

## ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** May 9, 2013

**Agenda Item:** Lena Lake Bag Limit Waiver

**Division:** Fisheries

**Action Needed:** Propose Rule

**Time Needed on Agenda for this Presentation:** 5 minutes

### **Background**

FWP initiated the South Fork Flathead Cutthroat Conservation Plan to replace nonnative fish (rainbow and Yellowstone cutthroat trout) with pure westslope cutthroat (WCT) in 21 lakes in the South Fork Flathead drainage to maintain WCT genetic purity. The project to date has successfully chemically treated 11 lakes and six more lakes are being aggressively stocked with genetically pure westslope cutthroat ("genetic swamping"). Lena Lake is scheduled for chemical treatment in September, 2013. The 74-acre lake is located at the headwaters of the Big Salmon drainage and is moderately popular with backcountry anglers. FWP has heard from anglers prior to treatment of other lakes, who have asked for bag limit waivers to allow more harvest of fish that would otherwise not be utilized. The current bag limit is three trout per day.

### **Public Involvement Process & Results**

The South Fork Plan underwent four years of review through an EIS process. FWP has held annual public meetings in the spring to report on its progress in implementing the plan. Bag limit waivers were discussed in general at the annual meeting this spring and also with the Region-1 FWP Citizens Advisory Committee. The only comments received related to how soon anglers could take advantage of waived limits. FWP would seek public comments on the proposed rule and report back to the commission with a recommendation for final action.

### **Alternatives and Analysis**

*No Action:* Leave the current regulations (three trout daily and in possession) in place which apply to all waters in the South Fork drainage. This would put less demand on the Enforcement Division to determine from which lake fish were harvested. This would not allow the public to maximize harvest before the treatment, which creates "waste" in the public's mind.

*Waive Daily Bag Limits on Lena Lake:* This would satisfy the public's desire to minimize the waste of fish. The limit waiver would also build public support for the program. There have been no known problems with previous limit waivers. The limit waiver could create enforcement problems for the reason that other waters in the drainage would not have limit waivers. FWP does not anticipate this to be a significant problem.

### **Agency Recommendation & Rationale**

FWP recommends temporarily waiving bag limits on Lena Lake to build public good will and support for the project and to answer anglers' desires to not waste fish.

### **Proposed Motion**

I move to propose a rule that removes the combined trout daily and possession bag limits for Lena Lake, effective immediately and terminating on August 31, 2013.