

**Regional Manager Decision: SFAC Regulation Proposal 2011-01**

**Proposal Title: Kispiox River Fly Fishing Only September 1 – October 31**

**Proponent: Gene Allen – Upper Skeena Angling Guides Association**

**Proposed Regulation Change:**

Fly fishing only on the Kispiox River during the classified waters period of September 1<sup>st</sup> to October 31<sup>st</sup>

**Summary of issue(s) proposal is to address:**

The proponent, who lives and works on the Kispiox River, has observed relatively high mortality rates for steelhead captured using plastic scented worms, in contrast to fly fishing, and wishes to see a reduction in steelhead mortality in this world famous catch-and-release fishery.

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

None.

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

Bait ban, January 1 to December 31.

**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)***

Bait is currently defined in the Freshwater Fishing Regulations Synopsis: "Bait' is any foodstuff or natural substance used to attract fish, other than wood, cotton, wool, hair, fur or feathers. It does not include fin fish, other than roe. It includes roe, worms and other edible substances, as well as scents and flavourings containing natural substances and nutrients." (from page 9 of the Freshwater Fishing Regulations Synopsis). By this definition, scented rubber worms are currently not a legal terminal tackle on the Kispiox River.

**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:**

There were 6 in favour and 7 opposed from the Skeena Fisheries Advisory Committee. Comments from those in favour included citing concern for stressing fish and their need for sanctuary areas, and the desire to reduce the efficiency of anglers – to provide good opportunities for many rather than exceptional opportunities for a few. Comments from those opposed include not favouring terminal tackle changes if a conservation concern could not be proven, and that education and hook size were key issues in addition to the illegality of scented artificial lures. The committee recommended that the proposal not be forwarded for approval.

**Regional Manager Decision:**

Not recommended to forward for further public consultation on the provincial Ministry angling engagement website, nor to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date

**Regional Manager Decision: SFAC Regulation Proposal 2011-03**

**Proposal Title: Removing Fish from the Water Before Release**

**Proponent: Rob Brown – Steelhead Society of British Columbia**

**Proposed Regulation Change:**

Institute a new regulation that makes it illegal to remove a fish from the water before releasing it.

**Summary of issue(s) proposal is to address:**

Air exposure after exercise has been demonstrated to contribute to stress and mortality. The proponent advocates for more emphasis in the freshwater fishing regulations to address this issue, namely a regulation that makes it illegal to remove fish from the water during release.

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

None.

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

The BC Freshwater Fishing Regulations Synopsis states that: "It is unlawful to release fish in a harmful manner." (page 9) and the section on releasing fish (page 11) recommends that anglers: "Keep the fish in the water as much as possible."

**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)***

Brief air exposure in exhaustively exercised rainbow trout has been demonstrated to increase the incidence of mortality (examples: Ferguson and Tufts 1992; Suski *et al.* 2004).

The Washington State Sportfishing Rules Pamphlet (2010/2011) reads that: "It is unlawful to totally remove salmon, steelhead, or Dolly Varden/bull trout from the water if it is unlawful to retain those fish, or if the angler subsequently releases the salmon, steelhead or Dolly Varden/bull trout."

**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:**

Committee members did not vote on this proposal but were in support of the proposal with some caveats: "use common sense", "don't incarcerate kids", "it's how it's done", "it's an education issue", and asked that the ministry re-word and circulate among committee members.

Suggested re-worded proposal: It is unlawful to completely remove a fish from the water if it is illegal to retain the fish or if it is to be released, except where not possible or hazardous to the angler to comply. Conservation officers are allowed considerable flexibility in carrying out their duties with respect to this proposed regulation change.

The committee recommended forwarding the re-worded proposal to the Regional Manager for approval.

**Regional Manager Decision:**

Recommended to forward the re-worded proposal for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager	Date
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**Regional Manager Decision: SFAC Regulation Proposal 2011-04**

**Proposal Title: Lakelse Watershed Cutthroat, Bull Trout, Dolly Varden and Mountain Whitefish Catch and Release**

**Proponent: Rob Brown – Steelhead Society of British Columbia**

**Proposed Regulation Change:**

Catch and release for cutthroat trout, bull trout, Dolly Varden char, and mountain whitefish year round in the Lakelse watershed.

