

**Subpart B. FISHING**

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**CHAPTER 61. SEASONS, SIZES AND CREEL LIMITS**

Sec.	
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**Source**

The provisions of this Chapter 61 readopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46, unless otherwise noted. Immediately preceding text appears at serial pages (68807), (73335) to (73336) and (80322).

**§ 61.1. Commonwealth inland waters.**

(a) It is unlawful to take, catch, kill or possess fish except during the seasons specified in this section. It is not a violation of this section if a fish caught out of season from water where fishing for other species is lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch, kill or possess fish of less than the minimum size specified in this section. It is not a violation of this section if an undersized fish taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(c) It is unlawful to take, catch or kill more than 1 day's limit of any species of fish as specified in the following chart during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of fish as specified in the following chart except under the following circumstances:

(1) A person may possess any number of lawfully caught fish at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting fish from the place where caught to his residence, possess a number of fish equal to no more than two times the daily creel limit for that species of fish. In prosecution for violation of this section, it shall be a rebuttable presumption that a person transporting fish from a fishing site caught all of the fish during 1 calendar day.

(3) A fish will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) Any fish caught that is not to be counted in the creel limit shall be immediately released unharmed into the water from which taken. Except as otherwise provided in § 53.24 or § 63.40 (relating to tournament and fishing derby permits; and fishing tournaments and fishing derbies), a fish placed on a stringer, or confined by any type of container, structure or device, or not returned immediately to the water, will be considered as part of the daily creel or possession limits. Fish returned to the water shall be handled carefully and be returned unharmed to the water from which taken.

(5) Fish may be given to another person, but the fish shall be counted in the donor's creel limit and neither donor nor the recipient may kill or possess (while in the act of fishing) more than the limit allowed.

(d) Except as otherwise provided in this subpart, the following seasons, sizes and creel limits apply to inland waters of this Commonwealth and the Youghiogheny Reservoir:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
ALL SPECIES OF TROUT AND SALMON (except landlocked Atlantic salmon)	Regular Season: 8 a.m. first Saturday after April 11 to midnight Labor Day	7 inches	5 (combined species) except areas with special regulations
	Extended Season: Approved trout waters and all waters downstream of approved trout waters 12:01 a.m. day after Labor Day to midnight last day of February of the following year.	7 inches	3 (combined species), except areas with special regulations
AMERICAN EEL	Open year-round	8 inches	50
BASS—Largemouth and Smallmouth and Spotted  Lakes:	January 1 to midnight the day before first Saturday after April 11 and November 1 to midnight December 31**	15 inches	4 (combined species from all habitats)

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
	12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11	NO HARVEST—Catch and immediate release only (No Tournaments Permitted)	
	12:01 a.m. the first Saturday after June 11 to midnight October 31	12 inches	6 (combined species)
BASS—Largemouth and Smallmouth and Spotted Rivers and Streams*:	January 1 to midnight the day before the first Saturday after April 11 and October 1 to midnight December 31**	15 inches	4 (combined species)
	12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11	NO HARVEST—Catch and immediate release only (No Tournaments Permitted)	
	12:01 a.m. the first Saturday after June 11 to midnight September 30	12 inches	6 (combined species)
MUSKELLUNGE and MUSKELLUNGE HYBRIDS	Open year-round	40 inches	1
PICKEREL		18 inches	4
NORTHERN PIKE		24 inches	2
WALLEYE and hybrids (Saugeye)	January 1—March 14; and 12:01 a.m. first Saturday in May to midnight, December 31	15 inches	6
SAUGER		12 inches	6
AMERICAN SHAD***	Open year-round	No minimum	6
HICKORY SHAD***	Closed year-round		0
GIZZARD SHAD***	Open year-round	No minimum	50
HERRING***	Open year-round	No minimum	50
STRIPED BASS and STRIPED BASS/WHITE BASS HYBRIDS	Open year-round	20 inches	2 (combined species)
SUNFISH, YELLOW PERCH, CRAPPIES, CATFISH, ROCK BASS, SUCKERS, CARP, WHITE BASS AND OTHER GAMEFISH NOT OTHERWISE LISTED	Open year-round	No minimum	50 (combined species)

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
AMERICAN EEL (as baitfish)	Open year-round	6 inches to 8 inches	50
BAIT FISH FISH BAIT except mud bugs	Open year-round	No minimum	50 (combined species)
MUD BUGS (dragonfly nymphs)	Open year-round	No minimum	Unlimited if taken from lakes, ponds, swamps and adjacent areas; 50 per day if taken from moving waters (rivers and streams)
PADDLEFISH	Closed year-round	—	0

\*For purposes of this subsection, power dam pools and recreational dam pools on the Susquehanna River and navigational dam pools in the Ohio drainage are "rivers."

