



ManorCare Health Services—McMurray
113 West McMurray Road
McMurray, PA 15317

ManorCare Health Services—Monroeville
885 MacBeth Drive
Monroeville, PA 15146

ManorCare Health Services—North Hills
1105 Perry Highway
Pittsburgh, PA 15237

ManorCare Health Services—York North
1770 Barley Road
York, PA 17404

ManorCare Health Services—York South
200 Pauline Drive
York, PA 17402

Shadyside Nursing and Rehabilitation Center
5609 Fifth Avenue
Pittsburgh, PA 15232

Sky Vue Terrace
2170 Rhine Street
Pittsburgh, PA 15212

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division at the address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-474. Filed for public inspection March 12, 2010, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Commercial Fishing—2010

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(b) (relating to seasons), has determined that the 2010 total allowable commercial catch for walleye from this Commonwealth's waters of Lake Erie is 4,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to midnight March 15 and 12:01 a.m. the first Saturday in May to December 31. This season shall end when the Executive Director determines that 4,000 pounds of walleye probably have been

taken by commercial fishing interests fishing in this Commonwealth's waters of Lake Erie.

The Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established that the 2010 total allowable commercial catch for yellow perch from this Commonwealth's waters of Lake Erie is 60,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 60,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in this Commonwealth's waters of Lake Erie.

BRIAN P. BARNER,
Acting Executive Director

[Pa.B. Doc. No. 10-475. Filed for public inspection March 12, 2010, 9:00 a.m.]

Proposed Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of Pennsylvania's naturally reproducing trout fisheries. The Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

The criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Abundance Class Criteria include provisions for:

(i) Wild Brook Trout Fisheries.

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) Wild Brown Trout Fisheries.

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) Mixed Wild Brook and Brown Trout Fisheries.

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) Wild Rainbow Trout Fisheries.

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

For a water to be removed from the Class A Wild Trout Streams designation, total trout biomass must be documented the set criteria for two consecutive stream examinations.

During recent surveys, Commission staff have documented the following stream sections to have Class A Wild Trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on April 19 and 20, 2010.

County	Stream	Limits	Brook Trout Biomass (kg/ha)	Length (miles)
Columbia/ Sullivan	Coles Creek	Headwaters to confluence Marsh Run	45.60	1.73
Columbia	Fallow Hollow	Headwaters to mouth	43.75	0.98
Columbia	Hess Hollow	Headwaters to mouth	33.75	1.84
Pike	Birchy Run	Headwaters to confluence Shohola Creek	79.18	2.21
Pike	Buchards Creek	Pond Outflow downstream of Gravel Pit and Pine Road Access downstream to confluence Taylortown Creek	32.72	1.89
Luzerne	UNT to Lehigh River downstream FEW Gage RM 76.52	Headwaters downstream to confluence Lehigh River	38.34	1.11
Carbon	UNT to Lehigh River RM 58.48 (1st tributary downstream from Black Creek West Bank)	Headwaters downstream to confluence with Lehigh River	45.12	1.25
Carbon	UNT to Lehigh River RM 58.09 (2nd tributary downstream from Black Creek West Bank)	Headwaters downstream to confluence with Lehigh River	120.38	1.19
Schuylkill/ Carbon	White Bear Creek	Headwaters downstream to inlet of Mauch Chunk Creek	94.75	3.14

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 10-476. Filed for public inspection March 12, 2010, 9:00 a.m.]

Proposed Special Regulation Redesignation

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations

are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

The Commission manages Bowmans Creek Section 04, Wyoming County, under § 65.14 (relating to catch and release fly-fishing only areas). The current section limits read as follows: "From the vicinity of SR 292 downstream to near the confluence with Marsh Creek." These limits are vague and have caused confusion among anglers. Historically, the upstream limit was intentionally vague because an individual who owned a short strip of land downstream from the SR 292 bridge wished to fish with bait on his property. That land has changed hands, and the new owners have agreed to catch and release fly-fishing only regulations.

At the next Commission meeting on October 19 and 20, 2010, the Commission will consider redefining the limits of the catch and release fly-fishing only area on Bowmans Creek to read as follows: "From the SR 292 bridge downstream to the confluence with Marsh Creek." This redesignation, if approved, will be effective upon publication in the *Pennsylvania Bulletin*.

At this time, the Commission is soliciting public input concerning the redesignation. Persons with comments,