

Kilmaronock Community Council

Jim Morrison (Chair)

Email : secretary@kilmaronockcc.org

Minutes of Special Meeting of Kilmaronock Community Council regarding the Translocation of Beavers to Loch Lomond NNR

**Monday 5th September 2022
Kilmaronock Millennium Hall, Gartocharn**

Chairman : Jim Morrison (JM) from Kilmaronock Community Council (KCC)

Welcome & introductions

JM introduced Andy McClay (Luss & Arden CC rep) and Brian Crook (Advocate, Terra Firma Chambers) who were overseeing the conduct of the meeting as independent parties.

The purpose of the meeting is to hear the pros and cons associated with the translocation of unwanted Tayside beavers to the Endrick catchment system in south Loch Lomond. Thus residents of the wider community in the Endrick catchment are represented tonight, not just Kilmaronock.

Prior to this meeting, there were four presentations by an agent on behalf of the release Licence applicant, the RSPB. KCC felt that the subject matter had need of a wider consultation, that there may be conflict with other social and environmental activity and that many questions remained without answer. No minutes from those events are available.

The minutes from this meeting will record the information given tonight and the comments from the local communities represented.

Attendees included representatives from: LLTNPA, Nature Scotland, RSPB, Loch Lomond Fisheries Trust, Stirling Council, Montrose Estates, Drymen community council and other interests. Approximately 65 attended.

Apologies for absence were received from Jackie Baillie MSP, Councillor Jonathan McColl, Ruth White & Karen Ramoo from Scottish Land and Estates and Kate Maitland (National Farmers Union).

Statements of concern

Presentation from Malcolm MacCormick (Loch Lomond Fisheries Trust)

Malcolm felt that there had been insufficient consultation to date and that three of the previous meetings had been held when it was likely that people would be on holiday.

Malcolm showed pictures of tree damage from River Earn caused by Beavers – mature trees felled.

Comparison of Pros & Cons of beavers (see accompanying presentation)

Beavers are here and here to stay but should the population expand naturally or be accelerated by translocations

The Trust will not consider supporting the acceleration of this range extension, as proposed by the RSPB, without the following conditions being met:

- 1. The RSPB commission an Environmental Impact Assessment (EIA) on the release of beavers in the lower Endrick. This EIA should include input from the Trust relative to the current state of fish populations on the Endrick and its tributaries, as well as the wider Lomond catchment.*
- 2. Upon receipt of the EIA the RSPB / NatureScot should other undertake a meaningful consultation exercise that seeks to engage all stakeholders, including the angling community need to generate trust within the wider community / stakeholder population.*
- 3. The RSPB / NatureScot should also confirm what funds will be made available to compensate for mature riparian tree protection, riverbank repairs and crop destruction after all, with rights come responsibilities!*

Lack of tree cover on embankments and the shade provided has an impact on salmon stocks due to the increased water temperature.

Are we introducing one iconic species to the detriment of another?

Remember the beavers will go where the beavers want to go. Monitoring and management will be needed.

Presentation from Gavin MacLellan (resident) on Public health risks

Loch Lomond & Trossachs are part of a Victorian drinking water system designed and built when no beavers were around to influence the designs.

LLTNP actively promote, through their Outdoor Recreation Plan and its successor, open water swimming for both leisure and sport but this may be at risk. Some high-profile races are staged on Loch Lomond bringing economic benefits – the selling point is clean water and this is at risk

There is a potential risk which needs to be assessed and addressed regarding the introduction of an effectively new species.

There is likely to be interference to infrastructure either directly or indirectly by the animals themselves to both the natural and the built environment.

Beavers, along with other animals, are known to carry zoonotic diseases such as Giardiasis, which is transmitted via water – infections have occurred in Tayside and throughout the world, the chance of incurring in Scotland are significant based on evidence from other countries. No studies done in Scotland to enable an informed decision. While not fatal, it is very unpleasant and would have a negative impact on water-born outdoor recreation. Studies are available from Canada and USA by governmental agencies.

Areas of LLTNP are designated and regulated as drinking water protected areas and the current Licence assessment plan required under the Beaver Strategy does not require consultation with these responsible agencies or infrastructure operators. The cost of mitigation of the introduction of Beavers to the built environment has not been considered by Nature Scotland but should be in the interest of the Scottish Economy.

There is concern that the responsible agencies such as SEPA do not have sufficient funds and expertise to make valid assessment.

Trials in Knapdale where conditions are significantly different to Loch Lomond & Trossachs where critical infrastructure is installed, affecting over 1 million people, do not provide good guidance.

