

CHAPTER 65. SPECIAL FISHING REGULATIONS

Sec.	
65.1.	[Reserved].
65.2.	[Reserved].
65.3.	[Reserved].
65.4.	[Reserved].
65.4a.	All-tackle trophy trout.
65.4b.	[Reserved].
65.5.	Catch and release artificial lures only.
65.6.	Delayed harvest artificial lures only areas.
65.7.	Trophy trout artificial lures only.
65.8.	[Reserved].
65.9.	Big bass.
65.10.	[Reserved].
65.11.	Panfish enhancement.
65.12.	Regional opening day of trout season.
65.13.	[Reserved].
65.14.	Catch and release fly-fishing only.
65.15.	Catch and release all-tackle.
65.16.	Musky enhancement.
65.17.	Catch and release lakes.
65.18.	Brood stock lakes.
65.19.	Stocked trout waters open to year-round fishing.
65.20.	Mentored Youth Fishing Day Program.
65.21.	Waters limited to specific purposes—exclusive use fishing areas.
65.22.	[Reserved].
65.23.	Special restrictions on polluted zones.
65.24.	Miscellaneous special regulations.
65.25.	Temporary changes to fishing regulations.
65.26.	Extended trout season.

Source

The provisions of this Chapter 65 adopted May 23, 1980, effective January 1, 1981, 10 Pa.B. 2051, unless otherwise noted.

Cross References

This chapter cited in 58 Pa. Code § 61.1 (relating to Commonwealth inland waters); 58 Pa. Code § 61.7 (relating to Susquehanna River and tributaries); 58 Pa. Code § 61.8 (relating to Lehigh River, Schuylkill River and tributaries); 58 Pa. Code § 63.20 (relating to permits for protection and management of trout and salmon); and 58 Pa. Code § 65.12 (relating to regional opening day of trout season).

§ 65.1. [Reserved].**Source**

The provisions of this § 65.1 adopted May 23, 1980, effective January 1, 1981, 10 Pa.B. 2051; amended January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 836; amended December 22, 1995, effective December 23, 1995, 25 Pa.B. 5970; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5609; amended November 24, 2004, effective December 1, 2005, 34 Pa.B. 6328; reserved April 22, 2005, effective April 23, 2005, 35 Pa.B. 2391. Immediately preceding text appears at serial pages (308595) to (308596).

§ 65.2. [Reserved].**Source**

The provisions of this § 65.2 adopted May 23, 1980, effective January 1, 1981, 10 Pa.B. 2051; amended January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 836; amended March 7, 1997, effective March 8, 1997, 27 Pa.B. 1155; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; reserved September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261. Immediately preceding text appears at serial pages (311343) to (311344).

§ 65.3. [Reserved].**Source**

The provisions of this § 65.3 adopted May 23, 1980, effective January 1, 1981, 10 Pa.B. 2051; amended January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 836; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; reserved September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261. Immediately preceding text appears at serial pages (311344) to (311345).

§ 65.4. [Reserved].**Source**

The provisions of this § 65.4 adopted December 31, 1981, effective January 1, 1982, 12 Pa.B. 14; amended January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 836. Immediately preceding text appears at serial page (144426).

§ 65.4a. All-tackle trophy trout.

(a) The Executive Director, with the approval of the Commission, may designate waters as all-tackle trophy trout. The designation of waters as all-tackle trophy trout shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted all-tackle trophy trout areas except in compliance with the following requirements:

- (1) Open to fishing year-round.
- (2) There are no tackle restrictions.
- (3) Minimum size is 14 inches, caught on, or in possession on, the waters under regulation.
- (4) The daily creel limit is two trout-combined species except for the period from the day after Labor Day to 8 a.m. of the first Saturday after April 11 of the following year, when trout may not be killed or had in possession.
- (5) A current trout/salmon permit is required.

(c) This section applies to trout only. Inland regulations apply to all other species.

(d) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the

all-tackle trophy trout area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the all-tackle trophy trout area.

Authority

The provisions of this § 65.4a amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.4a adopted March 7, 1997, effective March 8, 1997, 27 Pa.B. 1155; amended September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376450) to (376451).

§ 65.4b. [Reserved].

Source

The provisions of this § 65.4b adopted April 10, 1998, effective April 11, 1998, 28 Pa.B. 1754; reserved April 22, 2005, effective April 23, 2005, 35 Pa.B. 2391. Immediately preceding text appears at serial page (308599).

§ 65.5. Catch and release artificial lures only.

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release. The designation of waters as catch and release shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in areas designated and posted catch and release except in compliance with the following requirements:

- (1) Fishing may be done with artificial lures only constructed of metal, plastic, rubber or wood or with flies and streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited.
- (2) No trout may be killed or had in possession.
- (3) Open to fishing year-round.
- (4) Wading is permitted unless otherwise posted.
- (5) Taking of baitfish or fishbait is prohibited.
- (6) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the catch and release area.

Authority

The provisions of this § 65.5 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2101, 2102 and 2307.

