

PROPOSED RULEMAKING**FISH AND BOAT COMMISSION****[58 PA. CODE CH. 63]****Fishing; General Fishing Regulations****[54 Pa.B. 7677]****[Saturday, November 30, 2024]**

The Fish and Boat Commission (Commission) proposes to amend Chapter 63 (relating to general fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission's regulations pertaining to recognizing the different types of fish cleaning stations and how fish are to be processed at noncommercial fish cleaning stations.

A. *Effective Date*

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

B. *Contact Person*

For further information on this proposed rulemaking, contact Renae Kluk Kiehl, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at <https://www.pa.gov/en/agencies/fishandboat.html>.

C. *Statutory Authority*

The proposed amendment to § 63.15a (relating to officially-recognized fish cleaning stations) is published under the statutory authority of section 2102(a) of the code (relating to rules and regulations).

D. *Purpose and Background*

The specific purpose and background of the proposed amendments are described in more detail under the summary of proposal.

E. *Summary of Proposal*

The Commission has the authority under section 2102 of the code to create rules and regulations pertaining to fish and fishing. Under § 63.15a, the Commission recognizes two types of fish cleaning stations. These fish cleaning stations are either commercial stations or non-commercial stations. In addition to recognizing the different types of fish cleaning stations, this section also highlights how fish are to be processed at noncommercial fish cleaning stations.

After a review of the regulatory language for commercial and noncommercial stations, Commission staff determined a more accurate depiction of how stations operate, who is responsible

for stations, what stations offer to the public and requirements for commercial fish cleaning stations should be highlighted.

After the Commission received comments from the public regarding the requirement to leave a 2-inch by 2-inch piece of skin on processed fillets at noncommercial officially-recognized fish cleaning stations, Commission staff conducted a review that included internal discussions, a meeting in Erie in September with interested stakeholders to hear and discuss their feedback and consideration at two Law Enforcement Committee meetings. As a result of this process, Commission staff determined that resource conservation goals could be achieved by eliminating the 2-inch by 2-inch piece of skin requirement in favor of requiring that fillets remain fully intact.

The Commission proposes that § 63.15a be amended to read as set forth in Annex A.

F. Paperwork

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

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to RA-pfbcregulations@pa.gov. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-360. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.15a. Officially-recognized fish cleaning stations.

(a) *Types.*

(1) *Commercial.* An **[operator] owner** of a fish cleaning station that **[provides services] offers a fish cleaning station** to the public for a fee **[may] shall** apply for recognition as an official commercial fish cleaning station.

(2) *Noncommercial.* An **[operator] owner** of a fishing cleaning station that **[provides services] offers a fish cleaning station to the public** at no cost may apply for recognition as an official noncommercial fish cleaning station.

* * * * *

(e) *Identification.* Noncommercial officially-recognized fish cleaning station users shall leave **[at least a 2-inch by 2-inch piece of skin on processed] all** fillets **fully intact** for identification purposes. Cutting the fillets into pieces (also known as chunking) **or removing bones in a way that does not allow the fillet to remain fully intact** is prohibited.

[Pa.B. Doc. No. 24-1702. Filed for public inspection November 27, 2024, 9:00 a.m.]

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