

**Commonwealth of Pennsylvania
Pennsylvania Fish and Boat Commission
Harrisburg, Pennsylvania**

MINUTES

136th Meeting

Volume 71

**HARRISBURG, PENNSYLVANIA
January 28, 2020**

Table of Contents

Pledge of Allegiance	99
Roll Call.....	99
Review and Approval of Minutes from the October 22 Meeting	99
Awards and Presentations	99
Executive Director’s Report.....	100
Announcement of Executive Session	101
Reports of Commissioner Committees	101
• Executive and Administrative	101
• Boating.....	101
• Fisheries and Hatcheries	101
• Habitat and Environmental	101
• Law Enforcement.....	101
• Legislation and Public Outreach.....	101
Public Comment to Commissioners and Staff	101
EXECUTIVE AND ADMINISTRATIVE.....	102
PROPERTY ACCESS AND REAL ESTATE MATTERS.....	102
A. Property Disposition of the Hyner Access Property, Clinton County	102
FINAL RULEMAKING	104
B. Amendment to Section 63.2 (Display of Fishing License and Verification of License Purchase).....	104
BOATING	107
FINAL RULEMAKING	107
A. Amendment to Section 119 (Motorboat Noise Control)	107
FISHERIES	109
FINAL RULEMAKING	109
A. Amendment to Section 69.12 (Seasons, Sizes, and Creel Limits): Lake Erie, Lake Erie tributaries, and Presque Isle Bay including peninsula waters, Erie County	109
PROPOSED RULEMAKING.....	111
B. Amendment to Section 63.50 (Importation of Tautog)	111
DESIGNATIONS.....	113
C. Proposed changes to the list of Class A Wild Trout Streams	113
D. Classification of Wild Trout Streams: proposed additions and revisions	114

LAW ENFORCEMENT.....	116
PROPOSED RULEMAKING.....	116
A. Amendment to Section 63.19 (Sale and Purchase of Fish)	116
LEGISLATION AND PUBLIC OUTREACH.....	118
OTHER MATTERS	118
A. Resolution Urging Congress for the Reauthorization of Collection Fees to the Abandoned Mine Land Reclamation Fund.....	118
Other New Business	122
Time and Place of April 2020 Commission Meeting	122
Adjournment.....	122

Commonwealth of Pennsylvania
Pennsylvania Fish and Boat Commission

Minutes

The 136th Meeting of the Pennsylvania Fish and Boat Commission was held on Monday and Tuesday, January 27-28 at the Pennsylvania Fish and Boat Commission headquarters, 1601 Elmerton Avenue, Harrisburg, PA 17110.

Commission committees met on January 27, beginning at approximately 10:45 a.m. The public session for review of this agenda began on or around 1:30 p.m. on the 28th.

Call to Order

The meeting was called to order by Commission President Hussar and was followed by the Pledge of Allegiance to the Flag.

Roll Call

Members Present

Eric C. Hussar, President
Rocco S. Ali
Donald K. Anderson
Charles J. Charlesworth
William J. Gibney
Richard S. Kauffman
Daniel J. Pastore
Robert B.J. Small

Members Not Present

Richard Lewis, Vice President
William C. Brock

Review and Approval of Minutes from the October 22, 2019 Meeting

A motion was made by Commissioner Anderson and seconded by Commissioner Ali to approve the October 22 minutes as written. Motion carried.

Awards and Presentations

Waterways Conservation Officer (WCO) Bob Bonney presented Damian and Mary DiEuliis with the Stanley Long Award for all of their help in stocking fish. Damian has been volunteering for the PFBC for the past 40 years, with Mary volunteering for 36 years. Damian has been the "Stocking Manager" for the past 23 years. Twenty-two years ago they moved to Danville, Pa and still participate in every pre and in-season stocking, which allows the WCO to focus on

traffic control. Additionally, Damian and Mary DiEuliis regularly assist six other districts with their stockings.

Denise Enders, a retired U.S. Army Colonel and former State Chair of our Pennsylvania Committee, presented Colonel Corey Britcher the Patriot Award. A member of the Guard or Reserve may nominate a supervisor for the Patriot Award to recognize the supervisor for support provided directly to the service member or their family. The Patriot Award reflects the efforts made to support citizen warriors through a wide range of measures including flexible scheduling, time off prior to and after deployments, caring for families, and granting leaves of absence if needed.

In SSGT Ryan Walt's recommendation, he noted that Corey Britcher serves as a role model, displays a positive attitude, and demonstrates the highest level of commitment to the agency's staff and their career development. He also stated that he exemplifies leadership, integrity and vision. He also indicated that Corey Britcher and the Pennsylvania Fish and Boat Commission are supportive of the Guard and Reserve.

Tim Klinger selected Ashley Nikles for the Wave of Excellence. Ashley received a plaque commemorating her selection for the award. She will also have an opportunity to visit Station 22 for a "getaway weekend" and to proudly display the "Wave Statue" for the next six months before passing the award along to the next candidate.

Ashley began her Commonwealth career in the Temporary Clerical Pool in May of 2016. She was officially hired by the Fish and Boat Commission's Bureau of Outreach, Education and Marketing in October of 2016. Ashley graduated from Penn State in 2005 with a degree in Public Relations and a Business minor. Outside of work, she volunteers for the American Cancer Society and is an event chair for Relay for Life of Hershey-Harrisburg.

Tim stated his reason for selecting Ashley as follows: "One of Ashley's many duties is handling calls and emails from the general public. I've been involved on some of these or observed how she handles them, and I'm continually impressed with her commitment to satisfying our customers and her persistence regarding finding answers when needed from others." Ashley has also been very helpful with the website through proofreading and discovering errors or information that might not be clear. In addition, she also provides suggestions which contributes to making our site even better. "That's not my job" is not in Ashley's vocabulary. It is clear that her priority is to simply end up with a successful resolution in everything she handles.

Ashley supports the Bureau staff, which requires a varied set of skills to match the many facets of all the Bureau does. Tim said examples of her excellence are too numerous to list, but he believes her greatest strength is her sense of humor and overall positive attitude that makes for a good work environment.

Executive Director's Report

The "October-December 2019 Quarterly Report" was provided to Commissioners (Exhibit A). Executive Director Timothy Schaeffer discussed numerous projects and programs that staff are currently focused on.

Announcement of Executive Sessions

Commissioner Hussar announced that an executive session was held on Monday, January 27, at approximately 8:00 a.m. and Tuesday, October 22, to discuss personnel matters, potential real estate acquisitions, and pending litigations.

Reports of Commissioner Committees

Executive and Administrative (Commissioner Hussar)

The Executive and Administrative Committee met on Monday, January 27, at approximately 10:40 a.m. Agenda items were discussed. Bernie Matscavage provided a Guaranteed Energy Savings Act (GESA) update.

Boating (Commissioner Anderson)

The Boating Committee met on Monday, January 27, at approximately 3:20 p.m. Colonel Corey Britcher discussed the 2019 Recreational Boating Safety Performance Report. Scott Bollinger presented on the Boating Facilities Grant Program.

Fisheries and Hatcheries (Commissioner Kauffman)

The Fisheries and Hatcheries Committee met on Monday, January 27, at approximately 1:00 p.m. Agenda items were discussed. Andy Shiels provided an update on the Voluntary Permits. Brian Chikotas presented on Atlantic States Marine Fisheries Committee Atlantic Striped Bass regulations.

Habitat and Environmental (Commissioner Small)

The Habitat and Environmental Committee met on Monday, January 27, at approximately 11:05 a.m. A harmful Algal Blooms presentation was provided by Heather Smiles. Ben Page gave an update on Lake Habit Improvement Projects.

Law Enforcement (Commissioner Ali)

The Law Enforcement Committee met on Tuesday, October 22, at approximately 9:15 a.m. One agenda item was discussed. The Committee acted upon one proposed revocation. The Committee revoked the fishing privileges of one individual for two years.

Legislation and Public Outreach (Commissioner Lewis)

The Legislation and Public Outreach Committee met on Monday, January 27, at approximately 11:40 a.m. One agenda item was discussed. Mike Nerozzi provided a Legislative Update. Amber Nabors presented on the Vamos A. Pescar Program. Michelle Kittell from the Wildlife Leadership Academy gave a presentation of their youth program. Morell King presented the Chesapeake Bay Commission legislative priorities.

Public Comment to Commissioners and Staff

Harold Daub, Executive Director of Pennsylvania Federations of Sportsmen and Conservationists, made a public comment expressing his organization's support for everything the PFBC is doing to provide opportunities for anglers in the Commonwealth.

EXECUTIVE AND ADMINISTRATIVE PROPERTY ACCESS AND REAL ESTATE MATTERS

A. Property Disposition of the Hyner Access Property, Clinton County.

Commentary:

The Commission owns a +/-1.4-acre property in Chapman Township, Clinton County, known as the Hyner Access. The access is located approximately 20 miles northwest of Lock Haven and approximately 3.4 miles downstream from the Commission's North Bend Access, as shown on Exhibit B 1 of 2. The Commission acquired the Hyner Access in 1989 from the Pennsylvania Department of Transportation (PennDOT) when they relocated the State Route 120 bridge over the West Branch of the Susquehanna River upstream, leaving the old road as surplus property, as shown on Exhibit C 2 of 2. The access has 85 feet of frontage along the West Branch of the Susquehanna River, although due to the shallowness of the river here, use is limited to small non-trailer watercraft. In 2009, the Hyner Access and North Bend Access were leased to Chapman Township to allow for the local operation and management of the access sites, thus reducing the maintenance burden on the Commission and allowing for improved coordination with the local community.

Recently, Chapman Township contacted the Commission requesting that Hyner Access be conveyed to them. The Township reasoned that if they took title to the access, they could incorporate the existing road into their public road system, which would qualify it for PennDOT's annual liquid fuels funding. These funds could be used to assist with the operational costs and upgrade of Hyner Access. After consultation with PennDOT, it was decided that the best scenario for the conveyance was for the Commission to transfer Hyner Access back to PennDOT, who in turn would convey it to the Township through their standard road turnback program. For the road at Hyner Access to qualify for liquid fuels funding, a cul-de-sac will need to be constructed, and some other minor upgrades performed by the Township with funds provided by PennDOT.

Staff is asking for authorization to transfer Hyner Access to PennDOT, who consequently will convey it to Chapman Township for its continued use as public property. Language will be placed in the transfer document requiring the property be available for free public access, fishing and boating. The conveyance is conditional on PennDOT being able to convey the access to Chapman Township within three years of the Commissioners' approval of this agenda item. If PennDOT is not able to complete the conveyance to Chapman Township within the aforesaid time frame, PennDOT would have the right to transfer Hyner Access back to the Commission. Staff will adhere to the Commission's standard practices for property disposition, including meeting due diligence requirements.

Briefer:

Brian P. Barner, Deputy Director, Office of Administration

Recommendation:

Staff recommend that the Commission authorize the disposition of the Hyner Access as described in the Commentary.

Action:

A motion was made by Commissioner Ali and seconded by Commissioner Kauffman to authorize the disposition of the Hyner Access as described in the Commentary. Motion carried.

EXECUTIVE AND ADMINISTRATIVE FINAL RULEMAKING

B. Amendment to Section 63.2 (Display of Fishing License and Verification of License Purchase).

Commentary:

The Commission is constantly exploring new ways to provide greater convenience for anglers and boaters. In recent years, anglers have remarked that the Commission's requirement to display fishing licenses on an outer garment is antiquated and often inconvenient, particularly when an angler is purchasing a license online on relatively short notice and does not have a license holder. Another common complaint is that due to the display requirement, anglers often lose their license after it becomes unattached somewhere along a stream or on a boat. In these situations, the angler then incurs the added cost of purchasing a duplicate license.

Nationwide, Pennsylvania is one of only three states to still require the display of a fishing license, along with Delaware and New Jersey. In 2012, the Pennsylvania Game Commission removed the display requirement for hunting licenses, which has generally been well received by their customers. This change added more confusion for anglers and has led to complaints fielded by waterways conservation officers and regional staff. Removing the display requirement for fishing licenses would provide greater consistency between the two agencies, as many hunters are also anglers. This final rulemaking would also help facilitate the eventual purchase and storage of fishing licenses on mobile applications.

In looking at all aspects of removing the display requirement, the most obvious downside is that officers will need to do a field check on every angler since that will be the only way to verify whether or not someone has a license. This practice may lead to more complaints from anglers who get checked multiple times throughout a season; however, the final rulemaking would allow anglers to continue displaying their license if they prefer. Additionally, the removal of the display requirement will not change the practice of giving an individual seven days to provide proof of a license purchase when caught without a license in their possession.

A similar rulemaking was approved at the July 2017 Commission meeting. The proposed rulemaking was tabled shortly thereafter due to concerns from the Office of the Attorney General that the measure also allowed the display of licenses using a mobile device, which would require an amendment to Pa. C.S. 30 § 2710 removing the requirement for licenses to be signed "in ink." Staff are concurrently pursuing legislation to remove this provision so a mobile device may be used in the future. This final rulemaking would only remove the display requirement, not authorize display on a mobile device.

Staff propose that § 63.2 be amended as follows:

§ 63.2. **[Display] Possession** of fishing license and verification of license purchase.

(a) *Officers designated to check licenses.* A person fishing in waters of this Commonwealth or in boundary waters shall show his fishing license upon the request of a waterways conservation officer, deputy waterways conservation officer or other officer authorized to enforce the code or this title under section 903 of the code (relating to delegation of enforcement powers).

(b) **[Display on an outer garment] Possession of fishing license.** It is unlawful for a person required by Chapter 27 of the code (relating to fishing licenses) to purchase a fishing license to fish in the waters of this Commonwealth or in boundary waters **or land** unless the person **has a valid fishing license certificate and associated permits on his person and shows them upon the request of an officer. A person may elect to [displays the] display a** license certificate, a license button or other device approved by the Executive Director on a hat or outer garment while fishing. **If a license button or other device is displayed, the person shall carry the license on his person. [A warning will be issued for a first violation of this section if the person has a valid fishing license in his possession and about his person and shows it upon request.]** An institutional license issued under section 2708 of the code (relating to institutional licenses) may be **[displayed] possessed** or maintained by the person fishing or by the person attending the person who is fishing. **[If a license button or other device is displayed instead of the license certificate, the person shall carry the license certificate about his person.]**

(c) *Fishing without a license in possession.*

(1) When a **[resident of this Commonwealth] person** is apprehended for fishing without a license in his possession and claims that he previously purchased a valid fishing license for that year, the officer apprehending the individual shall give the individual 7 days to produce the original of the license certificate, if the individual provides to the officer's satisfaction, at the time of apprehension, positive proof of identity and a residence address within this Commonwealth. The original license certificate shall show all required permits and a purchase date and time prior to the date and time of apprehension.

(2) If it is inconvenient for the individual to produce the certificate in person, the officer may permit the individual to mail the original license certificate to the officer together with a stamped, self-addressed return envelope. If the officer permits the individual to mail the original license certificate to the officer, the officer shall provide the individual with a receipt or other documentation allowing the individual to fish during the period that the original license certificate is not in his possession.

(3) Upon receipt of the original license certificate, the officer shall examine and verify it and return it to the licensee.

(4) If the person apprehended fails to send the original license certificate and required permits to the officer within the time allotted, the officer shall institute summary proceedings against the individual in the manner prescribed by law.

A notice of final rulemaking was published at 49 Pa. B. 7413 (December 21, 2019) (Exhibit D).

Briefer:

Brian P. Barner, Deputy Director, Office of Administration

Recommendation:

Staff recommend that the Commission adopt the amendments as set forth in the notice of proposed rulemaking. If adopted, the amendments will go into effect upon publication in the *Pennsylvania Bulletin*.

Action:

A motion was made by Commissioner Gibney and seconded by Commissioner Ali to adopt the amendments as set forth in the notice of proposed rulemaking. The amendments will go into effect upon publication in the *Pennsylvania Bulletin*. Motion carried.

BOATING FINAL RULEMAKING

A. Amendment to Section 119 (Motorboat Noise Control).

Commentary:

Over the last several boating seasons the Commission has received multiple complaints about motorboat noise levels and a request for more enforcement. Under 58 Pa. Code Chapter 119, regulations requiring mufflers and various noise levels for motorboats were established in June 1994. This rulemaking package was based on a model act provided by the National Association of State Boating Law Administrators (NASBLA). Even though the Commission adopted most of the recommendations from NASBLA, determining if a boat is in violation of the regulation is very subjective. Additionally, standards adopted have never truly been enforceable due to the lack of training and device guidelines.

Starting in 2018, the Commission staff began exploring the standards used and regulations in place in other states. It is believed with a few minor language adjustments, the Commission will be able to establish a training program utilizing recognized devices and be able to better address the complaints from around the waterways in this Commonwealth. This amendment was vetted and approved by the Boating Advisory Board on June 27, 2019.

A notice of proposed rulemaking was published at 49 Pa. B. 5215 (September 7, 2019) (Exhibit E). The Commission received one public comment in support of the proposal.

Staff propose the following amendment:

§ 119.3. Prohibited acts—5123(a)3 and 5123(a)5.

(a) A person may not operate and an owner may not give permission for the operation of a motorboat upon the waters of this Commonwealth that is equipped with an altered muffler or a muffler cutout, bypass or other device designed or so installed so that it can be used continually or intermittently to bypass or otherwise reduce or eliminate the effectiveness of a muffler or muffler system installed under this chapter.

* * * * *

§ 119.6. Pass-by test—5123(a)3.

A person may not operate a motorboat on the waters of this Commonwealth that exceeds a noise level of 82dB(a) measured as specified in SAE [J34] J1970. The measurement may not preclude a stationary sound level test as prescribed in § 119.5 (relating to stationary test) if an officer has reason to believe that the motorboat is being operated in excess of the noise levels established in § 119.5.

§ 119.8. Enforcement.

(a.) An officer authorized to enforce this chapter who has reason to believe that a **[vessel] motorboat** is being operated in excess of the noise levels established in this chapter may direct the operator of the **[vessel] motorboat** to submit the **[vessel] motorboat** to an onsite test to measure noise levels. If the **[vessel] motorboat** exceeds the decibel levels established by this chapter, the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the **[vessel] motorboat** to a mooring and keeping the **[vessel] motorboat** at the mooring until the violation is corrected or ceases.

(b.) Any law enforcement officer who conducts motorboat noise level tests as provided in this chapter shall be qualified in motorboat noise testing by the Commission. These qualifications shall include but are not limited to the selection of the measurement site, and the calibration and use of noise testing equipment.

(c.) Measurements for either a Stationary or Pass-by Test will be made by a sound level meter which satisfies ANSI-S 1.4-1983, Type 2 or equivalent.

Briefer:

Colonel Corey Britcher, Director, Bureau of Law Enforcement

Recommendation:

Staff recommend that the Commission adopt the amendments as set forth in the notice of the proposed rulemaking. If adopted on final rulemaking, these amendments will go into effect upon publication in the *Pennsylvania Bulletin*.

Action:

A motion was made by Commissioner Anderson and seconded by Commissioner Charlesworth to adopt the amendments as set forth in the notice of the proposed rulemaking. These amendments will go into effect upon publication in the *Pennsylvania Bulletin*. Motion carried.

FISHERIES

FINAL RULEMAKING

- A. Amendment to Section 69.12 (Seasons, Sizes, and Creel Limits): Lake Erie, Lake Erie tributaries, and Presque Isle Bay including peninsula waters, Erie County.

Commentary:

Past Commission actions gave authority to the Executive Director to adjust harvest limits for Walleye and Yellow Perch based upon adaptive management methods for Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters. Such flexible management strategies serve to maintain consistency in angler catch rate given the vagaries of weather and other biotic and abiotic influences upon recruitment or production of young for these species.

Following that approval, staff identified a slight discrepancy in the start date of Walleye season for Inland Waters and Lake Erie waters. In both cases the start date occurs within one week of one another.

To maintain regulatory consistency and simplicity, staff recommend the Lake Erie, Lake tributaries, Presque Isle Bay, and peninsular water Walleye seasonal opening days be the same as that for Commonwealth Inland Waters. This small housekeeping change is expected to be unnoticed by anglers and have negligible impact upon fishing opportunity but will serve to simplify and make clear harvest rules applicable to Walleyes across much of the Commonwealth.

A notice of proposed rulemaking was published at 49 Pa. B. 7298 (December 14, 2019) (Exhibit F). The Commission did not receive any public comments regarding the proposal.

Staff propose the following amendment:

§ 69.12. Seasons, Sizes, and Creel Limits – Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters.

<i>County</i>	<i>Name of Water</i>	<i>Species</i>	<i>Seasons</i>	<i>Minimum Size</i>	<i>Daily Limit</i>
***	***	***	***	***	***
Erie	Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters	Walleye	January 1—March 14; and [May 1]<u>12:01 a.m. first Saturday in May to midnight, December 31</u>	15 inches	Established annually by April 15**
***	***	***	***	***	***

** See § 69.12b (relating to Lake Erie Walleye and Yellow Perch adaptive management for establishing daily limits). After the Executive Director establishes the daily limit for the year, the information will be posted on the Commission’s web site and available from any Commission office.

Briefer:

Andrew L. Shiels, Deputy Director of Field Operations

Recommendation:

Staff recommend the Commission adopt the amendment as set forth in the notice of proposed rulemaking. If adopted, the amendment will go into effect upon publication in the *Pennsylvania Bulletin*.

Action:

A motion was made by Commissioner Small and seconded by Commissioner Anderson to adopt the amendment as set forth in the notice of proposed rulemaking. The amendment will go into effect upon publication in the *Pennsylvania Bulletin*. Motion carried.

FISHERIES PROPOSED RULEMAKING

B. Amendment to Section 63.50 (Importation of Tautog).

Commentary:

Tautog (*Tautoga onitis*), also known as “Tog” or “Blackfish,” are an Atlantic Ocean, coastal, bottom-dwelling marine fish most commonly found around structure(s) such as wrecks and reefs in offshore waters and jetties, piers, and rocky areas in near shore waters. Tautog range from Nova Scotia to Georgia, but their core populations reside between Virginia and Massachusetts. They are stout, solidly built fish averaging between two and eight pounds, with the current world record at 28 pounds. They are slow growing and can reach 35-40 years of age. Because they strongly relate to structure(s), Tautog are easy for commercial and recreational anglers to locate and not difficult to catch with the right bait and tackle. Tautog are considered excellent table fare by both recreational and commercial fishers. In the mid-1980s, Tautog harvests peaked at over 7 million fish, but in recent years declined to approximately 500,000 fish. There was a trend towards substantial numbers of Tautog caught by “recreational” anglers without commercial licenses and sold into the commercial market. These fish are unaccounted for in distribution between recreational and commercial fishing quotas and confound fisheries management planning. Due to their commercial value and reduced population levels, the Atlantic States Marine Fisheries Commission (ASMFC) determined that additional regulatory action must take place to address illegal harvest.

The Commonwealth of Pennsylvania is a member of the ASMFC, and PFBC Executive Director Tim Schaeffer is the Administrative member for Pennsylvania. At its fall 2019 meeting, the ASMFC requested Pennsylvania develop regulations requiring all Tautog possessed for commercial purposes or sold in Pennsylvania to be properly tagged following the ASMFC Tautog tagging program guidelines. States along the Atlantic Coast with commercial Tautog fisheries must issue serial numbered tags to commercial harvesters and all fish sold in these states must be tagged with a metal band on the fish’s gill cover. Pennsylvania will not be tagging Tautog, but Pennsylvania is an important marketplace of commercial seafood including Tautog. Providing PFBC waterways conservation officers with the authority to inspect for and enforce Tautog tagging regulations will close a potential loophole in the ASMFC Tautog tagging program and advance Tautog conservation along the Atlantic Coast.

Staff propose the following amendment:

§63.50 Importation of Tautog. - 2102(c)

It is unlawful for a person to import into this Commonwealth, sell, offer for sale, or purchase tautog (*Tautoga onitis*) measuring less than 15 inches in length. **It is unlawful for a person to sell, offer for sale, or purchase tautog (*Tautoga onitis*) that do not bear an official tag issued or approved by the Atlantic States Marine Fisheries Commission.**

Briefer:

Andrew L. Shiels, Deputy Director of Field Operations

Recommendation:

Staff recommend the Commission approve the publication of a notice of proposed rulemaking containing the amendment described in the Commentary. If approved on final rulemaking, the amendment will go into effect upon publication in the *Pennsylvania Bulletin*.

Action:

A motion was made by Commissioner Anderson and seconded by Commissioner Ali to approve the publication of a notice of proposed rulemaking containing the amendment described in the Commentary. If approved on final rulemaking, the amendment will go into effect upon publication in the *Pennsylvania Bulletin*. Motion carried.

FISHERIES DESIGNATIONS

C. Proposed changes to the list of Class A Wild Trout Streams.

Commentary:

Pursuant to 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 populations. Criteria developed for Class A Wild Trout populations are species specific. Wild Trout Biomass Class Criteria include provisions for wild Brook Trout, wild Brown Trout, mixed wild Brook and Brown Trout, wild Rainbow Trout, mixed wild Brook and Rainbow Trout and mixed wild Brown and Rainbow Trout populations.

