

## MINUTES OF WRASFB BOARD MEETING

By Conference Call	<b>PRESENT:</b>	
<b>DATE:</b> 05 April 2023	Stephen Bate (SB)	Gordon Crawford (GC)
<b>OPENED AT:</b> 10.00 <b>CLOSED AT:</b> 12.25	Rosie Nicoll (RN)	Donald Rice (DR)
<b>IN ATTENDANCE:</b>	Andrew D Barclay (ADB)	Philippa Cliff (Pippa)
Peter Jarosz (PJ)	Stuart Allison (SA)	
Peter Cunningham (PC)		

### 1. Apologies

No apologies.

### 2. Approval of the minutes of the 17<sup>th</sup> November 2022 Meeting

The minutes had been previously approved by email - they were proposed by RN and seconded by DR.

### 3. Matters Arising

There were no matters arising that hadn't previously been dealt with by email.

### 4. Draft 2023-24 Budget and Levy Setting

PJ had previously circulated by email a Cash Book file (draft accounts for 2022-23) and a Budget file for the year 2023-24. In the Budget the income for 2023-24 was shown as a levy of 70p in the pound based on our current rateable values. Assuming that the new 2023 rateable values show minor alterations PJ proposed that we use the 70p in the pound on the new rates (when they come through) for our 2023-24 levy.

### 5. Update on Aquaculture Events Since Last Meeting

SB stated that a meeting with THC, MSS and FMS took place on 25<sup>th</sup> January 2023 during which the Board put forward a proposal for on-farm threshold as a basis for the EMPs, breach of which would (subject to a time-limited opportunity to remedy breach as in the current EMP proposal submitted by the Board back in September 2022) require biomass reduction. The Board had taken legal advice from a QC (now a KC) regarding the two draft EMPs put forward by Mowi and Bakka Frost which were not considered by the QC to be compliant with the condition 1. The Board put forward its own set of proposal/key arrangements under the EMP and those were put forward to THC (copied to both aquaculture companies) and THC, through Mark Harvey (MH), in August last year issued a provisional decision indicating that they were minded to reject the Board's proposals in favour of a set of criteria which depended on the agreement of the aquaculture companies before any biomass reduction would/could happen. By way of addressing THC's provisional decision the Board wrote to THC proposing a meeting involving THC, MSS and the Board and, at the same time, pointing out that the arrangements THC were minded to make were contrary to the condition 1. Meanwhile, following MH provisional decision the two aquaculture companies submitted their revised EMPs along with a programme of wild fish monitoring that would be performed by a third party contractor (APEM).

The meeting took place in January, by video conferencing, and on behalf of the Board SB put forward an alternative proposal that had an on-farm level of 0.1 sea lice per fish. THC considered the Board's EMP proposals as too complex to administer/enforce and

did not agree with the QC's legal interpretation. So there was no change in THC position to that taken by them in August 2022. We were hopeful that MSS, as statutory consultees, would support the Board in seeking robust formulation of the condition 1 but that support was not forthcoming at the meeting. PJ said that during the meeting MSS acknowledged that they had 20 plus years of data from the research that they have done in Loch Torridon and so they were asked that with all that data available to them surely they could make some statement regarding the Board's proposal including how relevant it is to set a reasonable target for the area with the repercussion that should the target be exceeded then biomass be reduced. MSS would not commit themselves during the meeting and indeed when Nikki Milne of Marine Scotland (MS) was asked to come back with an explanation of the ScotGov's national policy for the protection of wild fish from aquaculture, she has to date failed to answer the question at all. From both MS and MSS there is apparently an attitude of "sitting on the fence" with no wish to commit themselves further. So the two aquaculture companies are now in the second year of production in Loch Torridon with no finalisation of either wild fish monitoring programmes or EMPs agreed by THC. The only "protection" for wild fish is the fact that both companies are signed up to ASC accreditation that requires them to adhere to 0.5 sea lice per fish.

An initial report of last year's monitoring performed by APEM has been made available to the Board and according to that report (of the electro-fishing data) there were no fry found in either the River Balgy or in the river Torridon. Peter C was very concerned about this and through Peter J we sought and received the actual data that had been collected by APEM. Currently Peter C is in the process of analysing this data because he strongly believes that the APEM wrongly analysed its own data. Once he has completed his findings as a report, the report will be sent to Mowi and Bakka Frost for any comments that they may have. Once they have had time to consider Peter C's report on this data, we should try to have a meeting with Mowi and Bakka Frost to attempt to agree with them monitoring in Loch Torridon that will yield more meaningful data.

RN asked should we consider independent monitoring of the Loch Torridon area? SB said that the most desirable outcome is to have a single set of findings over which there is not likely to be dispute because what we don't want is a situation where there are two very different independent set of results. So our best route is to try and agree a set of standards/approach and, if we have concerns about that approach in the way that it is done and its results, then we can say so. Peter C's report contains criteria information for the interpretation of the raw data into meaningful reports. Peter C suggested that MSS should be invited to a forum at which a news media is present and ask them what their findings for the research in Loch Torridon actually show. MSS have been doing research in Loch Torridon to establish whether or not aquaculture using open cage methods can be compatible with the wild fish populations within a sea loch area. RN asked if we can further challenge THC at this stage but, as SB pointed out, THC have still to make a final decision on the EMPs and wild fish monitoring.

