

Regional Manager Decision: SFAC Regulation Proposal 2007/01

Proposal Title: Helicopter access and steelhead angling

Proponent: Kitimat Rod & Gun Club SFAC-2007-01

Proposed Regulation Change:

The proponent proposes that the use of helicopters not be permitted for steelhead angling.

Summary of issue(s) proposal is to address:

- Provide area(s) of refuge for small remote populations of steelhead.
- Regulation proposal would be consistent with the legislation regulating helicopters and hunting activities.

Regulatory/ Policy Impediments: *(list & provide details)*

There are currently no provincial regulations or policy specifically related to the use of helicopters for angling purposes. (See below)

Existing Regulation & Justification Summary: *(may include biological comments)*

Section 3 of the Angling and Scientific Collection Regulations defines “guide for fish”. This definition includes an aircraft or motor vehicle used for commercial purposes that transports an angler to two or more angling sites during a 24 hour period [Section 3(2)]. Commercial aircraft transporting anglers without the appropriate guide license authorization are in contravention of this regulation.

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

With the exception of the Class I portion of the Zymoetz River, specific locations where helicopters are being used for access were not identified. Skeena tributaries above Cedarvale are closed to angling during the overwintering and spawning period prohibiting angling activity during these times. Excluding spot closures, Skeena tributaries below Cedarvale are open to angling throughout the year. Some of these tributaries contain sympatric populations of summer-run and winter-run steelhead.

Guides that use helicopters as a means of access are restricted by the number of rod days allocated on a specific waterbody. Commercial and private transporters (including helicopter companies) who transport non-guided anglers are by law not permitted to transport an angler to two or more angling sites in a 24 hour period.

Approximately two years ago, the Regional Conservation Officer Service contacted commercial transporters in the Skeena region to discuss the regulatory

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requirements of transporting hunters and anglers.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

It is recommended that future creel surveys on classified watersheds incorporate a plan to quantify the use of helicopters for angling purposes. Spot closures on important overwintering and spawning locations currently open to anglers below Cedarvale may achieve the same objective.

Summary of SFAC Issues and Concerns:

The committee's views ranged from addressing the potential conservation concerns associated with helicopter access to whether or not this proposal would mitigate a conservation concern. The committee generally felt that this is a social issue rather than a conservation issue.

Regional Manager Decision:

This proposal would require changes to the Wildlife Act. The proposal is of a provincial nature rather than regional in scope.

No consensus from committee.

Social and potential enforcement issue.

This issue is best dealt with through the Angling Management Plan process on Classified Waters.

Do not recommend forwarding to Fish & Wildlife Director for implementation.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/02

Proposal Title: Angling Guide Angling Restriction

Proponent: Kitimat Rod & Gun Club SFAC-2007-02

Proposed Regulation Change:

Licensed angling guides cannot angle, or retain a daily limit while guiding clients.

Summary of issue(s) proposal is to address:

- High effort on classified waters
- Limit harvest pressure and “gifting” of limits from guide to client
- Bring angling guides into alignment with Guide Outfitters who do not hunt or harvest while guiding hunts.

Regulatory/ Policy Impediments: *(list & provide details)*

Require Amendment of the Guide Regulation 125/90 of the Wildlife Act.

Existing Regulation & Justification Summary: *(may include biological comments)*

- Licensed guides and assistant guides are presently required to hold a valid angling license while guiding anglers. If they are not BC residents they must purchase a classified waters license each day they guide.
- Angling guides are not prohibited from angling or retaining their daily limit.
- Gifting sport-angled fish is permitted under current fishing regulations if a letter is issued identifying the angler who caught & gifted the fish, their address and license number.
- Angling guides must be Canadian residents in order to hold a guide license.
 - angling guides and assistant guides pay an annual license fee
 - angling guides pay \$35 per guided rod day on classified waters

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

- Creel surveys completed in Skeena Region under the Quality Waters Program, do not quantify the amount of effort or catch guides contribute to the fishery. However, in general, *guided anglers* contribute substantially less effort (10% for Copper & Kispiox; 17% Bulkley) during classified waters periods than non-guided anglers.
- Guides present at the SFAC meeting educated those present on their guiding principles/code of conduct:
 - angle only when invited to by the client
 - do not angle until the client has caught the first fish

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- use angling to teach or demonstrate techniques
- Issues surrounding harvest or gifting of catch are only relevant for lake fisheries (low effort/days) and salmon fisheries - not steelhead fisheries.
- “Catch & release” angling practices are possible while guiding, whereas this is not an option for guided wildlife hunts.

Available Options: (where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)

SFAC members offered the following items in support of this regulation:

- Concern involving increased harvest & catch appears to focus on salmon angling (there is no retention of steelhead).
- Concern was expressed regarding the increased effort of guides on classified/quality waters, i.e. guides are not using an allocated rod day for their effort.
- Consistency is sought from the Ministry for angling and hunting guide practices.

Neutral & Opposed:

- Harvest is not an issue for steelhead because of non-retention policy.
- To be compliant with the current angling guide regulations, licensed guides and assistant guides are presently required to hold an angling license and are therefore entitled to angle and retain a daily quota.
- Guide angling and angling with clients is an essential component of the “guided experience”.
- Guides currently operate under their own business code of conduct which is client focused.

Regional Manager Decision:

- The guide’s catch and retention really focus on the freshwater salmon fishery. Therefore, concern and support are required by the Dept. of Fisheries and Oceans Recreation/Sport Sector prior to proceeding with this proposal.
- Guide angling effort during the classified waters period does not appear to be a substantial issue.
- Adoption of this policy requires an amendment to Wildlife Act, and therefore evidence of a substantial problem is required prior to its implementation; compelling evidence in support of a substantial problem was not apparent in the proposal or during this review.

Do not support this proposal being presented to Fish & Wildlife Manager.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/03

Proposal Title: Youth Angler Defined in Regulations

Proponent: Kitimat Rod & Gun Club SFAC-2007-03

Proposed Regulation Change:

A youth angler definition/category should be formally added to the annual regulations synopsis.

Summary of issue(s) proposal is to address:

The proponent would like to have an additional angler category formally identified by the Ministry to facilitate special regulations to **increase youth angler participation and satisfaction**. Examples given by proponent include relaxed regulations to increase youth angler success, enjoyment and participation.

Regulatory/ Policy Impediments: (list & provide details)

A formal designation of a youth category would require a change to Federal Regulations by adding a license class.

Existing Regulation & Justification Summary: (may include biological comments)

- *BC resident* youth anglers (< aged 16 yrs) are presently identified in the Regulations as not required to hold an angling license or pay a fee.
- *Non-resident* youths do not require a license, but must be accompanied by a license-holding adult; the retention quota for youths must be applied against the accompanying license-holding adult – an example of resident priority.

Management Considerations: (summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)

- Excluding adult anglers or creating a youth-only fishery is possible under the current regulatory framework. For example, Region 3 has proposed “family fishing” regulations for popular small-lake rainbow trout fisheries. The regulation would exclude anglers except those 16 yrs of age, or adult anglers accompanying anglers less than 16 yrs old in their party (a boat in this case).
- Creating zones of age-excluded anglers for river angling would pose complex enforcement issues that would require much consideration prior to implementation. For example:
 - How many adults may accompany a single youth?
 - There will need to be increased enforcement, especially if the excluded zone is highly productive and/or has low effort.
 - Resistance should be expected from some sectors of the angling public for excluding access to fisheries for some sectors in favour of others.

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- River-access age-exclusion areas or regulation alterations would require support from the Dept. of Fisheries and Oceans & First Nations.
- This proposal may support the BC Min. of Env. 2007-2010 Service Plan Objective of increasing angling licenses sold by 30%.
- Youth (<16 yrs) angler participation is not currently monitored except through direct creel surveys.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

N/A

Summary of SFAC Issues and Concerns:

The Ministry received advice from the SFAC that can be summarized as follows:

Support:

- increase youth participation in angling by introducing opportunities through regulations.

Opposed:

- concern expressed on potential for increased catch and harvest and difficulties for enforcement in cases of abuse by accompanying adults
- concern expressed on message to youth that “regulations/rules don’t apply to kids” possibly fostering a culture of non-compliance; kids are learning to fish using illegal means.

Regional Manager Decision:

- Youth (defined as anglers aged ≤ 16 yrs) are currently recognized in the angling synopsis as anglers not requiring a license. Therefore, there is no apparent need to formally designate this category in the regulations and we will not be recommending this proposal to the Fish and Wildlife Manager for consideration.
- Specific regulation proposals to create “Family Fisheries” or age-restricted access to fisheries for specific water bodies, especially for small lakes, are encouraged to address the goal of increasing angler participation.
- Changing license class is provincial in scope rather than regional.
- We recommend the SFAC provide a list of waterbodies in Skeena Region to be considered for age restrictions.



January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/04

Proposal Title: Regional change to trout and char harvest quotas

Proponent: Skeena Angling Guide Association (SAGA) SFAC-2007-04

Proposed Regulation Change:

Reduce the current regional stream trout/char harvest quota from 2 trout/char per day (none under 30 cm and 1 over 50 cm) to 1 trout/char per day from streams (none under 30 cm and 1 over 50 cm).

Summary of issue(s) proposal is to address:

The proposal was submitted to ensure sustainable populations of trout and char throughout our region.

Throughout their natural range in North America, populations of trout and char have generally been in decline. In an effort to reduce this decline, North American fish managers have consistently instituted more conservative angling regulations for trout and char where angling effort is high.

Skeena Region anecdotal angler reports for trout and char are variable depending on the watersheds angled. However, in streams where regional regulations apply, and where angling effort is high, most angler reports indicate a decline in CPUE and size of trout and/or char. Conversely, very few anecdotal reports to the Ministry have identified an increased catch of trout and/or char from streams experiencing high angling effort.

Skeena Region index sites that clearly identify long-term trends in abundance of all fluvial, adfluvial and/or anadromous trout and char species (those applicable to this proposal) are nonexistent. Even where population data are available, the analyses of the information for the purposes of developing angling regulations can be problematic. Using current techniques the data may not be precise enough to identify actual trends especially for some of the smaller populations.

