

## Order Adopting Amendment

### COMMONWEALTH OF PENNSYLVANIA PENNSYLVANIA FISH AND BOAT COMMISSION

#### Title 58. Recreation Part II. Fish and Boat Commission Chapter 65 Fishing

## Preamble

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa. C.S. (relating to the Fish and Boat Code) (code).

A. *Effective Date*

The final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the final-form rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's website at [www.fishandboat.com](http://www.fishandboat.com).

C. *Statutory Authority*

The amendment to § 65.14 (relating to catch and release fly-fishing only) is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. *Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the final-form amendment is described in more detail under the summary of change.

E. *Summary of Change*

In an ongoing attempt to simplify regulations, the Commission is continually looking at ways to improve upon current regulations. One area that has come into question recently is the 18 feet maximum length of leader material or monofilament line allowed in catch and release fly-fishing only areas.

In examining this question, it was brought to the Commission's attention that this limitation also excludes several acceptable fly-fishing practices such as European Nymphing. Law enforcement staff indicate that rarely is the length of leader material measured as it does not create significant problems streamside.

Based on these findings, the Commission amends § 65.14 to read as set forth in the proposed rulemaking published at 47 Pa. B. 5786 (September 16, 2017).

F. *Paperwork*

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

The final-form rulemaking will not have adverse fiscal impacts on the Commonwealth or its political subdivisions. The final-form rulemaking will not impose new costs on the private sector or general public.

H. *Public Involvement*

A notice of proposed rulemaking was published at 47 Pa. B. 5786. The Commission did not receive any public comments regarding the proposal.

**FINDINGS**

The Commission finds that:

- (1) Public notice of intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§1201, 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided, and no public comments were received.
- (3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statute.

**ORDER**

The Commission, acting under the authorizing statutes, orders that:

- (A) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.14 to read as set forth at 47 Pa. B. 5786.
- (B) The Executive Director will submit this order and 47 Pa. B. 5786 to the Office of Attorney General for approval as to legality and form as required by law.
- (C) The Executive Director shall certify this order and 47 Pa. B. 5786 and deposit them with the Legislative Reference Bureau as required by law.
- (D) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

For the Pennsylvania Fish and Boat Commission

John A. Arway  
Executive Director