

## **RIVER CREE DISTRICT SALMON FISHERY BOARD**

### **THE REPORT OF THE BOARD TO BE CONSIDERED AT THE ANNUAL MEETING OF QUALIFIED PROPRIETORS AND ALSO AT THE ANNUAL PUBLIC MEETING OF THE BOARD – 26<sup>TH</sup> OCTOBER 2016**

This report covers the period from the 1<sup>st</sup> October 2015 to the 30<sup>th</sup> September 2016.

#### **PART ONE**

This part of the report summarises what the Board have done in carrying out their statutory functions during the period and what the Board propose to do in carrying out those functions in the year ahead.

The primary duties of the Board are the protection or improvement of the fisheries within their district, the increase of salmon and the stocking of the waters of the district with salmon – Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, section 45(1). To assist it in fulfilling those duties the Board has the benefit of the services of two fisheries trusts, Galloway Fisheries Trust (GFT) and The River Cree Hatchery and Habitat Trust (RCHHT). There are attached as appendices to this report summaries prepared by those trusts of their activities during the period and their proposals for the coming year.

In addition to the activities of the two trusts mentioned above, the Board has dealt with many other matters during the period. To a large extent, the activities of the Board appear from an examination of the minutes of all its meetings, which can be viewed on the Board's website – **rivercreedistrictsalmonfisheryboard.com**. The following is a brief summary.

The **triennial elections** to the Board were held on the 21<sup>st</sup> October 2015 when seventeen members were elected or co-opted to the Board. The next elections will be due before the 20<sup>th</sup> October 2018, if indeed the Board still exists by then.

The **Conservation Code** for the District was considered at the meeting of the Board in January 2016. It was amended in the light of the statutory relegation of the District to “grade 3” status, meaning that no salmon could be taken for the whole season. The Code appears on the Board's website in its present form, but will be re-considered at a future meeting, when it will no doubt be amended if the proposed elevation of the district to “grade 1” is confirmed.

Also at the January meeting the Board decided to request a **rating re-valuation** of salmon fishings within the District and it falls to individual proprietors to send the necessary returns to the assessors.

In December 2015 SNH granted the Chairman a licence to shoot **fish eating birds** as an aid to scaring them. The licence period was from the 1<sup>st</sup> February to the 30<sup>th</sup> April 2016 and permitted a maximum of 12 goosanders and 3 cormorants to be killed. The agents appointed by the Chairman duly shot the maximum number of birds licensed. A further bird count was carried out in the spring and it is hoped to conduct a further count in the near future with a view to applying for a further licence.

At the meeting of the Board in April 2016 the **River Management Plan** for the District was considered and slightly amended. The Plan succinctly sets out how the

Board aims to achieve its objective of protecting and enhancing stocks of migratory fish within the district and is available for inspection on the Board's website.

In May, Murdo Crosbie was appointed as an additional **water bailiff** for the district, bringing our tally of bailiffs to four.

Once again, **Wild Fisheries Reform** has taken up an inordinate amount of the Board's time. Although the Board made representations in relation to a consultation regarding **conservation measures**, the Cree District was placed into "grade 3" along with all other Solway rivers, with the imposition of 100% catch and release for the entire 2016 season. This has had an adverse economic effect on several fisheries within the District, with reports of fewer fishing tickets being sold. In September, a further consultation document (to which the Board responded) was published in relation to the 2017 season. The Cree is provisionally placed in "grade 1" and it is to be hoped that this will be confirmed when the regulations are published.

In February 2016 the Scottish Government published a 76 page consultation document on a **Wild Fisheries (Scotland) Bill** to which the Board responded. It was accepted that the draft Bill was incomplete and we were promised a series of "mini consultations" on the remaining parts of the Bill later in the year, with the full Bill being published in the autumn. In the event, no Bill has been published nor is one in the legislative programme for the current parliamentary session. The Board has just been given a new lease of life – for how long remains to be seen.

