

Report 200

SUGGESTIONS REGARDING FISH LEGISLATION AND REGULATIONS FOR IOWA

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FISH DIVISION

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This is one of the series of reports dealing with our investigation of fish and fishing conditions in Iowa in the summer of 1932.

GENERAL ROD LICENSE

As a means of putting more teeth in the laws, a general license should be required of every person fishing, the license to be suspendable or revocable on a conviction. For commercial fishing the same provisions should hold. For some special types of fishing, as the use of certain trot lines or nets, a small bond or a deposit might to good advantage be required, same to accrue to Department funds in case of a violation.

COMMERCIAL FISHING REGULATIONS

Use of trammel net

The trammel net is a source of considerable harm and illegal fishing, in the Mississippi near Lansing, according to Ves Baur and others. The sand sturgeon which are said to be sold, smoked, in most Lansing stores are reported to be caught by trammel nets. According to Baur these nets take mostly sturgeon and Missouri suckers.

Mr. Baur believes that trammel nets, "a poor man's net", would do no harm in the Mississippi Channel, but believes they should be limited in length to 200 feet and in use to the boundary waters. He opposes their use in sloughs, but from our limited information we do not appreciate the reason for this view.

Use of Pound and Hoop Nets

About Lansing a small pound net with steel frame, and with a wing running to

shore, is used extensively, being usually set at a strategic point, as the entrance of a slough. Salver got the impression, from Mr. Baur and others, these nets are a great detriment to the bass, largely because they are not run often enough. It would seem to be a reasonable provision, to stipulate that the nets be run every day. Temporary suspension of licenses for first offenses and rescinding of licenses for repeated violations would put teeth in the law.

For catfish hoop-nets 15" to 18" in diameter, without wings, are used. They are set in the channel and baited with clam meats or stale cheese (often very foul). These hoop nets about Lansing are said to be generally made from old nets obtained from "The Hatchery". A larger hoop net is said to be used for buffalo. We have no suggestion as to laws or regulations on such nets.

REGULATIONS FOR ROUGH FISH REMOVAL

This is of course a problem that calls forth considerable debate and antagonism. Many anglers have a fanatic antagonism to any kind of netting, though the seriousness of the rough fish menace in Iowa lakes is so obvious that in this state the feeling is not so wild as elsewhere. There can be no reasonable doubt that an excessive number of carp, sheepshead (or bullheads) is very deleterious to the production of better fishes. Just how the dominance of these species affects the others is not fully known, but observations now seem definite enough to establish the relation.

This problem is discussed at more length in the introduction to our report on Iowa lakes. Suffice it to say here, that whether the rough fish removal is done by state or by contract, it should be under most rigid Departmental supervision. This supervision should not only cover carefully drawn contracts, but also constant observation to make sure that the terms of the contract are not being abused. Local ideas and even prejudices should be understood and met in a way to engender good will instead of distrust and antagonism.

It was often heard through Iowa that there were many abuses of the contract

system of rough fish removal. One of these was the operators deliberately left a good spawning nucleus to preserve a year-to-year crop of rough fish. Even if true, we do not see why this should cause great worry, provided the numbers of rough fish are materially reduced. It might be the best policy to hold the numbers down evenly, rather than to clean out so many as to make netting for several years entirely unprofitable. The usual course then would be to wait until the rough fish recovered enough to become a serious menace again. The extinction of the rough fish seems to be out of the question in general. Their control so as to preserve a balance is possible. Of course fulfilling the main object of preserving a balance should be insisted upon. Working one state crew in with the commercial operators might prevent quitting too soon.

Our observations do not indicate that a single set of detailed regulations for the removal of course fish is desirable. The form of contract, method of warden supervision, etc., may well be made general, but the problems of gear, season, species and numbers to remove, etc., should be determined by local conditions. Full leeway should be given the Department of making separate regulations for rough fish removal from each lake ~~in~~ ^{part} each thereof.

