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UPPER CATTARAUGUS CREEK FISHERIES MANAGEMENT PLAN

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Preface - New York's Cattaraugus Creek provides important, unique and diverse trout fishing experiences in western New York State. The main stem of the lower reach extends from the mouth at Lake Erie upstream 34 miles to Springville Dam, and has long been regarded as one of the highest quality steelhead fisheries in New York State. The upper reach extends another 34 miles to its source, and along with its numerous tributaries offers excellent fishing opportunities for resident trout, abundant angler access, and high-quality spawning and nursery habitat. A long-planned fish passage project at Springville Dam will allow steelhead access to many miles of additional high-quality habitat and provide new fishing opportunities. This passage project may also result in some changes to the existing upstream fisheries and fish community. This Plan covers the period 2019-2030 (or approximately ten years following initiation of fish passage) and takes an adaptive management approach to provide a roadmap for fisheries management following fish passage, and lists the goals, objectives, and strategies for maintaining a high quality, year-round sport fishery.

MANAGEMENT GOAL

DEC will manage upper Cattaraugus Creek and its tributaries as a high quality, year-round sport fishery with opportunities to catch lake-run steelhead as well as resident trout.

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Introduction

The Cattaraugus Creek watershed includes portions of five western New York counties and Territory of the Seneca Nation of Indians (SNI). The entire watershed encompasses about 357,640 acres (more than 550 square miles) of western New York and includes many of the best stocked and wild trout streams in the region. The main stem of Cattaraugus Creek flows west from its headwaters at Java Lake in Wyoming County for 65 miles, emptying into Lake Erie at Irving, NY (Figure 1). In the lowest reaches of Cattaraugus Creek near Lake Erie, warm water species including walleye, smallmouth bass, channel catfish and sucker species use this tributary as spawning and nursery habitat. At 34 miles above the creek's mouth, Springville Dam is the first barrier impassable to migratory fish from Lake Erie. From a fisheries management viewpoint, the two most notable migratory species blocked from upstream movement by Springville Dam are introduced steelhead trout and invasive sea lamprey. The current steelhead fishery that exists below Springville Dam is one of NYS's premier sport fisheries. Springville Dam has not generated electricity since 1998 and is currently owned and maintained by Erie County as a recreational park. The Springville Dam is currently in non-compliance with NYSDEC's dam safety regulations, and there is growing concern that it could fail in the future as it continues to deteriorate. Erie County is responsible for bringing the dam back to safety compliance, either through dam repair, alteration, or breach. In 2017, a formal partnership agreement was signed between the U.S. Army Corps of Engineers (USACE), the NYS Department of Environmental Conservation (DEC) and Erie County to design, engineer and construct an estimated $10.7 million Springville Dam modification/fish passage project under the USACE's Great Lakes Fisheries and Ecosystem Restoration program. Construction is projected to occur as early as 2020.

The Springville Dam fish passage plan calls for lowering the dam spillway from 40-ft to approximately 15-ft and constructing a fish passage weir. Fish passage will allow upstream migration of selected fish species while also maintaining a barrier to sea lamprey migration. Cattaraugus Creek is one of the most productive sea lamprey spawning and nursery areas in Lake Erie. If the dam was altogether removed to address existing safety issues or if the fish passage weir was not selective, this entire system would become accessible to sea lamprey. Maintaining a sea lamprey barrier is a critical element of this project and will allow the Great Lakes Fishery Commission (GLFC) and their sea lamprey control agents the ability to continue ongoing sea lamprey population control/assessment activities. This project provides a host of benefits, including restoring connectivity to over 50 miles of high quality habitat in upstream reaches of Cattaraugus Creek and tributaries, greatly expanding steelhead fishing opportunities on one of NYS's premier steelhead streams, and restoration of more natural sediment transport processes.

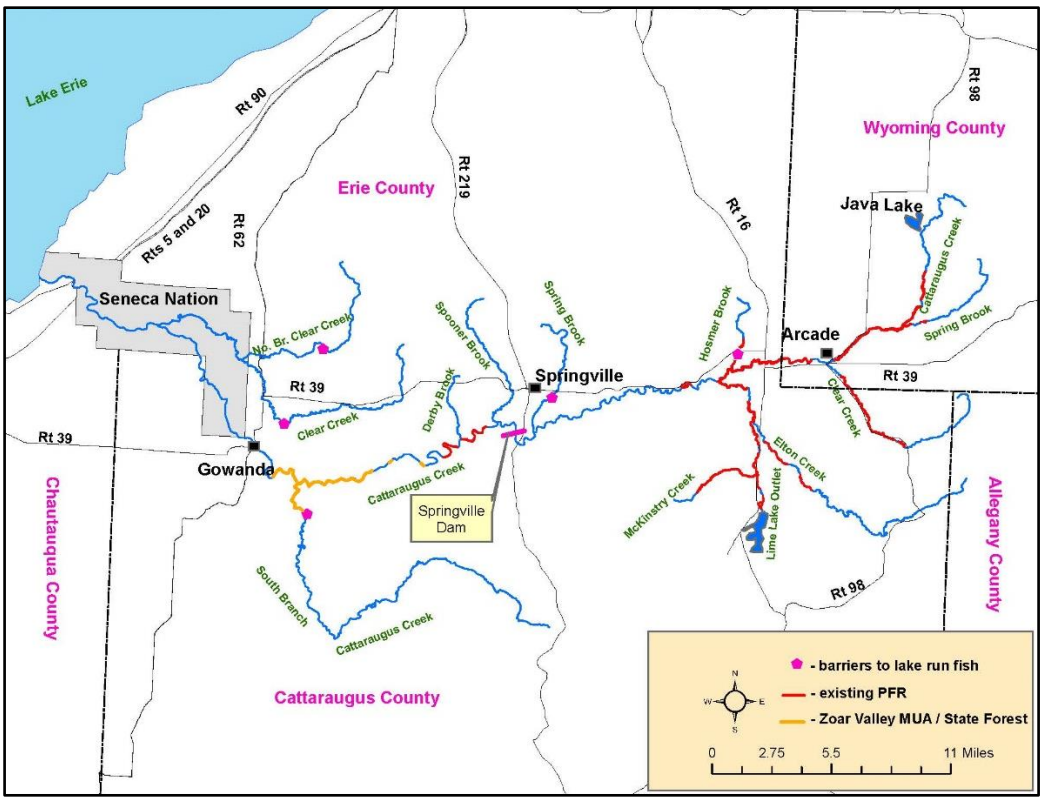

Figure 1. Cattaraugus Creek from Lake Erie to it source showing prominent tributaries supporting trout populations, existing Public Fishing Rights (PFR) and barriers.

Guiding principles

This Plan is based on the following principles as a foundation for management of the upper Cattaraugus Creek ecosystem.

General management: Establishing fish passage on the Springville Dam represents a major management action that has implications for sport fisheries and the upper Cattaraugus Creek ecosystem, and the results of this action cannot be predicted with certainty. Therefore, the Department will refrain from enacting any additional management actions (i.e. stocking and angling regulations) in the upper Cattaraugus system to maintain the static conditions necessary for a rigorous scientific evaluation of the fish passage project and the impacts of steelhead in the upper Cattaraugus system.

Fish passage: Springville dam is out of safety compliance and therefore cannot continue to exist in its current form. Removing the dam completely is not a viable option because a barrier must be maintained to prevent sea lamprey from colonizing the upper Cattaraugus system, and uncontrolled steelhead access to the upper Cattaraugus system is inconsistent with the fisheries management goals outlined below. Lowering the dam and installing fish passage is the preferred action to restore some level of ecosystem connectivity and improve natural sediment transport processes in Cattaraugus Creek.

Brook trout: Brook trout are the only salmonine native to the upper Cattaraugus system and thereby have inherent value in the fish community and as a sport fish. Most brook trout populations in the upper Cattaraugus watershed already exist in the presence of nonnative brown and rainbow trout. Moreover, all the existing brook trout populations appear to be declining, most likely due to compromised water quality and/or competition from brown and rainbow trout. Where possible, the Department will take actions to preserve and protect wild brook trout populations in the upper Cattaraugus system.

Inland trout: Sport fisheries for wild and stocked brown trout and wild resident rainbow trout currently exist in the Upper Cattaraugus system. The Department acknowledges the uncertainty that exits surrounding future fishery performance and angler utilization of this resource following fish passage. Given these uncertainties, the Department will take an adaptive approach to balancing the lake run (steelhead) and inland trout resources based on the results of pre- and post-passage angler surveys, fish community assessments, and abundance thresholds established in the statewide trout stream management plan.

Wild steelhead: The Department recognizes that the opportunity to fish for and catch wild steelhead is important to a subset of Cattaraugus Creek anglers, however, steelhead management will continue to be based primarily on stocked fish. Fish passage will allow adult steelhead access to an abundance of high-quality spawning and nursey habitat and will likely result in additional wild steelhead production. Regulations are already in place in the upper Cattaraugus system that protect spawning salmonines from October 16 through March 31. The Department will not consider additional regulations that further limit fishing opportunities in order to promote wild steelhead reproduction at this time.

Purpose and Scope

For the period 2019-2030 (or ten years following establishment of fish passage), this fisheries management plan (Plan) will guide efforts and resources toward enhancing Cattaraugus Creek's status as a premier angling destination for lake run (potadromous) steelhead trout while maintaining a high-quality resident trout fishery. This Plan is guided by the Fish Community Goals and Objectives (FCGO's) for Lake Erie (Ryan et al. 2003), New York's Management Plan for Lake Erie Steelhead, 2016 – 2025 (Markham et al. 2016), and the guiding principles listed above, and will serve as the basis for the development of annual work plans to implement actions toward meeting fisheries management objectives. Progress towards these objectives will be reported at annual public outreach event and meetings with stakeholder groups. This Plan was developed in close consultation with a variety of Cattaraugus Creek stakeholders and focuses on upper Cattaraugus Creek trout fisheries that will occur above Springville Dam following completion of fish passage. Stakeholder representation included steelhead and inland trout anglers, fishing guides, and organized angling groups. Stocking will remain the most prominent tool for maintaining Lake Erie's overall tributary steelhead fishery, however, opportunities to foster wild steelhead production through habitat protection and enhancement will be explored in this system where possible and practical (Markham et al. 2016).

Current Fisheries

A detailed description of Cattaraugus Creek's existing sport fisheries is provided in NYSDEC (2006). Currently, trout fishing opportunities, trout stocking policies and fishing regulations differ markedly above and below the impassable barrier at Springville Dam, as detailed below. The lower Cattaraugus Creek fishery will still be managed per the Management Plan for Lake Erie Steelhead (Markham et al. 2016) following establishment of fish passage.

Lower Cattaraugus Creek

Lake-run steelhead are the principal trout species inhabiting lower Cattaraugus Creek, with rare occurrences of spawning-phase, lake-run brown trout, pink, coho and Chinook salmon during autumn. Steelhead have been the prominent species stocked in the lower portion of Cattaraugus Creek with 90,000 "Washington strain" yearlings stocked annually. Nominal amounts of yearling brown trout have also been stocked from 2002-2017. Studies focused on estimating the importance of wild steelhead production to lower Cattaraugus Creek have yielded mixed results. Early scientific investigations using fish scale morphology methods suggested that naturally produced fish comprised 25% of the adult steelhead returning to the creek (Mikol 1976, Goehle 1998). A subsequent study by Roth (2002) also identified measurable wild smolt production in one high quality Cattaraugus Creek tributary (Spooner Brook) below the dam. More recently, a study using otolith microchemistry techniques indicated that 17% of adult steelhead in Cattaraugus Creek are naturally produced (Budnik et al. 2018). DEC surveys have also detected production of wild juvenile steelhead in several lower Cattaraugus Creek tributaries (Markham 2007).

