

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES

GAME AND FISHERIES COMMITTEE HEARING

STATE CAPITOL  
RYAN OFFICE BUILDING  
ROOM 205  
HARRISBURG, PENNSYLVANIA

THURSDAY, FEBRUARY 14, 2008  
9:00 A.M.

PRESENTATION ON  
PENNSYLVANIA FISH AND BOAT COMMISSION

BEFORE:

HONORABLE EDWARD G. STABACK, CHAIRMAN  
HONORABLE ANTHONY M. DeLUCA  
HONORABLE GORDON R. DENLINGER  
HONORABLE GARTH D. EVERETT  
HONORABLE KEITH J. GILLESPIE  
HONORABLE NEAL P. GOODMAN  
HONORABLE GARY HALUSKA  
HONORABLE ROB KAUFFMAN  
HONORABLE DEBERAH KULA  
HONORABLE TIM MAHONEY  
HONORABLE DAVID R. MILLARD  
HONORABLE DAN MOUL  
HONORABLE MICHAEL PEIFER  
HONORABLE SCOTT PERRY  
HONORABLE HARRY A. READSHAW  
HONORABLE SAMUEL E. ROHRER  
HONORABLE CHRIS SAINATO  
HONORABLE DAN A. SURRA

DEBRA B. MILLER  
REPORTER

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1           CHAIRMAN STABACK: The hour of 9 o'clock  
2 having arrived, I will call the hearing of the House  
3 Game and Fisheries Committee to order.

4           Today we are here to take testimony in the  
5 form of the annual report from the Pennsylvania Fish  
6 and Boat Commission.

7           Before we get into that, I would like the  
8 members of the Committee that are present to identify  
9 themselves and the districts that they represent,  
10 starting with myself.

11           Ed Staback, Chairman of the Committee. I  
12 represent the mid and upper valley of Lackawanna  
13 County and southern Wayne County.

14           Starting on my left.

15           REPRESENTATIVE MILLARD: David Millard, the  
16 109th District, Columbia County.

17           REPRESENTATIVE PEIFER: Mike Peifer,  
18 representing Pike, Wayne, and Monroe Counties. That  
19 is the 139th District.

20           REPRESENTATIVE MOUL: Dan Moul, 91st  
21 District, Adams and Franklin Counties.

22           REPRESENTATIVE MAHONEY: Tim Mahoney,  
23 Fayette County, the 51st District.

24           REPRESENTATIVE PERRY: Scott Perry, 92nd  
25 District, York and Cumberland Counties.

1           REPRESENTATIVE SURRA: Dan Surra, the 75th  
2 District, Elk and Clearfield Counties.

3           REPRESENTATIVE ROHRER: Sam Rohrer, the  
4 Republican chairman of the Committee, from Berks  
5 County.

6           REPRESENTATIVE READSHAW: Harry Readshaw,  
7 36th District, Allegheny County.

8           REPRESENTATIVE KULA: Deberah Kula, 52nd  
9 District, Fayette and Westmoreland Counties.

10          REPRESENTATIVE HALUSKA: Gary Haluska from  
11 Cambria County, 73rd District.

12          REPRESENTATIVE DeLUCA: Tony DeLuca from the  
13 32nd Legislative District, Allegheny County.

14          CHAIRMAN STABACK: Bottom row.

15          REPRESENTATIVE EVERETT: Garth Everett, 84th  
16 District, Lycoming County.

17          REPRESENTATIVE GOODMAN: Neal Goodman, 123rd  
18 District, Schuylkill County.

19          REPRESENTATIVE SAINATO: Chris Sainato, 9th  
20 District, Lawrence and a little bit of Beaver County.

21          CHAIRMAN STABACK: Okay. We will now accept  
22 today's testimony from the Executive Director of the  
23 Fish and Boat Commission, Dr. Doug Austen.

24                 Doug, you can begin whenever you are ready.

25                 DR. AUSTEN: Thank you, Mr. Chairman and

1 Chairman Rohrer, for the opportunity to be here.

2           On behalf of the Commissioners and staff of  
3 the Fish and Boat Commission, I would like to thank  
4 you for this opportunity to present this report. I  
5 also want to thank you for your willingness to  
6 support the Commission, our mission, and the hundreds  
7 of thousands of citizens of the Commonwealth who  
8 enjoy the value of the tremendous aquatic resources  
9 of Pennsylvania.

10           Before I begin, I would like to first just  
11 note the passing of Commissioner Fred Osifat. Fred  
12 covered the northeast part of the State for us. Fred  
13 was a wonderful Commissioner, friend, and avid -- and  
14 I underscore avid -- fly fisherman, and we are going  
15 to miss him sorely. His family and friends I think  
16 certainly can be comforted by knowing of his tireless  
17 dedication and passion for the fishing and the  
18 resources of Pennsylvania. The work that he did just  
19 in the short time that he was with us I think will be  
20 known for years to come and will have an impact for  
21 generations.

22           We also have some guests here with us this  
23 morning from my staff at the Fish and Boat  
24 Commission. I just want to recognize those folks so  
25 you can get to know who they are.

1           Over on my right-hand side here is Bernie  
2 Matscavage. Bernie is our Director of the Bureau of  
3 Administration and also Human Resources.

4           In the back, everybody I think knows Gary  
5 Moore, our legislative liaison.

6           Over here to my left is Brian Barner. Brian  
7 is the new Deputy for Administration, Boating, and  
8 Engineering.

9           Laurel Anders is with us. Laurel is  
10 formerly one of our educators and now is our  
11 Strategic Planning and Special Programs Director.

12           And I do not think we have any Commissioners  
13 or members here this morning.

14           So to help organize my comments, what I'll  
15 do is I'll break them into four sections this  
16 morning. First, I would like to review some of the  
17 recent accomplishments of the Commission; secondly, I  
18 will discuss our fiscal status and projected  
19 financial conditions for a couple of years into the  
20 future; the third section is to describe some of the  
21 ongoing efforts, some of which will require,  
22 obviously, your involvement in the legislative issues  
23 facing the Fish and Boat Commission; and finally,  
24 I'll just give a few thoughts about the future.

25           And also I should note that you have this

1 packet in front of you. I may refer to a few things  
2 in here throughout the morning, but please take these  
3 with you. There is a lot of good, some new material  
4 in here that I think will be very handy for you. If  
5 you would like additional copies of any of this,  
6 please let us know. We can send you them either  
7 electronically or, through Gary, they can be  
8 delivered to your office. So feel free to ask for  
9 these things; we would be happy to get them to you.

10           If there is one certainty in my presentation  
11 this morning, it is that the successes of the Fish  
12 and Boat Commission are the result of many dedicated  
13 Pennsylvanians. These include our committed  
14 Commissioners, professional staff, strong and  
15 mutually beneficial partnerships, an engaged and  
16 supportive public, and obviously a legislature and a  
17 Governor who share a common interest and a common  
18 vision for a better Pennsylvania. With this support  
19 dedication, the agency has seen some remarkable  
20 accomplishments in the last couple of years.

21           Now in its 142nd year, the Fish and Boat  
22 Commission remains dedicated to protecting,  
23 conserving, and enhancing Pennsylvania's aquatic  
24 resources and providing fishing and boating  
25 opportunities for all of us and for future

1 generations.

2           While steeped in tradition, the Commission  
3 acknowledges that the issues and concerns of 2008 are  
4 obviously not the same as those of 1866 or even as  
5 short as a decade ago. Societal needs and interests,  
6 such as disengagement with the outdoors, new and more  
7 complicated challenges with water quality and  
8 quantity, invasive and exotic species, diseases such  
9 as VHS and the Great Lakes, and other issues all  
10 require us to be attentive and proactive to ensure we  
11 meet the needs of the angling and boating public and  
12 the resources of the Commonwealth.

13           Thus, to be successful in addressing these  
14 issues, we need to employ new tools and keep current  
15 in science and new management approaches, and indeed  
16 I think we have.

17           For example, the past several years have  
18 brought us two opening days of trout season that  
19 addresses both the climactic differences in the State  
20 as well as the challenges with our kids on busy  
21 spring weekends during soccer and baseball, and I see  
22 that with my kids all the time. Trying to get out on  
23 a Saturday morning is really tough, and I think this  
24 dual opening day will help a lot of people with that.  
25 I have talked with many people that it has already.



1           Through listening to the public through our  
2 Trout Summit, we are stocking larger trout. We  
3 started that last year. We now have an electronic  
4 licensing system, and I am wearing our license right  
5 here for you all. I will mention something about  
6 that a little bit later.

7           We have been implementing state-of-the-art  
8 effluent filtration in our hatcheries, and there is a  
9 wonderful handout in your folder on the left-hand  
10 side that shows some of the results of dramatic  
11 reductions in total suspended solids in the effluence  
12 of these streams that takes them well below the NPDES  
13 permits that the DEP set forth. So very successful.  
14 In fact, this week, a number of our staff are down in  
15 Florida at a national aquaculture conference  
16 presenting some of these results, which will be, I  
17 think, welcomed by the aquaculture community  
18 nationwide.

19           We have also seen an active emergence of our  
20 fishing access program, the boat access grant program  
21 with nearly 50 projects either completed or in  
22 progress, a reconfigured musky program, greatly  
23 expanded emphasis on habitat, and innovative  
24 marketing strategies that your constituents have been  
25 seeing already and will continue to see throughout

1 this year and some new ways into the future.

2           We look to expand our understanding of the  
3 resources through a new emphasis on the rivers. Our  
4 Three Rivers Ecological Center in Pittsburgh is well  
5 established now and is expanding. We are hiring new  
6 staff to focus solely on the Delaware and the  
7 Susquehanna Rivers. For the first time, the Fish and  
8 Boat Commission will have staff whose sole job will  
9 be to address the complicated issues of managing  
10 these large interstate river systems.

11           We also have a new organizational structure  
12 that will help move us forward with creative ideas  
13 and a management structure designed to facilitate  
14 getting these things done. We are currently and  
15 continually looking to ensure efficiencies; conserve,  
16 enhance, and protect resources; and address the needs  
17 of the angling and boating publics of the  
18 Commonwealth.