Source

The provisions of this § 65.5 adopted August 13, 1982, effective January 1, 1983, 12 Pa.B. 2692; amended January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; amended September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; amended December 21, 2012, effective January 1, 2013, 42 Pa.B. 7684; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376451) to (376452).

§ 65.6. Delayed harvest artificial lures only areas.

(a) The Executive Director, with the approval of the Commission, may designate waters as delayed harvest, artificial lures only areas. The designation of waters as delayed harvest, artificial lures only areas shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted delayed harvest, artificial lures only areas except in compliance with the following requirements:

(1) Fishing may be done with artificial lures only constructed of metal, plastic, rubber or wood or with flies or streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear.

(2) The use or possession of any natural bait, baitfish, fishbait, bait paste and similar substances, fish eggs (natural or molded) or any other edible substance is prohibited.

(3) Minimum size is: 9 inches, caught on, or in possession on, the waters under regulation.

(4) The daily creel limit is: three combined species except during the period after Labor Day and before June 15 when the daily limit shall be zero trout combined species, caught on or in possession on the waters under regulation.

(5) Taking of baitfish or fishbait is prohibited.

(6) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the delayed harvest artificial lures only area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the delayed harvest artificial lures only area.

Authority

The provisions of this § 65.6 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.6 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 836; amended March 7, 1997, effective March 8, 1997, 27 Pa.B. 1155; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; amended September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; corrected November 11, 2005, effective January 1, 2006, 35 Pa.B. 6239; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; amended December 21, 2012, effective January 1, 2013, 42 Pa.B. 7684; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256. Immediately preceding text appears at serial pages (367248) to (367249).

§ 65.7. Trophy trout artificial lures only.

(a) The Executive Director, with the approval of the Commission, may designate waters as trophy trout artificial lures only. The designation of waters as trophy trout artificial lures only shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in areas designated and posted trophy trout artificial lures only except in compliance with the following requirements:

(1) Fishing may be done with artificial lures only, constructed of metal, plastic, rubber or wood or with flies and streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of other lures or substances is prohibited.

(2) Open to fishing year-round.

(3) The minimum size is 14 inches, caught on or in possession on the waters under regulation.

(4) The daily creel limit is two trout—combined species—except during the period from the day after Labor Day to 8 a.m. of the first Saturday after April 11 of the following year, when no trout may be killed or had in possession on the waters under regulation.

(5) Taking of baitfish or fishbait is prohibited.

(6) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the trophy trout area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the trophy trout area.

Authority

The provisions of this § 65.7 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.7 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended December 22, 1995, effective December 23, 1995, 25 Pa.B. 5970; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5609; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; amended September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial page (376453).

§ 65.8. [Reserved].

Source

The provisions of this § 65.8 adopted March 13, 1987, effective March 14, 1987, 17 Pa.B. 1088; amended July 9, 1999, effective July 10, 1999, 29 Pa.B. 3626; reserved July 9, 2004, effective January 1, 2005, 34 Pa.B. 3599. Immediately preceding text appears at serial pages (257213) to (257214) and (261337).

§ 65.9. Big bass.

(a) The Executive Director, with the approval of the Commission, may designate waters as “big bass” waters. The designation shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to take, catch, kill or possess a largemouth, smallmouth or spotted bass on or in designated “big bass” waters except in compliance with the following seasons and size and creel limits. It is not a violation of this section if the bass is immediately returned unharmed to the waters from which it is taken.

<i>Seasons</i>	<i>Size (in)</i>	<i>Creel Limit</i>
<i>Lakes:</i> 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	15	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	
<i>Rivers and Streams:</i> January 1 to midnight the day before the first Saturday after April 11 and October 1 to midnight December 31	18	2 (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	
12:01 a.m. the first Saturday after June 11 to midnight September 30	15	4 (combined species)

Note: For purposes of this section, power dam pools and recreational dam pools on the Susquehanna River and navigational dam pools in the Ohio drainage are “rivers.”

(c) Other Commonwealth inland fishing regulations apply to designated “big bass” waters.

(d) Tournaments are permitted only during the designated harvest periods.

Authority

The provisions of this § 65.9 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.9 adopted December 14, 1990, effective December 15, 1990, 20 Pa.B. 6182; amended July 9, 1999, effective July 10, 1999, 29 Pa.B. 3626; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376454) to (376455).

§ 65.10. [Reserved].

Authority

The provisions of this § 65.10 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307; reserved under the Fish and Boat Code, 30 Pa.C.S. § 2102(a).

Source

The provisions of this § 65.10 adopted March 10, 1995, effective March 11, 1995, 25 Pa.B. 926; amended April 12, 1996, effective April 13, 1996, 26 Pa.B. 1706; amended November 25, 2004, effective January 1, 2005, 34 Pa.B. 6328; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; reserved June 14, 2013, effective June 15, 2013, 43 Pa.B. 3232. Immediately preceding text appears at serial pages (333658) to (333659).

§ 65.11. Panfish enhancement.