In the meantime, RAFTS and ASFB had been asked to make a report to the Scottish Government on the vexed issue **FMO areas**. Although ASFB/RAFTS indicated that they had been in "extensive consultation" in relation to the matter, the Board was not in fact consulted. It subsequently transpired that ASFB/RAFTS had consulted GFT and the Ayrshire Rivers Trust in late June. However, it was not until the 22<sup>nd</sup> August that the Board learned of the proposals for this area, some three days before the closure of the consultation period. The legal advice received by the Board is to the effect that the consultation was flawed and the resultant report open to challenge. In the event, ASFB/RAFTS has recommended in its report that the FMO area for this area should include the six Galloway rivers (the Luce to the Urr). It will be recalled that the Board has resolved (by a majority of 9 to 4) that it supports a Solway-wide FMO.

**Generally** in the year ahead the Board intends to continue to support the two trusts in the work they do for the Board and continue to manage the waters of the district in accordance with the River Management Plan. It remains to be seen whether **Wild Fisheries Reform** will absorb as much of the Board's time and effort as hitherto.

## **PART TWO – COMPLAINTS**

During the year the Board received no complaints.

## **PART THREE – GOOD GOVERNANCE**

The Board has complied with the good governance requirements in the 2003 Act, as amended by the 2013 Act, as follows. The Annual Report considered at the Annual Public Meeting on the 18<sup>th</sup> November 2015 complied with Section 46A and the meeting itself complied with Section 46B. That Report and the audited accounts were published on the Board's website and copies sent to the Scottish Ministers in

accordance with Section 44(1A). The notice of the annual meeting of qualified proprietors and the annual public meeting to be held on the 26<sup>th</sup> October 2016 were advertised in a local newspaper and a copy sent to the Scottish Ministers to comply with Section 46C. The other requirements of Section 46C in relation to all other meetings of the Board have been complied with by publicising the dates of meetings and publishing the minutes thereof on the Board's website.

The Board's complaints procedure is publicised on the website in accordance with Section 46D.

The Board has established a register of relevant financial interests of members of the Board (available for public inspection) in accordance with Section 46E.

In the following year the Board intends to comply with the good governance requirements by keeping its procedures under review and observing the good governance requirements as hitherto.

#### **PART FOUR – GENERAL**

The officially recorded 2015 rod catch for the Cree district was, mysteriously, 259 salmon and grilse. This compares with figures provided by most (but not all) beats to the Chairman, totalling 317 fish. The final figures for 2016 are not to hand at the time of writing but estimates point to a total of some 250 salmon and grilse for the season. Given that angling effort was considerably reduced this can be regarded as satisfactory. Encouragingly, reports from most beats were that there were very good numbers of fish in the river, even if they proved difficult to catch at times.

This is the final report mentioned in section 44(1) of the 2003 Act.

**Terence Flanagan**

**Chairman**

**Dated 26<sup>th</sup> October 2016**



## **THE RIVER CREE HATCHERY AND HABITAT TRUST CHARITY SC042355**

During the period from the 1<sup>st</sup> October 2015 to the 30<sup>th</sup> September 2016 RCHHT carried out the following works on the catchment of the District.

### **HATCHERY WORKS**

We started the broodstock collection on the Water of Minnoch in the last week of October and finished with the Cree on the 17<sup>th</sup> November. While electro-fishing the Minnoch we saw very good numbers of fish in the majority of pools that we fished. Glentool Estate Waters also held good numbers of fish but unfortunately we were only allowed to take 2 small hens.

|                |                |                 |                           |
|----------------|----------------|-----------------|---------------------------|
| <u>Minnoch</u> | <u>22 Hens</u> | <u>11 Cocks</u> | <u>Approx 84,000 eggs</u> |
|----------------|----------------|-----------------|---------------------------|

The Penkiln Burn again showed good numbers of fish.

|                |                |                |                           |
|----------------|----------------|----------------|---------------------------|
| <u>Penkiln</u> | <u>15 Hens</u> | <u>9 Cocks</u> | <u>Approx 57,000 eggs</u> |
|----------------|----------------|----------------|---------------------------|

The River Cree brood stock collection proved to be more difficult once again. High waters delayed proceedings and we eventually had to fish for brood fish by rod & line which gave us the five hen fish and one cock fish. Once we did manage in with the net we realised we were too late and only managed to take a further two cock fish. There were very few fish in the pools although fish were seen in the streams.

|             |               |                |                           |
|-------------|---------------|----------------|---------------------------|
| <u>Cree</u> | <u>5 Hens</u> | <u>3 Cocks</u> | <u>Approx 24,000 eggs</u> |
|-------------|---------------|----------------|---------------------------|

The first three fish ready from the Minnoch were stripped on the 28<sup>th</sup> October and the eggs were eyed by the 28<sup>th</sup> of November. Hatching began on the 29<sup>th</sup> of December. This was very early compared to previous years due to an unseasonal winter with water temperatures running higher than would be expected.

The first fry were stocked out in May and this was completed by the middle of September. The stocking sites and approximate numbers of fry stocked were as follows:-

### Stocking Sites & Numbers for 2016

| <u>Penkiln Burn</u> | <u>Approx No Eggs</u> |
|---------------------|-----------------------|
| Pulbae Burn         | 15000                 |
| Green Burn          | 5000                  |
| Campbells Burn      | 3000                  |
| Garlies Burn        | 6000                  |
| Upper Penkiln Burn  | 15000                 |

|            |                    |
|------------|--------------------|
| Autumn Fry | 6740               |
|            | <u>Total 50740</u> |

### Minnoch

|                 |                    |
|-----------------|--------------------|
| Eldrick Burn    | 12000              |
| Kirriemore Burn | 15000              |
| Pulniskie Burn  | 3000               |
| Pilnyark Burn   | 8000               |
|                 | <u>Total 38000</u> |

### Cree

|                |       |
|----------------|-------|
| Fardin Burn    | 35000 |
| Claughrie Burn | 10000 |
| Challoch Burn  | 4000  |
| Castle Burn    | 6000  |
| Millburn       | 7000  |
| Linloskin      | 7000  |

Total 69000

This year the Glenshalloch Burn has not been stocked due to the hoops we would have to jump through with SNH regarding impassable falls. We have also stocked a new burn at the head of the Minnoch called the Pilnyark Burn with 8000 fry which seem to have done very well. The Claughrie Burn has also been stocked again this year as we had sufficient fry.

The fin-clipped fish released in the autumn of 2015 have been surveyed with the result being very pleasing and, as first thought, a good percentage had smolted . We will be looking to rear 10000 fry for the autumn 2017.

The RCHHT volunteers and myself were out with the Galloway Fisheries Trust, surveying the stocking sites on the Cree, Minnoch and Penkiln. The results of these were once again very pleasing and especially the autumn fry which seem to have done very well with a few of these migrating downstream. As mentioned above, the Pilnyark Burn, which is a new stocking site seems to have done very well with good sized fry.

## **HABITAT WORKS**

### **Invasive non-native species**

Work continued in clearing rhododendrons from the banks of the Penkiln Burn and spraying re-growth. Again it has been very encouraging with the amount of regrowth of vegetation in the areas that have been cleared. We took the decision not to spray Japanese Knotweed this year as it was felt that another year's growth might give a better kill rate. Himalayan Balsam has been picked from several locations.

### **Bankside and instream works**

The flood last December left trees on the banks of the Penkiln and Cree which were once again successfully removed.

**During Clearing**



**After**



### **Pike removal**

Netting for Pike & Perch took place in the latter part of April for one week, with a total of 18 Pike up to approx 5lbs and over 500 Perch up to approx 1.5lbs removed. On inspecting several of these fish we found Smolts, Lamprey eels, small Perch and other Salmonids which were digested too much to see whether Salmon or Trout.

