

**MEMO**

**TO:** Larry D. Voyles, Director

**FROM:** Bob Broscheid, Assistant Director, Wildlife Management Division 

**PRESENTER:** Eric S. Gardner, Nongame Branch Chief

**TITLE:** Request to Adopt Commission Order 42: Crustaceans and Mollusks

**DESCRIPTION:** The Commission will be asked to vote to adopt Commission Order 42: Crustaceans and Mollusks, establishing open areas, season dates, and bag and possession limits for 2009 and 2010, as proposed by the Department.

**DATE:** September 25, 2008

Summary:

From May through July 2008, the Department solicited recommendations from stakeholders, other government agencies, Department employees for proposed changes to Commission Order 42: Crustaceans and Mollusks. We evaluated these recommendations with regard to current rules and regulations, Department conservation priorities for crustaceans and mollusks, and carried forward these recommendations for public comment:

Modify Note 4 to include the following language at the end of the original note: “(with the exception of preserved scientific and educational specimens)”. This clarification on the intentional transport of live or dead zebra mussels, quagga mussels, and New Zealand mudsnails will allow preserved specimens of these species to be transported and used by Department partners for outreach, education, research, and identification purposes in aquatic invasive species control and communication efforts.

No changes to bag limits or method of take for crayfish were forwarded for public comment.

The Department received two comments from the public during the open comment period:

1. Have lived in Arizona since 1962. Been crawdad'n for most of my time here. Wife, children, grandchildren and others. Kids love it, great to eat!!! I don't see why a fishing license is required, since the object is to catch and remove as many of the crawdads as possible to help the fishing waters of the state. Leave it wide open: no license, no limit, no restrictions on how to catch them. Black Canyon Lake used to be my favorite crawdad lake, not now, what happened to them? - the bass clean them out? Now I (we) head to Silver Creek, take them out by the hundreds. Regards, Bob Hlidek - Snowflake.

2. The Arizona Wildlife Federation has reviewed the proposed 2009/2010 regulations for Crustaceans and Mollusks. We are in support of the proposed regulation changes. Brad Powell, Arizona Wildlife Federation, Vice President, Conservation.

The Department does not agree with public comment #1 recommending no license and no restrictions needed for harvesting crayfish for the following reasons:

- Crayfish are defined as wildlife under Title 17 (regardless of natural or introduced origin), and consistent with other harvestable wildlife regulated by the Department per rules and regulations, a valid fishing license or permit is required to harvest these animals.
- Current regulations on crayfish take allow unlimited dead, bag and possession limits, statewide, except in closed areas (Note 5) and possessed live or dead in that portion of La Paz County west of Highway 95 and south of Interstate 10, in Yuma County and on the Colorado River from Palo Verde Diversion Dam downstream to the southern international boundary with Mexico. Methods of take are prescribed at R12-4-313(E).
- The Department has no data to support that increasing the allowable size for crayfish traps would increase harvest efficiency or public participation. On the contrary, research (Childs 1999; Blomquist 2003; Hyatt 2005; AGFD unpublished data 2002-06) on crayfish trapping using existing allowable trap sizes and methods demonstrate a high harvest rate and are feasible for most users. Department managers and species experts have concerns that increasing allowable trap size may increase the risk of incidental (or by-catch) take of non-target animals, particularly native species of concern and sport fish.

The Department recommends the following with regard to Commission Order 42 for 2009-2010:

- A. Modify Note 4 to add the following language at the end of the note: “(with the exception of preserved scientific and educational specimens)”.
- B. Update the effective dates of the commission order.

Recommendation:

The Department recommends the Commission VOTE TO ADOPT COMMISSION ORDER 42: CRUSTACEANS AND MOLLUSKS, ESTABLISHING OPEN AREAS, SEASON DATES, AND BAG AND POSSESSION LIMITS FOR 2009 and 2010, AS PROPOSED BY THE DEPARTMENT.

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# Commission Order 42: Crustaceans and Mollusks – Requires a valid fishing or combination license

Statewide - As defined in ARS§17-101, excluding wildlife areas not opened for hunting (R12-4-802).