Staff recommend the addition of 36 stream sections to the Commission's list of Class A wild trout streams and the amendment of the names of two sections currently listed. These changes are the result of recent surveys conducted on these waters and subsequent data review. Exhibit G provides information on the locations and a data summary for each of these waters.

A notice of proposed designations was published at 49 Pa. B. 7052 (November 23, 2019) (Exhibit H). The Commission received a total of 519 public comments regarding the proposed designations: 512 support the proposed designations, one supports the designation of a specific water, and six comments did not pertain to the proposed designations. Copies of all public comments were provided to the Commissioners.

Briefer:

Andrew L. Shiels, Deputy Director of Field Operations

Recommendation:

Staff recommend that the Commission add 36 stream sections to its Class A wild trout streams list and amend the names of two stream sections as described in the Commentary. If approved, these additions will go into effect upon publication of a second notice in the *Pennsylvania Bulletin*.

Action:

A motion was made by Commissioner Small and seconded by Commissioner Charlesworth to add 36 stream sections to its Class A wild trout streams list and amend the names of two stream sections as described in the Commentary. These additions will go into effect upon publication of a second notice in the *Pennsylvania Bulletin*. Motion carried.

D. Classification of Wild Trout Streams: proposed additions and revisions.

Commentary:

The Department of Environmental Protection's regulations at 25 Pa. Code § 105.1 define the term "wild trout stream" as "a stream identified as supporting naturally reproducing trout populations by the Fish and Boat Commission under 58 Pa. Code § 57.11 (relating to listing of wild trout streams)." This term has regulatory significance because wetlands that are located in or along the floodplain of the reach of a wild trout stream and the floodplain of streams tributary thereto are considered "exceptional value" and are thus entitled to the highest level of protection.

The Commission adopted a statement of policy at 58 Pa. Code § 57.11 that sets forth the basis for the classification of streams supporting the natural reproduction of trout. Under § 57.11, it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how the stream is managed. The statement of policy provides that the Commission's Fisheries Management Division will maintain the list of wild trout streams and that the Executive Director, with approval of the Commission, will from time to time publish the list of wild trout streams in the *Pennsylvania Bulletin* and solicit public comments.

Staff recommend the addition of 49 new waters to the Commission's list of wild trout streams and revision of the section limit of one water currently listed. These changes are the result of recent surveys conducted on these waters. Exhibit I provides information on the locations and a data summary for each of these waters. Surveying unassessed waters and documenting wild trout populations are consistent with the Commission's Strategic Plan for Management of Trout Fisheries in Pennsylvania, the statewide Strategic Plan and the agency's Resource First philosophy.

A notice of proposed designations was published at 49 Pa. B. 7050 (November 23, 2019) (Exhibit J). The Commission received a total of 509 public comments regarding the proposed designations: 506 support the proposed designations and three comments did not pertain to the proposed designations. Copies of all public comments were provided to the Commissioners.

Briefer:

Andrew L. Shiels, Deputy Director of Field Operations

Recommendation:

Staff recommend that the Commission add 49 new waters to the Commission's list of wild trout streams and revise the section limits of one water currently listed as set forth in the notice of proposed designations. If approved, these additions will go into effect upon publication of a second notice in the *Pennsylvania Bulletin*.

Action:

A motion was made by Commissioner Charlesworth and seconded by Commissioner Kauffman to add 49 new waters to the Commission's list of wild trout streams and revise the section limits of one water currently listed as set forth in the notice of proposed designations. These additions will go into effect upon publication of a second notice in the *Pennsylvania Bulletin*. Motion carried.

LAW ENFORCEMENT PROPOSED RULEMAKING

A. Amendment to Section 63.19 (Sale and Purchase of Fish).

Commentary:

The Pennsylvania Fish and Boat Commission regulates both commercial and private fish cleaning stations under 58 Pa. Code § 63.15a. This regulation allows anglers in certain circumstances to clean fish and dispose of the remains without transporting the intact catch to their home. This is important for many anglers, especially those on extended trips or visiting specific waters such as Lake Erie. Official cleaning stations also assist anglers in complying with regulations which prevent disposing of fish parts into Commonwealth waters. Fish processed at an official cleaning station allow anglers to be exempt from regulations requiring a fish to remain in-tact until reaching the place of consumption so it can be identified and measured for compliance with seasons, sizes, and creel limits.

As technologies for cleaning stations change various methods of carcass disposal are utilized. In several states, fish cleaning byproducts may be sold to other entities for further beneficial use such as fertilizer in agriculture. In Pennsylvania, cleaning stations are forced to grind the carcasses and place the byproduct into wastewater treatment or landfills.

To allow commercial fish cleaning stations to provide a better service to Pennsylvania anglers and facilitate better use of fish cleaning byproducts, staff recommend the following amendment to Section 63.19(d):

§ 63.19. Sale and purchase of fish.

(d) This section does not prohibit the sale, purchase, offer for sale, trade or barter of any fish propagated by or from a propagator or dealer of live aquatic animals registered under 3 Pa. C.S. Chapter 42 (relating to aquacultural development), if the fish are lawfully propagated or acquired by means other than fishing from the waters of this Commonwealth in accordance with the requirements of applicable laws and regulations. This section does not prohibit the sale, purchase, offer for sale, trade or barter of any fish by or from the holder of a commercial fishing license issued under Chapter 29 of the code (relating to special licenses and permits), if the fish are lawfully caught or taken in accordance with the requirements of applicable laws and regulations. **This section does not prohibit the sale, purchase, offer for sale, trade or barter of any non-flesh fish parts or roe that are the byproduct from any lawfully taken fish processed at a PA Fish and Boat Commission recognized commercial fish cleaning station under Section 63.15a of Title 58.** This section does not prohibit the sale of mounted fish.

Briefer:

Colonel Corey Britcher, Director, Bureau of Law Enforcement

Recommendation:

Staff recommend that the Commission approve the publication of a notice of proposed rulemaking containing the amendment described in the Commentary. If adopted on final rulemaking, this amendment will go into effect upon publication in the *Pennsylvanian Bulletin*.

Action:

Item was tabled by Board of Commissioners until April 2020 Commission meeting

LEGISLATION AND PUBLIC OUTREACH OTHER MATTERS

A. Resolution Urging Congress for the Reauthorization of Collection Fees to the Abandoned Mine Land Reclamation Fund.

Commentary:

The Surface Mining Control and Reclamation Act (SMCRA) was enacted in 1977 to regulate the ecological impacts of coal mining in the U.S. The federal law created two new programs: one to regulate active coal mines and the other to reclaim abandoned mines that are no longer in operation. Regulation and enforcement powers for SMCRA were delegated to the newly created Office of Surface Mining within the U.S. Department of the Interior.

A critical component of SMCRA was the creation of the Abandoned Mine Land (AML) Reclamation Fund, which allows states to collect a per-ton fee from active mining operations to restore AMLs to their original condition. Although progress has been made, Pennsylvania still has the largest remaining inventory of unaddressed AML features in the nation (~10,000 acres) and over 5,500 miles of impaired streams, at an estimated cleanup cost of nearly \$15 billion. The fund is set to expire in September 2021, absent reauthorization by Congress.

H.R. 4248, known as the AML Reauthorization Act, would extend states' authority to collect fees at current levels through September 2036. Sponsored by Congressmen Cartwright and Thompson, this legislation would also expand funding for states that have not been certified for reclaiming high-priority coal AML areas; provide for delegation of emergency AML programs to states; and reimburse states for AML fees that were sequestered since Fiscal Year 2013.

On October 28, 2019, the Pennsylvania State Senate unanimously adopted Senate Resolution 191, sponsored by Senator John Yudichak, which urges Congress to reauthorize provisions related to the AML Reclamation Fund. This concurrent resolution is currently awaiting action in the House Environmental Resources and Energy Committee.

The following resolution is being offered for consideration by the Board of Commissioners urging Congress to reauthorize the AML Reclamation Fund. This language is identical to that contained in Senate Resolution 191, Printer's No. 1286.

RESOLUTION, made this 28th day of January, by the PENNSYLVANIA FISH AND BOAT COMMISSION, BOARD OF COMMISSIONERS, AN INDEPENDENT ADMINISTRATIVE AGENCY of the COMMONWEALTH OF PENNSYLVANIA, URGING FOR THE REAUTHORIZATION OF COLLECTION FEES TO THE ABANDONED MINE LAND RECLAMATION FUND

WHEREAS, Substantial coal mining has occurred in the Commonwealth of Pennsylvania for more than 130 years and the industry has been a significant employer of our residents for most of these years; and

WHEREAS, At least 44 of Pennsylvania's 67 counties are affected by abandoned coal mines; and

WHEREAS, At least 1.4 million Pennsylvanians live within one mile of abandoned mine lands; and

WHEREAS, Abandoned mines in Pennsylvania pose serious hazards, including dangerous shafts, mountains of black waste, scarred landscapes and acidic drainage, which has polluted more than 5,500 miles of Pennsylvania streams and other hazards threatening human health and safety; and

WHEREAS, Abandoned mines and abandoned mine lands create negative impacts on local economies by destroying recreational opportunities, lowering land values and leaving desolate communities when the mines are exhausted; and

WHEREAS, Abandoned mine lands ruin sites for further residential, forestry, commercial or agricultural uses and threaten the human health and safety of people living in our coal field communities; and

WHEREAS, The estimated cost of Pennsylvania's abandoned mine-related cleanup is \$15 billion; and

WHEREAS, Reclamation of abandoned mine sites can add to the economy by creating jobs, increasing community pride, increasing property values, decreasing stress-related costs through stream-based recreation, restoring the health of the environment and providing future sites for commercial and industrial endeavors; and

WHEREAS, The Congress of the United States enacted the Abandoned Mine Reclamation Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), which reclaimed areas abandoned before 1977 and established the modern environmental standards requiring mine operators to reclaim their sites; and

WHEREAS, The scope of the abandoned mine problem continues to outpace available resources; and

WHEREAS, In 2006, Congress reauthorized the SMCRA, which extended fee collection through 2021, increased the set-aside for acid mine drainage from 10% to 30% and provided for mandatory distribution of abandoned mine lands money; and

WHEREAS, The Abandoned Mine Reclamation Fund is not derived from a tax and is not funded from the United States Treasury; and

WHEREAS, Money in the Abandoned Mine Reclamation Fund is derived from a per-ton fee assessed on coal mined by the active mining industry that can only be used for purposes authorized under Title IV of the SMCRA; and

WHEREAS, The deposit of mined coal fees into the Abandoned Mine Reclamation Fund under Title IV of the SMCRA is set to expire in 2021; and

WHEREAS, Pennsylvania has relied upon the Abandoned Mine Reclamation Fund as a primary source of money to clean up toxic mine water in our water supplies, restore land, extinguish mine fires and eliminate other dangerous abandoned mine hazards;

NOW THEREFORE, in furtherance of the Commission's mission, be it

RESOLVED, That the Commission urge the Congress of the United States to reauthorize the collection of fees on mined coal at 28¢ per ton on surface mined coal, 12¢ per ton on deep mined coal and 8¢ per ton on mined lignite; and be it further

RESOLVED, That the Commission urge the Congress of the United States to extend the collection of fees through 2036, exempt the Surface Mining Control and Reclamation Act Title IV grants from sequestration and require all Title IV sequestered money to be transferred to states retroactively to fiscal year 2013; and be it further

RESOLVED, That the Commission urge the Congress of the United States to raise the mandatory distribution from the Abandoned Mine Reclamation Fund for minimum program states to \$5 million; and be it further

RESOLVED, That the Commission urge the Congress of the United States to establish in the budget of the United States Office of Surface Mining Reclamation and Enforcement a direct line item for emergency projects to reflect the need for remediating abandoned mine land emergencies in all states and tribes; and be it further

RESOLVED, That the Commission urge the Congress of the United States to continue mandatory distribution of future allocated reclamation money and to maintain the current definition of "reclamation priorities" to adequately address all land and water problems created by abandoned mines, including water polluted by acid mine drainage; and be it further

RESOLVED, That the Commission urge the Congress of the United States to use future allocations from the Abandoned Mine Reclamation Fund in ways that promote reclamation, leverage private investment, encourage development where appropriate and complement or match other funds available for redevelopment of abandoned mine land sites; and be it further

RESOLVED, That the Commission urge the Congress of the United States to limit the transfer of interest generated by the Abandoned Mine Reclamation Fund to the Combined Benefit Fund to defray health costs for retired miners and their dependents whose

companies are bankrupt or are no longer in business and maintain the SMCRA 30% set-aside option.

Briefer:

Mike Nerozzi, Director, Policy and Planning Office

Recommendation:

Staff recommend approval of the Resolution Urging Congress for the Reauthorization of Collection Fees to the Abandoned Mine Land Reclamation Fund.

Action:

A motion was made by Commissioner Ali and seconded by Commissioner Anderson to approve the Resolution Urging Congress for the Reauthorization of Collection Fees to the Abandoned Mine Land Reclamation Fund. Motion carried.

Other New Business

None.

Time and Place of April 2020 Commission Meeting

The next meeting will be held on April 27-28, 2020 in Lewisburg, PA.

Adjournment

A motion was made by Commissioner Ali and seconded by Commissioner Kauffman to adjourn the meeting at approximately 2:15 p.m. Motion carried.

October - December 2019 Quarterly Report Pennsylvania Fish & Boat Commission Strategic Plan Implementation

Mission

The Pennsylvania Fish and Boat Commission's mission is *to protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities*. The mission reflects our statutory responsibilities in section 321 of the Fish and Boat Code, 30 Pa. C.S. §321, relating to:

- The encouragement, promotion and development of fishery interests.
- The protection, propagation and distribution of fish.
- The management of boating and the operation of boats.
- The encouragement, promotion and development of recreational boating.

Vision

By 2017, the Pennsylvania Fish & Boat Commission will provide high quality services to insure essential resource management and protection and improved fishing and boating recreation; engage targeted audiences in safe fishing and boating; and maintain and improve the agency's workforce and physical infrastructure.

Values

The Commission's values are our guiding principles. These statements outline the behaviors that are expected of all employees, Commissioners, Boating Advisory Board members, and volunteers. Evident in our daily decision making, our values impact every aspect of our organization.

- We are committed to prudently managing the Commonwealth's aquatic resources.
- We are committed to providing high quality public service.
- We are committed to being wise stewards of the assets entrusted to us.
- We are committed to creating a positive and cooperative work environment where staff are given the opportunity to develop their expertise and ideas are openly exchanged, acknowledged, and respected.

Preamble

This strategic plan will guide agency operations from July 2014 through June 2017. The previous strategic plan was adopted in July 2010, amended slightly in January 2012, and intended to last from July 2010 until June 2015. Due to significant fiscal constraints driven largely by impending increases in health care and retirement costs that the agency is required to bear, the Board of Commissioners determined that the plan needed to be revised to reflect the new fiscal realities.

Mandatory personnel costs beyond the agency's control are expected to be over \$9 million annually by fiscal year 2016-17 and constitute about 20% of annual spending. Just before the strategic planning process started in earnest, the agency began developing an internal

Spending Reallocation Plan (SRP) that shifted spending to accommodate the ballooning health care and retirement costs. Absent an influx of revenue to meet the rising personnel costs, this new strategic plan is constrained by more austere fiscal realities than the past plan. In the words of the Executive Director, the agency will be doing “less for less.” The SRP limits the levels of services the agency will be able to deliver, and activities will ultimately be scaled according to available staff and financial resources.

This plan follows the SMART goal format that characterized the previous plan and that has become a fundamental part of how the agency operates. Adherence to the SMART approach means that each goal needs to meet the following five criteria:

- S – Specific
- M – Measurable
- A – Action-oriented
- R – Realistic
- T – Time-bound

Unlike the previous strategic plan that focused mainly on new initiatives, this plan is intended to capture the universe of activities that the agency will focus on from July 2014 – June 2017. To pursue the goals laid out in this plan, the agency acknowledges the need to maintain core support functions such as administration; human resources; fisheries and hatcheries; law enforcement; information technology (IT); legal; legislative and public relations; and engineering, maintenance, and other support services to operate agency facilities.

Fulfilling its mission and implementing this plan requires the agency to rededicate itself to working with partner organizations. In addition to working with others to achieve programmatic goals, the Commission will look to partners to help offer fishing and boating infrastructure since providing fishing and boating opportunities does not mean that the agency has to own or manage an area.

Waterways Conservation Officers

One of the primary core functions of the agency is law enforcement. A Waterways Conservation Officer (WCO) is a specialized conservation police officer employed by the Commission’s Bureau of Law Enforcement (BLE). After successful completion of a stringent training program, WCOs may be assigned to a law enforcement district anywhere within the Commonwealth, where they are required to perform specialized law enforcement work in fisheries conservation and watercraft safety. Typical duties include patrolling by foot, vehicle, or boat to detect, pursue, and apprehend violators. WCOs issue citations or warnings, file criminal complaints, serve warrants, present evidence at hearings and court proceedings, investigate water pollution and encroachment incidents, investigate boat accidents, and stock fish. WCOs make public appearances to conduct educational classes or provide information to the public. Additionally, WCOs coordinate the work of a corps of Deputy Waterways Conservation Officers at the district level.

WCO duties are critical to and interwoven with the conservation and recreation goals outlined below. Therefore, through 2017, the Commission will continue to maintain a vigilant

corps of WCOs to enforce fishing, boating, and environmental laws and regulations; assist the Commission in meeting recreation goals; and promote public safety.

- *Twenty-one CDTS have graduated Act 120 training at the PSP Northwest Training Center and are currently undergoing additional training at the PFBC's H.R. Stackhouse School of Fisheries Conservation and Watercraft Safety.*

Funding

Issue 1: Revenues are insufficient to support the Commission's current levels of programs and services and meet increasing fixed, variable, and mandatory personnel costs.

As outlined in the preamble, the Commission is required to meet mounting health care, retirement, and other personnel obligations beyond its control while also dealing with the increasing costs of doing business that face any agency or company. To meet its obligations and maintain agency operations, the agency is reallocating spending while living within its means. Concurrent with narrowing the scope of its activities, the agency needs to maximize the funding generated from the traditional revenue streams of fishing license sales and boat registrations while also pursuing new sources of revenue to support the work it performs on behalf of aquatic resources, anglers and boaters, and individuals and businesses throughout Pennsylvania.

Strategy 1A: Reduce expenses and reallocate spending.

Goal 1A: Implement a Spending Reallocation Plan within which the Commission does not spend more than it generates in revenue each fiscal year and maintains agency administrative and support services necessary to deliver programs and services.

- A. Through June 2017, implement, review, and update the Spending Reallocation Plan (SRP) to reflect evolving fiscal realities.
- B. By July 2015, present updated SRP to the Board of Commissioners.
- C. Through June 2017, work with PFBC staff and partners to identify and implement projects using restricted revenue account funds to address settlement agreement conditions and PFBC priorities.

Strategy 1B: Increase traditional revenue sources and secure alternative funding to deliver core programs and services to benefit anglers, boaters, and trust species; deliver select discretionary programs and services to benefit all Pennsylvanians; and meet mandatory personnel costs.

Goal 1B: Increase revenues.

- A. Through June 2017, implement operational decisions to increase revenues.
 1. Continue to grow Natural Gas and Water Access programs.
 2. By June 2017, develop, implement, and evaluate annual marketing campaign plans designed to increase license sales (and corresponding federal reimbursements) by 10% through the end of license year 2017.
 3. By July 2015, secure dedicated funding to support the water rescue program.
- B. Through June 2017, advocate for legislative solutions to maintain and increase revenues.
 1. Identify, develop, and advocate for state legislative opportunities to maintain and increase agency revenues.

- Continued to advocate for the passage of House Bill 808 and other legislation aimed at providing a reliable funding stream for the Commission.
2. In cooperation with the Association of Fish and Wildlife Agencies (AFWA), advocate for federal legislation to maintain and increase agency revenues.
 - On July 12, 2019, *Recovering America's Wildlife Act (H.R. 3742)* was introduced in the U.S. House by Congresswoman Debbie Dingell (MI) and Congressman Jeff Fortenberry (NE). On December 5, 2019, on a 26-6 bipartisan vote, an amended bill was reported out of the Natural Resources Committee with the main tenets of the legislation maintained. It is anticipated that in January 2020, the bill will be voted on by the full House of Representatives. At the writing of this report, the bill has 163 cosponsors including 14 bipartisan members of the Pennsylvania delegation. No other previous form of a *Recovering America's Wildlife Act* bill has advanced to this stage in the legislative process.

This legislation, if enacted, would provide dedicated, long-term funding for states to implement their State Wildlife Action Plans. Recent amendments change the formula for individual state funding allotments, so a current estimate for Pennsylvania funding is not currently known. The Pennsylvania Wildlife Action Plan is the overarching and guiding document for managing and recovering the Commonwealth's imperiled and declining species. The plan is administered jointly by the Fish & Boat Commission and Game Commission. Funding through the State and Tribal Wildlife Grant Program has provided crucial support since 2001, but in recent years, the Commonwealth's apportionment of approximately \$1.5 million annually (shared equally between the Game Commission and Fish & Boat Commission) is inadequate to address the hundreds of conservation actions identified in the Wildlife Action Plan. Further, as an annual appropriation, State & Tribal Wildlife Grant funding does not offer the security necessary for long-term recovery of species.

- C. Through June 2017, promulgate regulatory changes to increase revenues.
 1. By January 2015, require senior resident lifetime license holders to purchase a trout/salmon permit annually to fish for trout.

Conservation

Issue 2: Current and increasing threats to our aquatic resources demand the Commission provide high quality services to insure essential resource management and protection and improved fishing.

High quality fishing opportunities require healthy, functioning ecosystems comprised of diverse aquatic communities. Pennsylvania's fish, amphibians, reptiles, and other aquatic resources face a number of threats, including power generation and associated fossil fuel extraction and transmission line construction; municipal and industrial surface and ground water withdrawals; point and non-point discharges; road construction and other encroachments; and the introduction and proliferation of invasive species. Continued assessment of the quality of our Commonwealth's aquatic resources and prudent implementation of fisheries management programs assures high quality angling in the waters of the Commonwealth. The following

priority actions build on past successes to protect, conserve, and enhance both game and non-game species and their habitats in support of the Commission's Resource First philosophy.

Strategy 2: Provide high quality resource management and protection to reduce the impacts of current and increasing threats to aquatic resources.

Goal 2: Protect, conserve, and enhance aquatic resources and habitats.

- A. By January 2015 complete a revision to the Strategic Plan for Management of Trout Fisheries in Pennsylvania to include the following:
1. Through June 2017, continue efforts to improve Pennsylvania's tailwater trout fisheries.
 - Field work continued during October and November in support of the second year of the Joint Fisheries Investigation Plan (JFIP), a 3-year investigation to collaboratively collect biological and social data pertaining to the upper Delaware River tailwater trout fishery in coordination with the New York Department of Environmental Conservation (NYDEC). Staff conducted nighttime boat electrofishing and kayak angler counts. Electrofishing catches of *trout were slightly reduced from previous months. Yearlings remained strongly represented in catches; whereas, large trout (>18 inches) were not as prevalent in the October catch as during previous months this year. Participants in the tailwater fishery were infrequent based on the kayak angler counts, and this was attributable to the mid-October closure of the fishery at the adjacent New York reaches of the West Branch Delaware River. Additionally, red counts were completed at the mainstems of the East and West branches. The highest frequency of redds were observed at traditional locations.* Results and recommendations are pending completion of the JFIP and full analysis of the data.
 2. Immediately begin implementation of recommendations from the stocked trout efficiency study.
 3. By December 2015, design an angler survey to provide a statewide assessment of angler use, angler catch, angler opinions, and an economic contribution of trout angling on trout stocked lakes in order to make informed decisions regarding future trout stocking allocations in lakes.
 4. By December 2015, complete evaluations of all current fingerling stocking efforts and provide recommendations for future implementation of the program.
 - *Staff completed annual adipose fin clipping at Corry State Fish Hatchery of 10,000 advanced Rainbow Trout fingerlings allocated to the Allegheny River, Section 07, in November.*
- B. Through June 2017, continue implementation of river management plans for the Delaware, Susquehanna, and Three Rivers systems.
1. Efforts specific to all three river systems will include:
 - a. Maintenance of long-term adult and young-of-year Smallmouth Bass data sets.
 - *Staff completed annual adult Smallmouth Bass inventories in the Delaware, Ohio, and Susquehanna River basins. Catch rates of adult Smallmouth Bass varied by river basin, as well as individual sampling sites, and were lower than the long-term average.*

- b. Sampling requirements specific to meeting objectives outlined in the species-specific warmwater management plans for Muskellunge, Walleye, and Catfish.
 - *Staff continued* required sampling per objectives outlined in the species-specific warm-water management plans for Muskellunge and catfish.
- 2. Efforts specific to the Susquehanna River will include:
 - a. Continued participation on interagency technical committees assessing water quality of the Susquehanna River and the impacts to the Smallmouth Bass population.
 - *Staff gave a plenary presentation on the collaborative, interdisciplinary approach to Smallmouth Bass research at the Susquehanna River Symposium held at Bucknell University. Attendance was more than 50 individuals.*
 - *Staff attended the organizational meeting for the Susquehanna River Heartland Coalition for Environmental Studies in Lewisburg. The meeting was to help plan new direction for the group.*
 - b. With partners, implement a fish community sampling procedure to more broadly track the condition of the fishery.
 - c. By June 2017, identify a method and criteria to determine the impairment status of the river.
- 3. Efforts specific to the Three Rivers will include cooperation with Ohio River states to expand our knowledge regarding the expansion of Asian carp in the Ohio River system and reduce or eliminate the threat to the river's ecology.
 - Staff participated in monthly Asian Carp Regional Coordinating Committee (ACRCC) conference calls.
- 4. Efforts specific to Delaware River will include:
 - a. Annual monitoring of American Shad populations at historic stations.
 - *Staff completed young-of-year (YOY) American Shad (AMS) beach seining as mandated by the Atlantic States Marine Fisheries Commission (ASMFC), under the Delaware River Basin Fish and Wildlife Management Cooperative Sustainable Fisheries Plan. Overall, the 2019 (combined Phillipsburg, Water Gap and Milford Beach) annual total catch was 15,859 YOY AMS.*
 - b. American Shad spawning activities to support restoration efforts.
- C. By January 2015, complete the 2nd edition of the Lehigh River Fisheries Management Plan.
- D. Through June 2017, implement gamefish management plans for Muskellunge, Walleye, and Catfish.
 - *Staff conducted fall nighttime boat electrofishing assessments at Lake Canadohta (16E) and Woodcock Creek Lake (16A) targeting YOY Walleyes. The lake received fingerling stockings in 2018 and 2019. The primary purpose for this survey was to determine the overall survival rates of fingerlings that are traditionally stocked near the boat ramps and along the near shore versus stocking fish in the middle of the lake. Fingerling stockings were split evenly and those released in the middle received an Oxytetracycline (OTC) mark for proper differentiation. Unfortunately, no YOY Walleyes were captured at Lake Canadohta although staff observed several greater than 1-year old, along with other various larger size classes of fish. Conversely, in Woodcock Creek Lake, excellent numbers of YOY Walleyes were captured. A total of 172 YOY were caught that averaged*

218 mm (8.5 inches) in total length within 2 hours of electrofishing effort. This equated to a catch rate of 86 fish per hour. In order to determine survival resulting from OTC marking, 30 YOY specimens were retained and will be provided to Benner Springs Lab in State College for verification purposes.