### **Salmon smolt found in one of the pike**

## **Upper Penkiln Project**

The upper Penkiln project took place from October 15 through to April this year and involved the removal of regeneration Sitka Spruce trees from approx 5.5 miles of burn bank. One thousand broadleaf trees were planted along the areas that were cleared of regen; these trees were staked and tubed . The trees planted were downy birch, rowan, alder and aspen.

**Another Sitka spruce being felled**



**Volunteers planting the trees**



## **School Visits**

On the 31<sup>st</sup> May & the 1<sup>st</sup> June, Minnigaff, Creetown and Penninghame primary 5 pupils were out fishing for Rainbow trout at Glenamour Loch with the RCHHT and supported by the NSAA. In total we had 55 pupils who between them caught a fantastic 45 fish which all bar 1 were retained. This was the last of four visits to the Hatchery. During the first three visits the pupils witnessed the process of stripping fish in the hatchery, eggs being laid down, eyed ova, alevins and stocking out of fry. We also looked at the insect life in the burn which was stocked. The burn showed healthy numbers of Caddis, Stonefly and Mayfly.



**Pupils showing off their Catch**

## **PROPOSALS FOR NEXT YEAR**

It is intended to operate the hatchery and stock salmon fry into the catchment as set out in the Board's stocking policy document agreed on the 8th September. We will once again be looking to stock 10000 autumn fry into the Penkiln Burn.

Work will continue to monitor INNS along the banks of the Cree and Penkiln Burn and eradication measures will be taken as necessary.

It is intended to net the Cree once again with a view to removing pike and perch.

It is intended to remove any trees or obstructions that are causing any problems e.g., bank erosion, barriers to migrating fish or the potential to cause flooding.

We have now got the go-ahead to work on the Kirriemore, Pulbae and Green Burns removing and clearing Sitka Spruce regeneration trees. This project will also involve the planting, staking and putting deer guards on 2000 trees of indigenous species (alder, downy birch, rowan and aspen) along the banks of the burns. This work will commence in November 2016 through to April 2017

It is intended to continue with our educational programme for schools and to promote angling for all.

It is hoped we will start a project on the lower Cree to cut back rhododendron, open up pathways and regenerate the riverbank for the benefit of anglers and the general public.

**Murdo Crosbie**  
**Hatchery co-ordinator**



## Summary of 2016 Galloway Fisheries Trust (GFT) work on the Cree catchment



SC020751

### 1. Conservation Limits (CL) / River Categories

In 2015 the Scottish Government (SG) announced that they were categorising all Galloway Rivers as Category 3 which required 100% catch and release of rod caught salmon. This decision was based on their calculations using conservation limits (CLs) which uses rod catches to assess the health of the fish stocks. GFT and local DSFBs did not agree with their conclusions and GFT prioritised getting the accuracy of local CLs improved.

The recently released proposed river categories for 2017 are improved with three Galloway rivers becoming Category 2's and the Cree a Category 1. On these rivers 'catch and release' will not be mandatory although it is still recommended. These changes have occurred due to the input of local salmon data and modifications to how CLs are now being calculated e.g.

- Electrofishing and habitat survey data used to show correct salmon distribution in the Cree catchment.
- GFT have supplied local data through three SG Technical Working Groups tasked with improving accuracy of CLs.
- GFT provided 442 historical salmon scale sample data sets and the scale samples collected by anglers this season for the 'grilse error' project.
- Water flows and how it affects angling, and late salmon runs are now taken account of.
- Studies completed on fish length and egg count, egg counts of individual fish, sex ratio and age composition – this has changed some of the figures in their model.
- Designation is by 'river' only now, not 'district' which removes all unfished coastal burns.

Thanks to all of the anglers who have supplied scale samples from their rod catches this season for the GFT / DSFB 'grilse error' scale collection project. 54 sets of scales have been provided by anglers from the Cree and Minnoch and this data is helping to ensure the Cree has the correct river category.

