

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: January 15, 2015

Agenda Item: Waters Approved for Commercial Bait Seining – Annual Rule

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 minutes

Background

A Montana bait fish seining license is required for: 1) persons 15 years of age and older to seine for and transport bait fish for commercial purposes; and 2) for any person who seines for and has in his or her possession more than 24 dozen nongame bait fish. The commission may designate waters that are allowed for these purposes. FWP describes these waters annually in the Commercial Bait Seining Application form. At its December meeting the commission proposed a list of waters where commercial bait fish seining would be allowed. The department is now recommending that the commission make a final decision on the list.

Public Involvement Process & Results

Following approval of the proposed list at the December 11 commission meeting, public comment was taken from December 12-29, 2014. No comments were received during this period.

Alternatives and Analysis.

The Commission may take one of three actions: 1) approve the list of proposed bait-seining waters proposed by FWP; 2) deny the list of proposed bait-seining waters proposed by FWP; or 3) approve some proposed waters and deny others. Any new waters which may be proposed for bait seining would have to be followed by a new public comment period. The fact that no public comments were received for this proposal which adds three waters (two lakes and one creek) to the list suggests that bait seiners recognize that this proposal retains ample opportunity for them to collect bait fish. The one water proposed for removal from the list (Flat Lake) will likely not impact collection efforts since it is judged to have insufficient numbers of bait fish to make commercial seining a sustainable activity. Additionally, the other reason for removal of Flat Lake from the list is due to the fact that its water is periodically shared with Fort Peck Reservoir via culvert (at higher water levels), which raises the potential of Eurasian Water Milfoil (EWM) presence in Flat Lake. The angling public has shown support for measures such as these in the past when they recognize the risk of movement of AIS species.

Agency Recommendation & Rationale

FWP recommends approval of the list of commercial bait fish seining waters. This list is unchanged from what was proposed in December. FWP has proposed the three additional waters for seining because they have abundant bait fish populations and should be able to sustain commercial harvest. The restrictions on Herring Creek should be sufficient to protect rainbow trout populations and prevent disruption of spawning activities. The risk of transmission of EWM associated with bait fish in Flat Lake justifies the cessation of commercial collections there. Other waters are still available for commercial collections in the vicinity of Fort Peck Reservoir.

Proposed Motion

I move to adopt FWP's proposed final Commercial Bait Fish Seining Waters list for implementation in 2015.