



Erie Pennsylvania Sport Fishing Association

“Dedicated to the preservation and enhancement of all sport fish species in Lake Erie through education and association”

January 1st, 2011

EPSFA Bulletin

Recently, the Pennsylvania Fish and Boat Commission issued a Notice of Proposed Rulemaking. It pertains to amending the (2) lines per angler law to (3) lines per angler. This does not pertain to ice fishing regulations and will come in to effect January 1st 2012 if accepted. The “comment” period expires on February 15th, 2011.

The EPSFA as well as many other organizations, professional anglers and recreational angler have indicated that they favor this proposed amendment. The EPSFA has voted to endorse this proposed regulation change and ask that you do also.

Currently, the State of Michigan and New Jersey has a (3) rod rule and New York State has a pending written proposal for such. There proposal is endorsed by the community and was introduced by Senator Libous.

The State of NY justification for change is as follows:

“The new 3-rod rule is designed to favorably impact a fisherman’s experience by increasing his probability of catching a fish. Catching a fish enhances angler satisfaction more than any other factor and is the prime determinant in deciding whether or not to make return visits to the fisheries of New York.

Return visits to the fishery are a boon to the local economies. Return trips mean more spent locally for food, fuel, lodging, launches, parking, and rentals.

The 3-rod rule will not guarantee that people will catch more fish; rather it will give them the potential to locate the fish a little easier. The small crewed boats, the ‘weekend warrior’, the recreationalist, the vacationer, the retired couple who saved up for a boat and now have the time and health to use it will all benefit from this.

It does not mean they must use 3 rods, it will mean they can use 3 rods per person, whether they are operated from land or from a boat, if they so choose. New Jersey and Michigan both have a 3-rod rule, to which they have continued to see a favorable impact to their recreational fisherman.

In addition, the 3-rod rule will not exploit the fishery since exploitation is constrained by creel limits that would still be in effect.”

The EPSFA has developed some differing or similar reasons for supporting the proposed change from 2-rods to 3. They are as follows:

1. Assist fishermen in finding a presentation pattern that is successful in taking the desired fish. It is a daunting task for fishermen who don't go out every week to try and put a sufficient number of trolled baits at varying depths, with action, sizes and colors in an area of the Lake containing fish.
2. Assist fishermen who find themselves in a low bite per hour fishing situation.
3. Assist bank fishermen targeting underutilized resources such as carp and catfish.
4. Adoption of 3-line proposal is projected to make PA a more desirable and competitive fishing destination which will impact jobs and the economy in a favorable fashion.
5. Science based limits are already set by the PFBC and there is no evidence to suggest adverse impact on the fishery.
6. We may see a positive difference in recruiting young people as well as adults to begin to fish by helping their success rate.
7. The sales of fishing licenses should increase with more success and just the "possibility" of an increased catch rate. Increased license sales are healthy for the economy and benefits all.
8. The States of Michigan and New Jersey have not returned to their original 2-rod law which implies the "change" was both successful and beneficial. No published "negative" impact has ever been documented to date.

The EPSFA is asking each and every one of you to write a letter of support and submit this by February 15th, 2011. These letters can be submitted in writing or electronically to the addresses listed in the PFBC Notice of Proposed Rulemaking which is attached. These letters can be written by individuals, businesses, charter operators, mates, charter clients, recreational anglers, and professional anglers. Please know that the more favorable comments they receive, the better opportunity we all have for this change. Failure to comment will not promote change.

Please use any of the reasons that we presented you with or provide your own. Also, please forward this information to as many interested parties that you can. Keep in mind that the comment period expires on February 15th 2011.

Thank You,

Pete Alex
EPSFA President

Notice of Proposed Rulemaking
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA FISH AND BOAT COMMISSION

Title 58. Recreation
Part II. Fish and Boat Commission
Chapter 63 Fishing

The Fish and Boat Commission (Commission) proposes to amend 58 Pa. Code Chapter 63 (relating to general fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa. C.S. (relating to the Fish and Boat Code) (code).

A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2012.

B. Contact Person

For further information on the proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's website at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendment to §63.6 (relating to authorized devices for game fish, baitfish and fishbait) is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. Purpose and Background

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

E. Summary of Proposal

Under §63.6 of the Commission's regulations, no more than two lines may be used at one time when fishing, except while ice fishing under §63.10. This restriction dates back to at least the 1930's. Recently, several anglers have expressed interest in having this regulation amended to allow for the use of three lines. Because harvest is primarily controlled through the use of season, size limit and creel limit regulations, a change in the number of devices from two to three should have little effect on managing the fisheries of the Commonwealth. Any concerns about this change are likely to be social.

The Commission therefore proposes that §63.6 be amended to read as set forth in Annex A.

F. Paperwork

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

G. Fiscal Impact

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will impose no new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 60 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted. For the Pennsylvania Fish and Boat Commission

John A. Arway
Executive Director

Annex A
Regulation No. 48A-224
Title 58. Recreation
Part II. Fish and Boat Commission
Subpart B. Fishing

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.6. Authorized devices for game fish, baitfish and fish bait.

- (a) It is unlawful to fish for game fish with more than **[two] three** lines of any description, whether fished by rod or by hand, at one time except while ice fishing in accordance with §63.10 (relating to ice fishing). ***
- (b) It is unlawful to fish for baitfish with more than [two] three lines of any description, whether fished by rod or by hand, at one time with not more than three hooks attached to each line; a dip-net or minnow seine not over 4 feet square or 4 feet in diameter, and a minnow trap, with not more than two openings, which may not exceed 1 inch in diameter. ***
- (d) It is unlawful to use more than [two] three lines at any time, except while ice fishing in accordance with §63.10, when fishing for game fish, baitfish or both.

SAMPLE LETTER FORM

John Doe Smith
2300 Lakeside Drive
Erie, PA 165XX
January 1st, 2011

Executive Director Fish and Boat Commission
Attn. Mr. John Arway
P.O. Box 6700
Harrisburg, PA 17106-7000

Dear Mr. Arway,

I am writing this letter to you to voice my support for the proposed 3-rod rule change pertaining to Regulation # 48A-224. This change is supported by me for the following reasons.

It will allow me a better opportunity to catch fish on Lake Erie since I usually only fish with a friend. Trying to catch fish with only 4 lines can be difficult at times, especially under tough conditions. Increasing our opportunity to 6 lines may help our success.

Also, I have a lot of time and money invested in fishing. Having success or even a better opportunity for success will help keep my interest in fishing alive as well as my friend's. We all spent hundreds of dollar annually on fishing licenses, tackle, and travel in an "attempt" to catch fish. This change will help increase our chance at being successful.

I hope to see this beneficial chance occur and thank you for taking the time to listen.

Sincerely,

SIGNATURE