\*\*Note: Approved trout waters are closed to all fishing from March 1 to the first Saturday after April 11 unless included in the Early Season Trout Stocked Waters Program (see § 65.10 (relating to Early Season Trout Stocked Waters Program)) or in the Regional Opening Day of Trout Season Program (see § 65.12 (relating to Regional Opening Day of Trout Season Program)). Waters included in the Early Season Trout Stocked Waters Program are closed to all fishing from April 1 to the first Saturday after April 11. Waters included in the Regional Opening Day of Trout Season Program are closed to all fishing from March 1 to the first Saturday after March 28.

\*\*\* Note: Unlawful to take, catch or kill American shad, hickory shad and alewife and blueback herring (collectively known as river herring) in Susquehanna River and its tributaries. See §§ 61.4 and 61.7.

#### Authority

The provisions of this § 61.1 issued under the Fish and Boat Code, 30 Pa.C.S. §§ 741, 928 and 2102; amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 5122—5124.

#### Source

The provisions of this § 61.1 amended July 18, 1986, effective July 19, 1986, 16 Pa.B. 2644; amended March 13, 1987, effective March 14, 1987, 17 Pa.B. 1084; amended February 8, 1991, effective February 9, 1991, 21 Pa.B. 498; amended February 12, 1993, effective February 13, 1993, 23 Pa.B. 739; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 834; amended November 22, 1996, effective January 1, 1997, 26 Pa.B. 5701; amended March 7, 1997, effective March 8, 1997, 27 Pa.B. 1155; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5605; amended October 9, 1998, effective October 10, 1998, 28 Pa.B. 5103; amended July 9, 1999, effective July 10, 1999, 29 Pa.B. 3626; amended August 27, 1999, effective January 1, 2000, 29 Pa.B. 4561; amended February 18, 2000, effective February 19, 2000, 30 Pa.B. 870; amended September 29, 2000, effective September 30, 2000, 30 Pa.B. 5013; amended April 19, 2002, effective April 20, 2002, 32 Pa.B. 1962; amended November 15, 2002, effective November 16, 2002, 32 Pa.B. 5658; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended September 29, 2006, effective January 1, 2007, 36 Pa.B. 5976. Immediately preceding text appears at serial pages (308587) to (308588) and (317913) to (317914).

#### Cross References

This section cited in 58 Pa. Code § 61.7 (relating to Susquehanna River and tributaries); 58 Pa. Code § 61.8 (relating to Lehigh River and tributaries); 58 Pa. Code § 63.48 (relating to permit for the use of cast nets or throw nets); 58 Pa. Code § 63.3 (relating to fishing in approved trout waters); 58 Pa. Code § 65.8 (relating to warmwater/coolwater species special conservation waters); 58 Pa. Code § 65.10 (relating to Early Season Trout Stocked Waters Program); 58 Pa. Code § 65.24 (relating to miscellaneous special regulations); 58 Pa. Code § 69.12 (relating to seasons, sizes and creel limits—Lake Erie); and 58 Pa. Code § 69.13 (relating to seasons, sizes and creel limits—Lake Erie tributaries).

**§ 61.2. Delaware River and River Estuary.**

(a) It is unlawful to take, catch, kill or possess fish, except during the seasons specified in this section. It is not a violation of this section if a fish caught out of season from water where fishing for other species is lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch, kill or possess fish of less than the minimum size specified in this section. It is not a violation of this section if an undersized fish taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(c) It is unlawful to take, catch or kill more than 1 day's limit of any species of fish as specified in the following chart during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of fish as specified in the following chart except under the following circumstances:

(1) A person may possess any number of lawfully caught fish at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting fish from the place where caught to his residence, possess a number of fish equal to no more than two times the daily creel limit for that species of fish. In prosecution for violation of this section, it shall be a rebuttable presumption that a person transporting fish from a fishing site caught all of the fish during 1 calendar day.

