

Council of Lake Committees

Crowne Plaza Detroit Metro Airport
Romulus, Michigan
21 October 2003

Summary

Attendees (Members): Chairman Jack Wingate (MN DNR), Brian Breidert (IN DNR), Bill Culligan (NYSDEC), Ken Cullis (OMNR), Jim Dexter (MDNR), Tom Gorenflo (CORA), Steve Hewett (WDNR), Rick Hoopes (PFBC), Bill Horns (WDNR), Neil Kmiecik (GLIFWC), Roger Knight (ODNR), Steve LaPan (NYSDEC), Rob MacGregor (OMNR), Mike Morencie (OMNR), Tammy Newcomb (MDNR), Kurt Newman (MDNR), Dave Reid (OMNR), Tom Trudeau (IL DNR). Vice Chairman Dave McLeish (OMNR) was not able to attend.

(Presenters & Observers): Ann Alexander (Environmental Law and Policy Center), Dale Burkett (GLFC), John Casselman (OMNR), Margaret Dochoda (GLFC), Mark Ebener (CORA/GLFC), Jill Finster (GLFC), Jim Galloway (USACOE), Marc Gaden (GLFC), Kathy Glassner-Shwayder (GLC), Chris Goddard (GLFC), Chip Groat (USFWS), Gerry Jackson (USFWS), Chuck Krueger (GLFC), Bill Lafferty (OMNR), Bob Lange (NYSDEC), Pat Lewis (GLFC), Heather Lutz (GLFC), Bruce Manny (USGS), Phil Moy (WI Sea Grant), John Robertson (Public Service Consultants), Mark Ridgway (OMNR), Ed Rutherford (UOM).

1. Call to Order, Self-introductions & Announcements

Chair J. Wingate called the meeting to order inviting attendees to introduce themselves. At B. Horns' suggestion the CLC agreed to discuss agenda development under *Other Business* (#29).

2. Large Vessel Program Update

Chair J. Wingate (MN DNR) reviewed CLC activities pertaining to the USGS large vessel program. In September, current CLC Chair Wingate, past chair Bob Lange, and MDNR's Kelley Smith (who served on the Blue Ribbon Panel advising the CLC) met with Dept. of Interior officials Craig Manson, Tom Weimer, and Chip Groat to explain concerns for the Large Vessel Program and the basis of the requested transfer of the program to the USFWS.

3. Large Vessel Program: USGS Proposal

C. Groat (USGS) acknowledged the concerns of the CLC, offering to work with the CLC to produce a memorandum of agreement specifying USGS commitments and that of its partner agencies. Dr. Groat noted that making the vessel program whole is one of the top priorities for the USGS and that the fiscal 2005 budget will likely reflect a commitment to work toward restoring the program.

4. Large Vessel Program: CLC Position

The CLC agreed to pursue the development of a Memorandum of Agreement, reviewing progress after a period of time in order to determine whether to continue pressing for the transfer of the large vessel program to the USFWS. The CLC also agreed to consider its approach to seeking additional funds for the vessel program after the fiscal 2005 budget is released in February 2004.

5. Dispersal Barriers Update

P. Moy (WI Sea Grant) reported on monitoring efforts to determine the progress of Asian carp from the Mississippi River to Lake Michigan. To date, no Asian carp had been found above the electric barrier; the furthest the carp have been sighted is a point near Joliett, Illinois, which is approximately 20 miles below the electrical barrier. Contracts have been awarded to study the effect of barges on the electric field (John Dettmers, Illinois Natural History Survey), and to design a second electric barrier (Smith-Root). Mark Pegg (INHS) reports that small bighead and silver carp can pass through the electric fields, but are repelled by sound.

6. Asian Carp: Rapid Response

P. Moy (WI Sea Grant) reported that a multi-agency task force is working on a rapid response plan to prevent Asian carp from advancing past the electrical barrier on the Chicago Sanitary and Ship Canal. Moy noted that upon discovery of Asian carp in the stretch of water from Lockport Pool to the electric barrier, Illinois DNR will lead an 8-hour rotenone treatment that could close the canal for 36 hours (agencies are working to reduce this closure to around 18 hours). Outreach is included in the rapid response plan. Funds are being sought to support a contract fishery at the upstream end of distribution.

7. Environmental Law & Policy Center Report on Asian Carp Regulations

A. Alexander (Environmental Law & Policy Center) reported on GLFC-funded research to assess and to synthesize current state and federal laws governing the trade of live fish. Among potential reforms, she listed

- more effective listing systems,
- prohibit live bait imports,
- well-defined operation and inspection requirements for aquaculture,
- add substance to “pay-to-play” licenses for transportation, fish dealer, and bait dealer,
- ban live delivery to consumers,
- narrow or eliminate pet trade exemptions,
- tip lines or bounties,
- liability for escape/bonding requirements
- stronger penalties.

She will propose legislative solutions in phase II of her research.

8. Lacey Act Update on Listing Asian Carp

G. Jackson (USFWS) reported on Fish and Wildlife Service progress in listing black carp as injurious. Comments have been sought on listing silver and bighead carp (the latter due 17 November 2003.)

9. Asian Carp

CLC members reported on their jurisdictions regulation of Asian carp. B. Culligan (NYSDEC) reported concern for Asian markets in New York City, but expected that regulations would be forthcoming.

10. Law Enforcement Committee Membership

The CLC revised the terms of reference for the Law Enforcement Committee allowing membership by the U.S. Coast Guard.

11. Basin-wide Tagging Proposal

M. Ebener (CORA/GLFC) reported on the findings of the Great Lakes contingent that traveled to Seattle and Olympia, Washington in early October 2003 to discuss mass marking technology with staff of Northwest Marine Technology (NMT), Washington Dept. of Fisheries and Wildlife, and other fishery agencies. The contingent believes that the mass marking trailers produced by NMT should be used in the Great Lakes basin to ultimately mark all hatchery-reared trout and salmon. M. Ebener recommended to the CLC that a task group be formed of fishery biologists, fishery managers, and state and federal hatchery personnel whose charge would be to develop a phased implementation plan for mass marking of trout and salmon in the Great Lakes. The task group will also pursue a demonstration project with a mass marking tagging trailer in the Great Lakes during the summer of 2004. The plan will address agency commitment, financial and logistic commitments, disease issues, and tag recovery logistics and commitments.

The CLC endorsed the concept of the task group and their charge. M. Ebener will report back to CLC at its April 2004 meeting.

12. Great Lakes Fishery and Ecosystem Restoration Support Plan Update

J. Galloway (USACE) reported that the implementation plan for the restoration program is now in review within the Corps of Engineers. It appears that \$700,000 or more will be available for projects in 2004. Congress has provided additional funds to support implementation of the program in 2003/2004. Galloway reiterated that the corps has been grateful for CLC involvement in the development of the support plan and looks forward to working with the council to implement this important initiative.

13. Great Lakes Fishery and Ecosystem Restoration Communications

J. Robertson (Public Sector Consultants) reported that Public Sector Consultants and the commission expect to complete a communications plan for the Fishery and Ecosystem Restoration Act by the winter of 2004. Target audiences will include elected officials, fish management agencies, stakeholders, and municipal and local governments.

14. American Eel Symposium Summary & Actions

J. Casselman (OMNR) reported the findings of the International Eel Symposium held in conjunction with the American Fisheries Society. A publication funded by the GLFC and OMNR is in preparation. There was passion, frustration, and urgent concern that after years of workshops and symposia, no concerted action has been taken to try to reverse declines. Possible factors behind recent declines include:

- alteration and loss of habitat,
- barriers to migration,
- changes in oceanic conditions,
- exploitation,
- hydroelectric turbine mortality,
- productivity and food web changes,
- parasitism,
- Sargasso weed harvest, and
- toxicity of contaminants.