- Staff conducted nighttime boat electrofishing surveys targeting YOY Walleyes at five historical index sites on the Allegheny River and one site on French Creek near Cambridge Springs to assess abundance of YOY Walleyes. This marks the fifth and final year of the study. All fry stocked fish are currently OTC marked in order to facilitate and verify their contribution to the current fishery. Results of the 2019 survey documented, similar to last year, good numbers and catch rates of YOY at all five sites on the Allegheny River, but observed significantly numbers on French Creek. Our most productive site was again Tionesta where catch-per-hour (CPH) of YOY Walleye was calculated at 153. As with prior surveys, a subsample of YOY Walleye from each site were retained for OTC analysis. Results are pending.
- Staff conducted YOY Walleye surveys on the Susquehanna River (6C-7D) in Sections 02, 03, and 04 at the Shady Nook (control), Rockville, Turnpike, and Goldsboro monitoring sites (treatment) to evaluate stocking. The catch rate of YOY at treatment sites was 24.5 fish/hr and 70.4 fish/hr reach-wide, exceeding the fall YOY benchmark rate of 20/hour. YOY and age-1 Walleye were submitted to Fish Production Services for OTC analysis.
- Staff conducted YOY Walleye surveys on the Juniata River (12C, 12A, and 12B), Sections 03, 04 and 06 at the Newtown Hamilton, Granville, (treatment) and Muskrat Springs (control) monitoring locations to evaluate stocking. The catch rates of YOY at treatment and reach-wide sites were 10.2 and 10.4 fish/hr. YOY and/or age-1 Walleye were submitted to Fish Production Services for OTC analysis.
- Staff conducted two nights of electrofishing targeting YOY Walleye at Pinchot Lake (7F) to evaluate fingerling stockings. Fingerlings were stocked at a rate of 20 per acre in 2019 and 40 per acre in 2018, respectively. No YOY Walleye were captured in 2.7 hours of effort at eight sampling sites in 2019 and in 1.3 hours of effort at four sampling sites in 2018. In addition, early spring sampling in 2018 with trap nets, gill nets, and electrofishing gear failed to capture enough Walleye to achieve minimum catch rate objectives for each respective gear type outlined in the Walleye Management Plan for a medium-sized reservoir. Although anglers were not specifically surveyed to determine extent of a Walleye fishery, numerous angler contacts made while conducting survey activities revealed an absence of a Walleye fishery. Pinchot Lake's dense Largemouth Bass population likely limits success of stocked Walleye fingerlings through excessive predation, resulting in low survival and recruitment of stocked fish.
- Staff completed three nights of electrofishing targeting YOY Walleye at Raystown Lake (11D). The catch of 33 YOY Walleye at Weavers Fall, 2 at Shy Beaver, and 0 at Tatman Run produced catch rates of 25/hr., 2/hr. and 0/hr., respectively. The average catch rate for YOY Walleye was 9/hr. All YOY Walleye were retained for OTC analysis. Littoral habitat difference among the three surveyed locations explains disparity among catch rates as Weavers Fall's soft muddy substrate and shallow nature were more ideal habitat for YOY Walleye than the deeper hard rocky substrates present at the two other surveyed locations.
- Staff completed adult Walleye and Sauger surveys following standard Ohio River Fish Management Team protocols on the Allegheny River, sections 16 and 22, Ohio River,

sections 02 and 03, and Monongahela River, sections 02 and 06. Results were not available at the time on this report.

- E. By June 2017, complete the development of a strategic plan for the management of black bass in Pennsylvania.
- Staff continue to work toward completion of the Strategic Plan for the Management of Black Bass in Pennsylvania.
- F. By June 2017, facilitate or complete population inventories and home range assessments for Timber Rattlesnake, Blanding's Turtle, Eastern Massasauga, Bog Turtle, Eastern Mud Salamander, Rough Green Snake, Broadhead Skink, New Jersey Chorus Frog, Southern Leopard Frog, Kirtland's Snake, Northern Cricket Frog, Eastern Redbelly Turtle, Eastern Pearlshell, Dwarf Wedgemussel, Bluebreast Darter, Tippecanoe Darter, Gilt Darter, Iowa Darter, Eastern Sand Darter, Spotted Darter, Black Bullhead, Bowfin, and Horneyhead Chub.
- *Timber Rattlesnake Assessment Project (TRAP): PFBC staff and TRAP volunteers spent time entering data from 2019 TRAP assessments within this quarter. Twenty-five (22) TRAP assessments were entered into the TRAP database during the reporting period.*
 - *The PA Amphibian and Reptile Survey (PARS) project, PARS Phase 2 (2017-2021) is underway. This quarter, 1,386 records were submitted to PARS, with 316 records being herp species of greatest conservation need. To date, 2,088 volunteers have participated in the atlas project. Focal teams (Blue-spotted Salamander, Green Salamander, Eastern Mud Salamander, Northern Ravine Salamander, Mountain Chorus Frog, Upland Chorus Frog, Western Chorus Frog, Cope's Gray Treefrog, Blanding's Turtle, Eastern Redbelly Turtle, Kirtland's Snake, Eastern Worm Snake, Eastern Smooth Earth Snake) logged 27 records of these targeted species in the quarter. Records for the year are still being entered by volunteers and these numbers will increase as reporting continues in winter of 2019/2020.*
 - *Staff, with the help of contractors and volunteers, conducted trapping studies at three Bog Turtle sites in Berks and Lebanon counties to assess population numbers as part of a long-term monitoring framework, and to compare the effectiveness of seasonal trapping (spring versus fall trapping). Data from the study was entered and analyzed during this quarter. An additional three sites in Chester County will be studied for inventory of gap or understudied populations.*
 - *Inventory of Blanding's Turtles in PA continues under a Competitive State Wildlife Grant. Movements and home range of a male Blanding's turtle continue to be tracked. Natural Diversity Section biologists recaptured the turtle in October and updated the transmitter.*
- G. Through June 2017, continue implementation of statewide action plans for the following species: Eastern Pearlshell Mussel, Bog Turtle, Eastern Massasauga Rattlesnake, and Timber Rattlesnake.
- *Under the Competitive State Wildlife Grant project for Conservation of the Bog Turtle, the final conservation plan is complete, and the final project report was submitted to USFWS. Staff are participating in the preparation of the federal Species Status Assessment for the Bog Turtle through frequent conference calls and document editing. Data entry from 2019 field studies was completed in this quarter and summary reports were prepared for internal review.*

- The Timber Rattlesnake monitoring strategy project (TRAMP) with East Stroudsburg University (ESU) is ongoing with monitoring activities being conducted in northeast, northwest, and northcentral, and southeast PA. *Staff met with the ESU project lead and DCNR to review and assess the potential of two new monitoring sites in southcentral PA.*
 - Section 6 grant proposals to survey the historic range and gap areas of the Eastern Massasauga and continued inventory surveys for Bog Turtles were approved for funding. *Scopes of work were drafted and contracts are under development. A Section 6 proposal for continued funding for additional historical and gap assessment work on Bog Turtles was submitted for consideration and was approved.*
 - The Eastern Pearlshell, Bog Turtle, Timber Rattlesnake, Eastern Massasauga, and Eastern Spadefoot state Species Action Plans (SAPs) are currently under revision.
- H. By December 2014, research and finalize statewide action plans for the Salamander Mussel and Chesapeake Logperch. Through June 2017, implement these plans.
- Species Action Plans for the Salamander Mussel and Chesapeake Logperch were developed and finalized in December 2014. Implementation of the action plans is ongoing.
 - Chesapeake Logperch Recovery Project – Nationally Competitive State Wildlife Grant. A Competitive State and Tribal Wildlife Grants proposal was funded by the USFWS to address the life history research knowledge gaps and to develop a reintroduction strategy (previous quarters). This multi-state regional grant includes Maryland Department of Natural Resources, the Pennsylvania State University, Susquehanna River Basin Commission, and Conservation Fisheries Incorporated (Knoxville, TN). *During this reporting period, staff assembled material for the life history study, organized field data, and planned an all-field staff meeting for January 2020. Staff presented the Chesapeake Logperch project at the October 2019 PFBC Commission meeting in Harrisburg. NDS staff co-authored an article in the PA Angler & Boater magazine that details the Chesapeake Logperch project.*
 - Several projects are ongoing that implement the Salamander Mussel action plan.
 - *The Western Pennsylvania Conservancy (WPC) recently completed Salamander Mussel surveys in the Allegheny and Ohio rivers as part of their fulfillment of a Wild Resource Conservation Program (WRCP) grant for Salamander Mussel and Mudpuppy (*Necturus maculosus*) work prioritized in the Salamander Mussel Species Action Plan. These Salamander Mussel surveys targeted Ohio and Allegheny River sites that contained a high relative abundance of Mudpuppies. Staff assisted with the survey effort. The mussel survey report is currently being drafted by WPC staff.*
 - *A second WRCP grant was awarded to WPC to develop Ohio and Allegheny River Mudpuppy population estimates. These data, along with bathymetric mapping and ground-truthing via SCUBA diving will help PFBC develop a better understanding of what constitutes ideal Salamander Mussel habitat and lead to developing recommendations for how and where to target Salamander Mussel habitat restoration. Mark-recapture population data for Mudpuppies in the Ohio River was gathered during the quarter with the assistance of Natural Diversity Section staff.*

- *An additional WRCP-funded project was awarded to the Mid-Atlantic Center for Herpetology and Conservation and is in progress. The intent of the project is to assess the distribution and status of the Mudpuppy, which is also the only known host for the Salamander Mussel in the Ohio Basin.*
- I. By June 2015, work with other members of the Pennsylvania Natural Heritage Partnership to complete the upgrade to the Pennsylvania Natural Diversity Inventory environmental review tool.
 - Upgrades and maintenance to the PNDI tool are ongoing. Data is updated by DCNR on a quarterly basis; one update was implemented in the quarter.
 - J. By June 2017, assist the Pennsylvania Department of Environmental Protection and other governmental agencies with the development of policies and reservoir operation procedures that limit alteration of natural flow regimes to levels that maintain critical species, habitats, and ecological conditions.
 - K. By September 30, 2015, together with partners, complete a new State Wildlife Action Plan.
 - *Staff worked with Pennsylvania Game Commission (PGC) habitat management staff to develop the framework for a project to evaluate the effects of fire management on amphibian and reptile Species of Greatest Conservation Need.*
 - *The Conservation Coordinator is working with the U.S. Fish and Wildlife Service and State Wildlife Action Plan coordinators in the Northeast U.S. to organize a regional meeting to identify data and analytical needs, as well as USFWS requirements, for the decennial revision of the Plan, due in 2025.*
 - L. Through June 2017, continue to conduct the following permit reviews: Species Impact; Scientific Collector; Threatened and Endangered Species; Nongame Special; Venomous Snake; Amphibian and Reptile Organized Hunt; Commercial Snapping Turtle; Water Obstruction and Encroachment; Triploid Grass Carp; Mining; Drawdown; Water Allocation; FERC Hydropower; 316(a) Clean Water Act Thermal Variance; 316(b) Clean Water Act Impingement and Entrainment; and select Algicide, Herbicide or Fish Control Chemical in Waters of the Commonwealth.
 - Species Impact/PNDI Reviews conducted: 565 (2,024 total for 2019)
 - Scientific Collector Permits/amendments reviewed and issued: 26 (455 total for 2019)
 - T&E Species Permits reviewed and issued: 0 (89 total for 2019)
 - Biological Opinions/T&E take permits issued: 1 (7 total for 2019)
 - Nongame Special Permits reviewed and issued: 18 (29 total for 2019)
 - Venomous Snake Permits reviewed and issued: 0 (permit season closed July 31, total permits issued 1,942)
 - Commercial Snapping Turtle Permits reviewed and issued: 0 (35 total for 2019)
 - Water Obstruction and Encroachment: 20
 - Water Allocation: 6
 - M. By June 2017, sample at least 2,000 prioritized, un-inventoried streams that have been identified by Commission staff as most at risk from the effects of human activities. Continue to forge partnerships to augment Commission sampling efforts.
 - During 2019, staff and partners surveyed 720 prioritized streams that previously were un-inventoried streams bringing the total number of streams surveyed from 2014 through 2019 to 5,290. Of the 720 streams surveyed during 2019, it is anticipated that approximately 150 will be added to the PFBC's list of stream sections that support natural reproduction of trout. However, this number is preliminary and subject to change.

Staff organized an Unassessed Waters Initiative meeting in December to allow cooperators that participated in the program during 2019 to present results from their surveys and discuss ways to improve the Initiative moving forward

- N. Through June 2017, continue the development of a PFBC sampling protocol manual to ensure consistent data collection techniques for waterways.
1. By December 2014, complete documentation of PFBC-approved sampling protocols for large rivers.
 2. By December 2015, complete documentation of PFBC-approved sampling protocols for lakes.
 3. By December 2016, complete documentation of PFBC-approved sampling protocols for herptiles.
 - Natural Diversity Section staff are active in the Northeast Partners in Amphibian and Reptile Conservation Hellbender and Mudpuppy Workgroup (NEPARC) and the Turtle Workgroup. *Staff are evaluating additional methods for surveying for Mudpuppies and tested them in the quarter by helping with ongoing surveys.*
- O. Through June 2017, annually address the following habitat improvement goals:
1. Refine the stream and lake prioritization approaches to guide habitat improvement work. Work with partners to avoid duplication of efforts and maximize cooperation to address common goals.
 - The stream habitat section is continuing to work with DCNR Bureau of Forestry to prioritize and implement Large Woody Material projects on DCNR property as a new method of habitat improvement in headwater streams.
 - Continuing to work with partners to use the Peach Bottom–Exelon RRA to improve habitat and reduce sedimentation in York and Lancaster Counties. Contracts are executed on all four projects that were selected to use the Peach Bottom–Exelon RRA funds through the York and Lancaster Counties Habitat Improvement Grant Program. Three of the four projects have completed all deliverables. Work has been completed on Peters Creek, Fishing Creek, and Harnish Run in Lancaster County. A contract extension has been completed for the fourth project. *Staff are working with the fourth project to update the cooperative agreement due to changes in the scope of work.*
 - Continuing to work with the Pennsylvania Department of Agriculture to use the Peach Bottom–Exelon RRA funds as match toward a National Fish and Wildlife Foundation (NFWF) grant. Work will focus in the Fishing Creek watershed, Lancaster County. A cooperative agreement has been completed. The construction phase of this project started at the beginning of September and should be completed by *Spring of 2020*.
 - Continuing to partner with Northcentral Pennsylvania Conservancy (NCP), DEP, and County Conservation districts to implement fish habitat enhancement and streambank stabilization projects to reduce the amount of sediment entering streams thereby improving water quality and remediating environmental degradation to local watersheds throughout the Northcentral region. The Partnership *submitted a Chesapeake Bay Initiative Grant to the EPA* to expand this partnership in order to complete more project on an annual basis.
 - Continuing to partner with Western Pennsylvania Conservancy (WPC) to implement fish habitat enhancement projects on PFBC's priority watersheds within WPC's focus areas.

- Continuing to partner with Cambria County Conservation District to implement large-scale habitat improvements on the West Branch of the Susquehanna River.
- *Staff met with representatives from the National Park Service's Valley Forge National Historical Park to reactivate the Valley Creek Trustee Council's use of legal settlement funding for watershed restoration activities necessitated by the environmental damages associated with PCB contamination from the Paoli Railyard. Staff prepared a Request for Proposals, updated website content, updated the grant application package and the evaluation criteria for a new round of grant awards for the Valley Creek Watershed Restoration Grant Program in Chester and Montgomery counties. The public invitation for submitting grant applications was announced on December 4, 2019. Grant applications are due on January 24, 2020. Staff responded to questions from applicants and provided review comments on several draft grant applications submitted by prospective external partners.*
- *Continuing to partner with the USFWS through the implementation of a federal grant for habitat improvement projects statewide that benefit Species of Greatest Conservation Need including amphibians, reptiles, and fin-fish. As part of this effort, staff collaborated with multiple external partners on habitat improvement projects and completed an interim report summarizing PFBC work and expenditures during 2018-2019 and submitted it to the USFWS.*
- *Continuing to partner with County Conservation Districts, DCNR, USFWS, Trout Unlimited, and Lycoming College on implementation of 16 active grant projects in Cameron, Elk, McKean, and Potter counties with funding from the PFBC Sinnemahoning Creek Watershed Restoration Grant Program.*
- *A PFBC Sinnemahoning Grant Project was completed by the Potter County Conservation District that included implementation of in-stream habitat improvement structures, streambank stabilization, and riparian buffer plantings at four stream locations on privately-owned property open to public angling.*
- *A PFBC Sinnemahoning Grant Project was completed by the Potter County Conservation District and Trout Unlimited to replace a roadway culvert that created aquatic habitat fragmentation and a barrier to upstream movement of wild Brook Trout with a bottomless arch culvert to restore fish passage access to approximately 1.6 miles of Gravel Lick Run (tributary to Cross Fork) in Stewardson Township, Potter County.*
- *A PFBC Sinnemahoning Grant Project was completed by the Cameron County Conservation District that involved installation of a passive treatment system to remediate acid mine drainage from an abandoned coal surface mine discharging to Finley Run. This project is part of an overall restoration plan for the Sterling Run watershed to reconnect fragmented stream habitat and thereby re-establish the historical wild Brook Trout population.*
- *A PFBC Sinnemahoning Grant Project was completed by the USFWS, Northeast Fishery Center, that involved 10 consecutive years of monitoring of stream flow, temperature, water chemistry, physical habitat, salmonid population age, size, and abundance at 10 reference sites on wild Brook Trout-inhabited streams within Cameron, Elk, McKean, and Potter counties. These reference sites in locations with relatively little anthropogenic impact will be used to assess population status and trends to evaluate impacts to wild trout populations from changes in stream flow and*

temperature. The collected data from such long-term monitoring will help PFBC develop conservation strategies for management of wild trout. These reference sites can also be used as controls for comparison to future trout habitat enhancement projects to evaluate effectiveness.

- *A PFBC Sinnemahoning Grant Project was completed by the McKean County Conservation District that involved installing in-stream structures, stabilizing eroded streambanks, and planting native trees & shrubs in riparian corridors on seven different properties where one or more Species of Greatest Conservation Need have been confirmed.*
 - *A PFBC Sinnemahoning Grant Project was completed by Trout Unlimited that involved construction of streambank stabilization, in-stream structures, and riparian buffer tree planting on two properties on Kettle Creek downstream of Ole Bull State Park in Potter County. One site, owned by PFBC, is in the special regulation Catch and Release Fly-Fishing Only section, while the other site is on private property open to public fishing. These habitat improvement projects are intended to benefit both wild trout and the Eastern Hellbender and will also provide enhanced angling.*
2. Develop and implement lake habitat improvement plans into all PFBC high-hazard dam rehabilitation efforts.
- *Kyle Lake: All proposed in-lake habitat was installed. Shoreline and parking lot stabilization were completed in November 2019. Riparian buffer planting is scheduled for spring 2020. The third shoreline stabilization/kayak access project is scheduled to be completed in spring of 2020.*
 - *Lake Somerset: A fish habitat improvement plan was developed. The PA Turnpike will donate materials toward the fish habitat improvement project.*
 - *Donegal Lake: Loyalhanna Watershed Association is interested in becoming a Cooperative Habitat Improvement Program (CHIP) cooperator.*
 - *Colyer Lake: Water pH is being monitored on the downstream side of the newly installed limestone filtration system. The purpose of the structure is to increase the pH of the water entering the lake.*
3. Develop a plan to prioritize dam removals and culvert passage objectives statewide and facilitate fish passage through the removal of 25 dams, improved culvert installations, or the installation of fishways.
- *Staff continue to engage project partners, including dam owners, Federal, state and local agencies and nonprofit organizations, to effectively and efficiently improve aquatic organism passage through the removal of dams, installation of fishways and improving passage at road stream crossings and other impediments. Staff are actively involved in providing technical assistance and coordination to advance dozens of ongoing dam removal and fish passage projects across the state. Staff have been involved in coordination and technical assistance for three projects completed this quarter on Conococheague Creek, Franklin County; Chest Creek, Cambria County; and Little Chiques Creek, Lancaster County.*
 - *Staff continue to use Exelon Muddy Run Habitat Improvement Funds to advance dam removal projects in York and Lancaster Counties. Through coordination with other partners and funding sources, funds have been contributed to complete 2 dam removal projects (both on Chiques Creek, Lancaster Co.). Four other projects are in various stages of cooperative agreement coordination or are awaiting implementation*

(Codurus Creek and UNT to Mill Creek, York Co; Hammer Creek/Walnut Run and Chiques Creek, Lancaster County). Coordination continues on several other prospective projects. Staff continue to work with partners to discuss options and opportunities to address legacy sediment at dam removal sites.

P. By January 2016, simplify fishing regulations.

Recreation

Issue 3: Other leisure and recreational activities are competing with fishing and boating for people's time.

A large body of research exists that suggests strategies likely to engage and retain people to fish and boat by promoting it as fun, relaxing, convenient, easy, and safe. One of the most practical strategies for creating new anglers is simply for a friend or family member to take them fishing. Maintaining the most efficient use of stocked fish also continues to be a core element of providing recreational fishing opportunities.

At the same time, the Commission needs to learn more about and use customer demographics, needs, and desires to increase participation in fishing and boating. The Commission should continue to rely on national research and best practices as a foundation for its recruitment and retention goals and focus its efforts on enhancing and using basic knowledge of its customers.

Strategy 3A: Successfully involve youth and other target audiences in fishing and boating by addressing the following five key elements in outreach programs, with an emphasis on social support:

- **Providing introductory experiences**
- **Providing access to equipment**
- **Providing instruction (skills)**
- **Providing access (real and perceived)**
- **Encouraging social support (apprenticeship/mentoring ensures adoption)**

Goal 3A: Engage in targeted education and outreach activities that address the five key elements of fishing and boating participation and engage partners to enhance the Commission's efforts through the multiplier effect at the local level.

- A. Through June 2017, develop and implement annual plans for delivering training and instructional resources to sportsmen's clubs, conservation organizations, and outdoor recreation providers for Family Fishing, SMART Angler, women's, and other effective programs at the local level.
- Continued work on updating angler education curriculum and instructor training materials.
 - *Staff taught 21 women anglers during two new Women's Intro to Steelhead Fishing Programs in November 2019. Attendees learned the basics of fly and spin fishing first, and then spent the afternoon trying to catch Steelhead.*
- B. Through June 2017, maintain Fishing Tackle Loaner Program to make equipment accessible for group or individual loan.

