

Regulation Proposal Form

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Proposal Title Yellowstone Lake Catfish to General Inland Regulation	
Author Bradd Sims	Date 6/1/2011
Location Information:	
Affected water(s) Yellowstone Lake	
County Lafayette	WBIC(s) 903700
Upstream/downstream boundaries, if applicable—Law Enforcement should be consulted Yellowstone Lake is defined as all waters upstream to county road "F"	
Will this regulation affect Ceded Territory water and are there any anticipated impacts to tribal fisheries? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Current Regulation Channel and Flathead Catfish - 15-24 inch harvest slot, daily bag limit 2, open season: first Saturday in May to first Sunday in March.
Proposed Regulation General Inland Waters - No size limit, daily bag of 10, open season: open all year
Management Goal Summary statement that characterizes the desired fishery (e.g. provide a naturally reproducing harvest-oriented walleye fishery; provide a bass fishery dominated by large adults that maximizes predation on smaller fishes) There is a lack of information and data available in regards to optimal channel catfish population densities. This management objective was developed through literature review and communication with colleagues. The literature review revealed that Oklahoma, Iowa, and Kansas maintained populations ranging from of 10 to 24 channel catfish per acre, These were reservoir populations described as put grow and take with heavy stocking rates, little natural reproduction and high harvest rates, Yellowstone Lake maintains a self sustaining population without maintenance stocking. The management goal for Yellowstone Lake to maintain channel catfish populations within a range 10-15 per acre was set at the lower end of the range provided from the literature search,
Description of the Water(s) and Fishery Provide a brief description of the water(s), past regulations and other management actions. Summarize all applicable fisheries data, particularly from surveys meeting protocols (Table 1). Historically Yellowstone Lake did not have a measurable fishery for channel catfish. Special regulations were put in place to help establish a desirable fishery by increasing the abundance of channel catfish. The fishery has established a natural reproducing population of 23 adult channel catfish per acre. A mark and recapture population estimate was conducted over a two year period (2008-2009) during spring fyke net surveys with 2,167 individual channel catfish collected, marked, or examined for recapture. These fish ranged in size from 11 to 32 inches total length with 77% of the fish greater than 16 inches total length. The estimated population from this survey was 23 fish per acre. Water quality and habitat improvements have made it possible for the channel catfish population to flourish in Yellowstone Lake. It is because of this improvement that we feel the catfish population can withstand the harvest associated with the general inland waters regulation.

Management Objective(s)

a) Goals are general, objectives are specific. Objectives are used to evaluate the effectiveness of your action and determine if you have achieved your goal. Provide a management objective that is specific, measurable, able to be achieved, related to the goal, and has a temporal component (e.g. increase walleye harvest rate to 0.1 fish/hour while maintaining recruitment at or above 10 YOY/mile within 5 years; increase largemouth bass RSD14 to 35 and bluegill RSD8 to 15 within 5 years
 Management objective is to maintain channel catfish populations within a range 10-15 per acre.

b) Describe how the management objective and associated target levels for metrics were developed (e.g. lake management plan, stakeholder meeting, comparison to other water(s)).

Current Problem

Use survey data or provide context for a similar water or group of waters (e.g. lake type, watershed) to demonstrate how the fishery is not meeting the desired management objective. Identify hypothesized problem(s) you hope to address.

Current populations are estimated at 23 channel catfish per acre. This is above the objective range of 10-15 per acre.

In addition, local law enforcement is currently not enforcing Yellowstone Lake as if there was a closed catfish season. The warden discussed this with Fisheries staff and determined there was no where in the regulations book or by sign indicating to an angler that the catfish season is closed on Yellowstone Lake. Warden Tom VanHaren also noted in a May 2011 email that "It appears that when the original rule (FH-10-97) was written back in 1997-98 to protect certain species of fish from harvest on Yellowstone Lake and to allow them to feed on small carp and bullheads, a uniform Catch & Release Only season was also created for catfish. It also appears from looking at the this original rule order language (included with the 1997 Spring Hearing Questionnaire), that the department simply created standard language for each of the protected species. Maybe unintentional, but in doing so, an open and closed "Catch & Release Only" season was established for all these species, including catfish. Over time, the rules were amended several times to allow limited harvest of these fish, but none of the subsequent rule changes modified the 1998 established open and closed season for catfish on Yellowstone lake, except to change the season ending date from March 1 to the 1st Sunday in March. It does not appear based on the questions asked in the Spring Hearing questionnaire back in 1997 and the way the information has always been provided to the public in the Regs Pamphlets since that time, that there was any clear intent to restrict the normal year round season for catfish in Lafayette County to the same season as for other game fish on Yellowstone Lake."

