

Fisheries Division Staff Fishing Regulation Change Proposals For Implementation in 2010

Sportfish Regulations

- 1. Clarify definition of “shad” specifically as “gizzard and threadfin shad” in the definition of baitfish. This clarification will prevent the use of alewife and blueback herring (members of the shad family) as bait.**

Blueback herring and alewife introductions have had negative impacts on reservoir fisheries in several states. This has prompted these species to be considered Aquatic Nuisance Species in many states, including Tennessee, whose ANS Plan provided a summary of known information.

Blueback herring introduction into Lake Burton, Georgia coincided with decreased abundance of black crappie, largemouth bass, and white bass (Rabern 2000). Introduction of alewife in several Tennessee reservoirs and of blueback herring in Hiwassee Reservoir, North Carolina, was followed by recruitment failure in walleye (Schultz 1992, Wheeler et al. 2004a). Impact could be through predation on fish eggs by blueback herring (Wheeler et al. 2004b) or on larval fishes (Kohler and Ney 1980). Additionally, landlocked populations of alewives may compete with other planktivores, especially larval fishes.

Alewives and blueback herring contain thiaminase, an enzyme that destroys thiamine, which is important in egg development and survival. Low thiamine levels in eggs may be due to heavy feeding on alewives (or blueback herrings) by spawning females, potentially leading to Early Mortality Syndrome (EMS), which can affect all the fry from an individual female. Great Lakes walleye and salmonid fisheries have suffered from EMS and research is ongoing on the relationship between forage thiaminase levels and EMS (Marcquenski and Brown, 1997).

Both species have been used for bait by striped bass and other anglers and have been stocked as forage in other states. Both have been implicated in unintended consequences. Alewife have been implicated in collapse of walleye fisheries because of a nutritional toxicity issue. Blueback herring tend to stay in deep cool water more than threadfin shad. Striped bass stay down with the bluebacks until the water above the thermocline is above their preferred temperature. Water temperatures which they might survive if acclimated to prove deadly when the stripers are finally forced to abandon the hypolimnion due to low oxygen. This "squeeze", already a serious problem in Norfolk, is worse in lakes with bluebacks.

2. Rescind the largemouth bass catch and release regulation for Lake Ashbaugh and impose a largemouth bass daily creel limit of six (6) fish.

A moratorium on the harvest of largemouth bass from Lake Ashbaugh has been in effect since the lake's renovation in 2002. The intent was to protect brood fish so that an appreciable number of young fish could be recruited into the fish population. Although bass recruitment has not met expectations, lake managers are concerned that there is insufficient available forage for those fish 13 inches and smaller. We are also concerned that overharvest may result if the catch & release regulation is replaced with the standard statewide creel limit of ten fish. A daily creel limit of six (6) fish would continue to provide some protection for brood fish.

3. Revisions to Code 40.02(D) – Alligator Farmer/Dealer General Provisions, changing the due date of annual report submission and reporting period.

Some minor revisions in Code 40.02(D) Alligator Farmer/Dealer General Provisions requiring changes in the annual report due date and the period covered are recommended to provide uniformity of reporting coverage to a calendar year, rather than being offset by one month as current code reads, i.e., December 1 – November 30.

4. Removal of Community Fishing Program restrictions from T.J. House Reservoir, Mulberry Water Supply Lake.

This lake is a 134 acre water supply lake located northwest of Mulberry. The lake has been part of the Family and Community Fishing Program. City Officials want to remove the lake from the program because the lake has a large number of small bass. The lake is open to fishing May 1 until Labor Day each year, and no outboard motor operation allowed.

5. Clarify requirement to have a license to take all aquatic wildlife.

Current code 3.02 only requires license to fish or to take "frogs, minnows, or mussels". This is unclear and inconsistent with the prior statement in this sentence that it is unlawful to "fish in any manner", since the definition of fish includes "pursue fish species or aquatic wildlife". Proposed code makes the meaning more transparent and consistent between these two statements by replacing "frogs, minnows, or mussels" with "aquatic wildlife".

6. Increase the daily limit of catfish for bowfishers.

For bow fishers, this would increase the daily bag limit from two fish/day to 5 fish/day during the open season. This would align the bag limit of bow fishers with that of spear fishers.

7. Remove the daily limit of Northern Pike.

Due to limited numbers of these fish, it is not necessary to have them listed under daily limits.

8. Lower the daily limit, implement a season and permit for alligator gar.

Bowfishers of Arkansas (BOA) and the Bowfishing Association of America (BAA) met with Fisheries Management Biologists over these proposed regulations. All people in attendance were provided a copy of the options for the proposed regulation changes. Once all of the options had been described, the meeting was opened to discussion, and at that time it was requested for the public to provide their preference of the proposed options. Many good comments and thought provoking questions were discussed and by the end of the meeting, all participants came to a consensus as to which options they preferred and wished to see proposed to the Commission. The options chosen were to lower the daily limit, implement a season and permit. It is the recommendation of the Alligator Gar Management Team that these selected options be proposed as the new regulations for alligator gar. Additionally, the president of the Bowfishing Association of America (Mark Lee) stated that these proposed changes were greatly supported and endorsed by the BOA and BAA members. A voluntary reporting program will be implemented to collect data on harvested alligator gar.

9. Addition of a designated boundary for the South Fork of the Ouachita River. Lake Ouachita has specific regulations different from its tributaries.

A designated boundary is needed to provide clarification to anglers and wildlife officers.

10. Remove limits on channel and blue catfish on the Sulphur River, Red River and Little River.

These rivers are open to commercial fishing and produce high numbers of catfish. The Fisheries Management Biologists were given a petition with 430 names on it in support of this proposed regulation.