19           I guess from one perspective, after 4 years  
20 of hammering at this stuff really hard, it would be  
21 nice to sit back and take a break for a little while,  
22 but if you know me, that is not going to happen. We  
23 have a lot of challenges still ahead of us. We have  
24 some great new staff on board and we are bringing on  
25 some new people as well in the next couple of months,

1 and I think we are ready to really move it to the  
2 next phase of attacking these challenges in a serious  
3 way.

4           So let's talk a little bit about fiscal  
5 issues before we get into some of these other  
6 challenges. I would like to take a few minutes to  
7 discuss our finances. How are we doing in terms of  
8 fiscal health?

9           The issue is basically centered around the  
10 question, the obvious question, of when will we lose  
11 the advantage of the 2005 license fee increase and  
12 have to come back to you again for the next fee  
13 increase? As you are all aware, the revenues  
14 resulting from that increase are constantly being  
15 eroded over time by rising energy costs, dramatically  
16 rising energy costs, which also plays out in things  
17 like fish feed; inflation; increasing personnel  
18 expenses due to health care and contract-mandated  
19 salary increases; and many new fiscal stressors. We  
20 all recognize that a future license fee increase is  
21 inevitable, so I think it best to be direct and talk  
22 about our current conditions and what the future  
23 portends.

24           The way I often describe our situation is in  
25 the context of a large cycle, roughly a 7- to 10-year

1 cycle. In a sense, it reflects the core of this  
2 relationship we have between the Legislature and the  
3 Commission. The underlying economic principle is  
4 that throughout this cycle, we have the reality of a  
5 relatively fixed income stream based upon an  
6 established license and boat registration fee  
7 structure multiplied by a certain sized user group,  
8 and that size obviously changes a little bit over  
9 time, but it is, for the most part, relatively  
10 stable. I say "relatively fixed" because these two  
11 factors are acting to erode our revenue stream.

12           First is, for the approximately past two  
13 decades, the number of people purchasing licenses has  
14 generally declined. We saw a large peak in the late  
15 eighties, early nineties, and a gradual decline over  
16 that period. It is also interesting to note that in  
17 the sixties and seventies and early eighties, the  
18 numbers were roughly at or below where we are at  
19 right now, so there is a large shift in this over the  
20 last 30 or 40 years.

21           We have worked to counter this trend through  
22 innovative marketing, exciting new programming, and  
23 that is reflected in marginal increases in the last 2  
24 years. In fact, in 2006, we had an increase of about  
25 2.4 percent. In 2007, we had an increase of about

1 1 1/2 percent, which I think pretty much goes  
2 contrary to national trends in license declines  
3 throughout the country.

4           The second major factor eroding our revenue  
5 results is our current fee-increase quandary. As the  
6 years go by, after each fee increase, costs escalate,  
7 as we mentioned, inflation eats into our funds, and  
8 as history has shown, we eventually require another  
9 fee increase.

10           As each increase is enacted, license sales  
11 dramatically decline. In 2005, the year that the  
12 last increase was implemented, we saw a 9 1/2 percent  
13 drop in license sales. That happens roughly in the  
14 8- to 10-percent range after each major increase in  
15 license fees. I think this is primarily due to the  
16 severity of the license fee increase. People can  
17 handle a couple percent here and there, but when you  
18 run to 25-, 30-percent increases in fees, that  
19 becomes quite an issue for the public and something  
20 that often garners reaction that is hard to deal  
21 with. So this 8-year cycle is often repeated and has  
22 been in the last number of decades.

23           So how did we find ourselves in this  
24 situation? Obviously, it is a mixture of issues:  
25 history, tradition, the legislative process, control,

1 the need for communication that is better amongst us  
2 all, and possibly a number of other issues. Whatever  
3 the cause, I would submit that the result is  
4 detrimental to the agency and its mission. It is  
5 also unpopular with the public, as we see by the  
6 declines in license sales during those fee increases,  
7 erodes participation, and ultimately is bad for the  
8 resource.

9           We will be working with you all, as we have  
10 been with Chairmen Staback and Rohrer, to come up  
11 with ideas, ways that we can propose to you through  
12 the Commissioners to try to address these sorts of  
13 issues. We need to find new ways of establishing  
14 appropriate fees for both fishing licenses and boat  
15 registrations and will ask for your creative insight  
16 into this, your willingness to work with us to try to  
17 solve some of these problems, and hopefully  
18 employment of your legislative skills to resolve  
19 these problems, because it will be a challenge and I  
20 think it is something that we need to address.

21           So where are we right now in the cycle?  
22 Where are we right now in February of 2008? In 2005,  
23 obviously we had an increase. We estimate that in  
24 roughly the year 2012 and '13, that fiscal year, our  
25 fund balances will be at a critically low level.

1           Actually, yesterday was canceled, the first  
2 audits for the Legislative Budget and Finance  
3 Committee. As you recall, the bill that increased  
4 our fees also mandated a triannual audit, and one of  
5 the things that that audit did was spend a lot of  
6 time delving into the fee structure and our cyclical  
7 nature of finances, and that also concurred with the  
8 fact that in 2012, roughly in that period, we are  
9 going to hit the point where our money and our funds  
10 will not be able to meet our needs for payroll and  
11 other sorts of things.

12           So you back that up a year or two, and we  
13 have to start looking for fee increases some time,  
14 talking to you certainly in the 2010 era, for a fee  
15 increase roughly about 2011, if we go by the same  
16 model we have been going with in the past.

17           So this seems like it is far into the  
18 future, but actually it is not all that far down the  
19 line. This leaves us with a couple of options,  
20 obviously: to pursue the same route over again with  
21 these negative connotations of the large increase and  
22 the consequence of decline in sales, or we try to  
23 find some other ways. As my good friend, Al Einstein  
24 says, we can't solve problems by using the same kind  
25 of thinking that created them. It is something that

1 you all have heard, I am sure, many times.

2           So what are the options to deal with this  
3 sort of thing? So can we tie a fee increase to  
4 inflation, the cost-of-living adjustment sort of  
5 option? That has been on the table for some time.  
6 We can think about other options for alternative  
7 funding, or for more frequent but smaller increases,  
8 some way of addressing this sort of issue in creative  
9 ways that doesn't put us all in the position of  
10 dealing with rather large, substantial increases that  
11 you see in the headlines the following spring, 25,  
12 30, 35 percent increases and the concomitant decrease  
13 in license sales that goes along with that.

14           So to conclude this session, I just would  
15 look forward to working with you all to try to find  
16 some solutions to this over the course of the next  
17 year and see if we can find something that will work  
18 for all of us.

19           The other thing that we really want to thank  
20 you about is the passage late last year and the  
21 signature this year by this Governor of HB 1109,  
22 which is Act 2 of 2008. Gary was really hoping that  
23 there would be an Act 1 of 2008, but we got pretty  
24 darn close, so I consider that a success, and thank  
25 you for your support.



1           That is the pass-through fee for the  
2 Automated Licensing System, our PALS system. I have  
3 on my suit here a license I bought this morning down  
4 at our offices, which actually has a new pass-through  
5 fee in it. So that includes the  
6 70-cent-per-transaction cost that will be passed on  
7 to the consumer. So I took a hit for the agency  
8 today by paying my buck 40, but that will help offset  
9 the roughly million-dollar cost that is entailed in  
10 running the point-of-sale system for Pennsylvania.

11           So that will be on board now. We have only  
12 sold roughly about 10 percent or so of our licenses  
13 this year, so the vast majority of the people will be  
14 seeing that buck 40 on their license or the 70 cents  
15 if they just buy the resident or nonresident annual  
16 license.

17           As we go on through this process, we will be  
18 working on a public relations campaign, get the word  
19 out to people so they know what this is about, and  
20 hopefully recognize the benefits of the PALS system  
21 as part of the process.

22           Swiping my driver's license through this  
23 morning took about 30 seconds to buy the license. It  
24 was real easy; it is very convenient. The vendors  
25 have a much easier time dealing with tracking the

1 paperwork, reporting, and all those sorts of things.  
2 We are hoping that this will be a good deal for all  
3 parties involved in the process.

4           So let us conclude this section of the  
5 report. I will just mention two major issues that  
6 are in the legislative coffers at this point in time.  
7 One obviously is the recent budget address by  
8 Governor Rendell that is in your guys' House right  
9 now, the "Rebuild Pennsylvania" capital funds  
10 initiative. That includes, among many other  
11 important components, the repair of  
12 Commonwealth-owned and Fish and Boat  
13 Commission-managed unsafe dams.

14           The Fish and Boat Commission manages nearly  
15 70 dams for the Commonwealth, but unfortunately,  
16 about 17 of these are deemed unsafe due to their  
17 inability to handle the extreme high-water events  
18 that we see in major hurricanes. Hurricane Agnes  
19 would be one of the examples that people use for  
20 this. To meet the probable maximum flood, it needs  
21 to pass 50 percent of that to be deemed as a safe  
22 dam, and the structures that we have are distributed  
23 about the Commonwealth. There is a flyer in your  
24 folder that describes these. There are 17 that we  
25 have, and we will be working with you all and the

1 members of the Senate to try to ensure that these  
2 funds maintain themselves and that we work out with  
3 the local communities, the counties and townships, to  
4 find additional funds to go with them.

5           We are very appreciative of these funds but  
6 also recognize that the money allocated is not going  
7 to cover the total cost of these. So finding other  
8 dollars, leveraging our funds with others, is going  
9 to be a big part of this whole process.

10           And actually, Leaser Lake in Lehigh County  
11 is a perfect example of that. One and three-quarter  
12 million dollars of Fish and Boat Commission money was  
13 matched by about \$3 1/2 million of other money to fix  
14 that lake. It is in the process of being fixed right  
15 now. So that is the model that we can use elsewhere.

16           The second major initiative, I think, is the  
17 issue of youth: youth involvement in fishing, the  
18 disengagement of youth, and the efforts to reconnect  
19 youth to the outdoors. Last year, Representatives  
20 Gergely and McGeehan were the prime sponsors, along  
21 with 37 others, and many of you on this Committee, in  
22 introducing HB 1436. I consider this to be an  
23 appropriate and bold bill to challenge tradition and  
24 recognize that the priorities of today's youth are  
25 simply not what any of us experienced as kids. I

1 know in seeing my kids grow up, I can't hardly relate  
2 to the lifestyle that they live now compared to what  
3 I lived growing up in the sixties and early  
4 seventies. It is different. We need to have  
5 different solutions to these problems, and what we  
6 are proposing in 1436 I think leads us down that  
7 path.

