

MEMO

TO: Larry D. Voyles, Director

FROM: Lawrence M. Riley, Assistant Director, Wildlife Management Division

PRESENTER: Eric Swanson, Acting Fisheries Branch Chief

TITLE: Request to Amend Commission Order 40: Fish, Concerning Specific Proposals for Bag and Possession Limits, Special Regulations, and Specific Closures for Sport Fishing for Calendar Year 2013 and 2014.

DESCRIPTION: The Commission will be asked to vote to adopt Commission Order 40: Fish, establishing open seasons, open areas, closures and bag and possession limits for calendar year 2013 and 2014.

DATE: August 30, 2012

Summary:

The Arizona Game and Fish Department (Department) biennially reviews Commission Order 40 (Fish) and proposed changes to the Commission Order. Change proposals may originate from the public, Department fisheries or field personnel, or from Commissioners. This year, the Department is approaching the Commission to approve Commission Order 40 and to consider proposed changes to Commission Order 40 for calendar years 2013 and 2014. As part of the public input process, the Department hosted five public meetings (Flagstaff, Kingman, Yuma, Tucson and Mesa) and has conducted a statewide survey of licensed anglers requesting them to voice their support or opposition to proposed regulation changes (1,500 surveys mailed; also soliciting online comments). The Department received 348 survey questionnaire responses for a 25% return rate. There were 11 written comments via the survey, emails and public meetings. Lastly, on a community level regional fisheries program personnel networked, held meetings and worked with local residents to inform them of the fishing regulation change proposals and provide opportunity for understanding and feedback.

Based upon the initial management proposals and public input received to date, the Department has formulated seven proposed amendments to Commission Order 40 (Fish) for 2013 and 2014, two of which are administrative in nature. These proposed amendments to Commission Order 40 include the following:

1. Remove the Special Regulation (slot limit) for bass at Alamo Lake. The regulation for bass at Alamo Lake will revert to the statewide limit of 6 bass.
2. Extend the catch-and-release only Special Regulation for bass at Pena Blanca Lake through 2016.

3. Create Special Regulations for bass, catfish and trout at Cataract Lake and Kaibab Lake that include: a 13 inch minimum size limit for bass and a reduced 2 bass limit; a reduced 4 catfish limit; and a reduced 4 trout limit.
4. Establish gizzard shad as a legal live baitfish from the following legal areas only: 1) the Colorado River south of Separation Canyon downstream to the Southern International Boundary with Mexico, including impounded reservoirs (e.g., Lake Mead, Lake Mohave and Lake Havasu) and directly connected backwaters (e.g., Topock Marsh and Mittry Lake), 2) the Gila and Salt Rivers, including impounded reservoirs (e.g., Roosevelt Lake and Apache Lake), 3) urban waters in Maricopa County, and 4) Lake Pleasant.
5. Create Special Regulations for channel catfish at Parker Canyon Lake that include a reduced 4 channel catfish limit.
6. Change the 10 fish walleye limit Special Regulation on Lake Powell to unlimited for walleye to match Utah Regulations. (administrative)
7. Closure of Archer Lake to fishing; to align with City of Tucson Ordinance. (administrative)

Following is a brief description, summary of public opinion and a Department recommendation for each of the above proposed changes:

1. Remove the Special Regulation (slot limit) for bass at Alamo Lake. The regulation for bass at Alamo Lake will revert to the statewide limit of 6 bass (with no size limits).

Description: Alamo Lake is managed primarily as a self-sustaining warm water fishery featuring bass, crappie and catfish. The largemouth bass slot limit on Alamo Lake was initiated by the Department in the 1980's to balance the fishery and maintain a healthy bass population. Adjustments to the slot limit regulation were made in 1992, 1995 and 2000 in response to changes in the bass population. Establishment of the bass slot limit was effective in improving the poor population structure seen in the 1980's. Current data now indicate that the slot is no longer necessary. Over the past two decades there has been a significant increase in the percentage of anglers that voluntarily practice catch-and-release fishing for bass. Population survey data over the past few years indicate the bass population would not be significantly reduced at the current 13%, or slightly higher, harvest rates. Slot-sized bass are abundant in Alamo resulting in an unbalanced population structure, and physical condition is being compromised. By allowing for additional harvest of bass in the 13-16 inch protected slot range, the bass population structure should benefit. A higher harvest rate of bass is expected to reduce competition for a limited forage base and result in healthier, larger fish overall. The overall numbers of bass may be reduced somewhat, but the goal is to have a more balanced size distribution, with an increase in average fish size and condition. This regulation change will

simplify regulations, avoid public confusion inherent in slot limits, and be consistent with the statewide regulations.

