


ISSUES SUBMITTAL FORM

Date: 08/11/2023

ISSUE:	Should Colorado Parks and Wildlife prohibit fishing around the Hermosa Creek Confluence Fish Barrier?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>Colorado River cutthroat trout (CRCT) are the only native trout to the Colorado River Basin. Currently, they occupy only 8.3% of their historic habitat in Colorado and 11% range wide.</p> <p>Colorado River cutthroat trout once occupied the headwaters of Hermosa Creek. Through the construction of three artificial fish migration barriers and seven chemical reclamation projects, CRCT now occupy almost 23 miles of interconnected habitat in the Hermosa Creek Drainage, NW of Durango, Colorado.</p>	
<p>The final fish barrier (i.e., artificial waterfall; photo above) was constructed in 2017 by the San Juan National Forest. It is highly visible from the nearby and popular Hermosa Creek Trail. The entire upper Hermosa Creek is one of the most visited areas on the Forest. It is also popular with anglers interested in catching pure CRCT. Two years after the final phase of the reclamation project to remove non-native trout, CPW aquatic biologists detected over a dozen hybridized cutbows and one adult brook trout above the barrier. It is likely anglers intentionally or unintentionally caught fish below the barrier and moved them upstream into the conservation population.</p> <p>Anglers are commonly seen fishing off the barrier into the pool below. The risk of an angler inadvertently releasing a non-native trout caught below the barrier into the cutthroat trout conservation area is high. Although signs have been posted on the barrier asking anglers to avoid fishing off the waterfall and into the pool below, there is nothing CPW can do to enforce this request. Therefore, CPW is proposing a 100-foot fishing closure zone be adopted upstream and downstream of the barrier.</p>	
<p>STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:</p>	
<p>*IT IS ASSUMED THAT ALL NECESSARTY INTERNAL PARTIES HAVE BEEN NOTIFIED*.</p>	
<p>[List stakeholder groups and briefly summarize comments received]</p> <ul style="list-style-type: none"> • Five Rivers Chapter of Trout Unlimited public meeting on March 28, 2023. • No public opposition from 60+ audience members. Unanimous support for the measure. • Support from the San Juan National Forest including approval of erecting a post and rail fence around the fishing exclusion area. 	

ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>1. *Preferred Alternative*:</p> <p>188. HERMOSA CREEK — LA PLATA, SAN JUAN</p> <p>a. From the Headwaters Downstream to the confluence with East Cross Creek:</p> <ol style="list-style-type: none"> 1. Artificial flies and lures only. 2. All cutthroat must be returned to the water immediately upon catch. 3. Fishing is prohibited 100 feet upstream and downstream of the artificial waterfall (fish barrier) located 0.1 mi below the East Fork of Hermosa Creek confluence. <p>2. Alternative 2: Status quo: Alternative 2, no change, does not lessen the risk of anglers moving fish into the cutthroat trout conservation area.</p>	
Issue Raised by:	Aquatic Biologist Jim White
Author of the issue paper (if different than person raising the issue):	
CC:	AWM Adrian Archuleta, Assistant AWM Steve McClung, DWM Luke Clancy, Sr. Biologist John Alves
APPROVED FOR FURTHER CONSIDERATION BY:	Matt Nicholl
REQUIRES NEW SPACE IN THE BROCHURE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION	SW Aquatics
RECOMMENDED FOR CONSENT AGENDA?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO