**Spey Fishery Board Strategy & Management Plan**

**Public Consultation 2024**

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The Spey District Salmon Fishery Board finds itself with an opportunity, with the resignation of its Director of 18 years, to look to its future and wishes to consider, along with its stakeholders, how it might operate going forward.

**Regulatory and Legal Framework:**

The Spey Fishery Board (“SFB”) is a Statutory Body, appointed under the 1860s Salmon Fisheries legislation and subsequently amended and stated in the Salmon Act 1986 and the Salmon Conservation (Scotland) Act 2001. This legislation was later streamlined into the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, which has subsequently been amended by the Aquaculture and Fisheries (Scotland) Act 2013.

The SFB is empowered under the legislation to take such acts as it considers expedient for the protection, enhancement and conservation of Atlantic Salmon and Sea Trout stocks and our fisheries. The SFB is responsible for the Spey Fishery District, which includes 52 rod fisheries within the mainstem of the Spey and its tributaries. The District covers 107 miles of Mainstem River, approximately 560 miles of main tributaries and 20 miles of coastline in the Moray Firth, from Lossiemouth to the west of the Spey estuary to Cowhythe Head in the east. The District also extends 3 nautical miles out to sea.”

River Boards were set up by act of parliament when Government were persuaded that the best people to look after Salmon and other Migratory Fish within a river system were those with a direct interest in the economics of the fish. Fundamentally this was the river and nets-men proprietors. Government gave over to the River Boards the right to raise funds by allowing the Boards to charge a mandatory Assessment which proprietors pay in lieu of Business Rates and also gave them powers to issue warrants to Bailiffs with powers of arrest.

Over the period since the introduction of this legislation the understanding of fisheries management has changed beyond recognition, not only with the knowledge gained in-river and in the Marine environment, but also with the other stakeholders involved.

**Government Recognition of Wild Atlantic Salmon in Peril: Status & Scottish Government Strategy**

On 11th December 2023, the COP28 UN Climate Conference released the updated International Union for the Conservation of Nature (IUCN) Red List of Threatened Species. It showed that Atlantic salmon in Great Britain are now officially an Endangered Species.

The Scottish Government published its Wild Salmon Strategy on 14th January 2022. It sets out a bold vision for the management of wild salmon from now until 2030, addressing the 12 pressures on salmon, together with the Government’s international obligations and legal requirements. You can see this at the link below:

<https://www.gov.scot/publications/scottish-wild-salmon-strategy/>

These 12 identified pressures are:

* Exploitation
* Predation
* Disease & Parasites
* Sea Lice
* Genetic Introgression
* Invasive Non-Native Species
* Water Quality and Quantity
* Thermal Habitat
* Instream & Riparian Habitat
* Obstacles to Fish Passage
* Marine Development
* High Seas

To address these, 5 Priority Themes for Action have been identified. These are:

1. Improving the condition of rivers and giving salmon free access to cold, clean water.
2. Managing exploitation through effective regulation, deterrents, and enforcement.
3. Understanding and mitigating pressures in the marine and coastal environment.
4. Making a positive contribution through international collaborations.
5. Developing a modernised and fit for purpose policy framework.

Long before the creation of the Government Strategy, the Spey Board was ahead of the game, creating, in 2003, together with Scottish Natural Heritage (now NatureScot), The Highland Council, and SEPA, a Catchment Management Plan, which looked at the interaction of different environmental objectives and river and water users, such as agriculture, forestry and distilleries.

The Spey Board, understanding the importance of the management of the whole catchment to Salmon, pushed for a review of the Catchment Management Plan which led to the formation of the Spey Catchment Initiative (“SCI”). This is an organisation which is a more politically acceptable vehicle for Government, private individuals and other charitable organisations to contribute to, for the benefit of the wider catchment, its habitat and its restoration.

The Spey Board supported this organisation and indeed gave it a home, with administrative and management support, recognising that good management of the habitat has always been to the benefit of our migratory fish. The Board assisted in like-for-like funding by contributing significant time of its staff to work with the SCI and by assisting with implementing projects within the catchment that are publicly and privately funded out with the Board’s Assessment.

More recently the Board supported the transition of the SCI to become a Scottish Charitable Incorporated Organisation (“SCIO”). Roger Knight, our current Spey Board Director, who has been instrumental in the development of the SCI, is to become its CEO to manage this new catchment-wide initiative, which now involves a huge range of partners from local authorities, SEPA and NatureScot, Scottish Forestry, distilleries and many other organisations. The actions of the SCI will hopefully benefit salmon, but the SCI will have no mandate or responsibility for salmon. That remains with the Board.

Atlantic salmon have seldom been at such risk and are now designated as an endangered species, at risk from pressures from the marine environment and in-river, as listed above. The Government has recognised this for some time and introduced a Wild Atlantic Salmon Strategy in 2022. This is an excellent start, but its implementation needs to pick up pace.

The Government is also under pressure from our national and international partners to take action in the marine environment and to provide funding to this end. The Scottish Government has implemented the UK’s ban on sand eel fishing in UK territorial waters. Although currently subject to legal challenge from Denmark and France, the agencies which brought about this ban (many, but mostly the RSPB and The Blue Marine Foundation), are confident that the ban will stand, which would be hugely beneficial to our migrating smolts.

These are hugely positive steps in the right direction in achieving the 5 Themes for action above. We currently seek to help where we can. whilst recognising the limitations of our influence and funding.

With the creation of the SCI, and a change of Director, the Board now wishes to canvas views as to what you, our stakeholders, want and expect from the Board and now asks for your responses in the following questionnaire:..

**Strategy:** The Spey Fishery Board’s mission statement is to “maximise the number of smolts reaching the sea.” Its Strategy states that, “The Spey Fishery Board’s statutory responsibilities have always been at the heart of all that we do. We will work tirelessly to implement the Scottish Government’s Wild Salmon Strategy, in order to enhance, conserve and protect Atlantic salmon and sea trout stocks throughout the River Spey Catchment.”

*Do you agree with the Mission Statement and Strategy?* Yes No

*If you do not agree, what would you prefer to see?*

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**Protection and Law Enforcement:** One of the primary responsibilities of a District Salmon Fishery Board is the protection of the catchment from illegal fishing. The Spey Fishery Board employs three full-time Water Bailiffs to protect the 3,000Km2 of the Spey catchment from illegal fishing. They also provide a significant deterrent. The Board have a “RIB” which patrols the 60 square miles of coastline, seeking illegal nets. This team is reinforced by the Hatchery Manager between April and September when the hatchery is empty. Each season they respond to circa 30 reported incidents of illegal fishing on our rivers, resulting in on average 15 arrests and seizures of fishing equipment, and several successful prosecutions through the Procurator Fiscal. In concert with Police Scotland, who have limited resources, we propose our Water Bailiffs will continue to vigorously deter and prevent illegal fishing within the River Spey, its tributaries and along its coastline, in order to protect our iconic fish.

Do you believe this should continue as one of our roles? Yes No

*How could we improve our work on this?*

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**Predation Control:**

1. **Fish-Eating Birds & Fish**:

Each year, the Board’s staff conduct four counts of fish-eating birds such as Goosanders, Mergansers & Cormorants. These counts cover 90Km of the mainstem River Spey, now supported by a team of volunteers who conduct simultaneous counts on the River Avon. The data collated is used to apply for a licence to shoot a limited quota of these fish-eating birds as part of a broader policy of shooting to scare. Agents, including ghillies, proprietors, factors and the Board’s staff are subsequently licensed to conduct this shooting and scaring. Furthermore, we are working with the Scottish Government and their advisers to improve the management system for reducing the impacts of fish-eating birds, including a review of the licensing system. We also propose to work to mitigate predation by other fish.

*Do you support this approach?* Yes No

*If not, what would you like to see?*

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1. **Seals**:

We also, each year, apply for a licence to manage a limited number of specialist seals which enter the freshwater River Spey from the marine colonies to predate on our Atlantic salmon and sea trout. The licensing system for seals has changed in recent years, following new legislation and made it much harder to obtain a licence. Despite working closely with the Scottish Government and its agencies, our licence applications continue to be rejected. We have tried very hard, including utilising pro bono advice from a leading KC, to reverse the decision. However, in spite of the ongoing challenges to obtain a licence, we propose to continue our work to actively manage the impacts of seals in the River Spey, including the trial of portable Acoustic Deterrent Devices.

