

Skeena Sport fish Advisory Committee (SFAC)
Terrace Best Western Inn

March 25, 2007

Chair- Dana Atagi

1000 hrs

The chair discussed the Ministry's wish to appoint a non-government chair for the next SFAC meeting. Matter deferred until the end of today's meeting.

1005hrs

General introductions of committee member and MoE staff.

1010hrs

The Skeena Regional Manager described how the SFAC process is an important tool for statutory decision makers. He explained that an advisory committee gives the decision maker an opportunity to hear from stakeholders regarding specific proposals prior making final decisions. He also introduced Tom Bell. Skeena's new Regional Manager (summer 07).

1012hrs

Chair calls for additional agenda items.

1-MoE's budget for the next fiscal.

2-SFAC seat for the Terrace Rod and Gun Club.

3-SFAC relationship with the federal Sport Fishing Advisory Board (SFAB).

4- Ban the use of treble hooks in lakes in the Skeena Region.

1015hrs

MoE gives a presentation on the regulatory decision making process. Once an application has been received in Victoria, there are three different options MoE has to make the proposal a regulation.

1) Variation Orders

Variation orders are approved by the Director of Fish & Wildlife. Variation orders are generally related to fishing closures, gear restrictions and harvest slot limits.

2) Regulations related to federal legislation.

Regulatory proposals applicable to federal legislation are sent to Ottawa. Federal review of these proposals can take up to two years. Hook size regulations and boating regulations are general examples of regulations related to federal legislation.

3) Wildlife Act

Regulatory proposals applicable to the Wildlife Act are forwarded to the Minister in the form of a briefing note. The proposal then goes to cabinet for approval and if approved the proposal becomes law as an Order-in-Council. Examples of hypothetical changes to the Act could be age restrictions on waterbodies, new license categories or the adding new classified waters.

The chair opened the floor for questions.

The Ministry (MoE) was asked if Victoria reviews all proposals or just proposals submitted by region?

Victoria reviews all proposals submitted. Not just proposals submitted by regional MoE staff.

No further questions.

1020hrs

The meeting facilitator gave a summary of the Sport Fishing Advisory Committee's Terms of Reference and process. The facilitator also stated that consensus is preferred but not required.

The facilitator proceeded to discuss the guidelines for the review and discussion of proposals submitted to the committee. There will be strict time allocations for each proposal. The proponent will have two minutes to introduce the proposal. MoE will then have two minutes to talk about policy or available science applicable to the proposal. This will be followed by a ten minute discussion by the committee members. After this discussion, committee members will have five minutes to write their comments.

Several points of discussion were raised after the guidelines were introduced. There were some concerns from the committee about proceeding before terms of reference and committee membership is finalized. In particular, there was discussion about including the Terrace Rod and Gun Club in the committee. This generated several comments about concerns regarding annual issues with committee membership and the affiliation between some rod and gun clubs and the BC Wildlife Federation. The comment was made that during last years meeting, to keep number of seats below 20, rod and gun clubs were encouraged to see if some seats could be shared between two clubs. This proved to be unsuccessful. There were also some concerns whether or not the committee was truly representative of Skeena Anglers.

There was also some discussion about the time frame for providing proposal comments. Some members had been unable to discuss the proposals with their respective clubs or groups and felt they were unable to provide comment until they had received direction from their membership.

There was also dialogue on the definition of consensus. Since the committee was providing comment on proposals rather than voting for or against, some committee members wanted to know how other members felt about the proposals.

Outcomes from discussion

* Two more seats to be provided for Terrace Rod and Gun Club and northern representation if structure remains the same, no voting.

* Deadline for written comments about the proposals to be provided to the Ministry by April 30, 2007.

* Terms of reference to indicate names of committee members and proposal comments will be posted on web. (No concerns raised by committee members)

* MoE will provide a response explaining the status of each proposal by June 15.

1045hrs

Introduction of proposal 2007/01

That the use of helicopters not be permitted for the purpose of steelhead angling. That this restriction be implemented in the 2007/08 angling synopsis.

