

**Meeting Date:** May 16-17-18, 2007

**Agenda Item No.** 23.

**Agenda Item:** Commercial Fishing Rules  
Modification (Action)

**Bureau Chief Approval:** \_\_\_\_\_

**Prepared by:** Fred Partridge

**Background:** A commercial fishing license has been requested by a group of anglers to fish for common carp using a gill net. While Department staff feels this type of fishery in selected waters would be a benefit to both the resource by reducing common carp numbers and to anglers desiring these species as a food fish, current wording of the Commercial Fishing Rules IDAPA 13.01.12 does not give the authority to allow gill nets. The Department does not want to establish general rules allowing gill nets, but is interested in being able to allow their use on a water by water basis where species such as common carp are the predominant species and other methods of fishing are inappropriate due to excessive cost to the angler or limited access for other gear types.

The general list of fish species available to commercial anglers has not been updated since 1993 and includes a number of nongame fish species that are currently listed in the Idaho Comprehensive Wildlife Conservation Strategy (CWCS). These species are either listed as either in need of conservation actions or insufficient information to determine status. Having the same species listed as a Commercial species available for unlimited harvest would be in conflict of this Strategy. Due to limited numbers, range, and low economic value of these species, we currently are not seeing any commercial harvest of the species proposed to be removed from the Commercial fish list.

Commercial Fishing Rules IDAPA 13.01.12 with proposed changes is attached.

**Statutory Authority and/or Policy Issues:** Idaho Statute 36-104 (b) 2 gives the Commission the authority to set Fishing Rules. Fishing Rules are provided in IDAPA 13.01.12

**Public Involvement Process:** Rule modification for gear types has been requested by the public. A news release regarding the proposal was issued and information was provided on the Department's website. To date (4-26-07), no public comments have been received.

**Staff Recommendation:** The staff recommends the Commission approve the proposed changes to the Commercial Fishing Rules.

**Justification:** Approval would allow the Department greater flexibility in managing abundant Commercial Fish Species and would bring the Commercial Fishing Rules into agreement with the Idaho Comprehensive Wildlife Conservation Strategy.