8           We can do this thing in a way that is free  
9 from barriers and will provide through a sunset  
10 provision, I think an appropriate sunset provision, a  
11 realistic and stringent test of the effectiveness.  
12 This legislation also brings in significant Federal  
13 dollars to match our State funds, both of which have  
14 been proposed to be restricted to new and expanding  
15 youth programs.

16           I have absolutely no doubt that we can make  
17 this program work and make a difference, and that is  
18 what this legislation is all about, is making a  
19 difference for the kids in the Commonwealth of  
20 Pennsylvania.

21           What I would like to do is just give you two  
22 examples, and we have some examples now, because we  
23 have been putting in place for the last 2 years a  
24 trial program of giving small grants out to  
25 recipients such as schools, park districts, active

1 fishing clubs, those sorts of folks that try to  
2 determine what sorts of programs they can put on the  
3 ground and also to understand the appetite for this  
4 sort of resource. And as I relate these two stories,  
5 you know, I think what you guys can do is think about  
6 how these would play out in your districts, because  
7 that is in fact what can happen, is these sorts of  
8 things can happen in each one of your districts, in  
9 the schools and the parks and through the clubs that  
10 you have, to really make a difference for kids in a  
11 way that we can't do right now.

12           The first story is about Irving Elementary  
13 School in Erie, which received funds from this  
14 Commission's Sportfishing and Aquatic Resource  
15 Education Grant program. Last year, the school's  
16 after-school program allowed more than 50 students to  
17 learn basic fishing skills, water safety, and  
18 principles of resource management. This year, the  
19 grant funding has allowed the program to expand to  
20 some 230 students. During nearly the entire school  
21 year, students delve in with hands-on guided  
22 practice, lectures, guided reading, research,  
23 Internet learning, and field trips.

24           What I would like to do is there was a great  
25 article in the Erie Times earlier this year where

1 they interviewed the principal of Irving Elementary  
2 School, Ms. Fiorelli, and I am just going to give you  
3 a quote, just two lines from this article which I  
4 think are really relevant: "Fiorelli said that  
5 program is a great educational tool and an incentive  
6 for students to attend school." This is in quote:  
7 "'We have found, especially in literature, a weakness  
8 for kids is nonfiction texts,' Fiorelli said. She  
9 said that reading books about fresh-water bodies and  
10 wildlife really hook the students--" no pun intended,  
11 "especially when they get to apply their knowledge on  
12 fishing trips."

13           So this grant for youth education was used  
14 by this school to engage kids in reading, which is  
15 something that, you know, we knew would happen --  
16 reading, math, science, ecology -- but here is this  
17 principal talking about how this money was used to  
18 really impact students in a way that she has not been  
19 able to do in other ways. So a positive impact at  
20 that school, that elementary school, in Erie.

21           There is also a great picture here of, I  
22 think it is an 11-year-old pulling in probably about  
23 a 7-pound steelhead at Walnut Creek as part of their  
24 experience. So a tremendous opportunity. I would  
25 like to be in that school.

1           The second story is about West Chester Fish,  
2 Game & Wildlife Association down in Chester County  
3 and helping 30 high school students to learn fishing  
4 skills and aquatic conservation. Their program is  
5 conducted through the entire school year and provides  
6 students with the opportunity to learn about  
7 Pennsylvania's resources and how to protect and  
8 conserve them for future generations.

9           I happened to be down in Chester County a  
10 couple Saturdays ago with SEPAC. It's a coalition of  
11 about 15 groups down there, and they had a couple  
12 high school students down there who have taken this  
13 model from one high school -- I think it is West  
14 Chester East or West Chester West, one of those --  
15 and they are moving it to two other high schools in  
16 the county, and their goal is to have this in all the  
17 schools in Chester County. So this model is  
18 replicating itself in other areas down in that part  
19 of the State.

20           HB 1436 is in response to a clear need,  
21 rather than some bureaucratic effort, to separate  
22 money from kids. There are lots of other ways out  
23 there that can do that. The \$5 cost is well within  
24 the means of the vast majority of 12- to 15-year-olds  
25 who would be required to purchase a license.

1 Certainly other activities, such as regular purchases  
2 of movie tickets, video rentals, fast-food meals,  
3 often exceed this nominal cost. Hannah Montana,  
4 going to her movie I think costs \$15. Five dollars  
5 for a youth fishing license is not that big of a  
6 deal.

7           Further, programs resulting from this bill  
8 will be rigorously examined to ensure they have the  
9 desired outcome of getting more kids on the water and  
10 making them better stewards of aquatic resources. I  
11 look forward to working with all of you over the  
12 course of the next couple of months to work on  
13 getting this bill passed and move forward through the  
14 House and the Senate and implement it in  
15 Pennsylvania.

16           So let me move on. I would like to briefly  
17 address the challenge of access. Recently, and a lot  
18 of you probably are aware of this, the Little Juniata  
19 case was finally resolved by withdraw of the appeal  
20 by Judge Kurtz's ruling that the "Little J" is in  
21 fact and by law a navigable stream. But this is not  
22 the end of this larger issue. The challenge before  
23 us that will continue long after we are all gone is,  
24 what will we do about it? If we don't have access,  
25 we don't have opportunity. If we don't have



1 opportunity, we are not going to get people on the  
2 water. That means, I think, a decline for all of us  
3 in terms of the resource and the value of life for  
4 our kids. If we don't have this opportunity for the  
5 next generation to come, it is going to be a problem  
6 and continue this disengagement of youth from the  
7 outdoors.

8           In support of improved access, legislative  
9 support is needed for the strengthening of the  
10 Recreational Use of Land and Water Act. Fear of  
11 landowner liability is an issue that we know leads to  
12 more posted property. I strongly urge the General  
13 Assembly and all of you to take action to consider an  
14 amendment that would more broadly protect landowners.  
15 This should include expanding the definition of  
16 "protected land" to include amenities and structures  
17 that directly promote fishing and boating, such as  
18 boating access and launch ramps, fishing piers, boat  
19 docks, ramps, paths, paved and unpaved trails, and  
20 other ways of accessing the waters. We could  
21 certainly work with you on amendments to this bill  
22 that I think would make this a much stronger  
23 proposition.

24           Closely related to this, we need to continue  
25 to encourage all Pennsylvanians to be better stewards

1 of the resource and better neighbors of those people  
2 who are allowing fishing and boating on their  
3 property. I just want to relate to you a letter I  
4 got just last week from a group. I am not going to  
5 say their names, but they are withdrawing their  
6 stream from public access and asking us to stop  
7 stocking the stream. This is not atypical of the  
8 letters we get with this sort of problem.

9           They give four reasons for this: trash  
10 being thrown in the creek and on adjacent fields and  
11 woods by fishermen, unrespectful fishermen, and I  
12 have got to acknowledge here that I think the vast  
13 majority of anglers are law-abiding, respectful, and  
14 very helpful in this. I know people are doing  
15 substantial efforts to try to clean up streams, but  
16 there are always some out there who cause these  
17 problems, and that is what we need to address.  
18 Second, failing to observe warning signs against  
19 walking on the dam and wading in deep water. Third,  
20 poaching and trespassing during waterfowl and deer  
21 season despite posting and existing duck lines. And  
22 fourth, use of ATV equipment on sensitive wetlands  
23 and failure of us to enforce some of these laws.

24           So this is not atypical of what we run into.  
25 We see this sort of thing, and unfortunately, this

1 results in people putting up those posted signs that  
2 we see that are a part of the process that we need to  
3 address in terms of ensuring that people have access  
4 to our waterways.

5           Third, we need to develop a funding stream  
6 to address fishing and boating access. Whether this  
7 is a line item in the general appropriation, a  
8 component of our budget, a new stamp, or part of a  
9 license fee increase, we need to take action to  
10 address this serious and pending issue.

11           We have tried this out up in Erie with the  
12 \$6 Erie stamp, \$8 if you buy it on your own. It has  
13 been tremendously successful, and we have been able  
14 to leverage that against substantial amounts of local  
15 funds and other funds to improve and enhance and  
16 protect access up in the Erie area.

17           So let me close by clarifying just a couple  
18 of thoughts about the future of the Fish and Boat  
19 Commission and address resource and recreational  
20 needs.

21           First, in order for us to do our jobs, we  
22 need to work with partners, many partners, to get  
23 things done. This is no less true of all of you here  
24 as it is for us working in the agencies out in the  
25 land. These partners could be and often are other

1 State agencies such as the Game Commission with the  
2 implementation of the PALS system. It could be DCNR  
3 in collaborating with us on fishing and boating  
4 access and habitat improvement in our State park  
5 lakes, both of which we are doing right now. It  
6 could be collaborating with DEP in their challenge to  
7 study water quality in the Susquehanna River and to  
8 better understanding of what happens to the  
9 smallmouth bass. It could be joint promotional  
10 efforts with DCED, which we have been doing now for  
11 the last 2 years, to get the word out about the value  
12 or the attractiveness of the resources in  
13 Pennsylvania.

14           At the Federal level, we work with a literal  
15 alphabet soup of agencies: the Fish and Wildlife  
16 Service, the Forest Service, Agriculture, Defense,  
17 everything in between, and NGOs such as Trout  
18 Unlimited, Western Pennsylvania Conservancy, the  
19 Nature Conservancy, and others. This is all part of  
20 what we need to do. We need to build alliances and  
21 work to implement projects and programs that are  
22 mutually beneficial. None of us can fully accomplish  
23 the large goals that affect the landscape on our own,  
24 so by working together we can achieve this end that  
25 is greater than any of the individual parts. I

1 believe this is what our constituents want from us,  
2 to see improved habitat, to be better informed about  
3 our work, and to have more opportunities for fishing  
4 and boating.

5           In today's world, I view collaboration as  
6 not only a nice endeavor, but more importantly, a  
7 vital aspect for making significant progress. To do  
8 otherwise would be a disservice to the public, a  
9 disservice to the future of the Commonwealth, and a  
10 major disservice to the aquatic resource.

11           We work cooperatively in efforts without  
12 sacrificing our identity. This work is conducted  
13 without eroding our independence as an agency and  
14 with the specific goal of benefiting the aquatic  
15 resources and fishing and boating opportunities for  
16 all Pennsylvanians.