**Summary of issue(s) proposal is to address:**

A number of experienced local anglers who have fished the Lakelse watershed for decades report severely depressed trout and char abundance in the watershed. Possible explanations raised by the proponent include depressed pink (recent) and sockeye (chronic) returns and the potential for associated ecological costs to trout, char and whitefish.

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

None.

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

Cutthroat trout release above CNR bridge, March 1 to May 31  
Fly fishing only between Lakelse Lake and CNR bridge, March 1 to May 31  
Bait ban, no powered boats

**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 Lakelse watershed trout and char resource is regionally significant. In particular, the cutthroat populations in the Lakelse could be considered similar to those extremely high-value populations of cutthroat in the Yakoun watershed.

**Lakelse Lake trout/char**

Past Lakelse Lake fishery surveys (1951-52, 1979) provide some of the history of the fishery, but have limitations with regard to advising quota changes which could reduce the total harvest of Lakelse Lake trout/char. Char have rarely been encountered in the lake's fishery assessment. The Lakelse Lake creel survey in the summer of 1979 (Hatlevik 1981) revealed a significant catch per unit effort (CPUE) decline to 0.4 cutthroat per hour, relative to the observed CPUE of 1.1 cutthroat per hour in the 1950's

(Bilton 1955). Information on the current characteristics of the fishery is not available.

The proponent suggests that harvest quotas in the lake should be the same as those in the river. Stock structure and the magnitude of movements between the lake and river are unknown, but trout harvest in the lake is likely distributed among multiple populations. In addition, vulnerability of trout and char in the lake is probably lower than in the river due to spatial dispersion of fish and anglers. Hatlevik (1981) recommended that more stringent harvest regulations may be necessary in the Lakelse River where cutthroat are congregated and more vulnerable to harvest.

#### **Lakelse watershed stream trout/char**

Bilton and Sheppard (1955) inferred from a cutthroat marking program in the early 1950's that Lakelse watershed cutthroat stocks have complex life histories and migration behaviors, which exposed the different populations to mixed stock fisheries occurring in various parts of the watershed. Their population estimates refer to a "river population" and the "lake population". For the purpose of examining the effect of the fishery on the cutthroat stocks, they considered those two populations as discrete. However, in the absence of more rigorous stock identification, it appears likely that cutthroat in the Lakelse watershed display at least five general life history forms (headwater fluvial, mainstem fluvial, adfluvial, migrant fluvial and anadromy), and potentially dozens of populations as defined by natal stream.

Bilton and Sheppard (1955) also concluded that angling CPUE provides an index of the abundance of cutthroat which is sufficiently accurate to reflect gross changes in abundance. Between 1950-1954 the annual average angling CPUE on Lakelse River was 0.9 cutthroat per hour. Imbleau (1979) estimated the Lakelse River angling CPUE in 1978 at 0.3 cutthroat per hour. Angler effort increased significantly between the two periods.

Very little of the information from these more detailed assessments shed much light on the current status of the populations of cutthroat in streams of the Lakelse watershed.

Rainbow trout and char life histories in the Lakelse watershed are also likely very complex, and there is no clear picture of the current status of any of the populations within each species that reside in the streams of the watershed (either for their entire life or portions of their life histories).

#### **Lakelse watershed whitefish**

Historical assessments of Lakelse Lake and River identify that the dominant majority of mountain whitefish catch occurs in the Lakelse River. The catch of whitefish in the spring of 1979 was estimated at 348 fish of which 75% were released. Approximate daily observations of mountain whitefish in the Lakelse River ranged between 200-1000 fish/day during historical snorkel counts of steelhead. Whitefish catch was not documented in the historical assessments of Lakelse Lake's fisheries.

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

#### **Lakelse Lake trout/char quota**

It is recommended that the regional trout/char harvest quota of 5/day continue to apply on Lakelse Lake. The Ministry will attempt to acquire resources to complete a creel survey on the Lakelse watershed fisheries, to attain contemporary catch and effort data and evaluate current harvest quotas on Lakelse Lake.

The proposed regulation of non-retention (catch and release) of trout/char/whitefish in Lakelse Lake will not be forwarded for further public consultation on the Ministry angling engagement website, nor to the Director of Fish, Wildlife and Habitat Management for consideration.

