

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

**Section 4VAC15-330-160. Special provisions applicable to certain portions of Accotink Creek, Back Creek, Chestnut Creek, Hardware River, Holliday Creek, Holmes Run, North River, Passage Creek, Peak Creek, Pedlar River, North Fork of Pound and Pound Rivers, Roanoke River, and South River.**

**SUMMARY:**

The proposal is to establish delayed harvest trout waters on three streams in Lee, Scott and Wise counties and to remove a portion of South River in the City of Waynesboro from the delayed harvest trout program.

**PROPOSED LANGUAGE OF AMENDMENT:**

**4VAC15-330-160. Fish: Trout Fishing. Special provisions applicable to certain portions of Accotink Creek, Back Creek, Big Moccasin Creek, Chestnut Creek, Hardware River, Holliday Creek, Holmes Run, Indian Creek, North River, Passage Creek, Peak Creek, Pedlar River, North Fork of Pound and Pound Rivers, Middle Fork of Powell River, and ~~Roanoke River, and South River.~~**

It shall be lawful to fish from October 1 through May 31, both dates inclusive, using only artificial lures in Accotink Creek (Fairfax County) from King Arthur Road downstream 3.1 miles to Route 620 (Braddock Road), in Back Creek (Bath County) from the Route 600 bridge just below the Virginia Power Back Creek Dam downstream 1.5 miles to the Route 600 bridge at the lower boundary of the Virginia Power Recreational Area, in Big Moccasin Creek (Scott County) from the VDOT foot bridge downstream approximately 1.9 miles to the Wadlow Gap Bridge, in Chestnut Creek (Carroll County) from the U.S. Route 58 bridge downstream 11.4 miles to the confluence with New River, in the Hardware River (Fluvanna County) from the Route 646 bridge upstream 3.0 miles to Muleshoe Bend as posted, in Holliday Creek (Appomattox/Buckingham Counties) from the Route 640 crossing downstream 2.8 miles to a sign posted at the headwaters of Holliday Lake, in Holmes Run (Fairfax County) from the Lake Barcroft Dam downstream 1.2 miles to a sign posted at the Alexandria City line, in Indian Creek within the boundaries of Wilderness Road State Park (Lee County), in the North River (Augusta County) from the base of Elkhorn Dam downstream 1.5 miles to a sign posted at the head of Staunton City Reservoir, in Passage Creek (Warren County) from the lower boundary of the Front Royal State Hatchery upstream 0.9 miles to the Shenandoah/Warren County line, in Peak Creek (Pulaski County) from the confluence of Tract Fork downstream 2.7 miles to the Route 99 bridge, in the Pedlar River (Amherst County) from the City of Lynchburg/George Washington National Forest boundary line (below Lynchburg Reservoir) downstream 2.7 miles to the boundary line of the George Washington National Forest, in North Fork of Pound and Pound rivers from the base of North Fork of Pound Dam downstream to the confluence with Indian Creek, in the Middle Fork of Powell River (Wise County) from the old train trestle at the downstream boundary of Appalachia extending approximately 1.9 miles downstream to the

~~restle just upstream of the town of Big Stone Gap, in the Roanoke River (Roanoke County) from the Route 760 bridge (Diuguids Lane) upstream 1.0 miles to a sign posted at the upper end of Green Hill Park (Roanoke County), and in the Roanoke River (City of Salem) from the Route 419 bridge upstream 2.2 miles to the Colorado Street bridge, and in the South River from the Second Street Bridge upstream 2.4 miles to the base of Rife Loth Dam in the City of Waynesboro.~~ From October 1 through May 31, all trout caught in these waters must be immediately returned to the water unharmed, and it shall be unlawful for any person to have in possession any bait or trout. During the period of June 1 through September 30, the above restrictions will not apply.

### **RATIONALE:**

The draft Trout Management Plan recommends an increase in special regulation opportunities for catchable stock trout throughout Virginia to meet diversified angler interests. Officials from Wise County and Wilderness Road State Park had originally contacted Department staff about establishing additional trout fishing opportunities on the Middle Fork Powell River and Indian Creek, respectively. Additionally, VDGIF Law Enforcement staff suggested the inclusion of additional trout waters on Big Moccasin Creek and indicated that Gate City and Scott County officials would be supportive of these efforts. These additional trout waters would better serve local anglers and possibly attract more tourism to some of these areas.

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.

(Rationale revised May 3, 2016)