

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Special Fishing Regulations; Miscellaneous Special Regulations

[55 Pa.B. 6543]

[Saturday, September 13, 2025]

The Fish and Boat Commission (commission) proposes to amend Chapter 65 (relating to special fishing regulations). The commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code). The proposed amendment relates to the removal of Donegal Lake, Westmoreland County, from the commission's list of waters that are subject to miscellaneous special regulations.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2026.

B. Contact Person

For further information on this proposed rulemaking, contact Robert J. Schefter, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the commission's website at <https://www.pa.gov/agencies/fishandboat.html>.

C. Statutory Authority

This amendment to § 65.24 (relating to miscellaneous special regulations) is proposed under the authority of 30 Pa.C.S. § 2307(a) (relating to waters limited to specific purposes).

D. Purpose and Background

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

E. Summary of Proposal

Donegal Lake, a 92-acre impoundment owned by the Commonwealth and managed by the commission, is located in Donegal Township, Westmoreland County, approximately 2 miles northeast of the Borough of Donegal. The dam impounds Fourmile Run at river mile (RM) 13.04 upstream from its confluence with Loyalhanna Creek at RM 32.7. This reservoir was completely dewatered during spring 2016 to upgrade the dam and spillway structures per Department of Environmental Protection dam safety standards.

Since 2020, Donegal Lake has been managed under miscellaneous special regulations (see § 65.24) that allow for the harvest of trout under Commonwealth inland waters regulations (see § 61.1 (relating to Commonwealth inland waters)) seasons, sizes and daily limits but no harvest of

other fish species. The intent was to facilitate rapid development of the warm-water and cool-water fish populations in the absence of harvest while allowing for the harvest of trout as the lake is included in the commission's Stocked Trout Waters program. Once the warm-water and cool-water fish populations were sufficiently re-established, the lake would then be recommended for removal from the miscellaneous special regulations and moved to one or more of the commission's existing regulation programs.

The black bass and panfish populations were evaluated during 2025 to monitor progress towards the development of the warm-water and cool-water fishery. Sportfish abundance and population size structure have improved to levels where populations can now sustain harvest. As such, it is recommended that Donegal Lake be removed from miscellaneous special regulations, allowing staff to consider this reservoir for management with big bass (see § 65.9 (relating to big bass)) and panfish enhancement (see § 65.11 (relating to panfish enhancement)) special regulations.

The commission proposes that § 65.24 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-367. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

County	Name of Water	Special Regulations
		* * * *
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 opening day of the regular season for trout. During the no-harvest artificial lures only season: 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.
[Westmoreland	Donegal 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. This miscellaneous special regulation will remain in effect until further notice.]
York	Sheppard-Meyers Reservoir	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. This miscellaneous special regulation will remain in effect until further notice.

[Pa.B. Doc. No. 25-1254. Filed for public inspection September 12, 2025, 9:00 a.m.]

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