#### **Lakelse watershed stream trout/char quota**

The proposal for non-retention of trout/char in Lakelse watershed streams as a standalone water-specific regulation will not be forwarded for further public consultation on the Ministry angling engagement website, nor to the Director of Fish, Wildlife and Habitat Management for consideration. However, the following alternative regional regulation which will apply to all streams of the Lakelse watershed will be forwarded for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration:

Current abundance status of trout/char stocks in Skeena Region streams is essentially unknown, and contemporary assessments of Skeena Region stream fisheries are lacking. Limited life history information exists but does not inform the appropriateness of current management of angling impacts to the multiple species and populations. The Ministry has received anecdotal reports of significantly declining relative abundance (angling CPUE) of trout and char in some of the region's streams from stakeholders, Conservation Officer Service (COS), Department of Fisheries and Oceans staff and Ministry staff.

Skeena Region Fisheries Program is recommending a revised approach to prescribing harvest quotas for trout/char fisheries in streams of the region. A precautionary management approach considers proposals submitted to the SFAC in 2011 but will, more importantly, implement a more rational approach to setting harvest quotas for some of our region's most sensitive species which have life histories that make them very vulnerable to over-exploitation.

The most prudent management approach is to reduce the harvest quota for trout/char in streams of the Skeena Region to zero. Starting from this baseline, the risk of alternative population-specific harvest quotas can be evaluated and prescribed in the Water-specific regulations where appropriate. The goal of this precautionary approach is to protect trout/char stocks from overexploitation where stock-specific information (abundance trends, harvest rates, modeling) does not exist, but where management experience of other jurisdictions clearly identifies the significant risk of not prescribing conservative harvest regulations before impacts

to stocks are fully documented. This management approach for trout/char fisheries in streams will elevate the level of protection of these sensitive stocks and will enable managers to rationalize stock specific harvest quotas after assessments have been completed.

Trout/char are clearly at higher risk of overexploitation in streams than in lakes. The regional quota change will reduce harvest impacts to trout/char populations that either reside their entire lives in streams, or display a migratory life history and are exposed to the risk of increased harvest while aggregated in streams during spawning or foraging.

This management approach does not limit the opportunity to fish for trout/char in any streams of the region that are currently open to angling.

#### **Lakelse River whitefish quota**

There are no current data for the Lakelse River whitefish population(s), but the stock is likely subject to greater probability of harvest in the watershed's streams, due to increased vulnerability to angling in such habitats. Mountain whitefish appear to congregate for long periods in the Lakelse River, making them more vulnerable to catch there than in the lake. In order to be precautionary in the management of angling for this species in the Lakelse watershed, non-retention of whitefish in the Lakelse River (but not tributaries) will be forwarded for further public consultation on the provincial Ministry angling engagement website, <sup>and</sup> ~~to~~ to the Director of Fish, Wildlife and Habitat Management for consideration.

#### **Summary of SFAC Issues and Concerns:**

There were 2 in favour and 6 opposed from the Skeena Fisheries Advisory Committee. Comments from those in favour included cited conservation concerns while those opposed wanted to maintain the opportunity to harvest trout and char in Lakelse Lake, felt that the boundary change denoting the lake-river boundary addressed any existing conservation concern, were concerned that a catch and release regulation for some species could put more pressure on other species and there should be no regulation changes until a conservation concern can be demonstrated.

#### **Regional Manager Decision:**

Recommend to forward the revised options for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date



**Regional Manager Decision: SFAC Regulation Proposal 2011-08**

**Proposal Title: Skeena River Confluences Bait Ban**

**Proponent: Rob Brown – Steelhead Society of British Columbia**

**Proposed Regulation Change:**

Bait ban, Skeena River where it meets the Bulkley, Zymoetz and Kitwanga rivers for a distance of 100 meters upstream of the confluences and 200 meters downstream from the Bulkley and Zymoetz river confluences – 100 meters downstream of the Kitwanga River confluence, August 1 to January 1.

**Summary of issue(s) proposal is to address:**

The proponent cites the waters at the confluences of these Skeena tributaries should have the same regulations as the tributaries themselves for consistency, and opposes bait use for its effectiveness, likelihood of associated mortality and potential for illegal harvest where vehicular access to these areas is possible.

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

None.

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

Steelhead stamp required, July 1 to October 31

**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 Bulkley-Morice steelhead aggregate is not currently a conservation concern; the status of fluvial trout and char associated with the pertinent confluence areas is not known.

BC fisheries managers have generally permitted bait use in large mainstem migratory corridors where turbid water and salmon fisheries exist.

