

BEFORE THE MINISTER FOR THE ENVIRONMENT SPECIAL TRIBUNAL

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an Application to amend the
Water Conservation (Kawarau
River) Order under Section 216
of the Act

BY

**NEW ZEALAND FISH & GAME
COUNCIL AND OTAGO FISH &
GAME COUNCIL**

Applicants

**STATEMENT OF EVIDENCE OF RICHARD GEORGE MARQUAND ON
BEHALF OF NEW ZEALAND AND OTAGO FISH & GAME COUNCIL
Dated this 6th day of May 2009**

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Introduction

1. My name is Richard George Marquand and I reside in Cromwell. I am presently working on an orchard and raising my three young children.
2. I have been a committed angler and hunter all my life. I began fishing around 50 years ago and have specialised in fly fishing for trout since 1970. I have fished throughout New Zealand, particularly the lower South Island and extensively in Otago including in the Nevis River. I have been a freelance fishing and hunting writer for many years.
3. From 1971 until 1974 I was employed by the NZ Wildlife Service as a Wildlife Officer, stationed in Rotorua. My duties involved freshwater fisheries management, gamebird management, protected species management and law enforcement.
4. In June 1974 I transferred to Queenstown having responsibilities for freshwater fisheries, gamebirds, protected species and law enforcement within the Kawarau River Catchment including Lake Wakatipu and tributaries. In 1987 with Government's reform of the conservation functions of departments I transferred to the Department of Conservation and held responsibilities for freshwater fisheries management and gamebird management in the Southern Lakes District (which includes the Nevis Valley). In December 1990 I accepted voluntary redundancy from the department.
5. During my 20 years of employment with the NZ Wildlife Service and DOC I gained a thorough knowledge of the principles of freshwater fisheries management, especially in the Wakatipu and Kawarau Catchments. As well as a professional interest much of my spare time was spent trout fishing in these waters.

6. From 1993 onwards I worked as an angling guide until 2007 when I had to stop because of my family responsibilities. My work as a guide was about 2/3rds lake fishing on still waters including Lakes Dunstan, Hawea, Wanaka and Moeraki, Poolburn, Manorburn and Lake Onslow and sometimes Lake Wakatipu,. The other 1/3rd of my work was fly fishing on rivers throughout the Central and Lower South Island including the West Coast and Fiordland. Rivers fished included the Nevis, Turnbull, Jackson, Eglington, Cledau, Oreti, Mataura, Waiau, Lochy, Greenstone, Caples, Routeburn, Rees, Taieri, Manuherikia, Pomahaka, Tekapo, Ahuriri and Maryburn.
7. While my work was 2/3rds still water fishing and 1/3rd fly fishing in rivers my income from guiding was the opposite with 2/3rds of my income coming from fly fishing. Some of my guided trips were up to 10 days long. My fly fisher clients mostly wanted to sight fish for brown trout in smaller rivers and streams.
8. In 2007 I had to give up guiding to look after my 3 young children who were then between 5 and 9 years of age, and I haven't fished the Nevis River since.
9. I have always had a vital interest in angling and hunting sports, and I hold a strong belief in putting more into my sports than I take out. Consequently, I have been a member of various local, national and international fishing and hunting organisations.
10. I am a foundation member of the Wakatipu Anglers Club and have taught at their annual fly fishing courses when I was resident in Queenstown. I have been a member and office holder of the Cromwell Rod and Gun Club. I have been a Trustee on the Clutha Fisheries Sports Trust and a member of the Fiordland Game Fishing Club, having served as President for seven and a half years. I have been a member of the International Game Fish Association. I have served as Secretary of the Southern Lakes Branch of the NZ Deerstalkers Association and as an Executive Member of the New

Zealand Chapter of Safari Club International, and as Area Vice President of the New Zealand Bowhunters Society.

11. I have not done so much writing in recent years because of my family commitments but I have had many articles published included several on trout fishing in the Kawarau/Wakatipu area including the Nevis River in the past.
12. I confirm I have read and agree to comply with the Code of Conduct of Expert Witnesses (July 2006). This evidence is within my area of expertise, except where I state where I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Summary of Evidence

13. In summary, my evidence will address:
 - a. Outstanding characteristics of the Nevis River.
 - b. The uniqueness of the Nevis River.
 - c. The values of the Nevis River as a fishery.
 - d. Effects of dam on Nevis and fishery.
 - e. The need for protection of the Nevis.

Outstanding Characteristics of the Nevis River

14. The Nevis River is a remote trout fishery of national and international reputation that consistently produces trophy brown trout, some over 4.5kg (10lbs). Over the years I have had personal experience of being with client anglers who have caught trout over 4.5kg, the largest being 6.3 kg (14 lbs).