*Do you wish us to continue with this lobbying?* Yes No

*If not, what would you like to see?*

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**Stocking:** The SFB proposes to continue to fulfil its statutory duty to consider stocking and to undertake mitigation stocking above man-made barriers. We have maximised the capacity of our hatchery and The Board seeks to give the natural population a helping hand wherever we are allowed to, although this is restricted to areas that are not accessible to natural spawning. To do this, we require a Broodstock Capture Licence to be issued by the Scottish Government and taking broodstock amidst low catch numbers is becoming increasingly difficult. We need to demonstrate that we comply with the Government’s Stocking Policy in order to be successful with our licence application. This policy only allows us to stock salmon eggs and unfed fry, rather than the fed fry/autumn parr we used to stock, although it is currently under review by the Scottish Government as part of its Wild Salmon Strategy. Our Hatchery operation at Sandbank costs the Board circa £60,000 per annum and in due course, in addition to our current mitigation stocking, we may also need a programme of restoration stocking above Spey Dam.

*Do you support this approach?* Yes No

*If not, what would you like to see?*

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The challenges of taking broodstock fish have led the Board to trial the conservation translocation of additional salmon eggs into our tributaries through Smolt to Adult Supplementation, as a means to boost the number of eggs deposited within the catchment, without removing adult fish for use as broodstock. Salmon smolts are captured instead and taken into a hatchery at Lochaber which is experienced in this process, to be reared on to adult fish. Eighteen months later, when these fish have become grilse, they are stripped of their eggs and those eggs are stocked back into the river from which the smolts had been taken. The grilse are then returned to the hatchery for another year, after which they are returned as two-year-old adult fish to the river from which they had been taken as smolts, so that they can spawn naturally. The cost of this amounts to less than £16,000 per annum. In due course, once we fully understand this process, we aspire to continue this operation in-house at the Board’s own Hatchery at Sandbank.

*Do you support this additional new approach?* Yes No

*If not, what would you like to see?*

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**Water Quantity and Quality:** We are committed to maximising the quantity and quality of water throughout the Spey catchment and to reducing the significant water diversions made from the top of the catchment for the generation of hydro-electricity through our “Release the Spey” campaign. This will make flows in the River Spey more sustainable and resilient to the impacts of climate change. We also continue to work to alleviate fish passability issues at Spey Dam. Improvements have been made which are scheduled for completion during summer 2024 and we are also now monitoring smolt movements through the reservoir and fish pass, working with and under contract to the Dam’s owners. We shall then work to resolve issues with the Dam’s offtake and at the adjoining Markie Burn.

We are trialling improved methods of monitoring water quality and temperature using mobile water quality sensors, so as to detect pollution events and ensure our stocks of Atlantic salmon and sea trout are provided with cold, clean water in which to thrive.

*Do you support this approach?* Yes No

*What else would you like to see us do?*

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**Barriers to Salmonid Migration:** We are committed to the opening-up of new spawning opportunities by removing or mitigating barriers to fish passage, including the removal of dams, thereby restoring natural river processes and improving in-river and bankside habitat.

*Do you wish us to support this approach?* Yes No

*What more would you like to see us do?*

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**Habitat Enhancement:** We have worked with the SCI to work together with partner organisations for the delivery of the Spey Catchment Management Plan, including habitat enhancement for Atlantic salmon and sea trout. The SCI has become a highly successful public/private partnership involving 16 member organisations The SCI has adopted a broad, holistic approach to catchment management, including river restoration, peatland restoration, tree planting and carbon sequestration. This will create landscape-scale changes. These aim to ensure the sustainability and resilience of the River Spey to the climate and biodiversity emergencies confronting us. Much of the SCI’s work will benefit salmon indirectly, and the organisation is already attracting significant public and private corporate investment to achieve its aims. The SCI will be absorbing many of the SFB’s previous projects in this field. The SFB however, through the Assessment, would like to consider, initially, making a grant of £50,000 per annum to the SCI to help improve riparian habitat for Atlantic salmon.

*Would you support such a grant?* Yes No

*Are you able to help the SCI with its work?* Yes No

*Are there specific projects or works you would like to see undertaken?*

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**Scientific Research & Monitoring:** The Board’s small Research Team (two full-time employees, supported by a seasonal assistant) conduct electrofishing to check the health of the river by monitoring the young fish populations, and to provide scientific evidence to back up our positions.