### 2. Forestry Related Works

Most of the work of GFT is focussed on forestry related problems due to the impact this sector has had on the water quality and fish populations in the headwaters of the local rivers. We work to ensure that future replanting moves away from sensitive water courses and peatland areas and this is showing results in many areas. Two specific forestry related projects this year include:

- Black Clauchrie Irish Pipe Bridges Removal

GFT are working to have two pipe bridges removed from the Black Clauchrie Burn (High Cree tributary). These forestry bridges are badly designed and create barriers to salmon and trout upstream migration. GFT aim to have these bridges replaced with new 'fish friendly' designs.



- Rowantree Burn (Minnoch tributary) Water Quality Concerns

Electrofishing has found very few fish present in this burn so we have been investigating water quality for a possible explanation. Over the last year GFT have been taking monthly water samples (analysed by Marine Scotland) to examine the water quality of the burn over a range of water flows. GFT are particularly concerned about the pH and aluminium levels which can be very damaging and are often associated with Sitka spruce forestry at high altitudes.

The results show that the water quality would be considered as 'passable' by national standards (which look at an annual mean) but the aluminium and pH levels recorded during floods are at a level which research has shown will impact on trout populations and reduce numbers of fish. Mortality will be higher for salmon than trout. GFT is also concerned that this poor water quality from the burn is affecting the Minnoch downstream. We have started discussions with the Forestry Commission about the need to reconsider the suitability of this catchment for forestry.

3. Cree Annual Stocking Guidance Document

GFT electrofishing was undertaken, with Murdo Crosbie, at 15 stocked sites to continue the monitoring of the hatchery programme including the autumn fry stocking. All stocked sites had good numbers of healthy fish. GFT have compiled the Stocking document for this year which has been agreed with the Cree DSFB. This document is used to support the CDSFBs annual application for brood stock collection.

4. Protecting Fish During Instream Works

Fish rescues were undertaken to remove and protect juvenile fish in the lower river during the stabilising works at Sparling Bridge and during the placement of the sand bags for the rebuilding of the collapsed flood wall near the Cree Bridge Weir.

5. 2016 Electrofishing Survey (non-stocked sites)

This summer electrofishing was undertaken at 18 sites on the High Cree catchment (see Table 1), these sites were not stocked. Historical catch records show the High Cree was an important spring salmon fishery. Habitat quality is good in the High Cree but acidification from large scale conifer afforestation, poorly buffered geology and acid rain decimated the salmon population in the 1990's.

To recap, the strategy to recover salmon stocks into the High Cree is:

- Working with forestry interests to utilise the forestry restructuring process to open up all riparian areas, maximise open space, reduce overall forest cover and pull Sitka spruce off the higher ground (through input to forest design plans).
- Identify and promote peatland restoration (areas have been identified around Loch Moan).
- Construct limestone gravel spawning beds in suitable intermediate pH areas to aid successful survival after spawning (~ 2800 m<sup>2</sup> of suitable limestone spawning riffles have been created).
- Stock salmon into upper tributaries where localised conditions gives good survival of the younger life stages but still allows a level of selection to occur once fish drop downstream (selective stocking has been occurring here since the early 1990's).
- Carefully protect recovering wild salmon stocks.

- Support and encourage other relevant projects (such as the Cree Valley Community Woodland project on the High Cree which removed over 200 Ha of conifer regrowth and planted over 154,000 deciduous trees near watercourses).

The 2016 electrofishing results have been encouraging with the on-going recovery of salmon stocks from Clachaneasy upstream to around Dalnaw in both limestone and non-limestone riffle areas (far higher numbers of fish compared to the 2011 survey) in the lower 10 km of the High Cree. Good smolt numbers will now come from these areas. The fish here are becoming more adapted to the local conditions where acid flushes will still be occurring although less extreme than they were.

