



The Australian Trout Foundation Inc.

ATF Response to proposal to remove closed season for trout on South West Rivers

(Hopkins, Merri and Moyne Rivers and Mt. Emu Ck.)

The Australian Trout Foundation (ATF) Inc.'s charter is to ***“Protect, Build and Promote trout fishing in all its forms (be that bait, lure or fly)”*** and is therefore not prejudiced against any legal form of angling. Our aim is to see that the future of Australia's trout fisheries is assured for future generations.

The ATF has reviewed the Scott Gray proposal to remove the closed season for trout on the Hopkins, Merri, Moyne Rivers and Mt Emu Ck. and have a number of concerns regarding claims made in the proposal, including the accuracy of some of the claims made and that they're largely unsubstantiated.

Well over 20 years ago, the ATF successfully argued to reinstate the closed season to protect spawning trout, and we have the wild trout fishery of today because of that regulatory change. Without it, fewer trout would have been naturally spawned and the composite effect over those 20+ years would have led to a diminished wild trout fishery, one in which today, so many anglers hold in high regard.

Relaxed regulation of trout fishing in these waters can only lead to a downturn in both quality and numbers of wild trout present, and the fine fishery that currently exists in these waters may well become a thing of the past.

The ATF believes that any such proposal needs to be backed by current and reliable science, and it is our opinion that this is not the case in this instance and that alone should bring the credibility of the whole proposal into question.

In response to some of Scott Gray's claims we offer our thoughts:

1. Claim -

"These rivers are stocked annually as there is little or no natural recruitment (based on 70% of fish in a 2003/04 Fisheries survey being fin clipped)."

ATF Response –

This statement is very misleading and without scientific back-up.

While the 2003-2004 survey showed that 30% of trout were not fin clipped, it can be equally assumed that they were the progeny of natural recruitment.

The Warrnambool Fly Fishing Club has created artificial redds in both the Moyne and Merri Rivers and have been monitoring the success of this project for over twenty years, with recorded video evidence of trout attempting to spawn on these redds. Additionally, the President of the Australian Trout Foundation, Rod Barford, has personally witnessed spawning activity on these redds over multiple seasons.

2. Claim -

In Paragraph 2 the author states these Rivers have extensive public access. In Paragraph 5 he states that there are access issues in the lower regions.

ATF response -

These waters also run through private land and access is not freely obtainable in many areas in this system. The statements in both paragraphs are both confusing and misleading, offering nothing to substantiate the claim.

3. Claim -

In the second paragraph, the author states that these rivers are the ONLY coastal rivers stocked by DEPI Fisheries Victoria in the State. Again in paragraph 11, second page, the author again states Victoria's ONLY stocked coastal rivers."

ATF response -

We can categorically state that there are other rivers across the state which flow to the sea and have been stocked with trout by Fisheries Victoria.

4. Claim -

In the 2003-2004 Hopkins Merri Salmonid recreational creel survey conducted by Fisheries Victoria...

ATF response -

(According to the DEPI website) - Fisheries Victoria Management Report Series Regional Fisheries Consultations Meeting Outcomes - 2006 states of this creel survey that the final report has not yet been published.

Yet according to the author's website, he has a copy of this "public report" but if you want to see you it have to pay a subscription fee.

This report was finally published in January 2007 and should be freely available without charge.

5. Claim -

The author states (of this survey report) – "Stocking contributes significantly to the fishery with over 70% of fish identified in the survey being fin-clipped (meaning natural recruitment is either unlikely or very low)".

ATF Response -

This bracketed assumption is the author's (Gray) and not endorsed in the actual report. How can 30% non-fin clipped fish be considered low when the survey was conducted during the worst drought Victoria has experienced in a century?

6. Claim -

A low catch rate to anglers 3.5% (of which only 68% was actually retained - meaning the harvest is only 2.4%) and many fish are not caught or utilised.

ATF response -

In reading Scott Gray's explanation of the 2003-2004 report, one would be led to think that the fishing was very difficult, by saying that a low catch rate to anglers 3.5% (of which only 68% was actually retained - meaning the harvest is only 2.4%) and many fish are not caught or utilised. But he omits to mention that the actual report states that anglers returned fish because they were undersize (33%) or were excess to their needs (25%).

For example, in Lake Bullen Merri, also in south-west Victoria, the catch rate for Brown Trout was 0.03 fish per angling hour, a lot lower than the Merri or Hopkins 0.07 fish per angling hour. If the fishing is so bad, why did Fisheries declare the Hopkins a Premier River?

Also, he omits to mention what was written in the Fisheries report (2007) i.e. *"When considered in the light of the annual stocking rate, 186 fish equates to a return of 3.5% which although low, is not particularly unusual in riverine brown trout fisheries"*.

Further, in the 2007 report, a final statement on the fishery said *"Overall, the upper Merri and Hopkins rivers support low yielding, but high quality stocked brown trout fisheries for experienced anglers"*

It should be noted that Fisheries have not released fin-clipped trout since 2005, and if any still exist, they would be very large and very old, just like the out-of-date science used to support this proposal.

7. Claim -

"Propose the removal of the closed season period regulation from the management of ONLY these waters."

- It should be noted that the lower reaches of the rivers are open all year to trout fishing, as Sea-run Trout Rivers, although the author states there is "*...no significant sea-run fishery.*"

ATF response -

That there is "*no significant sea-run fishery*" is unsubstantiated.

Just the same, trout caught in these open reaches, be they sea-run or stocked, can be caught and killed all year round. We would like to see Fisheries conduct some research that either confirms or rejects this claim that there is "*no significant sea-run trout fishery*", because if this is the case, why then have an open season on them? It is also important to remember that some of these "*coastal*" rivers (*and their tributaries*) actually having their beginnings quite far inland with the Hopkins River flowing from above Ararat and the Mt. Emu Creek beyond Skipton. They could hardly be called 'coastal' rivers at these reaches.

Even the Merri River flows from as far as 70 kilometres inland (*as the crow flies*) which is likely double (*or even triple*) that in river kilometres.

8. Claim -

"The closed season regulation is an effective fisheries management tool for protecting vulnerable fish populations."

ATF response -

How true that is. It should be noted that it is only classified tail-race trout fisheries, including their tributaries, where fishing for trout is an offence during the closed season for trout.

Those rivers are:

- * The Goulburn River below Eildon Pondage
- * Kiewa River
- * Mitta Mitta River
- * Tanjil River

The Rivers within the region of the proposal are open to fishing all year round and for 9 months of the year anglers can legally kill any trout caught (*subject to bag/size limits*), but for three months of the year during the trout closed season, any trout caught must be released, unharmed.

Following discussion with Fisheries Compliance about this issue and the author's attitude towards supposed inactivity in apprehending/penalising anglers catching trout during the closed season, we were told that if an angler was catching and releasing trout in these waters during the closed season, they would not be prosecuted, since these waters are open to other species that can legally be fished for.

So the bottom line is, if these anglers wish to fish over redds during the closed season to target vulnerable spawning trout, it is currently already legal to do so in these waters (*ATF is not exactly thrilled about this fact*). As the author stated, many do, and as long as they release those trout, they will not be penalised, but kill one of those fish during the closed season and compliance officers will penalise them.

We're not sure what it is the author is really proposing other than suspect that he wants to be able to kill trout twelve months of the year instead of only nine.

Targeting vulnerable spawning trout during the closed season is one sure way of severely reducing the adult stock and heavily reducing those fishing opportunities during the rest of the year.

If the trout fishery is as limited as suggested by the author, his proposal does not make sense, except to those who want to kill trout all year long.

It should also be noted that this region has arguably, the most numerous (*and some of the best*) lake trout fisheries in the state and they are also open all year round, so one needs to question the need for any additional fishing opportunities.

A number of trout fishers have expressed to us their belief that this proposal is only in the interests of Scott Gray (*and his followers*) rather than to the benefit and the health of trout fishery itself. Others have listed concerns as to precedents being set for further changes to the regulations which may not be to the ultimate benefit of the fishery. ATF sees no immediate or future benefit in this for recreational angling.

As previously stated, members of Warrnambool Fly Fishers and the president of ATF (*Rod Barford*) have personally witnessed spawning on those artificial redds which were installed by Warrnambool Fly Fishers at great expense of both time and money. This work should not be so easily undone by short-sighted policy changes that ultimately commercially benefit a handful of anglers.

The answer to this whole proposal is that before any decision is made, as Phil Weigall has suggested in his notes to us, we need to get some up-to-date data. This can only be done by a new survey of these waters by Fisheries Victoria. (*The last one, which has often been referred to in this proposal, was done 10 years ago, and in the midst of a severe drought*).

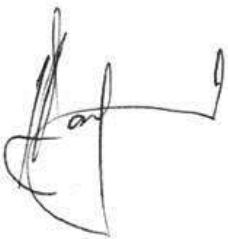
In our discussion with Fisheries Victoria about this matter, they (*FV*) suggested that we nominate the Merri River to be included in the wild trout survey that is currently underway on twelve Victorian rivers. This study would last for two years and we would find out a lot more about this fishery than we now know.

The ATF's response to this proposal is therefore to *not* support it, rather for common sense to prevail, and we ask for further evidence to ascertain by way of Fisheries research that:

- The additional 'winter' fishery in this area is actually needed.
- The fishery can sustain such additional fishing pressure without detriment to current trout stocks.
- To prove that the fishery does not support any reasonable population of naturally spawned fish.

In compiling this response, we have drawn from a significant number of responses from ATF members, other individuals (*non-members*), fishing clubs, fishing media personalities and like-minded organizations.

On behalf of the committee and members of The Australian Trout Foundation,



Rod Barford,

President