Rationale:

There is growing public concern regarding steelhead conservation and sustainability. Ministry of Environment has recently proposed a province wide non-retention policy for this species and feels a need to err on the side of conservation due to the lack of scientific data and inventories. In light of this we feel a further conservative approach is required and it is requested that remote inaccessible steelhead refuge sites be further protected. It is also strongly felt that where scientific data and inventories are unavailable to provide a limited resident only retention fishery for wild steelhead in a sustainable manner then allowing un-regulated exploitation of remote steelhead refuge sites must cease. In order to address this issue and err on the side of conservation it is requested that helicopter angling for steelhead not be permitted in region 6.

- Better addresses steelhead conservation concerns.
- Protects remote isolated steelhead systems and stocks.
- Prevents catch and release steelhead mortalities in remote areas.
- Protects wild steelhead spawning sites on the upper reaches of many systems.
- Stops harassment of wild steelhead on reefs in remote areas.
- Removes a threat to a number of small, isolated systems that naturally have small steelhead populations.

MoE comments:

MoE stated there is no tool currently available in the Wildlife Act to preclude the use of helicopters for angling purposes. If systems of concern could be identified, one option may be to close those areas to angling.

General comments:

Committee members from QCI stated that they have similar concerns in their area. Inquiries were made if helicopter angling creates a conservation concern and if there are any linkages to the steelhead stream classification policy. The point was made that using helicopters for angling purposes is an access management issue rather than a biological issue. Further comments were made that although this type of access is on the increase the number of anglers using helicopters for access must be minimal. One of the committee members commented that they would not like to see a blanket regulation across the region to address this issue.

1115 hrs

Introduction of proposal 2007/02

That the angling synopsis clearly states that angling guides are not allowed to angle and/or harvest a quota for themselves while providing guiding services.

Rationale:

While any angling guide is being paid for his/her services and in the company of clients it is requested that he/she not be able to personally angle or obtain a quota while providing such services.

Reason For Proposal:

- Considered unethical and inappropriate for a guide to angle for him or herself and/or obtain a quota while being paid by clients to perform guiding services.
- Guiding is to direct, instruct, outfit, educate, as well as know and guide within the law. Not to angle or harvest a quota personally while being paid for such services.
- Is consistent with government policy. Hunting guides are not entitled to hunt or obtain a quota while being paid to perform guiding services.
- Aids in conservation by reducing angling activity of paid guides, their harvest of fish and increased mortalities associated with catch and release.
- Will provide greater professional service for clients.

MoE Comments:

What are the objectives of this proposal? One option would be to make it a condition of the angling guide license that guides can not angle while guiding. Another option may be to establish "Best Management Practices" for the angling guide industry that would incorporate this principle into the guidelines.

General Discussion:

MoE was asked if the guide rod allocation included guides who angled while guiding. Answer- no. MoE was also asked if this proposal would address a conservation concern. Answer- no. This issue is a social or angler management issue rather than a biological issue. Some committee members raised concerns about the extra rod in the water, and the practice of gifting fish. Other committee members felt that angling while guiding is unethical and the number of rods in the water should equal the number of rod days. Other members commented that the relationship between the guide and client is important. Part of that includes angling together. This is an issue between guide and client instead of guide and Ministry. Angling with clients allows for technique demonstration.

* Request was made that MoE indicate whether or not a proposal would address a conservation concern like the Hunter Advisory Committee.

1135hrs

Introduction of proposal 2007/03

It is requested that a youth angler definition and category be added to the angling synopsis so that future opportunities or relaxed restrictions can be considered and applied for youth anglers.

Rational:

There is a need to have junior anglers recognized in the angling synopsis. Currently no viable youth angler classification exists or a means to create independent opportunities or relaxed restrictions for them.

It is felt that a youth angler category should be established and implemented in the regulation section of each region that allows for special regulation consideration. Youths that are learning to angle are at a disadvantage when compared to adult and teen anglers. Youth motor skills, coordination, attention span and knowledge of angling are still developing and put them at a disadvantage.

Reason For Proposal

- To create opportunities for junior anglers.
- Tool for Regional Managers and user groups to effectively implement opportunities for junior anglers.
- Will allow for more youths to actively and joyfully angle.
- Will allow youths to actively participate and enjoy angling.
- Aid in altering the current decline of resident anglers.
- Creates increased opportunity for family interaction.
- Offsets age oriented disadvantages that unfairly hinder and frustrate youths.