USE OF TROT LINES

The present law regarding trot lines seems well devised and worded for ~~com-mercial-fishing~~ interior rivers, but is impractical for commercial fishing. Limiting trot lines to two per person and to 15 hooks per line seems foolish for the two boundary rivers. For these rivers we would suggest allowing trot lines up to 200 feet long, and with up to 150 hooks, and not more than three per person fishing. As a safeguard against illegal use a license should be required, subject to suspension or revocation on conviction of a violation. Requiring the running of the lines every few hours (time to be specified) would be desirable.

SPORT GEAR

Number of lines: A single instead of two lines per person would seem to be a reasonable and proper restriction. The arguments for such a provision were well

stated by Warden Hardman as follows: One line well watched and handled will catch as many fish as two with divided attention, if the fish are biting; otherwise there is not much use fishing; the unwatched line allows fish, especially pike to swallow the bait, causing injury in unhooking undersized fish (watching one line well allows an angler to hook the fish in the mouth).

Snagging.— It was reported to us to be unlawful to "snag" fish in Iowa, yet we saw this practiced at Iowa City and in the heart of Cedar Rapids. The "violators" use a small piece of bait "to evade law". In the lower portions of the big Iowa River we do not see that much harm would result from such fishing, and would suggest its legalization for such waters.

SIZE LIMITS

Wall-eyed pike

There is some reason for raising the size limit on wall-eyed pike from 12 inches to 14 inches. In Mr. Orel Hoel's experience at Clear Lake, 12 inch fish are not spawners. He believes that any loss due to removal of 12 to 14 inch pike from the hook will be more than offset by an increased natural spawning. Mr. Baur, on the contrary, believes the loss caused by removal of the smaller fish from the hook justifies the present 12 inch law. All we can say is that in general the loss of fish on hook removal appears to be less serious than is generally supposed.

Black bass

There seems to be no good natural reasons for having different laws or regulations on the two species of black bass occurring in Iowa (small-mouth and large-mouth). Furthermore a large percentage of anglers do not accurately distinguish the species, so that two size limits would be confusing and difficult of enforcement.

The present 12 inch law on bass seems rather excessive. A number of states, including Michigan, have abandoned a 12 inch law in favor of a 10 inch law. Iowa bass are generally chunky and in good condition, and therefore weigh up decently at 10 inches. No doubt some at least spawn that small.

While some bass sportsmen favor a 10 inch law, others appear satisfied with the present provision. At Clear Lake, Orel Hoel reported that he has not heard much objection to the 12 inch law. Mr. Baur told us he thinks the 12 inch limit too high for large-mouth bass, and we agree.

In the rivers we got evidence through observation and testimony that large numbers of 10 inch bass are caught, whereas few of 12 inches or longer are taken. Thus in the Cedar at Floyd we saw several 10 inch bass caught, and heard that though many of this size were caught, only one or two legal bass would ordinarily be caught in an afternoon's fishing. Very probably natural losses (flooding, etc.) account in large measure for this situation. It would seem wise to allow the catching of a reasonable number of 10 and 11 inch bass.

Crappie

The law should be uniform that for both species of crappie (black crappie, Pomoxis sparoides, and white crappie, Pomoxis annularis). A separate law would not be understood, as many do not distinguish the two kinds. We believe that 7 or ~~even~~ 6 inches would be a high enough limit on the crappies, agreeing with Ves Baur.

Sunfish

We recommend that the limit on sunfish other than bluegills be removed entirely. The present 4-inch limit is unsatisfactory, in that it protects the adults of only the undesirable ~~deep~~ forms (the orange-spotted sunfish in all localities and the green sunfish in some places). To protect these forms is to encourage their survival, at the expense of better species. It is doubtful if separate laws on the different species of sunfish other than bluegills would be enforceable, as the general public (and even some of the fishery officials) do not distinguish the species.

Bluegill

In some Iowa lakes, as Clear Lake, the bluegill is a very fine fish and reaches a good size. A four-inch law is inadequate protection for bluegills, to insure a spawning stock. We recommend 6 inch limit on the bluegill.

Trout

Michigan finds a 7 inch trout law more agreeable and satisfactory than an 8 inch law. We believe there is even more reason for a 7 inch law in Iowa. In that state artificial propagation is more important than in Michigan, relative to natural reproduction. With the building of adequate rearing facilities, it will become increasingly common for the trout to be caught soon after being planted. And it is much cheaper and safer to raise 7 inch trout than those an inch longer. The lower limit would allow fish to be taken which otherwise would have to face a second winter and spring, when a tremendous natural loss must occur in Iowa streams.