**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:**

There were 6 in favour and 7 opposed from the Skeena Fisheries Advisory Committee.

Comments from those in favour included citing concern for stressing fish and their need for sanctuary areas proximate to the confluences of streams where bait use is illegal, and the desire to reduce the efficiency of anglers – to provide good opportunities for many rather than exceptional opportunities for a few.

Comments from those opposed include not favouring terminal tackle changes if a conservation concern could not be proven and that education and hook size were key issues.

The committee recommended that the proposal not be forwarded to the Regional Manager for approval.

**Regional Manager Decision:**

Not recommended to forward for further public consultation on the provincial Ministry angling engagement website, nor to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date

**Regional Manager Decision: SFAC Regulation Proposal 2011-09**

**Proposal Title: Skeena River Bait Ban**

**Proponent: Rob Brown/Jim Culp – Steelhead Society of British Columbia**

**Proposed Regulation Change:**

Bait ban, Skeena River

**Summary of issue(s) proposal is to address:**

The proponents question the ethics of bait fishing and the associated mortality, and express a desire to simplify regulations.

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

None.

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

See regulations synopsis

**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)***

Where summer run steelhead are present, Skeena River tributaries are closed to bait use due, in part, to the increased mortality associated with an increased rate of encounters, and its effectiveness (excellent opportunities for some as opposed to good opportunities for all). The mainstem waters, which can often be turbid, have remained open to bait use for salmon fisheries and to increase angler effectiveness along these migratory routes where water visibility is often poor.

**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:**

There were 2 in favour and 7 opposed from the Skeena Fisheries Advisory Committee.

Comments from those in favour included citing the desire to reduce fish mortality and the efficiency of anglers – to provide good opportunities for many rather than exceptional opportunities for a few.

Comments from those opposed include not favouring terminal tackle changes if a conservation concern could not be proven, that this issue is a Federal Fisheries issue (and anglers voiced their concerns through the SFAB process that terminal tackle changes not be entertained – a recommendation that is supported by the DFO).

The committee recommended that the proposal not be forwarded to the Regional Manager for approval.

**Regional Manager Decision:**

Not recommended to forward for further public consultation on the provincial Ministry angling engagement website, nor to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date

**Regional Manager Decision: SFAC Regulation Proposal 2011-10**

**Proposal Title: Zymoetz River Trout and Char Catch and Release Only**

**Proponent: Dustin Kovacvich – Skeena Angling Guides Association**

**Proposed Regulation Change:**

Trout and char catch and release only for the Zymoetz River and tributaries

**Summary of issue(s) proposal is to address:**

The proponent works on the Zymoetz River and has witnessed a marked decline in both the abundance and size of bull trout; other anglers and guides surveyed confirm this. This is a conservation issue for both bull trout and the discrete population of cutthroat trout present in the watershed.

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

None.

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

Bait ban, January 1 to December 31  
See angling regulations synopsis

**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 1999 survey of fall steelhead anglers (Morten, 2000) revealed the following bycatch of trout and char:

On the Zymoetz River, 131 Dolly Varden/bull trout were caught and 128 were released and three were kept. The catch rate was 0.3 Dolly Varden/bull trout/rod day. In addition, 55 coho salmon, 10 pink salmon, 3 chum salmon, 2 sockeye salmon, 8 rainbow trout, 9 whitefish and 2 cutthroat trout were landed and released.

Clore River anglers caught 29 steelhead for an overall catch rate of 0.47 steelhead/hour. Clore River anglers also caught 4 Dolly Varden/bull trout. In addition, 3 coho salmon and 6 whitefish were landed and released.

Despite limited catch and harvest data for trout and char on the Zymoetz River, anecdotal angler reports of declining catches are consistent. Additional population and fishery assessments are required to evaluate stock status of trout and char in the Zymoetz watershed and the region. However until stock assessments can be completed, a precautionary approach to the management of these stocks would be prudent.

