



## Fish and Wildlife Commission Presentation Summary Sheet

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**Meeting date:**

12/15/2023

**Agenda item:**

Petition to amend fishing rules on Deer Lake in Stevens County

**Presenter(s):**

Chris Donley, Region 1 fish program manager

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**Background summary:**

**Issue**

Mr. Anthony Redder has petitioned the Washington Fish and Wildlife Commission to consider amending the fishing rules for Deer Lake. Mr. Redder would like to adjust the fishing season on Deer Lake from a March 1<sup>st</sup> to November 30<sup>th</sup> open season to year-round. Mr. Redder believes that ice fishing participation in Northeast Washington is steadily growing, there is an economic benefit to increasing wintertime recreational activity, and that Deer Lake is a prime candidate for ice fishing given its proximity to urban areas and the fish community present in the lake.

**Location and Description**

Deer lake is 1146 surface acres and lies at an elevation of 2482 ft above mean sea level. The lake is located 14 miles southeast of Chewelah, Washington (Figure 1). It is a popular fishery and recreation area. Deer Lake residences consist of a combination of summer cabins and year-round homes, and the lake supports one large resort that specializes in camping and water related activities. Because of the lake's size and proximity to Spokane, it has been popular for many years as a getaway for Spokane area residents.

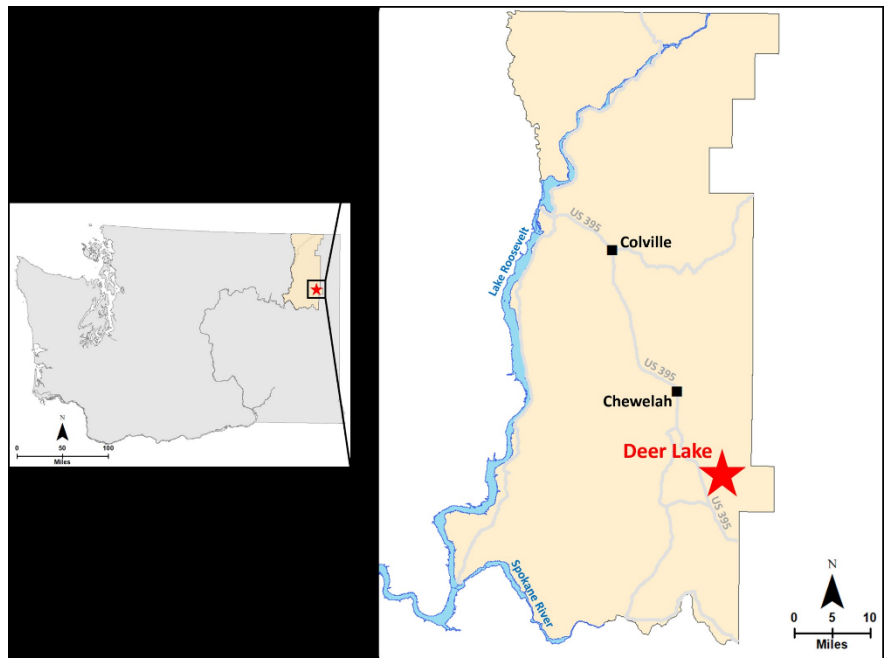


Figure 1 Map depicting the location of Deer Lake, Stevens County Washington

## **Fishery History**

Deer Lake has a long history of intensive fishery management. Initial stockings of warmwater species occurred in the late 1890's (bass, crappie, bluegill, and catfish). Additionally, records indicate stocking events for various species of trout (including Lake Trout, also known as Mackinaw) and Kokanee occurred beginning in the early 1900's. The lake historically was known as an excellent trout, kokanee and trophy Mackinaw fishery with the primary predator in the lake being Mackinaw. For many decades, there was generally a balance between predator density and prey abundance. In addition to Mackinaw, the fishery was supplemented with hatchery stocking of kokanee and trout (primarily Rainbow Trout). Kokanee also reproduced naturally in the lake, contributing to the population. Beginning around the early 2000's, Smallmouth Bass abundance increased markedly. Research indicated that the overall increase in warmwater predation, coupled with existing Mackinaw predation, collapsed the kokanee population and made it difficult to sufficiently supplement the trout fishery without releasing them at advanced sizes. There have been multiple attempts to reestablish the kokanee fishery through net pen rearing programs and direct hatchery releases. None of these efforts have been successful.