(a) The Executive Director, with the approval of the Commission, may designate waters as “panfish enhancement” waters. The designation may be limited to one, two or all three of the panfish species listed in subsection (b). The designation shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in designated and posted “panfish enhancement” waters except in compliance with the following seasons and size and creel limits:

<i>Species</i>	<i>Seasons</i>	<i>Minimum Size</i>	<i>Daily Limit</i>
Sunfish (bluegill, pumpkinseed and redear)	Open year-round	7 inches	20*
Crappie (black and white)		9 inches	20*
Yellow perch		9 inches	20*
Other species—inland seasons and size and creel limits apply.			

* When panfish enhancement regulations apply to more than 1 species in the same waterway, the creel limit is 20 for each species with the total creel not to exceed 50 panfish combined. For purposes of this section, panfish include catfish, rock bass, suckers, carp and white bass.

Authority

The provisions of this § 65.11 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.11 adopted April 10, 1998, effective April 11, 1998, 28 Pa.B. 1755; amended November 5, 1999, effective November 6, 1999, 29 Pa.B. 5720; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376455) to (376456).

§ 65.12. Regional opening day of trout season.

(a) The Executive Director, with the approval of the Commission, may designate waters in certain regions as part of the regional opening day of trout season. The designation of waters as part of the regional opening day of trout season shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as part of the regional opening day of trout season except in compliance with the following seasons, sizes and creel limits:

<i>SEASONS</i>	<i>MINIMUM SIZE</i>	<i>DAILY LIMIT</i>
Regular Season: 8 a.m. first Saturday after March 28 to midnight Labor Day	7 inches	5 (combined species) except areas with special regulations (see Chapter 65 (relating to special fishing regulations))
Extended Season: Stocked trout waters and all waters downstream of stocked 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 Class A wild trout streams where the daily limit is 0, and areas with special regulations (see Chapter 65)

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

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

(e) It is unlawful to take, catch or kill more than 1 day's limit of any species of trout as specified in this section during 1 calendar day. It is unlawful to pos-

possess more than 1 day's limit of any species of trout as specified in this section except under the following circumstances:

(1) A person may possess any number of lawfully caught trout 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 possess, while transporting trout from the place where caught to his residence, a number of trout equal to no more than two times the daily creel limit for trout. In prosecutions for violations of this section, it shall be a rebuttable presumption that a person transporting trout from a fishing site caught all of the trout during 1 calendar day.

(3) A trout 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 trout caught that is not to be counted in the creel limit shall be immediately released unharmed to the waters 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 trout 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. Trout returned to the water shall be handled carefully and be returned unharmed to the waters from which taken.

(5) Trout may be given to another person, but the trout 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.

Authority

The provisions of this § 65.12 issued under the Fish and Boat Code, 30 Pa.C.S. § 2307; amended under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.12 adopted September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended September 19, 2014, effective January 1, 2015, 44 Pa.B. 5969; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376456) to (376457).

Cross References

This section cited in 58 Pa. Code § 61.1 (relating to Commonwealth inland waters); and 58 Pa. Code § 63.3 (relating to fishing in stocked trout waters).

§ 65.13. [Reserved].

Authority

The provisions of this § 65.13 issued under the Fish and Boat Code, 30 Pa.C.S. § 2102; amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307; reserved under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.13 adopted August 15, 2003, effective January 1, 2004, 33 Pa.B. 2760; amended November 23, 2005, effective January 1, 2006, 35 Pa.B. 6434; reserved September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376457) to (376458).

§ 65.14. Catch and release fly-fishing only.

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release fly-fishing only. The designation of waters as catch and release fly-fishing only shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated and posted as catch and release fly-fishing only except in compliance with the following requirements:

(1) Fishing may be done with artificial flies and streamers constructed of natural or synthetic materials so long as all flies are constructed in a normal fashion with components wound on or about the hook or hooks. Use or possession of any other lures or substances is prohibited.

(2) Fishing shall be done with tackle which is limited to fly rods, fly reels and fly line with a maximum of 18 feet in leader material or monofilament line attached. Spinning, spincast and casting rods and reels are prohibited.

(3) No trout may be killed or had in possession.

(4) Open to fishing year-round.

(5) Taking of baitfish or fishbait is prohibited.

(6) Wading is permitted unless otherwise posted.

(7) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section an angler in a boat may possess bait and fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release fly-fishing only area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the catch and release fly-fishing only area.

Authority

The provisions of this § 65.14 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.14 adopted September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; amended December 21, 2012, effective January 1, 2013, 42 Pa.B. 7684; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376458) and (376459).

§ 65.15. Catch and release all-tackle.

(a) The Executive Director, with the approval of the Commission, may designate waters as catch and release all-tackle. The designation of waters as catch and release all-tackle shall be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated and posted catch and release all-tackle except in compliance with the following requirements:

(1) There are no tackle restrictions.

(2) No trout may be killed or had in possession.

(3) Open to fishing year-round; there is no closed season.

(4) A current trout/salmon permit is required.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the catch and release all-tackle area without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the catch and release all-tackle area.

Authority

The provisions of this § 65.15 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2102 and 2307.

Source

The provisions of this § 65.15 adopted September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; amended March 28, 2008, effective March 29, 2008, 38 Pa.B. 1468; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788 Immediately preceding text appears at serial page (376459).

§ 65.16. Musky enhancement.

(a) The Executive Director, with the approval of the Commission, may designate waters as musky enhancement. The designation of waters as musky enhancement will be effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to take, catch, kill or possess muskellunge or muskellunge hybrids on or in waters designated as musky enhancement except in compliance with the following season and size and creel limits: Open-year round, minimum size of 45 inches and daily limit of 1. It is not a violation of this section if the muskellunge or muskellunge hybrid is immediately returned unharmed to the waters from which it is taken.

Authority

The provisions of this § 65.16 issued and amended under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.16 adopted September 29, 2006, effective September 30, 2006, 36 Pa.B. 5976; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376459) to (376460).

§ 65.17. Catch and release lakes.

(a) The Executive Director, with the approval of the Commission, may designate lakes as catch and release lakes. The designation of lakes as catch and release lakes will be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in the lakes designated as catch and release lakes except in compliance with the following requirements:

(1) Fishing for all species is permitted on a catch and release/no harvest basis only.

(2) It is unlawful to take, kill or possess any fish taken from lakes designated under this section.

(3) Fish caught shall be immediately returned unharmed to the lake from which taken.

Authority

The provisions of this § 65.17 issued and amended under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.17 adopted December 8, 2006, effective December 9, 2006, 36 Pa.B. 7449; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial page (376460).

§ 65.18. Brood stock lakes.

(a) The Executive Director, with the approval of the Commission, may designate lakes as brood stock lakes. The designation of lakes as brood stock lakes will be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in the lakes designated as brood stock lakes except in compliance with the following requirements:

(1) From 12:01 a.m. April 1 to midnight May 31, fishing for muskellunge and muskellunge hybrids, northern pike and pickerel is permitted on a catch and release/no harvest basis only.

(2) From 12:01 a.m. April 1 to midnight May 31, it is unlawful to take, kill or possess any muskellunge and muskellunge hybrids, northern pike and pickerel taken from lakes designated under this section.

(3) From 12:01 a.m. April 1 to midnight May 31, all muskellunge and muskellunge hybrids, northern pike and pickerel caught shall be immediately returned unharmed to the lake from which taken.

Authority

The provisions of this § 65.18 issued and amended under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.18 adopted December 8, 2006, effective December 9, 2006, 36 Pa.B. 7449; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376460) to (376461).

§ 65.19. Stocked trout waters open to year-round fishing.

(a) The Executive Director, with the approval of the Commission, may designate waters as stocked trout waters open to year-round fishing. The designation of waters as stocked trout waters open to year-round fishing shall be effective upon publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as stocked trout waters open to year-round fishing except in compliance with the following seasons and size and creel limits. It is not a violation of this section if a trout is immediately returned unharmed to the waters from which it is taken.

<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 (or the first Saturday after March 28 for waters designated as part of the regional opening day of trout season) to midnight Labor Day	7 inches	5 (combined species)
	Extended Season: 12:01 a.m. day after Labor Day to midnight last day of February of the following year.	7 inches	3 (combined species)
	12:01 first day of March to first Saturday after April 11 (or the first Saturday after March 28 for waters designated as part of the regional opening day of trout season)		NO HARVEST —Catch and immediate release only

(c) It is unlawful to fish in rivers and streams designated as stocked trout waters open to year-round fishing without a current trout/salmon permit. A trout/salmon permit is not required to fish in lakes and ponds that have been designated as stocked trout waters open to year-round fishing unless the person takes, kills or possesses, while in the act of fishing, a trout or salmon on or in these waters.

Authority

The provisions of this § 65.19 issued and amended under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.19 adopted October 31, 2008, effective January 1, 2009, 38 Pa.B. 5962; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (376461) to (376462).

§ 65.20. Mentored Youth Fishing Day Program.

(a) The Executive Director may annually designate Mentored Youth Fishing Days. As part of the designation, the Executive Director will identify the species, waters, dates, creel and minimum size limits and other applicable limitations. The designation will be effective upon publication of a notice in the *Pennsylvania Bulletin*.

(b) It is unlawful to fish in waters designated as part of the Mentored Youth Fishing Day Program except in compliance with the following requirements when participating in the Mentored Youth Fishing Day Program:

(1) Anglers shall adhere to the limitations as established by the Executive Director by notice in the *Pennsylvania Bulletin*.

(2) An angler 16 years of age or older shall be accompanied by a youth, less than 16 years of age, who has obtained a mentored youth permit or a voluntary youth fishing license from the Commission.

(3) A youth angler shall obtain a mentored youth permit or a voluntary youth fishing license from the Commission and be accompanied by an angler 16 years of age or older.

(4) A current trout/salmon permit is required for an angler 16 years of age or older when participating in a Mentored Youth Fishing Day Program that relates to trout.