Lower Cattaraugus Creek supports a high quality tributary steelhead fishery that receives broad recognition beyond New York's borders (Markham 2019), consistently producing the highest angler catch rates among all of New York's Great Lakes tributaries. Steelhead begin entering Cattaraugus Creek in early September and leave as late as June, providing fishing opportunities that extend almost ten months of the year. Peak fishing effort occurs in October and November, with the best quality angling typically found in the lower sections on the SNI lands. Steelhead currently migrate upstream 34 miles to Springville Dam (the first barrier impassable to all fish) and many spawn in smaller tributaries of lower Cattaraugus Creek. Angler survey data (Markham 2019) indicate that Cattaraugus Creek typically receives the most steelhead angling effort of any New York Lake Erie tributary, and often produces the highest total steelhead catch of any New York Great Lakes tributary.

Upper Cattaraugus Creek

Stocked and wild brown trout, and wild resident rainbow trout inhabit the first 15 miles of Cattaraugus Creek above Springville Dam, although their abundance is limited by warm summer water temperatures. From Elton Creek at river mile (RM) 46 upstream to East Arcade (RM 58), Cattaraugus Creek supports a fishery for wild resident rainbow trout and both wild and stocked brown trout (Evans 2006). Many larger tributaries such as Clear Creek, Lime Lake Outlet, McKinstry Creek, Elton Creek and Hosmer Brook support fisheries for wild brown trout and offer high catch rates for resident wild rainbow trout, a very uncommon opportunity in NYS streams. The remaining seven miles upstream to Java Lake is inhabited by low densities of wild brown trout. Little or no successful trout spawning occurs in the main stem of upper Cattaraugus Creek due to excessive siltation, and wild trout occupying the main stem are believed to be migrants from tributaries. Relict populations of native brook trout also occur

in the headwater sections of 15 tributaries. Spring Brook is the only population which exclusively supports brook trout and is protected by an existing barrier impassable to upstream migration. The remaining 14 brook trout populations already exist in association with resident, non-native, brown and rainbow trout (see Appendix 1). All the existing brook trout populations, including Spring Brook, appear to be declining, most likely due to compromised water quality and/or competition from brown and rainbow trout. In a few streams with multiple years of data, brown and rainbow trout appear to be replacing brook trout (Cornett 2017; NYSDEC Region 9 unpublished data).

Angling effort was last measured on the stocked portion of upper Cattaraugus Creek (18.2 miles) in 1997 and was considered "high" at an estimated 880 angler hours/acre (Evans 1998). Although not surveyed since 1997, we believe upper Cattaraugus Creek continues to be one of western New York's most heavily used trout streams. Angling effort on four un-stocked wild trout tributaries to upper Cattaraugus Creek was lower, ranging from 282 hours/acre on Clear Creek (Arcade) to 135 hours/acre on McKinstry Creek (NYSDEC Region 9 unpublished data).

Fishery Management Challenges with Fish Passage

The following summarizes potential challenges to meeting Plan objectives. Many of these challenges were identified in a 2006 report (NYSDEC 2006) and over the last 10 years have been frequently vetted with stakeholders during the feasibility phase of the Springville Dam fish passage study. We conclude that despite some recognized challenges, there is broad stakeholder support for pursuit of fish passage at Springville Dam. These issues are not presented in priority order.

Uncertainty and lack of information

Two of the major challenges to implementing a management strategy following fish passage in the upper Cattaraugus system are lack of baseline information about the current fish community and fishery, and uncertainty regarding how the system will react in terms of fish community response and fishery performance. One of the keys to dealing with this uncertainty is to gather pre-passage baseline information to gauge the impact of steelhead and guide the post-passage management process. The Department has initiated a pre-passage angler survey and fish community assessment to gather baseline data to inform future management decisions. Due to the inherent uncertainty about how this system will react to fish passage, an adaptive approach to management is necessary to achieve objectives.

Changes to the fish community

Changes to aquatic communities and fisheries in upper Cattaraugus Creek may occur following fish passage at Springville Dam. Allowing steelhead access to the upper Cattaraugus system may have unforeseen consequences to the resident fish community such as reduced abundance or changes in species composition. Very little has been written on the impact of steelhead introduction on stream fish communities, but several studies have addressed the effects on resident trout populations. The literature provides some conflicting perspectives on whether steelhead might become an additional competitor with brook trout or displace some resident brown and rainbow trout through competitive interactions. Nuhfer

et al. (2014) found that introduction of steelhead into a small, low gradient stream resulted in lower densities of resident brown trout. Kruger et al. (1985) also found significant declines in the brown trout fishery in the Pere Marquette River (MI) associated with competition between steelhead parr and brown trout. In contrast, Kocik and Taylor (1996) found no apparent impacts of age-0 steelhead on age-0 brown trout in Gilchrist Creek, Michigan. A somewhat more comprehensive review of the scientific literature on this topic is presented in NYSDEC (2006). Department research and monitoring examining changes to the fish community following fish passage will inform management of the upper Cattaraugus system.

Angler Access

Formal public access to lower Cattaraugus Creek includes approximately four miles of public fishing rights (PFR), eight miles in Zoar Valley Multiple Use Area, and extensive access on SNI lands. Thirty-six miles of DEC-public fishing easements and 15 parking areas are available on upper Cattaraugus Creek and its tributaries. Steelhead passage at Springville Dam will likely expand angler use and may require additional parking lots and/or expansion of existing lots. DEC presently has 0.8 miles of public fishing easements on the 12 miles of Cattaraugus Creek from Springville Dam upstream to Elton Creek, and gaining additional public fishing access on this stream section should remain a top priority if willing landowners can be identified. Significantly increased angler use of the upper portion of the creek raises the potential for conflicts arising between user groups and with landowners. The Department will continue to promote ethical angler practices and stewardship through outreach efforts to minimize conflicts.

Differing Angling Desires

Significant, but not unanimous, angler support for the Springville Dam fish passage initiative was conveyed at numerous public meetings and sportsman's club meetings over the last 10-years. Additionally, one formal survey of angler views was compiled at the 2006 Hamburg Sportsman's Show and documented broad support for fish passage (NYSDEC 2006). This initial determination of substantial support was vital for proceeding with the ensuing Springville Dam fish passage feasibility study which ultimately determined this initiative to be technically feasible and ecologically beneficial, while also expected to impart considerable fisheries benefits. Nevertheless, going forward we recognize angling conditions will likely change in the upper Cattaraugus system due to increased angler use, changing fish communities, and perhaps conflicting angler desires for existing vs. new trout fisheries. As such, ongoing fisheries assessments will include gathering public input via angler surveys as a vital component of the information base used to evaluate and effectively manage the needs of a diverse angling community.

Sea Lamprey

Cattaraugus Creek and its tributaries remain among the most productive sea lamprey spawning/nursery sites in Lake Erie and require a significant portion of the total lake wide assessment and control efforts coordinated by the GLFC. The Springville Dam is a crucial barrier preventing upstream movements by sea lamprey to many additional miles of suitable spawning habitat. If this barrier is compromised, the entire Cattaraugus Creek system will become accessible to invasive sea lamprey, significantly reducing sea lamprey control effectiveness and increasing the costs of these efforts. Maintaining an effective sea lamprey

control program on Cattaraugus Creek is essential for achievement of lakewide FCGO's for Lake Erie. Design features of the Springville Dam fish passage project must maintain this critical sea lamprey barrier as well as provide continued, long-term adult sea lamprey assessment trapping indices at the base of the dam. These activities are currently coordinated by the U.S. Fish and Wildlife Service (Service). The Service has been actively engaged throughout the Springville Dam fish passage planning process.

Management Goal

DEC will manage upper Cattaraugus Creek and its tributaries as a high quality, year-round sport fishery with opportunities to catch lake-run steelhead as well as resident trout.

Plan Objectives (Please note the following objectives are not presented in priority order.)

1. **Improve and expand the existing network of angler access sites on upper Cattaraugus Creek and its tributaries to provide additional angler access.**

   Strategies

   - Existing angler parking areas will be maintained and angler footpaths will be marked.
   - Acquire additional PFR easements or outright ownership whenever willing sellers are identified and create universally accessible fishing sites.
   - Develop and/or improve outreach tools to inform anglers about fishing opportunities that exist throughout the Cattaraugus Creek system.
   - Use post-passage angler surveys to identify the most heavily used access sites and determine if they need expansion or improvement.

2. **Promote responsible stewardship of upper Cattaraugus system fisheries resources.**

   Strategies

   - Develop and/or improve outreach tools to inform anglers of regulations and ethical angling practices.
   - Increase law enforcement efforts (when possible) to help eliminate illegal angling activity and ensure high quality angling experiences.
   - Explore opportunities to alleviate potential conflicts between angler groups.

3. **Maintain and improve habitat quality to benefit the upper Cattaraugus Creek fisheries.**

   Strategies

   - Protect and enhance instream habitat to benefit ecosystem health (e.g. water quality, fish community) by supporting habitat enhancement and streambank stabilization projects.
   - Protect instream habitat and water quality through ensuring compliance with NYS laws and regulations.
   - Evaluate the need for and feasibility of additional protection of important brook trout habitat within the watershed.

- Support the development and implementation of the Cattaraugus Creek Watershed Plan by the Lake Erie Watershed Protection Alliance (See Supporting Initiatives section of this Plan).

4. Prevent upstream migration of sea lamprey while allowing upstream movement of desirable species.

Strategies

- Collaborate with the USACE and the Service in designing and building a fish passage structure that:
  - Prevents upstream migration of invasive sea lamprey
  - Accommodates an effective springtime sea lamprey assessment trap
  - Allows efficient upstream movement of desirable species
- Implement a plan for seasonal operation of the fish passage weir in conjunction with the Service to accomplish the above needs and collect data to inform ongoing fisheries management decisions for the upper Cattaraugus system.

5. Within ten years of successful fish passage, develop a high-quality steelhead sport fishery in the upper Cattaraugus system that results in average catch rates of 0.20 adult steelhead per angler hour.

Strategies

- Collaborate with the USACE and the Service in designing and building a fish passage structure that successfully passes adult steelhead.
- Initially continue the existing lake run steelhead stocking policy in lower Cattaraugus Creek without steelhead stocking in the upper Cattaraugus system, and adapt the policy as needed based on angler surveys and fish community assessments (see Evaluations Section).
- Initially maintain existing, separate sport fishing regulations in upper and lower Cattaraugus Creek, and adjust regulations as needed based on angler surveys.
- Within ten years following fish passage, develop a study to measure the contribution of the wild steelhead to the upper Cattaraugus sport fishery.

6. Maintain resident trout populations that produce catch rates and relative abundances consistent with pre-passage survey results.

Strategies

- Use pre-passage angler creel survey results to establish angler success targets for inland trout fisheries (see Evaluation Section).
- Use post-passage angler survey results to evaluate angler success relative to established fishery performance metrics.
- Initially continue brown trout stocking policies in upper Cattaraugus Creek which provide spring/summer fishing opportunities and adapt the policy as needed based on angler surveys.

- Initially maintain existing, separate sport fishing regulations in upper and lower Cattaraugus Creek, and adjust regulations as needed based on angler surveys and biological evaluations.
- Use pre- and post-passage relative abundance measures to evaluate changes in inland trout populations based on their pre-passage management categories as established in the updated statewide trout stream management plan.
- Continuously re-evaluate management options (steelhead passage targets, stocking, and regulations) and adapt management strategy as necessary toward balancing resident trout and steelhead fisheries.
- Per Objective 3, maintain/improve habitat quality to benefit all life stages of salmonines.

7. Maintain a healthy and diverse native fish community similar to pre-passage conditions.

Strategies

- Use pre-passage fish community surveys to establish baseline information on species composition and relative abundance.
- Use post-passage fish community surveys to measure changes in species composition and relative abundance.
- Use evaluation of control streams to determine if fish community changes are due to fish passage or are a result of natural variability.
- Regularly re-evaluate management options (steelhead passage targets, stocking, and regulations) and adapt management strategy as necessary toward maintaining a healthy native fish assemblage in the upper Cattaraugus Creek system.

Evaluation

Evaluation of progress toward achieving Plan objectives will be accomplished through a variety of programs and surveys. These surveys will be used to provide information to guide the adaptive management process. The Department's ability to achieve Plan objectives and associated strategies will be periodically assessed and, if necessary, altered based on the results of the following surveys.

