

# **Eastern Region Anglers Notice “Issues and Options” Paper for the 2020-21 Season**

## **1. Background**

The Anglers Notice sets regional sports fishing regulations, and any changes from one season to the next go through a consultation process with licence holders and interested parties before being recommended to the Minister of Conservation. Sports fishing regulations are set to ensure the sustainability of fisheries without unnecessarily restricting angler opportunities. Eastern Fish & Game has established an Anglers Notice Policy (2018) that determines how fishing regulations should be set and what should be considered to warrant a change to any regulations. The policy identifies two functional groups of regulations within the Anglers Notice. The first group of regulations are those that serve a social function and relate to the way anglers interact with each other. The second group of regulations are those that have a biological effect on the fisheries and more direct impacts on trout populations. Suggested changes to the Anglers Notice from year to year are considered within the guidelines of this Anglers Notice Policy.

## **2. Development of the 2020-21 Anglers Notice**

The Anglers Notice review is one of the key opportunities for licence holders to have an involvement in the management of trout fisheries within the Eastern Region.

At its February 2020 meeting Council considered a number of initial suggestions for changes to the Anglers Notice that had been received before the meeting, or raised in earlier Council discussions, the purpose being to identify those that should be circulated to licence holders for wider input.

The ideas singled out for further consultation and discussion are listed within this ‘Issues and Options’ paper.

**All feedback to the Eastern Region Fish & Game Council pursuant to this Issues & Options Paper must be received by Council by 20 March 2020.**

At Council’s next meeting in April, feedback from licence holders will be considered. Council may then choose to accept or reject resolutions for changes or request staff to gather additional information for further discussion of the proposals.

At its June 2020 meeting, the Eastern Fish and Game Council will make its final recommendation on changes to the 2020-21 Anglers Notice. These proposed changes and the rationale for such will then be forwarded to the New Zealand Fish and Game Council and the Minister of Conservation for sign off and insertion in the New Zealand Gazette in late August.

The consultation process is summarised below:

### **2020-21 Anglers Notice consultation process**

Date/Meeting	Particulars
February 2020	Identified proposals for inclusion in ‘Issues and Options’ paper for wider consultation. Prepare and circulate paper requesting feedback for Council consideration.

April 2020	Council considers submissions to the ‘Issues and Options’ paper. Council may choose to adopt changes they are satisfied with or take further time to discuss these.
June 2020	Final recommendations for the 2020-21 Anglers Notice agreed to at the June Council meeting. Proposed changes sent to NZC by 30 June 2020.

### **3. Proposals**

#### **3.1 Remove all ‘Fly Fishing Only’ designations from Lakes Tarawera and Rotoiti shoreline areas**

##### **Background**

During the Anglers Notice Process for the 2018-19 fishing season, the Eastern Region Fish and Game Council amended the angling regulations to remove ‘fly fishing only’ designations from a number of sites on lakes Rotorua, Rotoiti and Tarawera. Lake Rotorua is now open to fly and spin methods in all areas. On Lake Rotoiti, all sites are open to fly/spin from 1 October to 31 March, but from 1 April through to 30 September, Ruato Bay and ‘the Pipe’ (Hinehopu) ‘fly fishing only’ within 200m of their landmark poles. Similarly on Lake Tarawera, the entire lake is open to fly/spin methods from 1 October until 1 April after which two of the winter shoreline fishing locations (The Landing and Te Wairoa Stream mouth) become ‘fly fishing only’.

The removal of the ‘fly fishing only’ monopoly from sites within Eastern Region has been very well received with very few grumbles being passed onto staff. Amending the regulations to open up areas to spin fishing is a move to be more inclusive, attract new and inexperienced anglers to the sport, and provide greater opportunity for those who can no longer handle a fly rod.

Participation in freshwater sports fishing is declining. Regional licence sales indicate an ongoing downward trend, and complex regulations and confusion around these are barriers to inclusion. Council has previously indicated support for simplification of the rules as a matter of principle and as a means of removing these impediments.

##### **Discussion**

Removal of the fly fishing only status around the remainder of the Rotorua lakes shoreline would increase participation in angling and reduce complexity in the rules, both which have been goals of the Eastern Region Fish and Game Council.

The ‘fly only’ designation is a historic practice which converted to a social rule under the Anglers Notice Policy 2003. The angling pressure at a site reaches a threshold level of use, above which the fly only designation kicks in, theoretically to reduce conflict between angler groups. Council altered the Anglers Notice Policy and criteria relating to threshold levels for designating ‘fly fishing only’ waters during the 2018-19 Anglers Notice review process. This does not preclude Council from recognising ‘fly fishing only waters’ but provides greater opportunity to foster participation.

Where fly fishing and spin fishing now overlap, e.g. at Hamurana, Ngongotaha, Waiteti and Awahou on Lake Rotorua, ‘the Transformer’ and Hauparu Bay on Lake Rotoiti, and at Waitangi Bay, ‘the Orchard’, Otumutu Lagoon and the Wairua Stream mouth on Lake

Tarawera, issues arising between anglers using these fishing methods appear to be very rare and no greater than those which arise amongst anglers using the same method. The majority of spin angling occurs within daylight hours, whereas a large proportion of fly angling occurs after dark, certainly at winter shoreline destinations. We have also observed that where fly and spin fishing can take place side by side, the predominant method used by far is fly fishing.

There may be a negative response from fly anglers to this proposal on the grounds they feel they are losing 'rights'. Conversely, spin anglers can argue that they pay the same price for their licences as fly anglers, but are discriminated against as they are unable to use their preferred method at all locations fly anglers are able to.

The Hawke's Bay Fish and Game Council made all of its fly fishing only areas open to fly and spin some years ago. This generated negative comment from some quarters for a relatively brief period before becoming more generally accepted.

From a biological perspective there have been numerous studies which have looked at catch rates and hooking induced mortality of fish caught by fly fishing versus those caught by spin fishing. The consensus is that spin fishing is no more effective than fly fishing in terms of catching fish, and spin fishing does not result in greater mortality of fish released compared to fly only methods. Research is clear that permitting the use of spin fishing in a water does not affect the biological sustainability of a fishery.

The regulations pertaining to 'fly fishing only' areas at the winter shoreline areas on Lakes Rotoiti and Tarawera were relaxed for the 2012-13 season to allow spin fishing for part of the season, and have remained so since. While this was timed to reduce potential angler conflict during the higher intensity periods when spawning fish are aggregating in these areas, we have never received reports of conflict arising as a consequence of the regulations being relaxed.

We are aware however, that having differing regulations over the course of the season creates confusion around what may be used where and at what times. With declining participation and fewer anglers utilising these areas, there appears to be no reason for retaining this somewhat discriminatory approach.

### **Options**

- (i) Retain the status quo and retain current 'fly fishing only' areas around the shorelines of Lake Rotoiti and Lake Tarawera.
- (ii) Remove fly fishing only designation from all lake shoreline areas on lakes Rotoiti and Tarawera.

## **3.2 Remove the winter angling restriction on the Otara River downstream of the Otara East Road Bridge**

### **Background**

The Otara River and its tributaries are currently open 1 October to 30 June for both fly and spin fishing. The lower Otara is highly accessible from Opotiki township and has little spawning value in its lower to mid reach sections. High value trout spawning habitat is present in its tributaries including the Pakihi, Te Waiti, and Tutaetoko streams.

## **Discussion**

The Otago River receives little angling pressure (estimated 290 ± 220 angler visits over the 2007-08 season). With declining participation in freshwater angling within many areas, having more waters with easy access open year round will provide greater opportunity for anglers (including youth and elderly anglers) to participate in the sport.

## **Options**

- (i) Retain the status quo, i.e. the Otago River in its entirety remains open to fly/spin methods 1 October to 30 June.
- (ii) The section of the Otago river downstream of the Otago East Bridge to Otago Harbour is opened to fly/spin methods all year-round.

### **3.3 Amend Lake Whakamarino's (Tuai) Authorised fishing methods to allow fly and spin fishing methods**

#### **Background**

Lake Whakamarino (Tuai) is a hydro operated impoundment within the Waikaremoana hydro-electric power scheme. It is currently open 1 October to 30 June and is open to fly fishing only. It was once a renowned fishery producing trophy sized trout up to 30 pounds. In recent years, and due to a range of factors including a reduction in habitat, shallower water as a consequence of siltation, and weed encroachment, trout struggle to reach very large size. One of the main fishing sites previously used by anglers was from a platform immediately above the power station turbine outflow, but access to this is no longer available as it was blocked off by Genesis Energy as a Health and Safety measure prompted by Worksafe NZ.

#### **Discussion**

Lakes Waikaremoana and Kaitawa, and the Waikaretaheke River on either side of Lake Whakamarino are open to fly and spin methods. Kaitawa and Whakamarino are hydro impoundments that provide alternative options for anglers to the main lake and river, and sheltered angling when Lake Waikaremoana is too rough to fish. Extending spin fishing to Whakamarino would make fish positioned in the station outflow more accessible to anglers than was available when access to the platform above the outflow was removed.

Tuai is a small community that would benefit from its junior anglers being able to spin fish in the lake on their doorstep. No issues have arisen through both fly and spin methods being able to be used in Lake Kaitawa immediately above Whakamarino.

#### **Options**

- (i) Retain the status quo, i.e. retain current wording under Authorised fishing methods as "fly fishing only (F)", or;
- (ii) alter current wording under 'Authorised fishing methods' to "fly, spin (FS)".

### **3.4 Open Lake Kaitawa and Lake Whakamarino (Tuai) to year round angling**

#### **Background**

Lakes Kaitawa and Whakamarino are hydro impoundments within the Lake Waikaremoana Hydro-electric Power Scheme. The lakes in the past 20 years or so have had low angling use. Lake Whakamarino angling visits dropped markedly between 1994/95 (1,200 ± 460 angler visits) and 2014-15 (180 ± 110 angler visits) according to National Angler Surveys (NAS). The intervening NAS years 2001/02 (20 ± 20) and 2007/08 (50 ± 30) report even lower usage estimates. Lake Kaitawa was reported as having 180 ± 180 angler visits in 1994/95 and 80 ± 80 angler visits in 2014/15.

The lakes are stocked annually so do not rely on natural recruitment for sustainability meaning harvest rates could be offset by lifting stocking if required.

#### **Discussion**

Opening these lakes for an extra three months a year is likely to have little effect on harvest. However, there would be a positive effect of increasing the areas available for anglers to fish especially when the main lake (Waikaremoana) is too rough to allow angling.

#### **Options**

- (i) Retain the status quo, i.e. For Lakes Kaitawa and Whakamarino; Open Season “1 October – 30 June”, or;
- (ii) Alter the Open Season for Lakes Kaitawa and Whakamarino to “1 October – 30 September”.

### **3.5 Amend the wording relating to Lake Waikaremoana and the landmark poles located at the Mokau and Hopuruahine Streams**

#### **Background**

The distance from the landmark poles downstream to the Hopuruahine and Mokau Stream mouths varies according to the level of Lake Waikaremoana. As a hydro power reservoir the level of the lake can fluctuate by up to 3m, this being the operating range for the lake.

There are two entries for Lake Waikaremoana in the current regulation guide as follows:

*Waikaremoana Lake - excepting area below - 1 Oct -30 Sep - fly, spin.*

*Waikaremoana Lake - within 200m downstream of the Mokau and Hopuruahine landmark poles - 1 Oct -30 Sep - fly fishing only*

This causes unnecessary complexity in two ways. Firstly, the entries relating to the Mokau and Hopuruahine Streams downstream of the landmark poles appear under Lake Waikaremoana which is inconsistent with how other streams are laid out in the guide. Secondly, a definition of ‘*within 200m downstream of*’ is a subjective measure. To avoid this and make everything clearer, it would be simpler to allow fly and spin from Lake Waikaremoana up to the landmark poles year round, and retain the upstream sections of the streams important for trout spawning to fly fishing only from 1 December to 30 June.

What is proposed is to reword Lake Waikaremoana as:

*Lake Waikaremoana – 1 Oct - 30 Sep, fly, spin (FS)*

and insert new entries for the streams as follows:

*Hopuruahine Stream – downstream of landmark pole, year-round, fly, spin (FS)*

*Hopuruahine Stream – upstream of landmark pole, 1 Dec – 30 Jun, fly only (F)*

*Mokau Stream – downstream of landmark pole, year-round, fly, spin (FS)*

*Mokau Stream – upstream of landmark pole, 1 Dec – 30 Jun, fly only (F)*

## **Discussion**

The current wording in the regulation guide is unclear and the manner in which the waters downstream of the landmark poles are listed is inconsistent with how other waters are laid out in the guide. What is proposed would remedy this and make the rules easier to interpret.

The Hopuruahine Stream environment downstream of the landmarks is generally silty and slow flowing and unsuitable for trout spawning. The pressure within these stream systems is low and being able to spin fish up to the landmark poles would provide additional opportunity for spin anglers without impacting on the resource.

## **Options**

- (i) Retain the status quo i.e. the current wording under Mokau, Hopuruahine and Waikaremoana Lake, or;
- (ii) Amend wording under Mokau, Hopuruahine and Waikaremoana Lake to reflect the areas downstream of landmark poles on Mokau and Hopuruahine Streams are open year round to fly, spin (FS) and upstream of the Mokau and Hopuruahine landmarks are open 1 Dec to 30 Jun, fly fishing only (F).

## **3.6 Saturday'ising the opening of trout fishing in Eastern Region waters (lakes Tarawera, Rotoiti and Okataina)**

### **Background**

Currently (within Eastern Region) the trout fishing season opens on 1 October each year excluding some areas of special spawning significance that open on 1 December. It has been suggested that moving the opening date for the three 'renowned' Rotorua lakes (Tarawera, Rotoiti and Okataina) to the first Saturday in October would enable more anglers to participate in the occasion, and Fish & Game could take advantage of this and generate more of a 'carnival' atmosphere to attract new licence holders and/or retain a proportion of those who might otherwise not bother to renew their licence.

Council has considered this proposition on a number of occasions over the years. Some of the resolutions arising from more recent of these discussions are as follows:

### **2014:**

*The proposal to change the opening of the fishing season to the 1st Saturday in October was discussed and Rob Pitkethley provided Council with a summary of an earlier attempt to do so in the late 90's. The idea progressed from just opening Lakes Tarawera, Rotoiti and Okataina on the first Saturday to opening all Fish & Game waters on this day but it was not*

*supported nationally and so the idea did not progress further through the Anglers Notice review. [14/08/7.4]*

**2015:**

*Cr Barry Roderick queried progress on the proposal to change opening day to the first Saturday in October. Cr Annaka Davis noted that this idea had been dropped following consultation with staff and other regions. [15/04/8.9]*

**2016:**

*Agreed (Lindsay Lyons/Neal Hawes) that Council does not support, at this time, the submission to adjust the season opening date for lakes Rotoiti, Tarawera and Okataina so that it falls on the first Saturday in October each season, but notes that the opening of the 2016/17 season on 1 October this year falls on a Saturday and this provides an opportunity to investigate some of the positives and negatives of the proposal. [16/06/10.13]*

We know from the somewhat qualitative and statistically limited survey undertaken on the Saturday opening of the 2016-17 season, that anglers were split approximately 50:50 for and against Saturday'ising the opening of the season on Tarawera, Rotoiti and Okataina. There were also quite a number of anglers who weren't concerned and commented their tradition is to go fishing whatever day it falls on.

Fish & Game staff have observed over many years of opening day surveys, that the day of the week does not have the same effect on attendance on opening that weather does. Fine, calm weather openings produce more attractive conditions on the lakes than rough, windy and wet weather and influence participation to a much greater extent than whether it falls on a weekend or not.