(3) A fish will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) A fish caught that is not to be counted in the creel limit shall be immediately released unharmed into the water from which it was taken. Except as otherwise provided in § 53.24 or § 63.40 (relating to tournament and fishing derby permits; and fishing tournaments and fishing derbies), a fish placed on a stringer, or confined by any type of container, structure or device, or not returned immediately to the water, will be considered as part of the daily creel or possession limits. Fish returned to the water shall be handled carefully and be returned unharmed to the water from which taken.

(5) Fish may be given to another person, but the fish shall be counted in the donor's creel limit and neither the donor nor the recipient may kill or possess (while in the act of fishing) more than the limit allowed.

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

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
TROUT	8 a.m., first Saturday after April 11 to midnight, October 15	North of I-84: 14 inches	North of I-84: 1 (combined species)
		South of I-84: no minimum	South of I-84: 5 (combined species)
		West Branch Delaware River: * 12 inches	West Branch Delaware River: * 2 (combined species)
AMERICAN EEL	Open year-round	8 inches	50
AMERICAN EEL (as baitfish)	Open year-round	6 inches to 8 inches	50
BASS Largemouth and Smallmouth	January 1 to midnight the day before the first Saturday after April 11 and 12:01 a.m. the first Saturday after June 11 to midnight December 31	12 inches	5 (combined species)
	12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11	NO HARVEST—Catch and immediate release only	
MUSKELLUNGE and MUSKELLUNGE HYBRIDS	Open year-round	40 inches	1
PICKEREL		12 inches	5
WALLEYE	Open year-round on the portion of the Delaware River between New Jersey and Pennsylvania; January 1 until midnight, March 14 and 12:01 a.m. first Saturday in May until midnight December 31, on the portion of the Delaware River between New York and Pennsylvania.	18 inches	3
AMERICAN SHAD	Open year-round	No minimum	6
HICKORY SHAD	Closed year-round		0
RIVER HERRING (alewife and blueback herring)	Open year-round	No minimum	35
STRIPED BASS and HYBRID STRIPED BASS	From Pennsylvania line upstream to Calhoun Street Bridge: January 1 until March 31 and June 1 until December 31. April 1 through May 31  From Calhoun Street Bridge upstream: open year-round	28 inches  20 to 26 inches 28 inches	2
STURGEON	No open season: Endangered Species		
BAIT FISH FISH BAIT	Open year-round	No minimum	50 (combined species)

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
BLUE CRAB**	Open year-round	Hard shell: 4 inches measured point to point. Soft shell: 3.5 inches measured point to point	1 bushel (combined species)
PIKE Northern	Open year-round	24 inches	2
OTHER SPECIES	Inland seasons, size and creel limits apply except for waters under special regulations (See Chapter 65). See § 61.1 (relating to Commonwealth inland waters).		

\*A special no-kill artificial lures only season is in effect on the West Branch of the Delaware River from October 1 to midnight on the Friday before the first Saturday after April 11. See § 65.24.

\*\*It is unlawful for any person to possess a female crab bearing eggs from which the egg pouch or bunion has been removed.

#### Authority

The provisions of this § 61.2 issued under the Fish and Boat Code, 30 Pa.C.S. §§ 305, 322, 741, 928, 2102, 2307, 2711, 5122, 5123 and 5124; the Fish and Boat Code, 30 Pa.C.S. § 2102; amended under the Fish and Boat Code, 30 Pa.C.S. § 2102(b).

#### Source

The provisions of this § 61.2 amended December 28, 1984, effective December 29, 1984, 14 Pa.B. 4691; amended March 13, 1987, effective March 14, 1987, 17 Pa.B. 1088; amended April 29, 1988, effective April 30, 1988, 18 Pa.B. 2030; amended December 14, 1990, effective December 15, 1990, 20 Pa.B. 6182; amended February 1, 1991, effective February 2, 1991, 21 Pa.B. 422; amended February 8, 1991, effective February 9, 1991, 21 Pa.B. 498; amended September 6, 1991, effective September 7, 1991, 21 Pa.B. 3990; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 834; amended April 12, 1996, effective April 13, 1996, 26 Pa.B. 1706; amended November 22, 1996, effective January 1, 1997, 26 Pa.B. 5701; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5605; amended October 9, 1998, effective October 10, 1998, 28 Pa.B. 5103; amended February 12, 1999, effective February 13, 1999, 29 Pa.B. 819; amended June 15, 2001, effective, January 1, 2002, 31 Pa.B. 3205; amended March 7, 2003, effective March 8, 2003, 33 Pa.B. 1229; amended November 21, 2003, effective January 4, 2004, 33 Pa.B. 5705; amended September 9, 2005, effective January 1, 2006, 35 Pa.B. 5007; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended August 31, 2007, effective January 1, 2008; amended March 6, 2009, effective April 1, 2009, 39 Pa.B. 1201. Immediately preceding text appears at serial pages (329319) to (329321).

