

**Regulation 4VAC15-330.
Fish: Trout Fishing.**

Section 4VAC15-330-150. Special provision applicable to Stewarts Creek Trout Management Area; Certain Portions of the Dan, Rapidan, South Fork Holston and Staunton Rivers, the Brumley Creek, East Fork of Chestnut Creek, Little Stony Creek, Little Tumbling Creek, North Creek, Roaring Fork, Spring Run, Stony Creek, Venrick Run, and their tributaries.

SUMMARY:

The proposals are to create a seasonal catch-and-release section on Big Tumbling Creek (Smyth County), open annually to fishing for trout with the use of artificial lures only from October 1 until five days prior to the first Saturday in April, and to create a catch-and-release fishery on a portion of South River in the City of Waynesboro, open to fishing for trout with the use of artificial lures only.

PROPOSED LANGUAGE OF AMENDMENT:

4VAC15-330-150. Fish: Trout Fishing. Special provision applicable to Stewarts Creek Trout Management Area; certain portions of the Dan, Rapidan, South Fork Holston and Staunton Rivers, the Brumley Creek, East Fork of Chestnut Creek, Little Stony Creek, Little Tumbling Creek, Big Tumbling Creek, North Creek, Roaring Fork, Spring Run, Stony Creek, Venrick Run, South River, and their tributaries.

It shall be lawful year around to fish for trout using only artificial lures with single hooks within:

1. The Stewarts Creek Trout Management Area in Carroll County.
2. The Rapidan and Staunton rivers and their tributaries upstream from a sign at the Lower Shenandoah National Park boundary in Madison County.
3. The Dan River and its tributaries between the Townes Dam and the Pinnacles Hydroelectric Project powerhouse in Patrick County.
4. The East Fork of Chestnut Creek (Farmer's Creek) and its tributaries upstream from the Blue Ridge Parkway in Grayson and Carroll Counties.
5. Roaring Fork and its tributaries upstream from the southwest boundary of Beartown Wilderness Area in Tazewell County.
6. That section of the South Fork Holston River and its tributaries from the concrete dam at Buller Fish Culture Station downstream to the lower boundary of the Buller Fish Culture Station in Smyth County.
7. North Creek and its tributaries upstream from a sign at the George Washington National Forest North Creek Campground in Botetourt County.
8. Spring Run from it confluence with Cowpasture River upstream to a posted sign at the discharge for Coursey Springs Hatchery in Bath County.
9. Venrick Run and its tributaries within the Big Survey Wildlife Management Area and Town of Wytheville property in Wythe County.

10. Brumley Creek and its tributaries from the Hidden Valley Wildlife Management Area boundary upstream to the Hidden Valley Lake Dam in Washington County.
11. Stony Creek (Mountain Fork) and its tributaries within the Jefferson National Forest in Wise and Scott Counties from the outlet of High Knob Lake downstream to the confluence of Chimney Rock Fork and Stony Creek.
12. Little Stony Creek and its tributaries within the Jefferson National Forest in Scott County from the Falls of Little Stony Creek downstream to a posted sign at the Hanging Rock Recreation Area.
13. Little Tumbling Creek and its tributaries within the Clinch Mountain Wildlife Management Area in Smyth and Tazewell Counties downstream to the concrete bridge.
14. Big Tumbling Creek and its tributaries within the Clinch Mountain Wildlife Management Area in Smyth County from a sign starting at the foot of the mountain and extending upstream seasonally from October 1 until five days prior to the first Saturday in April.
15. South River in the City of Waynesboro from the Arch Avenue Bridge downstream 2.2 miles to the Second Street Bridge.

All trout caught in these waters must be immediately returned to the water. No trout or bait may be in possession at any time in these areas.

RATIONALE:

Addition of Big Tumbling Creek: The draft Trout Management Plan identifies an increased need for special regulation opportunities for catchable stock 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 additional seasonal special regulation will provide additional angling opportunities for anglers seeking stocked trout during the fall/winter months. Clinch Mountain Wildlife Management Area attracts numerous anglers, hunters, and campers during the fall/winter months; these individuals would benefit from an additional recreational opportunity. To fully implement this recommendation, changes will also be needed to 4VAC15-320-120.

Addition of South River: The intent of the delayed harvest program is to incorporate aspects of both catch-and-release and put-and-take (harvest) trout fishing. Streams in this program are generally large and provide good trout habitat. However, water temperature often limits trout survival through the summer months. There are currently 14 streams in the delayed harvest program in Virginia. Currently, there is one stream (Spring Run, Bath County) being stocked with catchable size trout where the regulations are catch-and-release, artificial lure only. A trout license is required to fish Spring Run from October 1 through June 15.

There are no major biological implications with the recommended addition of South River to the “catch and release, artificial lures only” program. Preliminary data suggests that a portion of the fish in this reach can survive through the summer months. There is strong support from the local fly fishing community to change the regulation on this reach of South River.

There has also been a concern that eliminating the “harvest” season (June 1 through September 30) would significantly impact anglers who come to the existing South River Delayed Harvest Section specifically to harvest trout when the harvest season begins on June 1. Department biologists conducted an angler survey on the South River during the first two weeks of June 2015

to determine the number of anglers specifically coming to the river to harvest trout, and to estimate how many trout are harvested from the delayed harvest section. The creel survey revealed that an estimated 1,259 trout were caught and only 555 were harvested, showing that anglers were practicing catch-and-release, even though harvest was allowed. Fishing pressure significantly declined after the first two weeks of the stream being opened to harvest. Ultimately, Department biologists think that, if the delayed harvest section of South River is changed to catch-and-release, only a minority of anglers will be affected. Additional stocked trout waters are within close proximity where bait or harvest-oriented anglers can fish.