(c) Notwithstanding the requirements of this section, an angler in a boat may possess fish caught in compliance with the seasons, sizes and creel limits in effect for the water from which taken, provided that the boat angler floats through the water designated as part of the Mentored Youth Fishing Day Program without stopping or engaging in the act of fishing or the boat angler puts in or takes out his boat at an access point within the water designated as part of the Mentored Youth Fishing Day Program.

Authority

The provisions of this § 65.20 issued under the Fish and Boat Code, 30 Pa.C.S. § 2102; amended under the Fish and Boat Code, 30 Pa.C.S. § 2102(a).

Source

The provisions of this § 65.20 adopted March 21, 2014, effective March 22, 2014, 44 Pa.B. 1764; amended March 13, 2015, effective March 14, 2015, 45 Pa.B. 1256. Immediately preceding text appears at serial pages (371376) to (371377).

§ 65.21. Waters limited to specific purposes—exclusive use fishing areas.

(a) The Executive Director, with the approval of the Commission, may designate waters as being for the exclusive use of children or special populations, or

both, for the purpose of fishing. The designation is effective when the waters are so posted after publication of a notice of designation in the *Pennsylvania Bulletin*.

(b) As used in this section, the term “children” means persons 12 years of age or under. The term “special populations” means persons who are exempt from the fishing license requirement by section 2709(b) of the code (relating to exemptions from license requirements), persons whose visual acuity with best correcting lens is 3/60 or 10/200 or poorer in the better eye, persons whose vision is such that the widest diameter of the visual field of the better eye has contracted to such an extent that it subtends an angular distance of not greater than 20° or persons permanently deprived of the full use of a leg or both legs.

(c) It is unlawful for a person other than a child or member of special populations to fish in a designated exclusive use area.

(d) The Commission will not designate waters under this section:

(1) As being for the exclusive use of children unless the sponsor of the proposed exclusive use area agrees to be responsible for the administration and control of the area, posting signs and assisting in enforcement; the owner of the waters agrees to the designation in writing; and the political subdivision where the area is to be located approves the designation in writing. The sponsor also shall establish that the proposed exclusive area will be used year-round by showing that fishing tournaments/derbies, stocking or special events are planned throughout the year.

(2) As being for the exclusive use of special populations unless the sponsor of the proposed exclusive use area agrees to be responsible for the administration and control of the area, posting of signs and assisting in enforcement; the owner of the waters agrees to the designation in writing; and the political subdivision where the area is to be located approves the designation in writing. The sponsor also shall describe how the proposed exclusive use area is accessible and what accommodations have been made for use by special populations. The sponsor further must certify that the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C.A. §§ 12210—12213) and the regulations promulgated thereunder are currently met and will be met in the future.

(3) As being for the exclusive use of both children and special populations unless the sponsor meets the requirements of paragraphs (1) and (2).

(e) In determining whether to designate areas for the exclusive use of children, special populations or both, the Commission will consider whether the sponsors of the proposed areas have demonstrated the ability to meet the requirements of this section and whether exclusive use areas already exist within the same geographical area as the proposed areas.

(f) If a sponsor of an exclusive use area fails to continue to meet the requirements of this section, the Commission may remove the designation of the area as being for the exclusive use of children or special populations, or both.

(g) The provisions of subsection (a) requiring advance approval of the Commission and publication of a notice of designation in the *Pennsylvania Bulletin*

do not apply to temporary designations of exclusive use areas for children or special populations, or both. Sponsors seeking a temporary designation of an area for the exclusive use of children or special populations, or both, shall apply for a special activities permit in accordance with § 63.40 (relating to fishing tournaments and fishing derbies). Sponsors shall apply for designation of temporary exclusive use areas no later than 30 days before the proposed designation is to take effect. The Executive Director or a designee may approve the temporary designation of waters for exclusive use for no more than 60 consecutive days upon application of project sponsors. Temporary designations shall be effective upon posting of the area. Sponsors are responsible for administering and controlling the area, posting signs and assisting in enforcement.

(h) In designating an area for the exclusive use of children or special populations the Commission makes no representation that the areas are suitable for any particular purpose. The sponsors of the areas assume the responsibility for the suitability of the area.

Authority

The provisions of this § 65.21 amended under the Fish and Boat Code, 30 Pa.C.S. §§ 2307 and 2709(b).

Source

The provisions of this § 65.21 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended February 18, 2000, effective February 19, 2000, 30 Pa.B. 870; amended March 9, 2001, effective March 10, 2001, 31 Pa.B. 1368; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial pages (324217) to (324218).

Cross References

This section cited in 58 Pa. Code § 57.61 (relating to designation of areas for the exclusive use of children and special populations); and 58 Pa. Code § 57.62 (relating to access for special populations).

§ 65.22. [Reserved].

Source

The provisions of this § 65.22 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; reserved March 7, 1997, effective March 8, 1997, 27 Pa.B. 1155. Immediately preceding text appears at serial page (213791).

§ 65.23. Special restrictions on polluted zones.