17           Moreover, while maintaining and defending  
18 our independence as an agency, I will continue to  
19 work with whatever partner can help us move forward  
20 to fulfill our mission of protecting, conserving, and  
21 enhancing the aquatic resources of Pennsylvania and  
22 providing recreational opportunities for angling and  
23 boating.

24           Lastly and just to conclude, I would like to  
25 look back on these last 4 years. I think it is easy

1 to recognize that this has been a unique opportunity  
2 to serve as the Director of this agency. This has  
3 allowed me to work with remarkable professionals,  
4 highly motivated conservation groups, dedicated  
5 citizens, and an abundance of diverse resources.  
6 Given this track record, I look forward to continue  
7 to work for many years in the future with all of you  
8 and the constituents of the Fish and Boat Commission  
9 resources for a bright future for Pennsylvania.

10 I thank you for this time to update you on  
11 the Commission, and I would be happy to take any of  
12 your questions now and answer them as best I can.

13 CHAIRMAN STABACK: We have three additional  
14 members of the Committee that have joined us since we  
15 started in the likes of Representative Gillespie,  
16 Representative Kauffman on the far side, and  
17 Representative Denlinger at the end of the bench.

18 Doug, thank you for your presentation. It  
19 was thorough, as usual. You touched on a lot of  
20 issues that I thought about bringing up to you, and  
21 I'm still going to pop you with a couple of  
22 questions, even though you have covered most of what  
23 I wanted to talk to you about.

24 DR. AUSTEN: I would be disappointed if you  
25 didn't.

1           CHAIRMAN STABACK: First, let us talk about  
2 point of sale. Your description of how point of sale  
3 is working is something that the Committee members  
4 have been very interested in hearing for a long time  
5 now. It certainly is good to see the system working,  
6 running, the way it should be. With that being said,  
7 Doug, is the Commission totally finished now with the  
8 sale of paper licenses?

9           DR. AUSTEN: Yes, sir. We were done with  
10 paper licenses as of December 1 of 2007. We  
11 transitioned completely to the point-of-sale system.

12           CHAIRMAN STABACK: Okay. Will vendors have  
13 any stock of paper licenses in their possession in  
14 case you have a temporary shutdown of the system?

15           DR. AUSTEN: What we do at the end of each  
16 year, and this happened in November of last year, is  
17 we get back all the paper stock from 2007. In  
18 preparation or in the event of there being some sort  
19 of catastrophe, what we did do was we purchased  
20 sufficient paper licenses without a year printed on  
21 them to use in case some sort of system failure  
22 should happen. Those are in our warehouse. What we  
23 have worked out with our officers is a kind of  
24 emergency distribution plan, kind of like UPS in a  
25 sense but it would be our officers that can get these

1 out within a 24-hour period to agents throughout the  
2 Commonwealth.

3           We did not want to have the paper in their  
4 hands, in the agents' hands, because that has the  
5 whole issue of tracking those things and ensuring  
6 that they have the bonding and all those sorts of  
7 issues that are associated with that.

8           So we are fairly confident, in fact  
9 extremely confident, that PALS will work fine. It  
10 has been working good, but in the event that there is  
11 a major catastrophe, we do have a plan in place that  
12 would get things out there. So it would be, at the  
13 most, about a 24-hour delay.

14           CHAIRMAN STABACK: Doug, if the Legislature  
15 down the road in the future should create any new  
16 license classifications, would the vendors have the  
17 ability to issue these new licenses via the new  
18 point-of-sale system?

19           DR. AUSTEN: Yes, very easily so. In fact,  
20 what we can do within the system is add new license  
21 options, modify prices, and do those almost  
22 instantaneously. So we have a lot of flexibility to  
23 deal with those sorts of things.

24           CHAIRMAN STABACK: How about vouchers?

25           DR. AUSTEN: Vouchers, we have the software



1 in place to do that. In fact, SB 880, if that goes  
2 through, we will be ready to implement that almost as  
3 instantaneously as well.

4 CHAIRMAN STABACK: Okay. One more question  
5 dealing with the junior fishing license.

6 Back about a year ago when we met in  
7 Philadelphia, we had a hearing on the  
8 junior-fishing-license concept, and back then you  
9 told the Committee that in your opinion, there was  
10 solid support for the concept among the entire board  
11 of Commissioners. Tell me, is that support still  
12 there today, and is it as strong today as it was a  
13 year ago?

14 DR. AUSTEN: Mr. Chairman, I think it is.  
15 The Commissioners have voted twice on this. Both  
16 votes were unanimous. In fact, since those votes, we  
17 have had us some new Commissioners come on board.  
18 That is just a fact of the Commission transition.

19 Some of the new Commissioners, in fact, have  
20 been ardent advocates of us. Len Lichvar, the  
21 Commissioner that works out of Somerset, has been out  
22 talking with many clubs, working with them to educate  
23 them on this and to get them to support this, and  
24 actually has gotten a number of letters on behalf of  
25 that.

1           Our Commission President, Bill Sabatose, who  
2 is a very active supporter of this, has been going  
3 throughout his counties talking to clubs from the New  
4 York line all the way down to where he is at to get  
5 them engaged. And our officers have done, at this  
6 point, over I think about a thousand presentations to  
7 groups about the junior fishing license.

8           CHAIRMAN STABACK: Okay. Let us shift over  
9 for a minute to Growing Greener II. Can you talk a  
10 little bit about the Commission's spending of Growing  
11 Greener II moneys, especially, Doug, the amount that  
12 has to be spent yet on infrastructure that has not  
13 yet been dealt with by the Commission.

14          DR. AUSTEN: Right. In 2005, the Fish and  
15 Boat Commission was part of the Growing Greener II  
16 legislation and the vote. We got \$27.5 million out  
17 of that money. The two major purposes of that money  
18 were, one, to deal with our hatcheries and to improve  
19 the effluent management systems for those hatcheries;  
20 and second, to deal with some of the dams. As I  
21 mentioned earlier, we have a significant number of  
22 dams that need repair.

23           The Commissioner's took that money, the  
24 \$27 1/2 million, and more or less allocated \$23 1/2  
25 million for hatcheries and \$4 million for dams. Part

1 of that money for the dams is what I talked about  
2 with Leaser Lake. Our money came out for that  
3 initial part. Another part of that is going to go to  
4 Opossum Lake in Cumberland County. The remainder of  
5 that money will be added to this pool of money in  
6 Rendell's infrastructure package right now. So that  
7 will go onto the pool of money to be added onto for  
8 dealing with these unsafe dams.

9           The \$23 1/2 million for hatcheries is well  
10 overallocated. In fact, I think we had something  
11 like \$80 million worth of needs defined for  
12 hatcheries through this study that was done by  
13 FishPro, actually before I came here to Pennsylvania.

14           What we did was we prioritized within those  
15 hatcheries the most important issues that need to be  
16 addressed in terms of wastewater treatment, the  
17 effluent, and primarily what that's involved with is  
18 implementing these drum filters. And in your packets  
19 is the brochure that I talked about that describes, I  
20 think it is the last handout on the left. It has a  
21 picture on the back of what these filters look like.  
22 These are in place now in Tylersville and in Pleasant  
23 Gap. And also you note here is a diagram, a table,  
24 showing what we have actually seen in reductions in  
25 TSS coming out. So the red line is our NPDES permit;

1 now we are seeing substantially less than that.

2           So we are working through the process with  
3 DGS and at least three different consultants to  
4 finish up this work within the hatcheries. It is  
5 going to take probably another 2 to 3 years to get  
6 this done all the way through construction.

7           We are actually overallocated. We have had  
8 to make some very difficult decisions in terms of  
9 things not to be done given our limits of \$23 1/2  
10 million for the hatcheries. So that has been pretty  
11 successful, and we greatly appreciate those funds.  
12 We would be happy to take some more; we would spend  
13 it wisely for you.

14           CHAIRMAN STABACK: Doug, because of the  
15 problems that you still have with some of the  
16 hatcheries, will that necessitate your dependence on  
17 going to outside sources to acquire additional fish  
18 restocking in Commonwealth waters?

19           DR. AUSTEN: Yeah. There are two questions  
20 with that, really. One is the question of buying  
21 fish, and we have been contracting with Tellico for  
22 the last, I think we are in our fourth year now, and  
23 we buy roughly 100,000 fish from Tellico. That has  
24 been a very big project for us. We get the fish  
25 relatively cheaply from them, but that is part

1 because of two reasons. One is that they stock fish  
2 only in lakes where it is easy to stock, it does not  
3 cost much; and second, their discharge requirements  
4 or NPDES permit levels down there are substantially  
5 more lax than they are up here.

6 We are continuing now, we actually have out  
7 for bid a new round of fish purchases. Tellico as  
8 well as Pennsylvania producers will have the  
9 opportunity to put in bids for that.

10 The more difficult issue is, how many fish  
11 do we need? How many fish do we need to stock in the  
12 waters of Pennsylvania, what places, what sizes of  
13 fish, what mix of species, to create the recreational  
14 opportunity that we really want to have? And that is  
15 a very difficult thing to determine, because the  
16 tastes of the public and their demands are shifting  
17 over time.

18 For example, 10 years ago, people rarely  
19 caught and released hatchery trout. Now we found out  
20 that roughly 70 percent of the people fishing for  
21 hatchery trout, on opening weekend even and  
22 subsequent weekends, release their fish back for  
23 multiple catch and release. So that changes the mix  
24 of how many fish we need to put out there.

25 Right now the Commission, and I think all

1 of you are aware of this, we are rewriting our trout  
2 plan. Last night, and we did this about 10 years  
3 ago, part and parcel of that trout-plan rewriting is  
4 a public working group, a number of public meetings  
5 -- I think we are going to have six of those around  
6 the Commonwealth -- and a significant amount of  
7 research or identification of research that needs to  
8 be done to better understand the public demands for  
9 these fish, and that will help us better state, do we  
10 need 3.4 million fish? Do we need more fish? Do we  
11 need less fish? The bigger number of fish we put  
12 last year I think has been received quite well. So  
13 all these things play into this calculation of, how  
14 many fish do we need? And then we look at, can our  
15 hatcheries produce them versus do we buy them  
16 outside?

17           So there are a lot of things in the air  
18 right now that will help us, once they are resolved,  
19 to better answer that question. I think for the  
20 foreseeable future, we will be buying some more fish,  
21 but I think a more definitive answer on that is yet  
22 to come.

