

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA FISH AND BOAT COMMISSION

Notice

**Temporary Change to Fishing Regulations
Delaware River, West Branch Delaware River, and River Estuary**

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code §65.25 (relating to temporary changes to fishing regulations), has taken immediate action to amend 58 Pa. Code § 61.2 (relating to Delaware River, West Branch Delaware River and River Estuary). Specifically, the Executive Director has amended this section to change the minimum size limit for Striped Bass to a 28 to less than 35 inch slot limit in the Delaware Estuary (from the Pennsylvania line upstream to Calhoun Street Bridge) and Delaware River (from the Calhoun Street Bridge upstream) during the periods January 1 through March 31 and June 1 through December 31 (one fish daily limit), and to change the slot limit during the period April 1 through May 31 to 21 to less than 24 inches (two fish daily limit). The Executive Director also has amended the section to require the use of non-offset (in-line) circle hooks when fishing with bait for any species of fish in the tidal Delaware Estuary, including tributaries from the mouths of the tributaries upstream to the limit of tidal influence. These actions are being taken to meet the requirements of the Atlantic States Marine Fisheries Commission (ASMFC).

ASMFC's management plan for Striped Bass calls for management actions when the coast-wide spawning stock biomass (SSB) or fishing mortality rates reach thresholds set within the management plan. The SSB threshold is 201 million pounds, and the current SSB is below this at 151 million pounds. At the current fishing mortality rates, there is concern that the SSB will fall further below the threshold in the future under current management and fishing pressure. Also, because catch and release practices contribute substantially to overall fishing mortality, states are also required to implement mandatory circle hook requirements when fishing with bait

to reduce release mortality in recreational Striped Bass fisheries. The ASMFC Striped Bass Management Board, which includes the Commonwealth as a member, has directed all coastal states to reduce fishing mortality rates by 18% beginning 2020 and require circle hooks by 2021. Pennsylvania is taking proactive measures to implement circle hook requirement beginning in 2020 to inform anglers and facilitate compliance with this important conservation measure ahead of the ASMFC mandate for implementation beginning in 2021. The amendments to § 61.2 are designed to meet this objective.

To address the coast-wide regulation directed by the ASMFC, the Commission’s Executive Director has taken immediate action to make the following modifications to fishing regulation:

§ 61.2. Delaware River, West Branch Delaware River, and River Estuary.

* * * * *

(d) It is unlawful to fish with bait for any species of fish in the tidal Delaware Estuary, including tributaries from the mouths of the tributaries upstream to the limit of tidal influence using any hook type other than non-offset (in-line) circle hooks. The definition of a non-offset (in-line) circle hooks is a non-offset hook where the point is pointed perpendicularly back towards the shank. The term “non-offset” means the point and the barb are in the same plane as the shank.

[(d)] (e) The following seasons, sizes, and creel limits apply to the Delaware River, West Branch Delaware River, and Delaware Estuary and tributaries, from the mouths of the tributaries upstream to the limit of the tidal influence, and the Lehigh River from its mouth upstream to the first dam in Easton, Pennsylvania:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
* * * * *			
STRIPED BASS and HYBRID STRIPED BASS	From Pennsylvania line upstream to Calhoun Street Bridge: January 1 until March 31 and June 1 until December 31.	[28] <u>28 to less than 35 inches</u>	1
	April 1 through May 31	21 to [25] <u>less than 24 inches</u>	2

	From Calhoun Street Bridge upstream: open year-round	[28] <u>28 to less than 35 inches</u>	1
* * * * *			

The Executive Director has found that this action is necessary and appropriate for the management of fish and to conserve and preserve fishing opportunities. The temporary modifications will go into effect on April 1, 2020, and will remain in effect until the Commission, by appropriate action, amends § 61.2. At its meeting on April 27, 2020, the Commission will consider the publication of a notice of proposed rulemaking containing the proposed amendments and soliciting public comments for a period of 30 days.

FOR THE PENNSYLVANIA FISH AND BOAT COMMISSION:

Timothy D. Schaeffer
Executive Director