

## Notice Removal of Certain Refuge Areas

Under 58 Pa. Code §67.2 (relating to refuge areas), the Executive Director of the Fish and Boat Commission (Commission), with the approval of the Commission, may designate waters as refuge areas to which section 2306 of the Fish and Boat Code, 30 Pa. C.S. §2306 (relating to refuge areas), shall apply. Section 2306 provides that the Commission may set aside, in its discretion, such areas as it may judge best as refuge areas in which fishing or entry shall be prohibited for such periods of time as the Commission prescribes. According to the regulation, the designation of waters as refuge areas shall be effective upon posting of the waters after publication of a notice that the waters have been so designated in the *Pennsylvania Bulletin*. Refuge areas are closed to public fishing except during the period from June 15 until the last day of February of the following year. It is unlawful to disturb fish or other aquatic life in refuge areas by any means, including wading, throwing stones, rocks or other objects or otherwise agitating the waters. The regulation will not be construed to prohibit fishing in such areas during the extended trout season.

Based on current conditions, there are reasons to remove the refuge area designation from 18 streams. For example, some streams are no longer being maintained as marked refuge areas, some streams are no longer stocked with trout and some streams are simply not being well utilized by anglers. These conditions are inconsistent with the premise for the use of refuge areas. Therefore, the Commission, at its next meeting on July 12 and 13, 2010, will consider taking action to remove the refuge area designations from the sections of the following waters that have been so designated:

County	Water Area
Cambria/Clearfield	Chest Creek
Clearfield	Little Clearfield Creek
Clearfield	Gifford Run
Clearfield	Mosquito Creek

County	Water Area
Elk	Bear Creek
Elk	Big Mill Creek
Elk/McKean	Wilson Run
Forest	Bluejay Creek
Luzerne/Wyoming	Bowman Creek
Lycoming	White Deer Hole Creek
McKean	Combs Creek
McKean	East Branch Tunungwant Creek
McKean	Lewis Run
Monroe	Tobyhanna Creek
Snyder	Swift Run
Schuylkill	Little Schuylkill River
Warren	Farnsworth Branch
Warren	West Branch Tionesta Creek

The sections of the following waters that have designated as refuge areas will remain in the program.

County	Water Area
Cameron	Hicks Run
Cameron	Mix Run
Cameron	Upper Jerry Run
Cameron	Wykoff Run
Clearfield	Jack Dent Branch
Elk	Medix Run
McKean	Chappel Fork
McKean	Kinzua Creek
McKean	Kinzua Creek, South Branch
McKean	Skinner Creek
McKean	Sugar Run
McKean	Sugar Run, North Branch
McKean	Tionesta Creek, East Branch
McKean	Two Mile Run
McKean	Willow Creek
McKean	Wilson Run
Warren	Two Mile Run

At this time, the Commission is soliciting public input concerning the above re-designations. Persons with comments, objections or suggestions concerning the re-designations are invited to submit comments in writing to Executive Director, Pennsylvania 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 submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://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.

FOR THE PENNSYLVANIA FISH AND BOAT COMMISSION:

John A. Arway  
Executive Director