

# MAINE STATE LEGISLATURE

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Maine Department of  
Inland Fisheries & Wildlife



Report Back to the 130<sup>th</sup>  
Joint Standing Committee on Inland Fisheries & Wildlife

**Annual Update**  
**State Heritage Fish Waters List**

January 27, 2021

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Title 12 MRSA, Section 12461 requires the Department's commissioner to adopt by rule a list of state heritage fish waters (SHFW) composed of lakes and ponds that contain state heritage fish (eastern brook trout waters and Arctic charr) waters that have never been stocked or have not been stocked for at least 25 years. The list of state heritage fish waters may be amended by rule (routine technical) based on criteria established by the commissioner.

The following restrictions apply to waters designated as State Heritage Fish Waters to promote conservation of these resources:

1. Stocking. The Commissioner may not stock or issue a permit to stock fish in a lake or pond listed as a State Heritage Fish water.
2. Restrictions. A person may not use live fish as bait or possess live fish to be used as bait on a lake or pond listed as a State Heritage Fish water.

*In it noteworthy to mention that in 2020 the Department advanced new General Law precluding use of NLFAB in North Zone to reduce introductions of baitfish and other fish in the bait bucket that may compete with native trout and charr, providing much broader level of protection to native trout populations beyond listed SHFW.*

Furthermore, the Department developed a special nomination review form and a SHFW database to identify and track waters eligible for consideration. Eligible waters meet the following criteria:

- never stocked / not stocked within 25 years
- is lake or pond
- supports a self-sustaining population\* of brook trout or Arctic charr.

\*A self-sustaining population exists where life history requirements are met wholly within the pond and its tributaries, and the population is sufficiently high in abundance to be readily captured by angling and scientific collection methods during biological surveys. Presence in the lake or pond may be seasonal, however, the water's tributaries provide habitat for all life stages during all life history periods. A self-sustaining population is not dependent upon recruitment from downstream sources, although spawning in the immediate outlet does not disqualify for consideration.

In 2020, one water was added and two removed from the SHFW list (Table 1), for a 2021 total of 583 waters on the State Heritage Fish Waters List. A total of three waters were reviewed based on stocking history and brook trout sampling data: Berry Pond was recommended for advancement; Onawa Pond was deferred pending additional sampling; and Kingsbury bog did not meet eligibility requirements since it was not a lake or pond; it is a stream backwatered by beaver. In addition, two waters already on the SHFW list were recently sampled (Myrick Pond and Western Lake), and while 1 brook trout was captured in Western, there was no evidence of a self-sustaining population consistent with eligibility and nomination criteria. In some instances, initial additions to the SHFW list relied on limited antiquated information, and subsequent adjustments to the list reflect new and updated information.

These adjustments are important and serve to improve the integrity of the listing process and the integrity of the list that could be used to support future protection and conservation actions.

**Table 1. 2021 amendments to the SHFW list maintained by the SECRETARY OF STATE:**

WATCODE	STATE HERITAGE FISH WATER	ALTERNATE NAME	TOWN	COUNTY	REGION	STATE HERITAGE FISH	*LAST YEAR STOCKED
<del>4416</del>	<del>MYRICK P</del>		<del>T10 SD</del>	<del>HANCOCK</del>	<del>E</del>	<del>BKT</del>	<del>NRS</del>
<del>1436</del>	<del>WESTERN L</del>		<del>ROBBINSTON</del>	<del>WASHINGTON</del>	<del>E</del>	<del>BKT</del>	<del>1959</del>
<u>2930</u>	<u>BERRY POND</u>		<u>T2 R13 WELS</u>	<u>PISCATAQUIS</u>	<u>E</u>	<u>BKT</u>	<u>1994</u>