- **The Upper Cattaraugus Creek Angler Survey** (Objectives 1, 5, 6) will measure angler effort, catch, harvest, catch rate, angler demographics, and preferences. The first survey will be conducted prior to fish passage and will collect baseline information on the current inland fishery. Subsequent surveys will be conducted on a three-year schedule following completion of fish passage and will allow assessment of impacts and changes to the fishery.

- **Fish Community Assessments** (Objectives 6, 7) were conducted in in 2017, 2018, and 2019 to establish baseline, pre-passage information on species composition and relative abundance. More detailed information is being collected on brown, rainbow, and brook trout populations as part of this assessment. This survey also includes "control" streams that will not be impacted by steelhead following fish passage. A subsequent fish community assessment will be completed three years following fish passage to assess potential changes in the fish community. Additional surveys may be periodically conducted depending on observed changes.

- **Upstream Fish Passage** (Objectives 4, 5) will be monitored using fish trapping and/or fish weir cameras associated with the fish passage structure. This assessment will provide information on the timing, number and type of fish species using the fish ladder. This survey will also inform future decisions about the timing of fish weir operations (i.e. open, closed, or trap and sort) and how many steelhead should be passed to achieve management goals and objectives for steelhead, inland trout, and the overall fish community.

Supporting Initiatives (Objective 3)

In support of NY's Great Lakes Action Agenda initiative, the Department's Great Lakes Program (Division of Water) and other regional stakeholders have identified the Cattaraugus Creek watershed as a regional conservation priority. A "Cattaraugus Creek Ad Hoc" group of stakeholders has been formed to collaborate on maintaining the ecosystem health of the watershed, while improving the natural functions and benefits of a healthy watershed to provide clean water, flood mitigation and open space for recreation and wildlife.

Moving forward, DEC will engage a broader constituency of communities, organizations and academic institutions in working together to identify and implement projects that will benefit the waters and natural resources of this important area. This "whole watershed" approach to planning and decision-making, also known as ecosystem-based management, will enable a more holistic understanding of the watershed condition, potential risks or threats, and to identify actions that will help sustain clean water, high-quality habitat and other watershed services into the future. Planning for this effort will be integrated into the watershed management plan currently being developed by the Lake Erie Watershed Protection Alliance (LEWPA).

Current priorities of the Cattaraugus Creek Ad Hoc group include:

- Increasing aquatic habitat and connectivity for brook trout and other native species;
- reducing peak flows and enhancing resiliency to localized flood events, using natural infrastructure where possible;
- reducing sediment & nutrient loadings to improve water quality within Cattaraugus Creek and along Lake Erie; and
- promoting awareness, appreciation and stewardship of Cattaraugus Creek watersheds and resources, with a focus on riparian residents and municipal decision-makers.

Additionally, through this effort, there may be opportunities to pursue projects and studies relating to the objectives in the Upper Cattaraugus Creek Fisheries Management Plan including increasing angler access, supporting responsible resource stewardship, maintaining and improving high quality habitats (including studies to determine where these areas are), and evaluation of resident trout fisheries and native fish communities.

References

Budnik, R.R., C.T. Boehler, J.E. Gagnon, J.R. Farver, and J.G. Miner. 2018. Application of otolith chemistry to investigate the origin and state-straying of steelhead in Lake Erie tributaries. Transactions of the American Fisheries Society, 147:16-30.

Cornett, S.C. 2017. NYSDEC Region 9 trout stream monitoring summary for 2017. NYSDEC Report, Albany, NY.

Evans, J.T. 2006. Cattaraugus Creek electrofishing survey, 2004. NYSDEC Report. Albany, NY. 20 pp.

Evans, J.T. 1998. Cattaraugus Creek mini-creel survey, electrofishing results and two year old stocked brown trout evaluation. NYSDEC Report. Albany, NY. 39 pp.

Kocik J.F. and W.W. Taylor. 1996. Effect of juvenile steelhead on juvenile brown trout habitat use in a low gradient Great Lakes tributary. Transactions of the American Fisheries Society 125:244-252.

Kruger, K.M. 1985. Pere Marquette River angler survey and brown trout evaluation. M.S. Thesis, Michigan State University, East Lansing.

Goehle, M.A. 1998. Assessment of natural recruitment in the mixed rainbow/Steelhead fishery of Cattaraugus Creek and tributaries. MS Thesis, Buffalo State College. 45 pp.

Markham, J.L. 2007. Wild steelhead assessment program. Section J in NYSDEC 2007. Lake Erie 2006 Annual Report. NYSDEC, Albany, NY, USA.

Markham, J.L. 2019. Summary of the 2017-18 tributary angler survey. Section I in NYSDEC 2019. Lake Erie 2018 Annual Report. NYSDEC, Albany, NY, USA.

Markham, J., S. Cornett, D. Einhouse, M. Clancy and M. Todd. 2016. Management Plan for Lake Erie Steelhead, 2016 – 2025. NYSDEC Report, Albany, NY. 38 pp.

Mikol, G.F. 1976. Investigation of population dynamics of the lake-run rainbow trout (*Salmo gairdneri*) of the upper Niagara River and tributaries of eastern Lake Erie. MS Thesis, Buffalo State College. 157 pp.

Nuhfer, A. J., Todd C. Wills, and Troy G. Zorn. 2014. Changes to a Brown Trout Population after Introducing Steelhead in a Michigan Stream, North American Journal of Fisheries Management, 34:2, 411-423.

NYSDEC. 2006. Fish Passage at Springville Dam - A Review of Fisheries Issues. New York State Department of Environmental Conservation, Albany, NY. 24 pp.

Roth, R.N., Jr. 2002. Steelhead (*Oncorhynchus mykiss*) smolt production in the lower Cattaraugus Creek watershed. MS Thesis, SUNY Fredonia. 69 pp.

Ryan, P.A., R. Knight, R. MacGregor, G. Towns, R. Hoopes, and W. Culligan. 2003. Fish-community goals and objectives for Lake Erie. Great Lakes Fishery Commission Special Publication 03-02, Ann Arbor, Michigan.

Appendix 1: Brook Trout Stream Assessment
Upper Cattaraugus Creek Watershed

In anticipation of fish passage at the Springville Dam on Cattaraugus Creek scheduled for 2021, the Lake Erie Fisheries Research Unit (LEFRU) conducted site visits to brook trout streams documented by Region 9 fisheries assessments and recorded in the DEC statewide database. Site visits were conducted to determine the size of the stream and potential for steelhead intrusion, if barriers to steelhead access already existed at road crossings (e.g. perched culverts), and if not, the potential to create barriers to steelhead passage if protection of brook trout waters was deemed necessary.

1) Spring Brook (Springville): Spring Brook is the only known brook trout stream in the upper Cattaraugus Creek watershed without mixed populations of other trout species (rainbow, brown trout). A barrier (sharped-sloped concrete dam) exists at the park off Buffalo Street in Springville (Photo 1). A mixed trout population exists below the barrier, but only brook trout above. Given the angle of the dam, the height, and the lack of an associated plunge pool, this dam is considered a barrier to upstream steelhead migration.

2) Unnamed tributary to Cattaraugus Creek (near intersection of Rt. 240 and Cattaraugus Creek): This stream is very small (2 ft. across) and access by steelhead would be limited due to its size. An elevated culvert pipe exists approximately 325 yards from its confluence with Cattaraugus Creek, which would prevent upstream migration by any fish species beyond this point.

3) Unnamed tributary to Monkey Run: There is no direct road access to this small tributary, but the culvert on Monkey Run at Rt. 98 was determined to be too large for consideration of constructing any fish passage blockage.

4) Unnamed tributary to Cattaraugus Creek off Genesee Road: A single, new culvert pipe exists at this road crossing and was not considered a blockage to upstream migration. Beaver dams may exist between Genesee Road and Cattaraugus Creek which may hinder passage. This stream may be a candidate for protection, however the importance of Cattaraugus Creek to the life cycle of this brook trout population should be considered.

5) Second unnamed tributary to Cattaraugus Creek off Genesee Road: This stream is very similar to the previous stream except that double culvert pipes exist at this road crossing. They were not considered a blockage to upstream migration. Beaver dams may exist between Genesee Road and Cattaraugus Creek which may hinder passage. This stream may be a candidate for protection, however the importance of Cattaraugus Creek to the life cycle of this brook trout population should be considered.

6) Flynn Brook (Spring Brook on maps) – tributary to Cattaraugus Creek: This stream is similar in size to Spring Brook in Springville, and its size and high water quality would be conducive for brook trout to complete their entire life cycle in this tributary. Therefore, this stream would be a target for protection from steelhead despite the existence of the mixed trout population that currently exists. Road crossing culverts were checked at Allen, Sullivan, and Younger Roads. Culvert pipes existed at all locations but were not considered impediments to upstream migration. The culvert pipe at Townline Road may be an impediment to brook trout migration but not steelhead (Photo 2). In addition, a small

tributary to Flynn Brook at Clark Road was examined; a culvert pipe existed here that was not considered an impediment.

7) Tyler Brook – tributary to Cattaraugus Creek: While not as large as Flynn Brook, Tyler Brook was considered of a size suitable to sustain the brook trout life cycle, and therefore is worthy of consideration for further protection. Road crossings at both East Arcade Road and Tyler Road were examined. The culvert pipe at East Arcade Road was not considered an impediment to upstream migration. At Tyler Road, a 2 ft. elevated culvert pipe existed in conjunction with a deep plunge pool which was considered an impediment to brook trout upstream migration but probably not steelhead (Photo 3). The Tyler Road site should be considered for future prevention of steelhead passage or connection for brook trout.

8) Unnamed tributary to Cattaraugus Creek at Tyler Road and East Arcade Road: This stream is very small (~ 2 ft.) and access by steelhead appears to be limiting due to its size. The importance of Cattaraugus Creek to the life cycle of this brook trout population should be considered. Most of the stream is between East Arcade Road and Cattaraugus Creek, so protection of the stream above the road culvert would not produce any benefits. However, this stream could benefit from improved buffer zones on each side, especially an agriculture field. Improvements could also be made to the road ditches that drain directly into the stream, causing increased water temperatures and providing additional siltation.

9) Witherhill Brook – tributary to Cattaraugus Creek: This stream is of similar size to Tyler Brook and appears worthy of consideration for further protection. Road crossings at East Arcade Road and McCormick Road were examined. The culvert pipe at East Arcade Road was not considered an impediment to upstream migration, but a double culvert pipe existed at McCormick Road which may block further upstream migration. In addition, several beaver dams were visible between East Arcade Road and McCormick Road that may provide some protection. Examination of the life cycle of resident brook trout in this stream may be necessary prior to implementation of any protective measures.

10) Stony Creek – tributary to Elton Creek: This stream is of similar size to Tyler Brook and appeared to be of high quality. It contains mainly rainbow trout with some brook trout. Examination of the road crossing at Worden Road revealed an elevated culvert pipe with no plunge pool, which was considered a barrier for upstream movement of all fish species, including steelhead (Photo 4).

11) McKinstry Creek – tributary of Lime Lake Outlet: This stream is slightly smaller than Lime Lake Outlet and of high quality for rainbow and brown trout but does have some brook trout as well. Some brook trout were also found in small tributaries to McKinstry Creek south of Gooseneck Road. Road crossings were examined at Townline Road, Gooseneck Road, and McKinstry Road; no impediments existed and there did not appear to be any opportunities at these locations to limit fish passage in their current form.

12) Unnamed tributary to Lime Lake Outlet at Worden Road: This stream was virtually non-existent and most likely too small for intrusion by adult steelhead. There was no opportunity to provide protection in this stream, and the importance of Lime Lake Outlet to the life cycle of this brook trout population should be considered.

13) Gooseneck Creek – tributary to Buttermilk Creek: A waterfall exists near Rt. 240 that prevents upstream passage of all fish, including steelhead.