(a) The Executive Director, with the approval of the Commission, may determine that fishing should be curtailed or prohibited in polluted waters or that the taking or killing of fish from the waters should be prohibited. Special restrictions imposed under this section shall be effective when the waters are so posted after publication of a notice of restriction in the *Pennsylvania Bulletin*; the Executive

Director or his designee may take immediate action to post waters when he finds it appropriate to further the health and safety of persons who fish.

(b) It is unlawful for a person to take, catch, possess while in the act of fishing or kill fish from polluted zones in violation of the posted conditions imposed under this section.

(c) This section may not be construed to relieve the person or entity responsible for placing or allowing harmful substances to be present in fishing waters from criminal or civil liability for acts or omissions with regard to the substances. This section does not place liability or duty on the Commonwealth or the Commission or their employes, officers, agents or assigns, to locate, identify or post waters where harmful substances may be present; nor may the Commonwealth, the Commission or their officers, employes, agents or assigns be liable for the consequences of harmful substances being present in fishing waters. This section does not confer or convey ownership, control or jurisdiction, over these waters on the Commission except as may be otherwise provided by law or regulation.

Authority

The provisions of this § 65.23 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 § 65.23 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended April 12, 1996, effective April 13, 1996, 26 Pa.B. 1706; amended November 5, 1999, effective November 6, 1999, 29 Pa.B. 5717. Immediately preceding text appears at serial pages (257218) to (257219).

Cross References

This section cited in 58 Pa. Code § 63.21 (relating to designation of 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.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
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.
Centre and Mifflin	Penns Creek, from the confluence of Elk Creek downstream 7 miles to 600 meters downstream of Swift Run	Open to fishing year-round. All tackle types are permitted. From 8 a.m. on the first Saturday after April 11 through Labor Day—the daily creel limit for trout is 2 (combined species). Trout must be at least 7 inches but less than 12 inches in length to be killed or possessed. From the day after Labor Day until 8 a.m. on the first Saturday after April 11, no trout may be killed or possessed. Inland regulations apply to all other species. This miscellaneous special regulation will remain in effect until December 31, 2020.
Clarion	Beaver Creek Ponds	Closed to fishing from 12:01 a.m. January 1 to 12:01 a.m. the first Saturday after June 11 of each year. Bass—15-inch minimum size limit and a 2 bass daily creel limit for the total project area. Panfish (combined species) 10 fish daily creel limit for the total project area. Other species-inland regulations apply.
Columbia and Northumberland	South Branch of Roaring Creek from the bridge on State Route 3008 at Bear Gap upstream to the bridge on State Route 42	This is a catch and release/no harvest fishery for all species. It is unlawful to take, kill or possess any fish. All fish caught shall be immediately returned unharmed.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Crawford	Pymatuning Reservoir	Only carp and suckers may be taken by means of spearing or archery in compliance otherwise with § 63.8 (relating to long bows, crossbows, spears and gigs). Minnow seines and dip nets are restricted to no more than 4 feet in size, and the mesh of the nets shall measure no less than 1/8 nor more than 1/2-inch on a side. Float line fishing is prohibited.
Cumberland	Opossum 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 must be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1.
Cumberland, Dauphin, Juniata, Lancaster, Northumberland, Perry, Snyder, York	Susquehanna River (98.0 miles) from the inflatable dam near Sunbury downstream to Holtwood Dam, including all tributaries to a point 1/2 mile upstream from the confluence	Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Dauphin, Juniata, Perry	Juniata River (31.7 miles) from SR0075 bridge at Port Royal downstream to the mouth, including all tributaries to a point 1/2 mile upstream from the confluence	Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.
Huntingdon	Raystown Lake (includes Raystown Branch from the Raystown Dam downstream to the confluence with the Juniata River).	Trout (all species)—no closed season. Daily limit: First Saturday after April 11 until Labor Day—5 trout per day; day after Labor Day to first Saturday after April 11 of the following year—3 trout per day. Size limits: Inland rules apply. Smelt may be taken from shore or by wading by means of dip nets not to exceed 20 inches in diameter or 20 inches square. The daily limit per person is the greater of 1 gallon of smelt by volume or 200 smelt by number.
Lehigh	Leaser 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 must be immediately returned unharmed. Trout—Inland regulations apply. See § 61.1.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Luzerne	Harveys Lake	During the period from the first Saturday after April 11 through midnight last day of February, the daily creel limit for trout (combined species) is 3, only one of which may exceed 18 inches in length. Warmwater/coolwater species, except as provided in this section—Inland regulations apply.
Monroe and Pike	Delaware Water Gap National Recreation Area	The use of eel chutes, eelpots and fyke nets is prohibited. The taking of the following fishbait is prohibited: crayfish or crabs, mussels, clams and the nymphs, larva and pupae of all insects spending any part of their life cycle in the water. The taking, catching, killing and possession of any species of amphibians or reptiles within the boundaries of the Delaware Water Gap National Recreation Area is prohibited.
Somerset, Fayette, Westmoreland and Allegheny	Youghiogheny River from confluence with Casselman River downstream to the confluence with Ramcat Run Youghiogheny River from the pipeline crossing at the confluence with Lick Run downstream to the mouth of the river.	Trout (all species)—no closed season. Daily limit: First Saturday after April 11 until Labor Day—5 trout per day; day after Labor Day to first Saturday after April 11 of the following year—3 trout per day. Inland regulations apply to warmwater/coolwater species.
Warren	Allegheny River—8.75 miles downstream from the outflow of the Allegheny Reservoir to the confluence with Conewago Creek	Trout—minimum size limit—14 inches; daily creel limit—2 trout per day (combined species) from 8 a.m. on the first Saturday after April 11 through midnight Labor Day, except during the period from the day after Labor Day to the first Saturday after April 11 of the following year, when no trout may be killed or had in possession. Other inland seasons, sizes and creel limits apply.