Public Opinion: The statewide survey results indicate an 87% support level for this proposed change. No major issues surfaced at the public meetings or through written comments.

An opposition letter was submitted by the Parker Bass Club indicating their preference to retain the slot limit. Region IV fish managers attended a club meeting August 22nd to discuss the proposal, provide further biological data, and seek understanding.

Recommendation: Remove the Special Regulation slot limit for bass at Alamo Lake allowing the regulation to revert to the statewide limit of 6 bass.

2. Extend the catch-and-release only Special Regulation for bass at Pena Blanca Lake through 2016.

Description: Pena Blanca Lake is managed primarily as a self-sustaining warm water fishery and secondarily as a seasonal put-and-take rainbow trout fishery. From January 1, 2011 to December 31, 2012, the AGFD Commission closed Pena Blanca Lake to the harvest of bass. This closure was instituted to protect new fish stockings in an effort to rebuild the fishery. Beginning in 2008 the U.S. Forest Service conducted a major project to drain and dredge Pena Blanca Lake to remove mercury contaminated sediments. The lake refilled by 2011. Final arrangements to restock the lake with largemouth bass took place in April 2012, over a year and a half later than expected. Therefore, there is still a need to protect the young bass population as the department works to re-establish them in the fishery. A harvest restriction will reduce the need for the Department to repeatedly augment the population during the four year establishment phase. Future costs associated with the purchase of large numbers of bass by the Department may be prohibitive. There is a need to retain as many of the recently stocked bass in the population as possible until a few age classes of fish become established. Special Regulations currently allow only catch-and-release for bass. This proposed extension of the catch-and-release regulations on bass will allow bass populations to grow, reproduce and recruit to a level that can sustain selective harvest in the future. Anglers may still harvest the hatchery stocked trout in Pena Blanca, and the newly stocked bluegill and channel catfish.

Public Opinion: The statewide survey results indicate a 90% support level for this proposed change. No major issues surfaced at the public meetings or through written comments.

An opposition comment was submitted by a science teacher/angler expressing concerns regarding the impacts of bass populations and fishing on the recently discovered Least Grebe, and a preference to manage Pena Blanca Lake for grebes, not bass.

Recommendation: Extend the catch-and-release only Special Regulation for bass at Pena Blanca Lake through 2016.

- 3. Create Special Regulations for bass, catfish and trout at Cataract Lake and Kaibab Lake that include: a 13 inch minimum size limit for bass and a reduced 2 bass limit; a reduced 4 catfish limit; and a reduced 4 trout limit.**

Description: Cataract Lake and Kaibab Lake, two reservoirs located near Williams, are managed primarily as put-and-take rainbow trout fisheries and secondarily as self-sustaining warm water fisheries. Both reservoirs were illegally stocked with black crappie in the 1980's which soon led to an inflated crappie population comprised of stunted fish in both lakes. In the 1990's both reservoirs were stocked with largemouth bass to control the crappie over population along with providing additional angling opportunity. Managers believe that the largemouth bass are harvested from the lakes before they can grow to a size and number large enough to control the crappie population. These two lakes are stocked regularly with trout and occasionally with catfish each year. To distribute trout and catfish harvest more fairly among anglers over longer periods after stockings, reductions in their bag limits are proposed. A limit reduction of the trout (6 to 4), catfish (25 to 4) and bass (6 to 2, minimum size 13 inches) will make the regulations consistent with other local waters that also have high use. By adaptively managing the existing cold water (trout) opportunity and expanding the warm water fishing opportunity (bass, crappie, sunfish and catfish), more anglers are expected to enjoy a satisfying angling experience.