23           CHAIRMAN STABACK: Okay. When you are  
24 buying these fish, and I talk about outside sources;  
25 I am referring to producers that are outside of the

1 Commonwealth.

2 DR. AUSTEN: Right.

3 CHAIRMAN STABACK: Do we have producers  
4 within the Commonwealth that could fulfill your needs  
5 for trout?

6 DR. AUSTEN: I guess we will find out. When  
7 this originally went out about 4 or 5 years ago,  
8 there were not any that could produce that quantity  
9 of fish in the time frame that we needed. I don't  
10 know if their production capacity has changed since  
11 then. But the bid went out to all producers, so they  
12 will have a chance to compete for that just like  
13 anybody else would.

14 CHAIRMAN STABACK: Okay. Thank you, Doug.  
15 Representative Rohrer.

16 REPRESENTATIVE ROHRER: Thank you, Doug, for  
17 the good summary you covered, you know, most of the  
18 issues, I think, that a lot of the questions will  
19 come from, and I just want to personally thank you  
20 for your diligence in trying to keep the members of  
21 this Committee informed of things that are going on  
22 and think that you do a very good job of that.

23 DR. AUSTEN: Thank you.

24 REPRESENTATIVE ROHRER: Now, the questions I  
25 have really arise out of the comments that you made

1 as well, and a couple of them touch on a few things  
2 that Chairman Staback had mentioned.

3           Going to the initiative of the automated  
4 licenses and so forth, part of the reason for doing  
5 that, obviously, was to help collect data and to help  
6 the Commission do better planning, knowing who is  
7 buying and that kind of thing. Could you just kind  
8 of talk that through just a little bit again relative  
9 to the kind of data that you are going to hope to  
10 collect as we have now moved into this new process,  
11 and when, kind of like your target dates of when you  
12 are going to want to be able or be able to be in a  
13 position to produce some data relative to what we are  
14 finding and that kind of thing. Just kind of where  
15 you are wanting to go in your timetable for being  
16 able to use this change to help with policy or  
17 whatever.

18           DR. AUSTEN: Sure. That's a great question,  
19 and thank you for bringing that up, and that really  
20 is an exciting byproduct of PALS.

21           Any business, one of the most fundamental  
22 components of the business is knowing who your  
23 customers are. We have never been able to do that.  
24 We have always had paper licenses and boxes as high  
25 as you can jump, a lot higher than I can jump, in our



1 warehouse that you cannot do much with. To use that,  
2 one has to pull those boxes out, read off the paper,  
3 put them into a computer system, and use it that way.  
4 We actually had to do that in the past for some  
5 survey work.

6           The other thing is, businesses use this for  
7 marketing. If you know your customers, you can  
8 identify, you know, what sort of, where they live,  
9 you can contact them, you can address those sorts of  
10 issues and push your message out to them in ways that  
11 we can't do or haven't been able to do in the past.

12           So a couple of things are happening with  
13 this. Probably the most exciting thing or at least  
14 the most immediate thing is using this for marketing.  
15 Nationwide, a group called the Recreational Boating  
16 and Fishing Foundation, RBFF, which is kind of a  
17 pseudo-Federal entity -- they get money from the  
18 Sport Fish Restoration Act; that is an excise tax  
19 that we get funds from -- they use that money to help  
20 promote fishing and boating, and what they are doing  
21 now with that is they are working with the States who  
22 have automated licensing systems to develop the  
23 mechanisms to contact what we call the lapsed  
24 anglers, anglers who bought a license one year but  
25 not the next. These are kind of the low-hanging

1 fruit in any sort of marketing plan, the people you  
2 know are interested but, for whatever reason,  
3 busyness, they never got around to it, whatever it  
4 might be, didn't buy a license.

5           So we have a partnership with them that we  
6 just signed where they are going to match dollar for  
7 dollar with us -- it will be about a \$25,000  
8 contribution from Fish and Boat and about the same  
9 from them -- to identify these anglers using our  
10 license sales from last year -- we sold about a  
11 quarter of our licenses last year using PALS -- look  
12 at it this year in about the late April-May period, I  
13 think, and see who has not bought a license at that  
14 point in time, and then send them a package. We are  
15 not quite sure what this will be -- a card, you know,  
16 a letter with come coupons in it, things like that --  
17 to say, hey, we know you bought a license before; why  
18 don't you take advantage of this and buy one now?

19           And other States that have done this have  
20 tried all sorts of innovative tools, like coupons  
21 from sporting goods stores or letters from whoever it  
22 is -- a letter from me probably is not going to  
23 encourage them to buy a license, but other things  
24 will -- and they found these to be very successful.

25           Lapsed anglers is a big issue for us. A

1 national study for some States that went out and  
2 tracked this over a 5-year period found that only 15  
3 percent of their licensed buyers bought a license  
4 every year for each of those 5 years -- only 15  
5 percent. That means there are a lot of people out  
6 there who jump in and out of going fishing. So we  
7 need to address those people, and now we will have  
8 the tools for doing that sort of thing, and we will  
9 be using this regularly and consistently and taking  
10 advantage of this.

11 I think putting together stuff for the  
12 anglers who will be--- It is not going to be junk  
13 mail to these folks. It is going to be something  
14 that will be helpful, useful, hopefully maybe give  
15 them some financial, you know, benefit through  
16 coupons and things like that.

17 The other way we are going to use this, and  
18 our trout work group is going to be the first entity  
19 to use this, is to take that information to help  
20 develop survey databases. In the past, to develop  
21 this area of license holders, you had to take those  
22 paper license and actually input all that information  
23 by hand into a computer. Here all we can do is we  
24 have this all computerized, we can employ the proper  
25 tools to do a randomized compilation of names based

1 on whatever sort of segmentation and classification  
2 that we need to get a, you know, sort of a Gallup  
3 Poll effort to go out and ask anglers' opinions on  
4 different things, and that will be much more quick,  
5 much easier, and much more viable for us to do. So I  
6 think that will help us in the future to better  
7 understand our constituents in a way that we have  
8 never been able to do in the past.

9           REPRESENTATIVE ROHRER: Good. I appreciate  
10 that. I think, I mean, I was supportive of this  
11 move, you know, as we have talked to the whole  
12 ability of being able to communicate, knowing your  
13 customer. Being able to communicate to them in a  
14 timely basis can provide a lot of really good data,  
15 and your comment at the beginning in talking about  
16 the need for, you know, license increases and all  
17 that, I mean, that is part of the equation, but also  
18 maintaining the base of those who buy---

19           DR. AUSTEN: Right.

20           REPRESENTATIVE ROHRER: ---is a big one, and  
21 if you guys can use this to capture some of those who  
22 have already walked away or, through that, develop  
23 it, you have done a lot of good. So I'm really  
24 anxious to kind of see how you are going to be able  
25 to capture this and deal with it, because I think the

1 potential is there.

2 DR. AUSTEN: The other thing that is going  
3 on is there has been a renewed recognition by  
4 industry -- the manufacturers of fishing tackle,  
5 boats and motors, hunting equipment, everything else  
6 -- that their financial future depends upon our  
7 success in getting people out in the woods, and  
8 through an organization called the Association of  
9 Fish and Wildlife Agencies, AFWA -- it is a national  
10 organization where all the Directors of agencies get  
11 together -- we are working with representatives of  
12 industry, presidents and CEOs and CFOs of these  
13 companies, to try to work on new ways of marketing  
14 outdoor activity.

15 In fact, later this month I will be meeting  
16 with them at a retreat in Alabama where a number of  
17 other Directors, the Director of the U.S. Fish and  
18 Wildlife Service, and presidents from at least a  
19 dozen of these companies will be together to talk  
20 about how we can take their financial wherewithal,  
21 their marketing, marry it with our work on the  
22 ground, our licensing systems, all sorts of things,  
23 to get this word out in really new and innovative  
24 and, we hope, effective ways.

25 REPRESENTATIVE ROHRER: Good. I think that

1 is exciting.

2           One of the aspects that has been of some  
3 concern in the past -- I think it has been pretty  
4 much taken care of, but just from the standpoint of  
5 the Committee -- how is the Commission dealing with  
6 the issue of Social Security numbers on applications?  
7 The fear of identify theft is big and increasing, and  
8 this has been an issue in the past. Just for our  
9 benefit, how is that particular item being addressed  
10 in this new process?

11           DR. AUSTEN: Well, we are trying to address  
12 this two ways. One is to protect that number as best  
13 we can. I think the biggest issue with this in the  
14 past has been the fear that when they write it on  
15 their license, it is going to be left on the counter  
16 of a sporting shop or, you know, whatever the store  
17 is they buy it at, and it could be used for nefarious  
18 purposes. The PALS system allows the buyer to input  
19 it onto a little keypad, just like you would if you  
20 are doing your PIN number at the grocery store, that  
21 sort of this, input it once, privately, it goes into  
22 the system, and nobody else sees it.

23           Once you are in the system, you are given a  
24 customer ID number. You never have to put your  
25 Social Security number in again. So that customer ID

1 number is what tracks you after that point in time,  
2 and you just swipe your driver's license or whatever  
3 the tool is that you use for getting into the system.

4           So hopefully we will have that as protected  
5 as possible through whatever good security measures  
6 that we have. This isn't going to be carried around  
7 on a laptop by anybody. That does not happen. This  
8 is all on a secured network system run by an  
9 automated licensing system out of Nashville,  
10 Tennessee.

11           The other thing we are trying to do is  
12 remove the necessity for even collecting Social  
13 Security numbers. As you are all aware, this is part  
14 of a Federal law that mandates that we collect these  
15 because of the deadbeat dad sort of thing. We  
16 believe, and there is legislation that you passed and  
17 we are working with the appropriate State and Federal  
18 agencies to try to get exemptions from that for  
19 recreational licenses. We have got letters and we  
20 have gotten requests. We are working with the  
21 appropriate people to try to get this in place and  
22 hoping that that will be the case.

23           You know, taking away somebody's fishing and  
24 boating privileges is the last thing on a long list  
25 of things that would, I think, get deadbeat dads to

1 pay up their alimony or whatever it is, their child  
2 support payments or that sort of thing. So we are  
3 trying to deal with that as best we can. That is a  
4 long bureaucratic process. We will continue to  
5 pursue that. I cannot say when that will resolve  
6 itself, but we are doing that.