MoE Response:

MoE has looked into this idea in the past. The current regulations do not allow for different licenses to be issued by age classification. Another option may be to introduce more waterbodies with age restrictions.

General Discussion:

The committee asked for a summary of the distribution of angling license revenue. MoE gave a brief summary of license revenue allocation. Twenty four percent of licensing revenue goes to the *Habitat Conservation Trust Fund*, fifty two percent goes to the *Freshwater Fisheries Society* and twenty four percent is allocated to the *Ministry of Environment*. There were also questions about MoE's ability to track the effort of anglers under 16. MoE stated that tracking youth anglers is not currently being done, however, the Ministry is interested in tracking youth anglers through electronic licensing. There was further discussion about this proposal and whether or not it would successfully increase the number of youth anglers. Other committee members were in favour of creating more age restricted waters. Another

committee member felt that relaxing regulations for youth anglers was not a good idea. The member felt that it is important for youth anglers to gain an understanding of the regulations early, at a young age.

1145hrs. Non committee members were given the opportunity to make general comment about proposals and committee structure.

Consensus vs voting. Concerned that voting will create voting blocks and power struggles.

Proposal 2007/01. I have never used helicopters in my guiding career. We should be concerned about people in general who use helicopters, not just guides.

Proposal 2007/02. Speaker gets the feeling that guides and the guiding industry are misunderstood. He does not like the discussion about rod day linkage and the guiding industry.

Proposal 2007/01. Not in favour of guides and money providing better access to areas that are not accessible to resident anglers with lesser means.

1200hrs- Lunch

1310hrs

Introduction of proposal 2007/04.

1 trout or char per day from streams, none under 30cm, none over 50cm

Rational:

Anglers from throughout region 6 have been seeing a decrease in the number and size of trout And char in our streams. There is currently very little known by MOE about these populations And reality is that there simply is not enough funding and staff to properly assess these populations. Therefore the precautionary principle should be adhered to a reduction in catch limit. This should be implemented to ensure sustainable populations throughout our region. The none over 50cm regulation would create protection for trophy size fish which are highly sought after by anglers.
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MoE Response:

Timely proposal. The stock status for coastal cutthroat and char populations is unknown. Anecdotal reports suggest that populations of coastal cutthroat and char are in decline. It is difficult to determine stock status for fluvial populations of coastal cutthroat and Dolly Varden. Current data consists of basic life history information and catch statistics from creel surveys.

General Discussion:

There was discussion about the lack of data to determine the current stock status of cutthroat and Dolly Varden and if there is or isn't a conservation concern. There was further discussion about the need for more data before a decision is made. Committee members from the QCI stated that all indications point to good

levels of char abundance on QCI. Other committee members commented that they don't believe there is a conservation concern and the fishing on the Kitimat and Kalum is getting better. Other comments were made about the slow growing, low fecundity and aggressive characteristics of Dolly Varden. These facts in combination with the limited information warrant a precautionary approach. There was also concern about removing opportunities from residents and the merits of stream specific regulations versus blanket regional regulations.

1324hrs

Introduction of proposal 2007/05/11

Char & Trout Release below signs in lower canyon

Rationale:

To protect and enhance char & trout in lower Copper River. Because this section of river remains open all year it receives heavy pressure from steelhead anglers, as a result trout and char have been heavily impacted. This regulation would protect and revitalize these fish.

MoE Response:

There was an extensive creel survey on the Copper (Zymoetz) River in 1999. The trend data in this report does not indicate a decline. MoE discussed the applicable information in the report.

General Discussion:

Questions and concerns about the data in the report were discussed. Concern over the fact that the data in the report was collected over a two month period (September-October) represented a snapshot in time and was not collected over the entire year. There was a general discussion about limiting non-resident angling opportunities prior to limiting resident opportunity, and the need to address other issues before limiting resident angler opportunity. There was further discussion about resident anglers being the primary user of the lower Zymoetz River and limiting non-resident angler access and opportunities would not meet the objectives of this proposal. There was also concern that blanket fishing regulations reduce opportunities.

* Action Item MoE to report on resident angler and non-resident angler policy.

