



Fish and Wildlife Commission Presentation Summary Sheet

Meeting date:

2/16/2024

Agenda item:

Rulemaking – Fishing Season Deer Lake -- Decision

Presenter(s):

Chris Donley, Region 1 fish program manager

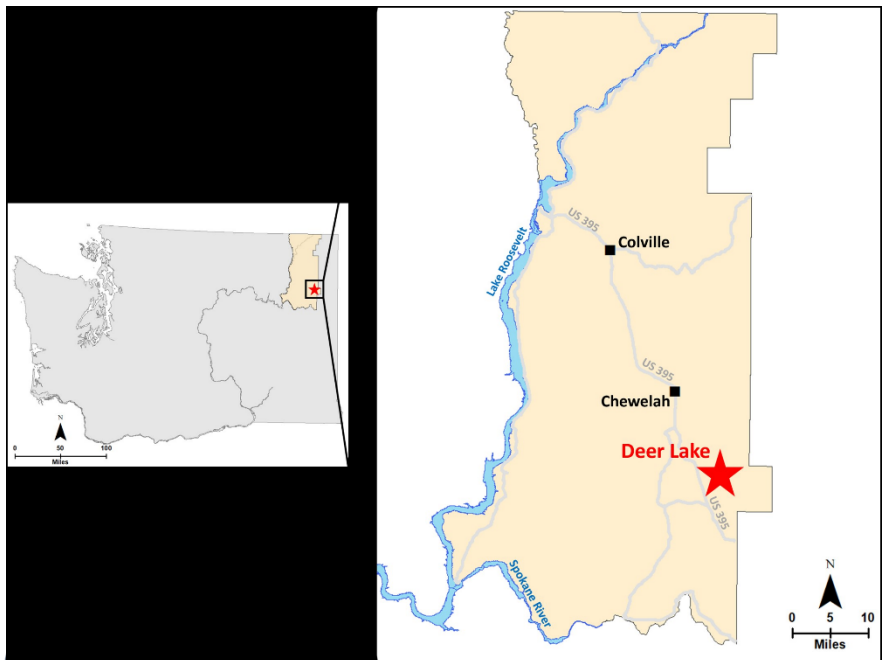
Background summary:

Issue

On December 14, 2023 WDFW staff presented the Deer Lake petition to the Washington Fish and Wildlife Commission to adjust the fishing season on Deer Lake (Stevens Co.). The Commission chose to accept the petition and directed staff to begin rulemaking to amend the fishing rules. On January 26, 2024 WDFW staff reviewed the proposed rule amendments and public comment on the proposed changes with the Commission. On February 16, 2024 WDFW staff will review the remainder of public comment and ask the Commission to take action on the proposed rule changes.

Location and Description

Deer Lake is 1163 surface acres and lies at an elevation of 2482 ft above mean sea level. It 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.



Management 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) and Kokanee occurred beginning in the early 1900's. The lake historically was known as an excellent trout, Kokanee, and high-quality Lake Trout fishery with the primary predator in the lake being Lake Trout. For many decades, there was generally a balance between predator density and prey abundance. In addition to Lake Trout, 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 Lake Trout 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.

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, some lake residents 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.

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 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 Lake Trout 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 Lake Trout. The long-term goal of reducing predator abundances is to increase the recruitment of hatchery trout (and possibly Kokanee) to the fishery.

Staff recommendation:

Staff recommend the Commission approve amending the sportfishing rules for Deer Lake (Stevens County). Amendment to the rules includes changing the open fishing season from March 1st to November 30th to year-round and adjusting the harvest limit on Lake Trout from no daily limit to 5 fish daily, no more than 1 over 26 inches in length, as presented by staff.

Policy issue(s) and expected outcome:

Recommend the Fish and Wildlife Commission adopt the sportfishing rules as presented by staff.

Fiscal impacts of agency implementation:

None

Public involvement process used and what you learned:

Two letters were received by the Commission prior to accepting the petition. The Deer Lake Property Owners Association (DLPOA) sent a letter in support of the petition. The reasons for their support center around the belief that increased exploitation of Lake Trout would lead to greater survival of hatchery stocked trout (and potentially Kokanee in the future) to the fishery. Additionally, 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. The second letter was from the Northeast Washington Wildlife Working Group (NWWG, John Magart). The NWWG is supportive of the rule change to year-round but is concerned with increased exploitation of Lake Trout that could lead to over-fishing or negatively impact the quality of the fishery (e.g., elimination of larger, older Lake Trout from the population). Regional staff received additional email correspondence from the NWWG (John Magart). This e-mail expressed the groups concern with possible over-exploitation of Lake Trout with the proposed rule changes and provided a recommendation for a Lake Trout harvest rule that they believed to be conservative enough to ensure the long term sustainability of a quality Lake Trout fishery in Deer Lake., The NWWG proposed the rule for Lake Trout should be 3 fish daily, no more than 1 over 30 inches.

Additional public comments were taken in two ways. First, a CR 102 was submitted on January 3, 2024. As part of the submittal process there was a web-based commenting portal established. This was advertised to the public through a statewide news release. The web portal closed on January 28, 2024 to taking comment. There were fifteen comments submitted through the portal. Six comments were supportive of the rule change to a year-round fishery. Most in support also requested that conservation of Lake Trout be considered in the rule change. Four comments were opposed. Reasons for opposition varied from the perspective that additional fishing time was not warranted, concerns with over-exploitation of Lake Trout and that this change in management would not achieve a positive outcome for the fishery. The remaining five comments were relevant to the fishery at Deer Lake but did not specifically express support or opposition to the proposed rule changes. Most gave their perspective on how the fishery should be managed and directed the department to investigate and manage other facets of the fishery that were not relevant to the current proposal. Second, Region 1 Fish Program staff conducted a virtual public meeting on January 16, 2024. This meeting was advertised to the public through outreach to Deer Lake community retailers and homeowners' associations as well as through a public news release that went out statewide. Twelve members of the public attended the meeting. Four individuals provided comments during the meeting. All four were supportive of the rule change to year-round, and two of the four individuals asked that the Department place a conservative rule on Lake Trout to ensure that the quality of the fishery is sustained over time.

Action requested and/or proposed next steps:

Approve or deny the proposed rule changes for Deer Lake (Stevens Co.)

Draft motion language: Option A (preferred) Motion: I move to amend the fishing rules for Deer Lake (Stevens Co.) Change the open fishing season dates from March 1st to November 30th to year-round and change the harvest rule for Lake Trout from no daily limit to 5 fish daily, no more than 1 over 26 inches in length.

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 Motion: I move to deny the rule change proposal.

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.

Post decision communications plan:

If the Commission approves amending the sportfishing rules for Deer Lake (Stevens Co.) A news release will be developed and distributed statewide that communicates the Commission's decision and will detail when the rule change(s) will take effect.

Form revised 1-20-21