

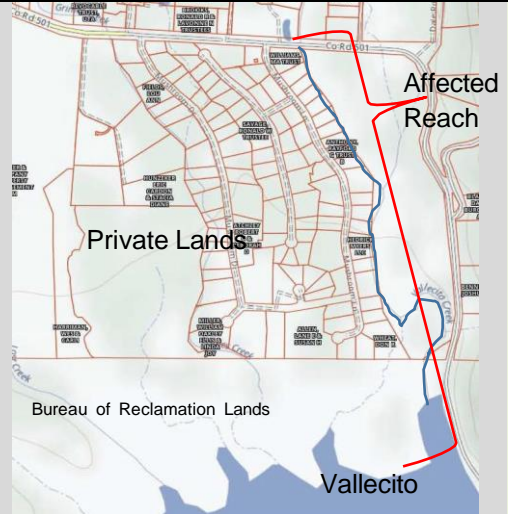
**ISSUES SUBMITTAL FORM**

Date: 08/26/2022

**ISSUE:** Should a Colorado Parks and Wildlife Regulation prohibiting fishing in Vallecito Creek from the CR 501 Bridge to the standing water line to Vallecito Reservoir be rescinded?

**DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):**

Vallecito Reservoir is managed as a Kokanee Salmon broodstock lake. Changing habitat conditions associated with frequent low reservoir elevations, high water temperatures, low dissolved oxygen concentrations, and increasing predacious fishes are making management of this broodstock difficult. In the last 6 years, the Kokanee Salmon run in Vallecito Creek has been virtually absent. Increasing drought frequency and temperatures associated with climate change do not bode well for consistent management of the kokanee fishery.



Residents along Vallecito Creek from CR 501 bridge to the Bureau of Reclamation (BOR) boundary and the public land from the BOR boundary to the standing waterline of Vallecito Reservoir are currently prohibited from fishing from Sept. 1-Nov. 14<sup>th</sup>. This regulation was put in place to protect salmon so CPW could harvest the eggs for future propagation of Area and Statewide waters. With an unpredictable salmon run, the prohibition of fishing from Sept. 1-Nov. 14 seems unnecessary and denies anglers the opportunity to fish for other fall-run species like Brown Trout.

See “Alternatives, No Change” for all three regulated reaches of Vallecito Creek. The relevant regulation reads:

FROM THE LA PLATA CR 501 BRIDGE DOWNSTREAM TO THE STANDING WATER LINE OF VALLECITO RESERVOIR:

1. Fishing prohibited Sept. 1–Nov. 14.
2. Snagging kokanee permitted Nov. 15–Dec. 31.

We propose to remove the fishing closure by eliminating bullet point 1. “Fishing prohibited Sept. 1-Nov. 14” and combining the kokanee catch and release and snagging language (see Preferred Alternative) from the wilderness boundary to the standing water line of Vallecito Reservoir.

**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:**

**\*IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED\*.**

**[List stakeholder groups and briefly summarize comments received]**

- Anglers, Vallecito residents, and the general public. This issue was brought to CPW’s attention by the Vallecito Home Owners Association, which is impacted by the fishing closure on Vallecito Creek. Anglers in the publically accessible reach have also complained about the seasonal closure.
- A public meeting at the Vallecito Community Event Center was held on June 7<sup>th</sup>. Twelve residents attended and one provided comments by email. The residents in

attendance were supportive of removing the fishing closure. One resident suggested even more restrictions such as an artificial flies and lures only, all fish must be released immediately, regulation in lieu of a fishing prohibition in the same time period. Most supported this regulation proposal as another alternative to the fishing closure.

- One resident was opposed to lifting the current regulation that prohibits fishing from the CR 501 Bridge to the downstream standing waterline of the reservoir. His comments were submitted by email and are summarized here. Opposition was centered around his belief that fishing would be detrimental to the salmon population. Several impediments to fish movement in the private reach were removed easing the passage of salmon and other fishes during low water. Not all residents are supportive of lifting the prohibition on fishing and those residents who don't like the ban can fish elsewhere. The regulation should not be changed in order to protect the local fishery resource.

**ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):**

**1. \*Preferred Alternative\*:**

**VALLECITO CREEK-LA PLATA, SAN JUAN**

FROM THE SOUTHERN BOUNDARY OF THE WEMINUCHE WILDERNESS DOWNSTREAM TO THE ~~LA PLATA CR 501 BRIDGE~~ STANDING WATER LINE OF VALLECITO RESERVOIR:

- ~~1. Fishing prohibited Sept. 1-Nov. 14.~~
- 2.1. All kokanee must be returned to the water from Sept. 1-Nov. 14.
- ~~3.2.~~ Snagging kokanee permitted Nov. 15-Dec. 31.

Alternative 1, would lift the seasonal fishing closure, maximize opportunity, and seasonally protect kokanee salmon for the public and private anglers throughout their known spawning habitat. It combines the current regulation requiring the release of kokanee salmon between Sept. 1-Nov. 14 that applies from the Wilderness boundary to the CR 501 Bridge and just extends it to the standing waterline of the reservoir. This change would eliminate the need to have a separate regulation for the "Wilderness Boundary down to the CR 501 Bridge" and streamline the brochure and regulations for Vallecito Creek.

**2. No Change:**

**VALLECITO CREEK-LA PLATA, SAN JUAN**

FROM THE HEADWATERS DOWNSTREAM TO THE SOUTHERN BOUNDARY OF THE WEMINUCHE WILDERNESS:

- 1. Artificial flies and lures only.
- 2. Bag and possession limit for trout is 2.

FROM THE SOUTHERN BOUNDARY OF THE WEMINUCHE WILDERNESS DOWNSTREAM TO THE LA PLATA CR501 BRIDGE:

- 1. All kokanee must be returned to water from Sept. 1-Nov. 14.
- 2. Snagging kokanee permitted Nov. 15-Dec. 31.

FROM THE LA PLATA CR 501 BRIDGE DOWNSTREAM TO THE STANDING WATER LINE OF VALLECITO RESERVOIR:

- 1. Fishing prohibited Sept. 1-Nov. 14.
- 2. Snagging kokanee permitted Nov. 15-Dec. 31

<b>Issue Raised by:</b>	<b>DWM Ty Smith, Public, and HOA</b>
<b>Author of the issue paper (if different than person raising the issue):</b>	<b>Aquatic Biologist Jim White</b>
<b>CC:</b>	<b>AWM Adrian Archuleta, Assistant AWM Steve McClung, Sr. Biologist John Alves</b>
<b>APPROVED FOR FURTHER CONSIDERATION BY:</b>	<b>Matt Nicholls</b>
<b>REQUIRES NEW SPACE IN THE BROCHURE?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION</b>	<b>SW Aquatics</b>
<b>RECOMMENDED FOR CONSENT AGENDA?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO