

**Regulation 4VAC15-320.
Fish: Fishing Generally.**

**Section 4VAC15-320-120. Special daily permit for fishing in
Clinch Mountain Wildlife Management Area, Douthat State Park Lake
and Crooked and Wilson Creeks.**

SUMMARY:

The proposal is remove the requirement of a special daily permit for fishing on a portion of Big Tumbling Creek on the Clinch Mountain Wildlife Management Area (Smyth County) where a seasonal catch and release area will be implemented.

PROPOSED LANGUAGE OF AMENDMENT:

4VAC15-320-120. Fish: Fishing Generally. Special daily permit for fishing in Clinch Mountain Wildlife Management Area, Douthat State Park Lake and Crooked and Wilson Creeks.

It shall be unlawful to fish in the portion of Big Tumbling Creek within the Clinch Mountain Wildlife Management Area (~~except in Little Tumbling Creek and Laurel Bed Lake~~), in Douthat State Park Lake and in Wilson Creek both above the lake to the park boundary and downstream to the lower USFS boundary, and in the Crooked Creek fee fishing area in Carroll County without having first paid to the department for such privilege a daily use fee. Such daily use fee shall be in addition to all other license fees provided by law. Upon payment of the daily use fee the department shall issue a special permit that shall be signed and carried by the person fishing. This fee will be required from the first Saturday in April through September 30 at for the portion of Big Tumbling Creek within the Clinch Mountain Wildlife Management Area (~~except Little Tumbling Creek and Laurel Bed Lake~~) and ~~at~~ Crooked Creek fee fishing area in Carroll County, and from the first Saturday in April through June 15 and from September 15 through October 31 at Douthat State Park Lake and Wilson Creek, except that the director may temporarily suspend fee requirements if conditions cause suspension of trout stocking. During the remainder of the year, Douthat State Park Lake, Wilson Creek, and the Crooked Creek fee fishing area in Carroll County ~~these waters~~ will revert to designated stocked trout waters and a trout license will be required except as provided in 4VAC15-20-190, and the portion of Big Tumbling Creek within the Clinch Mountain Wildlife Management Area will revert to a seasonal catch and release area subject to 4VAC15-330-150. No fishing is permitted in these waters for five days preceding the opening day. Fishing shall begin at 9 a.m. on opening day at all fee areas. After opening day, fishing times will be as posted at each fee area. The department may recognize clearly marked "children only" fishing areas within any department fee fishing area. Within these "children only" areas, children 12 years old or younger may fish without the daily use fee if accompanied by a fully licensed adult who has purchased a valid daily permit. No person older than 12 years of age may fish in these children-only areas. Also, children 12 years of age and younger can fish without a permit in all three fee fishing areas if under the direct supervision of a permitted adult. However, the combined daily creel limit for both adult and child/children in such a party shall

not exceed six trout. During the fee fishing season these waters will be subject to 4VAC15-330-60, 4VAC15-330-80, and 4VAC15-330-90, as it relates to designated stocked trout waters.

RATIONALE:

The draft Trout Management Plan recommends an increase in special regulation opportunities for catchable stocked trout throughout Virginia to meet diversified angler interests. Currently, the referenced section of Big Tumbling Creek is managed under the Clinch Mountain Fee Fishing Area from the first Saturday in April until September 30. The addition of this seasonal special regulation section will provide additional angling opportunities for anglers during the fall/winter months for stocked trout. Clinch Mountain Wildlife Management Area attracts numerous anglers, hunters, and campers during the fall/winter months, which could benefit from this additional recreational opportunity. To fully implement this proposed change, changes will also be needed to 4VAC15-330-150.