Photo 1. Spring Brook in Springville

Photo 2: Culvert pipe at Townline Road on Flynn Brook.

Photo 3. Elevated culvert pipe with plunge pool on Tyler Brook at Tyler Road.

Photo 4. Elevated culvert pipe with no plunge pool on Stony Creek at Worden Road.

Appendix 2: Responses to Public Comments

A draft of the Upper Cattaraugus Creek Fisheries Management Plan (Plan) was released for public review on December 20, 2018 with the comment period extending through January 25, 2019. Public comment on the Plan was solicited through a variety of avenues including: 1) a posting of the statewide public comment period in the Environmental Notice Bulletin (ENB), 2) an article in the Buffalo News, 3) presentations at seminars and sportsman's clubs, and 4) special notice to the leadership of western New York sportsman groups.

A total of 53 public comments were received through email or letters (Appendix 3). Thirty-eight of these comments conveyed specific concerns or recommendations; the other fifteen comments were simply endorsements or general statements. General themes to these comments were identified, and responses to these are included below. Substantial changes and additions were made to the Plan based upon the public comments received.

Theme
Why do we need to do anything at the Springville Dam?

Response
The Springville Dam is currently in non-compliance with NYSDEC's dam safety regulations, and there is growing concern that it could fail in the future as it continues to deteriorate. Erie County owns the dam and is responsible for bringing the dam back to safety compliance, either through dam repair, alteration, or breach. Erie County and the NYSDEC are co-sponsors of the project with the US Army Corps of Engineers through the Great Lake Fishery and Ecosystem Restoration (GLFER) program to lower the dam to bring the structure back into safety compliance and implement fish passage to restore stream connectivity. Additional text has been added to the Introduction and the "Guiding Principles" sections to clarify this situation.

Comment Source Number: 20, 45, 50

Theme
Fishing regulations in the upper Cattaraugus system following fish passage

Response
This is addressed in Objectives 5 and 6 of the Plan. Additionally, we have added a "Guiding Principles" section to clarify and explain the Department's position on regulations in the upper Cattaraugus system following fish passage. The current regulations upstream of Springville Dam will remain in place following fish passage. For most of the larger tributaries, this will mean a daily limit of 5 trout with no more than 2 longer than 12" from April 1 – October 15, and catch and release, artificials only from October 16 – March 31. There are currently no plans to establish "Fly Fishing Only areas". The plan takes an adaptive approach to management. Therefore, as the system stabilizes following fish passage and more information is collected we will reexamine the need for additional regulations.

Comment Source Number: 2, 11, 13, 15, 16, 18, 24, 26, 30, 31, 33, 51

Theme
Impact of steelhead on existing trout populations and fish community

Response
Our goal is to manage upper Cattaraugus system for opportunities to catch both lake-run steelhead and resident trout while protecting the native fish community. This is addressed in the Plan under "Fishery Management Challenges with Fish Passage" and in Objectives 6 and 7. Additionally, we have added a "Guiding Principles" section that reiterates the Department's commitment to maintaining the native fish community above the dam as well as the inland trout resource. We cannot predict with certainty what will occur with the addition of steelhead to the fish community in the upper Cattaraugus system, including the existing trout population. However, in preparation for this project, we are conducting a fish community survey in several tributaries prior to fish passage and will periodically conduct similar surveys following fish passage to determine if any impacts are occurring, and if so to what extent. Additionally, we will be conducting pre- and post-passage angler surveys to assess fishery performance. We will have the ability to limit, or even stop, passage of steelhead if unforeseen consequences do occur.

Comment Source Number: 6, 18, 20, 22, 25, 29, 37, 39, 40, 41, 42, 46

Theme
Increase in number of people and litter; improved access and footpaths

Response
This is addressed in Objectives 1 and 2, and under "Fishery Management Challenges with Fish Passage." We have no recent estimates of annual angler use patterns in the upper Cattaraugus Creek and its tributaries. An angler survey is being initiated in Fall 2019 to determine angler use prior to fish passage, and periodically thereafter to determine how the fishery changes over time. This information will be used to determine if angler access areas and trails will need to be improved. Part of the Plan (Objective 2) states that the Department will develop and improve outreach tools to promote ethical angling practices to alleviate potential conflict between angler groups and landowners.

Comment Source Number: 6, 12, 16, 18, 25, 26, 29, 30, 49, 51

Theme
Dam should be completely removed

Response
The Springville Dam currently acts as a barrier for sea lamprey in Cattaraugus Creek, and this is addressed in the Plan under "Fishery Management Challenges with Fish Passage" and in the "Guiding Principles" section that reiterates the Department's commitment to sea lamprey control in the Cattaraugus Creek watershed. Removing the dam would also be inconsistent with the fisheries management goals outlined in the Plan.

Comment Source Number: 7, 36

Theme
Streambank improvement and habitat protection

Response
This is addressed in Objective 3. In addition, language was added in the "Supporting Initiatives" section of the Plan regarding the Cattaraugus Creek Watershed Plan which details water concerns (nutrients, sediments, pathogens) and addresses strategies to address these concerns. This plan is currently in development through the Lake Erie Watershed Protection Alliance (LEWPA).

Comment Source Number: 12, 15, 30, 31, 41, 46

Theme
Protection of existing brook trout populations

Response
This is addressed in objectives 3 and 7 of the Plan. Additionally, we have added a "Guiding Principles" section that states the Department's commitment to preserve and protect wild brook trout populations in the upper Cattaraugus system where possible and practical. Of the 15 known brook trout populations in the upper Cattaraugus Creek watershed, only one of these (Spring Brook) is exclusively brook trout; the other 14 are all living in mixed trout populations of brown and/or rainbow trout. Moreover, all the existing brook trout populations, including Spring Brook, appear to be declining, most likely due to compromised water quality and/or competition from brown and rainbow trout. In a few streams with multiple years of data, brown and rainbow trout appear to be replacing brook trout. Several existing populations are currently protected from intrusion by steelhead, including Spring Brook, Stony Creek, Gooseneck Creek, and an unnamed tributary (see Appendix 1).

Comment Source Number: 12, 37, 39, 40, 41, 43, 46

Theme
Prevention of sea lamprey from passing dam

Response
This is addressed under "Fishery Management Challenges with Fish Passage" and in Objective 4. Additionally, we have added a "Guiding Principles" section that reiterates the Department's commitment to sea lamprey control in the Cattaraugus watershed. It is imperative that the Springville Dam continues to act as a sea lamprey barrier following this project, and several layers of protection are being implemented to ensure that no sea lamprey can pass the dam.

Comment Source Number: 15, 33, 41, 46

Theme
Increasing PFR and keeping landowners from posting property

Response
This is addressed in Objective 1 of the Plan. Efforts have been underway since 2016 by Region 9 Fisheries staff to obtain additional PFR prior to the fish passage project. To date, they have five successful PFR agreements totaling 0.57 miles on Cattaraugus Creek, 1.04 miles on Elton Creek, and 0.1 miles on Flynn Brook. In addition, two angler footpath easements were obtained on Cattaraugus Creek. Contracts for several other agreements are also underway. Unfortunately, we cannot prevent landowners from deciding to post their land if they choose to do so, and we can only buy PFR from willing landowners. Access to private property for any purpose, including pursuit of fish and game, has been established by the legislature and changes to the rights of landowners are outside the realm of this Plan.

Comment Source Number: 16, 20, 25, 29, 30, 31, 47, 49

Theme
Plan comment period advertised

Response
The way the draft Plan was advertised for public comments is listed at the beginning of this section. We do not have control of how the Buffalo News, or any other newspaper, decides to advertise their news.

Comment Source Number: 21

Theme
Stocking above the dam following fish passage

Response
This is addressed in Objectives 5 and 6. Additionally, we have added language under the General Management section of the "Guiding Principles" section which states the need to keep conditions relatively constant above the dam for a period of time so that we can properly evaluate the effects of fish passage. We believe that the upper Cattaraugus Creek ecosystem will benefit from a natural transition of lake-run fish following fish passage as opposed to jump-starting the system through extensive stocking. Steelhead stocking will continue in lower Cattaraugus Creek. Periodical biological evaluations and angler surveys will indicate the progression, or lack thereof, and adaptive management will be used if necessary to alter this policy. A similar adaptive approach will be used to evaluate the brown trout stocking policies currently in place in upper Cattaraugus Creek.

Comment Source Number: 26, 31, 33

Theme
License on Seneca Nation of Indians (SNI) territory lands

Response
The SNI owns approximately 17 miles of lower Cattaraugus Creek, and their lands produce some of the best steelhead fishing in the entire stream. Anglers must purchase a separate SNI license if

they wish to fish on SNI lands. SNI lands do not extend into the upper portion of Cattaraugus Creek and are therefore not covered under this Plan.

Comment Source Number: 23, 27

Theme
Limiting fishing opportunities to promote natural reproduction

Response
We have added an entire section in the "Guiding Principles" portion of the document that explains the Department's position on limiting fishing opportunities in the upper Cattaraugus system to promote natural steelhead reproduction. While we fully expect that the high-quality habitat located in many of the tributaries above the Springville Dam will be conducive for natural reproduction of steelhead, we will not eliminate fishing opportunities to accomplish this. Extensive angler surveys conducted on New York's Lake Erie steelhead tributaries indicate that most anglers practice catch and release (>85%), so additional protection is not warranted. Moreover, adoption of the existing regulations that are currently in place in the upper Cattaraugus system (Catch and Release – Artificial Only or closed season) already offers protection for spawning steelhead from October 16 through March 31 in the larger spawning tributaries.

Comment Source Number: 2, 11, 13, 15, 16, 18, 24, 26, 30, 33, 31, 51

Theme
Monitoring the effects of fish passage

Response
This is addressed in Objectives 6 and 7. We have also added an "Evaluation Section" that describes the surveys that will be conducted to address the potential effects of fish passage. Pre-passage fish community surveys were conducted from 2017-2019 to establish baseline estimates of species composition and relative abundance estimates of trout species. Post-passage surveys will periodically determine if the fish community is being impacted and to what extent. Similarly, a full year angler survey will be implemented beginning in the fall of 2019, which will establish baseline estimates of annual effort, catch, catch rate, harvest, fishing quality, and angler demographic information. Periodic angler surveys (every 3 years) will monitor the fishery and determine how the fishery is changing post-passage. The Plan represents an adaptive management process which will allow the flexibility to change management recommendations based on survey results.

Comment Source Number: 37, 39

Theme
Radioactive material from West Valley

Response
The sediments above the existing dam have been sampled by the USACE as part of the feasibility study. Results of this testing will determine how the sediments upstream of the dam will be handled. These results, when available, will be posted on the USACE website.

Comment Source Number: 41, 46

Theme
Species expected to benefit from fish passage

Response
Aside from steelhead and sea lamprey, there are no other lake-run species that are known to migrate upstream and reach the Springville Dam. Fish passage is not expected to benefit walleye; there is a small population that spawns in the lower reaches of Cattaraugus Creek but recent telemetry studies indicate that they don't migrate very far upstream. Fish passage should provide additional benefits to native resident fish species by restoring connectivity to areas with higher water quality and spawning habitat. Therefore, providing passage could improve populations of native resident fish species and possibly help restore or increase freshwater mussel populations upstream of the dam.

Comment Source Number: 44

Theme
Management authority

Response
The New York State Department of Environmental Conservation is legally responsible for managing the state's natural resources.

Comment Source Number: 37

Appendix 3: Public Comments

1) I feel any plan that restores areas to per-industrial revolution status will benefit us all in the long run. Many things done in the past did not look to the future environmental or long term consequences. Thanks for your efforts.

2) As a NYS licensed guide, who fishes Cattaraugus creek extensively purely as a catch and release angler and guide, I am in favor of the fish passageway.
I would also like to see regulations for tributaries to the catt above the springville dam. Steelhead angling in these small spawning tribs should either be restricted/banned during the spawning season, or should be strictly catch and release for steelhead & rainbow trout. These fish should be allowed to spawn and not be harvested. Better yet make all steelhead catch and release above the dam in Springville, both on the main branch of the Catt and it's tributaries.