Regulatory/ Policy Impediments: *(list & provide details)*

There are no legislative or regulatory impediments to implementing this proposed regulation change. The process to implement such a regulatory change would involve the submission of a Variation Order (V.O.) for the Fish and Wildlife Manager's signature and would be enacted under the authority of the Federal Fisheries Act. The province is currently developing species management plans. These management plans may affect any changes that we make in the short term.

Existing Regulation & Justification Summary: *(may include biological comments)*

The current regulations of two trout/char per day (none 30 cm and one over 50

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cm) for the Skeena Region was implemented in 1992 to adopt a conservative approach to the harvest of fluvial and anadromous populations of trout and char. This regional change may have been implemented as a result of input received from three regional public meetings on coastal cutthroat trout in 1991. In addition, recommendations summarized in the document *Skeena Region Fisheries Management Statement* (Whately 1984) may have also influenced the reduced quota. Whately outlines that cutthroat trout could not accommodate any increase in angler demand and that additional management measures may involve reduced catch limits and/or closures.

Other BC regions and American states moved to reduce their trout/char quotas during the early 1980's. For example: Region 1 reduced its stream trout/char quota from three to two per day in 1983 and Region 2 followed similarly in 1984.

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

This regulation proposal is directed at cutthroat trout, rainbow trout, Dolly Varden and bull trout (char) that reside (for a portion of their life or in its entirety) in Skeena Region streams.

Due to the current approach of combining trout and char under a single regional harvest quota, it is difficult to implement a revised regulation that is based on a single species' (or a population's) status.

The challenge for fish managers is how to evaluate and determine what would be considered a defensible region-wide harvest quota for multiple populations (with variable productivity levels) of multiple species experiencing highly variable exploitation rates.

The current '2/day' regulation may be sustainable for some species and/or populations, but conversely may be unsustainable for others. This proposal seems warranted where well-documented life history and behavior information for some of these species indicate that populations are at risk of recruitment and/or growth overexploitation.

The Province, as part of their *Freshwater Fisheries Program Plan* (Anon. 2007) is directing the simplification and improvement of its regulation synopsis and would like to move away from water-specific regulations.

Species and/or population trend information for fluvial and anadromous trout/char populations in the region is currently sparse. However, using well-documented species biology, trend data and fishery monitoring over the range of these species, fish managers have consistently applied more conservative angling regulations to protect fluvial and anadromous populations of trout and char.

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Globally some populations of fluvial trout and char appear to may have sustained healthy population structures despite increasing angler effort. However, it's clear that no fluvial trout or char populations exposed to increased angling effort and efficiencies have been sustainable at historical levels **without the implementation of less consumptive harvest quotas**. It is important to identify that angler experiences, although important as a coarse-scale indicator, may not always precisely reflect population status resulting from angling exploitation.

Other factors including, but not limited to variable migration behaviors, habitat impacts, climate change and ocean survivals (for anadromous species) clearly affect population health. Due to our limited ability to influence these factors, angling regulations should be harmonized with the realities of increased mortality from all sources.

Species Notes

Char: Due to species identification difficulties for the angling community, Dolly Varden and bull trout will likely have to be managed together. Length at 50% maturity for bull trout is 50 cm (Shelagyote R.).

Anadromy is exhibited by Dolly Varden in the region but has not been documented for bull trout.

Cutthroat: All life history forms are found in the Skeena Region. Multiple life history forms are found to overlap in some watersheds, and interior populations may be distinct from the coastal sub-species. The average length at maturity varies significantly: anadromous forms are found to 41.9 cm (Kitimat) and fluvial forms up to 34.6 cm have been recorded where length and maturity data exist (lower Skeena).

Rainbow: Fluvial populations can be found in Fraser, Skeena, Nass, Stikine and Taku watersheds. Some length-at-maturity data are available but have not been analyzed for this process.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

- Implement regional quotas that are separate for trout and char.
- Apply proposed regulation changes to management zones (i.e. watersheds or MU's) based on biological similarities of the species and exploitation risk. This approach will increase protection for populations at high risk of overexploitation, yet would maintain the current quotas for populations at low risk of overexploitation.
- Revise regional minimum-size restrictions for trout and char to ensure that

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50 to 100% of population exposed to a fishery survives to spawn at least once.

Summary of SFAC Issues and Concerns:

The majority of representatives are conceptually concerned for trout and char in the Skeena Region. Most acknowledge the great angling opportunities that currently prevail in the north when compared to other regions. However, there is a clear division amongst the representatives on how, and when, regulation changes should be implemented to conserve these species and the associated populations. Many representatives want species trend data to direct the development of regulations. Other representatives, knowing the current technical and resource limitations of gathering trend data for trout and char, would like to adopt a precautionary approach that would enhance protection on threatened populations and over-protect other populations.

Regional Manager Decision:

The Regional Manager does not recommend forwarding the proposal to the F&W Director as submitted. MoE staff will explore options for trout and char regulations, region wide. These options will be tabled for discussion at the 2008 SFAC meeting.

T. Bell

January 8, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/05

Proposal Title: Lower Zymoetz trout/char non-retention

Proponent: Skeena Angling Guide Association SFAC-2007-05

Proposed Regulation Change:

It is proposed that a trout and char non-retention regulation be implemented below signs in the lower canyon of the Zymoetz River.