"I have not been able to find any policy that addresses the issue of resident priority as laid out below. It is a guiding principle under section 1.2 of the quality waters strategy:"

* "Where angling opportunities become oversubscribed, decisions regarding angling opportunities will reflect the priority and interests of British Columbian resident anglers".

It does not exist as a policy for non-classified waters as we are not allocating opportunity on these waters. However, the license fee structure does provide priority to resident anglers in terms of being less expensive than for non-resident and alien non-resident anglers.

1340hrs

Introduction of proposal 2007/06

Wild Cutthroat Trout Release in Kitimat River and Tributaries.

Rational:

To Protect wild cutthroat trout on Kitimat River. These fish intermingle with hatchery fish. Because there is heavy pressure due to hatchery enhancement this regulation would protect the remaining wild cutthroat trout while still allowing the harvest of hatchery trout. The Kitimat has large wild cutthroat, this would enhance these stocks creating better quality of fishing and protect brood stock for hatchery fish.

MoE Response:

Hatchery cutthroat in the Kitimat River are already marked and other regions are implementing similar regulations. There are two distinct bait fisheries on the Kitimat River (steelhead-salmon). Cutthroat are caught incidentally during these fisheries and are subject to increased hooking mortalities.

General Discussion:

There was discussion about other ways to achieve the same goal. Improving and protecting habitat and increasing stock recruitment were mentioned. Other committee members were concerned that since there are more wild fish than hatchery fish, a significant number of wild fish would have to be caught and handled before a hatchery fish could be harvested. Another committee member felt that since the cutthroat population was small and not evenly distributed through the system they were susceptible to over harvest.

1350 hrs

Introduction to proposal 2007-07

Cutthroat Trout Release in Lakelse River and Tributaries all year.

Rational:

To Protect cutthroat trout on Lakelse River. The Lakelse contains some of the finest cutthroat fishing in our province. Because of its proximity to Terrace it receives heavy fishing pressure throughout much of the year impacting heavily on these fish. This regulation would protect these fish creating a trophy fishery for residents. People who still wish to harvest cutthroat can fish Lakelse Lake and other nearby streams.

MoE Response:

Historical Lakelse cutthroat data from the 1950's and 1960's indicated little or no change in cutthroat catch per unit effort during that time period. However, over the next three decades angling effort increased by a

factor of three. It was pointed out by MoE that in the 1978 creel survey, 96.4% of the cutthroat catch and 96% of the Dolly Varden catch occurred in the area that is currently catch and release and/or fly fishing only during the peak fishery periods.(March 1st May 31st). This may indicate that there are currently fairly conservative regulations in the areas where the majority of the catch and effort occurs. A more up to date fishery assessment (creel survey) would assist in documenting any changes in effort and catch. Due to multiple factors influencing growth this proposal alone may not create a trophy fishery, but it would undoubtedly enhance protection of the Lakelse cutthroat population(s).

General Discussion:

There was discussion about whether this proposal's objectives were addressed by moving the Lake/Stream boundary up from Herman's hole. There was also further discussion about habitat and its importance to cutthroat conservation.

1410hrs. Non committee members were given the opportunity to make general comment about proposals and committee structure.

2007/05 Questions the relevancy of the Copper (Zymoetz) River creel report. Based on personal angling experience, the Dolly Varden population in the Copper River is plummeting. We should also ban the phrase "conservation concern" all stocks should warrant our concern. MoE points out that variability of the CPUE in trout/char fisheries can be a result of many factors. As an example, these populations could be highly mobile and a low CPUE may be related to other factors other than over harvest (i.e. environmental conditions at the fishery site, habitat impacts in the natal drainage etc).

1420hrs Break

1430hrs

A brief talk about conservation genetics was given by MoE. Highlights included the fact that it can take between 7-50 generations after a significant population decline before the loss of genetic material can be measured.

Introduction of proposal 2007/08

Buckley Creek closed to angling Nov. 1 – June 30. None over 50 cm.

Rationale:

Enforcement conflict presently exists with Buckley Lake regulations:

- Buckley Lake closed from Nov. 1 – April 30
- Daily limit 2, none over 50 cm (possession 4)
- ***proposal will harmonize Buckley Creek regulation with Buckley Lake's seasonal closure, bag and size restrictions.***

Why close the stream & not just C&R?

