

# PFBC Activity Report

## Highlights of First and Second Quarters 2008

### Bureau of Administration

**Fishing License Point-of-Sale (POS):** Also known as the Pennsylvania Automated Licensing Service (PALS). PALS was activated for the sale of fishing licenses and permits on Dec. 1, 2006, and now has 914 agents selling fishing licenses and permits. The 2008 fishing licenses went on sale Nov. 30, 2007, and as of June 18, 2008, we have successfully sold over 1,568,851 licenses and permits, and have successfully accounted for and transferred over \$26 million in license revenues from the agents to the PFBC. Bureau staff distributed the new 2008 PALS edition Handbook For Licensing Issuing Agents and the 2008 edition of the instructions for Issuing Agents of PA Boat Registrations and Titles. Act 2 of 2008 was implemented in PALS which contained four major components that amend sections in Title 30 (Fish and Boat Code) to better reflect changes brought about by PALS. These included the (1) rewrite of Section 2711 to address electronic transactions, (2) prohibition of the use of one-day licenses from March 15 to April 30 to address the early trout opener in the southeast counties, (3) pass-through of the transaction fees associated with the issuance of electronic licenses, and (4) incorporation of all previously purchased Trout/Salmon or Lake Erie permits when a customer purchases a replacement license. Previously the customer had to purchase new permits at face value when purchasing a replacement license. Since the Act 2 of 2008 was implemented in PALS the PFBC has recovered \$706,968 in transaction fees.

Act 26 of 2008 was passed on June 17, 2008, and provides the ability for the PFBC to issue vouchers. These vouchers can be purchased on behalf of another and presented as a gift. Gift licenses have historically been a popular item during the holiday season. Bureau staff are currently in the process of testing the software upgrades needed for the purchase, redemption, replacement, and void aspects of issuing a voucher. In addition, staff must test the financial system of PALS to ensure that the proper accounting of license revenues collected through the voucher occurs before it can be downloaded to PALS terminals. The goal is to have the vouchers tested and in production by Aug. 1, 2008.

Bureau of Administration staff continue to work with Pennsylvania Game Commission (PGC) staff and Automated License Systems (ALS) headquartered in Nashville, TN. ALS is the PFBCs' selected vendor for developing, implementing, and managing PALS. This is a long-term project and it is expected to take at least another year to assist ALS in getting the PALS system completely implemented.

**Charter Boat/Fishing Guide Permits:** The PFBC's new Charter Boat/Fishing Guide Permit program was established during 2005 and went into effect on Jan. 1, 2006. Bureau of Administration staff issued 307 resident and 44 non-resident guide permits during 2008. Total active permits as of June 19, 2008, are 351.

**Fishing License Sales & Revenues:** Fishing license sales are about 9 percent higher than the 2007 level and total permit sales are over 6.70 percent ahead of the 2007 levels. Some of the increase is being credited to the timelier reporting of the PALS system issued licenses and permits. Nevertheless, sales figures are ahead of last year with a total licenses sales of 695,755 and permit sales of 537,226. That compares to 638,611 and 503,483 respectively for the same period in 2007.

<b>Fishing License &amp; Permit Types</b>	<b>Units Sold - 2008</b>	<b>Units Sold - 2007</b>
Resident	614,532	574,776
Senior Resident	14,656	12,088
Senior Lifetime	12,922	9,100
1-Day Resident	520	463
PA Resident National Guard/Reserve	451	600
Non-Resident	31,610	27,796
1-Day Tourist	1,694	1,548
3-Day Tourist	10,372	8,435
7-Day Tourist	2,398	1,640
Lake Erie Permit	8,084	7,384
Combination Lake Erie & Trout/Salmon Permit	76,630	65,246
Trout/Salmon Stamp Permit	452,512	430,853
<b>Total Licenses &amp; Permits:</b>	<b>1,232,981</b>	<b>1,142,094</b>

**Boat Registration and Titling:** Total boat registration and titling transaction activity during calendar year 2008 decreased by 7 percent to 151,204 transactions. This compares with 163,173 transactions completed through the same period last year. Registration renewal transactions decrease by 4.30 percent, while new registrations and titles are down by 27.84 percent.

<b>Boat Registration &amp; Titling Transactions</b>	<b>Transactions - 2008</b>	<b>Transactions - 2007</b>
Registration Renewal	124,278	129,862
Registration Transfer	3,799	5,189
Registration New	9,334	10,818
Registration Change	646	921
Registration Duplicate	2,234	2,415
Title New	6,275	7,307
Title Transfer	2,790	4,647
Title Correction	565	646
Title Duplicate	396	452
<b>Total Transactions</b>	<b>151,204</b>	<b>163,173</b>
<b>Total Active Boat Registrations</b>	<b>311,283</b>	<b>322,451</b>

**Fiscal Year 2008-09 Rebudget Submission:** Administration staff submitted the PFBC's 2008-09 Rebudget request to the Governor's Office of Budget on May 7, 2008. Staff is preparing for the release of the 2009-10 budget instructions, which is scheduled for mid-July.

**Financial Summary & Budget:** As of May 31, 2008, fiscal year 2007-08 non-restricted Fish Fund revenues were 21 percent, or \$6,575,360, above fiscal 2006-07. This can be attributed to a 15 percent increase, or \$3,022,313, in licenses revenues (the increase in license revenues is a direct benefit of capturing license revenues faster through the PALS system; however, it is not an indicator that license sales have increased), and a 50 percent jump, or \$3,601,018, in federal and state augmentations. Boat Fund revenues are down by 1 percent, or \$94,947, from last year, mostly because of a decrease of \$503,653, or 23 percent, in revenues received from the Motor License and Liquid Fuels Tax Funds

Overall, Fish Fund expenditures are 4 percent more relative to fiscal 2006-07, and Boat Fund expenditures are down 5 percent over last year. The higher Fish Fund expenditures are mostly from the rise in fuel costs and the increase in data processing expenditures, now that the PALS system is fully operational. Boat Fund expenditures are less due to last year's purchase of docks for the Walnut Creek Marina facility. Fish Fund and Boat Fund revenues and expenditures are consistent with the approved levels in the 2007-08 budget.

**Federal Assistance:** Staff monitored and managed 49 existing federal grants and applied for and received funding through four additional grant awards. Staff also worked with other key PFBC staff on

new grant opportunities and to facilitate the preparation and submission of new grant applications and required reports for existing grants. Staff continue to work with third-party partners to develop an application to fund the construction of docks and accompanying facilities for boats 26 feet and over in Pittsburgh. This application was submitted and approved by the USFWS for \$1.35 million contingent on securing the necessary Section 106 (Historic Preservation and Archeological) clearance. Staff completed the work to convert the federal accounting system to a more up-to-date spreadsheet software system. The PFBC receives roughly \$12 million annually in federal assistance from a number of federal agencies.

**State Wildlife Grant (SWG) Program:** Currently, the PFBC's SWG program consist of 34 active grants that will provide more than \$4.5 million in federal funding to support research and monitoring efforts for a wide variety of non-game species and their habitats. The PFBC recently received notification that an additional \$1.02 million in federal fiscal year 2008 apportioned SWG funds will be available for these efforts. Approximately one-third of these funds will be allocated for third-party partnership grants. In keeping with past practice, the PFBC issued a call for projects to help with the management of species with the greatest conservation need. The PFBC received 20 applications/proposals and the PFBC review selected eight projects be approved for funding. The review team consisted of: Chris Urban, Natural Diversity Section; Scott Carney, Division of Habitat Management; Dave Day, Bureau of Policy, Planning and Communications; and Dave Miko, Division of Fisheries Management. A recommendation to fund these projects has been submitted to the Executive Director for approval.

**Registration and Titling System (RATS):** Information Systems (IT) staff made several upgrades to RATS that are designed to enhance system functionality for the Licensing and Registration staff and to improve customer service. The upgrades consist of: 1) Change of Address update functionality - Provides the ability to update customer's address and issue a corrected registration card, 2) Title Branding - Modified the printing of the boat titles to display the brand designation on the face of the title document, and 3) Capacity Plate Information - Modified the printing of the boat registration certificates to eliminate the Capacity Plate information from the certificate.

**Network and Communications:** The IT Systems and Support Team upgraded the wide area network communications for all remote locations. This upgrade provides for better interconnectivity of the PFBC's computer network by increasing data sharing and consolidation efforts. The 3 Rivers Ecological Center office has been added to the PFBC network bringing the number of interconnected offices to 24. The Systems and Support Team also redesigned the wiring at the Stackhouse Training facility to make it more functional for the variety of events held there.

**Disaster Recovery Computer Systems:** Operational testing of the system continues to refine the DataGuard settings (Protection Modes), in the Test environment, to ensure proper fail-over capabilities and prevent loss of data between the primary and standby databases, while maintaining maximum performance and availability. Target date for completion is June 30. The IT staff completed work for the disaster recovery system used to protect the Boat Registration and Titling System in the event of catastrophic disaster at the PFBC's Central Computer Center. This system now backs up all transaction data in asynchronous mode to the remote disaster site, which provides protection for transaction data within minutes of the data being entered into the primary computer system located in the Harrisburg Central Computer Center.

**Trout Fingerling Allocation:** A new application process for trout fingerling requests is currently being developed. Implementation of this application will begin in 2009. Area Fisheries managers will generate fingerling requests remotely by computer. The coldwater unit leader will have the ability to review, modify, and approve requests received from the area fisheries managers. Requests will be categorized, compiled, and delivered to the Division of Fish Production. Requests will then be evaluated, updated and assigned to the appropriate fish culture station. Information relative to the stocking of these trout will be collected and entered in a manner similar to the existing trout stocking database.

**Cooperative Nursery Database Application:** This new IT system will provide PFBC staff with the means and methodologies to electronically administer the cooperative nursery program, and will provide

information for a variety of efforts such as cost capture and in stream stocking reports for the Divisions of Fish Production and Fisheries Management.

**Angler Logs Database:** An online data entry and project tracking system is being developed to allow anglers to record their fish catches, which will provide valuable information to PFBC biologists about angler use and their harvest. If the system is marketed correctly and widely used it will provide information on a variety of waters. Additionally, the system will provide anglers an opportunity to track harvest information, post photos and provide participants with a way to evaluate their angling success.

**Pathology Database System:** IT staff are in the process of completing an IT solution that was designed to meet Bureau of Fisheries data capturing needs for various fish disease and treatment projects and processes. This database will provide a comprehensive record of fish disease, pathogen infestations, treatment regimes, and results within the PFBC hatchery system. The developed application will also provide support for mandated review of fish transfers between hatcheries within the PFBC hatchery system and with other states' hatcheries.

**Marketing Mail System:** IT staff have been working closely with PFBC marketing staff to initiate a long-term marketing email program. Initial efforts have been aimed at the integration of hardware and software purchased to fulfill this mission. Accomplishments to date have included the development of a singular marketing database that contains records on over 190,000 potential interested anglers and boaters. The database is structured in a manner that will help staff deliver information to specific interest groups. A successful email campaign was conducted prior to the opening of bass season that targeted anglers who had expressed an interest in bass fishing. The next campaign will target boaters in early July as part of a safe boating marketing effort.