Summary of issue(s) proposal is to address:

The proposed regulation change is attempting to address the reported heavy impact of the steelhead fishery on trout and char densities in the lowest reach of the Zymoetz River.

The proposal was submitted with the objective of protecting and revitalizing trout and char populations in the lower Zymoetz R.

Regulatory/ Policy Impediments: *(list & provide details)*

There are no legislative or regulatory impediments to implementing this proposed regulation change. The process to implement such a regulatory change would involve the submission of a Variation Order (V.O.) for signature by the Fish and Wildlife Manager and would be enacted under the authority of the Federal Fisheries Act.

Existing Regulation & Justification Summary: *(may include biological comments)*

The current angling regulations for lower Zymoetz trout and char fall under the Skeena Region wide regulations (two from streams, none under 30 cm, one over 50 cm). To date, no population specific information is available that indicates that lower Zymoetz trout and char require additional protective regulations beyond the regional quota introduced in 1992. Look to regulation proposal SFAC -2007-04 for justification behind the current regional trout and char quota.

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

The status of the trout and char populations encountered by anglers in the lower Zymoetz River during the steelhead fishery is unknown.

Cutthroat trout, Dolly Varden and bull trout are known to be highly mobile species for foraging, spawning and rearing purposes.

The primary areas for salmonid production in the Zymoetz Watershed appear to be the tributaries upstream of the lower Zymoetz River canyon. It is possible/likely that trout and char captured in the steelhead fishery do not reside in the area of the lower river steelhead fishery for the entire year. Considering the well-documented mobility of some populations of trout and char, and the current lack of migration monitoring for these fish, we cannot definitively

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determine if non- retention of trout and char in this area will actually further protect these populations.

A survey of steelhead anglers on the Zymoetz River in the late summer and fall of 1999 identified that only three (2.2%) of 131 char captured in the entire surveyed area were killed. In addition, two cutthroat captures were reported and both were released.

Fisheries in the lower Skeena and tributaries (where there isn't a bait ban) may also encounter the same fish captured in the lower Zymoetz.

Land use development and natural mass wasting events have occurred in the Zymoetz Watershed impacting some salmonid habitats.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

It is difficult to identify effective alternate options that will protect the trout and char in the lower Zymoetz without knowing more about these populations' specific life histories. One option would include a reduction in the harvest quota for trout/char in the entire watershed, but this may not be effective if the populations are being impacted from other fisheries and or habitat impacts.

A bait ban in the lower Skeena and its tributaries may further protect these fish in that they migrate and forage outside of the Zymoetz Watershed. The incidence of capture is higher when anglers use bait and the associated mortalities can be very high (25-35%) for bait caught char.

Another option is to further develop a regional trout and char regulation that is sustainable for trout /char populations such as those found in the lower Zymoetz.

Summary of SFAC Issues and Concerns:

The representatives are almost evenly split regarding this proposal. One common view is that the precautionary principle should apply to regulations when anecdotal CPUE's have demonstrated a decline. The other prevailing view holds that "science" should direct the regulations. Another point of view identified that managers should look to other sources of mortality first, prior to restricting resident harvest opportunities.

Regional Manager Decision:

Recommend not forwarding to the Fish & Wildlife Director. The issue may be addressed in 2008 by a regional trout and char regulations proposal prepped by MoE.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/06

Proposal Title: Wild cutthroat release in Kitimat R.

Proponent: North Coast Steelhead Alliance SFAC-2007-06

Proposed Regulation Change:

A wild cutthroat trout release regulation is proposed for the Kitimat River and tributaries.

Summary of issue(s) proposal is to address:

This proposal was submitted to address concerns regarding recruitment and growth overexploitation for wild anadromous cutthroat trout.

The multiple fisheries on the Kitimat River have all realized a steady increase in angling pressure since the inception of the enhancement program in the mid-1980's. Due to this and the nature of some of the fisheries, anadromous cutthroat may be at risk of over exploitation.

Angling with bait is allowed for two-thirds of the year, thus exposing cutthroat to a high incidence of capture and an associated high mortality rate if released.

Hatchery-reared anadromous cutthroat are released annually in the Kitimat and are available for harvest by anglers.

Regulatory/ Policy Impediments: *(list & provide details)*

There are no legislative or regulatory impediments to implementing this proposed regulation change. The process to implement such a regulatory change would involve the submission of a Variation Order (V.O.) for signature by the Fish and Wildlife Manager and would be enacted under the authority of the Federal Fisheries Act.

Existing Regulation & Justification Summary: *(may include biological comments)*

The current regulations for Kitimat anadromous cutthroat fall under the Skeena Regional Regulations – two from streams, none under 30 cm, one over 50 cm.

To date no population-specific information has been gathered that indicates wild anadromous cutthroat require additional protective regulations beyond the regional regulations introduced in 1992.

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

A small cutthroat enhancement program targets the release of 10,000 smolts to the Kitimat R. annually. Actual smolt releases vary widely (716 to 12,365) but average 6,578 smolts each year. If a wild cutthroat release regulation is put in

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place for the Kitimat, the survivors of these hatchery releases would be available for retention (to the regional quota) by the angling community - an estimated average recruitment of 300-400 fish annually (in addition to repeat spawners).

The Kitimat River has the highest daily quota for anadromous cutthroat trout in a hatchery-augmented system in the range of this species. All BC regions with hatchery cutthroat programs require non-retention of wild cutthroat.