(a) The SFB has compiled a unique and extensive profile of our fish populations over 10 years which now enables the Board to monitor just one third of these sites each year, by rotation. This highlights areas that need help, provides the scientific evidence we need to inform the Government’s regulators and helps protect the river from harmful developments.

(b) The Spey Catchment Initiative has asked if the Board will conduct electrofishing before project implementation to establish a baseline, and for some year’s afterwards to monitor outcomes. This will usually be under contract, to enable the Board to recover its costs.

(c) The Board is asked by the Scottish Government to conduct electrofishing as part of the National Electrofishing Programme Scotland, which is part of the Wild Salmon Strategy. This is done under contract and is fully funded by the Scottish Government.

(d) The Board’s Research Team also work to develop our knowledge of the in-river and coastal migration undertaken by Spey smolts and our understanding of invertebrates. They shall also be monitoring any impacts beavers might have on our salmon and sea trout, so that we can take timely mitigating action if and where necessary.

*Do you support the Board’s approach?* Yes No

*What else would you like to see us do?*

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**Invasive Species Removal:** Entirely funded by NatureScot, the SFB employs a Project Officer for the Scottish Invasive Species Initiative, who is dedicated to the identification and control of invasive non-native species along the River Spey and its tributaries. These invasive species include American Mink, plants such as Giant Hogweed, Japanese Knotweed, Himalayan Balsam, White Butterbur and Ranunculus and, more recently, Pacific Salmon. These species de-stabilise riverbanks and reduce fly life if left in place. We will continue to support this work and help establish a sustainable means of identifying and removing invasive non-native species, with costs met by NatureScot.

*Are you able to help us with this?* Yes No

*Are there specific projects or works you would like to see undertaken?*

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**Education:** This is a requirement for the Board’s charitable sister organisation, the Spey Foundation, and is sponsored by Walker’s Shortbread. The Board, with assistance from volunteers, runs a highly successful “Salmon in the Classroom” programme in local primary schools.This teaches young people about the life cycle of the salmon, its value to the local economy and the issues affecting our iconic fish. We hope to continue this work, which receives more requests each year from primary schools than we are able to fulfil. We also help to promote introductions to angling in order to recruit and retain new anglers.

*Are you able to help us?* Yes No

*How could we improve our work on this?*

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**Social Media:** The SFB has developed this in recent years, including the use of a drone and short film footage, to promote greater understanding of what we do and why we do it. This is funded by the Spey Foundation and not currently by the Assessment. It has resulted in significant increases in online followers and has been well received.

*Do you support the continuation of this?* Yes No

*Are you able to help us with this?*

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**Lobbying:** The SFB works independently and in close collaboration with its representative body, Fisheries Management Scotland ("FMS"), to lobby the Scottish Government and its agencies (particularly SEPA and NatureScot) in pursuit of the Board’s strategy. The Chairman of the Spey Board sits on the FMS Board. We propose to continue to have our views robustly represented to the Scottish Government its agencies and local authorities.

*Do you support this?* Yes No

*How could we improve our work on this?*

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**The Marine Environment**

It is now widely known that 30-40 years ago, from the millions of smolts that left Scotland’s rivers to begin their epic migration at sea, about 25% would return as adult fish. Now, it is circa just 2%. Whilst the marine environment is largely out with the remit of District Salmon Fishery Boards, it is nonetheless where many of the Atlantic salmon’s problems lie, and yet there is still little evidence to prove what those problems are. We have in the past supported the Missing Salmon Alliance, which is working on marine issues (see [The Missing Salmon Alliance here)](https://missingsalmonalliance.org/) by providing personnel to assist with smolt migration projects. Should the Spey Fishery Board make a donation to the Missing Salmon Alliance, on behalf of proprietors via the Assessment, or leave it to the conscience of individuals?

*Would you be keen for the Board to support financially?* Yes No

*What else would you like to see us do?*

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**Any Additional Comments?**

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Respondent’s Name: ………………………………………………………….

E-mail Address: ………………………………………………………….

**Please return your Consultation Response by email to: -** [**admin@speyfisheryboard.com**](mailto:admin@speyfisheryboard.com) **by Thursday the 20th of June 2024 at the latest. Many thanks.**