15. Lake Sturgeon

B. Manny (USGS) reported that to restore a self-sustaining, robust, harvestable population of sturgeon in the Detroit River, the following are needed:

1. a conservative management plan, i.e., restrict harvest;
2. scientific assessment, i.e., standardized surveys, habitat inventory, habitat restoration;
3. law enforcement, i.e., consistent regulations, sturgeon guarding program;
4. progressive public involvement, i.e., presentations, awareness, ownership, appreciation of a rare and valuable resource.

Based on his studies and analysis, Dr. Manny concluded that the goal of establishing a robust, self-sustaining, lake sturgeon population in Lake St. Clair and the Detroit River would benefit from jurisdictions responsible for natural resource management setting forth uniform and consistent regulations for sturgeon protection and management.

16. Development of a Lake Michigan Sturgeon Management Plan/Stocking of Sturgeon by Wisconsin

B. Horns (WI DNR) reported on an issue that had arisen in the Lake Michigan Committee. Other LMC members had asked that Wisconsin not stock 4,800 fall fingerling lake sturgeon into two tributaries of Lake Michigan in 2003 (part of Wisconsin's 5-year rehabilitation stocking program). The concern was that some of the stocked fish would stray and, upon reaching sexual maturity, enter streams holding small, genetically distinct lake sturgeon populations where they might destroy the genetic identity and viability of the remnant populations. Wisconsin acceded to the request. The LMC is working on a lake-wide sturgeon restoration plan and hopes that consensus will be found in the process.

On behalf of Wisconsin, B. Horns asked:

1. Does the consensus strategy of the Joint Strategic Plan require a signatory agency proposing an active management strategy (in this case the stocking of sturgeon) to forgo that action when one or more members of a Lake Committee expresses concerns about the effects the strategy might have on fisheries resources elsewhere?
2. Does the proposed stocking of lake sturgeon of a strain already present in Lake Michigan fall within the scope of the "Procedures for Consultation" of the CLC?

Time being short, there was little substantive discussion.

17. Results of 5-Year Ontario Study on Cormorants

J. Casselman (OMNR) reported that in Lake Ontario, fish consumption by cormorants has increased significantly over the past decade. Numbers / biomass of cormorants' prey fish have decreased significantly. Relative change in fish consumption on an area basis indicates that in eastern Lake Ontario, these avian fish predators are now consuming a substantial portion of the available prey fish, i.e., 44% of potential production and 76% of optimal yield, resulting in a redistribution of fish resources.

Electrofishing in Lake Huron shows that fish abundance and species diversity have decreased over the study period (2000-02). The number of 200 m electrofishing transects devoid of fish has increased over time: 5.3% in 2000, 17.3% in 2001 and 28.8% in 2002. In Georgian Bay in 2000-02, there was a highly significant negative relationship between fish biomass and cormorant nest density within the grid. The number of nests in the grid explains 74% of the variance in fish biomass. Relative abundance in fish numbers and cormorant nest density was highly correlated between years and among grids. Change in cormorant nest density explained 84% of the variance in fish abundance. To have stable fish numbers, nest densities must decrease by 56%; if nest densities remain stable, inshore preyfish numbers will decrease by 52%.

M. Ridgway (OMNR) elaborated on the Lake Huron study results: current estimates indicate that cormorants are consuming about 30%—and perhaps more—of annual production in the coastal areas. His analysis of bird reduction indicates that it must be done on a large or regional basis to

be effective. In response to B. Horns, he replied that Green Bay might be an appropriately large size area for bird reduction.

18. USFWS Cormorant Update

G. Jackson (USFWS) reported on the *Double-crested Cormorant Final Rule* (October 8, 2003; 68 FR pages 58022-58037, which comes into effect after a 30-day waiting period. The intent of the final rule is to give the states and other agencies greater authority to take Double-crested Cormorants in order to protect other resources; it will be up to the agencies to come up with the funding to carry out this authority based on their priorities; “agents” can be designated provided that they abide by all of the terms and conditions of the order. Regional coordination among states is not precluded.