Some population and fishery data is available for Kitimat cutthroat trout, yet they are difficult to use to precisely identify trends in abundance:

- Four years of creels surveys completed by the DFO in the late 1980's quantified cutthroat catch during other fisheries (salmon and steelhead). The surveys estimated an average of 793 kept and 577 cutthroat released (kill ranging from 200-1320 per survey period; release ranging from 200 to 809 per survey period).
- Juvenile surveys on selected Kitimat tributaries identify poor densities on three of four drainages when compared to provincial coastal stream benchmarks.
- A regional cutthroat angler log program was implemented in 1990/91 collecting CPUE information from participants. The data from these reports indicate a hatchery to wild cutthroat trout catch ratio of 1:7. This ratio would likely vary significantly from year to year as release numbers fluctuate.
- Under a wild-release regulation, anglers targeting the harvest of two hatchery cutthroat would undoubtedly have to release a high number of wild cutthroat. This may result in elevated mortalities of wild fish, particularly with a bait fishery in place during key periods of immigration of anadromous fish.
- Brood stock collection records for the cutthroat enhancement program indicate variable success rates in attaining their targets. This may not be the best indicator of overexploitation due to extraneous factors that effect brood stock collection (changing collectors, variable access, staffing challenges, etc.).

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

A few additional angling regulation options exist that may be implemented alone or in conjunction with a wild cutthroat release regulation:

- A watershed-wide bait ban that would harmonize angling methods with a catch and release fishery;
- Increase minimum size for retention of wild cutthroat (if a wild-release regulation is not applied). This has clear linkages to SFAC proposal 2007-04.
- Implement non-retention (spatially or temporally) where wild cutthroat are

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- exposed to the highest levels of exploitation;
- Implement a reduced retention of wild cutthroat on the Kitimat R. (i.e. two per day down to one per day); and,
 - Implement an angler awareness campaign that revolves around the vulnerability of anadromous cutthroat to a wide variety of human induced activities.

Summary of SFAC Issues and Concerns:
SFAC representatives are evenly split on this regulation proposal. One common theme calls for the ministry to regulate fisheries using the precautionary principle due to limited information and ability to proactively manage this population. Conversely, half the representatives are looking for hard data to prior to supporting the implementation of a wild coastal cutthroat trout release regulation. Additional comments revolve around looking at other sources of mortality including (but not limited to) habitat impacts. Some representatives have no opinion on the proposal.

Regional Manager Decision:
This proposal was not recommended to be forwarded to the Fish & Wildlife Director. The issue may be addressed in 2008 by a regional trout and char regulations proposal prepared by MoE. There is also a provincial Coastal Cutthroat Trout Management plan under development in Victoria. This document may provide some direction for future harvest regulations.



January 7, 2008

Regional Manager	Date
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Regional Manager Decision: SFAC Regulation Proposal 2007/07

Proposal Title: Lakelse R. cutthroat trout release

Proponent: North Coast Steelhead Alliance SFAC-2007-07

Proposed Regulation Change:

A cutthroat trout release regulation is proposed for the Lakelse River and tributaries year round.

Summary of issue(s) proposal is to address:

The Lakelse watershed has historically provided some of the province's finest cutthroat angling opportunities.

Due to its location, the Lakelse R. receives significant angling effort year round, primarily from Terrace and Kitimat residents.

Many anglers would like to protect this population further, to ensure sustainability of Lakelse cutthroat and to create a trophy fishery for residents.

Regulatory/ Policy Impediments: *(list & provide details)*

There are no legislative or regulatory impediments to implementing this proposed regulation change. The process would include the completion of a V.O. that would use the Federal Fisheries Act to change the existing regulation.

Existing Regulation & Justification Summary: *(may included biological comments)*

- Regional regulations – two from streams, none under 30 cm, one over 50 cm.
- Cutthroat release above CNR bridge March 1 to April 30 (started in 1985)
- A bait ban in place with the provincial single barbless hook regulation applies to reduce hook-and-release mortalities (range 0.3-6.1 %).
- Fly fishing only between Lakelse Lake and CNR bridge March 1 to May 31 (started in 1976)
- Lakelse Lake trout quota is five per day (one over 50 cm).
- Guiding is not permitted the Lakelse River
- Lakelse River is a Classified Water (Class II) year round.

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Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

Stock status information for Lakelse cutthroat is abundant, relative to other cutthroat populations in the region. However, most of the information identifies use and population data from the 1950's and 1970's. Although these data are an important bench mark, this information does not adequately describe use and abundance of cutthroat over the most recent 28 years.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

- An overlap of regional trout/char regulations (SFAC 2007-04) may further protect these populations.
- Regionally increase the minimum size for retention of cutthroat to ensure a high percentage of maiden spawners survive to spawn.
- Temporally expand the non-retention and fly-only periods to cover the fall fishery period (i.e. September through November).
- Spatially expand stream quotas to include Lakelse Lake (2 trout/char per day, none under 30 cm and 1 over 50 cm).
- A bait ban in the lower Skeena and its tributaries may further protect these fish as they migrate and forage outside of the Lakelse watershed. The incidence of capture is higher when anglers use bait, and the associated mortalities can be very high (up to 50%) for bait-caught cutthroat.
- Implement an angler awareness campaign that revolves around the vulnerability of anadromous cutthroat to a wide variety of human activities.
- Reduce hooking mortalities in a zone of non-retention by limiting the number of trout that could be caught and released in a day ('limit your catch'). A catch and release of 100 fish over a single day of angling would result in an estimated mortality of 1-6 fish.

