

**9. San Poil Sixteen Walleye Daily Limit -**  
**(Briefing/Public Comment)**

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## Summary

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**Meeting dates:** December 6, 2013

**Agenda item #9:** San Poil Sixteen Walleye Daily Limit –(Briefing/Public Hearing)

**Presenter(s):** John Whalen, Region 1 Fish Program Manager

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### **Background summary:**

The Lake Roosevelt walleye population remains overabundant following the liberalization of harvest regulations in 2007, which were intended to reduce the abundance of walleye in the reservoir. Fall walleye index netting (FWIN) catch-per-unit-effort (CPUE) data indicates walleye abundance has not declined and fish continue to exhibit slow growth and poor condition due to a predator/ prey imbalance within the reservoir. In addition, predation on other game and non-game fish species is a concern at the present abundance level. Creel data indicate that angler harvest (about 50,000 walleye annually) is not sufficient to achieve management objectives. Modeling suggests that an increase in angler harvest to 150,000 annually is necessary to meet management objectives. The WA Fish and Wildlife Commission approved a 16 fish daily limit for Lake Roosevelt, and the lower Spokane River associated with Lake Roosevelt, in 2013. Increasing the daily bag limit of walleye in the lower portion of the San Poil River inundated by Lake Roosevelt (below 1310 feet elevation mean sea level) to 16 fish daily limit, with no size restriction, will align walleye fishing regulations for this water associated with Lake Roosevelt. This action will also contribute toward native fish restoration work in the San Poil River directed at kokanee and red band rainbow trout, by reducing walleye numbers and associated predation upon juvenile fish emigrating out of the San Poil River and into Lake Roosevelt.

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### **Policy issue(s) you are bringing to the Commission for consideration:**

Modify WAC 232-28-619 San Poil River (Ferry County)

Fishing regulation proposal to increase the daily bag limit for walleye on the lower San Poil River from 8 fish to 16 fish, with no size restrictions.

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### **Public involvement process used and what you learned:**

Public Meeting(s) held

September 3, 2013 Public meeting held at WDFW's Spokane Regional Office, 2315 North Discovery Place, Spokane Valley. One member of the public attended this meeting. No formal comments were submitted

Public Comment accepted via WDFW Website: Sportfishing Rules Changes for 2014 – 2015 through October 31, 2013

The public also will have an opportunity to provide testimony on the proposed rule changes during the Washington Fish and Wildlife Commission's December meeting in Olympia.

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### **Action requested:**

Modify WAC 232-28-619 San Poil River (Ferry County) to increase walleye daily bag limit from 8 fish to 16 fish with no size restrictions, on the lower San Poil River.

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### **Draft motion language:**

N/A –Briefing only.

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**Justification for Commission action:**

N/A – Briefing only.

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**Communications Plan:**

*Please refer to public involvement process on previous page.*

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*Form revised 12/5/12*

(337) **San Poil River (Ferry County):**

(a) From the western shoreline at the mouth of the San Poil Arm (as marked by a regulatory buoy) directly eastward across the San Poil Arm to the eastern shoreline of the San Poil Arm (as marked by a regulatory buoy) upstream to the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek:

(i) It is unlawful to fish for or retain sturgeon.

(ii) Open April 1 through January 31 for kokanee, smallmouth bass, trout, and walleye:

(A) Kokanee: Limit 2 fish in addition to the trout limit; no minimum size requirement.

(B) Smallmouth bass: Limit 10; it is unlawful to retain more than one over 14 inches.

(C) Trout:

(I) Limit 5; it is unlawful to retain more than 2 trout over 20 inches.

(II) Release all rainbow trout with adipose fins intact.

(D) Walleye: Limit 16; no size restrictions.

(iii) Open year-round for other game fish, salmon, and carp:

(A) Carp: It is unlawful to fish for carp with bow and arrow.

(B) Salmon: Landlocked salmon rules apply.

(b) From the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek to approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys:

(i) It is unlawful to fish for or retain sturgeon, kokanee, and all other trout.

(ii) Open April 1 through January 31 for walleye and smallmouth bass:

(A) Smallmouth bass: Limit 10; it is unlawful to retain more than one over 14 inches.

(B) Walleye: Limit 16; no size restrictions.

(iii) Open year-round for other game fish, salmon, and carp:

(A) Carp: It is unlawful to fish for carp with bow and arrow.

(B) Salmon: Landlocked salmon rules apply.

(c) The waters from approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys, to all waters north of the regulatory buoy line at or above 1,310 feet mean sea level elevation are managed under the regulatory authority of the Colville Confederated Tribe of Indians.

(d) From above the Colville Confederated Tribe of Indians Reservation northern boundary, upstream to the headwaters, including tributaries: Open the Saturday before Memorial day through October 31.







# The Confederated Tribes of the Colville Reservation

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Friday, October 18, 2013

Lori Preuss, Rules Coordinator  
Washington Department of Fish and Wildlife  
600 Capitol Way N.  
Olympia, WA 98501  
[Lori.preuss@dfw.wa.gov](mailto:Lori.preuss@dfw.wa.gov)

*Sent by email and U.S. mail.*

**Re: Proposed Liberalization of Walleye Limit on Inundated Reach of the Sanpoil River.**

Dear Ms. Preuss:

On behalf of the Colville Tribes Fish and Wildlife Department ("Colville F&W"), I provide these comments on the proposal by the Washington Department of Fish and Wildlife ("WDFW") to liberalize state limits on recreational fishing for walleye on the portion of the Sanpoil River inundated by Lake Roosevelt (hereinafter "Sanpoil Inundated Reach"). For the reasons below, Colville F&W calls on WDFW to eliminate all walleye harvest limits on the Sanpoil Inundated Reach and on Lake Roosevelt.