- maintain consistency with other RB spawning closures
- Primary spawning habitat for Buckley Lake RB; highly vulnerable to catch and release mortality plus directed harvest
- Public safety at issue due to potential human wildlife (Grz bear) conflict during spawning period
- Buckley Lake angling pressure peaks during spawning period (2006 Buckley Lake angler survey)

MoE Response.

This proposal would harmonize the lake and creek regulations by removing the conflicting regulations between the two waterbodies.

General Discussion:

There were several questions about the Buckley Lake RB stock and life history parameters. There were also a few brief questions about Parks Management Plans.

1445 hrs

Introduction of proposal 2007/09

The proposal is to delay the start of the bait ban till August 15th.

Rationale:

Delaying the bait ban would allow for an increased harvest opportunity for the last portion of the Chinook salmon run. Clean Chinook are available up to the third week of August. This same proposal was passed by the Upper Skeena SFAB and the North Coast SFAB. Fisheries and Oceans Canada indicated when discussions occurred around the proposal they did not foresee a problem with the use of bait up till August 15th. Chinook Anglers have noticed once the water drops and significantly cleans the catch rate on Chinooks drops significantly if one is not using naturals baits. In the monitoring of the Chinook fishery on the Bulkley river in 1988 the consultations found that chinook anglers due to the locations fished and or the gear used did not have any amount of by catch on resident fish species present in the river (rainbows, Dolly Varden Char and whitefish) as well as other salmon species that were present in the river during the first two weeks of August (Pink salmon, Coho salmon and Steelhead trout). Other regulations are in place for all of these other species already. Retention of these other species (except steelhead) is currently allowed. And all species are open to sportfishing during this time frame. This proposal was approved by the fisheries section of the Ministry for one summer. In the variation order justification done by Ministry staff they indicated the proposal was of minimal risk to resident fish and would not compromise any conservation concerns with summer run steelhead. We feel the approval of this modification of the current regulation would enhance the catch of late season Chinook in the Bulkley River. I have compiled a detailed summary around this proposal and will provide that to you once I find it at home (later this week)

MoE Response:

There are concerns with the proposal. Bulkley summer run steelhead begin to show at Moricetown around the last week in July (July 24-25). The early component of the Bulkley summer run steelhead run are a point of concern because their run timing into the Skeena coincides with the commercial fishery in Area 4.

General Discussion:

There were general comments made about the commercial fishery in Area 4 and bait fishing and steelhead mortality. Further discussion about how difficult Bulkley chinook are to catch and how an extension to the bait fishery would allow anglers to catch more chinook salmon. There were also questions about making the proposal apply to resident anglers only. However, some members felt that this fishery was likely a resident angler fishery anyways so that it would not affect effort. There was further concern expressed about commercial interception and the associated impacts on early Bulkley steelhead.

1500 hrs

Introduction of proposal 2007/10

The proposal is to open the Skeena River upstream of Cedarvale (mainstem only) upstream to (??) to sportfishing.

Rationale:

Two separate proposals were passed at the NorthCoast SFAB regarding this concept. Proposal 1 called for the Skeena River (upstream to the Kispiox First Nations reserve) to be open for sportfishing opportunities during this entire time frame. If this proposal is approved it would allow anglers a sportfishing opportunity much closer to Hazelton and Smithers. A similar regulatory regime is currently present on the Skeena River below Cedarvale. This proposal if approved would allow anglers to catch some of the early migrating Chinook salmon in April and May. Other species that might be encountered in this portion of the Skeena River during this time frame are resident rainbow trout, whitefish, dolly varden char, cutthroat trout and steelhead trout. No special regulatory measures (other than what is in the synopsis) are currently in place on this portion of the Skeena River to restrict the harvest or sportfishing opportunities on these species except steelhead trout. This portion of the Skeena River was open to sportfishing during this entire time frame up to the late 1980's.

Proposal 2 called for this portion of the Skeena River to open on May 1st of each year to allow for a sportfishing opportunity targeting the early returning Chinook stocks. Either proposal would provide some extra sportfishing opportunity for upper Skeena resident anglers and allow for some catch of these early migrating Chinook stock prior to the river becoming unfishable in late May.

