

Regulation Proposal Form

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Proposal Title Establishing a trophy walleye fishery in Silver Lake, Barron County	
Author Heath Benike/Terry Margenau	Date 06/30/2011
Location Information:	
Affected water(s) Silver Lake	
County Barron	WBIC(s) 1881100
Upstream/downstream boundaries, if applicable—Law Enforcement should be consulted n/a	
Will this regulation affect Ceded Territory water and are there any anticipated impacts to tribal fisheries? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Current Regulation 15 inch minimum length limit and a daily bag of 5 fish (statewide regulation).
Proposed Regulation 28 minimum length limit and a daily bag of 1 fish..
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) Restore the adult walleye population in Silver Lake to provide a quality/trophy size structure.
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). Silver Lake is a 337 acre seepage lake with a maximum depth of 91 feet located in east central Barron County. The lake has a reputation for large walleye and northern pike likely from a healthy white sucker and cisco forage base. The sport and panfishery consists of natural reproducing walleye, northern pike, largemouth bass, smallmouth bass, bluegill, black crappie and yellow perch fishery. During the winter of 2008-2009, several dozen reports from anglers as well as the local conservation wardens were received of an abnormally high number of large/trophy sized walleye harvested during the winter ice fishing season from Silver Lake. Silver Lake is not known to be a great ice fishing water due to its deep basin and steep shoreline which made these reports odd. It appears, a large number of walleye were concentrated in Silver Lake in a small area near the public boat landing that made them very vulnerable to angler harvest using tip-ups. As word quickly spread locally, several hundred anglers were fishing in this area for a 3 week period and limiting out on walleye, many of which were in the 20-30 inch range. Fyke net data from 2007 and 2009 was available to dispel or confirm these reports on Silver Lake. Based on the information collected these concerns appear warranted. Length frequency analysis shows that large walleye in the 26-31 inch range were present in 2007, however they were absent in 2009 (Figure 1 and 2). In addition, size structure and relative abundance indices show a decline in large walleye from Silver Lake (Table 1 and 2). FACT analysis indicated the walleye size structure for RSDP was at the 88% statewide but was reduced to 31% by 2009. A 2009 walleye population estimate also revealed a low density walleye population of 1.7 fish/acre. Growth rates of Silver Lake walleye are good and considerably higher than both NOR regional and statewide averages (Table 3).

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
Increase walleye RSD-20 above 50%, RSD-26 above 10% and RSD-28-above 2% as measured by SN I sampling protocols within 8 years of regulation implementation.

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)).

Management objectives were derived from using the size structure of the walleye population in 2007.

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.

Silver Lake has the biological potential to produce large trophy walleye. In 2007 the walleye size structure RSDP was at the 88th percentile statewide. Low abundance and good growth rates suggest this population can produce trophy walleye.

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...

Protection of wallye from angler harvest is the primary mechanism to provide a trophy fishery in Silver Lake. Length frequency data from 2009 suggests a truncated upper end of length ranges, however more fish are also recruiting into the length ranges to be protected (Figure 2) i.e., this is not just one cohort that got to large size.

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.

Silver Lake will be sampled as part of the baseline monitoring rotation. Currently, Silver Lake is on the 12 year rotation and was sampled in 2009. The next scheduled sampling would be 2021. However, earlier walleye assessments may occur by the Treaty Assessment team, however this new schedule in not known at this time.

Previous Action

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

In 2009 a local resolution was submitted at the spring hearings supporting a 28/1 regulation for walleye in Silver Lake (vote 37-15). In 2009 a formal regulation proposal was written but rejected by FM board (10/09) as being too reactionary and responding to one cohort reaching large size. In 2010 the Silver Lake 28/1 was listed as an advisory question and passed statewide by a vote of 1,471-777. In summer 2010 field staff were contacted by the FM Bureau requesting how we wished to proceed. St. Croix staff responded that they intended to move ahead with the 28/1 rule proposal, however a miscommunication between FM Bureau and field staff failed to inform field staff that the proposal then needed to then be resubmitted. Hence, the proposal is now being resubmitted.

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...

This proposal was initiated from several dozen phone calls from concerned anglers that were received regarding excessive harvest of large walleye during winter 2008-2009. Local stakeholders also submitted a local resolution at the 2009 spring hearings in support of a 28/1 trophy walleye regulation for Silver lake.

Small Business and Fiscal Effect

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

It is difficult to estimate the economic impact of this regulation, but it would be the only trophy walleye regulation in the area and likely attract anglers from outside the local area to try their luck at a trophy walleye. Similar responses have been seen with trophy muskellunge regulations.

Draft Question: for inclusion in Spring Hearing questionnaire

This proposal would (insert proposed regulation): Silver Lake is a small 377 acre seepage lake that harbors a low density walleye population (1.7 fish/acre). In the winter of 2008-2009, dozens of concerned anglers called local fisheries staff expressing deep concerns that an abnormally large number of anglers were easily catching and

overharvesting large numbers of mid-trophy size walleye (25-30 inches) in a small area near the south shore boat landing.

Recent data collected in 2007 and 2009 supports this claim. In 2007, a very high quality walleye fishery was present with 50% and 12 % of the walleye collected larger than 20 and 26 inches respectively. In comparison, in 2009, only 16% and 1% of the walleye collected were larger than 20 and 26 inches respectively. In addition, fish survey data also shows a 57% decline in walleye over 20 inches and a 89% decline for walleye over 26 inches based on net catch rates over the past two years. More concerning is that no walleye larger than 27 inches were collected in 2009 when compared to 9 fish collected in 2007.