Further upstream in the forestry, the numbers of juvenile salmon reduces markedly, although some juvenile salmon were found at most High Cree sites until near Loch Moan. This area is still acidified. Only a single salmon fry was found upstream of the Cairnderry Burn confluence but salmon parr were found at four High Cree sites in this area. It is expected that these parr are dropping out of the fry stocked burns upstream (Fardin and Black Clauchrie Burns) where electrofishing annually shows good survival rates. The fry have the opportunity to grow during their most vulnerable stages in the better buffered burns before dropping downstream as they mature and become more acclimatised to low pH environments. It is likely that there will be some selective pressure on those individuals better adapted to low pH environments which will result returning adults more suited to their local environment. Acid flushes will still be occurring in these areas at certain times of year.

**Table 1: 2016 electrofishing results from High Cree sites**

| No. | Site (sites start in the lower reaches of the High Cree and move upstream. The final sites are near Loch Moan) | Grid reference | Expected source of the salmon | Salmon fry* | Salmon parr* |
|-----|--|----------------|-------------------------------|-------------|--------------|
| 1   | High Cree, riffle u/s of Clachaneasy   | 355751         | Wild                          | 16.6        | 10.9         |
| 2   | High Cree, d/s of Bargrennan Bridge  | 349763         | Wild                          | 13.2        | 17.9         |
| 3   | High Cree, through Iain Service fields at cattle pens  | 340772         | Wild                          | 14.3        | 7.1          |
| 4   | High Cree, over hill from Dalnaw Farm (limestone riffle)   | 320765         | Wild                          | 20.7        | 0.8          |
| 5   | High Cree, riffle above 3 Counties Pool  | 318762         | Wild                          | 40.6        | 1.4          |
| 6   | High Cree, Carrick Burn (lower)  | 318761         | Wild                          | 34.8        | 6.6          |
| 7   | High Cree, by Balnahoin (limestone riffle)   | 319770         | Wild                          | 19.6        | 1.7          |
| 8   | High Cree, d/s Dalnaw Farm bridge  | 321771         | Wild                          | 12.3        | 6.2          |
| 9   | High Cree, Cairnderry Burn   | 323789         |                               | 0           | 0            |
| 10  | High Cree, u/s of Cairnderry Burn outflow  | 322789         |                               | 0           | 0            |
| 11  | High Cree, Arnimean Bridge   | 302804         | Hatchery                      | 0           | 1.6          |
| 12  | High Cree, riffle area   | 304825         | Hatchery                      | 0.8         | 0.8          |
| 13  | High Cree, Laniwee Burn  | 309815         |                               | 0           | 0            |
| 14  | High Cree  | 307839         | Hatchery                      | 0           | 1.6          |
| 15  | High Cree  | 327856         | Hatchery                      | 0           | 6.7          |
| 16  | High Cree, Loch Moan outflow   | 334862         |                               | 0           | 0            |

|    |                           |        |  |   |   |
|----|---------------------------|--------|--|---|---|
| 17 | High Cree, Cairnfore Burn | 341864 |  | 0 | 0 |
| 18 | High Cree, Cairnfore Burn | 345869 |  | 0 | 0 |

\*fish numbers are all standardised to density per 100 m<sup>2</sup> of water (minimum densities)

Proposed GFT works for the next 12 months on the Cree catchment:

- Continue to improve the accuracy of the Cree Conservation Limits calculations.
- Continue to monitor and advise on best practice regarding the Cree stocking programme including the experimental stocking of autumn fry.
- Undertake electrofishing survey of wild fish stocks on the lower Cree, Penkiln Burn and Palnure Burn catchments
- Progress increasing water flows in the Glenhead Burn (above Loch Trool) and the removal of two pipe bridges on the Black Clachrie Burn.
- Encourage and assist in the protection and enhancement of habitats in key tributaries – works to be undertaken by various parties including DG Council, GFT, RCHHT, FCS, etc.