15. The Nevis River is one of the few Central Otago small rivers that has not been dammed for either hydro or irrigation purposes. The river is free flowing from its source to the Kawarau River. This is the way I want it to remain, dam free and unspoilt.
16. The Nevis River Catchment contains three species of salmonids, brown trout, rainbow trout and brook char. Brown trout are found throughout its length and are the species on which the renowned fishery is based, while rainbow trout are found in the lower sections and brook char live in some of the small feeder streams.
17. The river is restricted to fly fishing only with a daily bag limit of one fish per day but the majority of anglers I know who fish this water practice catch and release.
18. The Nevis offers a variety of angling water, from slow deep pools to ripples and rapids. Access is readily available in the section above the Nevis Crossing. The water downstream is inaccessible to all but the fit and adventurous. It holds some trophy trout but it is not the most productive water.
19. The Nevis is a very special place. It is a clear river that offers the opportunity to sight fish for large individual trout with dry fly and nymph. It is set in a wide expansive valley with tussock covered hills around and plenty of evidence of its historic past along the river flats.
20. It is a challenging river to fish. You can't guarantee to catch a fish but it has a wide variety of waters and when it fires and things go well you will know you have had the experience of a lifetime.

21. The insect hatches are really interesting and add to the enjoyment of the river whether it's stone fly hatch early in the season or mayflies later on, or chironomids. Cicadas fly from late January to early March and these terrestrial insects form part of the trout diet when they land on the water. This is called the cicada season by anglers and makes for good fishing.
22. I have described my experiences of the river using the section names Fish and Game witnesses have used in their evidence and starting at the top and working downstream.

Upper Flats

23. I have fished upstream of the Middle Gorge on a number of occasions in summer when the cicadas are around. While there are some beautiful pools in my experience the fish are few and far between and I have never had much success there. I know it is fished by anglers including guides from Invercargill, Gore and Queenstown but they are travelling into the valley that way from the Garston end of the road. I know one angler who has fished in the upper tributaries for brook char but I don't believe they constitute a fishery of any importance.

Middle Gorge

24. I would describe the Middle Gorge as two gorges really. The upstream part is a lot more rugged and less easily accessed than the lower part. It is real tiger country. The lower part is much easier to access. I have fished in both parts of the Middle Gorge on a number of occasions and have taken clients there when there have been a lot of anglers on the flats. This reach holds the largest concentration of smaller fish with the odd big fish amongst them. On occasion I have caught numerous fish in this reach in a day's fishing.

Middle Flats

25. The river upstream from Nevis Crossing is the most important reach of the river but the experience begins driving over Duffers Saddle and being confronted by the broad Nevis valley in front of you with the river snaking up through the flats. It is a really special place way up in the mountains and quite different from the forested valleys of the Wakatipu or Wanaka areas.
26. The fishing is the best on the river between the Crossing and Nevis Township. It offers a wide variety of fishing opportunities and I have regularly caught and seen some very big fish including some over 10 pounds. The fish are often not in prime condition and the big fish are obviously quite old but this reflects the harsh river conditions in which they live.
27. The river can be accessed from both sides and all along anglers are confronted with historical aspects – a dredge bucket in the river, part of a shovel or the framework of an old dredge, a pond or a sluicing on the hill. My clients have always found the goldfields history an exciting aspect of the trip and I have often been able to tell them a bit about that era as we go along.
28. In 1990 I wrote an article for Rod and Rifle Magazine entitled 'In Search of Nevis Gold'. I was writing about the golden flanked Nevis brown trout of course. Many of the fish have really spectacular colouration by comparison with other waters.
29. The fishing is somewhat similar to the Upper Oreti but the Upper Oreti doesn't have the scenery or the character of the Nevis. The Nevis is a hard river to fish but when you have success you have really achieved something.

30. I would not take clients into the Nevis if I did not know something about their angling skill and unless they were with me for more than one day. If anglers did want to fish the Nevis I would tend to take them to a less difficult river such as the Manuherikia first to build up their experience of New Zealand Angling conditions. The guided Nevis angling experience is generally best as a day trip.

The Dell

31. I have fished downstream of Nevis Crossing and into the Dell area but the access is quite rugged if you are making your way down the river bank. Immediately downstream there are deep pools and runs where big fish can be spotted and I have caught fish in the Dell area as well.

Lower Gorge

32. I have not fished in the lower gorge except for the reach immediately upstream of the confluence where rainbows are plentiful but I have not been there often and not in recent years.
33. There is no one thing about the Nevis. It is the combination of the natural landscape, the history, the fishing for often very big brown trout in a clear small river which makes it special. It is an unspoilt landscape and should remain so.

Effects of Dam on Nevis and Fishery

34. A dam flooding the river upstream from Nevis Crossing would ruin the valley. In Otago we have got enough still waters and some of them such as Lake Dunstan and Poolburn Dam are very good fisheries but we can't afford to lose any more prime fishing rivers. In Central Otago District it is about the only one left as an untamed river. Why can't we have one river left alone?

35. I believe that there is an obligation to preserve the Nevis River in its entirety for future generations of New Zealanders. You can place a value on electrical power, and the amount likely to be generated is not much, but you cannot place a value on the fishing pleasure that many have experienced in waters like the Nevis.

Photos

36. I have some photos relevant to my evidence for the hearing, which I will go through now.

Conclusion

37. In conclusion, I would like to offer my total support for the amendment to the Kawarau Water Conservation Order in order to prohibit damming. The Nevis should be left in its present state, recognised for the unique natural and recreational values it has, and protected for the enjoyment of present and future generations.

References

Marquand R 1990, In Search of Nevis Gold, Rod and Rifle Magazine