### § 61.3. Pymatuning Reservoir.

(a) It is unlawful to take, catch, kill or possess a fish of less than the minimum size specified in this section. However, it may not be a violation of this section if an undersized fish taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch or kill more than 1 day's limit of any species of fish as specified in the following chart during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of fish as specified in the following chart except under the following circumstances:

(1) A person may possess any number of lawfully caught fish at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting fish from the place where caught to his residence, possess a number of fish equal to no more than two times the daily creel limit for that species of fish. In prosecution for violation of this section, it shall be a rebuttable presumption that a person transporting fish from a fishing site caught all of the fish during 1 calendar day.

(3) A fish will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) A fish caught that is not to be counted in the creel limit shall be immediately released unharmed into the water from which taken. Except as otherwise provided in § 53.24 or § 63.40 (relating to tournament and fishing derby permits; and fishing tournaments and fishing derbies), a fish placed on a stringer, or confined by any type of container, structure or device, or not returned immediately to the water, will be considered as part of the daily creel or possession limits. Fish returned to the water shall be handled carefully and be returned unharmed to the water from which taken.

(5) Fish may be given to another person, but the fish shall be counted in the donor's creel limit and neither donor nor recipient may kill or possess (while in the act of fishing) more than the limit allowed.

(c) Except as provided by special regulations the following sizes and creel limits apply to Pymatuning Reservoir; no closed season applies:

<i>SPECIES</i>	<i>MINIMUM SIZE</i>	<i>DAILY CREEL LIMIT</i>
WALLEYE	15 inches	6
BASS	12 inches	5
MUSKELLUNGE AND MUSKELLUNGE HYBRIDS	30 inches	2
OTHERS (including Bait Fish and Fish Bait)	None	None
TURTLES (each species other than snapping turtles)	None	2

Frogs and tadpoles may be taken only from July 1 to October 31, both dates inclusive. Lights or firearms may not be used to take frogs.

Not over 15 tadpoles or frogs may be taken or possessed.

Possession limit for each turtle species (other than snapping turtle) is two.\* Hooks used to take turtles shall be at least 3 1/2 inches long with at least 1 inch space between point and shank.

No closed season on turtles other than snapping turtles.

\*Snapping turtles—Statewide regulations apply.

#### Authority

The provisions of this § 61.3 issued under the Fish and Boat Code, 30 Pa.C.S. §§ 305, 322, 741, 928, 2102, 2307, 2711, 5122, 5123 and 5124; amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 5122—5124; amended under section 10 of the Sunshine Act (65 P. S. § 280); and section 506 of The Administrative Code of 1929 (71 P. S. § 186).

**Source**

The provisions of this § 61.3 amended December 28, 1984, effective December 29, 1984, 14 Pa.B. 4691; amended March 13, 1987, effective March 14, 1987, 17 Pa.B. 1084; amended April 19, 1996, effective April 20, 1996, 26 Pa.B. 1825; amended November 22, 1996, effective January 1, 1997, 26 Pa.B. 5701; amended November 5, 1999, effective November 6, 1999, 29 Pa.B. 5717; amended June 15, 2001, effective January 1, 2002, 31 Pa.B. 3205. Immediately preceding text appears at serial pages (253160) and (261317).

**§ 61.4. Conowingo Reservoir.**

(a) It is unlawful to take, catch, kill or possess fish, except during the seasons specified in this section. However, it is not a violation of this section if a fish caught out of season from water where fishing for other species is lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch, kill or possess fish of less than the minimum size specified in this section. However, it is not a violation of this section if an undersized fish taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(c) It is unlawful to take, catch or kill more than 1 day's limit of any species of fish as specified in the following chart during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of fish as specified in the following chart except under the following circumstances:

(1) A person may possess any number of lawfully caught fish at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting fish from the place where caught to his residence, possess a number of fish equal to no more than two times the daily creel limit for that species of fish. In prosecution for violation of this section, it shall be a rebuttable presumption that a person transporting fish from a fishing site caught all of the fish during 1 calendar day.