7           REPRESENTATIVE ROHRER: Okay. The last  
8 question I have, a question that comes up often, and  
9 it is about as interesting to talk about as a license  
10 increase -- the idea of a potential merger of the  
11 Commissions. I think it is just appropriate every  
12 time we go through this to kind of get on the record  
13 again where this Commission is relative to that  
14 issue. It is a matter that is being discussed, not  
15 actively, but it is always kind of hanging out there.  
16 From your perspective, where is the Commission on  
17 that, and where do you remain?

18           DR. AUSTEN: Both from the Commission's  
19 perspective and mine, it is quite clear the  
20 Commission has taken formal action to state that they  
21 are against a Commission, and unequivocally, I would  
22 like to state that I am against mergers as well. I  
23 think the agencies work together quite well right  
24 now. We are very effective. We partner together in  
25 ways that even most large agencies don't, and I have



1 worked with a lot of large agencies. I came from  
2 one.

3 I think the partnerships we have now, the  
4 effectiveness of getting things done on the ground,  
5 is really proof in the pudding that the agencies work  
6 together well. There is no reason for people to even  
7 be talking about mergers, and I really object to, and  
8 I see this in columns and other people out there who  
9 say that when you work together, you are just laying  
10 the foundation for a merger. That is horse hockey.  
11 I think that is arguing against what we should be  
12 doing. I would suggest that if we don't work  
13 together, that would give you guys a reason to really  
14 look at mergers, but that is not the case.

15 So to answer your question quite bluntly,  
16 opposition is clear to that. I think we are doing a  
17 good job right now, and I hope the people of  
18 Pennsylvania would agree with that.

19 REPRESENTATIVE ROHRER: And my own personal  
20 sense is the more you continue to do the kinds of  
21 things that you are doing, staying very focused and  
22 on the leading edge of being in PALS and that kind of  
23 thing in order to be there, you are ensuring that  
24 that does not happen.

25 DR. AUSTEN: I think so. I think the issue

1 of looking at agency structures nationwide is too  
2 simple. People often put things in two piles. There  
3 are the mega-agencies and there are these just kinds  
4 of Commissions like us, when in fact every State is  
5 different in how they structure things. Every State  
6 has a unique way of operating these sorts of things.  
7 I think what you need to look at is how effective is  
8 whatever mix you have at in doing things on the  
9 ground, and I say the mix of agencies we have, the  
10 people running those agencies, the funding that you  
11 all give these agencies in Pennsylvania, puts us at  
12 least amongst the top several States in the country.  
13 And I am looking at a lot of States right now who are  
14 seriously in decline and look at Pennsylvania saying,  
15 we got it pretty good right here, right now, and  
16 thank you all for helping to make that happen.

17 REPRESENTATIVE ROHRER: Thank you, Doug.

18 Mr. Chairman.

19 CHAIRMAN STABACK: Representative Haluska.

20 REPRESENTATIVE HALUSKA: Thank you, Mr.

21 Chairman.

22 Doug, when you were talking about the Fish  
23 Fund, were you also including the Boat Fund? I know  
24 they are two separate funds. From what I understand,  
25 there is the boating fund and the Fish Fund, and they

1 don't really get intermixed.

2 DR. AUSTEN: Yeah; in fact, the two funds  
3 are on roughly a parallel track. In fact, we kind of  
4 manage them that way so that we can deal with these  
5 things simultaneously.

6 Both of the funds are at the point now where  
7 we have, when you have a license fee increase, our  
8 income exceeds our expenditures for a couple of  
9 years, and then you hit this inflection point where  
10 expenditures start exceeding income. We have hit  
11 that point. Now we are starting to go on the  
12 declining curve of that whole relationship.

13 So both of them are running toward about a  
14 2012, fiscal year 2012-2013 time where we will meet  
15 this point where the funds that we have, the balance  
16 in those funds does not meet what we have, identifies  
17 a critical amount in there to meet our payroll,  
18 bills, those sorts of things.

19 REPRESENTATIVE HALUSKA: So we will be  
20 looking at increasing registrations on boats as well  
21 as a fishing license increase.

22 DR. AUSTEN: The whole package; yeah.

23 REPRESENTATIVE HALUSKA: Okay. One other  
24 point, when you were talking about the amount of fish  
25 that you are raising, obviously and what you are

1 buying, I know in western Pennsylvania, especially  
2 around me, since we have a lot of these watershed  
3 groups working in bringing streams back to life, you  
4 know, the first thing that they ask us is, once we  
5 get these streams and get the aquatic life in them,  
6 can we get some fish for them? Well, then obviously  
7 that is, you know, a tough sale, because you are, you  
8 know, up against the wall as far as the number of  
9 fish or the pounds of fish that you are stocking. So  
10 we are getting a lot of, I am getting a lot of those  
11 questions, and I am sure some other people in western  
12 Pennsylvania are, along with, you know, asking us,  
13 you know, who do you get in touch with to get  
14 stockings? And I know that a number of in-season  
15 stockings have been decreased, you know, especially  
16 in Cambria County where I come from. You know, we  
17 used to get more in-season stockings than we get now,  
18 and we don't get those, and those are the questions  
19 that I get asked a lot, you know, from the groups  
20 that are out there doing the work in the streams and  
21 the sportsmen's groups and, you know, the fishing  
22 clubs.

23 DR. AUSTEN: Yeah; there is, I guess, a  
24 double-edged sword to improving these streams, isn't  
25 there?

1           REPRESENTATIVE HALUSKA: Right.

2           DR. AUSTEN: But obviously it is a good  
3 thing. We are very supportive of all that work. We  
4 are going to be actively involved with DEP in their  
5 new abandoned mine land work to try to improve these  
6 streams as best we can.

7           Yeah; and the first response is, I would  
8 like to get some fish in those streams, and I can  
9 certainly understand that. The best we can do is to  
10 work with the allocation of the fish that we have in  
11 the most fair way possible, given the constraints we  
12 have. This whole issue of buying fish, if, you know,  
13 if there is enough demand out there, that might be  
14 something we could look at increasing.

15           The cooperative nurseries, I should  
16 certainly mention the cooperative nurseries  
17 throughout Pennsylvania. They graze about a million  
18 fish. They put together 20 to 25 percent for a total  
19 production of fish out there, those cooperative  
20 nurseries. So supporting those is really important  
21 for us.

22           We don't know where the implementation of  
23 the drum filters and the NPDES permits will take us  
24 in Pennsylvania. DEP and us have agreed upon this  
25 1.9 million pounds as basically our limit for trout

1 production in Pennsylvania. I think what we have  
2 also agreed upon is that this whole process of  
3 implementing this new technology, understanding how  
4 it works, is an adaptive process. Will the drum  
5 filters do good enough work that we can increase  
6 production in some of our facilities? Possibly.  
7 Will it just simple mean that we will keep the same,  
8 we are just producing better output? We just need to  
9 allocate our fish better and share the wealth, I  
10 guess, in a sense. I think those are good questions  
11 that we don't have good answers to at this point in  
12 time.

13           REPRESENTATIVE HALUSKA: Well, like the  
14 Reynoldsdale Hatchery obviously has a lot of  
15 potential, and I don't think, you know, it is really  
16 billed out to its full potential there.

17           Has there been an increase in the last few  
18 years with the cooperative nurseries? I know there  
19 was a big surge for awhile, a lot of the cooperative  
20 nurseries came on, but has that sort of leveled off  
21 now or do you see a lot of them still coming on line?

22           DR. AUSTEN: I really can't tell you. I  
23 don't think that number has changed all that much in  
24 the last couple of years, but I am not aware of the  
25 statistics on that. We can certainly get that

1 information for you.

2           Reynoldsdale, on the other hand, is going to  
3 be completely rebuilt. That will be a heavy  
4 recirculation hatchery with indoor circular tanks,  
5 which will be unique for the Fish and Boat  
6 Commission. So I think we will see a tremendous  
7 potential there in Reynoldsdale in terms of this  
8 rebuilt hatchery. It will probably start  
9 construction sometime about a year to a year and a  
10 half from now.

11           REPRESENTATIVE HALUSKA: Thank you.

12           CHAIRMAN STABACK: Representative Denlinger.

13           REPRESENTATIVE DENLINGER: Thank you, Mr.  
14 Chairman, and thank you, Dr. Austen, for your  
15 excellent testimony. Just a few questions, if I can.

16           You are planning to add staff positions  
17 related to some different other rivers -- the  
18 Susquehanna, the Delaware -- and of interest to folks  
19 here in the center of the State, of course, is the  
20 Chesapeake Bay Tributary Strategy, the effort to  
21 clean up the Chesapeake Bay. That is going to become  
22 sort of a political hot issue here as we move toward  
23 2010, and the probability that we will miss our  
24 targets to clean up waters flowing into the bay, it  
25 is going to become a hot issue between the

1 agricultural community and municipalities with aging  
2 waste treatment plants.

3 I'm wondering, to what extent is your  
4 direction to add some professional staff with your  
5 Commission, driven by, I guess, concerns over that  
6 aspect, and is there a plan to have, I guess, an  
7 interrelated relationship with the folks that are  
8 working to clean up the bay?

9 DR. AUSTEN: Yeah; that's an excellent  
10 question and incredibly relevant here right on the  
11 banks of the Susquehanna as well.

12 The need for these positions -- and there  
13 are three positions that we have created, out in the  
14 west, a biologist to be part of our Three Rivers  
15 center, the Susquehanna, and Delaware River -- is  
16 recognizing that the way we have managed our  
17 fisheries, we have area fish managers, and what they  
18 do is they kind of slice and dice up the State and  
19 they slice and dice up the rivers, and we have done a  
20 pretty good job, but I think we recognize that we  
21 just do not have enough people to cover the ground  
22 that we really need. So we have decided to have  
23 people whose job is to look at the rivers as a  
24 continuum, to be our advocates for the rivers, to  
25 understand all the effects on the rivers in terms of



1 the fishery impacts, and that's a good thing. They  
2 are moving us in that direction.

