

3-Upper Truckee R,  
El Dorado Co,

SACRAMENTO

January 3, 1938

Brian Curtis

A. C. Taft

Restriction of Upper Truckee, if opened, to fly-fishing.

Dear Mr. Taft:

I think there is very little argument about the desirability of opening the Upper Truckee to fishing during the month of September (see my letter of September 28, and Mr. Lewis' of September 30).

The desirability of restricting it to fly-fishing is not perhaps so evident, but I strongly advocate it for the following reasons:

1. There has for some time been a movement to have in this state at least one piece of water restricted solely to fly-fishing, such as some other states now have. Objections to establishment of such a stream have come largely from residents of the localities considered. Here we have a stream which the local residents themselves have petitioned to have restricted in this way. Further, it has been closed for so many years that no bait fishermen will feel, if it is so restricted, that they are being deprived of a resource to which they have become accustomed.

2. The character of the stream, in the way of size, width, freedom from dense brush, etc., is such as to make it ideally suited to fly-fishing. Further, the fish population is so numerous and, at present at least, so unwary, that even the least expert fly-fisherman could probably make a satisfactory catch.

3. Restriction to fly-fishing is desirable from the fish-management point of view, in that it would make it less likely that the fish population would be completely decimated in the first open season.

I therefore feel that this is a unique opportunity to establish a fly-fishing stream in this state. If we wait even one year to take action, the situation will no longer be as favorable, in that some at least of the above factors will no longer exist.

The method of promulgating such a regulation presents difficulties. From a study of the complete code, I am unable to find any direct method by which the Commission could legally promote such a ruling. There remain three possibilities:

A. Twist some provision, set up in the code for some other purpose, to our needs. For instance:

1. Utilize Section 35 (Scientific permits to collect fish) by leaving the stream technically closed to fishing, but issuing from some nearby camp a scientific permit to any one who asks for it to collect trout from the Upper Truckee by use of the artificial fly only (Section 37); the scientific purpose being to reduce the population of fish here, and to permit the resident biologist to examine at his option all fish so taken.

2. Establish a refuge here, and permit fishing with the artificial fly only (the Commission may make regulations for the protection of fish within any refuge - Sec. 251).

B. Induce fishermen to use the fly only, through pressure of public opinion. - The Local Chamber of Commerce has signified its willingness to co-operate in a program of this kind. - Additional effectiveness might be added to this method if they put up, with the permission of the Commission, a prize for the largest trout caught in this water on a fly.

C. Pass legislation enabling the Commission to set aside such waters as they deem fit (to be limited, perhaps, in number) exclusively for fishing with the fly.

I do not like method A above on principle; I think it is a mistake to try to twist the intent of legislation.

I doubt the effectiveness of Method B, but would acquiesce in it rather than see the whole idea abandoned.

I strongly favor Method C. I do not, however, know the proper procedure. Should such legislation originate in the commission, or should it be proposed by outsiders? If the latter, I believe it might be possible to get help from the Eldorado Chamber of Commerce, Lake Tahoe Branch, as I have talked of this possibility very confidentially with Norman Celio, Chairman of this branch and owner of hotel, store, etc. at Meyers.

I strongly urge that we do everything possible to push action on this matter of making it possible to restrict the Upper Truckee to fly-fishing, and of course am ready to do anything which I can to help in bringing it to a successful conclusion.

Yours very truly,