Responsible party for consequential losses – but who is it? RSPB will be releasing but not responsible for where the beavers migrate to. NatureScot seem to be the ones to pick up the bill but don't have the resources to do so.

Will the true cost to the taxpayer ever be quantified?

Talk by Sally Page (resident) on SEPA response and their resources

Sally had been on a field trip to Tayside and witnessed the flood risk.

Sally discovered that SEPA hadn't been informed about the RSPB's application. As the body regulating watercourses and septic tanks which may well be affected, this was surprising.

Sally, like the other residents of the low lying area around Aber, are concerned for the flooding of residential septic tanks and that servicing the neighbouring caravan park.

KCC contacted SEPA as did Sally via MSP Pam Gosal. The gist of both replies being that if there are problems in the future, the owners of septic tanks would be responsible for alerting SEPA and/or the local authority and that NatureScot would advise on the implementation of any necessary mitigations.

There was no direct answer on who would take care of any detrimental effects of damming the Aber burn downstream of the Gartocharn Sewage works.

KCC are keen to get a SEPA rep to a CC meeting for general talks on the current and future regulations on sewage treatment.

The water quality for south Loch Lomond is rated as "Moderate" and the overall water quality within the NP is lower than out-with the NP which should be a cause of concern to both SEPA and LLTNPA as much as residents.

The, as yet, unpublished Scottish Beaver Strategy says the following :

"Environmental legislation will need to be considered when planning for future translocations. For example, if beaver releases are proposed in or in the vicinity of Special Areas of Conservation (SACs) or Special Protection Areas (SPAs), additional steps will be needed to ensure the sites are not compromised, including a Habitats Regulations Appraisal, as described in the Scottish Code for Conservation Translocations."

Recommendations from Prof. R. Wheater OBE, FRSE

Presentation by Sally Page based on correspondence with Prof. R. Wheater OBE, FRSE

The release area is not necessarily the potential settlement area

Impacts on fish and fisheries

Costs

Effects on sewage treatment/septic tanks on the Aber flood plain

Summary :

Management of the entire watershed and not just a small part of it is essential.

Management plans should be clear and be based on scientific and other professional understanding.

There should be no release of beavers in Loch Lomond until the National Beaver Strategy is available for examination and its requirements for all aspects of beaver reintroduction are being followed by all concerned.

Professor Wheater has no problem with the reintroduction of beavers but does have serious concerns that the management criteria are not yet clearly stated in respect of control both now and in the future. The maintenance of wild species is essential but given the amount of land available as a result of man's advancement, the long-term future of species large and small will call for research to ensure that we manage the land and species in the most efficient way possible. This will include population control when it is deemed essential.

National Beaver Strategy / The Scottish Code for Conservation Translocations

Key speaker Kieren Jones (NatureScot) is a relatively new recruit to the Beaver team in NS.

General

The NS role in assessing applications is neutral, each application is assessed on its merits.

No application has been submitted by RSPB so assessment has not been started.

Present to listen and to allay concerns.

Some of the points already raised can be addressed tonight, others have been noted and a response will be forwarded post meeting to KCC secretary for distribution.

The NBS, why it was created, who owns the document, who was consulted.

The publication of the NBS is delayed as some work is still ongoing. The result will be an overarching strategy for Scotland covering the next 20 years and does not contain area by area analysis.

There are many contributors to the strategy document and the accompanying Action Plan will list actions for the different stakeholders to follow up.

JM asked if there was a list of stakeholders who had been consulted.

KJ - This will appear in the published document which is currently scheduled for mid-September.

In relation to who "owns" the strategy KJ said "everyone owns it." The process was led by RCON a conservation consultancy. There are more than 50 stakeholders.

There will be a new Scottish Beaver Advisory Group which will include some stakeholders but be led by NatureScot.

Licensee responsibilities under the Scottish Code for Conservation Translocation / Licensing conditions

Licences will be needed for translocation and only NS will be issuing them.

Conditions must be fair and reasonable.

Applicants should be thinking about implications.

The issue of one species against another is NatureScot responsibility.

Applications must follow the guidance of The Scottish Code for Conservation Translocations which included consultation with the local communities and a HRA (Habitat Risk Assessment) if any designated sites are potentially affected.

The RSPB are taking the lead in this application for translocation with partnership from LLTNPA.

Any concerns should be directed via their consultation process in order to be properly captured – if concerns go straight to NS or elsewhere, they may well be addressed but they will not be included in the application submission.

Whatever issues arise there are going to be measures to mitigate available, it is not the case that once released then that is that and they can't be touched.

Tonight has highlighted common concerns which hopefully can be allayed as we speak.