**Law Enforcement System:** The application development section is working on enhancements to the PFBC's Law Enforcement computer system. Development began earlier this year and is expected to be completed by Dec. 31, 2008.

**The Outdoor Shop:** Bureau IT staff continue to refine the Outdoor Shop application and develop system enhancements to make the site more customer friendly and secure. As of June 19, 2008, the PFBC sold 51,353 licenses, 37,913 permits, and renewed 19,970 boat registrations through the Outdoor Shop. Last year during the same period there were 40,556 licenses and 29,081 permits sold, and a total of 20,405 boat registrations processed. The hardware used to operate **The Outdoor Shop** was replaced with new, faster, more powerful computer hardware and new operating system software, as well as other operational enhancements being made during this period to keep the site operating at peak efficiency, capability, and reliability.

**Data Sharing Applications:** The PFBC's primary Geographic Information Systems (GIS) focus continues to be the development of data sharing applications that are used through the PFBC web site. Trout and Warmwater/Coolwater stocking list applications have recently been developed and deployed, which extract and display data directly from PFBC databases. The new features include the ability to sort stocking information by county and starting/ending dates. It also provides coordinate locations to PFBC stocked water bodies and associated links to these locations via Google Maps. The Google Maps program shows the stocking locations and can be overlaid with aerial photography and other mapping; driving directions can be generated as well. Warmwater/coolwater and trout fishing opportunities locations will be provided through these technologies through 2008 and 2009. .

**Statewide Fishing and Boating Access Plan:** GIS technologies are being strategically used in the development of the PA Statewide Fishing and Boating Access Plan being developed by the Bureau of Boating and Access. GIS-based maps were the focal point of six Regional Stakeholder Meetings where criteria for access improvement were collected and user inputs on actual locations for access improvement were gathered. Access criteria information will be input into a GIS format for an automated analysis of access locations and needs within Pennsylvania.

**Update of GIS Data:** A wide variety of GIS data has been created and continues to be updated including: 2008 trout and warmwater/coolwater stocked water bodies; incorporation of 2007 assessments from the Timber Rattlesnake Inventory and Assessment project into the PFBC Timber Rattlesnake Sites database and associated GIS layer; wild trout (stream sections supporting naturally reproducing trout) GIS layer updates; and updates to the PFBC access layer to improve the accuracy of the locations. In addition, the very large and involved effort of locating the boundaries of each PFBC-owned or leased property continues with about two-thirds of our properties being mapped.

**Herbicide Permit Database:** An Aquatic Herbicide Permit database was developed for joint use by PFBC and DEP staff. The system allows users from both agencies to enter a wide variety of general information for each permit, approve the permits, and generate the official permit documents. In addition, a related GIS application was developed showing users the permit locations and database information in map format allowing for the analysis of how and where aquatic herbicide activities are being permitted.

**Wildlife Grant Tracking:** A State Wildlife Grant (SWG) Project Tracking System database has also been developed by GIS staff to allow for the entry of SWG project information and the linking of these projects to the goals, objectives, species and habitats identified in the PA State Wildlife Action Plan. This tool allows PFBC staff to analyze the facets of the Plan being addressed and those which have not been addressed through SWG activities. Having this information allows for the appropriate allocation of funding to future projects ensuring the entire Plan is being addressed. At this point, a database has been designed and data entry is being conducted.

**GIS Deployment to Waterways Conservation Officers (WCO):** GIS has been deployed to PFBC WCOs via CDs developed for each individual District and Region. Related presentations and training were made to each Region. In addition, GPS units have been deployed and training has been provided to the WCOs from three Law Enforcement Regions with the remaining Regions to be completed later this year.

**Vehicle Purchasing Procedures:** All vehicles for 2008 have been successfully ordered and approved by the Department of General Services (DGS). Due to changes in DGS program personnel and procedural requirements, the PFBC Automotive Officer has drafted fleet purchasing guidelines for other PFBC staff to clarify requirements and streamline the ordering process. These guidelines will help to facilitate a better understanding of the commonwealth's vehicle purchasing procedures.

**Fleet Master List:** Steps are being taken to better control the number of vehicles in the PFBC's fleet. By August of 2008, the PFBC's Automotive Officer will begin to surplus excess vehicles, off road vehicles and trailers that are no longer operationally required.

**Lights Repaired:** The two light standards, located outside of the Harrisburg headquarters building, which were damaged in a vehicle accident last fall, have been repaired and restored to their original condition.

**Right to Know** – Administration and Legal are developing a plan to comply with the procurement portion of Act 3 of 2008 (the Right to Know Law). This law requires a publicly accessible database that will provide the public with information about the Commonwealth contracts starting on July 1, 2008. The Treasury Department is tasked with administering the database. To comply, the PFBC will upload qualifying documents into the database. The public will be able to search and request various purchasing documents from this application.

## **Bureau of Boating and Access**

**Boating Fatalities:** There have been three fatal recreational boating accidents with three fatalities to date in 2008, all in the second quarter.

**Boating Safety Education Certificates:** There have been 6,945 boating safety education certificates issued to date in 2008. This is a decrease of 1,500 certificates from the same time period in 2007.

**Water Rescue:** Interest in the Commission's water rescue training program continues. New instructor training was held in Warren on April 3-4. In addition, update training for existing instructors was held at H.R. Stackhouse Training School on March 29.

**Water Trails:** New water trails are guides are being proofed or printed for the North Branch of the Susquehanna River, Clarion River, Three Rivers, Pine Creek, Yellow Breeches Creek, and the tidal Delaware. We have also received a request for from the Pennsylvania Environmental Council for an agreement to create the Youghiogheny River Water Trail.

**Aids-To-Navigation Program (ATON):** Approximately 100 floating structure permits were renewed and 14 new ones were issued. All WCO and vendor supply orders for aids have been processed and distributed.

**Passenger for Hire:** Staff, with the assistance of the Bureau of Law Enforcement, renewed the licenses of 12 passenger for hire vessels and 15 operators.

**Dams:** 62 Run of the River dams were inspected. The inspections are currently under review.

**Walnut Creek Marina:** After a very slow start, the marina has reached full capacity. The transient program has been a welcome addition to the marina and the facility now has three spaces open for transients. The final planning study for the Renovation and Expansion report has been received from Urban Engineers and will be submitted to the Boating and Access Committee in July. Urban will have staff at the meeting for a presentation of the study.

**North East Marina:** The work plan for the RFP was completed, submitted and accepted by DGS on June 10, 2008. The projected timeline is for the contract to be awarded is late September and the project to begin in November 2008.

**Bridge Projects (ATON):** There has been a large increase in bridge replacement/rehab projects and from April to June, staff has responded to 23 aids-to-navigation requests.

**Boating Facility Grant Program:** The Commission has 49 active projects under the Boating Facility Grant Program. Forty-eight applicants have fully signed and executed contracts. The remaining applicant has a contract that is going through the signature process. Thirty-four of the applicants with fully executed contracts have submitted their final engineering and bid specifications for their projects. Staff has reviewed and approved their designs and has issued them a notice to proceed with construction. Twenty-three projects have been completed and inspected by staff and the applicants have submitted their final invoices for payment. In addition, three applicants have informed staff that they are nearing completion of their Boating Facility Grant projects. Staff is working with the applicants to submit their invoices for the projects and to schedule final inspection meetings on these facilities.

### **Statewide Fishing and Boating Access:**

1. Statewide Access Plan – All six regional meetings were held. Input from internal stakeholders will be received by June 30. Staff has been researching old easement agreements from 1950s, 60s

and 70s to incorporate these locations into the mapping. Draft of the document is underway by PEC.

2. Partnerships are being developed to implement Access Improvement Programs similar to Erie along the following rivers:
  - a. Upper Juniata River in cooperation with DEP and DCNR. Funding from both agencies is in process. Partnership will also include Little Juniata River Association and Huntingdon County Conservation District.
  - b. Clarion River in cooperation with North Central Pennsylvania Regional Planning & Development Commission.
3. Loyalsock Creek in cooperation with DCNR to expand access at state forests and state parks along the Creek.
4. Changes to the fishing access conservation easement have been proposed to clarify language and give landowners some flexibility.
5. Sandy Run – Staff assisted legal counsel with the acquisition of the Sandy Run property in Blair County. Reviewed and amended deed restriction proposed by DEP.
6. Siloam Dam Property – Staff worked with DCNR and Commission environmental staff to facilitate the acquisition of the Siloam Dam property by Greene Township, Franklin County.
7. Staff represented the PFBC at DCNR meetings with PPL on the divesting of PPL lands along the Lower Susquehanna River.
8. Staff participated in meetings on Norfolk Southern settlement on Sinnemahoning Creek.
9. Staff has worked with the Swatara Watershed Association and DCNR on boating and fishing access as part of the Swatara Greenway.
10. Erie Access Program
  - a. A new mailing to landowners was sent out in early spring. Fourteen property owners responded to the mailing requesting more information. Several have been contacted and are in various stages of development.
  - b. Lake Erie Regional Conservancy submitted an application to DCNR to purchase the Rand Property. This is an important property with more than 4,000 feet of stream frontage. Staff assisted LERC with the application process. PFBC Erie funds would be the match to the grant application.
  - c. Lawrence Park Golf course project - continue to assist by developing a conservation easement agreement designed to meet DEP and DCNR needs so the two agencies can fund the construction of fish ladders on Four Mile Creek.
  - d. Staff continues to work on the following properties: Thrasher, Anderson, Klimek, Mercyhurst College, Rathman, Erie County Historical Society, Asbury Woods, Huya, Froehlich-Sitter Property, Pifer, Holiday and Brugger.
  - e. Staff cooperated with Girard Township to acquire the George Miller property on Elk Creek. The Township signed and DCNR approved a public fishing easement.
  - f. Staff cooperated with Millcreek Township to acquire the Cassidy Campground property on Walnut Creek. Millcreek Township has signed and DCNR approved a public fishing easement on this property.
  - g. Brinks Property – Staff continues to work on the Brinks property along Elk Creek.

## Office of Chief Counsel

**Commonwealth (DEP, DCNR & PFBC) v. Espy, et al.** (Little Juniata River Litigation): In February, 2008, Donny Beaver and the other appellants withdrew their appeal to Commonwealth Court of the trial court's decision declaring that the Little Juniata River is navigable and permanently enjoining the appellants "from interfering with the public's rights in the Little Juniata, including the posting and/or hanging of signs, advertising the Little Juniata River as private waters and threatening, harassing and otherwise attempting to exclude the public from fishing, boating, wading and/or recreating on and in the Little Juniata River and the submerged lands owned by the Commonwealth."