(3) A fish will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) A fish caught that is not to be counted in the creel limit shall be immediately released unharmed into the water from which taken. Except as otherwise provided in § 53.24 or § 63.40 (relating to tournament and fishing derby permits; and fishing tournament and fishing derbies), a fish placed on a stringer, or confined by any type of container, structure or device, or not returned immediately to the water, will be considered as part of the daily creel or possession limits. Fish returned to the water shall be handled carefully and be returned unharmed to the water from which taken.

(5) Fish may be given to another person, but the fish shall be counted in the donor's creel limit and neither donor nor recipient may kill or possess (while in the act of fishing) more than the limit allowed.

(d) The following seasons, sizes and creel limits apply to the Conowingo Reservoir, which includes the Susquehanna River from the Maryland State Line upstream to Holtwood Dam:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
All Species of Trout and Salmon	Open year-round	No minimum	2 (combined species)
BASS Largemouth Smallmouth	January 1 until midnight last day of February and 12:01 a.m., June 16 until December 31	12 inches	5 (combined species)
PIKE Northern	Open year-round	30 inches	2 (combined species)
WALLEYE	Open year-round	15 inches	5
MUSKELLUNGE and MUSKELLUNGE HYBRIDS	Open year-round	36 inches	1
PICKEREL	Open year-round	14 inches	5
STRIPED BASS and STRIPED BASS/WHITE BASS HYBRIDS	Open year-round	18 inches	2 (combined species), only one of which may exceed 30 inches in length
AMERICAN and HICKORY SHAD	Closed (No open season)	Closed	0
ALEWIFE and BLUEBACK HERRING (collectively known as river herring)	January 1 through June 15	No minimum	No daily limit
SUNFISH (BLUE GILL and ROCK BASS)	Open year-round	No minimum	15 (combined species)
CRAPPIES	Open year-round	No minimum	15
CARP	Open year-round	No minimum	15
CHANNEL CATFISH	Open year-round	No minimum	5
SUCKERS	Open year-round	No minimum	30
EELS	Open year-round	6 inches	25
YELLOW PERCH	Open year-round	No minimum	No daily limit
BAIT FISH FISH BAIT	Open year-round	No minimum	35
ALL OTHER FISH SPECIES	Open year-round	No minimum	No daily limit
BIVALVES/SHELLFISH (Mussels/Clams)	Closed (no open season)	Closed	0

#### Authority

The provisions of this § 61.4 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 305, 322, 741, 928, 2102, 2307, 2711 and 5122—5124.

#### Source

The provisions of this § 61.4 amended December 28, 1984, effective December 29, 1984, 14 Pa.B. 4691; amended February 12, 1993, effective February 13, 1993, 23 Pa.B. 739; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 834; amended November 22, 1996, effective January 1,

1997, 26 Pa.B. 5701; amended March 7, 1997, effective March 8, 1997, 27 Pa.B. 1155; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5605; amended September 9, 2005, effective January 1, 2006, 35 Pa.B. 5007; amended August 31, 2007, effective January 1, 2008, 37 Pa.B. 4752. Immediately preceding text appears at serial pages (313220) to (313222).

#### Cross References

This section cited in 58 Pa. Code § 61.1 (relating to Commonwealth inland waters); and 58 Pa. Code § 61.7 (relating to Susquehanna River and tributaries).

### § 61.7. Susquehanna River and tributaries.

(a) It is unlawful to take, catch, kill or possess fish except during the seasons specified in this section. However, it is not a violation of this section if a fish caught out of season from water where fishing for other species is lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch, kill or possess a fish of less than the minimum size specified in this section. However, it is not a violation of this section if an undersized fish taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(c) It is unlawful to take, catch or kill more than 1 day's limit of any species of fish as specified in the following chart during 1 calendar day. It is unlawful to possess more than 1 day's limit of any species of fish as specified in the following chart except under the following circumstances:

(1) A person may possess any number of lawfully caught fish at the person's residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting fish from the place where caught to his residence, possess a number of fish equal to no more than two times the daily creel limit for that species of fish. In prosecution for violation of this section, it shall be a rebuttable presumption that a person transporting fish from a fishing site caught all of the fish during 1 calendar day.