3           In the Susquehanna River, this is as much a  
4 recognition of the Chesapeake Bay issues and water  
5 pollution as it is all the issues going around about  
6 with the spawning issues and the disease issues with  
7 the smallmouth bass, changes in the ecosystem  
8 community of the river and trying to better  
9 understand that, recognition that the Susquehanna  
10 River is a tremendously valuable fishery resource,  
11 and we just need to simply track it better to  
12 understand how all these factors play out in terms of  
13 our management and our work with our partners.

14           Right now, for example, one of our staff,  
15 John Arway, is leading a group, a multiagency group,  
16 looking at water quality issues in the river and  
17 trying to determine how those are playing out into  
18 this, if it is an issue of disease of smallmouth  
19 bass, this year in particular.

20           So what these positions will do, it will  
21 better position us to put this different information  
22 together, because what this really is is an issue of  
23 understanding who all has what, finding the holes in  
24 that information, and coming up with a plan to fill  
25 in those gaps and information and better understand

1 how this plays out.

2           The other part of this is engaging the  
3 sporting community even better. You know, the  
4 fishermen, the boaters out there, all have a huge  
5 concern over the quality of the river, the water  
6 quality itself and its effect upon the fish and thus  
7 the invertebrates, and I think we can do a much  
8 better job of getting them engaged in this process,  
9 helping them understand what needs to be done, if in  
10 fact there are things that need to be done, and help  
11 them to be more engaged in the local politics as  
12 well, because they are a part of this. There are the  
13 people, like my family who are a part of living on  
14 the West Shore, that contribute to the issues within  
15 the river. But we don't hear much from that side; we  
16 don't hear much from the sportfishing side, the  
17 aquatic community advocate side, and I think these  
18 folks need to be engaged, and this position and  
19 others like it will help make that connection.

20           REPRESENTATIVE DENLINGER: Well, I think it  
21 is an excellent move on the part of your agency, and  
22 I would certainly encourage joint cooperation with  
23 those folks working to clean up local waterways.

24           I am wondering also on the life cycle of the  
25 normal, you know, drill that we go through to

1 increase licenses periodically. You kind of talked  
2 us through that, and I am just trying to quantify  
3 that a little bit. We are now, I guess, 3 years post  
4 to the last increase. If you were to say, as of  
5 today, the percentage increase that would be needed,  
6 you know, let us say we don't wait our normal cycle  
7 and we get, you know, to the need for a huge jump in  
8 a rate, if we took a more modest approach in the  
9 interim here, as of today, what percentage increase  
10 would be needed to propel the fund forward for the  
11 future?

12 DR. AUSTEN: I guess, I can't give you an  
13 exact number on that, but just looking at inflation  
14 over the last 3 years running at, what, 3 to 4  
15 percent, somewhere in that range? We would be  
16 looking at maybe a 10-percent increase in license  
17 fees, if we did something this year for starting next  
18 year, somewhere in that range. But we would have to  
19 do some number-crunching on that. But that would be  
20 significantly less than waiting until 2012 or '13  
21 where we are building in a probably 20 to 25 percent  
22 increase.

23 And I think that would be much more  
24 palatable to the public, because we all recognize  
25 that gas prices go up, you know, the price for a

1 dozen of eggs goes up, everything else goes up in  
2 life, and we feel those same sort of pressures.

3           REPRESENTATIVE DENLINGER: So the rate of  
4 inflation is an adequate measure for the Commission?

5           DR. AUSTEN: That would be one way of  
6 looking at this, and that kind of goes back to this  
7 issue of cost-of-living adjustments, those sorts of  
8 things, tagging license fees to that sort of metric,  
9 that would help us.

10           If some mechanism like that, be it along  
11 those lines, or every 2 or 3 years we sit down with  
12 you all and run through the numbers and say this is  
13 what would be helpful and have that debate, that  
14 healthy debate, anything like that I think would be  
15 better for us than to wait, you know, 7, 8 years and  
16 have to deal with this in a big effort that has the  
17 negative public connotations along with it.

18           REPRESENTATIVE DENLINGER: One last  
19 question, if I may.

20           I am looking at your map here of the  
21 different dams that need to be repaired -- 17, I  
22 guess. One, of course, is in my county, Speedwell  
23 Forge. I'm wondering, what is the average cost of  
24 repair on these? You know, the Governor has come  
25 forward with a proposed tax increase, and tax

1 increases are always a dicey proposition here in the  
2 General Assembly. What is the cost as maybe an  
3 average of these?

4 DR. AUSTEN: You know, if one were to put an  
5 average, it would probably be around \$5 to \$6  
6 million, but the range is from about \$1 1/2 million  
7 to, there are some that are a little bit at the high  
8 end of \$12, \$15 million or more. So what our task is  
9 is going to go out and try to figure out where we can  
10 both leverage our dollars but also find where they  
11 are going to be used most efficiently and  
12 effectively.

13 REPRESENTATIVE DENLINGER: My friend,  
14 Representative Everett, has pointed out that if I  
15 just turn the map over, you have already provided  
16 that information.

17 DR. AUSTEN: Oh, there you go. Okay.

18 REPRESENTATIVE DENLINGER: So as usual, you  
19 are one step ahead of us here. So thank you; I  
20 appreciate those answers.

21 CHAIRMAN STABACK: Representative Surra.

22 REPRESENTATIVE SURRA: Thank you, Dr.  
23 Austen, and I want to thank you for your service and  
24 the great job that you are doing for Pennsylvania  
25 anglers and the Fish Commission.

1 DR. AUSTEN: Thank you.

2 REPRESENTATIVE SURRA: You are doing a  
3 bang-up job up in Erie with the Steelhead Fishery. I  
4 mean, that's a world-class fishery. It is a huge  
5 driver of the economy in that region. I was up there  
6 recently, and the two gentlemen to my left were from  
7 Hungary and the two gentlemen to my right were from  
8 Poland, and they were spending 2 weeks fishing in  
9 Pennsylvania. They came to the United States to go  
10 fishing. So it is a great resource. You are doing a  
11 good job as far as access and maintaining the  
12 fishery, and I want to commend you for that.

13 Also, for the information of the other  
14 members and the people out in TV land, the Fish  
15 Commission has worked cooperatively with the St.  
16 Mary's Area School District. We have an outdoor  
17 classroom about a hundred yards off the school.  
18 There is actually a building. The science classes  
19 work hand in hand with the Fish Commission, and they  
20 have a nursery there where they raise trout  
21 year-round. It has been very successful. The kids  
22 are into it, not only from an educational aspect but  
23 also into the fishing part of it, and then they stock  
24 the fish and they go catch them. It is very  
25 successful, and I would encourage, if you want to try

1 to do something in your home areas like that, the  
2 Fish Commission will do everything they can to assist  
3 you.

4 I recently purchased my own fishing license  
5 on line. It took me about 2 minutes, and I got a  
6 paper printout and I was on my way. I put it on my  
7 credit card, and I would like to thank you for  
8 finally coming into the 21st century and getting  
9 online purchasing and the PALS system up and running.  
10 It is something I have been talking to the various  
11 Commissions about for a long, long time.

12 As you know, there has been a tremendous  
13 amount of work along the Bennett's Branch with  
14 abandoned mine reclamation. Governor Rendell has put  
15 a tremendous amount of money, along with DEP, and I'm  
16 excited about in the very near future that becoming a  
17 major fishery. It feeds the Susquehanna basin.

18 I don't think that we should necessarily  
19 wait for 2010 or 2011. I would not be adverse to  
20 starting the discussions of a possible small increase  
21 now, and maybe we can talk about that later in the  
22 year.

23 But my question finally is, has the  
24 Commission ever considered or do they promote catch  
25 and release more? Because you said, you know, it

1 really helps in the fact that we don't have to  
2 continue to put as many fish in the water, and, you  
3 know, you can catch the same fish a number of times  
4 and enjoy that aspect of the sport. So is there any  
5 goal or any idea going in that direction?

6 DR. AUSTEN: You know, a lot of the  
7 catch-and-release movement has come out of,  
8 initially, I think, the bass folks and then the  
9 determination that they put together to really push  
10 that, and then the trout fishermen have really gotten  
11 on board, and it is almost a mantra amongst a lot of  
12 them to catch and release them.

13 You know, the Fish and Boat Commission has  
14 not, to my knowledge, been actively out there pushing  
15 this as a big PR effort within the agency. Yeah, I  
16 guess it is just a matter of people can do and  
17 experience the resource how they want to experience  
18 it. And we certainly would encourage people to take  
19 fish home and eat them as well. I have been up in  
20 Erie as well, I love it, and it is one of the places  
21 where my wife really encourages me to go, because she  
22 loves for me to bring home some smoked steelhead, and  
23 that sort of thing where I take my kids out fishing.  
24 They really love to bring some fish home as well.  
25 That is part of this experience that really is



1 important to them.

2           So I guess the answer is that we try to  
3 balance that out. We do have brochures and we have  
4 information then to talk to people about how to  
5 handle fish properly. We work with bass clubs and  
6 others to encourage them to do proper management with  
7 their fish and, you know, livewells, those sorts of  
8 things, and when we do instructions, we certainly  
9 have that as part of our instructional process.

10           So I guess the answer to your question, we  
11 try to balance it out and encourage people. If they  
12 want to have fish, it is a great meal. The whole  
13 issue of fish consumption advisories gives people  
14 some guidance, but eating fish still in Pennsylvania  
15 and fish as part of your diet is a tremendously good  
16 thing. I have no qualms about myself doing that. Of  
17 course, I think my hair situation has probably  
18 resulted from that -- no. So we are trying to  
19 balance those things out as best we can.

20           REPRESENTATIVE SURRA: No further questions.

21           CHAIRMAN STABACK: Representative Moul.

22           REPRESENTATIVE MOUL: Thank you, Chairman  
23 Staback, and thank you, Dr. Austen, for your obvious  
24 passion and commitment to this industry.

25           During your testimony, I heard you mention

1 something about the landowner that requested that his  
2 stream not be stocked anymore, and that kind of  
3 bothers me. And obviously there are going to be bad  
4 anglers who don't police after themselves as well as  
5 good ones, but what are your ideas as to how we can  
6 help that situation or prevent that situation, which  
7 will lead me right into my second question part of  
8 it: Are there online communications with your  
9 Commission for complaints or irregularities, fish  
10 harvest, and, you know, so the anglers can  
11 communicate with you?