- *Obtained year-end reports from 61 of the 80 active Fishing Tackle Loaner Program sites.*
 - *Nearly 2,500 loans were made in 2019.*
 - *Loaner equipment was also used to reach nearly 5,200 participants in angler education programs.*
- C. Through June 2017, develop and implement annual plans to present fishing opportunities in appealing and convenient “packages” such as PA’s Best Fishing Waters, Family Fishing Festivals, and mentored youth opportunities.
- D. Through June 2017, develop and implement annual plans for mentoring programs, with focused opportunities (e.g., different species or seasons) and increased outside partnership engagement.
 1. Increase lead-in and follow-up contacts for mentored fishing opportunities (such as promotions, partnerships, surveys, newsletters).
 2. Incorporate recruitment and retention elements into mentoring program promotions and partnerships.
 3. By July 2016, assess the overall effectiveness of the Mentored Youth Fishing Day program.
- E. Through June 2017, use increased understanding of customer demographics, current research, and customer trends to enhance recruitment and retention of anglers and boaters by identifying targeted segments for outreach and education.

Strategy 3B: Provide for safe and enjoyable participation in boating.

Goal 3B: Conduct outreach and informational efforts designed to reduce boating-related casualties, maintain water rescue program to provide necessary training for emergency response personnel to safely and effectively respond to water-related emergencies, and pursue new public access as resources allow.

- A. Through June 2017, annually identify and implement specific strategies to reduce casualties of targeted user groups.
- B. By January 2015, use point-of-sale messaging to increase awareness of minimum boating safety legal requirements.
- C. Through June 2017, continue to play a leadership role in the Pennsylvania Helicopter Aquatic Rescue Team (PA-HART) program.
- D. By July 2015, establish BLE swiftwater strike team as a certified Type 1 response team.
- E. Through June 2017, annually conduct Operation Dry Water, a statewide boating safety and boating under the influence saturation detail.
- F. Through June 2017, administer the Floating Structure and Aids to Navigation program.
- G. Through June 2017, administer Lake Erie Access Program and, as resources allow, pursue other public access opportunities consistent and Pennsylvania’s Fishing and Boating Access Strategy.

Strategy 3C: Create put-and-take fisheries by stocking legal size fish and enhance fisheries by stocking fry and fingerling size fish which supplement natural populations to support sustainable fisheries.

Goal 3C: Ensure that fish production levels are met annually to optimize fishing opportunities.

- A. Through at least July 2015, continue to operate all 13 state fish hatcheries.
1. Trout Culture: Annually produce and stock up to 3.2 million adult trout or 1.9 million pounds to stock in the Commonwealth.
 - a. By July 2015, evaluate the public demand and expectations for stocked trout and provide a recommendation on how many trout should be raised.
 - *From October 1 through December 31, 2019, PFBC hatcheries produced and stocked about 107,100 adult trout and 7,000 fingerling trout. PFBC Cooperative Nurseries received about 18,380 fingerling trout from PFBC hatcheries during the reporting period.*
 2. Warm/Cool Water Culture: Annually produce warm/cool water species through in-house production or acquisition to meet requests to stock species requested by Fisheries Management.
 - *From October 1 through December 23, 2019, PFBC hatcheries produced and stocked 8,875 fingerling Muskellunge, 4,411 advanced fingerling Largemouth Bass, 250 adult Golden Shiners, 32,000 adult Fathead Minnows, 20,000 fingerling Black Crappie, 18,400 fingerling Bluegill, 75,660 fingerling Channel Catfish, 14,405 yearling Channel Catfish, 3,000 fingerling Lake Trout, 3,690 fingerling Northern Pike and 8,000 fingerling Yellow Perch.*
 3. Cooperative Nurseries: Annually produce fish and eggs to supply the needs of the cooperative nurseries throughout the Commonwealth.
- B. Through June 2017, ensure the safe and efficient maintenance and operation of state fish hatcheries while remaining in compliance with environmental regulations and fish health guidelines.
1. Annually utilize available funding for maintenance and operation of hatcheries and identify budget shortfalls which may lead to fish production decreases.
 - *Updated hatchery alarm call service at Bellefonte, Benner Spring, and Tylersville State Fish Hatcheries. Initiated replacement of outdated alarm infrastructure at Bellefonte.*
 - *Raceway enclosures are being upgraded at the Oswayo State Fish Hatchery to reduce predation issues.*
 - *Per new statewide contract with vendor to supply liquid oxygen to 11 PFBC State Fish Hatcheries, automated telemetry systems installation initiated on liquid oxygen tanks at several hatcheries to assist vendor with monitoring oxygen use and forecasting more efficient delivery options.*
 - *Bird exclusion netting continues to be developed, modified, and installed at Bellefonte, Benner Spring, Reynoldsdale, and Tylersville State Fish Hatcheries.*
 - *Modification to the Union City State Fish Hatchery for mussel culture are in progress.*
 2. Consistently maintain and update hatchery permits and perform water quality analysis according to permits.
 - *All 14 State Fish Hatchery permits are current or are waiting on a response from PA DEP. During the quarter, draft comments were submitted to DEP for Huntsdale State Fish Hatchery on a second NPDES draft permit. Also, additional*

data and permit information was provided to DEP for the Pleasant Mount State Fish Hatchery and Tylersville State Fish Hatchery regarding NPDES permit applications.

3. Annually perform fish health inspections, provide diagnostic services, and maintain fish transfer records.
 - *During this quarter, 83 diagnostic cases were submitted to the PFBC Fish Health Lab. The Fish Health Unit also has completed Fish Health Inspections at 2 State Fish Hatcheries and 4 cooperative nurseries. An additional 7 partial Fish Health Inspections were conducted, as well. The Fish Health Unit also reviewed 15 fish transfers during this period.*
- C. Through July 2017, maintain and promote existing cooperative nurseries.
1. Through July 2017, increase the presence of cooperative nursery information in the *Pennsylvania Angler and Boater* magazine and the PFBC website.
 2. By December 2016, perform an analysis of existing cooperative nurseries and recommended production levels.
 - Analysis of existing cooperative nurseries and recommended production levels is complete.
 3. By July 2016, evaluate and recommend improvements to the cooperative nursery application process.
 - *Evaluation and recommended improvements are complete. Recommended improvements were implemented.*

Internal Resources

Issue 4: The Commission must consistently make investments in itself to maintain its infrastructure, staff, and programs and their respective relevance.

The Commission's employees are its largest investment and most important resource. More than just people, the Commission's infrastructure includes a vast network of facilities and properties. To deliver its programs and services, the Commission needs to sustain strategic investments in employee development and training, information technology, and physical infrastructure and properties, which include an enormous backlog of capital improvement requirements and an extensive list of long-term maintenance needs that require a coordinated and deliberate approach for planning, funding, and implementation.

Strategy 4: Strengthen performance and secure operations by continuing to efficiently and effectively manage limited financial and human resources and agency infrastructure.

Goal 4: Optimize agency efficiency through continuation of investments in information technology, employee training and development, and infrastructure planning and implementation.

A. Information Technology

1. By June 2016, redesign the Commission's website to simplify and enhance ease of navigation.

2. By June 2017, continue to plan for and support IT updates, enhancements, and maintenance of critical business applications to meet the needs and requirements of program areas.
 - a. By September 2014, identify and prioritize essential application enhancements for key business areas.
 - b. By July 2015, develop and implement annual plans for prioritized and funded application enhancements.
3. Through June 2017, continue to convert business applications to the new .NET/SQL application standard platform as necessary.
4. By July 2015, identify and begin utilizing available partnerships, infrastructure, software, data, and training to provide meaningful and useful information for managers and executive leadership to make critical programmatic, marketing, and business decisions.
5. By June 2017, develop the capability of a GIS layer containing Commission properties.
 - a. By June 2016, validate existing data, through general referencing, on Commission property holdings.
 - b. By June 2017, develop GIS layer for Commission properties.

B. Training and Development

1. Through June 2017, continue to re-invest in employee development opportunities.
 - *16 Fish Culturalists have completed four of five sessions of the PFBC Fish Culture School. They completed Introduction to Fish Culture, Fish Health, Water Quality and Warm/Cool Water Fish Culture.*
2. By June 2016, complete the training of a new class of WCOs.

C. Through June 2017, continue to implement a comprehensive multi-year Infrastructure Plan for the engineering, maintenance, and development of the Commission's dams, access areas, administrative buildings, hatcheries, marinas, and bridges.

1. Through June 2017, leverage funding sources to complete high-hazard dam repairs.
 - Belmont Lake Dam, Wayne County - Design of dam safety improvements are approximately 95% complete.
 - Lower Woods Dam, Wayne County - Project Design is 99% complete and is under review by the regulatory agencies.
 - White Oak Pond Dam & Miller Pond Dam, Wayne County - Design of dam safety improvements at both facilities are approximately 45% complete.
 - Tamarack A&B Dams, Crawford County - Construction of the Tamarack Lake Rehabilitation project is approximately 100% complete.
 - Children's Lake, Cumberland County - Design of dam safety improvements are approximately 95% complete.
 - Kyle Lake, Jefferson County - Construction of the Kyle Lake dam project is approximately 100% complete.
 - Donegal Lake Dam, Westmoreland County - Construction of the Donegal Lake dam project is approximately 100% complete.
 - Minsi Lake Dam, Northampton County - Construction of the Minsi Lake Dam is approximately 100% complete.

- West Pittston Armory Rehabilitation Project, Luzerne County - Consulting Engineer has been selected by the Department of General Services. Project alternatives are currently under review by PA Department of General Services.
 - Somerset Lake Dam, Somerset County - Construction of the Somerset Lake rehabilitation project has begun and is approximately 5% complete.
 - Meadow Grounds Lake Dam, Fulton County - Design is approximately 99% complete and the project is under review by the regulatory agencies. *Project has been awarded to KC Construction Company and construction is scheduled to begin in the spring of 2020.*
2. By March 2015, prioritize access areas that the Commission manages on behalf of the Commonwealth and begin implementing repairs on an established cycle.
 3. By December 2014, complete plan for where and how to house the Commission's Centre County-based staff.
 4. By June 2016, complete plans to optimize Commission field staff into as few locations as possible to meet identified business needs.
 5. By December 2014, complete return on investment analysis of marinas managed by the Commission.
 6. By January 2015, prioritize bridges that the Commission manages on behalf of the Commonwealth and begin implementing repairs on an established cycle.
 7. By June 2017, complete a Commission-wide energy savings analysis.

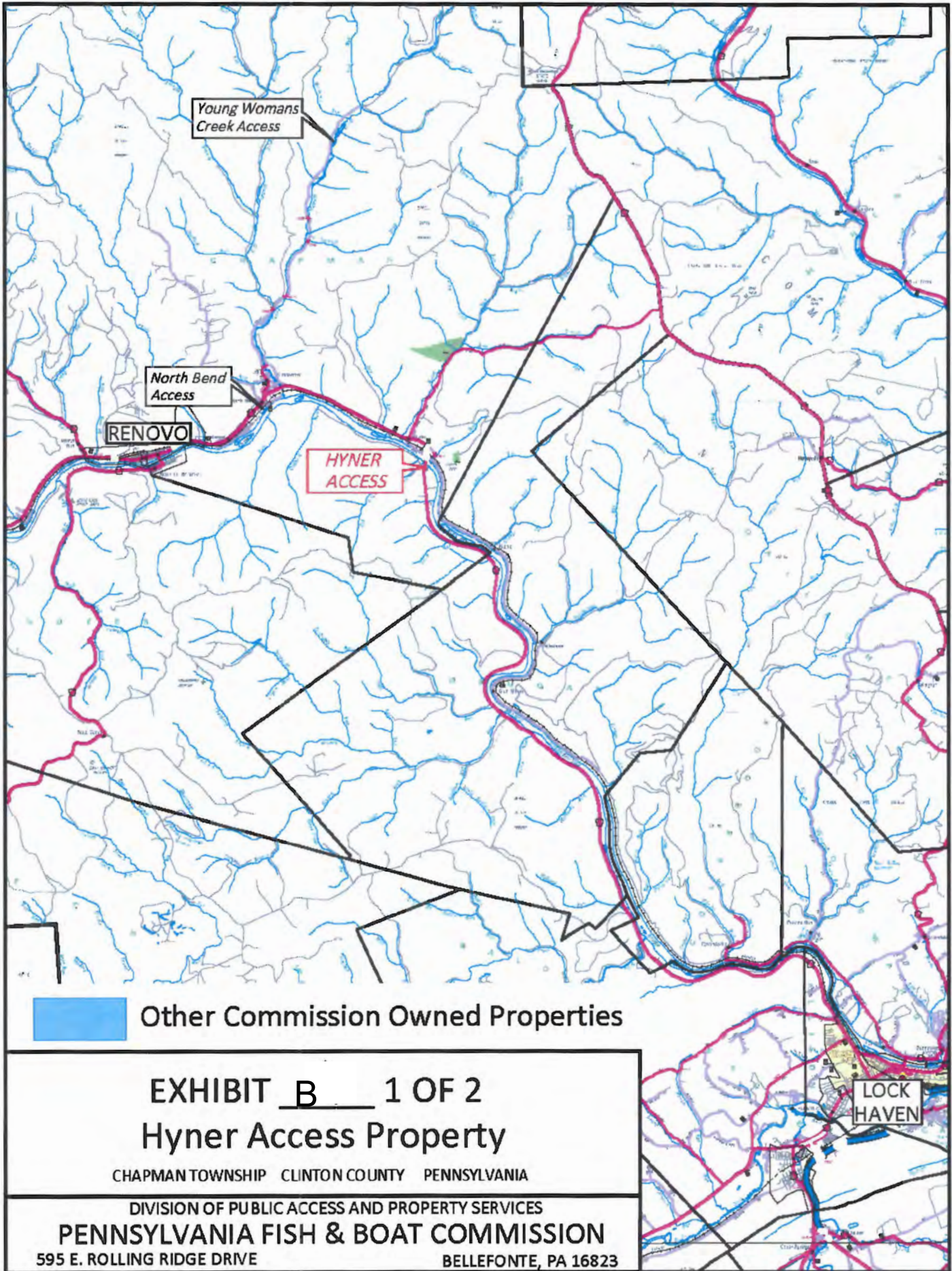
Other Notable Accomplishments

- *During November, DES's Resource Extraction Section (RES) worked with BLE's South Central Regional Office to respond to a 28,000-gallon gasoline spill from the Buckeye Pipeline near Marklesburg, Huntingdon County. On November 27, 2019, PFBC staff completed a fish and macroinvertebrate survey preemptively to obtain data to inform a pollution settlement agreement in the event the gasoline contamination spread would result in a fish kill. The IBI fish survey occurred over a 100-meter stream segment near the Aitch Boat Launch and resulted in the collection of 100 fish representing 6 species including Bluegill, Bluntnose Minnow, Eastern Blacknose Dace, Golden Shiner, Green sunfish, and Yellow Bullhead. The macroinvertebrate sample was taken in accordance with the Department of Environmental Protection's ICE Protocol. The macroinvertebrate sample has not been processed yet, but a cursory look indicates scuds, caddis, and stoneflies were represented. A Northern Two-Lined Salamander was also collected. Additional taxa will likely be identified.*
- *Staff completed fresh water mussel surveys at ten mussel translocation sites on the Clarion River for individuals salvaged from the Line Q and Hunter Station Projects. Data analysis to estimate survival and growth will be completed this winter and a report will be prepared detailing the results of the ongoing project, which started in 2016.*
- *Under a Competitive State Wildlife Grant for Conservation and Management of the Spotted Turtle in the Eastern US, staff completed QA/QC on data entry and summaries for standardized trapping studies conducted at 6 sites in southcentral PA in the spring.*
- *Staff collaborated with Ohio State University on a Longhead Darter reintroduction project. This is the second year of the project and monitoring during the summer of 2019 indicated that fish reintroduced in 2018 survived their first winter.*

- *In October, staff announced via a news release ([GRANT FUNDING AVAILABLE TO IMPROVE WATERSHEDS IN BERKS, LEBANON COUNTIES](#)) a public call-for-projects for the Tulpehocken & Quittapahilla Watershed Enhancement Grant Program. Eight applications were received and evaluated by a panel consisting of staff from Environmental Services, Fish Management, Habitat Management, and Law Enforcement. There were many well-written applications but, given limited funding, only one project was able to be funded. Funding for this grant program is made available through a 1998 agreement between the PFBC and Helix Ironwood, LLC (formerly AES Ironwood). Completed application materials must be received at the PFBC Headquarters (Harrisburg), by 4:00 PM, Friday, October 18, 2019.*
- *Staff conducted nongame education/outreach programs within the quarter at the following venues*
 - *Canoemobile Program on the Susquehanna River - herp and aquatic invertebrate programs.*
 - *Altoona Area School District Girls STEM Day – herp and career program.*
- *Staff participated in the Department of Environmental Protection Community Connects Event in Mansfield, Tioga County. This effort provided the PFBC with an opportunity to discuss a variety of topics related to fish ecology and flooding with the general public and other local and state agencies.*
- *Social Media:*
 - *Facebook account gained 1,477 new followers, bringing the total number of followers to 83,703. A total of 201 posts were made on Facebook and resulted in more than 1,983,591 impressions for the quarter.*
 - *Twitter gained 300 new followers, bringing the total number of followers to 10,700. During the quarter, 178 Tweets resulted in 455,888 impressions for the quarter.*
 - *Instagram gained 1,000 new followers, bringing the total number of followers to 11,100. Sixty-five Instagram posts resulted in 347,777 impressions for the quarter.*
- *Communications Director released 10 statewide press releases and had numerous interactions with media outlets during the quarter.*
- *Several video segments were produced and distributed to media outlets and legislators.*
- *Staff finalized plans for PFBC's presence at 16 sports, boat, outdoor shows, and related events for 1st quarter 2020.*
- *BOEM shipped eggs to 400 classrooms participating in Trout in the Classroom (TIC). Additional shipments of eggs or fry were provided to teachers experiencing total mortality.*
- *BOEM hired a permanent wage Environmental Education Specialist to serve as coordinator for Trout in the Classroom (TIC) Program. Cody Whipple will be headquartered at the CRO and take on most of the TIC responsibilities in addition to providing support to education and outreach activities in the North Central Region.*
- *Staff attended 8 shows and other events, resulting in direct contact with nearly 3,465 people.*
- *Staff coordinated discussions with the Pennsylvania Department of Transportation District 8-0 to address the annual mayfly emergence at the Columbia/Wrightsville Bridge over the Susquehanna River. Alternate lighting options are being evaluated to minimize*

the number of mayflies attracted to the bridge's lights and reduce impacts to the mayfly population and maintain public safety for motorists.

- *Staff completed design and production work on the following projects: 2020 Pennsylvania Fishing Summary; 2020 Pocket Guide; 2020 Show Materials (Countertop Banners/Signs/Laptop Graphics); Nov/Dec Pennsylvania Angler & Boater (print and electronic); Jan/Feb Pennsylvania Angler & Boater (print and electronic); Licensing Posters; BLE Regulation Posters; and Seasons, Sizes and Creel Limits Handout.*
- *Staff met with the Pennsylvania Department of Transportation to discuss the Department's current bridge cleaning and flushing work protocols. Staff will provide clarification and guidance to PennDOT for 'work windows' on bridges over Stocked Trout Waters and to implement a formal protocol for instream restriction periods.*
- *Staff co-investigated and assessed a stream pollution event in Fishing Creek in Clinton county with the PFBC Bureau of Law Enforcement, PA Department of Environmental Protection, and the Clinton County Conservation District. The site assessment revealed a leak in a silo plumbing system that allowed liquid to escape and create a biological oxygen demand along a mile-long stream section.*
- *The Valley Creek Trustee Council made an announcement that the grant program is open and accepting grant applications until January 24, 2020.*
- *PFBC participated in the Harmful Algal Blooms (HABs) technical work group and policy task force meetings.*



Young Womans
Creek Access

North Bend
Access

RENOVO

HYNER
ACCESS



Other Commission Owned Properties

EXHIBIT B 1 OF 2
Hyner Access Property

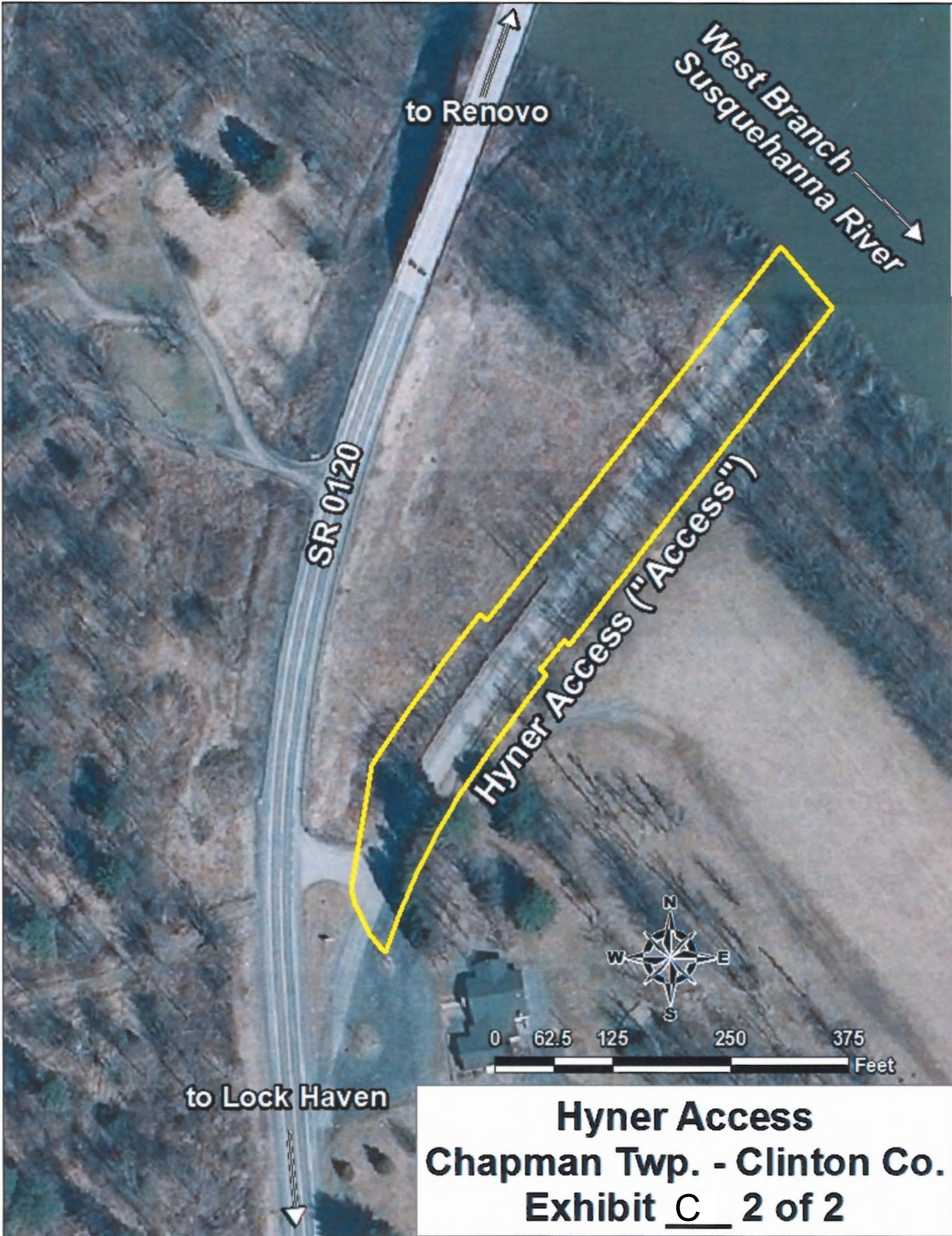
CHAPMAN TOWNSHIP CLINTON COUNTY PENNSYLVANIA

DIVISION OF PUBLIC ACCESS AND PROPERTY SERVICES
PENNSYLVANIA FISH & BOAT COMMISSION

595 E. ROLLING RIDGE DRIVE

BELLEFONTE, PA 16823

LOCK
HAVEN

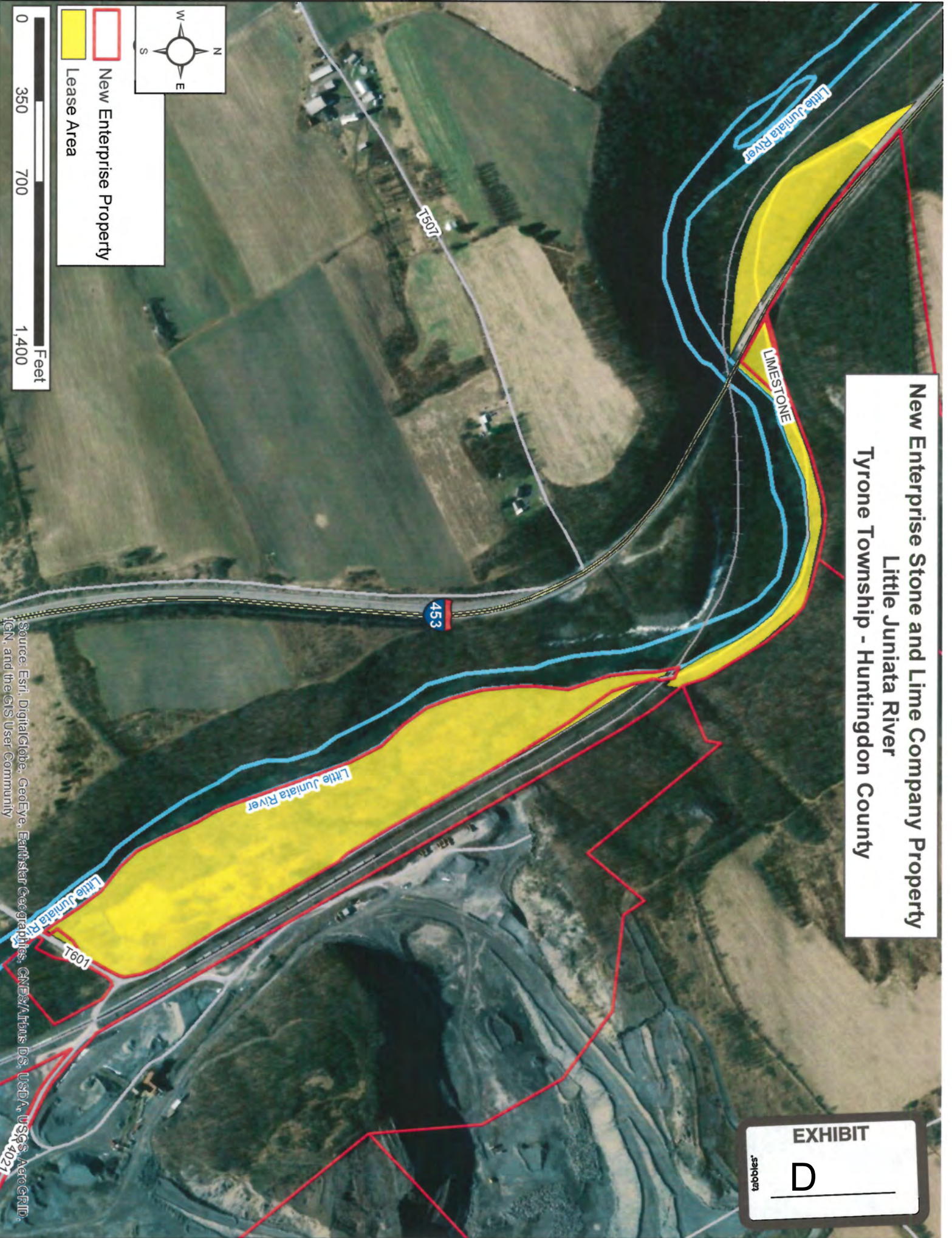


Hyner Access
Chapman Twp. - Clinton Co.
Exhibit C 2 of 2

New Enterprise Stone and Lime Company Property
Little Juniata River
Tyronne Township - Huntingdon County

EXHIBIT
D

tabbles



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

[Close Window](#)**EXHIBIT
E**

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 119]

Motorboat Noise Control

[49 Pa.B. 5215]

[Saturday, September 7, 2019]

The Fish and Boat Commission (Commission) proposes to amend Chapter 119 (relating to motorboat noise control) to read as set forth in Annex A. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's methods for enforcement of motorboat noise control.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed amendments to §§ 119.3, 119.6 and 119.8 (relating to prohibited acts; pass-by test; and enforcement) are published under the statutory authority of section 5123 of the code (relating to general boating regulations).