3) We are very excited to hear about the "Upper Cattaraugus Creek Plan"
We are in 100% support and look forward to being a part of continuing to promote the world class fishery in WNY. If we can help in anyway please let us know.

4) I think a ladder is a great idea for the Catt! I fish Chautauqua creek mostly because it's close to me and since the ladders have been put in there I have noticed catching an abundance more wild steelhead and catching many farther up the stream. The Catt would definitely be better sustained! Thanks

5) I support the efforts for the upper Cattaraugus Creek fisheries mgmt. plan. thank you,

6) I am opposed to adding Steelhead to the upper Catt fishery. I have 56 acres of land on the creek with a little over 5000' of creek frontage. I enjoy the creek as it is now. After reading many studies on the impact to the existing fishery in areas that have had Lakers either added or returned to an area, they show a broad base of results ranging from no adverse impact to considerable decline in existing species. Obviously we will not know the impact here until / if there is a change via the addition of the fish latter and the introduction of the Lakers. This is one concern, I also have been impacted by the people drawn to the creek for various forms of recreation. Most of which have been good, but as always with people some not so good. To help with relations and also with litter and even human waste I have added a "rest stop" in the warm months for anglers and creek travelers. It consists of a pic nic table, garbage can, recycling container and a marked trail to an outhouse. Leaving a container at the table with a note pad w/some brief instructions. I have exchange notes with many on the creek, some for a few years running. I have removed much garbage with-out having to pick it all out of the creek. This has changed a point of contention and aggravation into a nice exchange. Some years back the DEC purchased a lot and creek access from my next door neighbor and put up an access sign. The DOT later put blacktop millings on the parking area and I, after meeting w/DEC and DOT built log guard rails for the spot to help delineate the parking area and to reduce intrusion onto my land. Prior to this Fishing access site, I granted access through my property and never refused anyone who asked. This gave me a chance to meet with anyone new and point out a few points of concern, easy stuff like please don't block my access gate, don't park in the low area where it is wet and soft etc. Things were peachy, then the access sign goes up and every sort of "stupidness" seemed to come out, from trespass and theft to getting

stuck and rutting up my lawn to parking across my driveway so I can't get in. Even had one young couple park correctly and walk down toward the creek off the access path on the neighbors and shoot a full box of shot gun shell at trees, cutting down many young saplings in the process. When stopped the young man exclaimed how much fun it was and that he thought it was ok because they saw the "sign". Of course the sign says "Fishing Access Foot Path only" Oh well I must admit it does not say hay stupid don't trespass on the neighbors property and shoot down a bunch of trees. Oversight on the part of the DEC no doubt.

Anyway, I know you will have to do what is best for all, but know that there are indeed concerns and we will all deal with them as best can be. Also I thought you may enjoy at least some of this.

7) As a Seneca Nation member , I am for the complete removal of the Scoby dam on Cattaraugus Creek . The fish passage should only be temporary until the dam is completely removed from the creek .

8) Sounds like a carefully thought out and lan which I support. Obtaining more public access for anglers is important!

9) Build the fish access. Steel head and other species swam up the river before the Damn

10) I would like to voice my support for the fish passage system at Springville Dam.

Fishing for steelhead is a growing interest amoungst fly fishers and an important and impactful economic income stream for rural communities.
Expanding steelhead opportunities on the Cattaraugus will strengthen that interest. The Catt is vulnerable to blow out from high water events, so opening up the upstream water will be helpful to mitigate that issue especially for traveling anglers.

11) I am president of the Twin Tiers Five Rivers chapter of the Fly Fishers International. My chapter, based in the Corning/Elmira area, comprises over 65 members - a number who fly fish for steelhead. I have been fly fishing for 49 years and have been blessed to fish all over the country.

We'd like to see the upper river open year round to trout and salmon angling with a focus on catch and release and artificial lures only, and would love to see a traditional fly fishing only stretch where steelhead season tackle is limited from using split shot to focus on the swung fly.

12) I am an avid fisherman on the Upper Cattaraugus for over 50 years. I have read the draft plan. These are my comments:

- I am against deconstruction of the Springville Dam. It will bring unwanted species
  And unwanted people into Java Lake.
- The noise level from the American Precision Company (their fans) on Rt. 39
  In Arcade are UNBEARABLE at the Cattaraugus Creek, a mile away! PLEASE look into this.
- Clear Creek is DEAD. Due to many heavy floods, the creek has dramatically changed
  And the wild trout are gone. I hear this from many guys. It needs restocking badly.
- The stone quarry on Clear Creek has GREATLY expanding producing much more (red) slit.

- The section of the Catt on Rt. 39 should not be stocked for the benefit of the camping business; Indeed, they post it and get free stocking; NOT both!
- Upper Catt car access needs to be improved.
- More Upper Cat footpaths are really needed. I think there is only one!
- Don't stock huge numbers of 8" browns on the Upper Catt. Most die from people not knowing how to properly release them.
- It is much better to stock 12" fish there. They are harder to catch and survive release better.
- Stock at night, so those guys just follow the stocking vessel.
- Stream bank improvement hasn't happened on the Upper Catt in 20+ years by Trout Unlimited.
- Brook trout addition on the shadowy sections of the Upper Catt would be great.
- There needs to be more landowner/fishermen interactions and feedback.
  Please contact me if you need more clarification.
- Some Mid may stocking would be great too!

13) This has been gone over for years, but here we go. The plan is good but must be regulated very well, the upper section above the damn must be catch and release only no live bait until April 1 when the trout opener starts so the stocked fish are not taken out or harmed before the legal slaughter. This section should be open to residents only, the non residents have the whole lower section to destroy, the kill limit should be one fish and the use of trout eggs should be illegal in all of our streams.

14) As a long time angler I support the Upper Cattaraugus Creek Fisheries Management Plan as stated in the draft at the web site link: http://www.dec.ny.gov/outdoor/115520.html\
The Draft Document seems realistic in its goals and offers an open mind approach with regards to the fish ladder, lamprey control and angling regulation.

15) As a lifelong western New York angler and conservationist I would like to provide my comment regarding the draft master plan for upper Cattaraugus creek.

    I'm 36 years old and I've been fishing Cattaraugus creek since I was approximately 13 years old. I am not as fortunate to fish it as often as I used to but I always enjoy my time on the water and the wide range of fish species and fishing opportunities available on this great system.

    I recall participating in the creel surveys and questionnaires in the early/mid 2000's when the idea of installing a fish ladder at the Springville dam was gaining traction. At the time I was a full fledged teenage steelhead fanatic and I was in full favor of the fish ladder idea. The ladder would in effect provide passage to thousands of fish and open up miles of additional "river" to fish and generally sounded like a cool idea. The idea of steelhead spawning in upper Cat tribs and potentially adding more wild run fish into the system was icing on the cake.

    As time went on and I learned more about conservation, invasive species, and the efficacy of fish ladders, I started to understand the complexity of this issue a bit more and it has opened up a host of questions and comments for me personally.

I am aware that the updated version of this plan is calling for a weir and indicating that a passage will be selective for preferred fish species, but it's unclear to me how this will be accomplished and what the success rates have been for previous efforts similar to this with other state or federal agencies? What will happen with lamprey passage in high water flood events? I think these are important questions to ask and in some regards it seems this will be an experiment.

Overall I am still in favor of promoting steelhead passage to the upper Catt. because of the recreational and economic benefits it could provide to a wide range of anglers and the regional economy. As we know rainbow trout are already reproducing naturally in upper Catt tribs. If steelhead passage is provided then natural reproduction should only be enhanced.

However, as we know, steelhead are not native to Lake Erie and the tributaries and I would prefer to see a value based shift by the WNY DEC teams towards more habitat restoration and enhancement as well as working to reduce non-point source pollution on this system.

I am in favor of promoting and funding habitat improvements for native fish, such as lake trout, reducing the agencies dependence on non-native fish stocking, and also working closely with agency partners to reduce and control invasive species, such as the sea lamprey. I am also in great favor of pursuing more public fishing rights and easements on the upper Catt., reducing or eliminating the use of bait and barbed hooks in stretches of the upper Catt, closing the fishing season in tributary spawning grounds during spawning months, and creating vast no kill zones and slot limits in upper Catt stretches.

I believe that in order for the passage to be successful and sustainable the agency needs to be able to adjust their regulations on a seasonal basis based on water conditions and seasonal runs of steelhead, much like western states, the province of British Columbia, and National Parks. Close regulations and monitoring of the steelhead and trout fisheries will be necessary if the Catt. system is going to succeed and reach its full potential as a world class steelhead and trout fishery.

I hope the DEC regional fisheries team receives the long term funding and support it deserves for these proposed efforts and successful implementation takes place by 2020.

16) I have been a long-time trout fisherman who "cut his teeth" on Cattaraugus Creek and its tributaries. It is a wonderful creek used for all kinds of outdoors enjoyment. I believe that this should continue. With that being said, I think the DEC needs to be more specific on how it will manage potential concerns that have been voiced about additional "traffic" that would result from steelhead fisherman accessing the upper reaches of the watershed. I would hope that DEC has thought about the additional numbers of fisherman, above those levels that fish for brown and rainbow trout during the spring/summer/fall seasons, that may be expected on a daily/weekly/monthly basis through the steelhead fishing season and how those levels may impact, if any, the local infrastructure as well as the Public Access Fishing areas.

I would like NYSDEC to consider creating artificials only fishing areas for steelhead; possible slot size for possession of steelhead; reducing the daily limit for possession down to 2 or 1; creating catch & release only areas for steelhead fishing.

I believe that the Cattaraugus Creek watershed can be a world class steelhead fishery, but to make it a sustainable fishery, while minimizing impacts to local residents, needs forethought which may not have been thought out yet. Catch & release areas and reduced daily possession limits is a must. The excitement of having days of catching 10 fish outweighs being able to take 3 fish home.
I know that landowners in upper Zoar Valley posted their properties due to the influx of fisherman. How does DEC plan on not having the same thing happen in the upper reaches. I have enjoyed walking all areas of the watershed in search of wild brown and rainbow trout and would hate to lose that experience because the influx of steelhead fisherman overwhelmed the local property owners.
All I asked it to be prepared for the worse case scenarios.

17) i have fished the lower river for 25 years i ilve in the finger lakes region drive home along the upper and have always dreamed it was steelhead water my friend brad smith posted it on his face book page this would be a dream come true many thanks

I absolutely love fishing the cattaraugus river it's my favorite river in the whole state. When it's actually at fish able levels. Spring, winter, and fall that beautiful river makes me feel like I'm in a whole other world. I would love to see the upper river above Springville to be regulated by the DEC and for the fish ladder to allow the steelhead abilities for so many more spawning areas. I know of at least 15 or more people that have my same feelings towards the upper river to be accessible for the lake run fish we all love to see. And as far as public fishing access goes it is such a cool proposal and alot of people would love to see this happen. Thank you!

18) As both a steelhead and small stream trout fisherman I am taking a cautiously optimistic position on the plan. I believe there are a few unknown conditions that over time will play out. The first one is the effect on the existing Wild Trout Fishery in the Upper Tribs such as Clear Creek, Elton, LLO etc. I think there is only so much biomass a stream can hold. Hopefully the effect will be minimal. If part of the goal is to establish a Wild Steelhead fishery I also think the regulations from October 15 to March 31 should remain in effect that are presently on all of the tribs with the addition of Elton Creek. These artificial only and catch and release regulations may also help to alleviate some angling pressure and landowner conflicts. I think there is going to be some pushback from landowners that see increased angler pressure including the PFR areas. There is not much activity on those streams after April and May. It's hard to argue against the economic and tourist benefits that should occur but my hope is that politics will not interfere in making sound fishery management decisions both now and in the future. Thanks.

19) As an avid angler of steelhead trout and a 43 year resident of the upper Cattaraugus creek area (Delevan, NY) I applaud the plan as reviewed in your website. At 70 years of age I can only hope (and pray) that I may be able to enjoy my steelhead fishing passion literally in my back yard along the upper Cattaraugus creek.

I have been watching the development of the plan for many years and admired your due diligence on the issue of expanding the opportunity to fish the "Catt" like it should be. It is a marvelous water and I have many marvelous memories of fishing for rainbow and browns. Please make those memories even more vivid with the addition of the steelhead trout on my upper Cattaraugus creek waters.

I'll be watching and hopefully fishing. Contact me if necessary to help the cause.

20) NO FISH LADDER. Introducing steelhead above the damn would only hurt the inland trout fishery there, that already has more than its fair share of predators. The area above the dam has very limited public access. Instead of wasting the money on damaging something that is already pretty good, use the money to secure some public fishing access through the mostly private property from Gowanda to the dam.

21) Why wasn't this article in the Sports section of the Buffalo News? Better yet, why wasn't it in the Thursday edition of the Sports section that has a whole page dedicated to fishing, where most fishermen would readily see it?
Or is this the way the DEC operates, that they can say, we published it in the paper, but not many people responded, so we're going to go ahead with our plan anyway?

22) Hello, i saw the article in the buffalo news about feedback on catt creek fishing. we own some land on the creek in Yorkshire (upstream of the dam). as a steelheader, i am very excited about the prospect of being able to steelhead fish right on our property. I know there are some hesitations from native trout fishermen about steelhead taking over, but there is great spawning habitat upstream and a viable "wild" population is not out of the question (in my opinion).

23) i know the dam lowering/removal project has been delayed several years. is there any update on when it might finally happen?

my other feedback in on the lower catt. seems to be very few open areas to the public. it would be better to get more agreements/easements on public access. is the seneca reservation ever not going to require a separate license? (related topic).

in any case, thanks for the forum to provide feedback. the catt is truly wonderful and special and i'm glad to have a small piece of it.

24) I think it's a great plan and long overdue, that being said I feel that the long term goal is to have more natural reproduction of lake run steelhead/browns in catt and the tribs above scoby, for that to be effective I feel there may need to be some changes in regulations, portions of creek and tribs that show lake run fish reproducing need to be closed off from fishing during spawning periods, as well as possible change in bag and size limits on fish.

25) I grew up fishing the upper Catt and still do to this day. I am writing in regards to the upper Cattaraugus being opened to steelhead. I feel this would be a big deal in good ways and in bad. I would like to see this happen for many reasons but mainly for the economic boost this will have on the Southern-tier. I believe the fishery is strong enough to sustain the incoming steelhead and other species and will not burden the current inhabitants. However, I would like to know if anyone has thought of the toll it may bring of the wild populations of trout in spring fed streams. If this has been researched is this available to read? If not I'd like to help conduct a study. Otherwise I feel it would be a great help to the communities along the upper Cattaraugus. I would also like to note impact on land owners. If the upper becomes anything like what we see in Gowanda and the

reservation lands, land owners will close their properties to PFR and quickly. The lower areas, with the exception of Zoar Valley, are downright awful. I have spent many days picking up trash more than fishing. I know this is tough to police but be prepared for the backlash it may bring. I appreciate your time in reading this and thank you for the opportunity to voice my opinion. Have a great day!

26) On September 25th of last year I attended the talk given by DEC"s Jim Markham at the Donovan Post in Cheektowaga, NY. As someone who is primarily an inland trout fisherman, I have been less than enthusiastic about the state's plan to allow passage of Lake Erie steelhead into the upper reaches of Cattaraugus Creek. I was, however, relieved to hear Mr. Markham mention two things that should help preserve the integrity of our inland trout fisheries above the Scoby Hill Dam. Those two things being: 1). The regulations currently in place on the inland section will be kept the same with a strict catch and release policy being enforced from Oct. 16th to March 31st. 2). No steelhead will actually be stocked in the upper section of the creek, or its tributaries, which should help ease the transition of lake run fish into a fragile ecosystem dominated by inland strains, many of which are stream born organisms.

    Given that the bulk of the steelhead season in WNY actually coincides with the catch and release season of our inland streams, there is not a lot of time designated on the calendar for anglers to actually cull lake run fish under this regulation. But when April comes around I fear the worst. The primary concerns being the trashing of our waters with copious piles of litter and the decimation of smaller fish populations due to the rapacious appetites of larger fish and the unethical practices of anglers primarily interested in fish for food.

    If any of the above problems eventually become chronic on the Cattaraugus system could you please consider designating at least one sizable stretch of the creek to year round catch and release. I feel the implementation of mandatory sport fishing, even in limited ranges, could help alleviate some of these potential problems. It wouldn't hurt the overall fish population in the creek either.

27) Comment on Buffalo News article: While I would love to see a DEC investment in the development of the Cattaraugus Creek system there are 2 major issues in the way 1) The Indian Reservation puts a damper on fishing in the lower area and 2) Horror stories about land owners in the upper section (above the reservation) damaging fisherman's cars, etc.

28) Thanks for taking the time to ask us our opinions and comments/concerns about the upper and lower Cattaraugus plans. I think it would be great to have more water to fish, especially more clear water upstream into the upper Cattaraugus Creek. I've heard about these plans for a couple years now and have anticipated the construction. I live in Holland NY and love fishing the upper and lower creek. Hopefully the DEC will continue a strong stocking program along with some summer run steelhead would be a bonus! Thanks again and I'm looking forward to the project.

29) I am not opposed to the reconstruction of the dam for the creation of a fish passage for lake run species.

    My greatest concern is that the DEC has not lobbied property owners in these upper reaches. I fish the creek in its entirety and know that the upper sections of the creek are primarily located on

private property. Once we open up the ever quiet, beautiful and private land to the masses of trespassing anglers with baits, beer and neglect; property owners will post up the property very quickly. We see it everywhere already on various creeks including Cattaraugus Creek. The DEC's approach to this project is in backward fashion in my opinion. That is; you have not figured out the ACCESS part of the equation. I predict we will see angry property owners and lots of posted property where there once was no posting at all. This includes Elton Creek and others.

I think many anglers are still concerned about larger preditor species such as Smallmouth Bass and Steelhead eating the smaller wild reproduction occuring in the upper stretches. Thats to be seen though as I am not completely sold on that notion.

Again, the boot tracks, garbage, neglectful and disrespecting anglers will ultimately shut down most of the access in the area in which you hope to promote.

You need a salesman to go door to door to sell this to all property owners on this creek. At the very least, get each involved with the "DEC Ask Program" At the very most, gain access through purchasing easement from landowners or incentivize them.

In the end, I like the idea but I dont think its been fully thought through.

30) As someone who fishes for steelhead in many of the Great Lakes tributaries including the lower Cattaraugus and also for trout in the upper Cattaraugus and it's upper tributaries I support the goals of the Draft Upper Cattaraugus Creek Fisheries Management Plan. My primary concerns and recommendation would be:

1. Take a proactive approach and increase and improve public access on the Upper Cattaraugus Public Fishing areas through more and improved parking and access paths and expand the PFR sections before completion of the project.
2. Protect spawning and juvenile steelhead through the creation of "Catch and Release" only in the Upper Cattaraugus tributaries such as Clear Creek, Hosmer Brook and Elton Creek etc.
3. Protect spawning steelhead by instituting a one fish per day limit.

NYS DEC should take a proactive approach and begin to open and expand access to Cattaraugus Creek and protect spawning habitat before completion of the Springville dam fish passage project. Once the fish passage project is complete and fish begin to move upstream the expected increase in fishing pressure will make it more difficult to make any necessary changes to regulations as well as acquire needed access from land owners.
Thank you for your consideration.

31) I have fished many miles of upper and lower Cattaraugus creek since the early 1970s. I'm a TU member, Lake Erie DEC tributary diarist and have had numerous conversations with Jim Markham and Scott Cornett on this subject.

I am in favor lowering the Scoby hill dam and look forward to wild steelhead in the upper section. I think this will improve the overall fishery and may even improve the wild populations of brown

trout by providing valuable feed in form of eggs and fry and perhaps other migratory baitfish species (assuming they can make it up the fish ladder).

1. I believe migration process should proceed naturally. I am not necessarily in favor of stocking upper reaches with hatchery fish.
2. I believe all tribs to the upper Catt should be closed from Jan 1 to March 31 to protect spawning trout: Spring brook, Elton, Hosmer, Clear, Lime Lake Outlet/McKinstry. This will prevent destruction of wild trout redds and steelhead redds from wading traffic. Frankly, if the steelhead make it up that far, they should spawn undisturbed.
3. Main stem of Catt could remain open all year (with artificials only) as it is now, at least up to Clear creek in Arcade or up to East Arcade.
4. I do not want to see any fly fishing only sections on upper Catt or its tribs. I believe fisherman should have right to choose how they fish. In my opinion, "Fly fishing only" sections would be and are discriminatory.
5. I would like to see NYS DEC redouble efforts for more public fishing rights on upper Catt. There is not enough of these in lower Catt.
6. I think a huge priority for DEC and other stakeholders is to reduce the terrible bank erosion occurring on the Catt watershed. This is especially so in Elton Creek (as well as some other tribs) and main stem below junction in Yorkshire. This impacts the entire watershed with clay laden water. Not only does this erosion severely limit number of fishing days and ability to fish due to turbidity, but obviously will limit successful egg hatching of most or all species. While I love the Catt (have fished it for almost 50 years), it seems unrealistic to declare it a top fishing destination when it takes 5-10 or even more days to clear after a rain event. I don't hardly see cars from PA, Canada or Ohio any longer on the Catt. They simply have found more reliable and clearer waters to fish. Is this even an action Item? It needs to be a top priority for DEC and others.

32) Access to the south side at the rt. 16 bridge. At the Scoby Dan you can not fish down stream because of the land owner will not let people walk the creek. Even if you stay in the water they will call the police.

33) I am writing to express my support of the DEC's initiative to enhance the fishery in the creek as habitat connectivity is one of the most important components of a healthy fishery, and I believe that providing fish passage over the scoby dam will have positive impacts on both resident and migratory gamefish populations within the creek. This would, in turn, increase angling tourism to the area and enhance the local economy.

As an avid angler in both the resident and migratory fisheries, I would like to point out that there is a vibrant conservation-minded fishing community surrounding Cattaraugus Creek. I think I can speak on behalf of most by bringing your attention to the following topics: 1) wild reproduction, 2) protection of spawning/nursery habitats, and 3) sea lamprey control.

1) Cattaraugus Creek is highly regarded for its ability to produce wild trout both above and below the dam. Being that a habitat enhancement project of this scale in this region is unprecedented, I encourage the DEC to suspend the stocking program within Cattaraugus Creek as well as increase harvest restrictions. This will give the fishery the opportunity to respond naturally (for better or

worse) to the project, allowing the DEC to effectively manage the new fishery based on the system's productivity following fish passage.
2) In addition to modifying stocking practices and harvest limits, I would also encourage the DEC to adopt a regulation prohibiting all fishing in tributaries of Cattaraugus creek in the fall and spring, to facilitate natural reproduction of fall-spawning brown trout and spring-spawning rainbow trout. By eliminating fishing pressure from these spawning areas, the DEC would be maximizing the potential for a self-sustaining fishery without the stresses of harassment of spawning fish and destruction of redds by anglers.
3) Sea lamprey are one of the greatest obstacles to management of the Great Lakes fisheries. Currently, Scoby Dam acts as an upstream barrier to lamprey that seek spawning habitat. I encourage the DEC to evaluate fish passage designs that not only limit passage of lamprey, but allow for the effective capture of lamprey that make it to the dam site so that they may be destroyed prior to spawning; utilizing the dam structure/fish passage corridor as a wier. I believe that the old dam structure could be retrofitted for fish passage research and/or public information center.

I have a BS in Fishery Management and have extensive experience with wild trout/salmon conservation and habitat enhancement. I would love to draw from my knowledge and experience to assist the DEC as they move forward with the Cattaraugus Creek Plan and would welcome a more detailed conversation of the plan via email or telephone (716-XXX-XXXX). As an avid angler who has fished Cattaraugus Creek since I was very young, I anxiously await the improvement of the fishery.