The Beaver team has been put together with mitigation in mind – designed to help landowners address any issues arising. Should further translocation be needed NS would fund it, however before that becomes necessary there are other solutions to try – the “beaver deceiver” device allows dams to be bypassed rather than demolished (and subsequently rebuilt). There are tree protection measures such as a substance that can be painted on that the beavers don't like the taste of. Fencing of individual or groups of trees to keep beavers away. Other innovations are being tested – as well as learning from other countries.

Licences will be needed for any activities relating to disturbance of beavers or their habitat. Although free, there are criteria needing to be satisfied before being issued. The three tests are :

1. Action is needed related to the conditions in the legislation e.g. public health, causing serious damage, if that test is passed then,
 2. Is there a satisfactory alternative to the action proposed? If 'No' then,
 3. Will it have a detrimental effect on that species in the long term? If 'No' then,
- a licence can be issued.

In short NatureScot would have to have a reason to say no to a licence.

Future Monitoring (short and long term)

Monitoring of beaver populations is done by a variety of ways from drones inspecting river banks to boots on the ground via volunteers, consultants and landowner interaction. NS engage a consultant from The Beaver Trust also and even anecdotal evidence is taken of sightings.

Landowner dialogue (now and for future)

NS engage regularly with landowners in Tayside now and will continue to do so elsewhere.

The steer from ScotGov is to lean more toward translocations than lethal control.

Beaver group created for that purpose with the aim to get beavers regarded as native species such as deer. There will be problems on the way hence the mitigation plans and beaver group set up.

Liability – applicants will have to demonstrate commitment and ability to deliver what they say they will. Once the beavers are released they become like any other wild animal – deer, badgers, bats etc and do not belong to anyone. (So, in the present case, after the translocation beavers then become wild and are no longer REPB's responsibility.) However, should issues arise, licenses to kill with beavers would be available following the 3 tests outlined above.

In terms of costs, the landowner with the issues would be responsible but there is currently a limited budget within NS. Engagement and advice should be sought as early as possible.

Regarding Giardia – NS have not seen any evidence of Giardia in beavers in tests done so far. The increased risk from beavers specifically over other species that carry the disease is regarded as low.

Before any translocations occur, animals will be screened for this and other health issues of risk to public.

Regarding LL&T area, assessments show that a natural migration of beavers is likely and that there are beavers known to be present on the NNR and in Glen Falloch.

Questions and Answers

JM to NatureScot: How long for a licence to be granted?

KJ : Approx 3 weeks at the moment

JM : Is an Environmental Impact Assessment (EIA) needed as part of a translocation licence application?

KJ : A Habitat Regulation Assessment (HRA) is needed which is a kind of EIA. NatureScot would do that as part of the assessment of the licence application.

Colin Liddell (Loch Lomond Angling Improvement Association) : Is a Strategic Environmental Impact Assessment the same as an EIA?

Ian Bray (NatureScot) : While a HRA is needed wherever special designations exist, SEA's are done for new catchments not previously applied for. SEA's cover social and economic impacts not just environmental impacts. An EIA is different again and is triggered by conditions specified in the legislation e.g. scale of project. A translocation does not need an EIA but it does need a Strategic Impact Assessment in the form of an SEA.

In terms of consultation, a HRA is developed by inhouse expertise of NS without consultation with other expert bodies.

Malcolm McCormick (Loch Lomond Fisheries Trust) : Even if an EIA is not compulsory there is a moral obligation to carry one out. Could one be done voluntarily and why are subject matter experts such as LLFT not consulted as they hold more data than any other body?

IB : Certainly, for SEA consultations, bodies like LLFT will be contacted but for assessment of Regulations it is not necessary to go out-with NS.

Sally Page recommended NS consult with the Scottish Centre for Ecology and the Natural Environment (SCENE) at Rowardennan for a similar wealth of knowledge of local biodiversity.

JM to RSPB : Why do you want beavers?

Paula Baker (RSPB) : Referred to a habitat crisis.

JM asked it was not just as a tourist attraction.

RSPB replied that it depended what the beavers do. Beavers are good habitat engineers and will improve the fen, they will bring benefits to almost all species on NNR and increase biodiversity. Fen in degraded condition – water level inconsistent – the Aber bog has been drying out since the Aber burn was diverted years ago – manmade interventions could be improved by natural beaver activity.

RSPB referred to having done an assessment and that most of the benefits were positive.

David Scott-Park asked how high the water needed to come up and the RSPB replied that they did not know.

Various members of the community suggested that these desired changes to water level could be achieved by other means.

