

**Fish and Wildlife Manager Decision: SFAC Regulation Proposal 2014-01**

**Proposal Title: No fishing in areas of the Skeena watershed where catch and release regulations exist**

**Proponent: Larry Proteau – BC Federation of Drift Fishers**

**Proposed Regulation Change:**

Allow the harvest of one trout from streams per day for Skeena Region streams.

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

The objective of this regulation proposal is to allow resident anglers to retain a bleeding trout from Skeena Region streams if/when they encounter one while angling, regardless of the time of year. The intent of this proposal is also to increase resident license sales and to aid in regulations simplification.

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

The current regulation pertaining to trout retention limits in streams (1 trout per day in Skeena Region streams July 1 through October 31 inclusive) was implemented in April 2013. BC's recreational angling policy direction is to provide a diverse range of angling opportunities allowing for a variety of angling methods and consumptive as well as non-consumptive fisheries. Catch and release as a management tool has increased angling opportunities in some fisheries that would otherwise have been closed for conservation and precautionary (where the capacity to obtain stock assessment data is lacking) purposes.

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

**Regional Daily Catch Quota**

- 1 trout/day, July 1 – October 31 from streams (none under 30 cm)
- Wild steelhead release
- Char release from streams

**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 current regulation was implemented in April of 2013 to address concerns from anglers and biologists regarding fluvial trout population status, particularly in watersheds that receive significant angling pressure (see SFAC 2012\_6\_Section Head Decision). Another consideration was that, prior to 2013, the Skeena Region regulations were

among the most lenient in the province and the Fisheries Branch took a precautionary approach to management in an effort to reduce declines in population health and abundance.

Allowing anglers to retain a single bleeding fish has been proposed for species that are closed to harvest. While the onus largely falls upon recreational anglers to comply with the recreational angling regulations, we know of no jurisdictions where such allowances have been made.

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

1. No change
2. Allow the harvest of one trout per day by BC residents all year (return to pre-2013 status)

**Rationale**

I recommend that no changes be made. We are in the early stages of gathering information and reviewing the 2013 regulation changes for stream trout and char. It would be premature to make substantive changes until we have completed this exercise.

**Summary of SFAC Issues and Concerns:**

- Support: 3
- Against: 2
- Abstain: 0

**Fish and Wildlife Manager Decision:**

The Fish and Wildlife Manager does not support this proposal. Considerations for making this decision include the recent implementation of the regulation potentially reducing annual fluvial trout retention.

**Signed by:**

Fish and Wildlife Manager: Dana Atagi

Date  
February 22, 2015

**Fish and Wildlife Manager Decision: SFAC Regulation Proposal 2014/2015**

**Proposal Title:** Make the Steelhead Stamp mandatory on the Skeena River Section IV on August 15 instead of July 1 (status quo) annually

**Proponent: Alex Bussmann – Tackle Vendor in Smithers**

**Proposed Regulation Change:**

Make the Steelhead Stamp mandatory on the Skeena River Section IV on August 15 instead of July 1 (status quo) annually.

**Summary of issue(s) proposal is to address:** *(as stated in the proposal)*

- 1) Make it more affordable and easier for residents and non-residents alike to harvest Chinook and Sockeye salmon in Skeena IV.
- 2) A Steelhead Stamp is not necessary in Skeena II unless fishing for Steelhead. This is not consistent with Skeena IV. Steelhead travel through Skeena II to get to Skeena IV. Why the inconsistency? Families who never fish for Steelhead are forced to purchase a Steelhead stamp to get a salmon.
- 3) Resident and non-resident anglers could harvest Chinook or Sockeye salmon without having to purchase a Steelhead Stamp. Keep families fishing!
- 4) Keep families fishing Skeena IV for salmon. The alternative is for them to drive up to the Babine River. A portion of the Babine River is fly fishing only for Sockeye (from June 16-Sept 30 as described in the synopsis) and it is a longer drive.

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

Policies and Plans that apply to this regulation proposal are:

- Skeena IV Angling Management Plan. This document presents the regulations selected to manage this Classified Water, including the rationale for their implementation.

It is important to note that changes to the current Steelhead Stamp mandatory times requires a legislative amendment via an Order in Council (OIC) submission. This means that FLNRO is only responsible for making recommendations for these types of regulation changes (if required), and Cabinet is the final decision maker. This process differs from the more common types of regulation changes that are made through the Variation Order process, whereby the Director of Fish and Wildlife is the statutory decision maker. An OIC amendment is a much more lengthy and complex process compared to the variation order process.