Summary of SFAC Issues and Concerns:

Two generalized themes were identified by SFAC representatives regarding this proposal. One prevailing view was that the precautionary principle should apply to regulations where information regarding populations is lacking and demonstrated high effort may impact these vulnerable populations. The other prevailing view identified that these populations are already well protected and that no additional change is required. A final point of view expressed that trout quotas in the lake and river should be the same.

Regional Manager Decision:

This proposal was not recommend to be forwarded to the Fish & Wildlife Director. The issue may be addressed in 2008 by a regional trout and char regulations proposal prepared by MoE. There is also a provincial Coastal Cutthroat Trout Management plan under development in Victoria. This document may provide

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some direction for future harvest regulations.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/08

Proposal Title: Buckley Creek RB Closure

Proponent: Skeena Region MoE SFAC-2007-08

Proposed Regulation Change:

The proposed regulation change is to close Buckley Creek to angling November 1 – June 30 and prohibit the retention of rainbow trout over 50 cm.

Summary of issue(s) proposal is to address:

Enforcement conflict presently exists with Buckley Lake regulations.

- Buckley Lake is closed from Nov. 1 to Apr. 30
- Daily limit is two with none over 50 cm (possession of four)
- Proposal will harmonize Buckley Creek regulations with Buckley Lake's seasonal closure, bag and size restrictions.

Regulatory/ Policy Impediments: *(list & provide details)*

None.

Existing Regulation & Justification Summary: *(may include biological comments)*

Regional default: two trout/char, one over 50cm / day, possession equals two daily limits

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

The Stikine Country Protected Area Management Plan states that:

- the Buckley Lake fishery is to be managed as a quality rainbow trout fishery;
- maintaining a high-quality wilderness experience with little sign of human presence and few facilities is a priority.

Other management considerations:

- Tahltan First Nation
- Presence of the Stikine Country Advisory Committee (SCAC)

Regional Manager Decision: SFAC Regulation Proposal 2007/08

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

The status quo maintains enforcement conflict. One option is to allow a catch and release fishery in Buckley Creek, but this permits angling for spawning rainbow trout and the potential exists for grizzly bear-human conflict. This is also not consistent with regional closures for known fluvial rainbow trout populations.

Summary of SFAC Issues and Concerns:

No issues or concerns expressed by SFAC on this proposal.

Regional Manager Decision:

Recommend forwarding to F&W director for approval.



January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/09

Proposal Title: Bulkley River Bait Ban Extension

Proponent: Gordon Wolfe SFAC-2007-09

Proposed Regulation Change:

Delay the start of the bait ban on the Bulkley River from August 1 to August 15.

Summary of issue(s) proposal is to address:

The proposal is designed to increase chinook salmon catches in the Bulkley River between August 1st and August 15, as chinook salmon are more readily captured with bait. The proponent seeks to increase opportunities for anglers.

Regulatory/ Policy Impediments: *(list & provide details)*

None.

Existing Regulation & Justification Summary: *(may include biological comments)*

The Bulkley River is currently closed to bait fishing commencing August 1. This regulation was implemented to protect the early component of the Bulkley/Morice summer-run steelhead population that is most vulnerable to interception in the mixed stock, tidal commercial fishery that occurs in the Skeena River approach waters.

Current regulations prohibit the retention of wild steelhead in British Columbia.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

Some proponents suggested experimental zones where a bait fishery would be permitted and subsequently evaluated, to determine whether conservation concerns arose due to the bait fishery.

Current staffing allocations make it difficult to enforce and/or biologically assess experimental zones.

Summary of SFAC Issues and Concerns:

Proponents of this proposal cite the desire to increase angling opportunities. The most cautious of the proponents recommend a trial period where assessments are carried out, to ensure that concerns for incidental mortality in non-target species are unfounded.

Those opposed to the proposal cite

- concern for summer run steelhead, particularly the discrepancy between the new provincial wild steelhead release regulation and expansion of a bait fishery with possible incidental effects on wild steelhead;
- potential increased incidental mortality on resident trout and char;

Regional Manager Decision: SFAC Regulation Proposal 2007/09

- concern for the target species, chinook salmon.

Regional Manager Decision:

The Regional Manger will not forward for implementation of this proposal due to the potential impact on early summer-run steelhead.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/10

Proposal Title: Upper Skeena River Mainstem Winter-Spring Opening

Proponent: Gordon Wolfe SFAC-2007-10

Proposed Regulation Change:

- Open the Skeena River mainstem to fishing from Cedarvale upstream to an unspecified point – January 1 to May 31 ,or
- Commence with the above opening on May 1.

Summary of issue(s) proposal is to address:

- The proposal seeks to provide angling opportunity upstream of Cedarvale in winter/early spring, as is afforded anglers downstream of Cedarvale.
- The proposal seeks to provide anglers chinook salmon fishing opportunities upstream of Cedarvale during the month of May

Regulatory/ Policy Impediments: *(list & provide details)*

None.