JM to LLTNPA : Will beaver residency have an effect on planning or people who have houses near beavers? i.e. how far away from a 'lodge' is untouchable?

Simon Jones (LLTNPA) : Simon introduced himself - Background in beaver ecology. Beavers already within NP and increasing naturally. LLTNPA are not part of the translocation application but have supported RSPB financially for their consultations. Don't have definitive answer on planning restrictions as a result of beaver residency.

KJ : Usually 100m but could be 30m – will follow up and send the info later. The point is whether a development will disturb the animal and if so, a licence would be needed to do anything.

David Scott-Park (Local Farmer & KCC) : While there are mitigations such as fences, water level monitors etc, is it true that there is no compensation available for damage to crops etc.?

KJ : That is correct at the moment unless Scot Gov decide to do something along those lines. There is no compensation for crop damage by other wild animals.

DSP : When planning reintroductions – consideration should be given on expected population numbers and when culling might be required before they run away beyond control.

KJ : There is a direction of travel from ScotGov to increase translocations and decrease lethal control but this does not take lethal control off the table.

Anita Anderson (KCC) : As a resident of Aber bog, flooding is a concern can anything be done to divert extra water.

PB (RSPB) : This is something that could be discussed separately as it is not related to beaver activity. Flooding that occurs when the river is in spate will remain, the beaver activity would only even out the normal fluctuations and retain water in the bog.

Gavin MacLellan (KCC) : A lot of talk about impact on the natural environment but equal focus should be on the built environment. Not only the previously mentioned Victorian water infrastructure but there are other critical infrastructures of national importance including a strategic fuel oil pipeline running through the area.

KJ : Will confirm post-meeting but expects that owners/regulators of such structures will be identified and consulted with.

JM to RSPB : How much has RSPB spent on this so far?

PB : Mostly staff time but LLTNPA funded the consultations to the tune of £5k

Colin Liddell (LLAIA) : Where is the empirical evidence that the introduction of beavers to a system such as ours will not have a detrimental effect on migratory fish? Why are we placing the influence of one species against some that are already threatened? The stakeholder engagement seems to be lacking – where are SEPA, where are Fisheries Management Scotland or Marine Scotland in this process?

KJ : No empirical evidence for LL area as no application has been received. Will check for info on similar areas if any and report back.

Bodies such as SEPA would be consulted by NS if they held information necessary to determine the application in hand. They are not automatically invited nor do they have to come forward to NS if not asked.

Eddie Edmonstone (Duntreath Estates) : Did not receive any minutes or info from July meeting. Back then the application was due to be submitted end of August. What is the time line for application and publication of consultation documents for all to see?

PB : Four Stakeholder Engagement Sessions were held and the consultation period extended to 21st August. The paperwork has not been fully processed as yet. Probably another 2-3 weeks until submission.

KJ : Typical backlog now is 3 weeks, so application might get to top of list 3 weeks after submission. The work would start on the assessment HRA, SEA etc. It could be around New Year before anything decided.

DSP to RSPB : Given that the consultation period is over but the application not yet submitted, would the meeting tonight form part of the consultation.

PB : That is why we are here tonight, to listen. Although what is needed for the application is ready, we are still keen to hear the public views

JM : Is there a part of the year where you can catch the beavers?

PB : You can't capture them between April - August

Willie Roxburgh (resident) : Is there any way that beavers can be described as indigenous to this area or any other part of Scotland? If so, when and why did they disappear?

KJ : Officially they are now treated as 'former native' species. They were naturally abundant until 1700's and were eventually lost to persecution by man for fur and meat rather than as a pest.

Donald MacDonald (resident) : If a beaver built a dam on my land would I get a licence to remove the dam and kill the beaver. Yes or no.

KJ : You would likely get a licence to deal with the dam but unlikely to get a licence to kill the animal.

DM : With great respect to the RSPB, if the beavers are already here why bring more only to have to kill their progeny down the line same as we do the deer nowadays.

KJ : Culling being avoided by translocations now was due to clash of behaviours with man (negative effects on agriculture) rather than over population.

PB (RSPB) : Slow breeders that spread out as they populate, density does not necessarily rise in one place.

David Young : Effects on built environment – shared his experience from Canada where culverts were blocked leading to road collapses. Locally the council budgets here struggle to maintain or repair infrastructure as it is.

Sheelagh McAllister (Beaver Trust) : Confirmed that beavers are slow breeders, take 2 years to maturity before offspring can then breed.

Mary Gray (resident) : How do the beavers travel from place to place?

SMc : The primarily use the watercourses to swim along. Including underground cundies.