**Discussion**

Some points to consider in favour:

- Would benefit those who can't get time off during the week or are going to school, and might mean more anglers get out than would otherwise have been the case subject to the weather on the day;
- Might mean more families and/or groups of friends could participate or get together around the occasion;
- Could make it into a bigger event and provide an opportunity to promote it in combination with other activities;
- It would be like the opening of duck hunting opening in which most participants know it's the first Saturday in May, and in addition to turning it into more of a tradition, it could reduce some occasional compliance issues (this might only be the case however, if all Fish & Game regions chose to open on the first Saturday in October because not all do).

Some potential downsides:

- Would penalise those who have to work on Saturdays and weekends;

- Confusion and compliance issues are likely to be created if just the three lakes (Tarawera, Rotoiti and Okataina) were opened on the first Saturday of October and other areas in the region, along with most other regions (including our immediate neighbours), opened on 1 October.
- If changing the opening of the three lakes to a Saturday did have the effect of substantially increasing participation, the additional congestion on the lakes as occurs on most openings when weather conditions are particularly favourable is likely to detract from the experience of many of those who are out on the day (due to the behaviour of some boatees, added congestion at boat ramps, and issues with finding a place to park). This could be counterproductive.
- Boat ramps and car parking infrastructure is already overloaded locally.
- Some people might feel they are missing out on their licence fee due to a few less days being available to fish in (some years more so than others).

A carnival atmosphere and promotion to recruit, retain or reactivate licence holders could potentially be just as effective if it was scheduled for the first weekend in October, or another later one, even if the season had actually opened some days beforehand.

### **Options**

- (i) Retain the status quo i.e. Lakes Tarawera, Rotoiti and Okataina open on 1 October, or;
- (ii) Change the season opening date for lakes Tarawera, Rotoiti and Okataina to the first Saturday in October each season.

**All feedback to the Eastern Region Fish & Game Council pursuant to this Issues & Options Paper must be received by Council by 20 March 2020.**



# ANGLERS NOTICE POLICY

Ref: 1.07.01

14/06/2018

## 1. Background

Fish and Game New Zealand spend a significant amount of time each year considering changes to the Anglers Notice. Changes to the regulations have, in the past, generally occurred in an ad hoc fashion, often in response to specific requests from anglers. Council has recognised that this has resulted in the inconsistent application of regulations across the region. To resolve this situation Council has developed policy which determines how and when regulations apply. The underlying approach taken to developing the policy has been to clearly identify the need for regulations or the issues, which may prompt specific regulations to be considered. The purpose of this policy is to remove inconsistencies and simplify the regulations and reduce the amount of time that council are required to devote to the process.

The policy has been established around two key groups of regulations within the Anglers Notice. The first group of regulations are those that have a biological effect on the fisheries and may have direct effects on trout populations. The biological regulations are the primary focus of the Anglers Notice Policy and have been developed to ensure ongoing sustainability of the fishery resource.

The second group of regulations are those that serve a social function and relate to the way anglers interact with each other.

## 2. Biological Regulations

Biological regulations are required to ensure the sustainability of the trout populations or fishing opportunities, or to provide for specific management objectives. Criteria for biological based regulations will generally be qualitative in nature and based upon dive counts, trap runs, angler surveys etc.

**Policy 2.1** The biological regulations applied to waters shall be based upon the following table;

Category	Description	Regulation Applied
<i>Sustainability I</i> <ul style="list-style-type: none"><li>To ensure adequate recruitment of juveniles to provide later harvest</li></ul>	<ul style="list-style-type: none"><li>Protect spawning rearing waters.</li><li>Closure of waters and season length most effective tool.</li></ul>	<ul style="list-style-type: none"><li>Close waters to fishing if they provide significant proportion of recruitment.</li><li>Length of closure related to importance of contribution, availability of other spawning, fishing opportunity potentially provided and duration of spawning.</li></ul>