D. *Purpose and Background*

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. *Summary of Proposal*

Over the last several boating seasons the Commission has received multiple complaints about motorboat noise levels and a request for more enforcement. Under 58 Pa. Code Chapter 119, regulations requiring mufflers and various noise levels for motorboats were established in June 1994. This proposed rulemaking package was based on a model act

provided by the National Association of State Boating Law Administrators (NASBLA). Even though the Commission adopted most of the recommendations from NASBLA, determining if a boat is in violation of the regulation is very subjective. Additionally, standards adopted have never truly been enforceable due to the lack of training and device guidelines.

Starting in 2018, the Commission staff began exploring the standards used and regulations in place in other states. It is believed with a few minor language adjustments the Commission will be able to establish a training program utilizing recognized devices and be able to better address the complaints from around the waterways in this Commonwealth. This amendment was vetted and approved by the Boating Advisory Board on June 27, 2019.

The Commission proposes that §§ 119.3, 119.6 and 119.8 be amended to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the 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 submitted by facsimile will not be accepted.

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.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-291. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 119. MOTORBOAT NOISE CONTROL

§ 119.3. Prohibited acts—~~5123(a)3 and 5.~~

(a) A person may not operate and an owner may not give permission for the operation of a motorboat upon the waters of this Commonwealth that is equipped with an altered muffler or a muffler cutout, bypass or other device designed or so installed so that it can be used continually or intermittently to bypass or otherwise reduce or eliminate the effectiveness of a muffler or muffler system installed under this chapter.

* * * * *

§ 119.6. Pass-by test—~~5123(a)3.~~

A person may not operate a motorboat on the waters of this Commonwealth that exceeds a noise level of 82dB(a) measured as specified in SAE [J34] J1970. The measurement may not preclude a stationary sound level test as prescribed in § 119.5 (relating to stationary test) if an officer has reason to believe that the motorboat is being operated in excess of the noise levels established in § 119.5.

§ 119.8. Enforcement.

(a.) An officer authorized to enforce this chapter who has reason to believe that a [vessel] motorboat is being operated in excess of the noise levels established in this chapter may direct the operator of the [vessel] motorboat to submit the [vessel] motorboat to an onsite test to measure noise levels. If the [vessel] motorboat exceeds the decibel levels established by this chapter, the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the [vessel] motorboat to a mooring and keeping the [vessel] motorboat at the mooring until the violation is corrected or ceases.

(b.) Any law enforcement officer who conducts motorboat noise level tests as provided in this chapter shall be qualified in motorboat noise testing by the Commission. These qualifications shall include but are not limited to the selection of the measurement site, and the calibration and use of noise testing equipment.

(c.) Measurements for either a Stationary or Pass-by Test will be made by a sound level meter which satisfies ANSI-S 1.4-1983, Type 2 or equivalent.

[Pa.B. Doc. No. 19-1364. Filed for public inspection September 6, 2019, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

[Top](#)

[Bottom](#)

[Close Window](#)

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 69]

Fishing in Lake Erie and Boundary Lakes

[49 Pa.B. 7298]

[Saturday, December 14, 2019]

The Fish and Boat Commission (Commission) proposes to amend Chapter 69 (relating to fishing in Lake Erie and boundary lakes). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's season dates for walleye fishing in Lake Erie, Lake Erie tributaries and Presque Isle Bay, including peninsula waters.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed amendments to § 69.12 (relating to seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters) are published under the statutory authority of section 2102(b) of the code (relating to rules and regulations).

D. *Purpose and Background*

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. *Summary of Proposal*

Past Commission actions gave authority to the Executive Director to adjust harvest limits for walleye and yellow perch based upon adaptive management methods for Lake Erie, Lake Erie tributaries and Presque Isle Bay, including peninsula waters. These

flexible management strategies serve to maintain consistency in angler catch rate given the vagaries of weather and other biotic and abiotic influences upon recruitment or production of young for these species. Following that approval, Commission staff identified a slight discrepancy in the start date of walleye season for Inland Waters and Lake Erie waters. In both cases the start date occurs within one week of one another. To maintain regulatory consistency and simplicity, Commission staff recommend the Lake Erie, Lake Erie tributaries, Presque Isle Bay and peninsular water walleye seasonal opening days be the same as that for Commonwealth Inland Waters. This small housekeeping change is expected to be unnoticed by anglers and have negligible impact upon fishing opportunity but will serve to simplify and make clear harvest rules applicable to walleyes across much of this Commonwealth.

The Commission proposes that § 69.12 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the 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 submitted by facsimile will not be accepted.

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.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-294. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

Subchapter B. SPORT FISHING AND ANGLING

§ 69.12. Seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters.

	* * * * *		
<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
	* * * * *		
WALLEYE	[January 1 to midnight March 14 and May 1 to December 31.] <u>January 1—March 14; and 12:01 a.m. first Saturday in May until midnight December 31</u>	15 inches	Established annually by April 15[*] **
	* * * * *		

* It is unlawful to conduct or participate in a fishing tournament (as defined in § 63.40 (relating to fishing tournaments and fishing derbies)) for bass on Lake Erie, Lake Erie tributaries or Presque Isle Bay during the period from the first Saturday after April 11 until the first Saturday after June 11.

** See § 69.12b (relating to Lake Erie walleye and yellow perch adaptive management for establishing daily limits). After the Executive Director establishes the daily limit for the year, the information will be posted on the Commission's web site and available from any Commission office.

[Pa.B. Doc. No. 19-1852. Filed for public inspection December 13, 2019, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

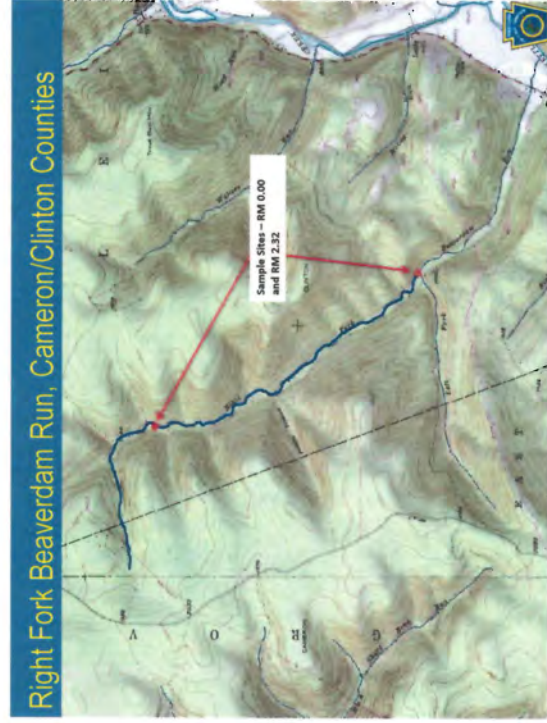
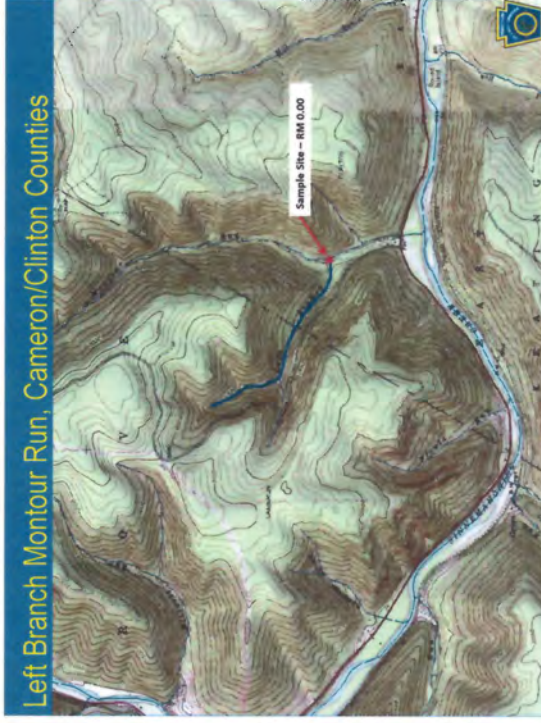
This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

[Top](#)

[Bottom](#)

Class A Additions

- Slides 2-81



Left Branch Montour Run, Cameron/Clinton Counties

Brook Trout - RM-0.00 Site Length - 231 meters				Brown Trout - RM-0.00 Site Length - 231 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	107	6.37	2,591	3	1	0.15	24
3	20	2.88	484	Total	1	0.15	24
4	26	8.62	630				
5	24	14.21	581				
6	13	12.94	315				
7	5	7.73	121				
8	2	4.48	48				
Total	197	57.23	4,770				

EXHIBIT
G

Right Fork Beaverdam Run, Cameron/Clinton Counties

Brook Trout RM - 0.00
Site Length - 256 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	8	0.09	82
2	29	0.73	298
3	5	0.31	51
4	16	2.25	164
5	13	3.27	134
6	7	2.96	72
7	7	4.60	72
8	5	4.76	51
9	2	2.70	21
10	2	3.73	21
Total	94	25.40	966

Brook Trout RM - 2.32
Site Length - 355 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	16	0.18	176
2	39	1.06	429
3	26	3.73	627
4	36	9.79	715
5	33	13.72	561
6	16	7.23	176
7	7	4.92	77
8	7	9.17	99
9	1	1.45	11
10	1	2.00	11
Total	182	53.25	2,882

Dicks Run, Centre County



Dicks Run, Centre County

Brown Trout RM - 0.17
Site Length - 340 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
3	16	0.92	144
4	9	1.16	81
6	3	1.19	27
7	26	15.77	235
8	13	11.39	117
9	5	6.10	45
10	16	26.32	144
11	9	19.25	81
12	4	10.96	36
13	4	13.80	36
14	2	8.54	18
15	1	5.21	9
16	1	6.28	9
17	2	15.51	18
Total	111	142.40	1,000

Brown Trout RM - 1.12
Site Length - 370 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	5	0.15	60
3	30	2.28	357
4	1	0.17	12
6	6	3.13	71
7	12	9.60	143
8	7	8.09	83
9	1	1.61	12
10	1	2.17	12
11	3	8.46	36
12	3	10.84	36
14	3	16.90	36
15	1	6.88	12
Total	73	70.28	870

Dicks Run, Centre County

Brown Trout RM - 3.06
Site Length - 315 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	1	0.07	27
3	31	5.31	833
4	4	1.54	108
5	1	0.71	27
7	3	5.42	81
8	6	15.66	161
12	1	8.16	27
13	2	20.54	54
14	1	12.72	27
Total	50	70.13	1,345

Laurel Run, Centre County



Laurel Run, Centre County

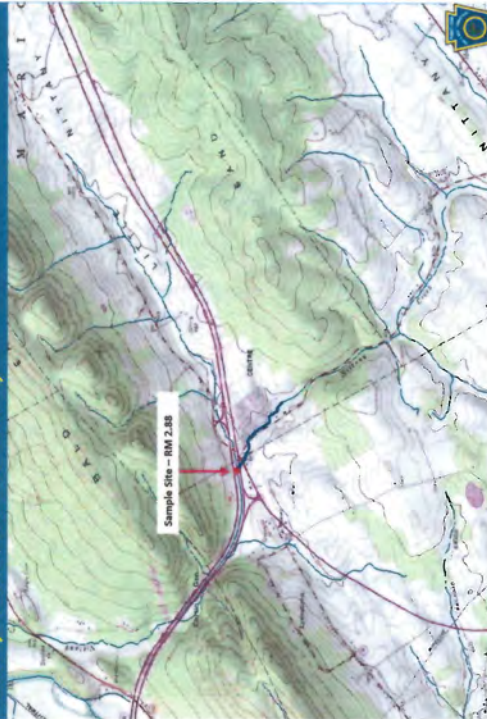
Brook Trout RM - 2.82
Site Length - 427 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	24	0.18	176
2	38	0.69	279
5	3	0.54	22
6	4	1.21	29
7	6	2.81	44
8	5	3.40	37
10	2	2.66	15
Total	82	11.49	602

Brown Trout RM - 2.82
Site Length - 427 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	33	0.25	242
2	116	2.16	852
5	6	1.16	44
6	13	4.19	95
7	11	5.43	81
8	2	1.43	15
9	10	9.92	73
10	1	1.34	7
15	1	4.24	7
Total	193	30.12	1,416

Nittany Creek, Centre County

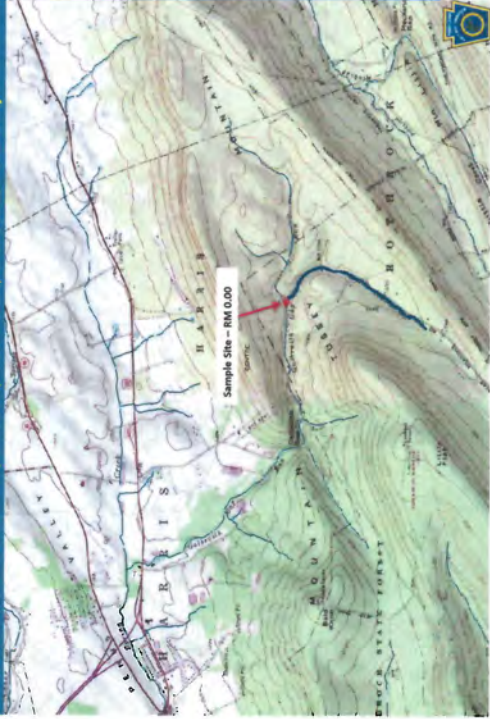


Nittany Creek, Centre County

Brown Trout RM - 2.88
Site Length - 176 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
4	9	2.73	191
5	18	10.02	381
6	10	9.29	212
8	2	4.11	42
9	1	2.86	21
10	2	7.72	42
13	1	8.10	21
Total	43	44.83	910

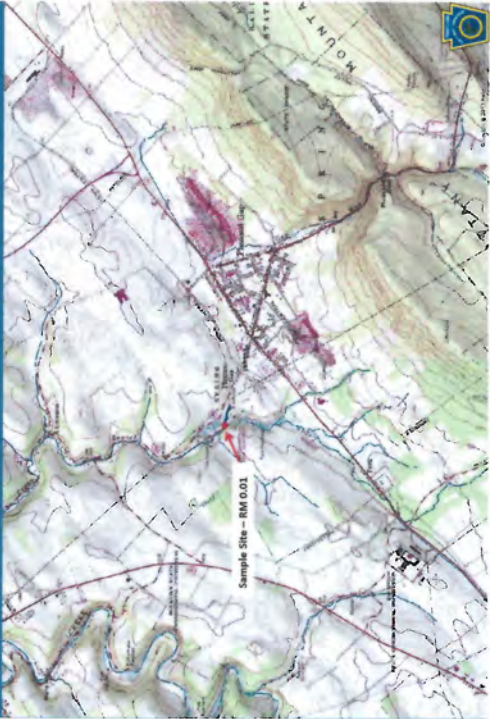
UNT to Galbraith Gap Run (RM 2.60), Centre County



UNT to Galbraith Gap Run (RM 2.60), Centre County

Brook Trout RM - 0.00 Site Length - 208 meters				Brown Trout RM - 0.00 Site Length - 208 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	2	0.05	47	3	1	0.15	23
2	57	11.15	4,533	4	1	0.34	23
3	5	0.70	117	5	3	1.84	70
4	7	2.24	164	6	1	1.02	23
5	8	4.57	187	Total	6	3.35	139
6	8	7.68	187				
7	8	16.42	257				
8	3	6.49	70				
9	1	3.07	23				
Total	99	52.37	5,585				

UNT to Logan Branch (RM 3.88), Centre County



UNT to Logan Branch (RM 3.88), Centre County

Brown Trout RM - 0.01 Site Length - 160 meters			Estimated Number/Ha		
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Estimated Number/Ha	Estimated Number/Ha
2	1	0.12	46	46	
3	4	1.18	185	185	
4	7	4.65	324	324	
5	1	1.22	46	46	
6	1	2.03	46	46	
7	2	6.22	93	93	
9	1	6.26	46	46	
10	3	25.31	139	139	
11	1	10.97	46	46	
12	1	14.05	46	46	
15	1	26.74	46	46	
16	1	32.22	46	46	
Total	24	130.97	1,109	1,109	

UNT to Spring Creek (RM 19.60), Centre County



UNT to Spring Creek (RM 19.60), Centre County

Brown Trout RM - 0.00
Site Length - 165 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	25	1.75	689
3	1	0.18	28
5	2	1.45	55
6	5	6.04	138
7	1	1.85	28
9	1	3.72	28
11	1	6.53	28
12	1	8.36	28
13	1	10.53	28
Total	38	40.41	1,050

Wheistone Run, Centre County



Wheistone Run, Centre County

Brook Trout RM - 0.00
Site Length - 340 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	3	0.04	35
2	79	6.41	2,605
3	1	0.07	12
4	2	0.32	23
5	10	2.84	116
6	7	3.34	81
7	3	2.23	35
8	1	1.08	12
9	2	3.06	23
Total	108	19.39	2,942

Brown Trout RM - 0.00
Site Length - 340 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	54	3.51	1,384
3	1	0.07	12
5	4	1.22	47
6	17	10.71	244
7	3	2.34	35
8	6	7.90	81
9	1	1.57	12
Total	86	27.32	1,815

McCloskey Run, Clearfield County



McCloskey Run, Clearfield County

Brook Trout RM - 0.00 Site Length - 236 meters				Brown Trout RM - 0.00 Site Length - 236 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	14	0.64	617	3	1	0.28	44
2	30	3.25	1,322	Total	1	0.28	44
3	23	6.03	1,013				
4	21	12.67	925				
5	6	6.46	264				
6	6	10.86	264				
7	5	14.07	220				
8	1	4.08	44				
Total	106	58.06	4,669				

Shaggers Inn Run, Clearfield County



Shaggers Inn Run, Clearfield County

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	10	0.18	172
2	55	7.41	3,012
3	34	5.43	912
4	17	4.01	293
5	9	4.63	189
6	6	5.66	138
7	7	8.80	138
8	2	3.19	34
Total	140	39.31	4,888

UNT to Gifford Run (RM 4.40), Clearfield County



UNT to Gifford Run (RM 4.40), Clearfield County

Brook Trout RM - 0.03
Site Length - 180 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	11	0.50	485
2	71	7.69	3,128
3	14	3.67	617
4	13	7.84	573
5	6	6.46	264
6	1	1.81	44
7	4	11.26	176
8	2	8.16	88
9	1	5.79	44
Total	123	53.18	5,419

UNT to Medix Run (RM 7.37), Clearfield County

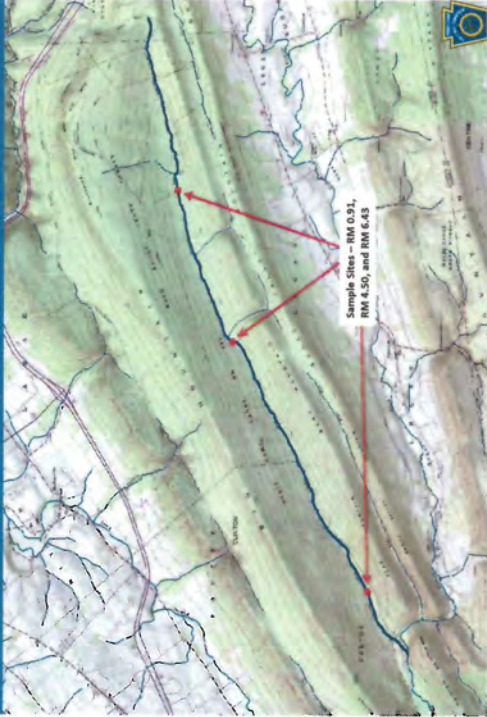


UNT to Medix Run (RM 7.37), Clearfield County

Brook Trout RM - 0.05
Site Length - 340 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	8	0.16	152
2	70	3.27	1,328
3	22	2.49	417
4	30	7.80	569
5	8	3.71	152
6	4	3.12	76
7	5	6.06	95
8	4	7.03	76
Total	151	33.64	2,865

Cherry Run, Clinton County



Cherry Run, Clinton County

Brook Trout RM - 0.91
Site Length - 515 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	29	0.35	141
3	11	0.32	54
4	17	1.14	83
5	15	1.79	73
6	11	2.21	54
7	7	2.49	39
9	1	0.64	5
11	1	1.18	5
Total	92	10.12	454

Brook Trout RM - 0.91
Site Length - 515 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	3	0.04	15
3	4	0.12	20
4	32	3.64	254
5	3	0.38	15
6	15	4.07	93
7	13	4.26	63
8	13	6.63	68
9	14	13.18	98
10	6	5.33	29
11	3	3.47	15
12	4	5.92	20
13	1	1.86	5
14	2	4.62	10
15	1	2.82	5
Total	114	56.34	710

Cherry Run, cont.

Brook Trout RM - 4.50
Site Length - 516 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	55	1.98	804
3	13	0.46	77
4	24	2.59	189
5	18	4.05	165
6	18	5.59	136
7	9	4.15	65
8	6	4.38	47
Total	143	23.20	1,483

Brook Trout RM - 4.50
Site Length - 516 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	2	0.03	12
3	7	0.26	41
4	18	2.03	142
5	8	1.71	65
6	16	5.18	118
7	3	1.19	18
8	6	3.44	35
9	3	2.40	18
10	6	6.46	35
11	1	1.40	6
12	1	1.79	6
13	2	4.52	12
Total	73	30.41	508

Cherry Run, cont.