Mark Hedgcoe (resident) : To Nature Scot - What proportion of licences have been turned down in last 5 years? To RSPB – what is your understanding of what happened at Kinnordy Loch when beavers dammed up a river and had to be culled?

PB : There were no beavers killed on the RSPB site. There may have been issues elsewhere that other landowners dealt with. Prior to the translocation option, lethal control was the ultimate resolution.

KJ : The number of licences for lethal action are low because it was a last resort until now and other options would be explored first. The actual statistics of applications successful or otherwise is not to hand so will have to be looked up and supplied after the meeting. Probably in the region of 1-10 rejected compared to the 100-200 granted.

Translocations – 2 applications (Knapdale & Argatty), both granted.

John Willis (resident) : How many beavers are to be released?

PB : One family, so minimum of 2. If when captured, they had dependent young then they would be brought too.

JW : Is there a target number (population) for the site? Should an issue occur down the line and a mitigation licence be needed, who pays for the remedial action the licence allows for?

KJ : Currently, the cost would depend on the remedy, translocations would fall to NS, lethal control would more than likely be the landowner. Flow devices would depend on the scale and budget within NS. No target numbers have been set. Project to project it will vary – in Knapdale the translocation was to help widen the gene pool of the existing population.

Charlotte Hunt, Farmer : Are beavers being taken away from Knapdale because there are too many of the same strain?

KJ : No information on that. Currently Tayside is the only known donor location and being used to supplement the population at Knapdale.

Colin Liddell (LLAIA) : On mitigations, currently the fisheries groups organise volunteer groups to clear blockages from migratory routes, if beavers are reintroduced who is going to be responsible for keeping these routes clear?

KJ : Don't know.

Gavin MacLellan : Culling is inevitable. Shouldn't the people responsible for releasing beavers be responsible for culling when it is needed?

KJ : Yes. Culling may well be necessary at times. No one is taking it off the table. Questions have been asked about the accreditation scheme (to be allowed to kill) and how often courses/accreditation are available. This will be looked into and included in the post meeting information pack to be sent to KCC once collated.

Summary from the Chair

RSPB are going to apply for a licence within the next month

NS will examine the application and in Chair's opinion based on the evidence tonight, grant it.

(KJ from NS pointed out that this was not implicit to any of his contributions this evening)

JM suggested that those against granting a licence to release share their views in the consultation by RSPB.

JM suggested that so far the consultation had not been open and that not everyone had been included.

JM requested an unofficial show of hands to show whether you would or would not like beavers to be introduced. About 80% of attendees were against, less than 10% were in favour.

JM thanked everyone for coming out and taking part and wished everyone a good night.

Meeting closed at 21:40

Minutes Approved by:

Chairman:

Community councillors:

Independent attendees:

Appendix - Follow up from Kieren Jones of NatureScot

Dear Andrew,

Please find below our responses to the queries raised on the night of the meeting. If anything is unclear or if I have missed a question raised, please let me know.

The National Beaver Strategy was published this week, it can be found here - <https://www.nature.scot/new-beaverstrategy-scotland> We have also added new guidance to our website for translocation, you may find some answers to some of your queries here - <https://www.nature.scot/doc/beavers-scotland-conservation-translocation-guidanceapplicants-consultees-and-interested-parties>

I was asked to specifically clarify the following:

What regulators/organisations are consulted as part of the translocation application?

We advise the applicants to consult with SEPA, Scottish Water, Scottish Forestry, District Salmon Fishery Boards and Local Authorities.

We may verify with these organisations to ensure the advice included is an accurate representation of their views.

How will beavers legal protection interact with other regulatory function?

When two regulatory functions come in to conflict, one does not usually automatically override another. In the case of beavers, we would seek to find a consensus with whichever organisation oversaw the other part of the regulation and move forward. It is likely a solution can be found to allow the most satisfactory outcome to occur as it is in other licensing situations.

What disturbance distances will apply to developments near to protected beaver structures?

More information can be found here - <https://www.nature.scot/doc/standing-advice-planning-consultationsbeavers>

What is the long term plan for Knapdale?

The beaver population in Knapdale is part of the recognised beaver range in Scotland and options for securing this population will form part of the wider discussion on beaver restoration in Scotland.

Will the accreditation scheme return for lethal control licences?

We will arrange sessions for new controllers to be trained where there is demand. We are currently planning to run further training for accredited controllers in areas where there are licences that permit beaver removal.

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Many thanks,

Kieren Jones | Beaver Team Project Officer – Wildlife Management

NatureScot | Great Glen House, Inverness, IV3 8NW

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Nàdair na h-Alba