19. Officer Elections

Chair J. Wingate is stepping down. Vice-Chair D. McLeish will take over as chair through 2005. At suggestion of B. Horns, a nominating committee was established to nominate a vice-chair to serve through 2005. The CLC asked J. Wingate, D. McLeish and B. Horns to serve as nominating committee. K. Newman subsequently agreed to stand for Vice-Chair.

20. Technology Transfer

C. Krueger (GLFC) outlined two technology presentations planned for 2004 Lake Committee meetings on:

1. Biotelemetry Procedures and Applications and
2. Hydroacoustics in Fishery Science.

21. Percid Management in Lake Erie Update

R. Hoopes (PAFBC) discussed progress under the Coordinated Percid Management Strategy (CPMS), which was implemented in 2001. Yellow perch population declines have reversed and stocks are rebuilding. Walleye population declines have stopped, but there are concerns for 2004 and stocks have not begun to rebuild. As a result, the LC reported the following actions during its March 2003 meeting:

1. LEC recognizes significance of concerns for the resource and the fisheries;
2. LEC understood that a large reduction in 2003 Total Allowable Catch (TAC) would have sudden and severe impact on fisheries;
3. LEC maintained 2003 TAC at 3.4 million fish as specified in CPMS;
4. LEC will implement significant reductions in 2004 walleye TAC; and

5. User groups were alerted to be prepared for 40-60% reduction in the 2004 TAC, a reduction requiring substantial changes governing both sport and license conditions for fisheries.

While affected jurisdictions vary in how they propose to implement the reduction in the walleye TAC for 2004, they are committed to resolving any impasse and to preserving the integrity of the LEC process. The GLFC has been asked to support conflict resolution as described in the Joint Strategic Plan. Agencies continue to refine their estimates of populations and harvests and to improve the LEC process through a decision analysis modeling initiative led by Dr. Mike Jones (MSU). A walleye management plan for 2004 and beyond (which builds on the Coordinated Percid Management Strategy) is in preparation.

22. *Heterosporis*: Agency Response

To save time, CLC members agreed to submit summaries after this meeting for inclusion in the minutes of actions planned or taken to slow the spread of *Heterosporis*:

New York (B. Culligan)

New York has notified region fish units and hatcheries to be on the lookout for *Heterosporis*. At this time we don't receive any fish from any waters suspected of harboring the parasite.

The most important action in NY is that we have now formalized an agreement with Dr. Paul Bowser at Cornell University to conduct fish pathology studies of wild fish throughout the state. In fact we sent him a couple of specimens from Lake Erie this year which were suspected of *Heterosporis*. Fortunately, they turned out to be myofibrogranuloma cases. We will remain vigilant.

Ohio (R. Knight)

- OH has not taken major action on this issue other than making fisheries personnel aware of the issue, including hatcheries.
- We think it is an important issue but have questions, i.e., Who will do the pathology? Will there be regional reports of its distribution (and by whom)? Who will develop sampling protocols for net-caught fish?
- At present, we are not set up to handle processing of bulk samples for this parasite and don't have a staff pathologist (hatchery staff would have the most expertise).

Michigan (T. Newcomb)

The Basin Coordinators are currently working with field managers to identify (based on the memo from the Fish Health Committee) where our operations may be vulnerable to the disease transmission. Gary Whelan is looking into our hatchery operations to assess the same and is pursuing costs estimates for the health inspections with the fish health specialist at Michigan State (Mohammed Faisal, MSU). At our December Division management team meeting, Michigan plans to discuss adopting parts or all of the recommendations provided by the Health Committee.

Illinois (T. Trudeau)

Illinois is monitoring for *Heterosporis* by visually inspecting fillets during our annual perch assessment. So far no fillets have been found having the characteristic "freezer burn". If any are found in the future we will send them to our pathologist for further analysis.

The only fish stocked into the Great Lakes basin from our hatchery are raised on pelleted food.

Wisconsin (Sue Marcquenski)

After conducting fisheries assessments in lakes where *Heterosporis* is known to be present our biologists disinfect nets and boats before moving to another lake.