Brook Trout RM - 6.43
Site Length - 400 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	91	7.53	3,059
3	10	0.52	87
4	13	2.27	166
5	16	3.42	140
6	6	2.16	52
7	6	3.91	61
8	1	0.81	9
Total	143	20.62	3,574

Brook Trout RM - 6.43
Site Length - 400 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	1	0.02	9
4	1	0.13	9
5	1	0.23	9
10	1	1.59	9
18	1	9.16	9
Total	5	11.13	45

Left Fork Beaverdam Run, Clinton County



Left Fork Beaverdam Run, Clinton County

Brook Trout RM - 0.46
Site Length - 307 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	1	0.02	17
2	93	3.80	1,545
3	24	2.37	399
4	11	2.50	183
5	34	13.81	565
6	11	7.51	183
7	8	8.49	133
Total	182	38.50	3,025

Little Wolf Lick Run, Elk County



Little Wolf Lick Run, Elk County

Brook Trout RM - 0.04
Site Length - 536 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	1	0.01	8
2	39	0.76	308
3	3	0.14	24
4	1	0.11	8
5	18	3.48	142
6	10	3.25	79
7	6	3.03	47
8	3	2.20	24
9	1	1.04	8
10	2	2.87	16
Total	84	16.89	664

Brown Trout RM - 0.04
Site Length - 536 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	14	0.28	111
3	4	0.20	32
4	4	0.83	32
5	26	9.02	206
6	6	3.19	47
7	11	8.44	87
8	15	16.02	119
9	6	8.64	47
10	1	2.40	8
11	1	3.02	8
12	1	3.74	8
Total	89	55.78	705

Yankees Gap Run, Franklin County



Yankees Gap Run, Franklin County

Brook Trout RM - 0.58
Site Length - 203 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	4	0.18	72
3	52	5.57	935
4	21	5.17	378
5	1	0.44	18
6	16	11.83	288
7	20	22.98	360
8	11	18.31	198
9	1	2.36	18
10	1	3.26	18
11	2	8.70	36
Total	129	78.80	2,321

UNT to Swatara Creek (RM 48.00), Lebanon County

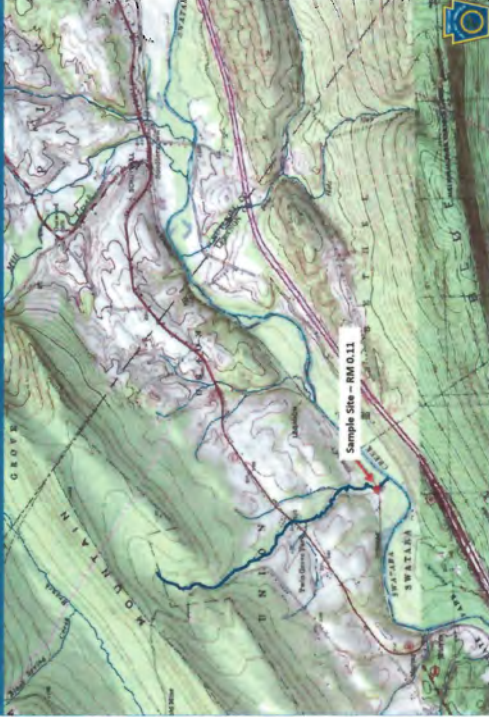


UNT to Swatara Creek (RM 48.00), Lebanon County

Brook Trout RM - 0.03
Site Length - 228 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	83	3.67	1,493
3	17	1.82	306
4	12	2.96	216
5	19	8.35	342
6	17	12.56	306
7	12	13.79	216
8	2	3.33	36
9	1	2.36	18
Total	163	48.84	2,933

UNT to Swatara Creek (RM 49.30), Lebanon County



UNT to Swatara Creek (RM 49.30), Lebanon County

Brown Trout RM - 0.11
Site Length - 331 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	115	2.70	1,099
3	50	2.85	478
4	11	1.44	105
5	40	9.35	382
6	25	9.82	239
7	16	9.77	153
8	6	5.31	57
9	1	1.26	10
Total	264	42.50	2,523

Kaiser Hollow Run, Lycoming County



Kaiser Hollow Run, Lycoming County

Brook Trout RM - 0.45
Site Length - 275 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	1	0.03	12
Total	1	0.03	12

Brown Trout RM - 0.45
Site Length - 275 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	9	0.27	105
3	5	0.37	58
5	5	1.53	58
6	10	5.11	117
7	6	4.70	70
8	2	2.26	23
11	2	5.52	23
12	1	3.54	12
13	2	8.91	23
15	1	6.73	12
16	1	8.11	12
Total	44	47.05	513

Kaiser Hollow Run, cont.

Brown Trout RM - 1.08
Site Length - 285 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	17	0.60	237
3	4	0.36	56
5	3	1.10	42
6	9	5.50	125
7	2	1.87	28
8	2	2.70	28
9	2	3.76	28
10	3	7.62	42
11	2	6.60	28
12	2	8.45	28
14	1	6.59	14
Total	47	45.15	656

Morris Run, Lycoming/Tioga Counties



Morris Run, Lycoming/Tioga Counties

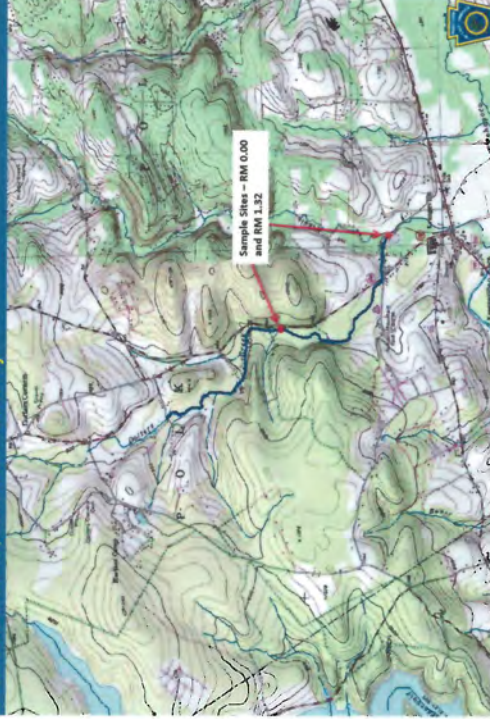
Brook Trout RM - 0.03
Site Length - 552 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	77	3.87	1,575
3	10	0.33	55
4	13	0.98	72
5	27	6.73	275
6	23	7.69	187
7	14	5.98	94
8	4	2.04	22
9	4	3.62	28
Total	172	31.24	2,308

Brown Trout RM - 0.03
Site Length - 552 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	4	0.02	22
2	22	0.31	121
3	2	0.07	11
4	16	1.26	88
5	51	12.01	457
6	3	0.72	17
7	9	4.44	66
8	5	2.67	28
9	4	2.98	22
10	2	2.01	11
Total	118	26.49	843

Dotters Creek, Monroe County



Dotters Creek, Monroe County

Brook Trout RM - 0.00
Site Length - 210 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	3	0.04	17
3	6	0.22	34
4	5	0.40	28
5	13	1.93	73
6	15	3.71	85
7	7	2.65	40
8	15	8.22	85
9	11	8.39	62
10	4	4.11	23
11	4	5.35	23
12	3	5.14	17
13	1	2.16	6
14	5	13.35	28
15	1	3.26	6
20	1	7.65	6
Total	94	66.58	533

Dotters Creek, cont.

Brook Trout RM - 1.32
Site Length - 240 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
5	2	0.23	10
6	1	0.20	5
8	1	0.44	5
Total	4	0.87	20

Brown Trout RM - 1.32
Site Length - 240 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	12	0.15	57
3	7	0.21	33
4	3	0.21	14
5	24	3	114
6	20	4.18	95
7	15	4.80	71
8	26	12.03	124
9	15	9.66	71
10	2	1.74	10
11	6	6.78	29
12	2	2.89	10
13	1	1.82	5
22	1	9.44	5
Total	134	56.91	638

Cross Fork, Potter County



Cross Fork, Potter County

Brook Trout RM - 8.70
Site Length - 282 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	26	0.39	160
3	38	2.52	423
4	23	2.94	215
5	22	4.20	172
6	5	1.26	31
7	3	1.57	25
8	7	5.11	55
9	1	0.81	6
Total	125	18.80	1,087

Brown Trout RM - 8.70
Site Length - 282 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	6	0.09	37
3	10	0.39	61
4	10	0.88	61
5	4	0.64	25
6	3	0.81	18
7	4	1.65	25
8	9	5.96	61
9	4	3.32	25
10	5	5.59	31
11	2	2.91	12
12	2	3.72	12
Total	59	25.96	368



Cross Fork, Potter County

**Brook Trout RM - 6.62
Site Length - 500 meters**

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	12	0.09	36
3	46	0.83	140
4	27	1.12	82
5	39	2.89	118
6	26	3.24	79
7	15	2.91	46
8	11	3.09	33
9	4	1.60	12
10	3	1.65	9
11	1	0.73	3
Total	184	18.15	558

**Brown Trout RM - 6.62
Site Length - 500 meters**

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
3	18	0.35	55
4	2	0.09	6
5	6	0.48	18
6	7	0.93	21
7	8	1.63	24
8	6	1.77	18
9	7	2.87	21
10	3	1.66	9
11	6	4.31	18
12	4	3.68	12
13	4	4.64	12
14	1	1.44	3
Total	72	23.85	217

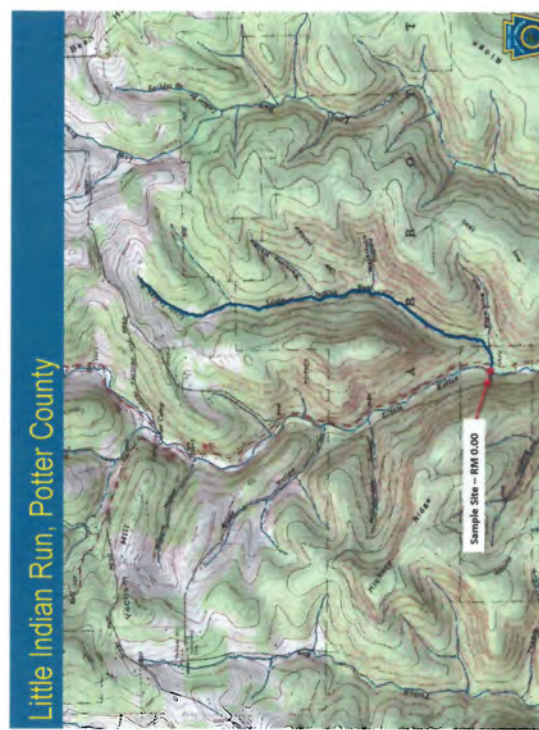
**Brook Trout RM - 7.69
Site Length - 355 meters**

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	17	0.27	109
3	28	1.07	179
4	19	1.67	122
5	20	3.13	128
6	14	3.68	90
7	6	2.45	38
8	9	5.33	58
9	3	2.53	19
Total	116	20.13	743

**Brown Trout RM - 7.69
Site Length - 355 meters**

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	8	0.13	51
3	8	0.33	51
4	6	0.55	38
5	9	1.51	58
6	5	1.40	32
7	3	1.29	19
8	3	1.86	19
9	7	6.06	45
10	6	7.00	38
11	5	7.59	32
12	2	3.89	13
13	2	4.89	13
14	1	3.03	6
Total	65	39.53	415

Cross Fork, Potter County



Little Indian Run, Potter County

Little Indian Run, Potter County

Brook Trout RM - 0.00 Site Length - 480 meters				Brown Trout RM - 0.00 Site Length - 480 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	99	3.72	1,510	2	27	1.06	417
3	72	5.43	911	3	1	0.06	9
4	23	3.33	243	4	6	0.87	61
5	25	6.15	252	5	6	1.82	69
6	18	8.20	200	8	1	0.84	9
7	9	4.99	78	9	1	1.17	9
8	7	6.43	69	Total	42	5.82	574
9	2	2.28	17				
Total	255	40.53	3,280				

Little Portage Creek, Potter County

Brook Trout RM - 0.27 Site Length - 320 meters				Brown Trout RM - 0.27 Site Length - 320 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	1	0.04	18	2	8	0.37	144
3	44	4.73	794	3	6	0.69	108
4	3	0.74	54	4	1	0.26	18
5	16	7.06	289	5	2	0.95	36
6	10	7.42	181	6	2	1.58	36
7	14	16.14	253	7	2	2.43	36
8	3	5.01	54	12	1	5.48	18
Total	91	41.14	1,643	Total	24	25.56	432

Little Portage Creek, Potter County



Little Portage Creek, Potter County

Brook Trout RM - 0.87 Site Length - 250 meters				Brown Trout RM - 0.87 Site Length - 250 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	24	1.31	533	2	3	0.17	67
3	38	5.03	844	3	2	0.28	44
4	8	2.43	178	5	3	1.75	67
5	10	5.43	222	7	2	2.99	44
6	10	9.13	222	12	1	6.74	22
7	7	9.94	156	20	1	30.11	22
8	5	10.29	111	Total	12	42.04	266
9	4	11.69	89				
10	2	8.06	44				
11	1	5.38	22				
Total	109	68.69	2,421				

Nelson Hollow Run, Potter County



Nelson Hollow Run, Potter County

Brook Trout RM - 0.10 Site Length - 225 meters				Brown Trout RM - 0.10 Site Length - 225 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	2	0.10	96	2	15	1.82	718
2	23	2.71	1,100	3	17	5.18	813
3	8	2.28	383	4	2	1.37	96
5	2	2.34	96	5	3	3.77	144
6	7	13.76	335	6	13	27.28	622
7	4	12.23	191	7	8	25.72	383
8	3	13.29	144	8	2	9.29	96
9	1	6.29	48	10	2	17.44	96
10	1	8.68	48	11	1	11.34	48
Total	51	61.68	2,441	14	1	22.64	48
				Total	64	125.85	3,064

UNT to Phoenix Run (RM 2.69), Potter County



UNT to Phoenix Run (RM 2.69), Potter County

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	69	5.75	2,339
4	10	4.64	339
5	16	13.26	542
6	1	1.39	34
7	5	10.83	169
Total	101	35.87	3,423

UNT to South Branch Oswayo Creek (RM 5.63), Potter County



UNT to South Branch Oswayo Creek (RM 5.63), Potter County

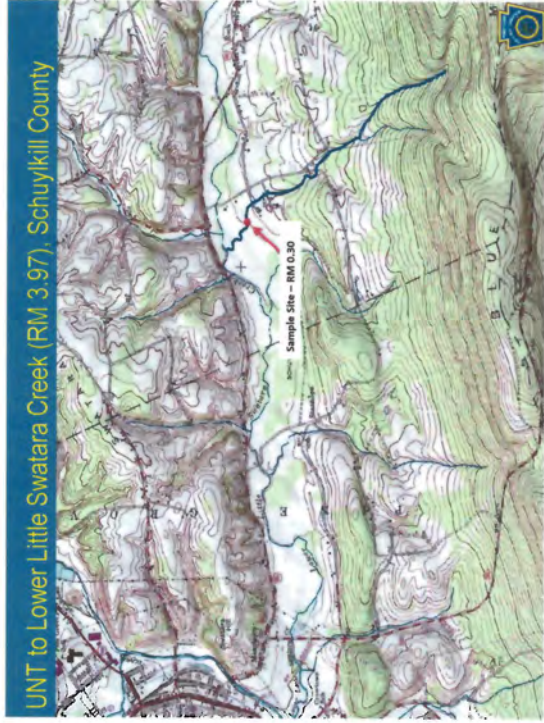
Brook Trout RM - 0.21 Site Length - 366 meters				Brown Trout RM - 0.21 Site Length - 366 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
3	4	0.27	46	2	9	0.32	125
12	1	3.83	11	5	3	0.90	34
Total	5	4.10	57	6	5	2.50	57
				7	6	6.12	91
				8	3	3.32	34
				10	3	6.23	34
				11	3	8.10	34
				14	1	5.39	11
				16	1	7.93	11
				Total	34	40.81	431

UNT to Lower Little Swatara Creek (RM 0.46), Schuylkill County



UNT to Lower Little Swatara Creek (RM 0.46), Schuylkill County

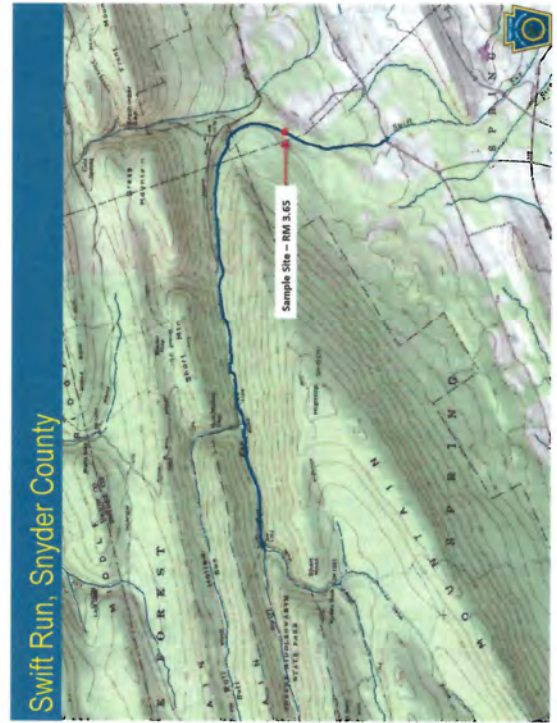
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	32	1.21	494
3	29	2.66	448
4	4	0.85	62
5	26	9.81	401
6	25	15.85	386
7	8	7.89	123
8	4	5.71	62
10	1	2.80	15
11	1	3.73	15
Total	130	50.51	2,006



UNT to Lower Little Swatara Creek (RM 3.97), Schuylkill County

Brook Trout RM - 0.30
Site Length - 357 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	1	0.01	9
2	163	18.88	7,678
3	10	0.51	86
4	31	6.22	454
5	54	14.45	591
6	21	9.16	223
7	12	8.21	129
8	3	2.38	26
9	2	2.25	17
Total	297	62.07	9,213



Swift Run, Snyder County

Brook Trout RM - 3.65
Site Length - 620 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	1	0.01	5
4	4	0.26	19
5	21	3.59	147
6	5	1.17	28
7	12	5.15	81
8	6	3.51	38
Total	49	13.69	318

Brown Trout RM - 3.65
Site Length - 620 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	4	0.02	19
2	2	0.02	9
3	6	0.18	28
4	55	5.85	408
5	49	7.23	275
6	12	3.12	71
7	27	9.56	142
8	11	6.45	66
9	8	7.05	52
10	3	2.59	14
11	3	3.37	14
12	1	1.44	5
Total	181	46.88	1,103

Shafer Run, Somerset County



Shafer Run, Somerset County

Brook Trout RM - 3.19
Site Length - 380 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	11	0.26	107
3	6	0.35	58
4	2	0.27	19
5	7	2.14	88
6	9	4.01	97
7	13	10.58	166
8	14	16.24	175
9	3	3.84	29
10	2	3.54	19
Total	67	41.23	758

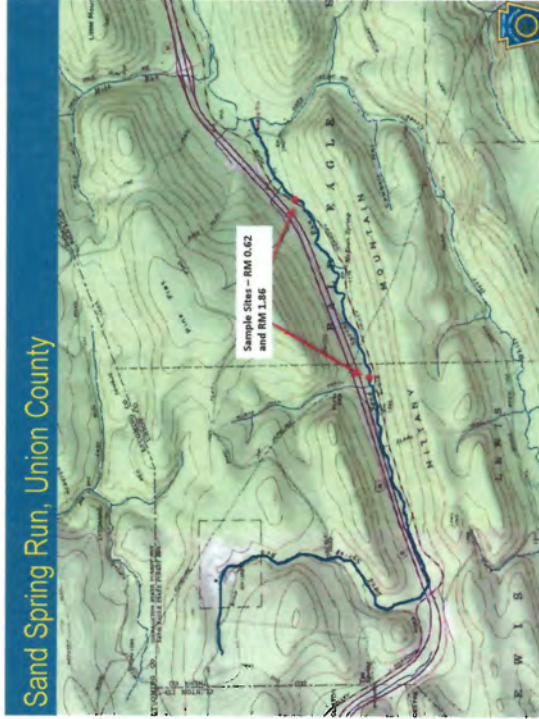
Kettle Creek, Tioga County



Kettle Creek, Tioga County

Brook Trout RM - 43.32
Site Length - 450 meters

Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
1	2	0.02	15
2	139	2.54	1,033
3	80	3.54	594
4	56	5.70	416
5	36	6.54	267
6	17	5.19	126
7	13	6.17	97
8	8	5.50	59
9	4	3.91	30
Total	355	39.11	2,637

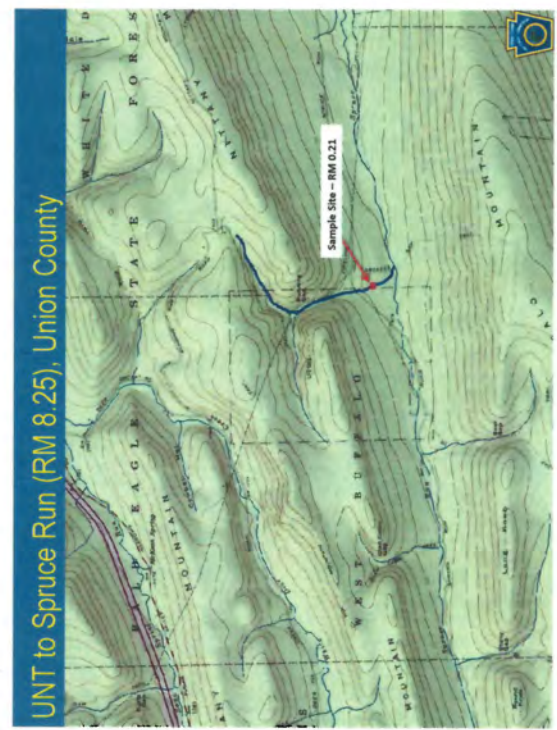


Sand Spring Run, Union County

Brook Trout RM - 0.62 Site Length - 470 meters				Brown Trout RM - 0.62 Site Length - 470 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	38	0.77	315	2	22	0.46	182
3	37	1.82	306	3	1	0.05	8
4	5	0.57	41	4	4	0.47	33
5	15	3.04	124	5	38	8.26	315
6	6	2.04	50	6	17	6.67	141
7	3	1.59	25	7	12	6.67	99
8	1	0.77	8	8	13	10.45	108
Total	105	10.60	869	Total	113	39.24	936

Sand Spring Run, cont.

Brook Trout RM - 1.86 Site Length - 467 meters				Brown Trout RM - 1.86 Site Length - 467 meters			
Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha	Length Group (inches)	Catch	Estimated Kg/Ha	Estimated Number/Ha
2	46	0.82	335	1	1	0.01	7
3	15	0.65	109	2	18	0.33	131
4	15	1.50	109	4	10	1.04	73
5	36	6.41	262	5	24	4.59	175
6	19	5.69	138	6	7	2.24	51
7	17	7.91	124	7	8	3.91	58
8	1	0.67	7	8	10	7.07	73
9	1	0.96	7	9	3	2.95	22
10	1	1.32	7	10	2	2.65	15
Total	151	25.93	1,098	Total	83	24.79	605



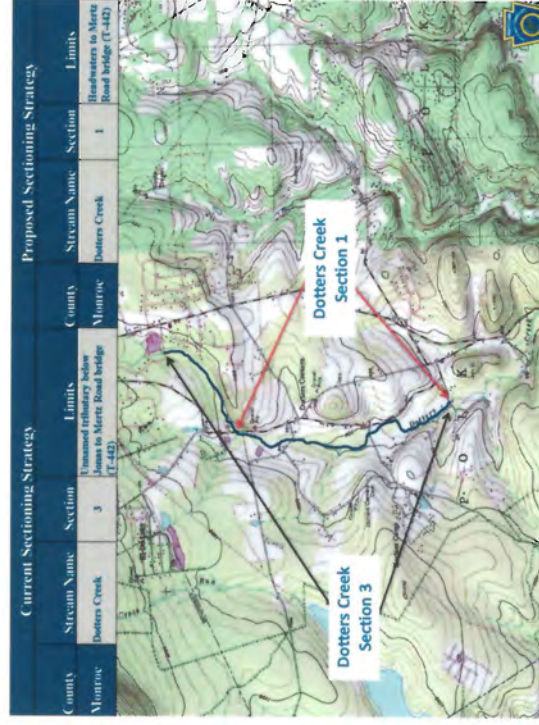
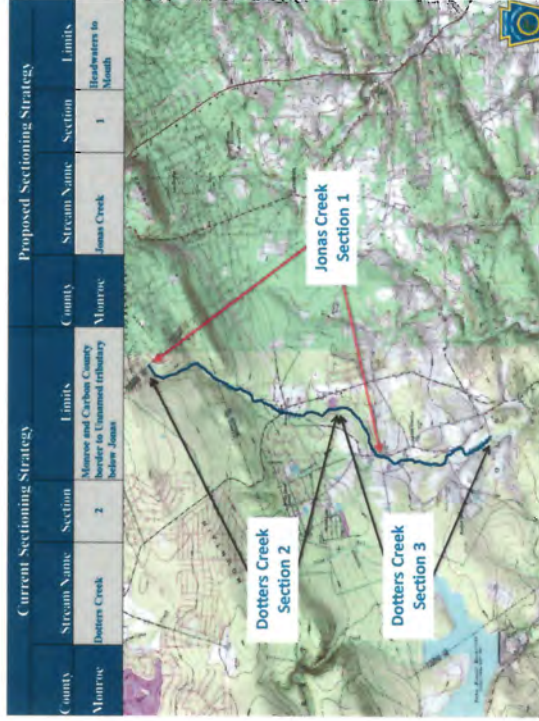
UNT to Spruce Run (RM 8.25), Union County

Brook Trout RM - 0.21
Site Length - 235 meters

Length Group (meters)	Catch	Estimated kg/ha	Estimated Number/ha
2	80	5.14	2,089
3	28	4.35	731
4	15	5.36	392
5	17	10.85	444
6	10	10.73	261
7	7	11.67	183
Total	157	48.10	4,100

Class A Amendments

- Slides 83-84



[Close Window](#)

EXHIBIT H

NOTICES

FISH AND BOAT COMMISSION

Proposed Changes to List of Class A Wild Trout Waters; January 2020

[49 Pa.B. 7052]

[Saturday, November 23, 2019]

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 this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, the Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Biomass 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).