Public Opinion: The statewide survey results indicate a 90% support level for this proposed change. No major issues surfaced at the public meetings or through written comments.

An opposition letter proposing a slightly higher bass limit was received by a local angler. He was contacted by Region II to discuss the proposal, provide further data, and seek understanding. Another angler indicated her preference to retain the 6 trout limit rather than reduce it to 4.

Recommendation: Create Special Regulations for bass, catfish and trout at Cataract Lake and Kaibab Lake that include: a 13 inch minimum size limit for bass and a reduced 2 bass limit; a reduced 4 catfish limit; and a reduced 4 trout limit.

- 4. Establish gizzard shad as a legal live baitfish from the following legal areas only: 1) the Colorado River south of Separation Canyon downstream to the Southern International Boundary with Mexico, including impounded reservoirs (e.g., Lake Mead, Lake Mohave and Lake Havasu) and directly connected backwaters (e.g., Topock Marsh and Mittry Lake), 2) the Gila and Salt Rivers, including impounded reservoirs (e.g., Roosevelt Lake and Apache Lake), 3) urban waters in Maricopa County, and 4) Lake Pleasant.**

Description: The illegal capture, live transport and stocking of baitfish across Arizona is an important ecological and Department concern. In recent years, gizzard shad, an unwanted forage fish, has appeared and rapidly established itself in numerous fisheries across Arizona. Allowing gizzard shad as a legal baitfish will allow anglers a plentiful source of bait that can be collected and used alive onsite only. Gizzard shad were first sampled from Lake Powell in 2000, migrated downstream to Lake Mead by 2007, and now occurs in Lake Havasu as of 2010. Gizzard shad were first observed in Roosevelt Lake in 2007 and by 2012 were a dominant fish in the lake, aggressively outcompeting threadfin shad a desirable forage fish. Gizzard shad were recently found in Apache Lake in March 2012. The species is expected to migrate throughout waters downstream of these Colorado River and Salt River sites over time. This proposed Commission Order 40 change will make Arizona baitfish regulations consistent with Nevada's gizzard shad regulations on Lake Mead and Lake Mohave, and help reduce public confusion. Presently, California does not allow gizzard shad as a legal baitfish in the Colorado River District; however Lake Havasu does have gizzard shad. Management discussions with California Fish and Game and the National Park Service have been initiated to pursue changes to California's baitfish regulations to align with this proposal. In legally allowed waters where they occur, gizzard shad will provide an abundant source of bait for anglers to collect and use alive on site; potentially increasing their angling success for bass, striped bass and catfish.

Public Opinion: The statewide survey results indicate a 94% support level for this proposed change. No major issues surfaced at the public meetings or through written comments. No opposition to this proposal was received; written or verbal.

Recommendation: Live Baitfish, Legal Areas Allowed. Allow gizzard shad as a live baitfish from the following legal areas only: 1) the Colorado River south of Separation Canyon downstream to the Southern International Boundary with Mexico, including impounded reservoirs and directly connected backwaters, 2) the Gila and Salt Rivers, including impounded reservoirs, 3) urban waters in Maricopa County, and 4) Lake Pleasant.

5. Create Special Regulations for channel catfish at Parker Canyon Lake that include a reduced 4 channel catfish limit.

Description: Parker Canyon Lake is managed primarily as a put-and-take rainbow trout fishery and secondarily as self-sustaining warm water fishery. Historically the Department stocked catchable channel catfish on a somewhat regular basis at Parker Canyon Lake. However, since the mid 1990's this effort has not occurred due to a lack of funding. The lake continues to be well stocked with rainbow trout from Department hatcheries during the winter and spring seasons. Anglers approached the Department several years ago with concerns about the lack of channel catfish in Parker Canyon Lake. Two state record catfish came from Parker Canyon Lake: a 32 pound channel catfish caught in 1987, and a 2.4 pound black bullhead in 2002. Fish surveys