- We have met with the baitfish industry to tell them where *Heterosporis* is known to be present and to encourage no harvest from those waters.
- We make no field transfers of fish from *Heterosporis*-infected lakes to other waters.
- We have posted pictures of *Heterosporis* and contact information. This has led to the confirmation of *Heterosporis* in three or more lakes where it had not previously been documented.

Minnesota (Joe Marcino)

Heterosporis Monitoring 2003

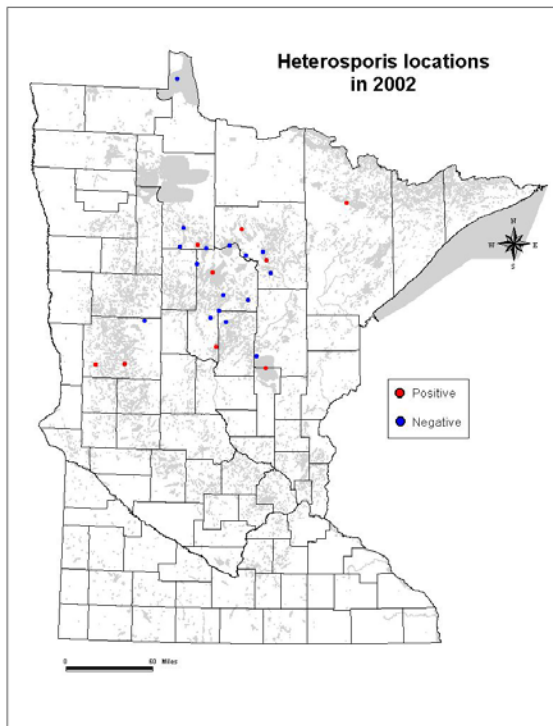
Minnesota began its monitoring this spring at the walleye and muskellunge production coordination meetings. At that time, *Heterosporis* was discussed and Dr. Dan Sutherland (U of Wisconsin) presented information on the disease. It was determined that we needed to take aggressive steps to learn more about the prevalence of this parasite in Minnesota.

The following action steps have been implemented:

1. A sample from all fathead minnow purchases for stocking in muskellunge rearing ponds will be examined for the presence of *Heterosporis*.
2. Samples of 20-30 fish per walleye rearing pond will be collected and shipped to the pathology lab for examination.
3. Private fish hatcheries requesting inspection will be screened for the presence of the parasite.
4. State hatcheries will continue to be monitored for this parasite.
5. The use of Vircon S as a disinfectant is being tested at two state hatcheries.
6. Information will be placed in the 2004 Fishing Synopsis regarding fish pathogens and how to prevent their spread.

As of October 18, 2003, we've examined nearly 700 walleye fingerlings from state rearing ponds, several hundred fathead minnows, and nearly 25 private fish hatcheries. No new infestations have been found.

Below is a map of waters showing water bodies with the parasite, and others that have been tested with negative results.



23. Artificial Reefs

Not discussed for lack of time.

24. Great Lakes Panel's Rapid Response Initiative

K. Glassner-Shwayder (GLC) reported that the goal of the EPA-funded Rapid Response Plan for Great Lakes Aquatic Invasions is to prepare a model plan to facilitate timely implementation of appropriate eradication / control measures upon discovery of an invasive species. Components of the plan include:

1. Communications and organizational structure
 - authority and leadership roles
 - coordination, cooperation and partnerships
 - communication structure, chain of command
2. Outreach
 - public, media, and legislative relations
3. Early detection and monitoring
 - reporting system for aquatic nuisance species (ANS) sightings
 - baseline survey of ANS infestations
4. Decision support and scientific assessment
 - protocol to determine if rapid response is feasible
 - risk assessment
 - post-response predictions

5. Management options for control / eradication
 - evaluate management options for application
 - permitting for control measures, including pre-approval
 - quarantine establishment and enforcement
6. Implementation
 - communication structure – the authority to act
 - making plans operational on federal, state and regional levels
 - application of control / eradication options
7. Adaptive management
 - evaluate effectiveness
 - mitigation / restoration of treatment areas
 - post-procedure monitoring / re-introduction risks
8. Funding
 - develop a funding strategy that identifies local, state, and federal funding sources.