Once THC has "signed off" the EMPs, in their current form, the Board could decide to make a legal challenge. Meanwhile, it is suggested that the Board writes to THC asking them to determine these EMPs and approach Mowi and Bakka Frost with a view to arrange a meeting with both of them to try to move on from the "bunkered" position we currently are even if it is only to agree a re-scheduling of their production cycles so that they do not peak at the sensitive time of smolt migration.

## **6. Loch Torridon EMP**

This was dealt with under point 5 above.

## **7. ASC Accreditation Process**

This item was not addressed at the meeting but had been dealt with by emails round the Board previous to the meeting. The position was that the Board had been consulted on behalf of Atlantic Stewardship Council on applications by Mowi and Bakkafrøst for certification of their farms in the Torridon loch system at Camas an Leim (Mowi), Aird and Sgeir Dughail (Bakkafrøst). The Board submitted written responses to each application to the effect that (among other things) the proposals for on-farm sea-lice thresholds (0.5 sea-lice per adult female fish) gave inadequate protection to wild salmonids, the monitoring arrangements proposed required considerable improvement and the engagement of the two companies with local (wild fish) interests had been insufficient. It is believed that the certifications were granted nonetheless and that the certification is based on a threshold of 0.5 adult female lice per fish 'during the sensitive period' of 1 February to 30 June. It is understood that compliance with this limit (subject to limited exceptions) is a requirement of continued certification. In making its responses, the Board made clear that it was discharging its statutory obligation to protect wild salmonids within its area and was not endorsing certification.

## **8. SSPO Funding for WRFT**

PJ informed the Board that the WRFT had sought and received a grant from Funding Scotland of SSPO monies for a preliminary project on the Rhidorroch river to look at the causes of significant river bank erosion due to sediment being brought down from the upper reaches of the river system by huge spates. The administration of the grant funding was entirely down to Funding Scotland and that initial work has now been done. SSPO have now moved the administration of this funding away from Funding Scotland into the hands of Jon Gibb of Lochaber Salmon Fishery Board and the trustees of the WRFT are now reluctant to submit funding applications, for the continuation of this Rhidorroch project or indeed any other project, to the SSPO fund via Jon Gibb. The WRFT is now seeking the WRASFB's view on this funding source. The Board Members agreed unanimously that they did not approve of WRFT seeking funding of SSPO monies via Jon Gibb.

## **9. WRFT Biologist's Report**

PC shared his screen with the meeting to go through a presentation showing the work that WRFT had performed last year. Before PC began his presentation Dr Shraveena Venkatesh, who had only just joined the Trust on a six month post graduate project that is funded via Graduate Career Advantage Scotland, was introduced to the meeting. PC then went on to describe what work the Trust hoped to do in the coming year identifying the rivers and the work each river would be receiving. PC mentioned that the WRFT would be running a "workshop" in the Kinlochewe village hall later in the month to show how riparian improvement is so important for maintaining and improving salmonid habitat.

## 10. AOCB

### a) Data Protection.

PJ introduced Kevin Ginty (KG), who had just logged into the meeting, as the person the WRASFB had engaged for this issue of data protection. PJ stated that KG had previously submitted to WRASFB a very detailed proposal for the protection of both the storage and sending out of data. SB thanked KG for his attendance at the meeting and asked him just how the proposed VPN function would work for email protection. GK explained how VPN effectively “cloaks” the senders’ and the receivers’ computers with anonymity making internet interception encrypted. KG answered a number of questions that basically resulted in the meeting accepting that the WRASFB should buy Cloud storage for its data and VPN for up to ten computers. SB proposed that we accept KG’s detailed data protection proposal and he asked PJ if he was prepared to be the person who would reduce the WRASFB’s current holding of data down the required/necessary amounts and then lodge this onto our Cloud storage. PJ agreed. It was also agreed that all Board Members should have access to the WRASFB’s Cloud storage. There still remained the question do we still want to have all Board Members’ laptops encrypted? It was agreed that access to our Cloud storage should be restricted to those Board members who will need to access the Cloud as part of their role within the Board - i.e. RN as treasurer and SB as Convener and their laptops along with PJ’s should be encrypted.

KG will liaise with PJ to implement the above approved proposals. KG then left the meeting.

b) PJ asked PC to give an overview on HMPAs and PC pointed out that the Scottish Government had signed up to designating 10% of their waters as Highly Protected Marine Areas, which means that there would be no fishing and no aquaculture in these HMPAs. PC said that, currently, there is little information about how these areas will work and no information about where these areas are likely to be. There is also strong opposition to these proposals from local fishermen. With so little definitive information on this issue it is not straightforward to comment meaningfully on the consultation process. Should the Board then put in an interim “holding” submission in order to “keep our foot in the door”?

## 11. Date of Next Meeting

The date of our next meeting will be arranged by DoodlePoll.

**These minutes were proposed by GC and seconded by RN.**



STEPHEN BATE, CONVENER

21. 11. 23