(3) A fish will not be considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(4) A fish caught that is not to be counted in the creel limit shall be immediately released unharmed into the water from which taken. Except as otherwise provided in § 53.24 or § 63.40 (relating to tournament and fishing derby permits; and fishing tournaments and fishing derbies), a fish placed on a stringer, or confined by any type of container, structure or device, or not returned immediately to the water will be considered as part of the daily creel or possession limits. Fish returned to the water shall be handled carefully and be returned unharmed to the water from which taken.



(5) Fish may be given to another person, but the fish shall be counted in the donor's creel limit and neither the donor nor the recipient may kill or possess (while in the act of fishing) more than the limit allowed.

(d) The following seasons, sizes and creel limits apply to the Susquehanna River and its tributaries, including the Juniata River, the West Branch, "North Branch" and other tributaries within the Susquehanna River Basin except the Conowingo Reservoir—see § 61.4 (relating to Conowingo Reservoir) and except for waters subject to special regulations (see Chapter 65 (relating to special fishing regulations)):

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
AMERICAN and HICKORY SHAD and ALEWIFE and BLUEBACK HERRING (collectively known as river herring)*	Closed year-round	Closed	0
BASS Largemouth Smallmouth Spotted	Inland seasons, sizes and creel limits apply except for waters under special regulations (See Chapter 65). See § 61.1 (relating to Commonwealth inland waters). For Conowingo Reservoir, see § 61.4 (relating to Conowingo Reservoir).		
OTHER SPECIES	Inland seasons, sizes and creel limits apply except for waters under special regulations (See Chapter 65). See § 61.1 (relating to Commonwealth inland waters). For Conowingo Reservoir see § 61.4 (relating to Conowingo Reservoir).		

\*Note: Landlocked alewife taken from inland ponds, lakes or reservoirs that are collected by legal means and measure less than 8 inches in length may be harvested for use as baitfish.

#### Authority

The provisions of this § 61.7 issued under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 5122—5124.

#### Source

The provisions of this § 61.7 amended March 13, 1987, effective March 14, 1987, 17 Pa.B. 1084; amended February 8, 1991, effective February 9, 1991, 21 Pa.B. 498; amended November 22, 1996, effective January 1, 1997, 26 Pa.B. 5701; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5605; amended November 28, 1997, effective November 29, 1997, 27 Pa.B. 6225; amended September 13, 2002, effective September 14, 2002, 32 Pa.B. 4483. Immediately preceding text appears at serial pages (238876) to (238878).

**Cross References**

This section cited in 58 Pa. Code § 61.1 (relating to Commonwealth inland waters).

**§ 61.8. Lehigh River, Schuylkill River and tributaries.**

(a) It is unlawful to take, catch, kill or possess fish except during the seasons specified in this section. It is not a violation of this section if a fish caught out of season from water where fishing for other species is lawful is immediately returned unharmed to the waters from which it was taken.

(b) It is unlawful to take, catch, kill or possess a fish of less than the minimum size specified in this section. It is not a violation of this section if an under-sized fish taken from waters where fishing is otherwise lawful is immediately returned unharmed to the waters from which it was taken.

(c) It is unlawful to take, catch or kill more than 1 day's limit of a species of fish as specified in the chart in subsection (d) during 1 calendar day. It is unlawful to possess more than 1 day's limit of a species of fish as specified in the chart in subsection (d) except under the following circumstances:

(1) A person may possess any number of lawfully caught fish at his residence.

(2) A person who is engaged in a fishing trip away from home for 2 or more consecutive calendar days may, while transporting fish from the place where caught to his residence, possess a number of fish equal to no more than two times the daily creel limit for that species of fish. In prosecution for violation of this section, it shall be a rebuttable presumption that a person transporting fish from a fishing site caught the fish during 1 calendar day. A fish is not considered to be caught in violation of this section if it is immediately returned unharmed to the waters from which it was taken.

(d) The following seasons, sizes and creel limits apply to the Lehigh River and its tributaries and the Schuylkill River upstream of the I-95 Bridge and its tributaries:

<i>SPECIES</i>	<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
AMERICAN SHAD	Open year-round	No Minimum	1
OTHER SPECIES	Inland seasons, size and creel limits apply except for waters under special regulations. See § 61.1 (relating to Commonwealth inland waters).		

**Authority**

The provisions of this § 61.8 issued under the Fish and Boat Code, 30 Pa.C.S. § 2102.

**Source**

The provisions of this § 61.8 adopted March 10, 1995, effective March 11, 1995, 25 Pa.B. 834; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328. Immediately preceding text appears at serial pages (290763) to (290764).

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