(v) *Mixed Wild Brook and Rainbow Trout Fisheries*

- (A) Combined brook and rainbow 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 rainbow 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 shall comprise less than 75% of the total trout biomass.
- (E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

(vi) *Mixed Wild Brown and Rainbow Trout Fisheries*

- (A) Combined brown and rainbow 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) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).
- (D) Brown trout biomass shall comprise less than 75% of the total trout biomass.
- (E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

At the next Commission meeting on January 27 and 28, 2020, the Commission will consider changes to its list of Class A Wild Trout Streams list. During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. Specifically, the Commission will consider adding these waters to its Class A Wild Trout Streams list.

County	Stream	Section	Limits	Tributary to	Mouth Lat/Lon	Brook Trout	Brown Trout	Rainbow Trout	Length (miles)	Survey Year
						(kg/ha)	(kg/ha)	(kg/ha)		
Cameron/ Clinton	Left Branch Montour Run	1	Headwaters to Mouth	Montour Run	41.309084 78.018089	57.23	—	—	1.37	2019
Cameron/ Clinton	Right Fork Beaverdam Run	1	Headwaters to Mouth	Beaverdam Run	41.404385 77.951365	39.29	—	—	3.49	2019
Centre	Dicks Run	1	Headwaters to Mouth	Bald Eagle Creek	40.894167 77.889167	—	94.28	—	5.88	2019
Centre	Laurel Run	1	Headwaters to Whetstone Run	Bald Eagle Creek	40.863333 77.936111	11.49	30.12	—	2.51	2019
Centre	Nittany Creek	2	Curtain Gap quarry discharge to I-80 east bound	Bald Eagle Creek	40.974722 77.742500	—	44.83	—	0.65	2019
Centre	UNT to Galbraith	1	Headwaters to Mouth	Galbraith Gap Run	40.764187 77.737623	52.37	3.35	—	1.19	2019

Centre	Gap Run (RM 2.60) UNT to Logan Branch (RM 3.88)	1	Headwaters to Mouth	Logan Branch	40.870662 77.759553	—	130.97	—	0.16	2018
Centre	UNT to Spring Creek (RM 19.60)	1	Headwaters to Mouth	Spring Creek	40.783197 77.798060	—	40.41	—	0.95	2019
Centre	Whetstone Run	1	Headwaters to Mouth	Laurel Run	40.885864 77.975917	19.39	27.32	—	1.98	2019
Clearfield	McCloskey Run	1	Headwaters to Mouth	Upper Three Runs	41.165684 78.075257	58.06	—	—	1.35	2019
Clearfield	Shaggers Inn Run	1	Headwaters to Mouth	Medix Run	41.219166 78.389999	39.31	—	—	1.96	2019
Clearfield	UNT to Gifford Run (RM 4.40)	1	Headwaters to Mouth	Gifford Run	41.179383 78.285313	53.18	—	—	1.11	2019
Clearfield	UNT to Medix Run (RM 7.37)	1	Headwaters to Mouth	Medix Run	41.214544 78.374711	33.64	—	—	2.10	2019
Clinton	Cherry Run	1	Headwaters to Mouth	Fishing Creek	40.988224 77.495476	17.98	32.63	—	8.63	2019
Clinton	Left Fork Beaverdam Run	1	Headwaters to Mouth	Beaverdam Run	41.404446 77.951668	38.50	—	—	1.67	2019
Elk	Little Wolf Lick Run	1	Headwaters to Mouth	Wolf Lick Run	41.337558 78.459229	16.89	55.78	—	3.29	2019
Franklin	Yankees Gap Run	2	Spring source at RM 1.29 to Mouth	Dennis Creek	39.980163 77.758518	78.80	—	—	1.29	2019
Lebanon	UNT to Swatara Creek (RM 48.00)	1	Headwaters to Mouth	Swatara Creek	40.499303 76.527074	48.84	—	—	1.28	2019
Lebanon	UNT to Swatara Creek (RM 49.30)	1	Headwaters to Mouth	Swatara Creek	40.503293 76.508769	42.50	—	—	2.00	2019
Lycoming	Kaiser Hollow Run	1	Headwaters to Mouth	Loyalsock Creek	41.316715 76.910606	—	46.09	—	3.34	2019
Lycoming/ Tioga	Morris Run	1	Headwaters to Mouth	Slate Run	41.523333 77.527778	31.24	26.49	—	2.80	2019
Monroe	Dotters Creek	3	Mertz Road (T-442) Bridge to Mouth	Middle Creek	40.907540 75.497263	—	61.75	—	2.56	2019
Potter	Cross Fork	1	Confluence of	Kettie Creek	41.483055 77.820274	18.80	25.96	—	0.94	2019

			Wingert and Bolich Runs to Short Run							
Potter	Cross Fork	2	Short Run to Rhulo Hollow	Kettle Creek	41.483055 77.820274	19.14	31.71	—	3.04	2019
Potter	Little Indian Run	1	Headwaters to Mouth	Little Kettle Creek	41.594167 77.707500	40.52	5.82	—	2.79	2019
Potter	Little Portage Creek	1	Headwaters to Mouth	Freeman Run	41.603946 78.065550	54.92	33.81	—	3.39	2019
Potter	Nelson Hollow Run	1	Headwaters to Mouth	West Branch Genesee River	41.950156 77.884449	61.68	125.85	—	1.37	2019
Potter	UNT to Phoenix Run (RM 2.69)	1	Headwaters to Mouth	Phoenix Run	41.776090 77.610400	35.87	—	—	1.21	2019
Potter	UNT to South Branch Oswayo Creek (RM 5.63)	1	Headwaters to Mouth	South Branch Oswayo Creek	41.874090 77.991170	4.10	40.81	—	2.19	2019
Schuylkill	UNT to Lower Little Swatara Creek (RM 0.46)	1	Headwaters to Mouth	Lower Little Swatara Creek	40.536110 76.381943	50.51	—	—	1.36	2019
Schuylkill	UNT to Lower Little Swatara Creek (RM 3.97)	1	Headwaters to Mouth	Lower Little Swatara Creek	40.543056 76.331390	62.07	—	—	2.16	2019
Snyder	Swift Run	2	UNT to Swift Run (RM 6.78) to T-469 Bridge	North Branch Middle Creek	40.773611 77.198611	13.69	46.88	—	3.80	2018
Somerset	Shafer Run	1	Headwaters to 400 m downstream Shafer Run Trout Hatchery	Laurel Hill Creek	40.048927 79.199402	41.23	—	—	2.31	2018
Tioga	Kettle Creek	1	Headwaters to Billings Branch	West Branch Susquehanna River	41.300556 77.838889	39.11	—	—	2.80	2019
Union	Sand Spring Run	1	Headwaters to Mouth	White Deer Creek	41.059167 77.075000	18.26	32.03	—	5.69	2019

Union	UNT to Spruce Run (RM 8.25)	1	Headwaters to Mouth	Spruce Run	41.024792 77.056580	48.10	—	—	1.46	2019
-------	-----------------------------	---	---------------------	------------	------------------------	-------	---	---	------	------

The Commission also will consider the following amendments to the list:

Current Sectioning Strategy				Proposed Sectioning Strategy							
County	Stream	Section	Limits	Length (miles)	Mouth Lat/Lon	County	Stream	Section	Limits	Length (miles)	Mouth Lat/Lon
Monroe	Dotters Creek	2	Monroe and Carbon County border to UNT below Jonas	1.71	40.907540 75.497263	Monroe	Jonas Creek	1	Headwaters to Mouth	2.60	40.951100 75.522230
Monroe	Dotters Creek	3	UNT below Jonas to Mertz Road Bridge (T-442)	2.53	40.907540 75.497263	Monroe	Dotters Creek	1	Headwaters to Mertz Road Bridge (T-442)	1.64	40.907540 75.497263

* As currently listed, Dotters Creek, Section 02 and a portion of Section 03, were misidentified as Dotters Creek when the stream sections were added to the Class A Wild Trout Streams list in 1983 and 1992, respectively. Dotters Creek, Section 02, and the upstream portion of Section 03, were subsequently determined to be Jonas Creek, Section 01. The downstream portion of Dotters Creek, Section 03, is now identified as Dotters Creek, Section 01. These changes do not result in additions to the Class A Wild Trout Streams list and only serve to amend stream names once new information became available.

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to the 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.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 19-1752. Filed for public inspection November 22, 2019, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

Wild Trout Additions

- Slides 2-50

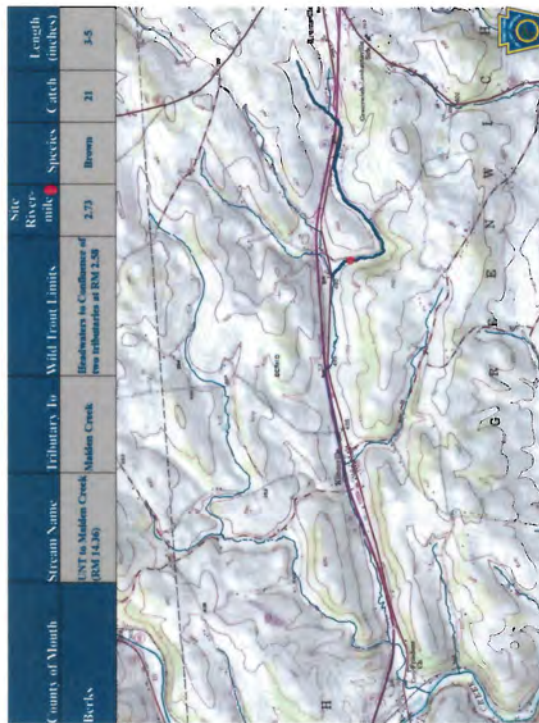
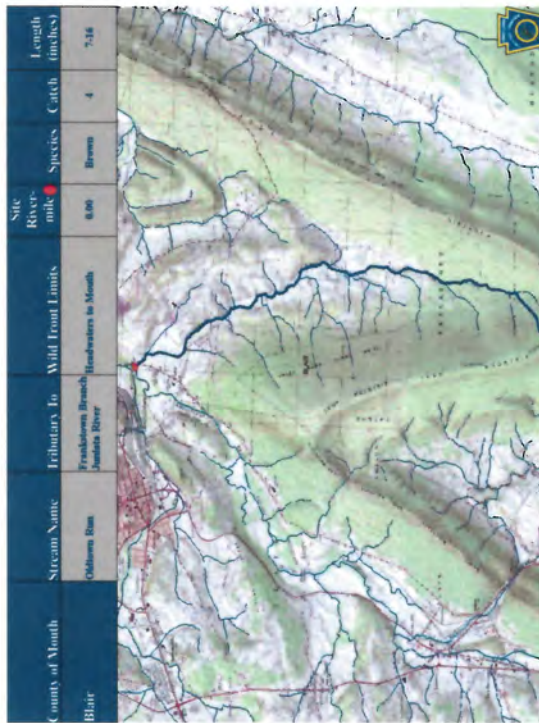
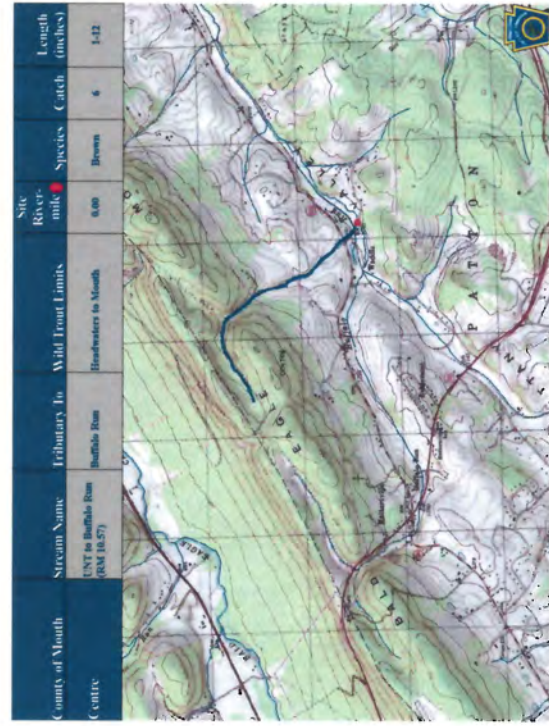
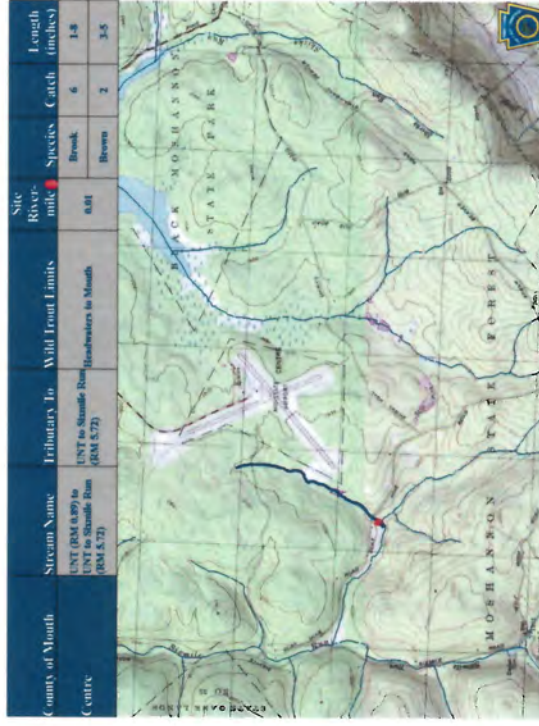
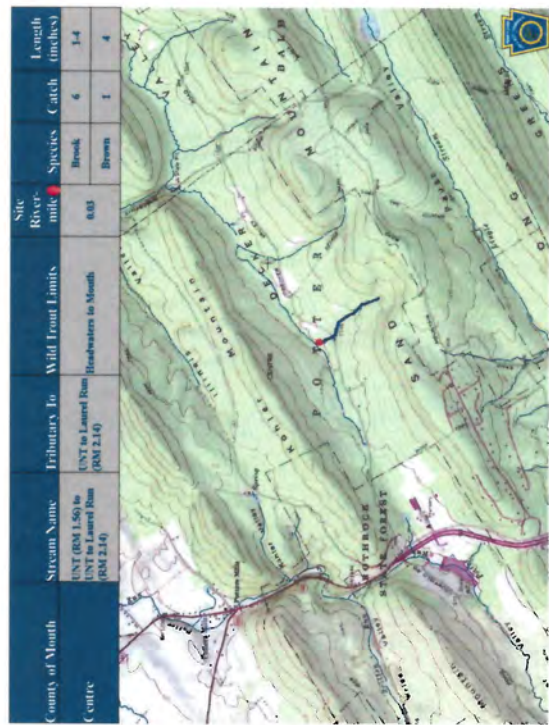
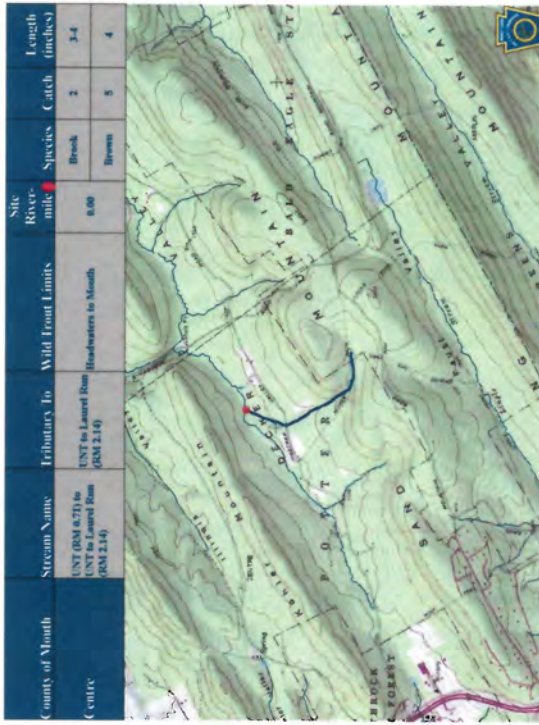
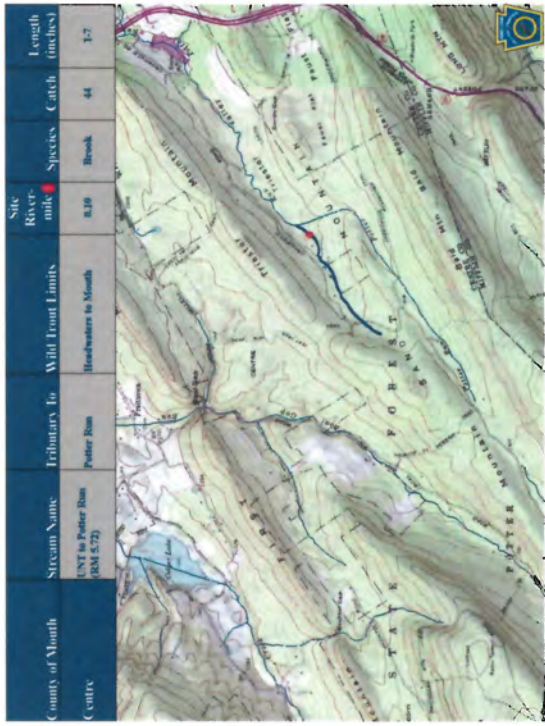
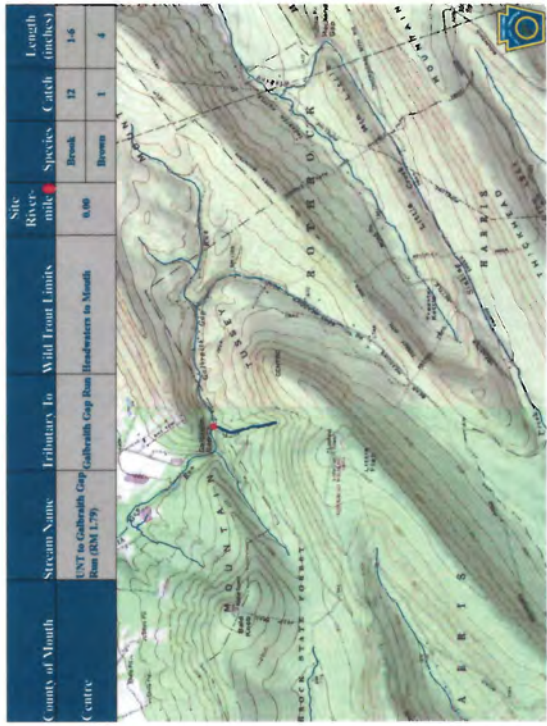
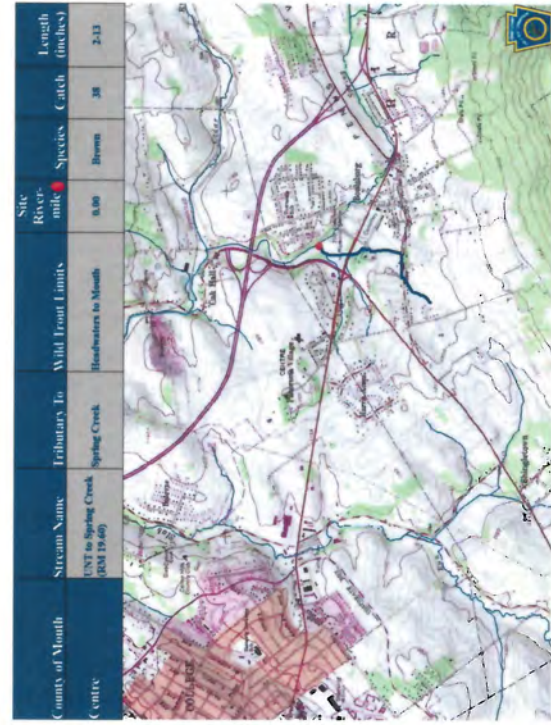
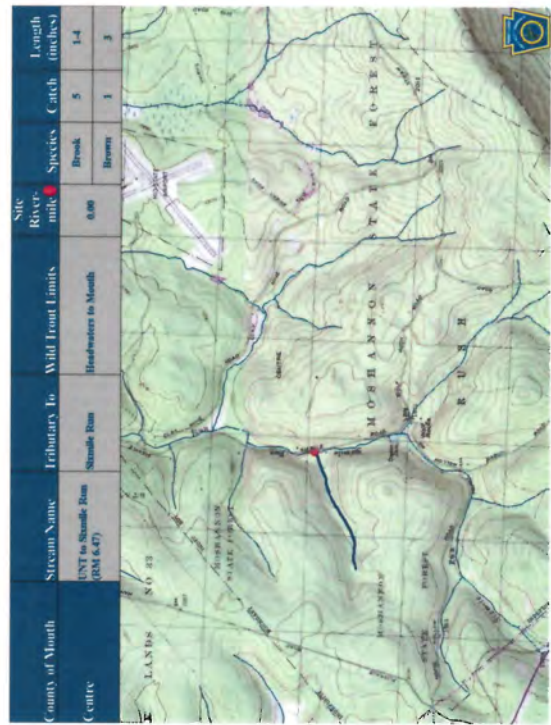
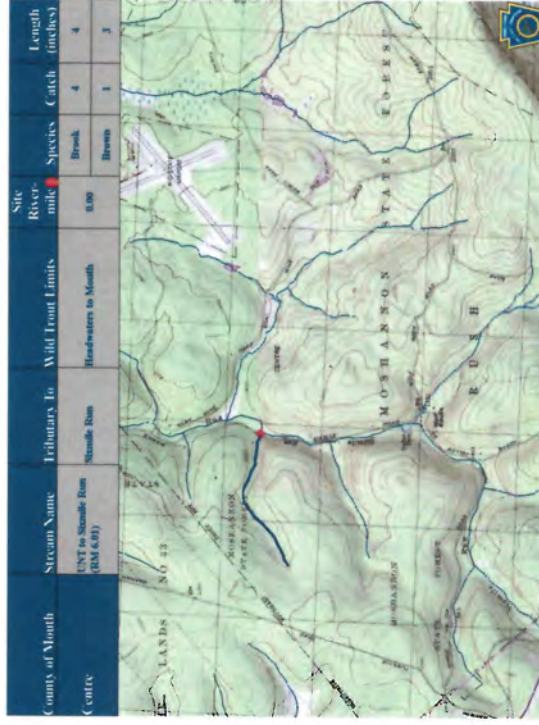
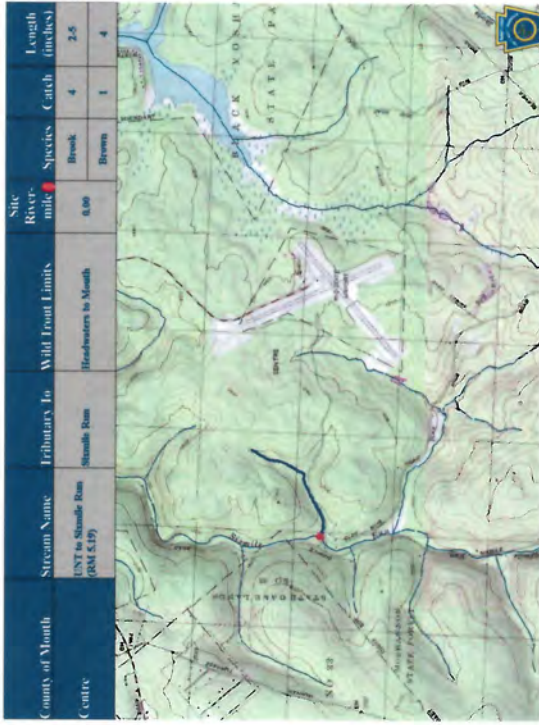
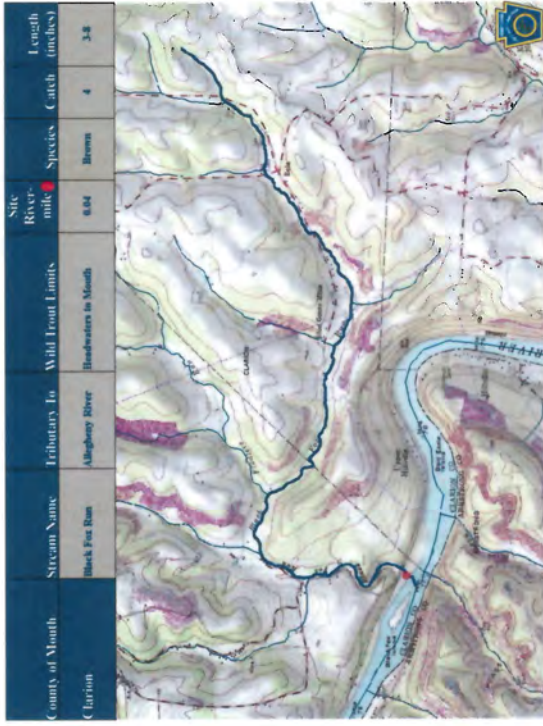


