

Note: Proposed additions are bolded and underlined. Proposed deletions are bolded and bracketed.

CHAPTER 61. SEASONS, SIZES AND CREEL LIMITS

§61.1. Commonwealth inland waters.

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(d) Except as otherwise provided in this subpart, the following seasons, sizes and creel limits apply to inland waters of this Commonwealth and the Youghiogheny Reservoir:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
ALL SPECIES OF TROUT AND SALMON (except landlocked Atlantic salmon)	Regular Season: 8 a.m. first Saturday after April 11[,] to midnight Labor Day	7 inches	5 [- Streams, lakes and ponds] (combined species) except areas with special regulations
	Extended Season: [Streams listed as approved] Approved trout waters and all waters downstream of [streams listed as] approved trout waters [plus lakes and ponds] [January 1 – last day of February and] 12:01 a.m. day after Labor Day to midnight[,] last day of February of the following year.	7 inches	3 (combined species) <u>except areas with special regulations</u>
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**** Note: [Approved trout waters are closed to fishing from March 1 to opening day of regular trout season in April unless included in the Early Season Trout Stocked Waters Program. See §65.10 (relating to Early Season Trout Stocked Waters Program).] Approved trout waters are closed to all fishing from March 1 to the opening day of the regular trout season in April unless included in the Early Season Trout Stocked Waters Program (see §65.10 (relating to Early Season Trout Stocked Waters Program)) or in the Regional Opening Day of Trout Season Program (see §65.12 (relating to Regional Opening Day of Trout Season Program)). Waters included in the Early Season Trout Stocked Waters Program are closed to all fishing from April 1 to the opening day of the regular trout season in April. Waters included in the Regional Opening Day of Trout Season Program are closed to all fishing from March 1 to the regional opening day of trout season.**

CHAPTER 63. GENERAL FISHING REGULATIONS

§63.3. Fishing in approved trout waters.

Except as otherwise provided in this subpart, it is unlawful to fish in approved trout waters **regulated under §61.1 (relating to Commonwealth inland waters)** from 12:01 a.m. **on March 1 to 8 a.m. on [opening day of trout season in April] the first Saturday after April 11 and in approved trout waters regulated under §65.12 (relating to Regional Opening Day of Trout Season Program) from 12:01 a.m. on March 1 to 8 a.m. on the first Saturday after March 28.** * * *

§63.20. Permits for the protection and management of trout and salmon.

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(e) *Fish for trout or salmon.* A person fishes for trout or salmon when one of the following applies:

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(2) The person fishes in streams or rivers that are approved trout waters as defined in §63.3 (relating to fishing in approved trout waters) or their tributaries during the period from **[8 a.m. on the first Saturday after April 11 until 12:01 a.m. on the first Saturday in May] 12:01 a.m. on March 1 until midnight May 31.**

CHAPTER 65. SPECIAL FISHING REGULATIONS

[§65.4a. All-tackle trophy trout.

(a) The Executive Director, with the approval of the Commission, may designate waters as all-tackle trophy trout areas. The designation of waters as all-tackle trophy trout areas

shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted all-tackle trophy trout areas except in compliance with the following requirements:

(1) The program is open to fishing year-round; there is no closed season.

(2) Minimum size is 14 inches, caught on, or in possession on, the waters under regulation.

(3) The daily creel limit is two trout-combined species-from 8 a.m. on the opening day of trout season in April until midnight Labor Day, except during the period from the day after Labor Day to the opening day of regular trout season of the following year, when no trout may be killed or had in possession on the waters under regulation.

(4) A current trout/salmon permit is required.

(c) This section applies to trout only. Inland regulations apply to all other species.]

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§65.7. Trophy Trout Program.

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(b) It is unlawful to fish in designated and posted trophy trout areas except in compliance with the following requirements:

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(4) The minimum size is [14] **18** inches, caught on or in possession on the waters under regulation.

(5) The daily creel limit is [~~two trout—combined species~~] one trout – except during the period from the day after Labor Day to 8 a.m. of the opening day of [~~regular~~] trout season of the following year, when no trout may be killed or had in possession on the waters under regulation.

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§65.12. Regional Opening Day of Trout Season Program.

(a) The Executive Director, with the approval of the Commission, may designate waters in certain regions as part of the Regional Opening Day of Trout Season Program. The designation of waters as part of the Regional Opening Day of Trout Season Program shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as part of the Regional Opening Day of Trout Season Program except in compliance with the following seasons, sizes and creel limits:

<u>SEASONS</u>	<u>MINIMUM SIZE</u>	<u>DAILY LIMIT</u>
<u>Regular Season: 8 a.m. first Saturday after March 28 to midnight Labor Day</u>	<u>7 inches</u>	<u>5 (combined species)</u>
<u>Extended Season: Approved trout waters and all waters downstream of approved trout waters 12:01 a.m. day after Labor Day to midnight last day of February of the following year.</u>	<u>7 inches</u>	<u>3 (combined species)</u>

(c) It is unlawful to take, catch, kill or possess trout except during the seasons specified in this section. It is not a violation of this section if a trout caught out of season from water where fishing for other species is lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch, kill or possess trout of less than the minimum size specified in this section. It is not a violation of this section if an undersized trout taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(c) It is unlawful to take, catch or kill more than 1 day's limit of any species of trout as specified in this section during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of trout as specified in this section except under the following circumstances:

(1) A person may possess any number of lawfully caught trout at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting trout from the place where caught to his residence, possess a number of trout equal to no more than two times the daily creel limit for trout. In prosecutions for violations of this section, it shall be a rebuttable presumption that a person transporting trout from a fishing site caught all of the trout during 1 calendar day.

(3) A trout will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) Any trout caught that is not to be counted in the creel limit shall be immediately released unharmed into the water from which taken. Except as otherwise provided in §53.24 or §63.40 (relating to tournament and fishing derby permits; and fishing tournaments and fishing derbies), a trout placed on a stringer, or confined by any type of container, structure or device, or not returned immediately to the water, will be considered as part of the daily creel or possession limits. Trout returned to the water shall be handled carefully and be returned unharmed to the water from which taken.

(5) Trout may be given to another person, but the trout shall be counted in the donor's creel limit and neither donor nor the recipient may kill or possess (while in the act of fishing) more than the limit allowed.

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§65.26. Extended trout season.

(a) *General rule.* The extended trout season is in effect from the day after Labor Day until the last day of February of the following year on approved trout waters and **all waters** downstream [areas, plus lake and ponds] **of approved trout waters.** * * *