

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

**Meeting Date:** July 14, 2011

**Agenda Item:** South Fork Flathead temporary waiver of daily and possession limits

**Division:** Fish and Wildlife (Fisheries) **Action Needed:** Approval of Final Rule

**Time Needed on Agenda for this Presentation:** 10 minutes

### **Background:**

FWP initiated the South Fork Flathead Cutthroat Conservation Plan to replace nonnative fish with pure westslope cutthroat in 21 lakes to maintain genetic purity. Replacement involves chemical treatment or genetic swamping (heavy stocking of pure westslope cutthroat to dilute the nonnative genes). In 2011, the Necklace Chain of Lakes (four lakes) is scheduled for treatment and six lakes are scheduled for continuation of genetic swamping (George, Woodward, Pyramid, Pilgrim, Upper and Lower Three Eagles) for a third year. For previous treatments, the public has asked for a limit waiver so they might maximize fish harvest before treatment. For lakes scheduled for genetic swamping, limit waivers have also been provided to remove as many nonnative and hybrid trout as possible before the stocked pure westslope cutthroat are large enough to catch and become sexually mature. Angler harvest of nonnative trout expedites genetic swamping.

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

The South Fork limit waiver was approved by the FWP Commission on May 12. A 30-day public comment period from May 20-June 20. News stories were also released to news outlets from the Regional office in Kalispell. Five comments were received through FWP's website; two favored the limit waivers while three did not address the proposal directly, rather they a) spoke in opposition to the chemical treatments, b) disputed the value in the cutthroat restoration efforts, and c) recommended that control of bull trout was a more important fish management objective.

### **Alternatives and Analysis:**

- *No Action:* Leave the current regulations (3 trout/day and in possession) in place. This would simplify enforcement since these drainages also have lakes where limits would not be waived. This would not allow the public to maximize fish harvest before treatment, would not provide for the removal of many hybrid fish and could slow the rate at which swamping removes nonnative genes from the population.
- *Waive Limits on Necklace Lakes and 6 additional lakes:* This would maximize fish removal, satisfy the public's desire to minimize waste and maximize the efficiency of genetic swamping. This could create minor enforcement problems since other lakes would not have limit waivers.
- *Waive Limits on lakes to be chemically treated:* This would satisfy the public's desire to minimize waste. This would minimize enforcement issues. This would not maximize the efficiency of genetic swamping. This would focus angling on just Necklace Chain of Lakes.

### **Agency Recommendation & Rationale:**

Although removing fish by angling from these lakes is difficult, "limit waivers" create good will and support and enhance the project's goal of genetic purity. The public comment shows support for the current waiver proposals, and FWP therefore recommends final adoption of the rule to waive limits on all ten lakes.

### **Proposed Motion:**

I move that the daily and possession bag limits be removed effective immediately through October 1, 2011 for the Necklace Chain, George, Woodward, Pyramid, Pilgrim, and Upper and Lower Three Eagles lakes—including within 100 yards of the lakes for inlet and outlet streams in the South Fork Flathead drainage.