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
Washington	Little Chartiers Creek from Canonsburg Lake Dam approximately 1/2 mile downstream to mouth of Chartiers Creek	Fishing is prohibited from 12:01 a.m. March 1 to 8 a.m. the first Saturday after April 11.
Wayne	West Branch Delaware River	Trout: From the Pennsylvania/New York border downstream to the confluence with the East River Branch of the Delaware River: no-harvest artificial lures only season on trout from October 16 until midnight of the Friday before the first Saturday after April 11. During the no-harvest artificial lures only season: <ol style="list-style-type: none"> 1. Fishing may be done with artificial lures only, constructed of metal, plastic, rubber or wood, or flies or streamers constructed of natural or synthetic materials. Lures may be used with spinning or fly fishing gear. Use or possession of any other lures or substances is prohibited. 2. The daily creel limit for trout is 0.

Authority

The provisions of this § 65.24 issued under the Fish and Boat Code, 30 Pa.C.S. §§ 305, 322, 741, 928, 2102, 2307, 2711 and 5122—5124; amended under section 10 of the Sunshine Act (65 P.S. § 280); section 506 of The Administrative Code of 1929 (71 P.S. § 186); and the Fish and Boat Code, 30 Pa.C.S. § 2307.

Source

The provisions of this § 65.24 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46; amended December 28, 1984, effective December 29, 1984, 14 Pa.B. 4961; amended June 6, 1986, effective June 7, 1986, 16 Pa.B. 2021; amended March 13, 1987, effective March 14, 1987, 17 Pa.B. 1084; amended April 29, 1988, effective April 30, 1988, 18 Pa.B. 2030; amended March 2, 1990, effective March 3, 1990, 20 Pa.B. 1287; amended March 9, 1990, effective March 10, 1990, 20 Pa.B. 1403; amended June 1, 1990, effective June 2, 1990, 20 Pa.B. 2928; 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 March 6, 1992, effective March 7, 1992, 22 Pa.B. 949; amended February 12, 1993, effective February 13, 1993, 23 Pa.B. 741; amended February 12, 1993, effective February 13, 1993, 23 Pa.B. 744; amended February 26, 1993, effective February 27, 1993, 23 Pa.B. 942; amended April 15, 1994, effective April 16, 1994, 24 Pa.B. 1958; amended March 10, 1995, effective March 11, 1995, 25 Pa.B. 834 and 836; amended November 22, 1995, effective November 23, 1995, 25

Pa.B. 5970; amended April 12, 1996, effective April 13, 1996, 26 Pa.B. 1706; amended June 28, 1996, effective June 29, 1996, 26 Pa.B. 2995; 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 November 7, 1997, effective November 8, 1997, 27 Pa.B. 5779; amended September 25, 1998, effective September 26, 1998, 28 Pa.B. 4788; amended December 11, 1998, effective December 12, 1998, 28 Pa.B. 6081; amended February 26, 1999, effective February 27, 1999, 29 Pa.B. 1069; amended June 25, 1999, effective June 26, 1999, 29 Pa.B. 3210; amended June 25, 1999, effective June 26, 1999, 29 Pa.B. 3212; amended November 5, 1999, effective November 6, 1999, 29 Pa.B. 5717; amended November 5, 1999, effective November 6, 1999, 29 Pa.B. 5719; amended February 18, 2000, effective February 19, 2000, 30 Pa.B. 872; amended September 15, 2000, effective September 16, 2000, 30 Pa.B. 4814; amended April 19, 2002, effective April 20, 2002, 32 Pa.B. 1962; amended September 13, 2002, effective September 14, 2002, 32 Pa.B. 4483; amended March 4, 2003, effective March 8, 2003, 33 Pa.B. 1229; amended July 18, 2003, effective July 19, 2003, 33 Pa.B. 3496; amended December 12, 2003, effective January 1, 2004, 33 Pa.B. 6061; amended February 27, 2004, effective February 28, 2004, 34 Pa.B. 1231; amended July 9, 2004, effective July 10, 2004, 34 Pa.B. 3600; amended July 9, 2004, effective January 1, 2005, 34 Pa.B. 3599; amended November 24, 2004, effective January 1, 2005, 34 Pa.B. 6328; amended December 3, 2004, effective January 1, 2005, 34 Pa.B. 6418; amended September 9, 2005, effective January 1, 2006, 35 Pa.B. 5007; amended September 16, 2005, effective September 17, 2005, 35 Pa.B. 5124; amended September 23, 2005, effective January 1, 2006, 35 Pa.B. 5261; amended March 10, 2006, effective March 20, 2006, 36 Pa.B. 1126; amended August 25, 2006, effective August 26, 2006, 36 Pa.B. 4724; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5878; amended December 8, 2006, effective December 9, 2006, 36 Pa.B. 7449; amended September 7, 2007, effective September 8, 2007, 37 Pa.B. 4870; amended April 10, 2009, effective April 11, 2009, 39 Pa.B. 1860; amended July 2 2010, effective July 3, 2010, 40 Pa.B. 3663; amended June 10, 2011, effective June 11, 2011, 41 Pa.B. 2950; amended October 7, 2011, effective October 8, 2011, 41 Pa.B. 5367; amended December 30, 2011, effective January 1, 2012, 41 Pa.B. 6970; amended June 15, 2012, effective June 16, 2012, 42 Pa.B. 3445; amended September 13, 2013, effective January 1, 2014, 43 Pa.B. 5451; amended September 13, 2013, effective September 14, 2013, 43 Pa.B. 5452; amended July 17, 2015, effective July 18, 2015, 45 Pa.B. 3840; amended September 25, 2015, effective January 1, 2016, with the exception of the amendments to Opossum Lake, Cumberland County, and Leaser Lake, Lehigh County, effective June 18, 2016, 45 Pa.B. 5788; amended April 1, 2016, effective June 19, 2016, 46 Pa.B. 1650; amended August 26, 2016, effective January 1, 2017, 46 Pa.B. 5539; corrected 46 Pa.B. 5731; amended March 10, 2017, effective March 11, 2017, 47 Pa.B. 1465 and 1466. Immediately preceding text appears at serial pages (382887) to (382888), (380131) to (380134) and (382889).