In addition to an OIC submission, a Treasury Board submission is required as this proposal may affect licence revenue to the province through an anticipated reduction in Steelhead Stamp licence sales.

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

Steelhead Stamp is mandatory on the Skeena River Section IV during the Classified Waters period from July 1-Dec 31.

The rationale for this date range is described in the Skeena River Section IV Angling Management Plan. It was proposed by the Working Group and corresponded to the dates for the extended Classified Water period on this system. Also, the July 1-December 31 period was selected to better reflect when Steelhead are in the river, to increase revenues through licence sales and more appropriately value the Steelhead resource on this river. It is not consistent with regulations for Skeena River II as Skeena II was not included in the 2007-2010 angling management planning process.

**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 management considerations for this proposal are based on social preferences, as opposed to biological drivers.

A Steelhead Conservation Surcharge Stamp is required if you intend to fish steelhead anywhere in BC and the Freshwater Fishing Regulation Synopsis advises that a steelhead stamp may be mandatory “even when fishing for a species other than steelhead”. Generally, it is preferred to have the date ranges align when a Classified Waters licence and a Steelhead Stamp are required on a water, as this achieves regulatory consistency and simplification.

This proposal indicates that the mandatory Steelhead Stamp requirements on Skeena IV are not consistent with Skeena II. It should be noted, however, that the opposite is true. All Classified Waters in the Skeena Region have mandatory Steelhead Stamp requirements, except for Skeena II and the Ecstall River, largely to accommodate the focused and intense salmon fisheries that occur on these systems.

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

1. Amend the current Steelhead Stamp dates on the Skeena River Section IV to the proposed August 15-December 31 period.
2. Amend the current Steelhead Stamp dates on the Skeena River Section IV in favor of the proposed August 1-December 31 period, as supported by the SFAC.
3. Defer this decision until after the 2015 angling season, when all regulation changes from the QWS process will be formally reviewed.
4. Maintain the status quo.

**Rationale**

I acknowledge that there is merit in this proposal (and the one submitted by SFAC previously). I also acknowledge that the OIC amendments to legislation can take a considerable amount of time to implement. They require the resourcing and support from F&W Branch (HQ) staff to implement these types of amendments. In recognition of this, I believe forwarding this to HQ for consideration now is appropriate.

**Summary of SFAC Issues and Concerns:**

- A resident angler on the committee felt that August 1 was a more appropriate time for the mandatory Steelhead Stamp requirement on Skeena IV to commence.
- An angling guide on the committee also supported this proposal if the start date for the Steelhead Stamp requirement was August 1 annually.

**Vote:** In favor – 5

**Fish and Wildlife Manager Decision:**

As this regulation change (or a similar one) has been proposed by Mr. Bussman and by SFAC members in the past I support submitting the Alex Bussman proposal to the Director of Fish and Wildlife for consideration.

**Signed by:**

Fish and Wildlife Manager: Dana Atagi

Date:  
February 22, 2015

**Fish and Wildlife Manager Decision: SFAC Regulation Proposal 2014/2015**

**Proposal Title:** Allow non-resident alien anglers to fish the entire Skeena IV portion seven days a week during the Classified Waters period.

**Proponent:** Alex Bussmann – Tackle Vendor in Smithers

**Proposed Regulation Change:**

Allow non-resident alien anglers to fish the entire Skeena IV portion seven days a week during the Classified Waters period.

**Summary of issue(s) proposal is to address:** *(as stated in the proposal)*

- 1) Provide non-resident alien anglers with an area to fish over the weekend that is accessible and worth fishing.
- 2) Non-resident aliens are prohibited from fishing most streams in the Skeena watershed during Saturdays and Sundays during the Classified Waters period. Opening Skeena IV would give visiting anglers an opportunity to fish some easily accessible water as well as water that is worth fishing.
- 3) The two zones open on Skeena IV at the present time are difficult to access and the water not very conducive to fishing. The Skeena River is a big river and it can support larger numbers of anglers.
- 4) Non-resident alien anglers would stay in the Smithers region longer. These visitors contribute not only to the economy but also support conservation causes. It is important to give non-resident aliens viable fishing options on weekends.

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

Policies and Plans that apply to this regulation proposal are:

- Policy 3-7-04.02 Allocation of Angling Opportunity. This policy is found within the Fish and Wildlife Branch's Fisheries Policy and Procedures Manual (Volume 3) in the Fisheries Administration Section. This policy speaks to resident priority.
- Skeena IV Angling Management Plan. This document presents the regulations selected to manage this Classified Water, including the rationale for their implementation.

