year. Other guidance on policy and procedures is promulgated on the website as the need arises.

## **3. COMPLAINTS**

The Board received two complaints from Usan Salmon Fisheries Ltd, proprietors of the Castlehill and Murkle fishings, in connection with the incidents on 8 and 15 August respectively (see above), and specifically with regard to the "excessive, heavy handed and criminal actions" of the bailiffs.

The complaints were investigated in accordance with the Board's Complaints Procedure. Having considered all available evidence, including video evidence from both sides, the Stage 1 reviewing panel did not uphold the substantive complaints, the actions of the bailiffs were deemed to be correct and proportionate, but did hold that the behaviour of the head bailiff on the occasion of the altercation fell short of that required. They directed this should be remedied by training. A Stage 2 review to consider this response was requested by Mr George Pullar of Usan. This was dealt with at a Board meeting held in private and attended by Usan's representative Mr James Mackay, Chair of the Salmon Net Fishing Association, on 21 November.

The Stage 2 review endorsed the conclusions of the earlier investigation, namely that:

- in light of the advice received the actions of the bailiffs were considered reasonable;
- the bailiffs had to take reasonable account of their own safety and in the circumstances cutting the leader was the appropriate action;
- the remarks of the head bailiff were not acceptable, but there had been extenuating circumstances, and the level of disciplinary action already taken was considered appropriate.

The meeting concluded by agreeing that there were inherent difficulties for net operators and law enforcers in carrying out their duties as legislation is currently framed and that there was a pressing need for trust and cooperation between parties.

## **4. PROPOSALS FOR 2015**

### **Meetings**

Board meetings are scheduled for March, June, August and November 2015. The Annual Meeting of Proprietors has historically taken place in August but is to take place in June this year to meet the reporting timetable for the Scottish Government. The Annual Public Meeting will be held in August, as last year.

**Fish surveys**

Having completed electric-fishing surveys of all the major Caithness rivers in 2013 and 2014, the Board will consider extending the work to include 2015. A third survey in the sequence will provide definitive information on the status of juvenile salmon in Caithness rivers before any of the major works planned for the Caithness coastlines gets underway.

**Scientific Studies**

The Board is collaborating with ERI in order to progress smolt tracking studies being planned for Berriedale River in 2016. ERI intends to use acoustic tags to track individual smolts passing through an array of automatic listening stations positioned on the seabed off Berriedale. However, relatively large smolts are required for tagging. The Board's electric-fishing team examined seven sites in Berriedale in September, 2014 in the course of its annual survey. These sites will be re-fished in April 2015, before the smolt migration takes place, in order to determine how much the fish have grown over the winter, whether some of the pre-smolts are large enough to tag, where suitable fish are most numerous and how numerous they are overall. Given a satisfactory outcome to the April survey, project planning will move to the next stage.

**Bailiffs**

Training plans for the year include a visit by paramedics to consider safety issues, with particular regard to electric fishing operations.

**Protection**

Following the incidents and associated complaints reported above the Board has agreed to take part in discussions with Marine Scotland and the Procurator Fiscal with regard to its law enforcement responsibilities.