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

The following alternative regulation, which will be forwarded for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration, will more adequately protect all trout and char species in the Zymoetz and all other streams of the region:

Current abundance status of trout/char stocks in Skeena Region streams is essentially unknown, and contemporary assessments of Skeena Region stream fisheries are lacking. Limited life history information exists but does not inform the appropriateness of current management of angling impacts to the multiple species and populations. The Ministry has received Anecdotal reports of significantly declining relative abundance (angling CPUE) of trout and char in some of the region's streams from stakeholders, Conservation Officer Service (COS), Department of Fisheries and Oceans staff and Ministry staff. Due to the well-documented sensitivities of wild trout and char in streams throughout western North America, it is now imperative for the agencies responsible for management of some of the last stocks of fluvial trout/char to take a precautionary approach to the regulation of their harvest and protection of their habitats.

Skeena Region Fisheries Program is recommending a revised approach to prescribing harvest quotas for trout/char fisheries in streams of the region. A precautionary management approach will consider proposals submitted to the SFAC in 2011 but will, more importantly, implement a more rational approach to setting harvest quotas for some of our region's most sensitive species that have life histories that make them very vulnerable to over exploitation.

The most prudent management approach is to reduce harvest quota of trout/char in streams of the Skeena Region to zero. Starting from this baseline, the risk of alternative population-specific harvest quotas can be evaluated and prescribed in the Water-specific regulations where appropriate. The goal of this precautionary approach is to protect trout/char stocks from overexploitation where stock-specific information (abundance trends, harvest rates, modeling) does not exist, but where management experience of other jurisdictions clearly identifies the significant risk of not prescribing conservative harvest regulations before impacts to stocks are fully documented. This management approach for trout/char fisheries in stream will elevate the level of protection of these sensitive stocks and will enable managers to rationalize stock specific harvest quotas after assessments have been completed.

Trout/char are clearly at higher risk of overexploitation in streams than in lakes. The regional quota change will reduce harvest impacts to trout/char populations that either reside their entire lives in streams, or display a migratory life history and are exposed to the risk of increased harvest while aggregated in streams during spawning or foraging. This approach does not limit the opportunity to fish for trout/char in any streams of the region that are currently open to angling.

**Summary of SFAC Issues and Concerns:**

There were 8 in favour and 3 opposed from the Skeena Fish Advisory Committee. Comments from those in favour included citing a conservation concern and a proactive approach rather than wait for population extirpation prior to invoking more conservative regulations. Comments from those opposed were in favour of a total angling closure for a single reproductive cycle.

**Regional Manager Decision:**

Recommend forwarding alternate option for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration

**Signed by:**

Regional Manager

Date





**Regional Manager Decision: SFAC Regulation Proposal 2011-11**

**Proposal Title: Kalum River Bait Ban**

**Proponent: Dustin Kovacvich – Skeena Angling Guides Association**

**Proposed Regulation Change:**

Bait ban, Kalum River and tributaries, November 1 to July 1

**Summary of issue(s) proposal is to address:**

The proponent seeks a bait ban to reduce the encounters and therefore mortality for Kalum River summer-run steelhead before, during and shortly after spawning. The Kalum is an exception with respect to spring bait fisheries, and the proponent also seeks this change for consistency.

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

None.

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

Bait ban, January 1 to March 15

**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)***

Prior to spawning in the spring, some summer-run steelhead will spend up to 10 months overwintering in the Kalum River. Some of these will be subject to repeat capture events in this catch-and-release fishery and the mortality, regardless of the magnitude, will be cumulative.

This regulation would also contribute to consistency with respect to Skeena watershed spring bait fisheries for summer steelhead. Bait is the most effective terminal gear type providing excellent opportunities for few rather than good opportunities to all anglers regardless of fishing approach. This is not a flyfishing only proposal – angling with other gear would continue to be legal. The majority of literature summarizing the impacts of bait fisheries demonstrates an increase in mortality rate for this gear type in comparison with artificial lures of any kind.

**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:**

There were 6 in favour and 7 opposed from the Skeena Fisheries Advisory Committee. Comments from those in favour included citing concern for stressing fish prior to spawning, the tendency of fish to ingest bait and the subsequent tissue damage, the impact on juvenile fish, trout and char and the ease of implementing such a regulation. Comments from those opposed include not favouring terminal tackle changes if a conservation concern could not be proven, two studies documented minimal mortality in bait fisheries, and that imposing a bait ban segregated anglers.