Proposed Regulation Justification

How is the regulation change expected to meet your objective(s)? Demonstrate expected results of the regulation using tools such as modeling, comparisons to other waters, peer-reviewed literature, etc...

Implementing the general statewide regulation of no size limit with a daily bag limit of 10 will help liberalize the regulations and allow more harvest thereby reducing the population abundance while simplifying the regulation for anglers. It also opens up the opportunity to fish for catfish species all year.

If no change is made the channel catfish population abundance will stay above the objective range and possibly continue to increase. This will result in an increased risk of parasites or disease developing within the catfish population and possibly resulting in a significant decline of the establish fishery.

Maintaining the current channel catfish population level may also result in over predation of the bluegill and crappie populations.

Evaluation Plan

Provide a suggested plan and timeline for evaluating whether the objectives are met in response to the regulation change. Indicate potential courses of action if objectives are not being met. If proposed regulation is not part of the "toolbox" (Table 2) the evaluation plan needs to be additionally detailed with an explanation of how the costs of evaluation will be covered.

The regulation will be in place for the 2013 angling season. Evaluations will be made as part of the statewide Tier 1 baseline lakes rotation. Surveys are scheduled for 2013 and 2017. This will include two consecutive seasons of spring fyke net surveys. These surveys will include a mark and recapture population estimate for channel catfish.

Previous Action

Include details on previous regulation proposals that were intended to address the current problem, if applicable.

The history of the catfish regulation for Yellowstone Lake is as follows: Prior to 1998 - general inland waters regulation of no size limit with a daily bag limit of 10 ; 1998 to 2000 - catch and release only, open all year; 2001 to 2004 – 12 to 15 inch harvest slot, daily bag of 2; 2005 to 2008 – 15 to 18 inch harvest slot, daily bag limit of 2; 2009 to present – 15 to 24 inch harvest slot with a daily bag limit of 2.

Public Participation in Developing Proposed Regulation

Was input solicited from stakeholders when developing the proposed regulation change? Include documented comments from affected user groups (positive and negative), contacts made with local Conservation Congress Representatives, lake associations, angler groups, etc...

I have discussed the regulation with State Park officials, local wardens, conservation congress representatives, members of the Lafayette County Sportsman Alliance, anglers, and bait shop owners. They all feel this is a positive change.

Some did address a concern of over harvest resulting in reducing the population to historical low numbers. This concern will be followed and addressed by our sampling rotation to monitor population levels to insure they are maintained at fishable levels for the angling public.

There will be no negative economic impacts for the local businesses and state park. There will be an expected positive return with a small initial increase in anglers taking advantage of the higher bag limits with no size restrictions.

Small Business and Fiscal Effect

Explain who is likely to be economically impacted and in what way. If possible, provide estimates.

No expected fiscal effect; possibly greater draw for catfish anglers with open season year-round.

Draft Question: for inclusion in Spring Hearing questionnaire

This proposal would (insert proposed regulation):

The Management Goal is:

This regulation proposal is one tool to help meet the management goal because:

Do you favor : Do you favor changing the regulation for channel catfish and flathead catfish on Yellowstone Lake from the current 15 to 24 inch harvest slot with a daily bag limit of 2 catfish to the general inland waters regulation of no size limit with a daily bag limit of 10, open all year?

Fish Team Supervisor Regulation Proposal Review Checklist

Proposal Title Yellowstone Lake catfish		
Author	Reviewer Dave Rowe	Date
Fish Team Supervisor Reviewer Notes: We should be able to justify why the range of 10-15 adults per acre is the management objective for this water. However I think including any modeling wouldn't be fruitful since this regulation has changed so much in the past 12 years. Plus we don't have creel data to look at exploitation. I think the intention here was to keep this reg proposal very simple and revert to the statewide regulation for simplicity and because at this point the special reg is not needed based on the limited PE from 2008.		

Recommended Action by Fish Team Supervisor

Approve Reject

Regional Fish Supervisor Regulation Proposal Review Checklist

Proposal Title Yellowstone Lake catfish		
Author	Reviewer Scot Stewart	Date
Regional Fish Supervisor Reviewer Notes:		

Recommended Action by Regional Fish Supervisor

Approve Reject

Species Team Regulation Proposal Review Checklist

Proposal Title Yellowstone Lake Catfish to General Inland Regulation		
Author Bradd Sims	Reviewer Catfish species committee	Date 11/18/2011
Species Team Reviewer Notes: All species team members approved this proposal. One comment suggested that by allowing more harvest we can expect to see increased effort which in turn will help local bait, gas and tackle stores. Management objective to maintain channel catfish populations within a range 10-15 per acre should be written out above in the management objectives section and should also be added to the management goals section.		

Recommended Action by Species Team

Approve Reject