A local resolution was introduced and passed at the 2009 spring conservation congress hearings requesting the Department implement a 28 inch length limit with a daily bag of one fish to restore the quality walleye fishery that was formally present in Silver Lake. This resolution passed by a 2:1 vote (37-15). The regulation proposal was also supported as a statewide advisory question in 2010 by a vote of 1,471-777.

Considering the overwhelming local support to restore the walleye fishery on Silver Lake and to provide and manage Silver Lake for a trophy sized walleye fishery do you support the following?

The Management Goal is:Restore the adult walleye population in Silver Lake to provide a trophy size structure.

This regulation proposal is one tool to help meet the management goal because:It would protect walleye from harvest until reaching trophy length.

Do you favor : Increasing the walleye minimum length limit from 15 inches to 28 inches and reducing the walleye bag limit from 5 to 1 on Silver Lake to provide a trophy fishery?

Fish Team Supervisor Regulation Proposal Review Checklist

Proposal Title Establishing a trophy walleye fishery in Silver Lake, Barron County		
Author Heath Benike/Terry Margenau	Reviewer Terry Margenau	Date 7/12/2011
<p>Fish Team Supervisor Reviewer Notes: This proposal was to be included on the 2011 spring hearing questionnaire, but because of a miscommunication between FM board and field staff it was not re-submitted. Hence, it is now being resubmitted.</p> <p>Silver Lake has the components to be a trophy walleye lake. The only thing lacking is protection of fish from angler harvest. This proposal aims to do that.</p>		

Recommended Action by Fish Team Supervisor

Approve Reject

Regional Fish Supervisor Regulation Proposal Review Checklist

Proposal Title Establish a Trophy Walleye Fishery in Silver Lake, Barron County		
Author Heath Benike/Terry Margenau	Reviewer Steve AveLallemant	Date 07/18/11
<p>Regional Fish Supervisor Reviewer Notes: The Silver Lake walleye population has a good time series history of fairly low abundance and particularly fast growth (better than NOR or even statewide averages by a good margin) so definitely a potential to create (restore) a trophy walleye goal.</p> <p>The proposal has been introduced before and has good public support including Cons Congress resolution which DNR has backed.</p> <p>Rejection of the proposal previously was because it was a "save the big walleyes" proposal not a trophy goal proposal with adequate justification for same.</p>		

Recommended Action by Regional Fish Supervisor

Approve Reject

Species Team Regulation Proposal Review Checklist

Proposal Title		
Author	Reviewer Walleye Team	Date 12/14/11

Species Team Reviewer Notes:

Silver Lake- Team defers to FMB policy decision on place of “trophy walleye management” as a viable use of a healthy walleye fishery. The option of a 28” minimum is offered within the current management plan for purposes of walleye population rehabilitation or trophy management, but has never been employed for the latter purpose.

The team does raise several questions about the appropriateness of Silver Lake for trophy walleye management:

- a. As a 300-acre lake with a cisco forage base, how much additional walleye production can the lake sustain under what would essentially be a no-harvest option? The additional walleye biomass and pressure on the cisco forage base may have the unintended consequence of slowing growth rates and limiting reproductive success.
- b. The team disagrees with the use of “restoration of large fish” as a management goal
- c. The trophy fishery observed developed under a 15” minimum, and as word of large, accessible fish spreads, the lake will be pulse-fished any time the fish are present.
- d. An alternative to consider is a 20-28” protected slot, which would provide harvest opportunity in a lake that hosts one of only a handful of reasonably healthy walleye fisheries in the area while reducing exploitation of memorable-size walleye. However, the team did not fully discuss the implications of this alternative.

From Heath Benike:

I talked to Ave and he is of the opinion we move forward with a 28 and 1 and not entertain the slot option and he will discuss that with the board. I am fine with that. Some additional comments to specific questions are provided below.

Silver Lake- Team defers to FMB policy decision on place of “trophy walleye management” as a viable use of a healthy walleye fishery. The option of a 28” minimum is offered within the current management plan for purposes of walleye population rehabilitation or trophy management, but has never been employed for the latter purpose.

--->Our walleye management plan (page 25) stated that trophy walleye regulations were supported by about 70% of anglers. In addition, when those anglers were asked "How many of Wisconsin's 1000 walleye waters should be managed for trophy walleye regulations, the most common response was about 50 waters". Currently, we have 4 waters in the state that are managed with a 28 and 1 regulation, Silver Lake would be the fifth if ultimately approved. There is room for more trophy type walleye angling experiences in Wisconsin and this proposal came up through the congress with documented local and statewide support for this particular regulation change.

The team does raise several questions about the appropriateness of Silver Lake for trophy walleye management:

- a. --->The lake is monitored as part of our Tier 1 and treaty monitoring programs. Currently the lake meets all the criteria for trophy management (low density, fast growth and a history of larger fish). If problems occur (they are not anticipated) any future biologist could change the regulation if future data supported such change.
- b. --->No comment.
- c. ---> Yes, this is why we are proposing a 28 and 1 to maintain/manage for a trophy fishery rather than a pulse orientated fishing experience which would likely continue to happen if we did nothing.
- d. --->See above, I discussed with Ave and he indicated it was his preference to move forward with the 28 and 1 option.

Recommended Action by Species Team

Approve Reject