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**Proposal for Regulation Change:
Guidelines for Information Requirements
Skeena Fisheries Advisory Committee
2009 SFAC-1**

Date: January 15, 2009 # of pages _____
To: Fisheries Section, Skeena Region Ministry _____
Office: 3726 Alfred Avenue, Smithers BC Fax # 250-847-7728
Ministry _____
Phone # 250-847-7260
From: Dean Peard Phone # 250 847-7260
Fax # _____

Instructions for Proposal Submission:

- Members of the Skeena Fisheries Advisory Committee (SFAC) interested in submitting a proposal to introduce a new, or change an existing regulation for consideration are requested to follow the guidelines provided in this form to facilitate Ministry & SFAC evaluation.
- Deadline for submission of proposals for the 2009 SFAC meeting is one month prior to the meeting date: January 30, 2009.
- Proposal submissions may be faxed, mailed or emailed to the Fisheries Section, Fish & Wildlife Branch, Ministry of Environment, Smithers.

Proponent Contact Information:

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Skeena Region

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Location Address:
3726 Alfred Avenue
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Telephone: 250 847-7260
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Location: *Please provide specific details on the water body. In cases where only portions of water bodies are of interest, use known landmarks, tributary confluences or measured distances from landmarks as descriptors.*

Aldrich Lake	Zymoetz River Watershed
Dennis Lake	Zymoetz River Watershed
Kathlyn Lake	Bulkley River Watershed
Lakelse Lake	Skeena River Watershed
Mcdonell Lake	Zymoetz River Watershed
Oweege Lake	Bell-Irving River Watershed

Existing Regulation(s):

Page 96. 2008/2009 Freshwater Fishing Regulations Synopsis. "Steelhead....a rainbow trout longer than 50 cm in waters where anadromous rainbow trout are found. Both hatchery and wild steelhead may be found in BC waters."

Page 59. 2008/2009 Freshwater Fishing Regulations Synopsis "All wild steelhead must be released."

Proposal: *Include a concise & accurate description of the proposed regulation (e.g. increase daily possession limit for cutthroat trout from 2/day to 4/day on Skeena River downstream of Exchamsiks/Skeena rivers confluence).*

To add each indicated lake to the water specific tables for Region 6 and add "No rainbow trout over 50cm" The intent of this proposal is to provide clarification for enforcement action and educational purposes, not a regulation change. This is consistent with the existing regulations described above.

Rationale: Provide a descriptive statement for: 1) the objective(s) for the new regulation (e.g. conservation, increase opportunity, simplify regulations, public safety, other); 2) why the regulation is necessary; 3) why and/or how the regulation would be effective at reaching objective; 4) expected outcomes of the new regulation; 5) provide reference to biological studies or supporting literature where appropriate. Add an additional sheet if necessary.

The Conservation Officer Service has received several complaints about anglers harvesting over wintering summer-run steelhead from Oweege Lake (pers comm. CO Schley). Lake anglers may not be aware that steelhead are present in certain lakes and believe that Regional Daily Catch Quotas apply. By regulation, all rainbow trout, over 50cm, in waterbodies where anadromous rainbow trout are found must be released. Therefore, by adding "no rainbow over 50 cm" the chance of error in regulatory interpretation is reduced.

The list was generated using several different criteria. A search of FISS (Fisheries Information Summary System) produced a list of documented steelhead observations within lakes in the Skeena Region. Angler access and current status in the synopsis were also used as filters to reduce the list to its current level.

Signature:

Date: January 18, 2009



**Proposal for Regulation Change:
Guidelines for Information Requirements
Skeena Fisheries Advisory Committee
2009 SFAC-2**

Date:	<u>16 Oct 2008</u>	# of pages	_____
To:	<u>Fisheries Section, Skeena Region</u>	Ministry	_____
Office:	<u>3726 Alfred Avenue, Smithers BC</u>	Fax #	<u>250-847-7728</u>
		Ministry	_____
		Phone #	<u>250-847-7260</u>
From:	_____	Phone #	_____
		Fax #	_____

Instructions for Proposal Submission:	
<ul style="list-style-type: none"> ▪ Members of the Skeena Fisheries Advisory Committee (SFAC) interested in submitting a proposal to introduce a new, or change an existing regulation for consideration are requested to follow the guidelines provided in this form to facilitate Ministry & SFAC evaluation. ▪ Deadline for submission of proposals for the 2007 SFAC meeting is one month prior to the meeting date: February 26, 2007. ▪ Proposal submissions may be faxed, mailed or emailed to the Fisheries Section, Fish & Wildlife Branch, Ministry of Environment, Smithers. 	
Proponent Contact Information:	
Name: Bill Burkland	
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Affiliation: none	
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Location: Please provide specific details on the water body. In cases where only portions of water bodies are of interest, use known landmarks, tributary confluences or measured distances from landmarks as descriptors.

All Morice River

Existing Regulation(s):

Fly fishing only Gosnel crk to Lamprey crk Sept 1 –Sept 30

Proposal: Include a concise & accurate description of the proposed regulation (e.g. increase daily possession limit for cutthroat trout from 2/day to 4/day on Skeena River downstream of Exchamsiks/Skeena rivers confluence).

Morice river Fly fishing only Sept 1-Dec31

Rationale: Provide a descriptive statement for: 1) the objective(s) for the new regulation (e.g. conservation, increase opportunity, simplify regulations, public safety, other); 2) why the regulation is necessary; 3) why and/or how the regulation would be effective at reaching objective; 4) expected outcomes of the new regulation; 5) provide reference to biological studies or supporting literature where appropriate. Add an additional sheet if necessary.

1 Tradition- the Morice river has a well-recognized and supported fly fishery.

2 Conservation-during the later season (Mid Oct to fees-up) the vast majority of the run is "stacked" in known holding pools. These fish are particularly vulnerable to gear fishers. The concern is multiple hooking injury and mortality.

Signature Bill Burkland

Date:16 Oct 2008



**Proposal for Regulation Change:
Guidelines for Information Requirements
Skeena Fisheries Advisory Committee
2009 SFAC-3**

Date:	<u>January 26, 2009</u>	# of pages	<u>6</u>
To:	<u>Fisheries Section, Skeena Region</u>	Ministry	
Office:	<u>3726 Alfred Avenue, Smithers BC</u>	Fax #	<u>250-847-7728</u>
		Ministry	
		Phone #	<u>250-847-7260</u>
From:	<u>Jeff Lough</u>	Phone #	<u>(250) 847-7337</u>

Proponent Contact Information:

Name: Jeff Lough

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Affiliation: Ministry of Environment, Fish and Wildlife Branch

Day-Time Phone: 250.847.7337

Email: jeff.lough@gov.bc.ca

Location: *Please provide specific details on the water body. In cases where only portions of water bodies are of interest, use known landmarks, tributary confluences or measured distances from landmarks as descriptors.*

This proposal pertains to angling regulation signage in the area of the Babine Watershed located between Fort Babine at the Babine Lake outlet and the upper Babine River at its confluence with the Boucher Cr. (see attachments). For the purpose of this proposal, this area will be referred to as the upper Babine River.

Existing Regulation(s):

Several angling regulations currently apply to the upper Babine River. The portions of the current regulations proposed to be changed are:

- Fly fishing only (a) from a point 100 m above Fort Babine bridge to 100 m above the adult fish counting fence (including Nilkitkwa L.), during open times and (b) from signs about 80 m below the adult fish counting fence to Nichyeskwa Cr. June 16-Sept 30.
- **Downstream of the juvenile fish counting weir located at the outlet of Nilkitkwa Lake to the confluence with Skeena River*:** Class I Water Sept 1-Oct 31 and Steelhead Stamp mandatory Sept 1-Oct 31. **NOTE: This boundary is currently identified with signage near the Boucher Cr. confluence with the Babine R.**
- No fishing in any stream of the Skeena Watershed January 1 –May 31. **NOTE: the location of the stream / lake boundary at the Nilkitkwa Lake outlet is currently not delineated with signs.**

Proposal: *Include a concise & accurate description of the proposed*

This proposal is to change the existing regulation to read as follows:

- Fly fishing only (a) from **signs posted at the Fort Babine Bridge** downstream to 100 m above the adult fish counting fence (including Nilkitkwa L.), during open times and (b) from signs about 80 m below the adult fish counting fence to Nichyeskwa Cr. for the period of June 16-Sept 30th.
- Class I Water and Steelhead Stamp mandatory Sept 1-Oct 31: from the boundary signs posted at the juvenile fish counting trap located near the outlet of Nilkitkwa L. downstream to the confluence with Skeena River.
- Signage for Class I Water and Steelhead Stamp will be located at the same location as the lake/river boundary sign that will clearly identify the seasonal closure boundary consistent with the regional regulation of no fishing in any stream of the Skeena Watershed Jan. 1 –May 31

Rationale: *Provide a descriptive statement for: 1) the **objective(s)** for the new regulation (e.g. conservation, increase opportunity, simplify regulations, public safety, other); 2) **why the regulation is necessary**; 3) **why and/or how the regulation would be effective** at reaching objective; 4) expected **outcomes** of the new regulation; 5) provide **reference** to biological studies or supporting literature **where appropriate**. Add an additional sheet if necessary.*

The objectives of these proposed regulation changes are:

1. Simplify and harmonize boundary locations for the Nilkitkwa Lake outlet, Classified Water and Steelhead Stamp boundaries on the upper Babine R.
2. Identify Nilkitkwa L./upper Babine R. seasonal closure boundary in a location that protects overwintering and spawning summer- run steelhead consistent with the seasonal protection they receive in all upper Skeena streams.

3. Move the upper Babine River Fly fishing boundary to a location that is easier for anglers to see and simpler for MoE to maintain.

Why is this regulation necessary?

Moving the Classified Waters and steelhead stamp to the same proposed seasonal closure boundary at the Nilkitwa Lake outlet will designate a single boundary for all three regulations (regulation simplification/clarification).

The Nilkitwa Lake outlet boundary regulation is necessary to protect summer-run steelhead from being angled or harvest downstream of DFO juvenile fish counting trap located at the Nilkitwa L. outlet. Overwintering steelhead utilizing this area currently could be harvested since they might easily be confused with resident rainbow trout over 50 cm. Lake dwelling rainbow can be harvested (1 >50cm/day).

It is necessary to move the current upper Babine R. Fly fishing boundary located approximately 100 m upstream of the Fort Babine bridge downstream to the bridge for three reasons:

- The current location is subject to sign damage or loss during high flows
- The signs are often obscured by willow growth making them difficult to see when traveling to or from Rainbow Alley by boat.
- Placing the fly fishing boundary on the bridge will make sign replacement and maintenance convenient for MoE and will make the boundary easy to see for anglers.

How will the regulation be effective?

By moving the Classified Water and Steelhead Stamp boundaries on the Upper Babine R. to the proposed Babine River/Nilkitwa Lake boundary, it will be much easier for anglers to decipher angling regulation boundaries on the upper Babine R. In addition, under this proposal overwintering and/or spawning steelhead in the area of the Nilkitwa Lake outlet cannot be legally harvested downstream of the new boundary, nor would they be subject to a catch and release fishery after December 31.

The outcomes of these regulation boundary changes are:

- Regulation clarification with a single boundary at Nilkitwa Lake outlet
- Protection of overwintering and/or spawning steelhead in and downstream of the Nilkitwa Lake outlet.
- Reduced fly fishing only zone by 100 m at Rainbow Alley.
- Increase Babine Lake fishing zone by 100 m.
- Reduced year round fishing zone by 250 m at Nilkitwa Lake outlet.

Biological reference as associated to this proposed change:

The importance of the Nilkitwa Lake outlet and Babine River / Boucher Creek confluence area as a steelhead over wintering and spawning area has been well documented. Beere (1990) identifies that despite the small number of fish radio tagged fish in 1990 (N=15), the data strongly suggest that a very high percentage of Babine River steelhead spawn at the Boucher Creek confluence area located near the Nilkitwa Lake outlet. In 1995/96, a steelhead telemetry study identified that 35% of 60 steelhead tagged downstream of the DFO adult fish weir, migrated above the weir. More specifically 6 (10% of the total sample) were determined by tracking to have utilized the habitat at the DFO juvenile fish counting trap located at the Nilkitwa Lake outlet.

Additional reference to the importance of the Nilkitwa Lake outlet and Boucher Creek area for Babine steelhead can be found at the following URL

http://wlapwww.gov.bc.ca/ske/fish/skeena_reports/sk_report_index.htm :

Beere, M.C. 1991c. Radio telemetry investigations of Babine River steelhead, spring 1990. Unpublished M.S. Skeena Fisheries Report # SK 71, 17 pp. Ministry of Environment, Lands and Parks, Smithers, B.C.

Beere, M.C. 1997. Movements of wild summer run steelhead tagged with radio transmitters in the Babine River during fall, 1994. Unpublished M.S. Skeena Fisheries Report #96, 42 pp. Ministry of Environment, Lands and Parks, Smithers, B.C..

Beere, M.C. 2004. Movements of Babine River Summer Run Steelhead Tagged with Surgically and Gastrically Implanted Radio Transmitters. BC Min. of Water, Land and Air Protection, Fish & Wildlife Science & Allocation Section, Skeena Region, Smithers, BC. Unpublished M.S. Skeena Fisheries Report #139.