Existing Regulation & Justification Summary: *(may include biological comments)*

The Skeena River mainstem upstream of Cedarvale is currently closed to fishing from January 1 to May 31 to protect overwintering summer run steelhead, which enter the Skeena River between June and October yet do not spawn until the following May-June. Steelhead enter a state of homeostasis and aggregate in overwintering habitat (typically deeper, slower water) for as long as 10 months and are vulnerable to capture during this time. Steelhead at or near their spawning destination are biologically the most valuable fish, as they have successfully navigated the gauntlet of commercial, First Nations and sport fisheries in addition to surviving natural mortality to that point in their life.

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

Skeena River angling regulations are different upstream (versus downstream) of Cedarvale to protect overwintering summer-run steelhead. Cedarvale is the geographic location chosen to separate summer run steelhead from winter run fish because, with few exceptions, steelhead present upstream of this point are of a summer run timing and overwinter prior to spawning.

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

Some proponents suggested experimental zones where a winter/spring fishery would be permitted and subsequently evaluated to determine if and conservation

Regional Manager Decision: SFAC Regulation Proposal 2007/10

concerns arose. Current staffing allocations make it difficult to enforce and/or biologically assess experimental zones. As one proponent observed, overwintering areas for steelhead do not always coincide with tributary confluence areas, so spot closures at confluence areas would not completely mitigate conservation concerns.

Summary of SFAC Issues and Concerns:

Proponents of this proposal cite the desire to increase angling opportunities. The most cautious of the proponents recommend a trial period where assessments are carried out to ensure that concerns for incidental mortality to non-target species are unfounded.

Those opposed to the proposal cite

- concern for summer run steelhead, particularly the discrepancy between the new provincial wild steelhead release regulation and expansion of a bait fishery with possible incidental effects on wild steelhead;
- potential increased incidental mortality on resident trout and char;
- concern for the target species, chinook salmon.

One proponent stated that it is not too far to drive to the Kalum River to angle during May.

Regional Manager Decision:

The Regional Manger will not forward this proposal for implementation due to the potential impact to overwintering summer-run steelhead.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/11

Proposal Title: Kitsumkalum (Kalum) River Bait Ban (Oct 31-April 30)

Proponent: North Coast Steelhead Alliance SFAC-2007-11

Proposed Regulation Change:

Implement a bait ban on the Kitsumkalum (Kalum) River between October 31 and April 30. There are currently no restrictions on the use of bait in the Kalum River.

Summary of issue(s) proposal is to address:

The proposal seeks to protect over-wintering steelhead in the Kalum River. Summer-run steelhead return to the Kalum River from August through October. Winter-run steelhead typically arrive in good number in late March. Overwintering summer-run steelhead are vulnerable to bait fisheries, and there can be substantial angling pressure during the winter and early spring months. There are higher mortality rates in bait fisheries than in artificial-lure-only fisheries, and fisheries during the long over-wintering period can have significant impacts on this population. The proponent suggests that fewer steelhead would be captured (encountered) during a lure-only fishery and thus the overall impact (mortality rate) would be reduced. The proponent also suggests that angler effort on the Kalum is increasing and a bait ban would help maintain a quality fishery.

Regulatory/ Policy Impediments: *(list & provide details)*

There are currently no legislative or regulatory impediments to implementing this proposal. However, any regulations that are intended to address crowding issues should be addressed by the Regional Quality Waters Committee.

Existing Regulation & Justification Summary: *(may include biological comments)*

The general Skeena regional regulations for streams apply to the Kalum River (steelhead non-retention, single barbless hook) which is a Class II water year-round. A steelhead stamp is required from December 1 to May 31. The Kalum River enters the Skeena River near the city of Terrace, BC. It is not covered by the January 1 to June 15 closure of all streams in the Skeena drainage upstream of Cedarvale, which protects overwintering and spawning summer-run steelhead. The Kalum River does not have these regulations in place because it is unique in having both summer- and winter-run steelhead. It lies in the transition zone between summer-run steelhead (upstream) and winter-run (spring-run) steelhead (downstream).