MoE Response:

The objective of the current regulation is to protect steelhead over wintering summer run steelhead upstream of Cedarvale. From a historical perspective, the area was closed to protect these stocks when they are most vulnerable.

General Discussion:

MoE was asked if there was a conservation concern. Answer, yes. There were also further questions about chinook stock status and run timing to the upper Skeena. These questions were deferred to Fisheries and Oceans Canada. The committee discussed the importance of these areas for purposes of refuge, and its importance as a tool to work with First Nations. There was further discussion on how this proposal conflicts with the MoE response to proposal 2007/01 (helicopter access). The pros and cons of spot closures and blanket closures were debated for the purposes of this proposal. Further discussion on the inconsistency in the regulations with regard to steelhead above and below Cedarvale was discussed. Kalum River was given as an example.

1520hrs

Introduction of proposal 2007/11

Bait ban on Kalum River October 31st to April 30th

Rationale:

To Protect over wintering steelhead. These fish enter the river in August and continue to run through the fall and winter. During the winter when the water is low these fish are very susceptible to bait and there is a lot of pressure from anglers especially during the early spring. Bait is known to cause higher mortality rates than artificial lures and because of the length of time (up to 9 months) these fish reside in the river the potential impact is significant. This bait ban would reduce to number of steelhead hooked by the average angler therefore reducing mortality rates. Using bait it is not uncommon to hook a dozen fish or more per day per angler. Angling effort is increasing on the Kalum and a bait ban would reduce the mortality rates from this increased pressure while maintaining a quality fishery.

MOE Response:

MoE agrees with the intent of this proposal. MoE can provide a summary of information related to bait fishing and associated mortality for those who are interested.

General Discussion:

Some committee members felt that the Steelhead Stream Classification Policy should address this concern. There was also discussion about the Kalum steelhead population status and current angling success. Another comment was made that spot closures should be used as a means of protection rather than gear restrictions. Concerns were expressed about bait related hooking mortalities, numbers of fish hooked and the possible impacts.

1540hrs

Introduction of proposal 2007/12

Change annual limits for "wild" ST retention. Steelhead, limits to state – 2 ST from Yakoun and 5 total per season from QCI streams.

Rationale:

This proposal reduces harvest limits but still provides some opportunity for harvest for those that want to. This also allows you to retain fish [ST] that are suffering from a serious hooking wound and are likely to die even if released.

MOE Response:

There are various reasons why the Steelhead Stream Classification policy was implemented after significant public consultation. The inability to adequately monitor steelhead populations subject to retention was a factor. The policy will be reviewed by MoE in five years.

General Discussion:

There were questions raised about the public consultation that occurred prior to implementation, and in particular consultation with residents on the QCI. There were also questions about the existence of data that would support the policy. A comment was made that MoE should not have implemented the policy without enhancing more systems. MoE was also asked if a Limited Entry or draw type system had been considered instead of blanket non-retention. A limited harvest was not considered because the resources are not available to monitor steelhead escapements. The three QCI Rod & Gun Clubs would like to see a limited harvest.

1615hrs

General Comments and Agenda items for 2008

A comment was made about jurisdictional issues between MoE and FOC and the Sport Fishing Advisory Board (federal) and the Sport Fishing Advisory Committee (provincial). The committee member would like to see a member of the SFAB sit on the committee. MoE's position is that they are two separate processes and should not have any direct linkages. Some current committee members are already affiliated with both advisory groups so there is already an indirect linkage.

Committee Members were asked several questions about the process and clarification on Terms of Reference items.

The committee felt the deadline for proposal submissions should be moved two months prior to the meeting. This would allow committee members time to discuss the proposal with the people they represent and receive direction.

The committee also requested to know the Ministry's stance on proposal submissions prior to meeting date.

The committee also would like the Ministry to maintain chair and meeting minute duties.

At least 50% attendance is required to convene the meeting

Terrace should continue to be the location for the meeting, however, the reference to Terrace should be removed from the Terms of Reference.

If extenuating circumstances apply there should be another avenue for committee members to submit thoughts and comments.

Agenda Items for 2008

MoE Budget

SFAC relationship with SFAB

Treble hooks in lakes

Adjourned 1705hrs