She asked:

1. Is there a role for the Fishery Commission in the development and implementation of rapid response plans? If so, how can the Commission assist in the process of rapid response planning?
2. What are the keys to making ANS rapid response feasible on a technical and economic level?
3. What can be done to “operationalize” ANS rapid response planning on a state and / or regional level?

B. Horns questioned the need for and wisdom of formal rapid response plans, but time did not permit a discussion.

25. Lake Michigan Environmental Objectives Workshop Findings

E. Rutherford (UofM) reported that a workshop was held 20 October 2003 to review Environmental Objectives (EOs) for Lake Michigan. Twenty persons attended, representing federal and state management agencies working on Lake Michigan, and EO efforts for Lakes Huron and Erie. Workshop objectives included review and discussion of EOs for Lakes Michigan, Huron and Erie; review classification and GIS databases for Lakes Michigan and Huron; review models that link habitat to fisheries; and discussion on how to move forward. Arunas Liskauskas (OMNR) presented status of EOs for Lake Huron, and Jeff Tyson (Ohio DNR) presented status of Lake Erie EOs. Common issues among Lake EOs include: lack of data for fisheries/habitat linkages, lack of consensus on how to use habitat data where it exists, need to better coordinate requirements of habitat groups with management needs, and lack of commitment among agency personnel towards EO development owing to overscheduling and high work loads. Emily Marshall demonstrated a beta version of Lake Michigan GIS, and Christine Geddes presented the Lake Huron GIS. Doran Mason of NOAA GLERL presented his work on mechanistic and modeling linkages between habitat and grouper recruitment in Florida, and Tomas Hook presented his dissertation work on habitat influences on alewife recruitment in southern Lake Michigan. Next, Ed will draft EOs for Lake Michigan with help from David

Clapp (Michigan DNR) and Tom Trudeau (Illinois DNR), in coordination with LaMP and Aquatic Gap projects for Lake Michigan.

26. Lake Committee Meeting Format

R. Lange (GLFC) discussed a proposal for a consolidated one-week meeting format for annual meetings of lake committees. The CLC decided against adopting the consolidated format. Members were concerned that the lake-focus not be lost. Also, attendance could be compromised since few people could travel longer distances to attend lake committee meetings.

27. CLC Task Force of Technical Committee Chairs

M. Ebener (CORA/GLFC) reported to the CLC that the Task Force of Technical Committee Chairs could

- identify issues that are of interest across the Great Lakes,
- facilitate specific issues before the Council of Lake Committees that are of interest on two or more Great Lakes,
- assist with development of task groups to address basin-wide issues, and
- encourage researchers to come forward to address basin-wide issues.

The following issues are common to all lakes:

1. chinook salmon stocking and marking,
2. restoration and management of indigenous species,
3. basin-wide research priorities,
4. lower food web dynamics
5. invasive species
6. climate change
7. coordination of environmental and habitat issues.

The CLC approved of the task force's ideas to provide overviews of basinwide issues.

28. Out of State/Province Travel

R. Lange (GLFC) discussed the problem of agency travel restrictions and possible remedies. Sometimes the problem is one of perception and not insufficient funds. The GLFC has some flexibility if individual agencies wish to explore arrangements. Also, there is potential for changing perceptions of cross-border travel, i.e., joint management of a shared resource necessitates some cross-border travel, Buffalo in March is not a junket!

29. Other Business

a. Species at risk (ciscoes)

K. Cullis (OMNR) brought to the Council's attention Canada's *Species at Risk Act* including potential implications for the Great Lakes fishery and for development of recovery plans for species such as ciscoes.

b. Agenda production

Concerned that agendas so dense with information were insufficiently accommodating to discussion, B. Horns agreed to work with C. Goddard, and D. McLeish to propose an approach to agenda-formation for discussion at the April meeting.