<p><i>Sustainability II</i></p> <ul style="list-style-type: none"> <li>• To ensure adequate survival of adults to spawn</li> </ul>	<ul style="list-style-type: none"> <li>• Protect sufficient fish through to maturity to enable them to spawn.</li> <li>• Size limits most effective tool for protecting fish.</li> </ul>	<ul style="list-style-type: none"> <li>• Size limits guarantee protection of fish to maturity.</li> <li>• Size limits can be adjusted based upon knowledge of harvest rates.</li> </ul>
<p><i>Harvest Allocation</i></p> <ul style="list-style-type: none"> <li>• To share available harvest</li> <li>• Bag limit most effective.</li> </ul>	<p>Moderate or high demand &amp; limited fish availability.</p>	<p>River fisheries that attract moderate to high use and/or contain limited numbers of fish (currently 2 fish bag limit)</p>
	<p>High demand &amp; high fish availability.</p>	<p>Restrict excessive fish harvest to enable equitable allocation (currently 8 fish)</p>
	<p>Low demand &amp; high fish availability.</p>	<p>No bag limit.</p>
<p><i>Management Objective</i></p> <ul style="list-style-type: none"> <li>• To enhance specific component</li> </ul>	<p>Enhance specific component of fishery for deliberate management objective.</p>	<p>Combinations of size limits, season length and bag limits. Requires specific project proposal and justification.</p>

### 3. Social Regulations

The Anglers Notice contains a number of regulations that affect anglers rather than the fish they are targeting. These regulations can be considered social in nature and are set to control the impacts that anglers have upon each other. These regulations are imposed to maximise the opportunities available and the quality of the angling experience. Social regulations generally relate to how anglers are allowed to fish (permitted methods) and are applied based on the intensity of the angling that occurs, and therefore the potential for anglers to impact upon each other.

Council has stated a desire to reduce barriers to participation such as overregulating by making rules simpler for anglers to understand. Measures of angler use have been reworked and greater clarity given to where anglers may fish from unanchored boats so that shore-based anglers are not disproportionately affected by boats drifting or trolling within close proximity.

The Policy no longer preferentially allocates ‘fly fishing only’ waters at stated pressure levels, however, this does not preclude Council from recognising ‘fly fishing only’ areas. What it does allow is for Council to exercise greater flexibility in which waters are reserved solely for fly only anglers.

***Fishing methods***

**Policy 3.1** Setting of method restrictions for waters shall be based upon the following framework.

<b>Water Category</b>	<b>Level of use of water (threshold)</b>	<b>Methods Available</b>
<ul style="list-style-type: none"> <li>• Lake edge fisheries and associated migratory spawning waters</li> </ul>	Low Intensity Use ( <i>&lt; 30 anglers/100m/season</i> )	<ul style="list-style-type: none"> <li>• All methods including bait in certain circumstances*,</li> </ul>
	Moderate to High Intensity Use ( <i>&gt;30 anglers/100m/season</i> )	<ul style="list-style-type: none"> <li>• Fly, Spin, Bait (in certain circumstances)*</li> <li>• No unanchored boats at stream mouths, high intensity locations and lake outlets</li> </ul>
<ul style="list-style-type: none"> <li>• Lower density river fisheries based on resident trout populations</li> </ul>	Any Intensity of Use	<ul style="list-style-type: none"> <li>• All methods including bait in certain circumstances*</li> </ul>

*\*Bait fishing has a biological effect on trout populations and because of the high hooking mortality shall not be applied where fish may be legally required to be released due to size limits or restrictive bag limits. Bait fishing would only therefore apply in waters where there were no bag or size limits.*

***Bait***

**Policy 3.2 (i)** Bait fishing will only be permitted in waters that have no bag limits or no size limits.

(ii) Bait in the Eastern Region shall only include;

Natural fly.

Natural insect.

Natural spider.

Natural worm or worms.

Natural crustacean.

Natural fish (excluding fish ova, or any portion of a fish, or shellfish (mollusc). Fish can only be sourced from the water where the fishing is to occur).

Uncoloured bread dough.

Scented Soft Baits (Artificial lures that are biodegradable and/or contain chemical attractants).

*Boats in winter shoreline areas*

**Policy 3.3** Fishing from a boat shall not be permitted in designated winter shoreline fishing areas from 1 July to 30 September.