

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

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

A. *Effective Date*

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

B. *Contact Person*

For further information on the proposed rulemaking, contact Laurie E. Shepler, 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.fish.state.pa.us.

C. *Statutory Authority*

The proposed amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. *Purpose and Background*

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

E. *Summary of Proposal*

Glade Run Lake, a 52-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Middlesex Township, Butler County, approximately 10 miles south of the City of Butler and 20 miles northeast of Pittsburgh. The dam impounds Glade Run near its headwaters. This lake was completely dewatered in July 2011 to make dam and spillway repairs and modifications per dam safety standards of the Department of Environmental Protection. Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment will be refilled by approximately January 1, 2017. The Commission will begin to re-establish a high quality warm and coolwater fishery through plants of select forage fish species beginning in fall 2016 (if the lake is refilled to adequate levels) with gamefish and panfish fingerling plants beginning in 2017. This process will continue for several years. To allow Glade Run Lake's forage base and warm and coolwater

fish communities to develop, the Commission proposes placing Glade Run Lake under a miscellaneous special regulation that allows for the harvest of trout under Commonwealth inland seasons, sizes and creel limits but allows catch and release fishing only for all other fish species. The stocking of adult catchable trout will begin in spring 2017.

The Commission proposes this approach to allow a balanced fishery to develop under protective regulations while offering acceptable levels of recreational angling opportunities. The Commission proposes that the miscellaneous special regulation be established in early 2017 and extend until the warmwater fish populations rebuild appropriate levels. Commission staff will continue to monitor the fish populations as they develop and make the necessary adjustments to the species being stocked and the regulations governing the fishery to continually provide high quality recreational angling opportunities at Glade Run Lake. Once the warmwater fishery has been re-established, the Commission will propose that the lake be removed from the miscellaneous special regulation and included in one of the Commission's existing warmwater regulation programs.

The Commission proposes to amend § 65.24 to read as set forth in Annex A.

F. *Paperwork*

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

G. *Fiscal Impact*

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose new costs on the private sector or the general public.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about the 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 proposed rulemaking 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/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-272. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Beaver	Hopewell Township Park Lake	Bass—15-inch minimum size limit and a 2 bass daily creel limit. Panfish (combined species): 10 fish daily creel limit. Use of live fish for bait is prohibited.
Blair, Huntingdon, Juniata, Mifflin and Perry	Juniata River and its tributaries	Rock bass—Daily creel limit is 10; open year-round; no minimum size limit.
Butler	Glade Run Lake	All species except trout—Catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout shall be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1.
Centre	Foster Joseph Sayers Lake	Crappie—10 fish daily creel limit of which no more than 5 fish may be greater than or equal to 9 inches in length.

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[Pa.B. Doc. No. 16-1515. Filed for public inspection September 2, 2016, 9:00 a.m.]