The Sanpoil Inundated Reach is wholly within the Colville Indian Reservation, as is the upstream freeflowing portion of the Sanpoil River and a large portion of Lake Roosevelt. The Colville Tribes maintains federally reserved "paramount" hunting, fishing, and boating rights on the Sanpoil Inundated Reach and on portions of Lake Roosevelt within the Colville Reservation. *See* 16 U.S.C. § 835d; *see also Indian Rights in Columbia River Reservoir*, 59 Interior Dec. 147, 149, 169-70, 1491945 WL 4115 (Dec. 29, 1945). Pursuant to a 1990 agreement between the Colville Tribes, Spokane Tribe, Bureau of Indian Affairs ("BIA"), Bureau of Reclamation ("BOR"), and National Park Service ("NPS"), the Colville Tribes has management authority on the Sanpoil Inundated Reach and on portions of Lake Roosevelt within the Colville Reservation. *1990 Lake Roosevelt Cooperative Management Agreement* ("1990 Agreement"), ¶ IV.D.3.a ("The Colville Tribes shall manage, plan and regulate all activities, development and uses that take place within that portion of the Reservation Zone within the Colville Reservation in accordance with applicable provisions of federal and tribal law . . .").

In furtherance of the Tribes' paramount fishing right and management responsibility and to enhance a traditional and culturally significant food source for Colville members, the Colville Tribes has invested millions of dollars and considerable effort to rebuild and enhance native salmonid populations in the Sanpoil and other tributaries of Lake Roosevelt. A large portion of this work has been focused on habitat restoration to support increased native fish production, including removal of fish passage barriers and roads, planting trees and shrubs in riparian areas, and installation of fencing to keep cattle away from salmonid habitat. The Colville Tribes has

also planted and released millions of eyed kokanee eggs and sub-yearling kokanee to re-establish the kokanee population in the Sanpoil River.

Colville F&W biologists have determined that the primary remaining impediment to recovery of the Sanpoil salmonid populations is predation by non-native fish. Walleye in particular are a major problem—they are a non-native invasive species that did not exist in Lake Roosevelt until the 1960s. A predation study on the Sanpoil Inundated Reach indicates that walleye consume a substantial number of the hatchery kokanee and wild redband trout migrating out of the Sanpoil River into Lake Roosevelt—45% of kokanee fry, 25% of kokanee yearlings, 41% of redband trout yearlings, and 35% of redband trout juveniles (older than yearlings) (Stroud et al. 2010).

In light of the demonstrated adverse impacts of non-native walleye on Sanpoil salmonids and on the Colville Tribes' paramount fishing rights, the Colville Tribes calls on WDFW to take steps to aggressively control the Lake Roosevelt walleye population. While WDFW's proposal to liberalize state limits on recreational fishing for walleye is a step in the right direction, it is not nearly enough, because angler fishing effort alone may not be enough to have a significant effect on predator fish populations. Currently, angler harvest is approximately 50,000 walleye per year; nearly 150,000 walleye would need to be removed before there would be a downward trend in the walleye population. We do not believe that even increased angler effort is likely to meet this goal.

It should be noted that Colville F&W has already initiated a walleye and smallmouth bass control program aimed at protecting Sanpoil salmonid populations by significantly reducing walleye populations in Lake Roosevelt. This program includes elimination of all tribal limits on walleye harvest as well as tribal gillnetting and electrofishing for walleye and smallmouth bass in the Sanpoil from May through late June to create a window for salmonid migration.

WDFW's reluctance to collaborate with the Colville Tribes to control walleye in Lake Roosevelt is frustrating the ability of the Colville Tribes to exercise its federally reserved paramount fishing rights. WDFW must reprioritize its management goals on Lake Roosevelt and join with the Colville Tribes and the other Lake Roosevelt co-managers (Spokane Tribe, BOR, BIA, and NPS), to develop a more aggressive, collaborative walleye control program. The initial step in such a partnership would be for WDFW to make its recreational walleye regulations parallel to those already adopted by the Colville Tribes by eliminating all state harvest limits for walleye on the Sanpoil Inundated Reach and on Lake Roosevelt. In addition, WDFW biologists should collaborate with the Colville F&W staff and the other Lake Roosevelt co-managers to develop and implement techniques for direct walleye population control, including targeted removal of spawning walleye.

The Colville Tribes intends to move forward with its walleye control effort on Lake Roosevelt in collaboration with the Lake Roosevelt co-managers, with the ultimate goal of a permanent significant reduction in the Lake Roosevelt walleye population. The Colville Tribes invites WDFW to join this effort by taking an initial step of eliminating all harvest limits on walleye in the Sanpoil Inundated Reach and on Lake Roosevelt.

Please contact me at (509) 634-2113 if you have any questions regarding this letter or would like to discuss coordination of the Lake Roosevelt walleye control program.

Sincerely,

 10-22-13

Randall Friedlander  
Director, Colville Fish & Wildlife  
Department

cc: BJ Kieffer, Director, Spokane Tribe Department of Natural Resources  
Stan Speaks, Regional Director, BIA  
Lorri Lee, Regional Director, BOR  
Dan Foster, Lake Roosevelt Superintendent, NPS  
Philip Anderson, Director, Washington Department of Fish and Wildlife