



Pennsylvania Council
Trout Unlimited
P.O. Box 5148
Bellefonte, PA 16823

August 15, 2022

Mr. Timothy Schaeffer, Executive Director
Pennsylvania Fish and Boat Commission
P.O. Box 6700
Harrisburg, PA 17106

RE: Proposed Rulemaking Propagation and Introduction of Fish into Commonwealth Waters [52 Pa.Bulletin 3423; June 18, 2022]

Dear Executive Director Schaeffer and Commissioners:

On behalf of the Pennsylvania Council of Trout Unlimited (TU), which represents over 17,100 members in 49 chapters throughout the Commonwealth, we are writing today in support of PFBC's proposal to amend Sections 57.8a and 63.51 (relating to Class A wild trout streams; and sale of VHS-susceptible species of fish), delete Chapters 71 and 73 (relating to propagation and introduction of fish into Commonwealth waters; and transportation of live fish into this Commonwealth), and add Chapter 71a (relating to propagation and introduction of fish into Commonwealth waters).

As the largest coldwater conservation organization in Pennsylvania, we recognize the importance of protecting against invasive/nonnative species, fish-borne diseases and other practices that threaten not only our wild and native trout resources, but all aquatic resources throughout the Commonwealth. Pennsylvania's world-class trout fishery is both an environmental benefit and an economic driver for tourism in this state and we support the Commission's efforts to lessen the threats posed to these resources. In addition, Pennsylvania will now join its neighboring northeastern states and 30 other states nationwide in adoption of stocking authorization and enhanced fish health policies.

TU applauds the Commission for taking steps with this proposed rulemaking to address propagation and introduction of fish into Commonwealth waters. For those areas where fish are stocked, the Commission makes it clear that all stocking in catch and release, wilderness trout, and wild trout management waters is

prohibited unless excepted by the Executive Director. We have previously expressed our concerns relative to stocking over Class A streams in its comments on the Pennsylvania Trout Management Plan and the Class A Statement of Policy and have expressed that stocking authorizations are a critical piece of sound management of these resources. We support the addition of cross-referencing language into 27 Pa. Code Section 57.8a (the Class A wild trout streams statement of policy) to require authorization for stocking in these waters. This stocking authorization language in conjunction with criteria outlined in the *Operational Guidelines for the Management of Trout Fisheries in Pennsylvania Waters* and the Class A Statement of Policy regarding the circumstances in which exceptions to stocking over Class A waters can be granted provides an additional layer of protection for these waters. We also strongly support the addition of Section 71a.5, which requires stocking authorizations for all waters of the Commonwealth and Section 71a.8, which prohibits stocking in all waters designated as catch and release, wilderness trout or wild trout management without an exception granted by the Executive Director. While it has been and will continue to be the desire of TU to have stocking over Class A waters fully eliminated, these provisions and cross-references provide significantly higher levels of assurance that these waters will be managed to provide the highest levels of protection of these wild trout resources. In addition, we also support the interim requirement to provide notice of stocking to the Commission in the interim period between the promulgation of a final rule and January 1, 2025, on Commission approved forms.

While the establishment of a stocking authorization program has been a primary area of TU focus, we also strongly support proposed language that addresses fish health and introduction criteria to waters of the Commonwealth. Requirements related to facility testing and registration, chain of custody, prohibition of release of invasive species, and the creation of a strong science-based program related to aquaculture facilities and their products in coordination with the Pennsylvania Department of Agriculture are all excellent and necessary additions to current regulations. These requirements will provide protection of the aquatic resources throughout the Commonwealth by prohibiting the introduction of certain species, requiring testing and certification that stocked species are free of disease and requiring good housekeeping practices by anglers (such as draining live wells and bilge areas and removal of attached macrophytes or other organisms) to reduce the spread of invasive species. These new requirements, while creating a new \$4.6 million fiscal impact for the Commission for creation and implementation of new systems, are necessary and should be supported. We encourage the Commission in its development of this system to strive to have all information be as transparent and publicly available as possible via searchable databases and spatially integrated systems.

We encourage the Commission to move forward with the above proposed rulemaking and continue the critical work of protecting Pennsylvania's waters and appreciate the opportunity to comment on these proposed rules.

Sincerely,



Greg Malaska
President,
Pennsylvania Council Trout Unlimited

Jennifer Orr-Greene

Jennifer Orr-Greene
Eastern Policy Director,
Trout Unlimited

Cc: Erick Lewis, Secretary, Pennsylvania Council Trout Unlimited
Lenny Lichvar, Trout Policy Committee, Pennsylvania Council Trout Unlimited
Dave Rothrock, Trout Policy Committee, Pennsylvania Council Trout Unlimited
Emily Baldauff, Mid-Atlantic Organizer, Trout Unlimited