conducted by the Department confirmed that catfish are rare to uncommon. Department biologists worked with a local group of anglers to install habitat to facilitate catfish spawning. In April of this year, the same group of anglers raised the funds for, and purchased, a load of channel catfish that were stocked into the lake with the hopes of establishing a breeding population. This special stocking was not announced to the public; nevertheless anglers soon discovered excellent fishing for them. Some anglers have kept as many as 19 catfish. These heavy harvest rates defeat the intent of the stocking—to add adult catfish to the population to increase reproduction and recruitment. The Department proposes to lower the channel catfish bag limit from a statewide limit of 25 to a Special Regulation bag limit of 4. By reducing catfish harvest rates, more fish will be available to spawn and rebuild the catfish population to become a self-sustaining featured fishery long-term. The reduced bag limit of 4 will reduce channel catfish harvest rates leaving more fish behind to spawn and rebuild the catfish population, while still allowing anglers the opportunity to catch and harvest a reasonable bag of catfish.

Public Opinion: The statewide survey results indicate a 96% support level for this proposed change. No major issues surfaced at the public meetings or through written comments.

This proposal is strongly supported by a local angler group and the lake concessionaire who have already invested significantly towards reestablishment of channel catfish in Parker Canyon Lake. No opposition to this proposal was received; written or verbal.

Recommendation: Create Special Regulations for channel catfish at Parker Canyon Lake that include a reduced 4 channel catfish limit.

6. Removal of bag limit of 10 walleye on Lake Powell to match Utah Regulations of unlimited for walleye. (administrative)

Description: Changing the regulation to be unlimited for walleye would provide a regulation consistent with the Utah regulation for the Utah portion of Lake Powell, minimizing confusion for anglers about which regulation is in effect. Department fisheries managers have coordinated with Utah Division of Wildlife Resources fisheries managers, and both states agree that walleye are a voracious predator on all species including bass at Lake Powell, are challenging to catch at times, and need no restrictive harvest regulations to protect population numbers. A similar unlimited bag limit approach has been in place for striped bass since 1994 at Lake Powell.

Public Opinion: No public opinion was surveyed. No opposition to this proposal was received; written or verbal.

Recommendation: Change the 10 fish walleye limit Special Regulation on Lake Powell to unlimited for walleye.

**7. Closure of Archer Lake to fishing; to align with City of Tucson Ordinance.
(administrative)**

Description: Archer Lake has been closed to angling by the City of Tucson for many years. The City of Tucson does not have the authority to close the water to fishing as this is a clear authority of the Game and Fish Commission as per ARS 17-23A.3. Since 1983 the City of Tucson has been an active partner in the Arizona Urban Fishing Program with three large lakes located within Tucson city parks. Archer Lake is located at Christopher Columbus Park which includes the heavily used Silverbell Lake, the second largest lake in the Urban Fishing Program. Archer Lake was closed to angling by Tucson Parks so that it could be used exclusively for the practice and exhibition of remote controlled model boats. Fishing use is incompatible with the needs of model boat hobbyists that need open, unobstructed lake areas free of fishing line and tackle. Archer Lake is a small, 2 acre impoundment that is connected by a narrow canal to Silverbell Lake (13 acres). Archer Lake is distinctly separated from Silverbell Lake by a vehicle bridge that crosses the canal. The Urban Fishing Program is a partnership with municipalities like Tucson and Department officers have enforced this closure partly because it was believed to have been ratified through Commission Order and the closure was indicated in the "2011 Urban Fishing Program Guidebook". Recent research has shown that this is not the case and that the closure was put in place through a City Ordinance. In order to make this closure clearly enforceable, and to enhance our partnership with the City of Tucson, it is recommended that the Commission adopt in Commission Order 40 that Archer Lake is closed to fishing.

Public Opinion: No public opinion was surveyed. No opposition to this proposal was received; written or verbal.

Recommendation: Archer Lake, at Christopher Columbus Park, is closed to fishing.

The Department recommends: **THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 40: FISH AS AMENDED, ESTABLISHING OPEN SEASONS, OPEN AREAS, AND BAG AND POSSESSION LIMITS FOR CALENDAR YEARS 2013 AND 2014.**

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