Regional Manager Decision: SFAC Regulation Proposal 2007/11

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

- Steelhead stock status is unknown, as MoE has undertaken few stock assessment projects on the Kalum River. A literature review was conducted in 1999 by Grieve and Webb (Kitsumkalum River Steelhead: Summary of Current Data and Status Review, 1997; SK-106) who compiled and interpreted the available data.
- It is logistically difficult to work on this system, due to its large size, suspected stock differentiation (i.e. Cedar & Little Cedar, etc.), and multiple run-timing components (late summer/winter). Little is known of the population size for each run-timing component.
- The Kalum and Lakelse rivers (along with stocks in the Taku and Stikine) are the only summer-run (SR) steelhead populations that are not afforded over-wintering protection in the region. The majority of SR populations are closed to angling after December 31. The rationale for this is that these SR stocks are being impacted by commercial fisheries interceptions. Winter-run stocks are not impacted by these salmon fisheries.
- There is a tradeoff to be made on the Kalum in order to balance angling opportunity for winter (spring) timing stocks while protecting summer-run stocks. Currently the Kalum is open year round to bait angling.
- Based on the Steelhead Harvest Analysis, angling effort averaged 2,881 days and ranged from 1,375 to 4,831 days in the period 1967-1996. Mean annual catch was 1,107 fish with a range from 298 to 2,799. These are not large numbers given the propensity of the SHA for positive bias (i.e. over-estimation), and the long period when the steelhead fishery takes place (approximately 9 months).
- There are perceptions of “elitism” where the use of bait has been restricted. This was the case on the Thompson R. several years ago. Critics of bait restrictions are vocal and have countered with the idea of time and area closures instead of bait restrictions.
- The Kalum River and its steelhead are a complex system given the diverse run-timing, long open-water period, angling history, and location in the Skeena watershed. There is also a lack of precise information related to steelhead run-timing, spawning and rearing in this system. Better information could lead to improved regulation of the sport fishery.
- The bait ban proposal is a reasonable suggestion to address the objectives of the proponent and MoE. In comparison to time and space closures, most areas would remain open for the long winter/spring angling season. From a social perspective, substantial backlash from some angling constituencies should be anticipated.

Regional Manager Decision: SFAC Regulation Proposal 2007/11

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

- *Implement time and/or spatial closures for known spawning tributaries.* Spawning has been documented throughout the watershed in tributaries both upstream of (Kalum R., Little Cedar R., Cedar R., Hadenschild C., and Clear C.) and downstream from (Kalum R., Goat C., Lean-To C., and Deep C.) Kalum Lake (Grieve and Webb 1999). A telemetry study indicated that spawning occurred during the month of May. A spawning period closure could be implemented for tributaries (list to be finalized or exemptions) to the Kalum River both upstream and downstream of Kalum Lake between May 1 and May 30.
- *Implement time and/or spatial closures for known over-wintering locations.* Tagging studies imply that these closures would need to cover most of the upper watershed and severely restrict angling opportunities. Resident anglers in the Terrace area suggest that this is one of the few stream fisheries that exist during the winter months. MoE has acknowledged this by implementing a no-guiding (classified water) period from October 16 to March 14. Without more over-wintering data, time/space closures would be required across most of the watershed.
- *Implement bait ban January 1 to March 15.* This timing window would afford some protection to over-wintering summer- and fall-run steelhead until the arrival of spring-run steelhead in mid March.

Summary of SFAC Issues and Concerns:

SFAC members were divided on this proposal and no consensus was achieved.

Regional Manager Decision:

Recommend forwarding January 1 to March 15 bait ban compromise to F&W Director for approval and implementation.

T. Bell

January 7, 2008

Regional Manager

Date

Regional Manager Decision: SFAC Regulation Proposal 2007/12

Proposal Title: Queen Charlotte Islands (QCI) limited wild steelhead harvest

Proponent: Prince Rupert Rod and Gun Club SFAC-2007-12

Proposed Regulation Change:

Impose annual limits for wild steelhead retention such that two may be retained from the Yakoun River, and five total from QCI streams.

Summary of issue(s) proposal is to address:

The intent of this proposal is to reduce historical harvest limits but retain the opportunity to harvest wild steelhead on the QCI.

Regulatory/ Policy Impediments: *(list & provide details)*

Steelhead Stream Classification Policy was implemented on April 1, 2007. The policy precludes wild steelhead retention throughout British Columbia.

A relevant reference contained within the policy (SSCP page 4) states that all streams on the QCI are designated as “wild”.

MoE will manage designated “**Wild**” steelhead streams as follows:

- No hatchery augmentation will be permitted.
- Angling regulations are to be enacted that prohibit retention of wild steelhead to conserve wild fish, provide higher catch rates and simplify management.
- Angling regulations are to be enacted to minimize catch and release impacts.
- Management priorities should be identified and implemented to maintain stock abundance in the “Routine Management Status”. When the stock status of wild steelhead populations are declining towards or have declined to “Conservation Concern” levels or lower, management prescriptions designed to recover stocks to the “Routine Management Status” should be developed.

Existing Regulation & Justification Summary: *(may include biological comments)*

Wild steelhead release is now mandatory throughout British Columbia.

Regional Manager Decision: SFAC Regulation Proposal 2007/12

Management Considerations: *(summarize relevant: stock status, life history information, exploitation levels/limits, information or observations from other geographic locations or jurisdictions & relevant examples / references from the literature, social issues)*

Excluding anecdotal angler information, there are no current QCI steelhead population abundance or trend data available to fishery managers. The most recent population estimate for Yakoun steelhead was generated in 1983 (see #SK-55 Skeena Regional Fisheries Report Series).

Available Options: *(where appropriate, incorporate biological information above that supports an alternative approach to achieve the same outcome more effectively)*

N/A

Summary of SFAC Issues and Concerns:

SFAC members from the QCI were concerned that residents from the QCI were not involved in the consultation process. Other members were supportive of the Steelhead Stream Classification policy and its objectives including non-retention of wild steelhead. Consensus was not reached on this proposal.

Regional Manager Decision:

This proposal is not recommended for forwarding to Fish & Wildlife Director for implementation. The Ministry of Environment has committed to reviewing the wild steelhead stream policy in five years time.



January 7, 2008

Regional Manager

Date