CATCH LIMITS

Pike and Black Bass

We met with some suggestions (as by Warden Hardman) that the catch limit for pike (8) is too high. Five pike would seem to be enough to satisfy an angler. We think this suggestion a good one, and recommend that section 1732 be amended to read (in part): "of which total number not more than eight shall be bass and wall-eyed pike, and not more than five shall be wall-eyed pike, and not more than five shall be black bass of either or both species.

SEASON LIMITS

In general, the season limits as established in Iowa seem fairly sound. However, intelligent observation as to breeding seasons, etc., may call for changes. The opening of the fishing on bass, crappie, bluegill, and sunfish on June 14 does not give complete protection to all species, especially the bluegill, but this can generally be provided by the establishment of more spawning refuges.

The law (or lack of law) permitting the catching of bullheads at any time of the year involves difficulties in fish conservation, and should be abolished. It came to our attention especially at Tuttle Lake, that in fishing for bullheads before May 15, many perch are caught, some of which are illegally taken away, others purposefully piled on the ice to die (to prevent re-biting), while others die from hook injuries. The solution, which would also help make enforcement easier,

would be to open fishing for bullheads on May 15, along with pike, etc.

The season for fishing of any kind on designated "trout streams" should be made to coincide with the trout season, preferably May Day to Labor Day inclusive. This suggestion is made to facilitate and to increase the law enforcement. The inclusion of Labor Day would meet with popular favor, as it would allow fishing over the Labor Day week-end, when many people like to go afield. It is also an easy date to remember.

FISHING HOURS

The Game Wardens are naturally desirous of a law prohibiting sport fishing in the dark, as violations in angling, netting, etc., are commonest then, and most difficult to detect. As a compromise Warden Hardman favors a provision to prohibit fishing from a boat between the hours of 9:00 P.M. and 4:00 A.M., not prohibiting fishing from shores, docks or by wading beaches.

Perhaps bullhead fishing would suffer most among the legitimate forms of sport, by such a provision. That point should be considered, especially as holding down the bullheads seems necessary to the best production of the better game fishes.

CONTROL OF SEINING AND HANDLING BAIT MINNOWS

The seining of minnows in the trout waters of the state should be prohibited. To facilitate the administration of this and other provisions, the streams of the state should be carefully classified and zoned. At least the trout waters should be designated as such. This recommendation is made not only with the view of saving food for the trout, but also of saving the trout themselves.

Specific provisions need be made, and enforced, to outlaw the holding of game fish fingerlings in bait buckets or boxes. The transporting of carp for bait should be made illegal.

Commercial bait dealers should be required to be licensed, at a fee sufficient to care for overhead involved, and the license should be revocable. A provision should be added, allowing the Department (at) limit the licenses as to place of

seining, gear to be used, number of minnows to be taken and number to be held on hand at any one time.

Minnow depletion, especially about the lakes, is apparently becoming serious.

Efforts should be made to induce bait dealers to establish minnow hatcheries. Experiments in some states (as Michigan) seem to indicate that this will prove practicable.

ZONING OF FISHING WATERS

In order to facilitate their legal administration, Iowa's fishing waters should be carefully zoned. This would require we suppose the delegation of specific power to the Department to do this. It seems advisable to prohibit minnow seining in trout streams but not in non-trout waters, at least for the present; also advisable to make all fishing in trout streams coincidence with the trout season.

Obviously the zoning of the waters should follow a careful classification. The zones would often divide streams or lakes, to separate trout and essentially non-trout waters in such a stream as the Macoqueta, or to set off bays or shore-sections of lakes as refuges.

In such a zoning, we hope that our field examination reports will be useful. Much further work of course remains to be done, before the most satisfactory zoning could be devised. It should be pointed out, however, that the zoning can be done by steps. Thus, the regulations regarding trout waters should be applied to "designated trout streams", and these could be designated from month to month as information became available. And of course changes in designation would at times be in order.