34) I have reviewed the Upper Catt. Creek Plan Draft (Dec. 20,2018) and highly support it as stated. The opportunity to develop the steelhead fishery into the upper creek areas is essential to increase the natural reproduction of fish. I stress natural reproduction of fish before fishing. Hopefully once the fishery has developed and fishing rules allow steelhead fishing in the upper reaches access to additional fishing areas and stewardship of the fishery will be crucial to its success.

35) I am a previous NY state resident hailing from the Salamanca/Little Valley area. I have a lifetime NY State hunting and fishing license. I would love to see the upper Cattaraugus opened up to lake run steelies. Hopefully the actions necessary to make that happen occur in the near future.

36) I read in the Buffalo news you are looking for comments on the Scoby dam lowering project. I started fishing the upper catt back in 1965 with my Dad, then around 1970 found the lower as well. I still fish both every year and look at it as one of my best fishing holes. The fall and winter are unbelievable!

From what I understand the DEC will be lowering the dam to 8’ to hold back sediment from the lower stretch, then installing a fish ladder. I would like to see the new lower dam built in such a way that it can still be lowered very slowly to possible someday no ladder is even needed. My idea to do this would be to have doors or gates that can be opened slowly then removed to lower the level slowly over time. Possibly use the center 75’ or so of the dam to have these removable sections, maybe 1’ high, where as in the end when all the sections are removed the dam is still (sides) there but the water flow is unrestricted and no fish ladder is needed.

37) I offer the following comments on the Upper Cattaraugus Creek Fisheries Management Plan DRAFT.

Overall I would have to say that this is a very sparse outline of a plan and this makes comment difficult. The lack of true objectives that have measurable aspects is of great concern. This "draft" is long on salesmanship but short on accountability. At the outset the plan seems based on a fallacy (or merely wishful thinking, perhaps) in that it is predicated on coexistence of steelhead and inland trout while admitting that there is no research that actually assures that. This premise creates a weak foundation for all that follows.

I also note the absence of any consideration for brook trout in the opening "Management Goal." Given that I fish these waters often- and have for many years- I feel that this ignores a vital aspect of the fishery. Brook trout are rare in that system, but I do catch them in the upper Hosmer, Elton and Cattaraugus occasionally. It seems to me that the DEC's own data from the Region 9 fisheries biologist substantiates their presence in the system, so why are they not addressed in the overall Management Goal?

In the "Purpose and Scope" section it is made clear that steelhead are given primacy over the trout that have made the newly opened water a terrific fishery over the years. The implication is clear; the development of the Upper Cattaraugus as a steelhead fishery will take precedence over maintaining the existing fishery. When was this decision made and why is it a precept of the new management plan for that water? Under whose authority was this decided? At no point was this aspect of the plan communicated in the public forums that I attended or read about when discussing the plan for fish passage. In fact, the DEC made clear effort to convince folks that both fisheries would be maintained.

I would argue that the traditional fishery should be given priority over the new steelhead effort simply based upon precedent. In other words, the new draft has this backwards.

This also raises the question of just who will be making decisions about the fishery. How will results be assessed and who will make recommendations and subsequent decisions regarding the findings? So if the admission of steelhead into the system leads to extirpation of brook trout who might be in a position to decide whether that is acceptable or not? The plan is totally silent on the management and procedural structure to facilitate proper and reasonable evaluation. This needs to be addressed.

The entirety of the plan has objectives that are stated as vague "wishes" rather than measurable objectives. Statements that read, "Improve and expand..." and "Maintain responsible stewardship..." have no clear definition and also no stated authority. Standards such as "high quality", "responsible stewardship" and "minimize adverse impacts" have zero measurable metrics that suggest (to me!) a lack of accountability. I applaud the idea that the plan includes protecting habitat and water quality through existing laws, but isn't that supposed to be done with or without a fish passage?

The plan needs much more definition and policy specifics included to be properly commented on. Where are the "Who, what where and why" aspects of the plan that would make it viable?

Basically this sounds like an idea that no one understands the consequences of and therefore the authors are not willing to predict with any certainty what the plan actually involves. If we do not know, then it is premature to draft a plan that purports to know.

As a former college professor (now retired) I would not have accepted work like this from a student and am mystified about why it is being offered for public comment at all. Thank you for taking the time to read my comments and I hope that you see your way clear to address some of my concerns.

38) I have been fishing the Cat for over 40 years. Along with every tributary that runs into the Cat. This is a very exciting project and to have the opportunity to fish for lake run Steelhead in the Upper Cat would be a dream come true! I hope all land owns who allow access will continue doing so.
I think there is a need for some type of bank erosion projects (cribs and/or willow plantings).
Good luck going forward and I hope this becomes reality sooner than later. If you should have a need to contact me or for volunteer services relating to this project.

39) As the president of the WNY Chapter of Trout Unlimited, I would like to express our conditional support for the Upper Cattaraugus Management Plan with the reservation we have had on public record since the beginning of this process. We are in general in favor of the fish passage, PROVIDED THERE ARE NOT SIGNIFICANT NEGATIVE IMPACTS to the existing, outstanding inland wild trout fishery in that watershed. We are aware that there are few studies on impacts of this kind of project in existence, and that they seem to have mixed results. As a personal observation, I have fished in that watershed for over 60 years and feel that I have seen it improve from a fishery which existed with primarily stocked trout to one in which there is a great deal of naturally reproduced trout, both browns and rainbows, that provide the majority of trout available to the public from probably May on. Indeed, there are a number of streams which receive no stocking at all and which provide year round trout fishing which compares favorably with the storied streams of the Catskills and Adirondacks. Indeed, my experience is that many of the fish available in the Catskills and Adirondacks are inherently inferior stocked trout. If one wishes to fish for wild trout in NYS, it would be hard to find a better place than here in this watershed, hence our concerns.

In particular, it doesn't seem as if there are any specific methods in place to protect that fishery, just policy statements that it would be done. We would like to see some concrete plans for protecting the fishery. For instance, regarding the "impassable barrier" in Springville on Spring Brook, I'm not sure that the "barrier" would actually be insurmountable to steelhead under high water conditions. I was involved in looking at this stream for a habitat project we cooperated in just above this barrier, and at the time there was a plan to install a metal (steel?) lip on the top of this, which I believe the Village nixed eventually. Above this "barrier" is the finest wild brook trout stream in Erie County. We know there are similar remnant brook trout populations in the headwaters of other streams in the watershed that need protection. These are probably not native fish, but they are certainly wild fish and we would hate to see them jeopardized by introducing non-native steelhead into their streams. We would like to see details such as this worked out in the management plan before making final comments. I realize this was only a draft document, but

would hope that these and other concerns would be addressed in the final proposed plan. This is just one example of what I see as some of the shortcomings of this management plan.

It also seems to me that the plan is short on specifics as to who would be monitoring the effect of the steelhead on the existing fishery, what would constitute protecting the existing fishery, and what methods would be used to monitor those effects. As I said, we are generally in favor of this project, but feel that this "management plan", even though it's only a draft, falls far short of what we would wish to see.

40) The Erie County Federation of Sportsmen's Clubs is an umbrella group representing 45-member hunting, fishing, trapping, and conservation groups, and over 10,000 individual club members in Erie County. We are generally in support of the draft Upper Cattaraugus Creek Watershed Management Plan, but with reservations. We feel the effort to introduce wild steelhead into that ecosystem is laudable and should be highly successful given the high quality of the streams and their habitat.

However, we are concerned that there should be no major negative impact on the existing wild trout fishery there. There are very healthy populations of wild, naturally reproducing: brown and rainbow trout that already exist there, along with several healthy populations of wild brook trout. Additionally, there are remnant populations of brook trout in many streams. We understand that the document addresses that issue, but we feel that there should be more specifics as to how those populations would be protected. There are not a lot of barriers impassable to steelhead in those streams, so we'd like to see how it would be done. Also, what the standard would be for protecting them. Who will decide what an acceptable impact would be and how will that impact even be measured?

We think this area has the potential to be one of the finest wild steelhead fisheries in Great Lakes Basin, if not the country. But we do not wish to see the demise of the existing inland trout fishery.

41) I am writing this letter of support on behalf of the group, Concerned Citizens of Cattaraugus County ("C4"). C4 was founded in 1991 by citizens concerned about the environmental, cultural and lifestyle heritages of their communities in Cattaraugus County, New York. As such, one very important feature of concern is the magnificent Cattaraugus Creek which flows across a significant portion of the county, including those lands of the Seneca Nation of Indians.

Members of C4 discussed the fisheries plan at our last meeting. C4 is supportive of the concepts presented in the draft plan with the following concerns noted:

- It is well established that radioactive material from the West Valley Site has infiltrated in to the Cattaraugus Creek ecosystem and into the Great Lakes ecosystem as far as Lake Ontario. Radioactive hotspots have been identified by the Seneca Nation of Indians and other including the sludge captured behind the Scoby Dam.

Any projects must take this concern into consideration and include step to either not disturb and contain the resting place of the radioactivity or, preferably, include measures to remove and contamination and render the stream environs safer for human use.

- Plans for the creek and its tributaries must include measures to protect native strains of brown, rainbow and particularly brook trout from impacts for the new arrival of steelhead. Designating certain reaches or tributaries as "native" is a favored idea.
- Any actions must be aggressive in preventing the upstream invasion of lamprey.
- In addition to planning for the arrival of steelhead, the plan must address the current degraded status of Cattaraugus Creek and include measures to improve the quality and condition of the water in the creek and the aquatic and riparian ecosystems associated with it.

We are also attaching for the record and for you use a proposed watershed planning strategy prepared in about 2007 by a coalition of entities. Unfortunately, to our knowledge, it was never implemented, but we feel it provides sound ideas and approaches to take in developing a final fisheries management plan for Cattaraugus Creek.

Concerned Citizens of Cattaraugus County appreciates the opportunity to review the draft plan and wish to be placed on any future mailings regarding the plan's approval and execution.

42) The head water of Cattaraugus Creek is the outlet for spring-fed Java Lake, which is seriously infected with a virus. I fear that the proposed step system will severely impact the creek habitat for resident trout.
My dad and I fished and consumed fish from Java Lake and the upper Cattaraugus from the 1920's and myself alone the same since the 1950's.
Although it's getting harder for me to navigate those secret holes, I fear the lake run steelies will decimate the resident trout population. Thank you.

43) I would like to take this opportunity to voice my comments regarding the upper Cattaraugus Management Plan by sharing a parallel dam river situation currently underway on the Shield River, Montana. Ironically both streams are basically the same size (I've been there numerous times), and both involve fish management with foreign species, as well as environmental protection policies. (Please visit: upper Shields River Watershed Yellowstone….Montana FWP.)
The report addresses competition to "native" cutthroat trout from foreign invaders with necessary steps for full protection. The report states: maintain the genetic integrity…; protect the ecological values of "native" species…; reduce competition…; protect the "native" cutthroats…; manage activities to maintain the status quo…; etc., etc.
The Catt Plan: (Pg. 7) explore opportunities…; (Pg. 2) <u>If possible</u>, maintain existing resident trout fisheries…; (Pg. 8) re-evaluate management options…; etc., etc.
I personally attended a number of the Scoby Hill Dam meetings. At one, as I inquired about the native brook trout, a Region 9 representative answered that he <u>didn't think</u> the steelhead would venture that far upstream. At another meeting, sponsored by Trout Unlimited regarding brook trout genetics, the same Region 9 person responded to my upper Catt native fish concerns with "It's out of my hands"! (Webster: Conservancy – an organization or area designated to conserve and protect natural resources.)
Montana is doing everything in their power to protect their fishery. From the upper Catt report, you open the door for non-native species and "hope" for the best with the understanding that "hopefully" we can fix what gets broken. Once a native species is gone, it isn't coming back.
Your comments appreciated.