It is important to note that changes to the current Canadian Resident Only regulation on Skeena River IV requires a legislative amendment via an Order in Council (OIC) submission. This means that FLNRO is only responsible for making recommendations for these types of regulation changes (if required), and Cabinet is the final decision maker. This process differs from the more common types of regulation changes that are made through the Variation Order process, whereby the Director of Fish and Wildlife is the statutory decision maker. An OIC amendment is a much more lengthy and complex process compared to the variation order process.

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

Canadian residents only in Skeena River Section 4 on Saturdays and Sundays in two zones: (a) Shegunia River confluence to Sedan Creek confluence July 1-Dec 31 and (b) Chimdemash Creek confluence to 1.5km above Zymoetz River confluence, July 1-Dec 31. Guiding is permitted during the restricted times in Zone A, but it is not permitted in Zone B.

Canadian resident only regulations for Skeena IV were proposed by both the Central (Hazelton) and West (Terrace) Working Groups during the Skeena Quality Waters Strategy process. The ministry selected the current zones and time periods as the Working Group recommendations overlapped spatially and were not consistent temporally.

The goal of this regulation was to provide increased opportunity for BC resident anglers and address crowding at “hot spots” which are easy to access locations on the Skeena River Section IV. The time periods when they apply (Saturday and Sunday from July 1 to December 31) were selected to match the Classified Waters period and timing of similar restrictions on other rivers.

**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 management considerations for this proposal are based on social preferences, as opposed to biological objectives.

An overarching consideration for the angling management planning process was transfer of angler effort. It was recognized that changes to one river may divert anglers to nearby systems unless a consistent approach was taken. For this reason, regulations were developed at the watershed level and modifications to them should also be considered at this scale.

Additional management considerations:

- If the Canadian resident only provisions on Skeena IV are rescinded, non-guided non-resident alien anglers will target this system and it is likely that effort will become concentrated at easy to access locations.
- This proposal claims that rescinding non-guided non-resident alien restrictions on Skeena IV will encourage this class of angler to stay in the Smithers region longer. This will be achieved if anglers continue to reside in Smithers while they fish Skeena IV on day trips. It should be noted, however, that removing restrictions on Skeena IV may increase the attractiveness of Hazelton (given its close proximity to Skeena IV) and anglers may stay in this area longer, which counters the intended outcome of this proposal. This may further exacerbate concerns raised by Hazelton area First Nations

and Kitwanga area First Nations who have issued eviction notices or restricted access to licensed anglers.

- When the non-resident alien restrictions were developed, it was hoped that foreign anglers would pursue other non-angling activities when they were not permitted to fish, such as shopping at local businesses. If the restrictions on Skeena IV were removed, anglers who are restricted on the Bulkley and Kispiox rivers may choose to fish this water instead, which prevents this outcome from being achieved in the Smithers and Hazelton areas respectively.
- Carrying capacity targets for the Skeena River Section IV have not been established. While the proponent states this river is big and can support a large number of anglers, access is limited (mostly to areas where the river is close main roads). This stands to create elevated crowding and diminish the angling experience for all users at these locations.

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

5. Rescind the current Canadian resident-only regulations on the Skeena River Section IV including the guide restrictions from Chimdemash Creek to 1.5 km above the Zymoetz River confluence with the Skeena River.
6. Defer on a decision until after the 2015 angling season, when all regulation changes from the QWS process will be reviewed.
7. Maintain status quo.

### **Rationale**

I do not support the removal of the Canadian Only restrictions on Skeena River IV at this time. This is a fundamental component to the Skeena IV AMP and any modification to it would require careful consideration. Any future proposals to amend the Canadian Only restrictions will be considered in the broader Skeena QWS regulatory review.

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

- One angling guide representative disagreed strongly with this proposal stating that the many hours volunteered to participate in the QWS process led to this outcome.
- Another angling guide who also participated in the QWS process stated that this regulation was proposed to allow for less crowding on weekends on Skeena IV for residents to fish the mouth of the Kitwanga River and near Terrace. Heavy crowding in these two areas was seen as detrimental for family and friend fishing by BC residents on the weekends.
- Other members also felt this would go against what was worked on during the QWS process.

**Vote:** Against – 4, For – 1

### **Fish and Wildlife Manager Decision:**



The Fish and Wildlife Manager does not support this proposal.

**Signed by:**

Fish and Wildlife Manager: Dana Atagi

Date:  
February 22, 2015