Open areas do not include any area closed to hunting, fishing, or trapping under A.R.S. sections 17-303 and 17-304 or Commission Rules R12-3-301, R12-4-801, R12-4-802, and R12-4-803

OPEN SEASON DATES	NOTES	OPEN AREAS	LEGAL CRUSTACEANS AND MOLLUSKS
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A. Jan 1 - Dec 31, 2009 Jan 1 - Dec 31, 2010		Statewide, except areas in Notes below.	All crustaceans and mollusks, except those named in Subsection B
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BAG AND POSSESSION LIMIT: Unlimited dead, except that area in Note 3.

B. There is no open season on any species in the genus *Oxyloma* (ambersnails), the genus *Pyrgulopsis* (springnails; see Note 2 as it applies to the Huachuca springsnail [*P. thompsoni*]), the genus *Tryonia* (springnails), the San Xavier talussnail (*Sonorella eremita*), the Wet Canyon talussnail (*Sonorella macrophallus*), and the California floater (*Anodonta californiensis*).

Notes: 1. By law, crustaceans and mollusks are considered aquatic wildlife and a fishing or combination license is required for take. Methods of take are prescribed at R12-4-313(E).

2. The Fort Huachuca Military Reservation controls access to the taking of aquatic wildlife on its installation.

3. Crayfish may be possessed live or dead in that portion of La Paz County west of Highway 95 and south of Interstate 10; in Yuma County and on the Colorado River from Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.

4. Intentional transport of live or dead New Zealand mudsnails (*Potamopyrgus antipodarium*), zebra mussels (*Dreissena polymorpha*) and/or Quagga mussels (*Dreissena bugensis*) in Arizona is prohibited (with the exception of preserved scientific and educational specimens).

5. Crustaceans and mollusks may not be taken at any time within the following areas:

(1) Posted boundaries of State or Federal hatcheries, except for Arizona Game and Fish Department sponsored fishing clinics.

(2) Posted boundary of the Region I regional headquarters in Pinetop.

(3) The Colorado River one-half mile upstream and one-half mile downstream from its confluence with the Little Colorado River.

(4) That portion of the Little Colorado River lying within the Grand Canyon National Park.

(5) Lee Valley Creek above Lee Valley Reservoir.

(6) Gap Creek between Honeymoon Cabin and its confluence with the Verde River.

(7) Mineral Creek in Apache County upstream of the Apache-Streaves National Forest Boundary.

(8) Posted areas immediately above the dams at Upper Lake Mary, Alamo Lake and Lake Mead.

(9) Posted areas immediately below Davis, Hoover, Glen Canyon, Waddell (Lake Pleasant), Roosevelt, Horse Mesa and Mormon Flat dams.

(10) Posted, Spawning Pond Number 1 and Spawning Pond Number 2 located along the Salinity Canal north of Yuma.

(11) Luna Lake Wildlife Area from April 1 through July 31.

(12) Posted portions of Alamo Lake.

(13) Posted portions of the Tonto Arm of Roosevelt Lake from January 1 through February 15 and from November 15 through December 31.

(14) Posted portions of Mittry Lake from November 15 through February 15 annually.

(15) Posted portions of Becker Lake are closed to all public entry from December 15 through June 15.

(16) Posted portions of Lake Mead.

(17) Posted portions of Powers Butte Wildlife Area are closed to entry for the purpose of taking wildlife.

(18) Posted portions of Bog Hole Wildlife Area.

(19) Posted portions of Lake Havasu.

(20) Posted portions of Cienega Creek in Pima County.

(21) Aravaipa Creek in Pinal and Graham counties.

(22) Sycamore Creek in Santa Cruz County.

(23) Cibola Lake from the first Monday in September (Labor Day) through March 15.

(24) Posted portions of Martinez Lake from October 1 through March 1.

(25) Posted in accordance with and pursuant to ARS 17-303 and 304.

(26) The Grand Canyon-Parashant, Vermillion Cliffs, Sonoran Desert, Ironwood Forest, and Agua Fria National Monuments are open to the take of wildlife as permitted by Monument regulations.