44) I am writing this letter to you in response to last week's article (appears every Thursday in The Buffalo News) on fishing in WNY. I noted that you/DEC were asking for suggestions about fishing here and specifically, Cattaraugus Creek. I am writing down some of my thoughts as I grew up in Gowanda, NY, and our drug store (Armes Drug Store at the main bridge!!) actually touched the creek!

Our house was about ¼ mile from the RR bridge and, being 62 years old, I lived through all the pollution presented to the creek by Moench Tannery and Easter Tanners Glue Factory. We did everything in that creek – fish, swim, etc. and it is a very important part of my life, even today.
For me and many other fishermen, the biggest problem for us is the lack of walleyes venturing upstream, which would only be limited by Scoby Dam here in Springville, where I currently live and am about to retire. The question for me is this…why can't our DEC get the walleyes up to the dam? Other states have done it, Ohio at the Maumee River specifically. It also appears that currently our walleye population seems to have a strong foothold locally (Bird Island Pier, W. Ferry St., etc. and 2 weeks ago Bob Rustowicz was in our Thursday Buffalo News fishing report stating walleye and perch are thick from Buffalo to the PA border). I personally fish Erie every weekend out of Barcelona and/or Dunkirk and have seen a great increase in 15"-20" fish. I feel the timing is right to make "the Catt" a top-notch walleye fishery, as the DEC stated just last Thursday in The Buffalo News (but not for walleye as yet!!).
I have many friends on the Seneca Nation that I grew up with (Little League baseball and football, and their families did business in our drugstore), and I am told they no longer block off the Catt with fencing and take hundreds of fish at will. If true, it would appear to be the time to help walleye upstream, helping both fishermen and local businesses along the creek. You might even be surprised by the numbers of volunteers you would get help with this task, like myself.

Personally, I have approximately 15-20 books about the walleye, and all our authors (including Mike McClelland's books which reference our very own Don Einhouse's Masters Thesis at Chautauqua Lake, and all our internet information from Oneida, Otisco Lakes, etc.) readily state how adaptive the walleye is. It just seems that our NYS DEC is missing the boat (ha-ha) when it comes to maximizing Cattaraugus Creek and getting walleye to thrive there. I have personally caught and released many beautiful smallmouths as far up as the North Otto Bridge on both jigs and Rapalas….2 lures that are walleye "STANDARDS"!!!

Well, that is about it for me. I surely hope that this letter is helpful, although I know our DEC is doing a great job already. If you ever get a break from work, please call met at 716-XXX-XXXX, and I would love to have you as a guest on my 20' Alumacraft aka "BLACKHAWK".
Thank you for your time; keep up the good work, and I will remember you in my evening prayers tonight!

45) Please no fish ladder on the Springville Dam at the Catt. I've been fishing those small streams around Arcade since 1958. I'll take a 10" brook trout over a steelhead any day. You can't eat those things; they're greasy and musty tasting. That's why a lot of people smoke them to cover up the taste.
Don't say the big ones won't travel up that far. I live on the spring fed headwaters of Mud Creek that empties at Point Breeze in Angola. 35 to 39 years ago, I saw them packed in with their backs

sticking out of water where the creek was 6" deep and 2' wide. Nice gravel bottom for spawning; unfortunately, they haven't been up there for 35 years. Too many beaver dams in between the Lake. I've trapped 3 already this side of Milestrip Road. Unfortunately, no one traps them down below where it runs through the Indian Reservation.

In 1970, I assisted with the first electric shocking of Delaware Creek. I was coming home from work and saw the DEC truck and boat parked on Herr Road. Two guys were standing on the bridge shaking their heads. They thought there were no fish in the creek. About then, 3 kids came out of the bushes with about 6 fish – salmon and steelhead all over 30".

I told them the first deep pool was ¼ mile downstream. They started shocking and I couldn't believe their eyes; they didn't even count the salmon. As they caught them, I transferred them downstream to the next pool in a net. All the fish were under an overhanging bank. They said they never saw so many big fish in one pool. Better than Maples and Catherines Creek put together. I understand most of Delaware is posted now and no access.

Lower Cattaraugus has plenty of access already, Zoar Valley, etc. I fish the breakwall at the mouth; sometimes in May, I am the only one out there all morning during mid-week. I like catching the 20-lb. catfish the most. I've even caught a muskie there, too. Seems people don't shore fish much anymore.
I'm tired of the steelhead mania; seems like a small vocal group makes a lot of noise lobbying for more steelhead. Go to the Devils Hole for that; leave those small streams above the dam alone.
It's like those antler restriction people and the noise they make, Safari Club rich dudes, etc. Plenty of big bucks out there; they're big because they're smart and nocturnal. Some guys only see one small antler buck (which could be an 8-year-old that don't have much testosterone anymore) and can't shoot because of the restriction rule so they don't hunt anymore. I shot 4 this fall – 3 does (1 with bow) and an old 4-pt. buck with little antlers. I gave the buck away; lousy tasting meat like the steelhead.
I majored in Wildlife Management at Colorado State University in 1064 and 1965 so I'm not totally ignorant what goes on.

46) I am writing this letter as a member the Olmsted family and manager of our property, Olmsted Camp.

Olmsted Camp is a 5th generation private summer residence on the National Historic Register, designed and built by my great uncles in 1910. Our 183 acres enjoys Cattaraugus Creek as its southern border, in Sardinia, Erie County, NY.

The camp began in the 1890's when my great, great grandfather, John Bartow Olmsted, brought his sons out to the property from Buffalo to pitch their tents and fish the trout-rich Cattaraugus, Elton and Hosmer creeks and brooks of Sardinia. As such, one very important feature of concern is the magnificent Cattaraugus Creek .The creek flows across a significant portion of our property, the county, and forms the main artery of the 325 square mile EPA designated Cattaraugus Creek Basin Sole Source aquifer from which we, and over 70% of the inhabitants within the aquifer get our drinking water.

The Olmsted family, as landowners along the Cattaraugus Creek, is supportive of the concepts presented in the draft plan with the following concerns noted:

- Upstream from the Scoby Dam, (Springville Dam), the Cattaraugus Creek, from Arcade to Springville flows through rolling hills farmland, This land is quite different topographically and ecologically from the deep shale gorge geology below the dam and where the Steelhead live. Studies should be done from Arcade to Springville to test the density of water pollution from farmland run-off seeping into the creek from fertilizers and pesticides used in the great fields of corn, potatoes and soy along the upper Cattaraugus Creek banks. A greater concentration of these pesticides in the upper regions of the Cattaraugus could seriously affect the Steelhead migration and survival.

- It is well established that radioactive material from the West Valley Site has infiltrated in to the Cattaraugus Creek ecosystem and into the Great Lakes ecosystem as far as Lake Ontario. Radioactive hotspots have been identified by the Seneca Nation of Indians and other including the sludge captured behind the Scoby Dam.

  Any projects must take this concern into consideration and include steps to either not disturb and contain the resting place of the radioactivity or, preferably, include measures to remove and contamination and render the stream environs safer for human use.

- In addition to planning for the arrival of steelhead, the plan must address the current degraded status of Cattaraugus Creek and include measures to improve the quality and condition of the water in the creek and the aquatic and riparian ecosystems associated with it.

- Plans for the creek and its tributaries must include measures to protect native strains of brown, rainbow and particularly brook trout from impacts for the new arrival of steelhead. Designating certain reaches or tributaries as "native" is a favored idea.

- Any actions must be aggressive in preventing the upstream invasion of lamprey.

  Our family and I appreciate the opportunity to review the draft plan and wish to be placed on any future mailings regarding the plan's approval and execution.

47) I have fished the lower Cattaraugus creek for close to 50 years. I used to walk on both sides of the creek for miles below the Springville Dam. The 1970's were days when N.Y. State used to stock salmon and were in abundance with the steelhead. While fishing, one would often talk to some angler who came from different parts of the country and Canada. They would often spend days during the peak period helping the economy by patronizing motels and restaraunts. Their aren't too many anymore.

  The Springville Rod and Gun Club, who I'm told, own the cabin a few hundred feet on the south side of the creek drive many fishermen from even walking in the water. They stick there no-trespassing sign in the creek and send warnings to anyone that walks in the water, even if the fisherman edges on the water.

This group, who, one would think would be a promoter of fishing are unfriendly and sometime, mean. Heavily posted areas on both sides have also made fishing less desirous. Land ones certainly have that right. Here say, and I say, Hear say, has it, that some creek guides had gone to these land owners and encouraged them to post the creek. A fish ladder would probably help, things and I would be glad to answer any questions you might have. Thank-You for giving me the opportunity to participate.

48) I am very excited to hear of a fish passage at Scoby Hill dam. I have wished for this project many times. This will bring steelhead, rainbow's lake run brown's and salmon and new spuning area's.

49) Need more access, and parking lots. Need more walk ins. Try to change old English laws of landowners owning the bottom of a river, and boat fisherman can't even fish a posted part of the River. Paying land owners not to Post.

50) Enclosed is an article about lowering the height of Scoby Dam near Springville, New York. This dam like Burt Dam in Burt, New York, Wiscoy Dam, Wiscoy, New York, Mt. Morris Dam, Mt. Morris, New York and many more across New York generated clean green hydroelectric power. One by one they were shut down due to labor cost and replaced by oil or gas generation.

    Just like wind/solar farms that are run online with minimal labor cost so could these dams be refurbished and put online. The infrastructure is already in place to accept the power generated. With very little research it will b apparent the amount of power produced in the past by these dams would put New York on track to be 100% renewable much sooner than 2040.

    The lowering of Scoby Dam will probably be followed by other dams in New York. Once gone these dams will never be replaced. By creating small by-pass streams with fish ladders there is no need to destroy these dams. This is not new technology. I would hope the Scoby Dam plan and any others be put on hold to address the possibilities of really making New York 100% green by 2040.

51) As someone who fishes for steelhead in many of the Great Lakes tributaries including the lower Cattaraugus and also for trout in the upper Cattaraugus and it's upper tributaries I support the goals of the Draft Upper Cattaraugus Creek Fisheries Management Plan. My primary concerns and recommendation would be:
    - Take a proactive approach and increase and improve public access on the Upper Cattaraugus Public Fishing areas through more and improved parking and access paths and expand the PFR sections before completion of the project.
    - Protect spawning and juvenile steelhead through the creation of "Catch and Release" only in the Upper Cattaraugus tributaries such as Clear Creek, Hosmer Brook and Elton Creek, etc.
    - Protect spawning steelhead by instituting a one fish per day limit.
    - NYS DEC should take a proactive approach and begin to open and expand access to Cattaraugus Creek and protect spawning habitat before completion of the Springville dam fish passage project. Ince the fish passage project is complete and fish begin to move upstream the expected increase in fishing pressure will make it more difficult to make any necessary changes to regulations as well as acquire needed access from land owners.

52) Hi, I just wanted to take a moment to comment on the plan for fish passage at the Springville Dam topic. As an avid upper Cattaraugus Creek and Clear Creek fisherman since 1976, I am very opposed to the plan of allowing new fish species into the waterway above Springville. My main concern is the unintentional introduction of invasive fish species and possibility of introduction of lamprey larvae into the upper reaches of the water that I have had the pleasure of fishing for over forty years. The natural barrier at Springville has stood for centuries so one has to ask themselves, why is this topic a concern at this time and what is the benefit vs. the increased risk to the existing balance of fish as well as reproduction rates? In short, if I find a Salmon stream too crowded to fish, I move on to a less crowded Salmon stream, I don't go making suggestions to the DEC to open up more sections of said streams with PFR and chance endangering existing ecosystems. Let's just leave inland trout management the way it's stood ever since I graduated high school so my son won't be pulling in his first 18" inland Brown with a 1/2 foot long lamprey attached, when I teach him to fish. Thanks for your time,

53) Hi I'm a dedicated trout fisherman of this area and would like to express my concerns that allowing steelhead into the upper Catt by lowering the Scoby dam will push the rainbow and brown trout fisheries of the upper creek into elimination. There are enough areas for steelheaders along this state and into Pennsylvania to keep them happy without ruining trout fishing for the rest of us. Please do not lower the Scoby dam and ruin the trout fishing above it.