Pacific Rivers Council and Center for Biological Diversity Statement on Interim Restrictions on Stocking of Trout to Protect Native Fish and Amphibians in California Waters

Background:

On November 20, 2008, the California Department of Fish and Game agreed to interim restrictions on stocking of trout in California waters to limit harm to native fish and amphibians while the agency completes an environmental impact report under the California Environmental Quality Act. The restrictions, which are expected to last one year, prohibit the Department from stocking trout where species that are sensitive to stocking — such as California golden trout, Santa Ana sucker, mountain yellow-legged frog, and Cascades frog — are known to be present or where the agency has yet to conduct surveys for sensitive species.

The agreement allows the Department to stock in most reservoirs and other impoundments where it is unlikely that stocking will impact native species. The agreement also allows the Department to renew permits for private parties that have been stocking in past years; to continue with stocking for research, education, or native fish restoration purposes; and to continue anadromous fish enhancement programs.

The agreement stems from a May 2007 court order in a lawsuit brought by Pacific Rivers Council and the Center for Biological Diversity, which found that fish stocking has "significant environmental impacts" on aquatic ecosystems and "in particular, on native species of fish, amphibians and insects, some of which are threatened or endangered," and which ordered the Department to analyze and mitigate the impacts of the stocking program in an environmental impact report. This suit was filed in October 2006 after previous requests in 2005 and 2006 – asking the Department to undertake an environmental review of the fish stocking program and to cease stocking where it is having significant effects on native species – received no response of any kind. The Department said it could complete the required review by the end of 2008.

Because the Department had made little progress on the environmental impact report, it returned to court in October 2008 to ask for a one-year extension, until January 2010. To reduce the impact of the Department's delay on native species, the Center and Pacific Rivers Council asked for the interim restrictions on stocking. In support of this request, Dr. Peter Moyle — the leading expert on California native fish — and Dr. Roland Knapp — a leading expert on the impacts of stocked trout on California amphibians — submitted declarations concluding that one more year of stocking without proper mitigations could potentially have irreversible impacts on native fish and amphibians.

In response, California Superior Court Judge Patrick Marlette stated in a tentative order that interim measures were necessary and ordered the Department to negotiate with Pacific Rivers and the Center to determine where stocking could take place pending completion of the environmental impact report, the order that resulted in the current agreement.

See what the California Sportfishing Protection Alliance says about the restrictions on trout stocking: http://www.calsport.org/12-3-08a.htm

Read CalTrout's statement on the interim restrictions agreement:
http://www.caltrout.org/article.asp?id=379&bc=1

Questions and answers:

1. Do the Center for Biological Diversity and Pacific Rivers Council oppose fishing and hunting?

No. The Center and PRC recognize that fishing and hunting provide millions of Americans with an important connection to the natural world and that well-managed fishing and hunting programs are compatible with the conservation of imperiled wildlife. We work cooperatively with numerous hunting and fishing organizations on endangered species protection, habitat restoration, and native fish protection projects. Substantial proportions of our staffs, boards and memberships are avid anglers and/or hunters.

2. Was the goal of the lawsuit to shut down all stocking of trout?

No. The goals of the suit were to ensure that the Department of Fish and Game evaluates and mitigates the impacts of their stocking program on native species and to provide the public and scientists an opportunity to comment on the stocking program.

3. Did Pacific Rivers Council and the Center for Biological Diversity select the waters where stocking would be prohibited?

No. The waters where stocking is prohibited on an interim basis were determined solely by the Department of Fish and Game based on the criteria in the agreement.

4. Is stocking permanently prohibited in waters where the Department determined it cannot stock under the agreement?

No. The prohibition only applies while the Department is completing the environmental impact report, anticipated to last about one year. Stocking may be stopped permanently in some waters where the Department finds that native species will be unduly harmed.

5. If stocking has been going on for more than 100 years, can it be harming native species?

Yes. The fact that stocking has been ongoing for 100 years does not mean that it is benign. The Department's own research shows ongoing impacts to native species. In the high Sierra, the Department has been working to reduce these impacts in recent years by surveying for sensitive species, such as the mountain yellow-legged frog, and stopping stocking in some waters inhabited by frogs.

6. Does science support the premise that stocking is impacting native fish and amphibians?

Yes. In an initial request to the Department to conduct an environmental impact report submitted in 2005, Pacific Rivers Council and the Center provided the Department with roughly 100 scientific studies documenting the impacts of trout stocking on native species.

7. How do stocked trout impact native species?

Trout stocking can impact native species in a number of ways. As top-level predators in aquatic ecosystems, trout directly prey on many native amphibians and fish. They also compete with native species for food and space. Stocking of trout is also a potential vector for the introduction of diseases like whirling disease, which impacts native trout, and chytrid fungus, which is wiping out native amphibian species globally. It is also a vector for introduction of nonnative species like the New Zealand mud snail, which has been found in the Department's Hot Creek Hatchery.

8. Are trout the only threat to native species?

No. Native fish and amphibians face a multitude of threats, including habitat destruction, disease, and the introduction and spread of other nonnative species, including other game fish, such as bass, and bullfrogs. The fact that native species face other threats does not lessen the Department's responsibility to reduce and mitigate the impacts of fish stocking.

9. What will the impact be on fishing opportunities?

The interim restrictions will likely have a minimal impact on fishing opportunities. Ninety percent of the waters where the Department stocks will not be affected by the restrictions, and self-sustaining populations of trout in many of the waters where stocking is prohibited will still provide fishing opportunities.

10. What species are covered by the agreement?

A total of 25 species were identified as being potentially sensitive to trout stocking based on consultation with scientific experts:

Scientific Name	**Common Name**
Fish	
Oncorhynchus mykiss aguabonita	California golden trout
Oncorhynchus mykiss ssp.	McCloud River redband trout
Oncorhynchus clarkii clarkii	coastal cutthroat trout
Oncorhynchus mykiss irideus	southern California steelhead ESU
Oncorhynchus mykiss irideus	south-central California steelhead ESU
Oncorhynchus mykiss irideus	central California steelhead ESU
Oncorhynchus mykiss irideus	summer-run steelhead trout
Oncorhynchus tshawytscha	winter-run chinook salmon
Oncorhynchus tshawytscha	spring-run chinook salmon
Gila orcutti	arroyo chub
Gila bicolor thalassina	Goose Lake tui chub
Mylopharodon conocephalus	hardhead
Catostomus microps	Modoc sucker
Rhinichthys osculus ssp.	Owens speckled dace
Gila bicolor snyderi	Owens tui chub
Catostomus santaanae	Santa Ana sucker

Amphibians

Rana aurora draytonii	California red-legged frog
Rana cascadae	Cascades frog
Rana boylii	foothill yellow-legged frog
Rana pipiens	northern leopard frog
Rana muscosa/Rana sierrae	mountain yellow-legged frog
Rana aurora aurora	northern red-legged frog
Rana pretiosa	Oregon spotted frog
Ascaphus truei	tailed frog
Bufo californicus	arroyo toad