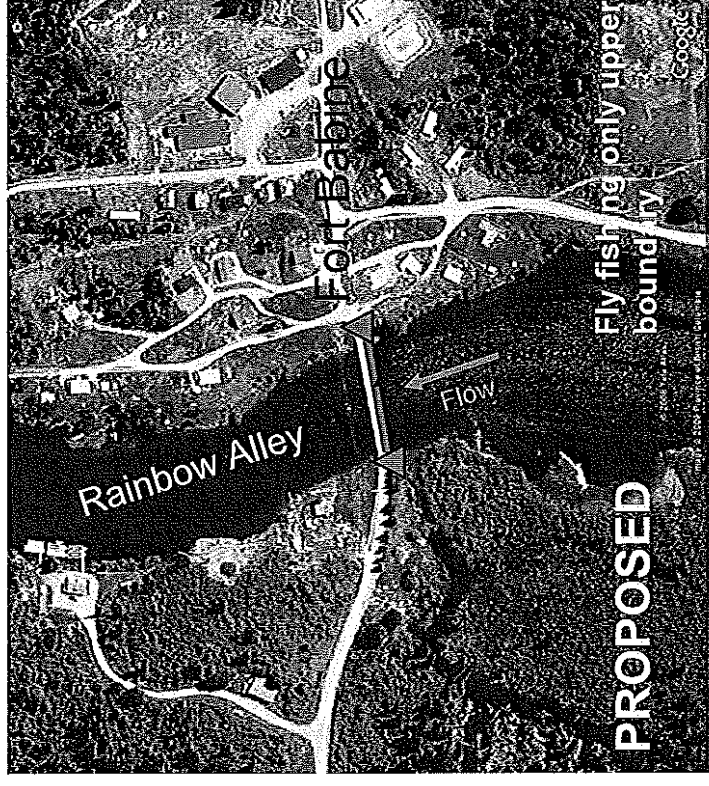
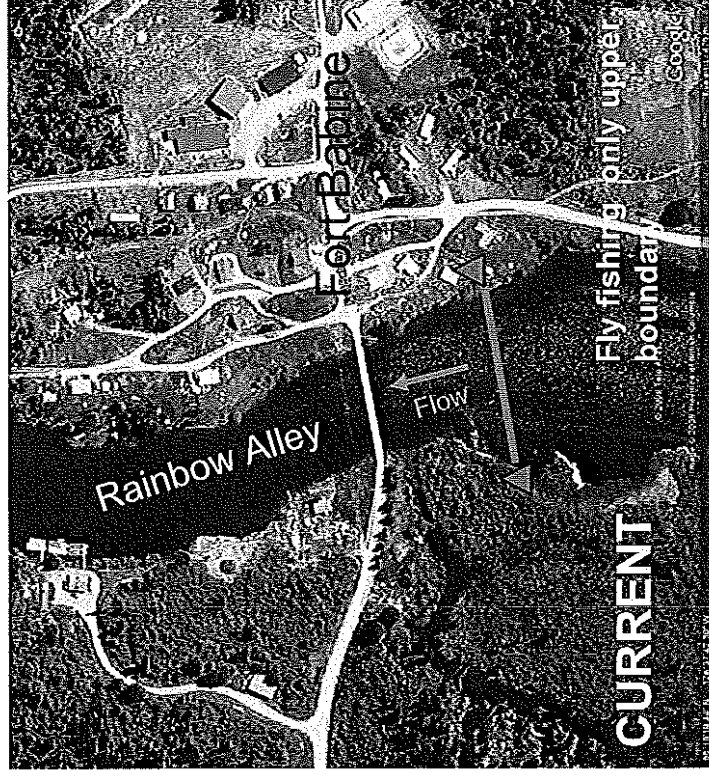
Additional concept development, advisory and consultation was completed with Pierce Clegg (Babine River angling guide), Kevin Nixon (Conservation Officer), and Doug Eftoda (local angler and Nilkitwa L. seasonal resident).



Signature:

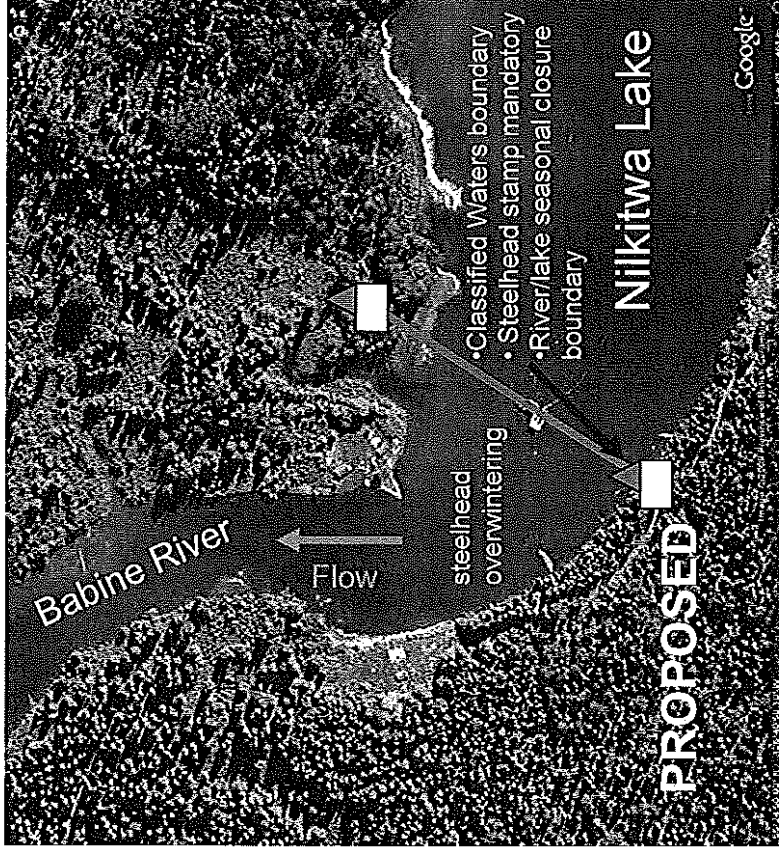
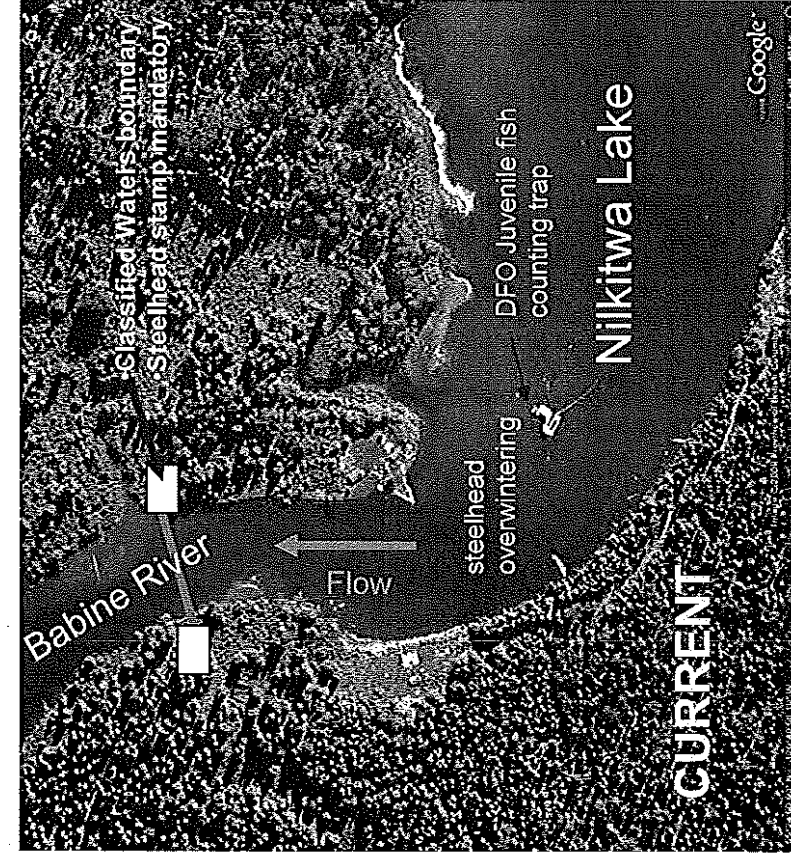
Date: January 28, 2009

Proposed Babine River upper fly fishing boundary location change



- Reduces fly fishing only zone by approximately 100 metres.
- Provides a clearly defined boundary that enables improved sign visibility, placement and maintenance.

Proposed upper Babine River/Nilkitwa L. boundary location change



- Simplified single boundary location for Classified Waters, steelhead stamp and lake outlet seasonal closure boundary (Jan 1-May 31).
- Clearly identifies the Jan 1-May 31 seasonal closure boundary to consistently protect overwintering summer run steelhead.
- Reduces angling area during the Jan 1-May 31 steelhead overwintering and spawning period by approximately 225 metres.
- Babine River open to river specific regulations June 1 to Dec 31.