**Norfolk Southern Train Derailment:** On March 31, 2008, the Commission received a check from Norfolk Southern Corporation in the amount of \$3,582,000 in settlement of the Commission's natural resource damages stemming from the June 30, 2006 train derailment. The derailment resulted in the discharge of more than 40,000 gallons of sodium hydroxide into Big Fill Run and then into Sinnemahoning-Portage Creek and the Driftwood Branch of Sinnemahoning Creek. This money has been placed in a restricted, interest-bearing account and will be used for the development and implementation of projects that benefit recreational fishing and boating and the aquatic resources of Cameron, McKean, Elk and Potter counties. Projects will include but will not be limited to acid mine drainage abatement; habitat protection, enhancement and restoration; the acquisition of property (in fee or easements) for public fishing and access and improvements to existing access areas; and aquatic inventories. Monies may be used for grants, contracted services or staff supported projects. The Commission also received a check in the amount of \$93,000 from Norfolk Southern to cover its and McKean County's administrative costs.

**Merck:** The Bureau of Law Enforcement and the Office of Chief Counsel reached a settlement agreement with Merck & Co., Inc., for a pollution event on the Wissahickon Creek that resulted in a fish kill. The settlement, which was part of a larger settlement involving the Pennsylvania Department of Environmental Protection and the U.S. Environmental Protection Agency, was approved by Judge Robreno of the United States District Court for the Eastern District of Pennsylvania on March 10, 2008. Under the settlement agreement, Merck made payment to the Commission in the amount of \$75,000.

**Dredging Appeals** (Hanson Aggregate PMA et al. v. DEP vs. PFBC): The Environmental Hearing Board (EHB) has scheduled a hearing of these appeals on September 9 – 12, 16 – 19 and 23 – 24. The dredgers filed a pre-hearing memorandum on June 20, and the Office of Chief Counsel will file a responsive memorandum on July 8.

**NPDES Permit Appeals:** On January 28, 2008, the Commission withdrew its appeals of its NPDES permits for the Pleasant Gap and Benner Springs State Fish Hatcheries that were pending before the Environmental Hearing Board. The Commission withdrew its appeal after the Department of Environmental Protection amended these permits to allow the Commission to raise an affirmative defense in the event that the Commission exceeds its annual mass loading limits for total suspended solids as set forth in the permits.

**Quaker Lake:** The Commission filed a motion for judgment on the pleading, which was denied by the Court of Common Pleas of Susquehanna County on April 30, 2008. The case now proceeds to discovery. It is important to note that by agreement of the parties, the access area remains open to the public while the litigation is pending.

**Dutch Fork Lake:** In two separate lawsuits (one in Washington County, Pennsylvania and the other in Brooke County, West Virginia), the Office of Chief Counsel continued to work with the Deputy Attorney General assigned to these cases. A motion to dismiss was filed in the Brooke County case on March 6, 2008, and is currently pending before the court. The basis of that motion is that the Commission had insufficient contacts with the State of West Virginia to confer jurisdiction on West Virginia's courts. In the Washington County action, the court stayed the case for six months at the request of the plaintiffs' counsel.

**Lehmier v. PFBC:** In an appeal by Mr. Lehmier of the one-year revocation of his boating privileges, the Office of Chief Counsel was successful in getting the Commonwealth Court to dismiss the case. Mr. Lehmier subsequently sought review by the Pennsylvania Supreme Court, which the Court denied on February 7, 2008. Lehmier also filed an action in the U.S. District Court for the Eastern District of Pennsylvania in August of 2007 against the Commission, Executive Director Austen and Waterways Conservation Officers Corey Britcher and Terrance Kane. The complaint asserts, among other things, that the Commission and its employees violated Mr. Lehmier's first amendment rights. The Office of Chief Counsel forwarded the complaint to the Attorney General's office for representation, and during the first part of 2008, the OCC continued to work with the Deputy Attorney General assigned to the case. The Commonwealth's motion to dismiss and motion to transfer are currently pending before the district court.

**Boll (North East Marina Litigation):** Currently before the Court of Common Pleas of Erie County is Petitioners' claim for consequential damages for the alleged injury to or loss of surface support to their properties. Petitioners claim that the interruption in the littoral drift caused by the marina resulted in the accelerated erosion of the bluffs along their properties. This case was reassigned to Judge Dunleavy from Judge Bozza this spring. Petitioners' counsel has proposed that the parties certify the case for trial during the October 2008 term of court.

**Palmerton Zinc Pile Superfund Site:** The Office of Chief Counsel continued to work with Bureau of Fisheries staff and the other state and federal natural resource trustees to address their respective natural resource damage and restoration concerns and responsibilities arising from the release of hazardous substances at this site. The natural resource trustees have met several times with the responsible party regarding these issues.

**Kepone/Mirex Contamination of Spring Creek:** The Office of Chief Counsel and the Bureau of Fisheries have done preliminary work in assessing the Commission's claim for natural resource damages stemming from pollution caused by a Centre County Superfund site.

**Scientific Collector's Permit Appeal:** The Office of Chief Counsel resolved an appeal of staff's denial of a scientific collector's permit to Andrea Teti.

**Eastern Spadefoot Toad:** The Commission, in conjunction with the Department of Environmental Protection and the Berks County Conservancy, was successful in securing a conservation easement on 8.69 acres of land in Longswamp Township, Berks County. The conservation easement is held by the Conservancy and is for the long-term preservation and management of the Eastern spadefoot toad, a Pennsylvania endangered species, and its habitat. Both the Commission and the Department are beneficiaries of that easement.

**Holtwood Dam:** The Office of Chief Counsel continued to assist Bureau of Fisheries staff during negotiations with PPL Generation LLC (PPL) regarding PPL's plans for amending its Federal Energy Regulatory Commission (FERC) permit to expand its hydroelectric facility. PPL is negotiating with the Commission and other resource agencies to address the agencies' environmental concerns, including fish passage, minimum stream flow and access to fishing and recreational boating. Negotiations during the first part of 2008 focused on the improvements that PPL will make to the Pequea Boat Access Area; the preservation, construction and enhancement of white water boating features below the dam; and resident fish passage. The Office of Chief Counsel filed a Notice of Intervention with FERC on PPL's amendment application and filed comments on the amendment application and a recommendation on a resident fish passage condition.

**PALS:** The Office of Chief Counsel continued to provide support for the ongoing development and production of the Pennsylvania Automated Licensing Service (PALS), including evaluation of service levels and contract performance.

**Harrisburg HQ Expansion:** The Office of Chief Counsel assisted staff when contracting for the services of an architect to design the second floor expansion of the Commission's headquarters building. The Office also worked with staff to prepare for the bidding of construction contracts.

**VHS:** The Office of Chief Counsel assisted staff from the Bureaus of Fisheries and Law Enforcement in the drafting of regulations to prevent the spread of Viral Hemorrhagic Septicemia (VHS) in Pennsylvania.

**Grant Programs:** The Office of Chief Counsel continued to provide support and guidance to the following grant programs – Erie Access Improvement, Sportfishing and Aquatic Resource Education, Cooperative Nursery, Boating Facilities, Boating Infrastructure, Fish Passage and Habitat Restoration, Landowner Incentive and State Wildlife Grant Programs.

## **Bureau of Engineering and Property Services (BEPS)**

### **Fish Culture Stations**

#### **Bellefonte SFH**

- Hatchery improvements - Three bids were received and opened on June 25, 2008. One bid for the General and two bids received for the four electrical contracts. The sum of low bids (unofficial until bids are reviewed) looks like \$2.9 million for Base Bid 4 (lowest scope of work). This is about \$0.8 million over the estimate.
- Well 2 – The well pump stopped working. An emergency contract was issued. We are waiting for new pump from Moody Associates. Moody is tentatively scheduled to come in to reset pump and appurtenances the week of July 7.
- Received and repaired well meters 1 and 2.

#### **Benner Springs SFH**

- Benner has been held up at the Township over a minor storm water management issue. DGS would like to clear that ASAP, but need to talk to the Professional and the township to get that issue cleared up. Since the head works building was eliminated, DGS had hoped that issue would go away.
- CCTV'd the influent supply lines to determine their condition.

**Big Springs SFH Closure Plan** – E&S Plan review complete. NPDES Post-Construction Stormwater Permit review will begin.

#### **Corry SFH**

- Water line - Engineering design is underway.
- Culvert at Union City – Erosion problems exist, materials are ordered for repairs, a drawing is prepared. According to the Erie County Conservation District, no permit is required, considered part of structure maintenance. Will need to schedule work with construction when materials arrive at the site.
- Installed Well No 2.
- Repaired Foster Spring pump.
- Changed over to new electric service.

#### **Fairview SFH**

- Upgraded the alarm system.
- Replaced hatchery roof.
- Designed and constructed the new Storage Building.
- Demolished the old maintenance building.

#### **Huntsdale SFH**

- DGS cleared it for bidding, but DGS Real Estate has not yet provided their memo of land clearance. DGS hopes to have this issue out of the way this week. They had questioned the work to install a pipe under a township road at the hatchery. Checking the project documentation, it appears that the township does not have any occupancy permits, but rather simply requires that the road be restored to original condition. DGS hope that satisfies our real estate folks. Their purpose is to ensure that all work is performed within Commonwealth property. It will go to bidding as soon as that is cleared up.
- Crews commenced installation of the new high voltage electric line on June 16, 2008.

**Linesville SFH - Rebuilt domestic sewage pumps.**

**Oswayo SFH**

- Upgraded the alarm system.
- The Spring Line was relocated.
- Well No 8 was rehabilitated.
- Order pump starter as part of infrared scan survey.

**Pleasant Gap SFH**

- Interior gas line replacement was completed.
- New automatic dialer was installed.
- New clarifier pump was installed.
- CCTV'd the influent supply lines to determine their condition.
- Emergency generator was tested Load testing switches were added to two generators.
- Screen Operational Issues – BEPS continues to offer technical support.
- A new agreement has been prepared and sent out pursuant to the use of the on-site non-mandated dwelling. The agreement will implement market value rents and clarify that the dwelling is to be vacated on or before May 31, 2010.

**Pleasant Mount SFH**

- New influent control gates have been installed.
- Crews completed the installation of the new waterline and valves. A new agreement has been prepared and sent out pursuant to the use of the on- site non-mandated dwelling. The agreement will implement market value rents and clarify that the dwelling is to be vacated on or before May 31, 2010.

**Reynoldsdale SFH**

- Engineering is coordinating with HDR/FishPro on the recycle and effluent design. The consultant has not responded to BEP's requests to consider alternative effluent treatment technologies.
- Crews completed the installation of the new waterlines and are in the process of replacing the roof.
- 18" Hatch house pipe replacement is complete.
- Show Tank fill and domestic water line is complete.
- Design paving plans are complete.

**Tionesta SFH**

- Repaired raceways.
- Completed emergency repairs to Well No 1.
- Domestic service pump was replaced.
- Replaced Tubb's Run Pump.
- Materials list for pond fill lines sent to purchasing for bidding.
- New generator building under construction, move Tylersville generator.