Cross References

This section cited in 58 Pa.B. § 63.43 (relating to fishing for bass during spring season).

§ 65.25. Temporary changes to fishing regulations.

(a) Notwithstanding other provisions of this chapter requiring the advance approval of the Commission for designation or withdrawal of designation of waters as specially regulated areas, the Executive Director is hereby authorized to take immediate action to temporarily modify fishing regulations when he finds that modifications are necessary and appropriate for the protection, preservation and management of fish or fish habitat; to conserve and preserve fishing opportunities; or to provide for health and safety of persons who fish the waters. The Executive Director will cause temporary modifications to be posted in the vicinity of the regulated waters; and, when so posted, the modified regulations shall be effective. As soon as practicable after taking immediate action to temporarily

modify fishing regulations, the Executive Director will cause a notice of this action to be published in the *Pennsylvania Bulletin*.

(b) When the Executive Director takes immediate action to temporarily modify fishing regulations, he will notify the members of the Commission of the action and cause the matter to be placed on the agenda of the next regular or special meeting of the Commission. Temporary modifications effected under this authority will expire on January 1 of the following year or 6 months after they are effected, whichever comes later unless the Commission shall by then, by appropriate action, have approved the designation or redesignation of waters or shall have approved the revision to the regulation in question.

Source

The provisions of this § 65.25 adopted January 6, 1984, effective January 7, 1984, 14 Pa.B. 46.

§ 65.26. Extended trout season.

(a) *General rule.* The extended trout season is in effect from the day after Labor Day until the last day of February of the following year on stocked trout waters and all waters downstream of stocked trout waters. A creel limit of three trout per day and a minimum size limit of 7 inches apply during this season, except Class A wild trout streams where the creel limit is 0 and areas with special regulations.

(b) *Waters not stocked trout waters.* The Executive Director may grant a permit to apply extended trout regulations to waters that are not stocked trout waters upon written application of the owner or lessee of the lands on which the waters are located. Applications will be reviewed to ensure that applying extended trout season regulations to the waters in question is consistent with the best appropriate fisheries management of the waters in question, and to ensure that approval of the application will have no adverse effect on the preservation and expansion of public fishing opportunities within this Commonwealth. Approval or disapproval of applications shall be subject to review under Chapter 51, Subchapter E (relating to permit procedures). Permits for extended trout season on waters other than stocked trout waters will be valid until the last day of February of the 6th year after the year in which they are issued. For example, a permit issued in June 1984 will expire on February 28, 1990.

Authority

The provisions of this § 65.26 issued under the Fish and Boat Code, 30 Pa.C.S. §§ 305, 322, 741, 928, 2102, 2307, 2711 and 5122—5124; amended under the Fish and Boat Code, 30 Pa.C.S. § 2102.

Source

The provisions of this § 65.26 adopted December 28, 1984, effective December 29, 1984, 14 Pa.B. 4691; amended September 22, 2006, effective January 1, 2007, 36 Pa.B. 5872; amended September 19, 2014, effective January 1, 2015, 44 Pa.B. 5969; amended September 25, 2015, effective January 1, 2016, 45 Pa.B. 5788. Immediately preceding text appears at serial page (377794).

[Next page is 67-1.]