EXHIBIT
|









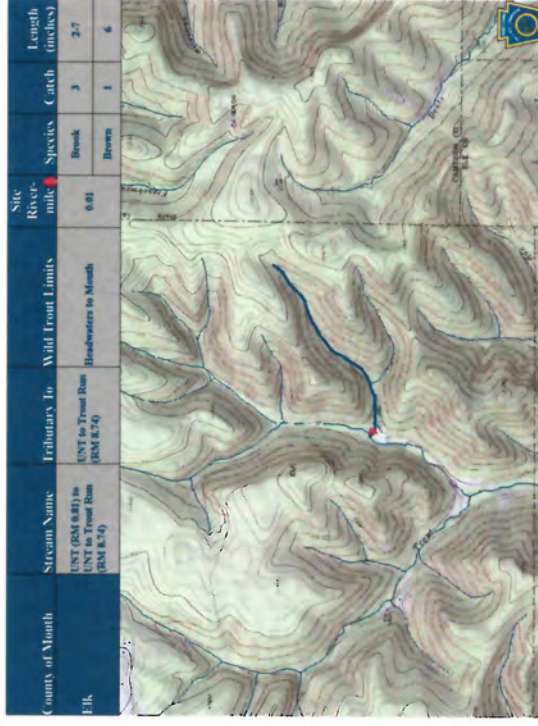
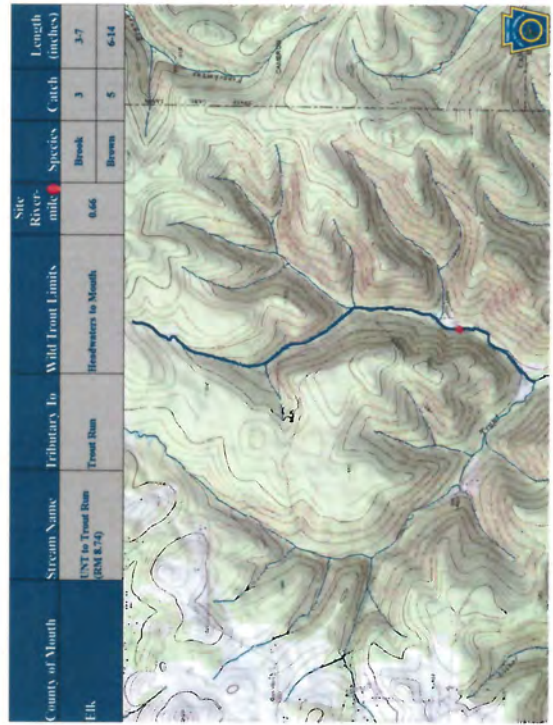


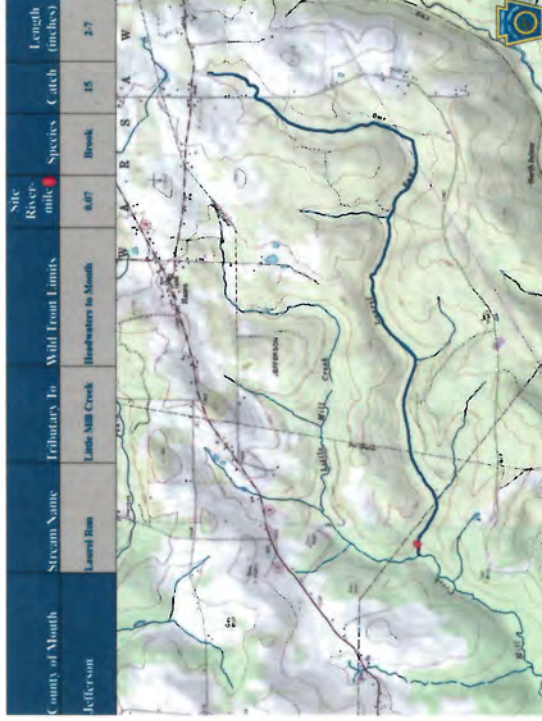
County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Clinton	UNT (RM 4.10) to UNT to Birch Island Dam (RM 2.09)	UNT to Birch Island Dam (RM 2.09)	Headwaters to Mouth	0.10	Brook	19	1.7

County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Clinton	UNT to Birch Island Dam (RM 5.37)	Birch Island Dam	Headwaters to Mouth	0.00	Brook	19	1.5

County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Clinton	UNT to Birch Island Dam (RM 6.12)	Birch Island Dam	Headwaters to Mouth	0.00	Brook	11	1.7

County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Clinton	UNT to Lower Three Run (RM 3.79)	Lower Three Run	Headwaters to Mouth	0.00	Brook	11	1.5



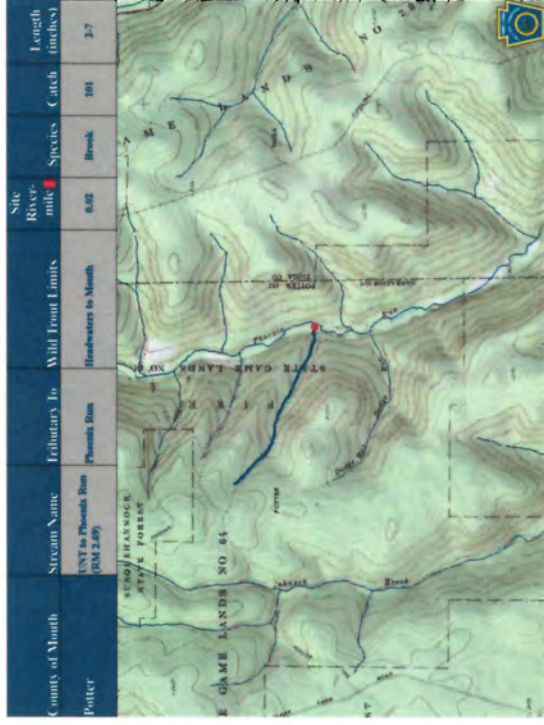
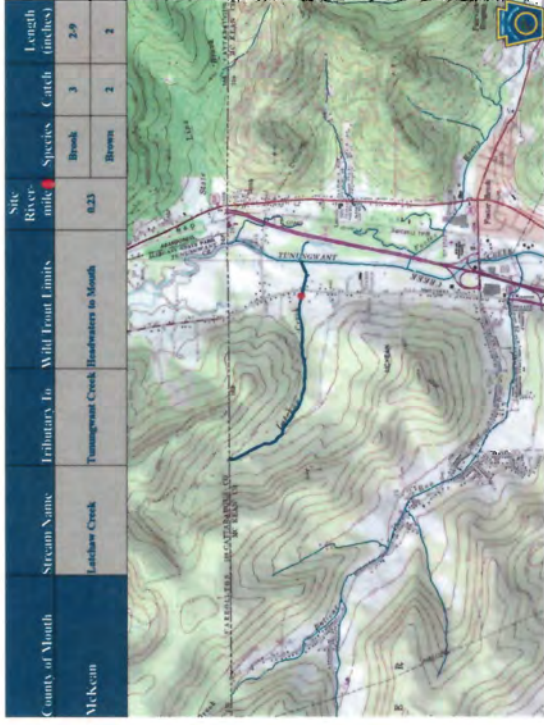
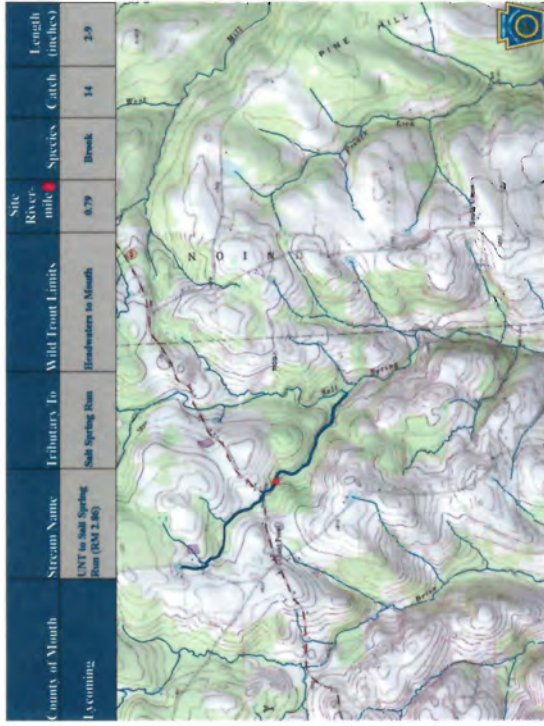


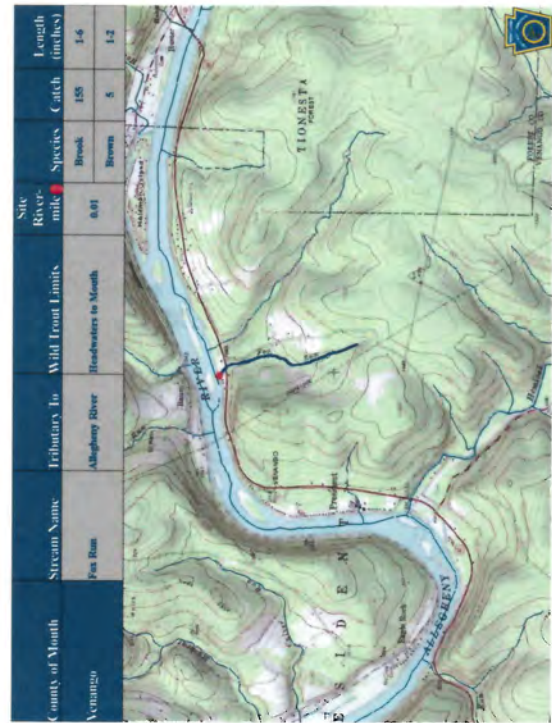
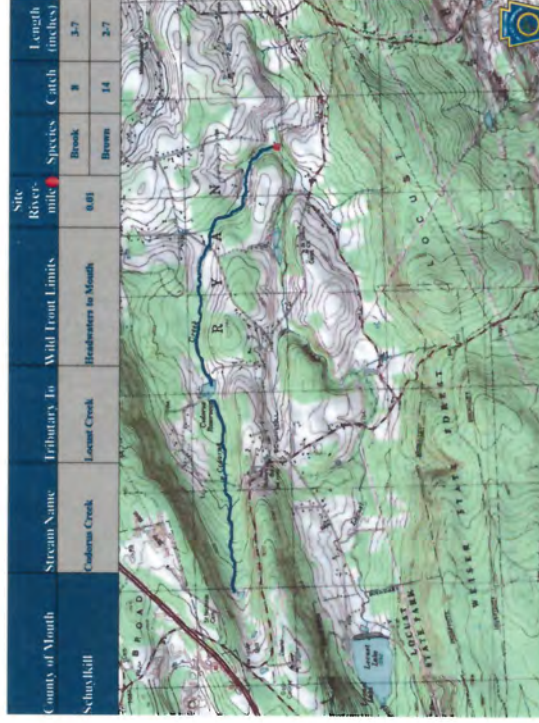
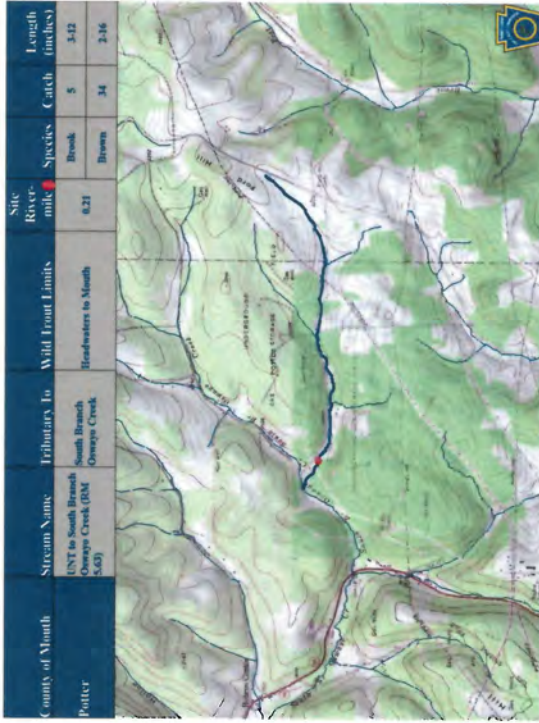
County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Jefferson	Little Vineyard Run	Little Tuley Creek	Headwaters to Mouth	0.03	Brook	9	1.5

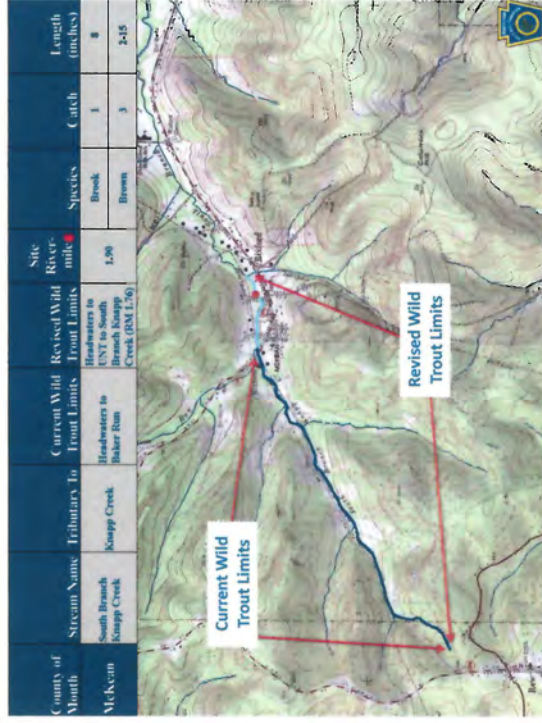
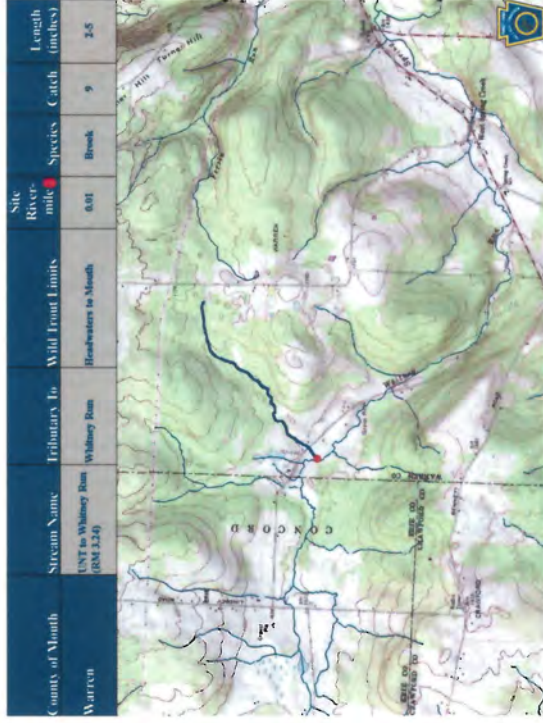
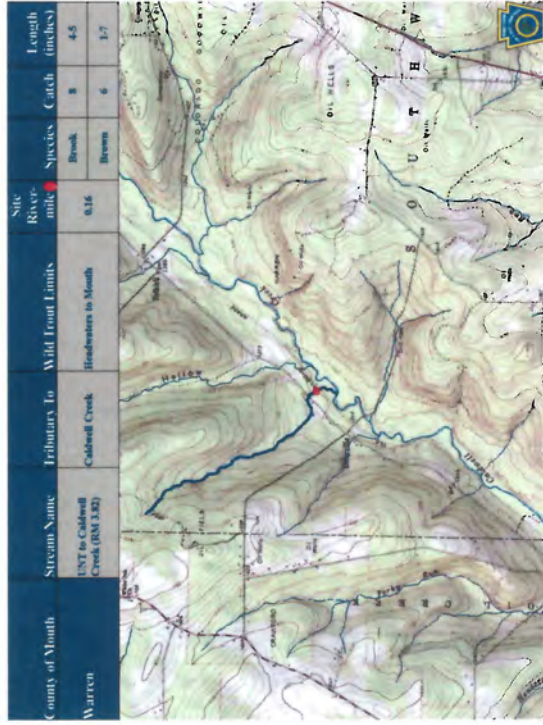
County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Jefferson	Thompson Run	Headbark Creek	Headwaters to Mouth	0.17	Brook	9	2.4

County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Lacombe	UNT to Laurel Run (SM 3.64)	Laurel Run	Headwaters to Mouth	0.22	Brown	26	1.4

County of Mouth	Stream Name	Tributary To	Wild Trout Limits	Site River-mile	Species	Catch	Length (miles)
Lacombe	UNT to Laurel Run (SM 5.65)	Laurel Run	Headwaters to Mouth	0.25	Brown	9	2.12







Wild Trout Revisions

- Slide 52

[Close Window](#)

EXHIBIT J

NOTICES

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Additions; October 2019

[49 Pa.B. 7050]

[Saturday, November 23, 2019]

The Fish and Boat Commission (Commission) approved the addition of 36 new waters to its list of wild trout streams as set forth at 49 Pa.B. 4626 (August 17, 2019). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's web site at <http://www.fishandboat.com/Fish/PennsylvaniaFishes/Trout/Pages/TroutWaterClassifications.aspx>.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 19-1750. Filed for public inspection November 22, 2019, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

Bottom

[Close Window](#)

NOTICES

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Proposed Additions and Revisions; January 2020

[49 Pa.B. 7050]

[Saturday, November 23, 2019]

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on January 27 and 28, 2020, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

County of Mouth	Stream Name	Section Limits	Tributary to	Mouth Lat/Lon
Armstrong	Nolf Run	Headwaters to Mouth	Little Sandy Creek	41.039347 79.218597
Berks	UNT to Maiden Creek (RM 14.36)	Headwaters to Confluence of two tributaries at RM 2.58	Maiden Creek	40.570607 75.881239
Blair	Oldtown Run	Headwaters to Mouth	Frankstown Branch Juniata River	40.430549 78.358652
Centre	UNT (RM 0.71) to UNT to Laurel Run (RM 2.14)	Headwaters to Mouth	UNT to Laurel Run (RM 2.14)	40.794432 77.580991
Centre	UNT (RM 0.89) to UNT to Sixmile Run (RM 5.72)	Headwaters to Mouth	UNT to Sixmile Run (RM 5.72)	40.873080 78.101328
Centre	UNT (RM 1.56) to UNT to Laurel Run (RM 2.14)	Headwaters to Mouth	UNT to Laurel Run (RM 2.14)	40.787280 77.592793
Centre		Headwaters to Mouth	Buffalo Run	

	UNT to Buffalo Run (RM 10.57)			40.833568 77.927153
Centre	UNT to Galbraith Gap Run (RM 1.63)	Headwaters to Mouth	Galbraith Gap Run	40.762531 77.755068
Centre	UNT to Galbraith Gap Run (RM 1.79)	Headwaters to Mouth	Galbraith Gap Run	40.762702 77.752049
Centre	UNT to Laurel Run (RM 2.42)	Headwaters to Mouth	Laurel Run	40.799927 77.569395
Centre	UNT to Potter Run (RM 5.72)	Headwaters to Mouth	Potter Run	40.762508 77.641539
Centre	UNT to Sixmile Run (RM 5.19)	Headwaters to Mouth	Sixmile Run	40.884608 78.116341
Centre	UNT to Sixmile Run (RM 6.01)	Headwaters to Mouth	Sixmile Run	40.874674 78.117144
Centre	UNT to Sixmile Run (RM 6.47)	Headwaters to Mouth	Sixmile Run	40.868840 78.118290
Centre	UNT to Spring Creek (RM 19.60)	Headwaters to Mouth	Spring Creek	40.783197 77.798060
Clarion	Black Fox Run	Headwaters to Mouth	Allegheny River	41.037529 79.626549
Clearfield	Arnold Run	Headwaters to Mouth	Dutch Hollow	41.138079 78.131540
Clearfield	Heichel Run	Headwaters to Mouth	Dutch Hollow	41.143563 78.131496
Clearfield	UNT to Dutch Hollow (RM 0.58)	Headwaters to Mouth	Dutch Hollow	41.137000 78.130280
Clearfield	UNT to Medix Run (RM 7.37)	Headwaters to Mouth	Medix Run	41.214544 78.374711
Clearfield	UNT to Upper Three Runs (RM 2.09)	Headwaters to Mouth	Upper Three Runs	41.165111 78.062296
Clearfield	UNT to Upper Three Runs (RM 2.18)	Headwaters to Mouth	Upper Three Runs	41.164911 78.063971
Clinton	Goodman Hollow Run	Headwaters to Mouth	West Branch Susquehanna River	41.300110 77.624750
Clinton	UNT (RM 1.10) to UNT to Birch Island Run (RM 2.09)	Headwaters to Mouth	UNT to Birch Island Run (RM 2.09)	41.225118 78.011182
Clinton	UNT to Birch Island Run (RM 5.37)	Headwaters to Mouth	Birch Island Run	41.230856 78.049763
Clinton	UNT to Birch Island Run (RM 6.12)	Headwaters to Mouth	Birch Island Run	41.238317 78.060204
Clinton		Headwaters to Mouth	Lower Three Runs	41.193830 78.070760

	UNT to Lower Three Runs (RM 3.79)			
Elk	Sawdust Run	Headwaters to Mouth	Trout Run	41.389999 78.448891
Elk	UNT (RM 0.81) to UNT to Trout Run (RM 8.74)	Headwaters to Mouth	UNT to Trout Run (RM 8.74)	41.412977 78.445874
Elk	UNT to Trout Run (RM 8.74)	Headwaters to Mouth	Trout Run	41.403838 78.453089
Forest	Carpenter Run	Headwaters to Mouth	Tionesta Creek	41.534002 79.280769
Huntingdon	Scrub Run	Headwaters to Mouth	Juniata River	40.393998 77.939301
Jefferson	Baghdad Run	Headwaters to Mouth	Little Toby Creek	41.257394 78.800356
Jefferson	Campbell Run	Headwaters to Mouth	Coder Run	41.153830 79.128340
Jefferson	Laurel Run	Headwaters to Mouth	Little Mill Creek	41.183730 79.003400
Jefferson	Little Vineyard Run	Headwaters to Mouth	Little Toby Creek	41.301553 78.826890
Jefferson	Thompson Run	Headwaters to Mouth	Redbank Creek	41.133003 79.150535
Lycoming	UNT to Laurel Run (RM 3.04)	Headwaters to Mouth	Laurel Run	41.170844 76.617282
Lycoming	UNT to Laurel Run (RM 5.05)	Headwaters to Mouth	Laurel Run	41.174005 76.586333
Lycoming	UNT to Salt Spring Run (RM 2.86)	Headwaters to Mouth	Salt Spring Run	41.580616 77.019654
McKean	Latchaw Creek	Headwaters to Mouth	Tunungwant Creek	41.993007 78.624809
Potter	Horton Run	Headwaters to Mouth	East Fork Sinnemahoning Creek	41.616558 77.875053
Potter	UNT to Phoenix Run (RM 2.69)	Headwaters to Mouth	Phoenix Run	41.776090 77.610400
Potter	UNT to South Branch Oswayo Creek (RM 5.63)	Headwaters to Mouth	South Branch Oswayo Creek	41.874090 77.991170
Schuylkill	Codorus Creek	Headwaters to Mouth	Locust Creek	40.790349 76.061069
Venango	Fox Run	Headwaters to Mouth	Allegheny River	41.469204 79.542130

Warren	UNT to Akeley Run (RM 2.24)	Headwaters to Mouth	Akeley Run	41.930499 79.097027
Warren	UNT to Caldwell Creek (RM 3.82)	Headwaters to Mouth	Caldwell Creek	41.670966 79.595524
Warren	UNT to Whitney Run (RM 3.24)	Headwaters to Mouth	Whitney Run	41.859631 79.609795

The Commission also will consider the following revisions to the section limits of streams on the list:

County of Mouth	Stream Name	Current Limits	Revised Limits	Tributary to	Mouth Lat/Lon
McKean	South Branch Knapp Creek	Headwaters to Baker Run	Headwaters to UNT to South Branch Knapp Creek (RM 1.76)	Knapp Creek	41.938186 78.464975

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to the 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 submitted by facsimile will not be accepted.

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.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 19-1751. Filed for public inspection November 22, 2019, 9:00 a.m.]

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

[Top](#)