## **Current Management Approach**

Given the current predation limitations in Deer Lake, WDFW made the decision in the late 2000's to suspend stocking kokanee. To continue providing a trout fishery, the Department partnered with landowners on the lake to net pen rear trout (Rainbow and Brook Trout) to advanced sizes and release them annually. The number of fish in the net pens has waxed and waned with landowner participation, but in general somewhere between 15,000 and 60,000 fish are reared and released annually. The Department has a goal of releasing at least 40,000 trout annually. Whatever doesn't get reared in the net pens is directly released into the lake from Department-operated trout hatcheries. Along with the trout stocking approach, WDFW has encouraged angler harvest of Smallmouth Bass and Mackinaw in the lake with the intent of reducing predatory impacts on stocked trout. Currently, Smallmouth Bass fall under statewide rules (10 fish daily; no more than 1 fish greater than 14 inches), and there is no daily limit on Mackinaw. The long-term goal of reducing predator abundances is to increase the recruitment of trout (and possibly kokanee) to the fishery.

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## **Staff recommendation:**

Accept the petition and initiate rulemaking to amend sportfishing rules on Deer Lake.

In 2018, the Department completed a year-long public process to simplify sport fishing rules for game fish, including reducing the number of different seasons on lowland lakes. During the rule simplification process, staff identified Deer Lake as a body of water that could be converted to a year-round fishing opportunity. At the time of that proposal, lake residents (specifically the Deer Lake Property Owners Association (DLPOA)), were opposed to opening the lake to year-round access. Their concerns centered around access to unoccupied residences along the lake shoreline from the ice and increased risk for theft and vandalism. Deer Lake was ultimately removed from consideration based on DLPOA's concerns. DLPOA has been made aware of this petition and now supports moving to a year-round fishing season. The reasons for their change in opinion center around the belief that increased exploitation of Mackinaw would lead to greater recruitment of trout (and potentially kokanee in the future) to the fishery and that the proportion of full-time residents versus summer residents has increased, leading to fewer unoccupied homes and cabins during the winter months. Thus, increased full time residents are present to observe activity around the lake and deter theft and vandalism. In opposition to DLPOA's perspective, staff have heard concerns from others that increasing the season length could be detrimental to the Mackinaw population due to the potential for increased harvest.

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**Policy issue(s) and expected outcome:**

Pursuant to RCW 34.05.330

Option A) Deny the petition in writing, stating the reasons for denial, specifically addressing the concerns raised by the petitions; or

Option B) Initiate the rule making for the proposal to amend the sport fishing season on Deer Lake from March 1 to November 30 to year-round.

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**Fiscal impacts of agency implementation:**

None

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

None, if the petition is accepted there will be a public process during rulemaking to review the proposed rule change(s).

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**Action requested and/or proposed next steps:**

Department staff recommend the Commission accept this petition and initiate rulemaking to amend the sportfishing rules on Deer Lake.

**Draft motion language:**

Option A Motion: I move to deny the petition and initiate rulemaking to amend the sportfishing rules on Deer Lake (Stevens Co.).

Is there a "second"?

If so, then motion maker states the basis for the motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed.

Option B (preferred) Motion: I move to accept the petition to amend the sportfishing rules on Deer Lake (Stevens Co.). and direct the Department to initiate rulemaking.

Is there a "second"?

If so, then motion maker states the basis for the motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed.

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**Post decision communications plan:**

Commission staff will provide a letter to the petitioners with the outcome of the Commission decision regarding the petition.

If the petition is accepted staff will engage in a public process for rule making including public meetings and a formal commenting period.

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*Form revised 1-20-21*