**Regional Manager Decision:**

Recommended to forward for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date

**Regional Manager Decision: SFAC Regulation Proposal 2011-12**

**Proposal Title: Catch and Release Only for Coastal Cutthroat Trout During the Spawning Period**

**Proponent: Dustin Kovacvich – Skeena Angling Guides Association**

**Proposed Regulation Change:**

Catch and release for coastal cutthroat trout in all Region 6 streams, March 1 to May 31

**Summary of issue(s) proposal is to address:**

The proponent wishes to see improved protection for spawning cutthroat trout in the Skeena Region. This is not a proposal to close angling but for the release of cutthroat trout during the spawning period.

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

None.

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

Please refer to the Freshwater Fishing Regulations Synopsis

**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)***

Prescribing a non retention regulation for cutthroat in streams during their spawning period would still allow harvest of sensitive stocks of trout in streams of the region where their stock status is currently unknown. This is not a precautionary approach to managing these species of special concern that are particularly vulnerable to over-exploitation.

Significant catch of trout in streams of the region occurs outside of their spring spawning period. For example, far higher encounters with trout occur in the summer and fall on some of the stream fisheries of the region. Additionally, some populations or life history forms (e.g. anadromous and fluvial residents) are more vulnerable during overwintering periods when water levels are low and populations are congregated (Kitimat River cutthroat angler logs, Kitimat River creel surveys).

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

A spring non-retention period for cutthroat in streams would not adequately protect trout

in streams where the vulnerability period(s) are clearly outside of the spring spawning period. For this reason, the following alternative regional regulation will be recommended to forward for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration:

Current abundance status of trout/char stocks in Skeena Region streams is essentially unknown, and contemporary assessments of Skeena Region stream fisheries are lacking. Limited life history information exists but does not inform the appropriateness of current management of angling impacts to the multiple species and populations. The Ministry has received Anecdotal reports of significantly declining relative abundance (angling CPUE) of trout and char in some of the region's streams from stakeholders, Conservation Officer Service (COS), Department of Fisheries and Oceans staff and Ministry staff. Due to the well-documented sensitivities of wild trout and char in streams throughout western North America, it is now imperative for the agencies responsible for management of some of the last stocks of fluvial trout/char to take a precautionary approach to the regulation of their harvest and protection of their habitats.

Skeena Region Fisheries Program is recommending a revised approach to prescribing harvest quotas for trout/char fisheries in streams of the region. A precautionary management approach will consider proposals submitted to the SFAC in 2011 but will, more importantly, implement a more rational approach to setting harvest quotas for some of our region's most sensitive species that have life histories that make them very vulnerable to over exploitation.

The most prudent management approach is to reduce harvest quota of trout/char in streams of the Skeena Region to zero. Starting from this baseline, the risk of alternative population-specific harvest quotas can be evaluated and prescribed in the Water-specific regulations where appropriate. The goal of this precautionary approach is to protect trout/char stocks from overexploitation where stock-specific information (abundance trends, harvest rates, modeling) does not exist, but where management experience of other jurisdictions clearly identifies the significant risk of not prescribing conservative harvest regulations before impacts to stocks are fully documented. This management approach for trout/char fisheries in stream will elevate the level of protection of these sensitive stocks and will enable managers to rationalize stock specific harvest quotas after assessments have been completed.

Trout/char are clearly at higher risk of overexploitation in streams than in lakes. The regional quota change will reduce harvest impacts to trout/char populations that either reside their entire lives in streams, or display a migratory life history and are exposed to the risk of increased harvest while aggregated in streams during spawning or foraging.

This management approach does not limit the opportunity to fish for trout/char in any streams of the region that are currently open to angling.

**Summary of SFAC Issues and Concerns:**

There were 4 in favour and 3 opposed from the Skeena Fisheries Advisory Committee. Comments from those in favour included citing a conservation concern, and the fact that such regulations exist in the rest of the province. Those opposed voiced concerns that catch and release fisheries were killing cutthroat incidentally, that an enhancement project had been cancelled and that forestry and other impacts had contributed to the problems now observed.

**Regional Manager Decision:**

Recommended to forward for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date



**Regional Manager Decision: SFAC Regulation Proposal 2011-13**

**Proposal Title: Catch and Release Only for Bull Trout During the Spawning Period**

**Proponent: Dustin Kovacvich – Skeena Angling Guides Association**

**Proposed Regulation Change:**

Non-retention of bull trout in Region 6 streams, August 15 to October 31

**Summary of issue(s) proposal is to address:**

More conservative regulations for spawning bull trout exist in other regions in BC. The proponent is concerned regarding the vulnerability of these long lived, late maturing, and not particularly fecund species.