### **Tylersville SFH**

- Admin Bldg – Application made to L&I on May 9 for Accessibility Board for variance. No change. Materials are arriving on-site.
- Oxygen System balancing problem was solved.
- Screen Operational Issues – BEPS continues to offer technical support.

**Various SFHs** –Infrared electrical equipment scans are complete and equipment ordered where necessary to prevent unplanned shutdowns.

### **Dams and Reservoirs**

**Beaver Run Reservoir** – The Bureau was informed by South West Law Enforcement that the Water Authority formally rejected the concept of opening the reservoir up for public fishing without ever receiving an access proposal from the Commission. Staff is awaiting guidance on how to proceed. No change in status.

**Children's Lake** – No activity is planned in the coming week.

**Opossum Lake** – Overall design is approximately 30 percent complete. Will continue work in the coming weeks. A contract is being pursued to have a surveyor locate and quantify areas on which water may encroach on neighboring land owners as a result of the dam. Easements will be needed for any encroachment area.

**Comfort Pond** - This PA American Water Company reservoir in northern Susquehanna County has been formally opened for public fishing with a ceremony. A small parking area and signs have been placed.

**Lake Oneida** – An agreement has been sent to the PA American Water Company to open up this reservoir in Butler County to public fishing. We hope to have an agreement in place by the end of the summer.

**Thorn Run Reservoir** – An agreement has been sent to the PA American Water Company to open up this reservoir in Butler County to public fishing. We hope to have an agreement in place by the end of the summer.

### **Accesses**

**Falling Spring Access 2008** – The Commission has completed the acquisition of fee title on a +/-1.5 acre parcel along Falling Spring just east of Chambersburg. This is a Class A limestone trout water.

**Lewistown Narrows Access** - We have initiated discussions with PennDOT for the transfer of the site to the Commission. PennDOT will forward an agreement for our review.

**Sandy Run** – Staff is working with Legal, Access and DEP staff to finalize documents and prepare for the acquisition of this drainage area for the Little Juniata in Blair County.

**Fort Hunter Access** – Crews completed renovations to this access. This project included replacing the existing launch ramp and paving the parking lot.

**Rosston Access** – Crews completed renovations to this access. Crews expanded and enhanced the existing parking lot.

**Frankford Bunker removal** – Crews completed the demolition of the bunker at Frankford. Due to the historical preservation of this structure, crews left three feet of the structure remain above existing ground level. Crews will commence landscaping this area in early July. Once landscaping is complete there will be a plaque and bench located alongside the bunker foundation.

**Neshannock** – Design complete. Construction to be scheduled.

**Harveys Lake** – Crews completed the construction of a new launch, paving scheduled for the week of June 30, 2008.

**High Point North** – Crews installed a new dock at this access.

**High Point South** – Engineering design is underway.

**Oakland** – Crews completed renovations to this access. This project included constructing a new concrete launch ramp and parking lot improvements.

**Parker City** – Crews completed renovations to this access. This project included constructing a new concrete launch ramp and parking lot improvements. A new agreement with the City is currently being processed that will extend free public access at the site an additional 25 years.

**Cambridge Springs** – Complete.

**Cloe Lake** – Stone was delivered to make repairs to the parking lots.

**Tea Creek Access** – An option agreement for a fishing easement on Tea Creek north of Reedsville is in place and has been exercised. Tea Creek is a class A Trout Water and the Commission was involved in the removal of a dam and extensive habitat work on this property. An environmental assessment has been complete on the site and indicated no problems. A title search has been ordered and closing will be dependent on when a budget agreement is reached in Harrisburg, which will impact the cutting of a check.

**RT 33 Access Easement Acquisition** – BEPS has submitted and received back the executed sales agreement from the City of Easton for the SR33 easement acquisition. The agreement is in Harrisburg for processing. The acquisition cost will roughly be \$500. Closing will be dependent on when a budget agreement is reached in Harrisburg, which will impact the cutting of the check.

**Mauch Chunk** – On 6/18/2008 the following email was sent to Dave Horvath:

The PFBC is drafting an Agreement for improvements to the two existing boat launches at Mauch Chunk Lake consistent with the letter dated July 28, 2006 from the PFBC to the Carbon County Commissioners. The draft Agreement indicates that the County will be responsible for 50% of the costs up to a limit of \$40,000. I anticipate that you would receive a copy of the Agreement by July 3, 2008 for your review.

The County will need to determine how it plans to fund its share of the improvements project, and the timing of this funding. Once the PFBC is informed of the County's funding schedule we can plan the design, permitting and construction schedules.

**Harmony Borough** – Contingency request submitted for materials in the amount of \$16,000, awaiting approval. The DEP permit is pending approval and a Submerged Lands License Agreement is required.

**Lock Haven** – Evaluating information received from PHMC.

**Cranberry Glade Lake** – Construction is scheduled for fall 2008.

**Monongahela Access Area** – The area Maintenance Manager met with the Mayor of Monongahela to discuss improvements to the access. Funding to re-pave and add a bulk head and floating dock will be requested for 09/10 budget. Project under \$5,000.

**Kettle Creek** – Stone repairs will be made to the parking lot.

**PA Boating Facilities Technical Guidance** – BEPS staff has coordinated with Ohio DNR et al to produce the first edition of this guidance. It is under internal review.

**Internal Fishing & Boating Access Meetings** – Internal meeting will continue to better coordinate work items.

## **Marinas**

**North East Marina** – DGS is bidding the new removable dock system. Crews completed the spring sand movement and dredging operations at the marina. Start to investigate new electrical service to docks.

**Walnut Creek Marina** - Crews completed the spring dredging operations at the marina.

## **Misc. Projects**

**USFWS & PFBC Office Colocation, Lamar, PA** – The following is a synopsis of our June 19, 2008 site investigation related to the above subject:

1. Attendance: Mike Millard, Bill Fletcher, Ken Brownell, Kurt Otting and Jack Rokavec
2. Building Concepts
  - a. One building footprint
  - b. Utilize the USFWS's standardized design templates.
  - c. Large foyer entrance, similar to PFBC HQ in Harrisburg, PA
  - d. Small Lab for environmental analyses: 450 SF
  - e. Common Conference Rooms. PFBC had sized three Conference Rooms for its staff seating: 22, 6 and 6.
  - f. PFBC sized a common library for its staff.
  - g. USFWS sized its building for 50 FTEs at 21,000 to 23,000 SF. PFBC sized its building for 110 FTEs at 24,400 SF minimum. Mechanical and IT rooms not included.
  - h. Architecture to blend in with surroundings.
  - i. Parking for 50 FTEs will consume approximately 19,800 SF, or 0.46 acre. Parking for 150 FTEs will consume approximately 59,400 SF, or 1.36 acres.
3. Utilities: Preliminary water and sewer utility service information was obtained. A typical listing of federal and state permitting requirements was developed.
4. Potential Building Sites on USFWS Property
  - a. North site – Located just north of the inspection of SR 2002 (Narrows Road) and Furnace Road. This location is the USFWS's abandoned rearing ponds.
  - b. South Site – Located at the South end of the USFWS property in mixed deciduous forest and South of the existing water quality laboratory.
  - c. Additional site studies need to be conducted to select the better site: Environmental Assessment, Flood elevations, wetland identification and delineation, geotechnical, ESA, cultural resources and other National Environmental Policy Act (NEPA) [42 U.S.C. 4321 et. seq.]
5. Preliminary costs
  - a. 50 FTE facility = \$690,000 design and permitting and \$6,900,000 for construction = \$7.6M
  - b. 150 FTE facility = \$2,070,000 design and permitting and \$20,700,000 for construction = \$22.8M
6. Preliminary Schedule
  - a. The federal project development process includes a step that a state agency, typically, does not have to go through: the NEPA process. The collection of environmental and cultural resources reviews will take approximately 18 months to complete.
  - b. Design and permitting will take approximately 18 months.
  - c. Bidding and award will take approximately three months.
  - d. Construction, approximately 14 months.

- e. Thus, if funding were approved and available today, and a design consultant were under contract the 'move-in' date would be November 2012 (approximately 53 months from now).
7. Next Steps
- a. The USFWS will present the estimated costs and an artist rendering to Congress prior to the beginning of the next federal fiscal year (FFY) (Oct 1, 2008 – Sept 30, 2009). Funding may be achieved in FFY 2009, 2010, or not at all.

**Trout Run, Fairview Twp., Erie Co.** – Easement negotiations continue. Design and permitting continue.

**Property Policy** – BEPS is awaiting a conference call with legal counsel. No change in status.

**Ingham Spring** –Continue to work with Legal and G. Moore on the Cooperative Agreement with Solebury Twp and proposed legislation for property disposition. Survey/Real Estate reviewing and amending the applicable legislation in conjunction with legal. The Senate- State Government Committee was to be discussed and voted on to legislation for SB1308 on 3/18/08. Will continue to assist when requested.

**Rose Valley Lake, Gamble Twp., Lycoming Co.** –The Survey Section performed courthouse research and is plotted the adjacent deeds. Waiting to hear from Legal for next step.

**Sweet Valley, UST** site monitoring/characterization – The first round of sampling is completed. Naphthalene and Benzene concentrations are higher than state health standards. Two new wells are needed to further delineate the extent of contamination and a site survey.

### **Bureau of Fisheries Administration**

- Began planning annual Bureau meeting, which will be held on Oct. 8-10, 2008, in State College. The three day conference will have a full agenda including training, education and professional camaraderie.
- Considerable work was done directing development of new statewide Trout Management Plan.
- Entered a joint contract with Delaware Natural Resources and Environmental Control and the Lewis commercial fishery in NJ to develop an index of Adult shad run abundance by way of haul seining in the Delaware River as required by the Atlantic States Marine Fisheries Commission.
- Coordinated development of revised methodology for OTC marking for all PFBC hatcheries.
- Worked with Chief Counsel on development of VHS regulations.
- Developed and submitted request to establish a new job classification for a Fisheries Biometrician.
- Participated on a selection committee to hire Tyler Wagner as new Assistant Unit Leader for the Pennsylvania Cooperative Fish and Wildlife Research Unit at PSU. Requested and received Commission approval to increase PFBC annual contribution to the Unit from \$40,000 to \$50,000 in 2008-09 and then to \$75,000 in 2009-10.
- Initiated development of a PFBC Technical Report series along with Bob Carline and PFBC staff.
- Directed development of biosecurity protocols for PFBC field work and hatcheries.
- Met with USGS Wellsboro staff regarding hiring of new scientist there.
- Attended ASFMC Fish Passage Workshop in Jacksonville, FL.
- Attended NE Association of Fish and Wildlife Agencies meeting in Galloway, NJ.

### **Budgeting and Financials**

- A hatchery financial report was researched, generated and submitted for the Legislative Budget & Finance Committee in spring of 2008.
- A location was created on the T Drive for chiefs and managers to review their financial statements for their divisions and units on an updated monthly basis.

## **Human Resources**

- The Bureau of Fisheries has made many strides in filling vacancies. Still reorganizing and recovering from the many retirements in the summer of 2007, many positions were approved and filled in the last six months:
  - Completed/approved E-PARs for the past six months: Request to Fill (35), Fill a Vacant Position (48), Create a Position (3), Separation (3), BLWOP/RLWOP (21), TWOC (2), Reclassification (6), Extension of Time (0), Probation (8), Resignation (6), Updated Roles (2), Change in Work Code (7), Change in time Code (1), and Change in Supervisor (3).
- Much of the movement came from the retirements in the hatcheries and then the backfilling of those positions and the promotions that resulted in additional vacancies. In lieu of a full-time fish culturist position, a second non-permanent FC1 position has been added at the Benner Spring, Huntsdale and Tylersville SFH to address the seasonal needs of the hatchery. With the appointment of Leroy Young as Bureau Director, Fish Management has been experiencing the trickle-down effect which should be addressed by late summer 2008.
- In February of 2008, Fisheries staff completed, reviewed and submitted their yearly 218 EPRs to the HR office by the mid-February deadline.
- A system was developed to track and update the CDLs for the FC2s to insure staff have a current CDL with airbrakes and tanker endorsements as required for their position.
- Ongoing discussions, via the grievance procedure, are being held to determine the most correct protocol for hiring full-time FCs. The state-wide transfer list, along with the seniority unit rights of the non-permanent FCs, are being reviewed. The results may reinforce or redefine the definition of seniority unit per each hatchery or the thirteen hatcheries state-wide as one unit.

## **Safety**

- The Administrative Officer, Liz Ebeling, represented Fisheries and attended two quarterly safety meetings in Harrisburg. The Executive Safety committee is working diligently to update the safety information distributed to staff and keep the bureau in compliance with state-wide inspections and regulations. Safety inspections were conducted at all Fisheries' physical locations this spring. Building evacuation plans were updated for all Fisheries Bureau offices and fire drills, which will continue on a biannual basis, were held.

## **Three Rivers Ecological Research Center**

- With input from external partners as well as from other PFBC staff, Dr. Sue Thompson, Director of the Three Rivers Ecological Research Center (3RERC), developed a three-year work plan for 3RERC. She updated Commissioners on activities of the center at their January meeting and presented the three-year plan at the April meeting.
- Interactions continued with partners and stakeholders in Pennsylvania's Ohio River Basin, including Carnegie Science Center, Duquesne University, Pennsylvania Department of Environmental Protection, Pennsylvania Environmental Council, The Nature Conservancy, U.S. Army Corps of Engineers, and Western Pennsylvania Conservancy.
- Thompson gave presentations on 3RERC at the Coldwater Conference (poster), Northeast Fish and Wildlife Conference, and Southwest Water Roundtable.
- In anticipation of the American Fisheries Society Annual Meeting in Pittsburgh in 2010, Thompson attended a preliminary meeting with other PFBC staff and AFS members in Pittsburgh in January and also organized and hosted a site visit by AFS meeting organizers, PFBC staff, and Pennsylvania AFS representatives in May.
- Thompson continued to represent Pennsylvania on the Ohio River Fish Management Team and re-established a Pennsylvania presence with Mississippi River Basin activities with attendance at the Mississippi River Basin Panel on Aquatic Nuisance Species, where she made a presentation on Pennsylvania activities, and an upcoming meeting of the Mississippi Interstate Cooperative Resource Association (MICRA). In addition, Thompson has been active in developing the Ohio

River Basin Fish Habitat Partnership (ORBFHP), which is presently a candidate National Fish Habitat Action Plan (NFHAP) partnership. She participated in a national NFHAP Science and Monitoring Workshop hosted by the U.S. Geological Survey as well as a Midwest NFHAP Partnerships Workshop hosted by the Fish and Wildlife Service. In conjunction with these meetings, visits were made to other river centers and field stations, including useful discussions on ecological research on large rivers, including specialized collecting equipment, techniques, and protocols.

- In May, Bob Ventorini, formerly with Area 8, joined 3RERC as the 3 Rivers fisheries biologist. Although now focused on the rivers, Ventorini continued to assist with Fish Management activities during the transition period, including the Panfish Angler Survey.
- With Ventorini's addition to the office as well as the upcoming re-location of education staff to Pittsburgh, the 3RERC office was added to the Commonwealth computer network.
- A successful application was submitted to the Three Rivers Regatta Roddey Grant Program and 3RERC received a small grant for start-up collecting equipment

### **Division of Environmental Services**

- Division Chief was guest speaker at Senator Piccola's Sportsmen's Roundtable and discussed the Susquehanna River water quality study, presented a paper on sand and gravel dredging at the Northeast Fish and Wildlife meeting, and spoke about Environmental Risk to the River Conservation Camp and Flyfishing School.
- Participated on a review panel for the Penn State Water Research Center.
- Deposed in the EHB dredgers appeal of sand and gravel dredging permits.
- Participated on the Spring Creek Canyon Steering Committee.
- Coordinated the Susquehanna River Water Quality study which deployed continuous dissolved oxygen, temperature, pH and flow monitors at 3 additional sites on the Susquehanna and Juniata Rivers and investigators collected samples at 31 sites for nutrient monitoring in June.

### **Watershed Analysis Section**

- Represented the PFBC at the following significant meetings: Urban Waterfront Action Group in Philadelphia, Water Resources Advisory Committee Chapter 105 Adhoc Workgroup, Coldwater Heritage Partnership, Pennsylvania Bridge & Culvert Task Force, and the Upper Ohio Navigation Study Interagency Working Group.
- Participated in the following major transportation development projects: Philadelphia International Airport, I-99 (Centre County), Southern Beltway Turnpike (Washington County), Route 422 (Montgomery County), Schaefferstown Bypass (Lebanon County), and Route 15 (Tioga County).
- Conducted stream surveys of Sterling Run (Centre County), Spruce Run (Union County), Catawissa Creek (Luzerne County), and the W. Br. Perkiomen Creek (Berks County).
- Presented a study titled "Culvert Designs for Fish Passage in Pennsylvania" at the PFBC Board of Commissioners Meeting and at the 64<sup>th</sup> N.E. Fish & Wildlife Conference.
- Conducted benthic macroinvertebrate community monitoring studies of Yellow Breeches and Fishing Creeks to monitor the effectiveness of wastewater treatment operations at the PFBC Huntsdale and Tylersville State Fish Hatcheries.

### **Aquatic Resource Section**

- Represented the PFBC at the following significant meetings: USGS Ecological Flows, Upper Delaware River flow releases from NYC reservoirs, National Fish Habitat Initiative/Abandoned Mine Lands, Schuylkill Watershed Congress, F.E. Walter Reservoir Recreation Operations Plan, and Shawnee Lake Algae Control.
- Staff worked on restoration grants for the Valley Creek Trustee Council, and the Sinnemahoning Creek Restoration Fund from the Norfolk Southern pollution.
- Sensitive permit reviews included the USFWS use of lampricide in Conneaut Creek and Nestle Waters of North America's application for a bottled water withdrawal from Ontelaunee Creek.

- Permits were issued for Triploid Grass Carp (93), Algaecide (1166) and Pond and Lake Drawdowns (41) and 43 mining permit applications were reviewed.
- Conducted stream surveys of Cooks Run (Clinton County), Crabby Creek (Chester County), Deep Creek (Schuylkill County) and biomonitoring surveys of Spring Creek (Centre County) for the Bellefonte and Benner Spring State Fish Hatcheries, Logan Branch (Centre County) for the Pleasant Gap SFH and Yellow Breeches (Cumberland County) for the Huntsdale SFH.
- Worked on Superfund damage assessments for the Palmerton Zinc site (Lehigh County), Crossley Farm site (Berks County) and the Centre County Kepone site (Centre County). Phase 1 property surveys were done on sites in Erie, Beaver and Mifflin counties. The PFBC's Five Locks Access Area (Berks County) was also reviewed for lead contamination issues.
- Staff presented programs at the Youth Bass Anglers Conservation School and Pond Management training for the Penn State Cooperative Extension agents.

### **Natural Diversity Section**

- Developed threatened and endangered species listing criteria, a fish listing/delisting proposed rule package, threatened and endangered species management plans, and initiated the USEPA/PADEP funded Fish IBI project.
- PNDI species impact reviews (994).
- Staff reviewed and issued Scientific Collector Permits (361), Venomous Snake Permits (173), and Commercial Snapping Turtle permits (12).
- Staff provided the PFBC Bureau of Law Enforcement staff training on handling/field techniques for venomous snakes, and presented workshops on fish, herpetofauna, and freshwater mussel identification and ecology to the public and other resource professionals. Staff participated or presented talks in a number of conferences/meetings, including the Keystone Coldwater Conference, and Northeast Association of Fish and Wildlife Agencies.
- Staff performed targeted surveys on a number of threatened and endangered species: red-bellied turtle, bog turtle, timber rattlesnake, eastern massasauga spadefoot toad, and eastern pearlshell, and the fish surveys (Fish IBI Project).
- Staff managed (17) federal grants (SWG, Section 6), and coordinated invasive species issues with the various committees including the Governor's Invasive Species Council. Staff also assisted in the development of an agency policy on Wind Power projects.
- Other important projects/initiatives staff worked on during this reporting period included the Cherry Valley National Wildlife Refuge study, rattlesnake radio-telemetry in the Allegheny National Forest, development of a bog turtle habitat restoration initiative, development of biosecurity protocols to stop the spread of invasive species when sampling for aquatic species, multi-state and agency meeting on northern riffleshell recovery which included propagation and re-introduction ecology, prepared to host upcoming annual meeting for the Northeast Partners for Amphibian and Reptile Conservation.

### **Division of Fish Production**

- Many activities and projects took place within the Division of Fish Production during the last two quarters. These included effluent management, hatchery renovation plans, staff hiring and training, increased disinfection protocols and development of a Spawning/Incubation Work Group.
- A full production cycle has been completed at Pleasant Gap State Fish Hatchery (SFH) and the annual total suspended solids loading was below the permitted level. The Pleasant Gap SFH has an extremely strict effluent permit and this was a major accomplishment. New filter panels were purchased to increase efficiency during microscreen cleaning operations. Staff are still working the bugs out of the systems but this shall help in the design of subsequent systems.
- Hatchery renovation plans continue for Bellefonte, Huntsdale, Benner Spring and Reynoldsdale SFH's. Construction should start for Bellefonte and Huntsdale this summer/fall. Staff met with DEP and had the microscreen size changed for Huntsdale SFH from the proposed 10 micron to a more functional 20 micron size mesh. Reynoldsdale design plans are just starting and this will be a partial re-use circular tank design which is new for PFBC facilities.

- A substantial number of personnel changes have taken place this year. This was the result of the initial mass retirement in the spring of 2007. Currently, most of the vacancies have been filled and we have hired many talented, dedicated individuals who will greatly benefit our Division and the Commission. Some of the training and conferences staff have attended included Leadership Development, World Aquaculture Society Conference, Water Re-Use Course, Fish Health Course (USFWS), Warm Water Fish Diseases (Univ. of FL) and numerous Office of Administration courses. A two-day Hatchery Managers Meeting was also held at the H. R. Stackhouse last January. The revised version of Fish Culture School will start next quarter and the first two sessions will be Fish Health and Introduction to Fish Culture.
- The DFP is investigating methods to improve fish health and survival of cultured fish. Improving biosecurity at the hatcheries was outlined in a new disease management plan and will be further refined and implemented. A workgroup consisting of the Southern Production Manager, Fish Technology Biologist, Fish Health Biologist and three Hatchery Managers are analyzing our historic trout spawning and incubation records to determine the better methods to spawn and incubate trout at our facilities. They will also be making recommendations on species and numbers of eggs to be produced at each hatchery. Numerous other activities for the DFP are outlined below along with fish production numbers.

## Northern Hatcheries

### Fish Distribution

SPECIES	LIFESTAGE	POUNDS STOCKED	NUMBER STOCKED
Channel Catfish	Fingerling	1,459	48,000
Hickory Shad	Fry	0	7,180,216
Lake Trout	Fingerling	122	49,978
Lake Trout	Yearling	4,170	57,890
Largemouth Bass	Fingerling	8	4,000
Muskellunge	Yearling	134	1,665
Steelhead Trout	Yearling	97,817	1,071,426
Striped Bass	Fry	0	1,800
Walleye	Fry	0	32,000,000
White X Striped Bass	Fingerling	70	60,040
Yellow Perch	Fry	0	1,456,600
White X Striped Bass	Phase II	45	2,446

## Personnel Action

### Retirements:

- Larry Fanelli – Foreman, Tionesta SFH
- Kevin Liberty – FC2, Tionesta SFH

### Positions filled:

- Zane Brower – Foreman, Tionesta SFH
- Benjamin Dutko - seasonal FC1, Tionesta SFH
- Peter Craft – FC2, Linesville SFH
- Scott Morgan – Foreman, Linesville SFH
- Interviewing for temporary seasonal FC1 (Tucker on 6-month sick leave)
- Bradley Eisenman – FC2, Tionesta SFH
- Jeremy Sprouse – seasonal FC1, Oswayo SFH
- Patrick Wilson – seasonal FC1, Corry SFH
- Joseph Kasulaitis – FC1, Pleasant Mount SFH
- Douglas Hess – FC1, Pleasant Mount SFH

## Miscellaneous

- New intake valves have been installed at Pleasant Mount SFH and Pond 12 has been repaired to the point of partial refill.
- A new hatch house boiler was installed at Union City SFH.
- A mobile effluent pump was purchased for Fairview SFH to replace old broken down pumps.
- Linesville SFH replaced all old water lines in the hatch house and installed mixing valves to better control water temperatures in tanks.

## Southern Hatcheries

### Fish Distributions

SPECIES	NUMBER STOCKED	SIZE OR LIFESTAGE
Brook Trout*	507,262	56 lbs/100
Brown Trout	883,956	58 lbs/100
Rainbow Trout	1,920,303	58 lbs/100
Golden Rainbow Trout	24,140	249 lbs/100
Brook Trout	62,500	Fingerling
Brown Trout	863,7912	
Rainbow Trout	531,600	

\* Includes ~ 90,000 Lamar fish that were about 45 lbs/100.

## Personnel Action

### Retirements:

- William Neese, Fish Culturist, Pleasant Gap State Fish Hatchery

### Positions filled:

- Ken Woormer – FC1 Tylersville State Fish Hatchery
- Brian McHail – FC1 Bellefonte State Fish Hatchery
- Jim Wetherill – Manager Huntsdale State Fish Hatchery
- Wendall Booher – FC1 Benner Spring State Fish Hatchery (Mr. Booher transferred back to his previous position with PLCB effective 6/14/08)
- Don Smeltzer – FC1 Pleasant Gap State Fish Hatchery
- Ryan Miller – seasonal FC1 Tylersville State Fish Hatchery
- Joe Burkardt – seasonal FC1 Benner Spring State Fish Hatchery
- Keith Beamer - seasonal FC1 Benner Spring State Fish Hatchery (Mr. Beamer subsequently transferred to Division of Habitat Management)
- Jessie Klick – seasonal FC1 Huntsdale State Fish Hatchery (Mr. Klick was terminated 4/23/08 for failure to report to work)
- Brad Graham – seasonal FC1 Tylersville State Fish Hatchery
- Luke Mulfinger – seasonal FC1 Bellefonte State Fish Hatchery
- Andrew Wagner - seasonal FC1 Huntsdale State Fish Hatchery
- Matt Thomas – seasonal FC1 Pleasant Gap State Fish Hatchery
- April Weiland – seasonal FC1 Benner Spring State Fish Hatchery

## Wastewater treatment construction projects

- Bellefonte design complete. Construction contract to be awarded by in July with a 10 month deadline for construction completion.
- Maguire Group continues with design of Benner Spring project.

- Quad-3 consulting group has submitted final designs for the Huntsdale project and will be going out to bid very soon.
- HDR/FishPro began design of the Reynoldsdale State Fish Hatchery renovation project.

### **Fish Production Services**

- Worked with Information Technology staff to refine Pathology Unit inspection and hatchery disease classification databases and develop approach to computerizing hatchery fish transfer records.
- Provided assistance to hatcheries with Oxytetracycline tagging of walleyes.
- Continued Passive Integrated Transponder (PIT) tagging of Linesville muskellunge brood stock.
- Conducted walleye egg disinfection trials at Linesville.
- Annual hatchery disease inspections conducted at Linesville, Tionesta and Fairview.
- Staff attended Basic Fish Health short course (one week) in Wisconsin and two week, Warmwater Fish Health Course in Florida.
- Attended World Aquaculture Society annual meeting and conference in Florida.
- Continued negotiations with PPL regarding the amended FERC license for redevelopment of the Holtwood Hydroelectric Dam. Drafted official agency comment letters.
- Met with Exelon regarding re-licensing for Conowingo Hydroelectric Dam and Muddy Run Pumped Storage hydroelectric facility.
- Met with York Haven/Olympus Power regarding re-licensing of the York Haven Hydroelectric Dam.
- Co-organized conference presented and hosted at the Lehigh River Watershed Conference and Shad Symposium.
- A total of 9,803,731 hickory shad eggs were delivered to Van Dyke, of which 76% were viable and resulted in 7,180,215 fry being stocked in Octoraro, Ridley and Pennypack Creeks.
- Developed Invitation to Bid package, hosted pre-bid conference and awarded bid for Reynoldsdale State Fish Hatchery hydrologic investigation.
- Developed a three-year plan for Fish Production Services.
- Developed a Nutrient Reduction Evaluation (NRE) Phase I plan as required by DEP for state fish hatcheries discharging into the Chesapeake Bay drainage.
- Actively participated in supporting the U.S. Army Corps of Engineers permit denial for the proposed Wilkes-Barre inflatable dam on the Susquehanna River.
- Initiated trout diet performance study.
- Staff participated on the Executive Safety Committee and completed emergency response plans for state fish hatcheries.
- Met with DEP staff to discuss PCB remediation at the Huntsdale SFH.
- Installed and conducted research on a pH-raising, fluidized bed system at Van Dyke.
- Drafted two documents to begin further discussion on biosecurity and PFBC activities. "*Disease Management in the PFBC Trout Hatcheries*" and "*Aquatic Invasive Species – Procedures to Minimize their Movement through Activities of PFBC Staff*".
- Compiled data and determined costs incurred by FPS in the production of hatchery trout.
- Through May, the Cooperative Nursery Unit conducted 151 routine hatchery inspections and assisted several nursery sponsors with fish stocking.
- Drafted briefing paper on VHS and the preservation of emerald shiners and fish eggs.
- Provided briefings and tours of microscreen filter systems at Pleasant Gap.

### **Division of Fisheries Management**

- Biological sampling conducted by the Division of Fisheries Management for the period January through June included surveys on 37 streams for the 2008 trout residency study with residency results ranging from very poor to good.
- Opening day angler use counts were conducted to coincide with stocking the day before season on the acid sensitive Section 03 and 04 of North Fork Redbank Ck. In contrast to years when

trout were stocked one to two weeks before opening day, a fair number of anglers were counted on these sections and good catches were reported on opening day.

- Four stocked trout streams were surveyed to investigate loss of angler access resulting from increased posting. Angler access to two of these streams, Driftwood Branch of Sinnemahoning Creek and Sinnemahoning Portage Creek, was lost as a result of the Western New York and Pennsylvania Railroad prohibiting anglers from crossing the railroad lines to access these streams.
- Stroup Run was investigated at the request of the local WCO to follow-up on a pollution investigation. It was determined that the stream supported a low density Class D wild brook trout population that was impacted by a timbering operation.
- American eel elver trapping sampling was conducted on Poquessing Creek and no elvers were captured after two weeks of sampling.
- Trap netting or night electrofishing was completed on 15 lakes in order to assess the quality of the fisheries in these waters.
- The Area 4 AFM investigated a fish kill at Frances Slocum Lake. The kill was related to a natural spring die-off of alewife.
- Angler use and harvest surveys are underway on Pine Creek in cooperation with DCNR and on the West Branch Susquehanna River. Nearly 400 smallmouth bass were tagged on the West Branch Susquehanna River to incorporate an exploitation component to the angler use and harvest survey.
- Area 6 staff completed their annual striped bass tagging work as part of the coast wide spawning stock assessment under the guidance of the Atlantic States Marine Fisheries Commission. A total of 184 striped bass were collected with 128 being implanted with anchor tags.
- To date the annual American shad spawning operation on the Delaware River netted a total of 423 female and 242 male American shad, resulting in a total of 100.6 liters of eggs collected with a 34.1 percent viability rate. The Lewis haul seine fishery for American shad on the lower Delaware River (Lambertville, NJ) captured a total of 51 American shad (29 roe and 22 buck).
- Responsive Management contacted 1,562 Pennsylvania trout anglers to gauge angler opinions and attitudes to a number of issues related to trout management in Pennsylvania. PFBC staff has reviewed the draft report. The final report has been completed.

### **Fisheries Management Meeting Highlights**

- Division of Fisheries Management held its annual Division meeting to set priorities for the 2008 field season.
- Fisheries management staff met to discuss methods to improve OTC marking within the agency.
- The WWU and the Division Chief attended a meeting with the Pennsylvania Cooperative Fish & Wild Research Unit to discuss the West Branch Susquehanna River exploitation study.
- The WWU and the Division Chief met with the PSU Statistical Consultation Center to detail output needs for the Susquehanna and Juniata River angler survey.
- The Area 2 AFM attended the Norfolk Southern settlement meeting in Emporium, PA, and attended the USACOE meeting to discuss a draw down of East Branch Clarion River Lake. Due to the potential for failure of the dam, a 20 foot draw down will be in place through 2008 to gather more information on the safety of the dam.
- Area 2 staff and the Division Chief attended the annual joint Ohio Division of Wildlife and PFBC Pymatuning Lake management meeting.
- The Area 8 AFM attended a planning meeting pertaining to the USACOE Upper Ohio River Navigation Study and a meeting of the Duke Lake Task Force.
- The Lake Erie Unit Leader attended the annual Lake Erie Committee meeting, the Great Lakes Ballast Water Workshop, and a meeting between a Great Lakes Fisheries Commission representative and PFBC staff for an overview of the Great Lakes Fisheries Commission, and detailed roles and responsibilities of the Council of Great Lakes Fishery Agencies, the Council of Lake Committees, and the Lake Erie Committee.
- During April the Lake Erie Unit Leader attended the Council of Lakes Committee and the Council of Great Lakes Fishery Agencies meetings in Windsor, Ontario. The Lake Erie Unit Leader also

attended the Tom Ridge Environmental Center Regional Science Consortium meeting, a meeting to discuss a dam removal project on East branch Conneaut Ck and a meeting with the Nation Sea Grant Review Panel.

- The Area 4 Fisheries Biologist 1 attended the North American Lake Management Society meeting in Chicago, IL.
- The Area 5 AFM attended a Lehigh River Flow Plan meeting with USACOE and DCNR to discuss summer releases from F. E. Walter Reservoir.
- The CWU Leader attended a meeting with DCNR staff to discuss planning details for the 2008 Pine Creek Angler Survey.
- The Area 5 AFM attended a PPL meeting regarding the Lackawaxen River tailrace release program and a public meeting on the 2008 Lehigh River Flow Release Plan.
- The Area 5 Fisheries Biologist 2 attended the USGS Ecological Flow workshop in Wellsboro, PA.
- The Division Chief, CWU Leader, and Area 7 Fisheries Biologist attended the Big Spring Symposium. Staff members attended meetings of the Trout Plan Work Group.

### **Presentations**

- The Cold Water Unit Leader provided a presentation on trout management issues based on the 2004 wild trout and 2005 stocked trout creel data and the results of the 2007 sampling efforts within the Penn's Creek All Tackle Trophy Trout Area to the R.B. Winter Chapter of Trout Unlimited.
- The Cold Water Unit Leader provided expert testimony to support WCO Garman's case at a court hearing regarding the failure to immediately return a caught trout unharmed to the water after capture from the Little Juniata River Catch-and-Release All Tackle area.
- Area 8 staff providing an Otolith Aging Workshop to the University of Pittsburgh Center for Environmental Health.
- The Area 8 AFM provided presentations at the Keystone Bass Buddies Spring Kick-Off and at the Southwest Division of the Pennsylvania Federation of Sportsman's Clubs.
- The Area 5 Fisheries Biologist and the Area 7 Fisheries Biologist presented papers on the 2007 Stocked Trout Residency Study and the use of Instream Limestone Sand Application on an infertile stream at the 2008 Northeast Fish and Wildlife Conference.
- The Division Chief and CWU Leader presented data from PFBC surveys and historic survey work on Big Spring Creek at the Big Spring Symposium.
- The Lake Erie Unit Leader presented a Draft Forage Task Group report to the Lake Erie Committee and an overview of Lake Erie fisheries to Lake Erie Charter Captains and guides at the State of Lake Erie Conference.
- Staff manned PFBC information booths at the Eastern Sports and Outdoor Show, the Butler/Lake Arthur Sports Show, the Erie Sports Show, the Bloomsburg Early Bird Sports Show, the Reading Outdoor Expo, the State Farm Show, the Fly-Fishing Show in Somerset, New Jersey, and the Gander Mountain Opening of Trout Season promotional events.

### **Training**

- The Warm Water Unit Leader and the Area 5 manager completed the Natural Resource Emergent Leadership training course.
- Staff completed Back Injury training and the on-line Ethics training.
- Area 4 staff completed CPR and First Aid training.

### **Staffing**

- The Division of Fisheries Management filled the following vacancies: Area 3 and Area 7 Area Fisheries Managers, Fisheries Biologist 1 in Area 6 and the Delaware River Fisheries Biologist 2. Vacancies within the Division were created when the Area 5 Fisheries Biologist 1 accepted the Delaware River Fisheries Biologist Position and when the Area 8 Fisheries Biologist 1 accepted the Three Rivers Fisheries Biologist 2 position. By June 30 interviews will have been completed

for the following positions: Area 1 Fisheries Biologist 2, Area 8 Fisheries Biologist 1 and Area 5 Fisheries Biologist 1. Vacancy announcements have been made the following positions: Area 3 Fisheries Biologist 1 and the Susquehanna River Fisheries Biologist.

### **Division of Habitat Management**

- In conjunction with the Northcentral Pennsylvania Conservancy, obtained \$600,000 grant funding to support a stream restoration pilot project encompassing 14 counties that comprise the PA DEP north central region.
- Completed draft plan and guidelines for the Sinnemahoning Creek Watershed Restoration Grant Program that will be used to administer the \$3.75 million dollars stemming from the Norfolk Southern resource damage settlement.
- Devoted significant time to advancing the National Fish Habitat Action Plan, LIP, SWG program, and bog turtle restoration program.
- Worked with partners to advance the EBTJV in PA and creation of a statewide brook trout trust.
- Hired a full-time clerical staff to support the DHM.
- Advanced filling two habitat biologists vacancies from recent transfers to Fish Management.
- Attended multiple regional planning meetings including ASFMC Habitat Committee, Chesapeake Bay Advisory Committee, and Legacy Sediment Workgroup.

### **Fish Passage Section**

- Completed the removal of Alameda Park Dam, Sullivan Run, Butler County; and Cheltenham Dam, Tacony Creek, Montgomery County.
- In conjunction with American Rivers and other partners, leveraged approximately \$1 million cash to support dam removal efforts in Pennsylvania.
- Continued coordinating in excess of 100 dam removal/fish passage projects across the Commonwealth.
- Advancing MOU (\$40,000) with PA Turnpike Commission for funding to remove Mixel Dam, Dublin Gap Run, Cumberland County.
- Attended Chesapeake Bay Fish Passage Workgroup, Mid-Atlantic Stream Barrier Task Force and other fish passage/dam removal planning meetings.

### **Stream Section**

- Tyler Neimond and Mark Sausser hired as Conservation District Field Representative 1's
- Provided technical assistance for over 75 sites to improve fish habitat through the Technical Assistance Program (TAP).
- Completed over 20 habitat enhancement construction projects through the Cooperative Habitat Improvement Program (CHIP).
- Completed multiple stream restoration education workshops.

### **Lake Section**

- Provided technical assistance for approximately 10 sites to improve fish habitat through TAP.
- Completed approximately 20 construction/placement of habitat structures through CHIP.
- Continued coordinating PFBC/DCNR collaborative lake habitat project including phase I construction at Sayer's Lake, Bald Eagle State Park.
- Leveraged over \$125,000 cash from CHIP cooperators for lake habitat enhancement projects.

### **Regional Habitat Section**

- Leveraged nearly \$500,000 cash from NFWF (\$70,000), USFWS – EBTJV (\$110,000), PA Growing Greener (\$285,000), TU Embrace-a-Stream (\$9,000), stream mitigation (\$20,000) for habitat restoration/enhancement projects

- Completed multiple habitat and fisheries surveys to document impact of habitat treatments.
- Began advancing multiple habitat enhancement projects.
- Four of six regional habitat biologist hired with the recent vacancy in Centre and Wyoming Counties.

## **Bureau of Law Enforcement**

### **Personnel**

- Gail Burkholder was promoted to the Administrative Officer position in the Bureau of Law Enforcement in the Harrisburg office. She previously held the southeast regional secretary position in Elm, PA.
- WCO Vincent Dick from the Montgomery county district recently retired as a result of a work related injury.
- WCOs Gary Slutter and Corey Britcher were promoted to Assistant Regional Supervisors in the Southeast and Southcentral regions respectively.
- WCO Dave Keller was recognized as the Conservation Officer of the Year from the Pa Fish and Boat Commission by the Northeast Conservation Law Enforcement Chief's Association at the Northeast Fish and Wildlife Conference in April.
- WCOs Bill Crisp and Pete Mader received the 2007 Gerry Greiner Environmental Enforcement Award for their work in the investigation and successful settlement of the Norfolk Southern pollution.
- The Bureau currently has seven vacant law enforcement positions. Civil Service will be announcing the application process for the position of Waterways Conservation Officer trainee sometime in late July or early August.

### **Operations**

- Waterways Conservation Officers have been involved in the investigation of several boating accidents involving collisions and fatalities. Officers are noticing reduced levels of boating activity on many of the larger power boating waters in the Commonwealth.
- Waterways Conservation Officers have been actively involved in the inspection and enforcement of applicable sections of the Fish and Boat Code relating to gas and oil well development in Pennsylvania. Our officers along with DEP inspectors conducted on site inspections of all the current active Marcellus shale gas wells during early June. We continue to inspect other oil and gas well development that is occurring in over two thirds of the counties and initiate appropriate enforcement actions if warranted.
- The Bureau Director presented our agency's enforcement responsibilities and concerns regarding the development of the Marcellus shale gas wells at a recent summit of the industry hosted by DEP. Harrisburg law enforcement staff, along with Steve Kepler, recently toured and were briefed on an active Marcellus shale well drilling operation by North Coast Energy in Northcentral Pennsylvania.
- Regional firearms instructors completed two days of training at the Stackhouse training facility in June.

- The Bureau continues to contain rising fuels costs by implementing effective and efficient vehicle patrols and minimizing high speed on the water boat patrols.
- The Northcentral Region Office has been relocated to the Stackhouse Training Facility at Fisherman's Paradise.
- The Bureau completed the requisition process for a new patrol boat for Lake Erie. A purchase order was issued to Black Lab Marine for a custom 23 foot aluminum patrol boat that will replace an aging patrol boat in the central Erie district. Delivery is expected in August of this year
- Bureau Director along PGC personnel is actively involved in the planning and implementation effort for the 2009 Northeast Fish and Wildlife conference.
- Northwest law enforcement personnel along with fisheries personnel have been actively gathering data and information concerning VHS. They have assisted in the development of regulations in order to attempt to stop the spread of the virus and have actively been involved in outreach efforts to inform the angling and boating public about this issue.
- The six regions continue to coordinate special enforcement details involving over the limit trout, striped bass regulation enforcement and boating under the influence.

### **Policy, Planning, and Communications**

**Sportfishing and Aquatic Resource Education Grants:** Ten organizations were awarded Sportfishing and Aquatic Resource Education Grants to develop or expand programs that teach fishing and boating skills or educate participants about waterways and the organisms that live within them. Eighteen applications were received in this grant cycle from sportsman's clubs, school districts, community groups and county agencies, with funding requests exceeding \$90,000. Currently, cooperative agreements with these organizations are being finalized and PFBC staff are conducting orientation and training for grantees.

**Project Evaluation:** Human Dimensions Consulting of Gainesville, FL, has been contracted to conduct a formal evaluation of education and outreach projects funded in the 07-08 grant cycle. The evaluation will be completed mid-2008.

**Linesville Open House:** Record crowds participated in the Linesville Open House on Sunday, April 5.

**Education and Outreach Staffing:** Three vacant Aquatic Resource Program Specialist positions have been filled. We are now working to fill the three vacant Environmental Education Specialist positions.

**Family Fishing Programs:** Commission instructors conducted more than 20 Family Fishing Programs from mid-April to mid-June. These programs reached more than 550 people. More programs are scheduled for the rest of the year.

**State Record Fish Program:** Walt Dietz led an internal workgroup reviewing the State Record Fish program and procedures. Recommendations from this workgroup will be presented to Dr. Austen in early July and put into effect for 2009.

**Boating Safety Education:** Boating Safety Education Certificates were issued to more than 6,200 students through Commission, USPS or Auxiliary courses.

Updated boating safety education course criteria were published in the Pennsylvania Bulletin in April. Five course providers submitted proposals to the Commission to become approved course providers. After staff review of the proposals, cooperative agreements were drafted, and the agreements fully

executed in late June. As a result, the Commission has entered into agreement with five different Boating Safety Education course providers, for classroom, web-based and correspondence courses.

**Publication and Product Requests:** Since January, staff have processed 1,469 new and 3,164 renewal subscriptions to *Angler & Boater*. More than 6,700 product requests were received through the Outdoor Shop for paid items such as patches, hats, books, wall charts and launch permits. In addition, staff fulfilled more than 3,000 individual requests for publications provided by the agency at no charge to the public. The average minimum request was for three different free publications, which has resulted in more than 10,000 pamphlets and maps being distributed.

**Water Trails:** Educational Media Section is currently proofreading water trail maps for Pine Creek – northern section; Pine Creek – southern section; Tidal Delaware River – Philadelphia section; Tidal Delaware River – Philadelphia-to-Marcus-Hook section; Tidal Delaware River - Trenton-to-Philadelphia section; and Three Rivers.

**Angler and Boater:** Planning the 2009 *Angler and Boater* issues and working with Marketing to incorporate promotional campaigns into the issues, particularly to make use of the new voucher law.

**Lapsed Anglers:** Marketing is finalizing a joint direct marketing mail campaign with the Recreational Boating and Fishing Foundation, targeting lapsed anglers to renew their fishing licenses. The campaign utilizes the PALS system and includes e-mail blasts, post cards and follow-up letters.

**Marketing:** Executed a multi-media campaign promoting the two opening days of trout fishing during March and April and safe boating and water trails awareness campaigns. Working with IT to analyze PALS data to implement new marketing programs, including promoting the opening day of bass season. Bringing Educational Media, Marketing and Education together to make use of available skills and to make sure common message is being conveyed to public. Improving public awareness of PFBC programs and activities using press releases, targeted stories, *Angler & Boater* articles, website and community involvement by ARPS.

**Director's Tour:** Coordinated the Director's Tour during National Fishing and Boating Week, which highlighted fishing and boating access, land management, fishing and boating recreation, tourism and media relations, and conservation/habitat projects occurring in Northeastern Pennsylvania.

**Aquatic Invasive Species:** Members of the Communications Division are working on a plan to inform the public about aquatic invasive species (AIS) and the steps anglers and boaters can take to help slow the spread of AIS, including Didymo. A "Stop Aquatic Invaders: Clean Your Gear!" waterproof poster is being finalized.

**National Fish Habitat Partnerships:** This multi-agency coordination involves several federal agencies (e.g., U.S. EPA, FWS, OSM) and state agencies (e.g., Susquehanna River Basin Commission, PA Department of Environmental Protection, Fish and Boat Commission) in an effort to facilitate collaboration on restoration projects primarily directed at abandoned mine lands (AML). Many of the participating agencies are currently involved in various restoration projects and this effort is to provide a forum for communication and collaboration on current and future projects.

**Fish and Wildlife Service and Fish and Boat Commission Coordination:** Staff from the USFWS PA Field Office-State College, Lamar Hatchery and Washington, D.C., offices met with Fish and Boat Commission staff to enhance coordination and communication on projects of mutual interest. Several Action Items were identified, including an initiative to recover the federally threatened bog turtle.

**Bog Turtle Recovery Proposal:** As a product of the meeting with the Fish and Wildlife Service, substantial interest was generated by the bog turtle presentation of Chris Urban. Working with Scott Carney (Division of Habitat Management), the PFBC was given the opportunity to submit a proposal to the National Fish and Wildlife Foundation for a competitive grant directed at coordination and on-the-ground habitat management for bog turtles. This proposal was submitted in June.

## **Regional Projects:**

- **NE Rivers and Streams Technical Committee:** This committee (co-chairs Ken Sprankle-FWS and Dave Day-PFBC) was responsible for organizing a symposium on Large Rivers of the Northeast at the NE Association of Fish and Wildlife Agencies annual meeting in Galloway, NJ. Of the approximately 20 presentations, Fish and Boat Commission staff contributing to the symposium included: John Arway, Sue Thompson, and Nevin Welte.
- **NE Monitoring and Performance Measures Framework:** The initial phase of this project concludes at the end of June and includes a major report summarizing the targets and indicators for monitoring natural resources of the Northeast. This project, when selected in 2006, was one of only 8 nationally selected projects funded by the Doris Duke Charitable Foundations. This focus of this work is support of the State Wildlife Action Plans and how the information from these plans can be used to understand the ecological health and progress of the State Wildlife Grant projects in the region.
- **NE Habitat Classification:** This project is a companion to the NE Monitoring and Performance Measures projects and will provide a common habitat classification across the Northeast for both terrestrial and aquatic systems. This project is scheduled to conclude in September, 2008.

**Landowner Incentive Program:** This U.S. FWS-funded project, administered by the Fish and Boat Commission and the Game Commission, provides funding for administrative, technical assistance and for the development of permanent conservation easements. Fish and Boat Commission staff are working with the Western Pennsylvania Conservancy (serving as the local contact) in the French Creek Watershed (Riparian Buffers Project) to develop easements for the protection of water quality and threatened and endangered species. In 2008, two conservation easements have been secured encompassing an estimated 120 acres. Several other potential easement projects are being pursued by WPC.

## **State Wildlife Grants and the PA Wildlife Action Plan:**

- **Amendment to the Wildlife Action Plan:** In the Fall 2007, the Fish and Boat Commission submitted documentation developed by Jason Detar and Tom Greene to amend the PA Wildlife Action Plan for inclusion of native eastern brook trout as a Species of Greatest Conservation Need. In March 2008, the Fish and Boat Commission received approval of this amendment from the Fish and Wildlife Service, the first such amendment to a Wildlife Action Plan in the nation.
- **State Wildlife Grants:** Administration and Executive Office staff coordinated the PFBC State Wildlife Grant (SWG) Call-for-Projects. The PFBC has typically received approximately \$1 million annually through the SWG program to support implementation of the Wildlife Action Plan (WAP). The WAP is primarily directed at management, protection and recovery of declining, threatened, and endangered animals.

**State Comprehensive Outdoor Recreation Plan:** Participating in State Comprehensive Outdoor Recreation Plan (SCORP) coordinated by DCNR in an effort to ensure that fishing, boating and related recreation are represented in the planning effort and to benefit from any outdoor recreation research being conducted as part of the planning effort.

**Interagency Coordination with DCNR:** Coordinating inter-agency meeting between DCNR (Bureaus of State Parks and Forestry) and PFBC to re-establish lines of communication and discuss operational, educational, and resource management issues that may have an effect on both organizations. This July 23 meeting will allow both agencies to discuss items of common interest, issues needing resolution, and generally how to improve our working relationship in areas where our activities overlap.

**Governor's Outdoor Task Force:** Participating in Governor's Outdoor Task Force and assisting with review of summary and recommendations report.

**Strategic Planning:** An outline of the scope of work and timetable is on the agenda for Commissioner approval at the July 2008 Commission meeting. Bid specs have been developed and will be open for bid on the DGS website with a vendor under contract in August. Bureau staff have been engaged in internal planning processes to ensure integration/alignment with the upcoming agency-wide strategic plan, such as the Statewide Access Plan and the Trout Management Plan.

**Legislation:** Act 2 of 2008 (HB 1109) established the \$.70 pass through fee for licenses and permits, no fees for replacement permits, no one-day licenses between March 15 and April 30 annually and a rewrite of PA F&B Code, Section 2711. Act 26 of 2008 (SB 880) allows issuing agents of the PA Fish and Boat Commission to sell vouchers for licenses and permits.

The Pennsylvania General Assembly passed HB-2004 and the Governor signed this bill into law as Act 17 of 2004 on March 24, 2004. This legislation increased the horsepower limit at Pymatuning Lake from 10 h.p. to 20 h.p. However, no horsepower increase could occur because a compact exists between Pennsylvania and Ohio with respect to the management and operation of Pymatuning Lake. Changes can be made to the compact only when both states have enacted similar legislation. The horsepower limit for Pymatuning Lake was not officially increased until June 13, 2008, when the Governor of Ohio signed legislation into law that was nearly identical to Pennsylvania's Act 17 of 2004. Senator R. Robbins (PA), Representative J. Evans (PA), Representative D. Newcomb (OH), the Pennsylvania Fish and Boat Commission, the PA Bureau of State Parks, the OH Division of Watercraft and the OH Division of State Parks were instrumental in obtaining the 20 h.p. limit at Pymatuning Lake, Crawford County, PA and Ashtabula County, OH.

**High-Hazard Dams:** A great deal of time was dedicated to the Governor's *Rebuilding Pennsylvania* initiative as related to the high-hazard dams owned by the Commonwealth and managed by the PA Fish and Boat Commission. Meetings were conducted in all legislative areas where such a dam exists. Most participants were positive and offered good comments and suggestions.

**Resource First:** Developed a white paper on the meaning of Resource First.

**American Fisheries Society 2010 Conference:** Began preparations for hosting the 2010 American Fisheries Society conference in Pittsburgh.

**Abandoned Mine Lands:** Convened meetings with federal and state agencies to coordinate locations of restoration efforts especially associated with AML/AMD. Initiated effort to work proactively with other agencies and non-profit partners to secure access on AMD-impacted streams scheduled to be reclaimed in the coming years.

**Property Management:** Developed a policy for the ecological management of PFBC properties. This policy will result in management plans for facilities to address safety, trust species and other site-specific needs. Eight sites selected for 2008 planning.