

## 2013 DNR RULE CHANGE PROPOSAL FORM – MUSKIE SIZE LIMIT INCREASE

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**1) Proposed rule changes (cite the rule and describe the change, but proposed rule language is not necessary):** The proposed rule change addresses 312 IAC 9-7-4 and imposes an experimental increase in the minimum size limit for taking or possessing muskellunge or tiger muskellunge from 36 inches to 44 inches at Lake Webster, Backwater Lake, and Kiser Lake in Kosciusko County.

**2) Explain the need for the change. What problem/opportunity does it address? Include any technical/scientific/survey information and the history/background (if any).**

Although the Division of Fish and Wildlife does not have conclusive data that angler over-harvest of muskies limits the quantity or quality of muskie fishing opportunities in the state, the Division recommends that the 36-inch minimum size limit should be increased to 44 inches at Lake Webster, Backwater Lake, and Kiser Lake for the following reasons:

1. Lake Webster, along with its interconnected waters (known as Backwater Lake and Kiser Lake), is Indiana's primary broodstock source for capturing adult muskellunge and procuring eggs to support the DNR's statewide muskie stocking program. Maintenance and potential expansion of the stocking program relies on obtaining adequate numbers of large, sexually-mature muskies each spring during the egg-taking process. A high-density of large, older female muskies is needed at Lake Webster to ensure ample numbers can be captured efficiently. Increasing the minimum size limit to 44 inches could provide a greater degree of protection for these fish.
2. Although the catch rate of adult muskies captured each spring during the egg-taking operation has not declined at Lake Webster, some evidence suggests that fewer young muskies are now surviving due to a variety of possible factors. Muskie fishing in Indiana depends entirely on stocking. Little if any reproduction that may occur is not likely to sustain the fishery without stocking. If the trend toward less recruitment continues, the overall adult muskie population may decline and fewer adult muskies will be available for egg-taking and for fishing. Increasing the minimum size limit to 44 inches could help alleviate the effects of a potential decline in muskie recruitment.
3. Based on data reported to the DNR by professional muskie guides operating at Lake Webster, the average muskie catch rate by their clients has declined in recent years, despite a slight increase in 2012. Muskie guides have also reported that the number of sightings of muskies that follow their baits (i.e., an important aspect of muskie mystique) has declined. The general consensus among Lake Webster guides is that the adult muskie population has declined. At its peak in 2008, there were 284 guided muskie fishing trips at Lake Webster estimated to be worth \$92,000 of guide income. Their clients also provided indirect benefits to the local economy by purchasing lodging, food, and other items associated with the fishing trips. In 2011 and 2012, guided muskie trips dropped by 70% due to declining angler interest and satisfaction. A larger size limit, along with

increased enforcement, could renew interest in muskie fishing at Lake Webster, increase the ability of guides to satisfy their customers, and maintain a viable muskie fishing guide business.

4. Although angler creel surveys and reports from guides indicate most anglers release the vast majority of muskies that they catch, 44-inch and larger muskies make up a relatively small percentage of the adult population at Lake Webster. During the 2012 egg-taking operation, 35% of all 30-inch and larger muskies were 40 inches or larger, but only 5% were 44 inches or larger. None were 48 inches or larger. Since 2006, muskies that were 44 inches and larger averaged only 4% of the adult ( $\geq 30$ -inch) population. This is due in part to an inherent tendency of most male muskies to grow slowly after reaching 36 inches. However, female muskies in Lake Webster continue to grow beyond 36 inches at a normal rate and could be expected to reach 44 inches and larger. Increasing the size limit to 44 inches could potentially shift the population to greater numbers and larger percentages of 36- to 44-inch female muskies and possibly increase abundance of even larger fish.
5. Lake Webster is Indiana's most-renowned muskie lake and has garnered regional and national attention. As such, it draws the greatest number of muskie anglers on any Indiana lake and experiences the greatest amount of muskie fishing pressure. As a result, it may also be experiencing a higher level of angler exploitation of muskies than other lakes. However, getting accurate estimates of year-round angler harvest at Lake Webster has been difficult due to cost and the logistics of contacting a high percentage of anglers, including numerous local anglers who don't access the lake through the state-owned boat launching ramp. Increasing the minimum size limit here would likely maximize its potential benefit. If the change results in a greater number of larger muskies, the regulation could be expanded to other lakes. If it does not result in larger muskies, it would be unlikely that a larger size limit would be needed at other lakes.
6. Muskies, based on their ability to grow larger than 48 inches with some exceeding 50 inches, are considered a "trophy-fish" by most anglers. They are primarily prized for their size and the thrill of the catch, rather than edibility. Over 25 muskie anglers who participated in a muskie discussion with DNR Division of Fish and Wildlife in August 2013 in Columbia City expressed unanimous support for increasing the minimum size limit. They have also previously expressed interest in designating some Indiana muskie waters as "trophy-lakes". Increasing the minimum size limit at Lake Webster, Backwater Lake, and Kiser Lake could address some of this public interest.
7. When Indiana started its muskie stocking program in the 1970s, a 30-inch minimum size limit was thought to provide adequate protection and was in line with neighboring states. The limit was subsequently increased to 36 inches in 1999. Other neighboring states have also increased their minimum size limit on muskies and the trend continues. Six of eight states (Illinois, Iowa, Michigan, Minnesota, Pennsylvania, and Wisconsin) now have larger minimum size limits than Indiana. Michigan has a statewide 42-inch size limit, imposes a 50-inch limit at their hatchery broodstock lakes, and allows only one muskie to be harvested per year. Illinois has a 48-inch limit at several waters. Only Kentucky with its statewide 30-inch limit and Ohio with no statewide limit are less restrictive than Indiana. Both states, however, impose larger limits at certain designated waters.