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

None.

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

Please see Freshwater Fishing Regulations Synopsis

**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)***

Bull trout are aggressive and extremely vulnerable to capture by angling. Some stocks make extensive riverine migrations between feeding, reproductive, and overwintering habitats. Aggregations at predictable locations during migrations create particular exposure to both directed and by-catch harvest. This sensitive species has diverse life histories, and requires cold, clean and connected habitats which have been compromised and continue to be threatened in many parts of BC and northwestern North America. Although stock assessment information is generally lacking for this species in Skeena Region, anecdotal information from diverse sources suggests that bull trout abundance has declined in portions of the Skeena Region where human population densities are highest and angling access is good.

The proposed regulation does not protect bull trout during one vulnerable period: during spring low-water conditions and into early summer, anglers target bull trout (and Dolly Varden) which have congregated to feed on salmonid fry and smolts at lake outlets, and in tributaries and their confluences with lower mainstem Skeena, Nass, and Stikine rivers. Anecdotal information from anglers and the Conservation Officer Services in the Skeena Region supports these observations. Angler reports, journals and web site

advertisements identify that anglers target char in the spring and also catch them incidentally in spring steelhead fisheries. Considering the high variation across the region in (1) spring foraging behaviors, (2) pre-spawning behaviors, and (3) char spawning dates, a broader period of non-retention would better address the proposal objectives and would also meet the Ministry's precautionary approach to developing angling harvest regulations for trout/char in the streams of the region.

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

The proposed non-retention dates for bull trout in streams of Skeena Region would not adequately protect these char where some of their highest vulnerability period(s) in streams are clearly outside of the fall spawning period. For this reason, the following alternative regional regulation, which will be forwarded for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration, will more adequately protect all char species (bull trout and Dolly Varden) in the streams of the region:

Current abundance status of trout/char stocks in Skeena Region streams is essentially unknown, and contemporary assessments of Skeena Region stream fisheries are lacking. Limited life history information exists but does not inform the appropriateness of current management of angling impacts to the multiple species and populations. The Ministry has received anecdotal reports of significantly declining relative abundance (angling CPUE) of trout and char in some of the region's streams from stakeholders, Conservation Officer Service (COS), Department of Fisheries and Oceans staff and Ministry staff. Due to the well-documented sensitivities of wild trout and char in streams throughout western North America, it is now imperative for the agencies responsible for management of some of the last stocks of fluvial trout/char to take a precautionary approach to the regulation of their harvest and protection of their habitats.

Skeena Region Fisheries Program is recommending a revised approach to prescribing harvest quotas for trout/char fisheries in streams of the region. A precautionary management approach will consider proposals submitted to the SFAC in 2011 but will, more importantly, implement a more rational approach to setting harvest quotas for some of our region's most sensitive species that have life histories that make them very vulnerable to over exploitation.

The most prudent management approach is to reduce harvest quota of trout/char in streams of the Skeena Region to zero. Starting from this baseline, the risk of alternative population-specific harvest quotas can be evaluated and prescribed in the Water-specific regulations where appropriate. The goal of this precautionary approach is to protect trout/char stocks from overexploitation where stock-specific information (abundance trends, harvest rates, modeling) does not exist, but where management experience of other jurisdictions clearly identifies the significant risk of not prescribing conservative harvest regulations before impacts to stocks are fully documented. This management approach for trout/char fisheries in streams will elevate the level of protection of these sensitive stocks and will enable managers to rationalize stock specific harvest quotas after assessments have



been completed.

Trout/char are clearly at higher risk of overexploitation in streams than in lakes. The regional quota change will reduce harvest impacts to trout/char populations that either reside their entire lives in streams, or display a migratory life history and are exposed to the risk of increased harvest while aggregated in streams during spawning or foraging.

This management approach does not limit the opportunity to fish for trout/char in any streams of the region that are currently open to angling.

**Summary of SFAC Issues and Concerns:**

There were 9 in favour and 3 opposed from the Skeena Fisheries Advisory Committee. Those opposed were concerned about losing the opportunity to harvest. Those in favour conveyed that spawning bull trout are not particularly good table fare and are now smaller and less abundant, likely due to, among other factors, angling impacts.

**Regional Manager Decision:**

Recommended to forward for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date



**Regional Manager Decision: SFAC Regulation Proposal 2011-14**

**Proposal Title: Reduced Limits for Bull Trout and Dolly Varden in all Streams of Region 6**

**Proponent: Dustin Kovacvich – Skeena Angling Guides Association**

**Proposed Regulation Change:**

Retain 1 bull trout/Dolly Varden per day, only between 30 and 50 cm, in all Region 6 streams

**Summary of issue(s) proposal is to address:**

More conservative regulations for spawning bull trout exist in other regions in BC and the proponent is concerned regarding the vulnerability of these long lived, late maturing, and not particularly fecund species.

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

None.

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

**Region 6:**

Trout/char: 5, but not more than:

- 1 over 50 cm (includes Kitimat hatchery steelhead)
- 2 from streams
- 3 Dolly Varden/bull trout and lake trout combined

**And you must release:**

- Trout/char under 30 cm from any stream

**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)***

Bull trout are aggressive and extremely vulnerable to capture by angling. Some stocks make extensive riverine migrations between feeding, reproductive, and overwintering habitats. Aggregations at predictable locations during migrations create particular exposure to both directed and by-catch harvest. This sensitive species has diverse life histories, and requires cold, clean and connected habitats which have been compromised and continue to be threatened in many parts of BC and northwestern North America. Although stock assessment information is generally lacking for this

species in Skeena Region, anecdotal information from diverse sources suggests that bull trout abundance has declined in portions of the Skeena Region where human population densities are highest and angling access is good.

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

"Open slot" size limits are one management approach that is occasionally utilized to help protect fish stocks at risk of overexploitation. However, the Ministry recommends the following regional alternative precautionary approach be considered until management initiatives such as the *Provincial Bull Trout Management Plan* and subsequent regional stock assessment initiatives are completed:

Current abundance status of trout/char stocks in Skeena Region streams is essentially unknown, and contemporary assessments of Skeena Region stream fisheries are lacking. Limited life history information exists but does not inform the appropriateness of current management of angling impacts to the multiple species and populations. The Ministry has received anecdotal reports of significantly declining relative abundance (angling CPUE) of trout and char in some of the region's streams from stakeholders, Conservation Officer Service (COS), Department of Fisheries and Oceans staff and Ministry staff. Due to the well-documented sensitivities of wild trout and char in streams throughout western North America, it is now imperative for the agencies responsible for management of some of the last stocks of fluvial trout/char to take a precautionary approach to the regulation of their harvest and protection of their habitats.

Skeena Region Fisheries Program is recommending a revised approach to prescribing harvest quotas for trout/char fisheries in streams of the region. A precautionary management approach will consider proposals submitted to the SFAC in 2011 but will, more importantly, implement a more rational approach to setting harvest quotas for some of our region's most sensitive species that have life histories that make them very vulnerable to over exploitation.

The most prudent management approach is to reduce harvest quota of trout/char in streams of the Skeena Region to zero. Starting from this baseline, the risk of alternative population-specific harvest quotas can be evaluated and prescribed in the Water-specific regulations where appropriate. The goal of this precautionary approach is to protect trout/char stocks from overexploitation where stock-specific information (abundance trends, harvest rates, modeling) does not exist, but where management experience of other jurisdictions clearly identifies the significant risk of not prescribing conservative harvest regulations before impacts to stocks are fully documented. This management approach for trout/char fisheries in stream will elevate the level of protection of these sensitive stocks and will enable managers to rationalize stock specific harvest quotas after assessments have been completed.

Trout/char are clearly at higher risk of overexploitation in streams than in lakes. The regional quota change will reduce harvest impacts to trout/char populations that either reside their entire lives in streams, or display a migratory life history and

are exposed to the risk of increased harvest while aggregated in streams during spawning or foraging.

This management approach does not limit the opportunity to fish for trout/char in any streams of the region that are currently open to angling.

**Summary of SFAC Issues and Concerns:**

One comment received questioned why different regions have such different approaches to managing bull trout.

The Skeena Fish Advisory Committee did not vote on this proposal, and it was agreed that the proposal be tabled until the 2012 meeting when a *BC Bull Trout Management Plan* would be further developed.

**Regional Manager Decision:**

Recommended to forward the alternate option for further public consultation on the provincial Ministry angling engagement website, and to the Director of Fish, Wildlife and Habitat Management for consideration.

**Signed by:**

Regional Manager

Date