12 DR. AUSTEN: Yeah. Well, certainly through  
13 our waterways officers and through our Web, people  
14 can write in and contact us via phone or by regular  
15 mail about issues. You know, what we encourage  
16 people to do in all sorts of situations is to get a  
17 description of the vehicle or whatever it is, the  
18 license number, and contact one of our WCOs, or  
19 waterways officers, so they can address this as best  
20 they can.

21 And also, our WCOs are probably our best  
22 adversary out there to work with landowners and  
23 fishing groups on that whole issue. Our WCOs are  
24 highly respected in the community. I think they are  
25 respected by the angler clubs, and they go to a lot

1 of those clubs to talk to fishermen about ethics and  
2 those sorts of things. But it is probably not those  
3 people who are the ones doing this sort of stuff. I  
4 guess that most of the people in the clubs that show  
5 up at the sportsmen's clubs or bass or muskys or TU,  
6 those are the people who are doing this stewardship.

7           In fact, a month or two ago I read an  
8 article about a group of, I think it was steelhead  
9 anglers up in Erie who actually adopted a series of  
10 landowners and were actively working with them to  
11 clean up their property. They actually sent them  
12 gifts -- I think it was fruit baskets -- and a number  
13 of these landowners actually took the posted signs  
14 down on their property because they knew there were  
15 local fishermen who wanted to work with them to  
16 ensure that people were respecting their property  
17 rights.

18           So there are ways that groups, clubs, and  
19 we, through our encouragement, can support, I think,  
20 a strengthening of angling ethics, and it is  
21 something that we are going to have to continue to  
22 work on as best we can.

23           And I have forgotten the second part of your  
24 question, Representative.

25           REPRESENTATIVE MOUL: The communications on

1 line---

2 DR. AUSTEN: Yeah.

3 REPRESENTATIVE MOUL: ---for landowners and  
4 anglers to communicate so that you know where the  
5 needs are.

6 DR. AUSTEN: Yeah. Probably the best way,  
7 again, is through the WCOs direct contact with them,  
8 but if any landowner, such as this landowner here,  
9 has issues, they often will contact us. We get back  
10 to them as quickly as we can and try to resolve that  
11 issue as best as possible. In some cases, we just  
12 can't. We don't have people that can be out there  
13 all the time, they are not on a minute's notice, so  
14 we are stretched relatively thin.

15 So we cannot address all those issues, but  
16 they can contact us. We can work with them. We can  
17 try to put them in contact with local groups who  
18 might do litter pickups or those sorts of things  
19 along that stretch of stream. But it is a challenge,  
20 there is no doubt about it, and something that we  
21 need to take more seriously.

22 Our access program is expanding. I think  
23 working with groups to better help them understand  
24 what their avenues are, what resources would be  
25 available to them, is something that we will try to

1 do more of in the future.

2           REPRESENTATIVE MOUL: Is there an ample  
3 supply of volunteer deputies out there, or---

4           DR. AUSTEN: No; no, there is not. We have  
5 less than 200 deputies. We have about 80-some-odd  
6 actual officers out on the ground and in the water.

7           To be a deputy is a big challenge. I mean,  
8 it is a big commitment for these people. They have  
9 to go through a substantial number of days in  
10 training. They have to ride with our officers for  
11 several hundred hours. They have to keep up with  
12 their training through continuing education. They  
13 don't get paid. You know, they get a little bit of  
14 money for covering their expenses, you know, gas,  
15 that sort of thing, but it is a big volunteer  
16 commitment on their parts, and as you all know,  
17 volunteer time is at a premium.

18           I greatly respect those people who decide to  
19 become deputies. They are a great part of our  
20 package of being out on the water, but are there  
21 enough of them? No, there is not.

22           REPRESENTATIVE MOUL: Anything we can do to  
23 entice more volunteer deputies to join in?

24           DR. AUSTEN: Well, I think what our officers  
25 are trying to do is work with them. We are trying to

1 come up with better packages to give them, I think, a  
2 little bit more appropriate covering of their  
3 expenses. But I think it is more of a societal sort  
4 of issue of just busyness and lack of willingness on  
5 a lot of people just to volunteer, and it is  
6 something that we will just have to continue to work  
7 on.

8           The guys that are there are great, the men  
9 and women who do this sort of thing. And we have run  
10 classes recently, but I think it is just a challenge  
11 that is going to continue to face us. I know any  
12 other group that tries to get volunteers actively  
13 involved faces that same sort of challenge.

14           REPRESENTATIVE MOUL: Thank you. If there  
15 is anything that we can do, any idea that you would  
16 like us to push forward in that respect, by all  
17 means, let us know. Thank you.

18           DR. AUSTEN: I appreciate that offer.

19           CHAIRMAN STABACK: Representative Goodman.

20           REPRESENTATIVE GOODMAN: Thank you, Mr.  
21 Chairman. I will be quick.

22           A very good report, Dr. Austen, as usual.

23           Two things. I would like to commend you,  
24 first of all, on the agency's two opening day  
25 seasons. I really think that is a great idea. My

1 legislative district is one in Schuylkill County that  
2 gets to benefit from the early March season. I know  
3 it is very popular with many of my anglers who,  
4 around March, are suffering from cabin fever and  
5 really want to get out---

6 DR. AUSTEN: Sure.

7 REPRESENTATIVE GOODMAN: ---and I commend  
8 you for that. It is a very progressive step that you  
9 have taken.

10 The second thing is, I guess you can tell by  
11 the number of questions that have been asked by the  
12 members in regard to the PALS system, this is  
13 something that all of us are very interested in and  
14 are happy to see this moving along as quickly as it  
15 is.

16 You mentioned Automated Licensing System.  
17 Does the Fish Commission, is the PALS program being  
18 run within your department or is there a subcontract  
19 that you have given out to have this run by by this  
20 Automated Licensing System?

21 DR. AUSTEN: Good question. The Fish and  
22 Boat Commission and the Game Commission are wed; we  
23 are joined at the hip on this whole process. A  
24 couple years ago when we started this process, we  
25 worked with actually a contractor, an employment

1 agent contractor, who put together bids. We went  
2 out, and there are a limited number of businesses --  
3 I think at that point there were three main suppliers  
4 of this -- of this sort of service, and Automated  
5 Licensing System was one of those suppliers. So they  
6 provided proposals to us, and the Game Commission,  
7 the Fish and Boat Commission, jointly selected the  
8 vendor or the contractor, which is ALS, and they are  
9 the ones providing us.

10           They do a number of other States. For  
11 example, New Jersey is a customer of ALS. I think  
12 they provide services for about a dozen or so other  
13 States around North America.

14           REPRESENTATIVE GOODMAN: Okay, and I am very  
15 happy to hear you say that. I kind of thought that  
16 was the thing, but my point being, I think all of us  
17 on this Committee are very happy to see how closely  
18 you do work with the Game Commission on many of the  
19 different things that you can share---

20           DR. AUSTEN: Right.

21           REPRESENTATIVE GOODMAN: ---and that keeps  
22 the price of licenses down for both agencies, and I'm  
23 one of them that thinks that with a cooperative  
24 effort like this, we can keep two separate agencies.  
25 We would like to see both of you working together,



1 and I don't subscribe to the thought that if you are  
2 working so closely together, you should be merged.

3 DR. AUSTEN: Right.

4 REPRESENTATIVE GOODMAN: I think there's a  
5 valid reason to have two separate agencies, and as  
6 long as you are cooperative and cost effective, that  
7 we can maintain that.

8 I thank you, Dr. Austen, for your work.  
9 Thank you, Mr. Chairman.

10 DR. AUSTEN: If I might just follow up a  
11 little on that.

12 The PALS is a perfect example of this.  
13 Roughly 80 percent of the people who sell fishing  
14 licenses also sell hunting licenses, so when Game  
15 comes on line, the vast majority of their vendors  
16 will already have all the equipment in their shops,  
17 on their countertops, and they will be experienced in  
18 using these sorts of things. So this is a great  
19 example of how our partnership has lead to something  
20 that is better than either one of us would have done  
21 individually, and it worked out great and will  
22 continue to work out good.

23 CHAIRMAN STABACK: Representative Perry.

24 REPRESENTATIVE PERRY: Thanks, Mr. Chairman.  
25 Dr. Austen, just a comment and a couple of

1 questions, and then I just want to follow up my  
2 comment regarding Representative Moul's, I guess,  
3 assertions.

4           My folks live right along the Yellow  
5 Breeches and I grew up there, and I can tell you that  
6 at least at some point, they were folks that called  
7 up the Fish Commission and asked not to have the  
8 stream stocked in front of their home, which had been  
9 stocked for probably 20 years at that point since  
10 they had moved there and who knows how long before.  
11 So I know the Commission is probably not looking for  
12 another way to spend money or another program to get  
13 into, but, you know, personally from that standpoint,  
14 I would like to see something a little more  
15 proactive, and I would call it something like a fish  
16 neighborly program or something to inform fishermen.

17           I mean, my folks had, of course, you know,  
18 you get your fishermen that they are throwing fish up  
19 on the bank, like fallfish or a sucker, and it is  
20 like, well, we don't want that in there, you know?  
21 Well, they just throw it up on the bank, and if it  
22 is--- You know, they live right on the creek, so  
23 first of all, the fishermen walk up and assume that  
24 your front yard is where they can fish. Well, you  
25 know, I know it is the stream, but, you know, how

1 about a little common courtesy, and then they are  
2 throwing the trash and they are throwing the fish up  
3 that they deem as unnecessary or undesirable, and  
4 then they walk away and leave it. They park in front  
5 of the place or they leave their trash or literally  
6 come up and ask if they can use your bathroom. I  
7 mean, you know, I know times are changing but, hey,  
8 maybe sometimes folks need to be reminded. Let's  
9 leave it at that.

10 I just want to be clear here, when we are  
11 talking about your expenditures, and certainly I  
12 think that they are justifiable in increases in cost  
13 of living, et cetera, but in looking for ideas to  
14 remedy or help that situation, your advocating seems  
15 to be two courses of action: more frequent, I guess,  
16 discussions or more--- When I say more frequent, not  
17 going the normal cycle of when you say 6 or 7 years  
18 but maybe halving that time would be one, something  
19 that you would be looking at, or else something that  
20 happened regularly, based on an inflationary index or  
21 something tied to inflation or something like that.  
22 Is that the two---

23 DR. AUSTEN: Yeah; those are two good  
24 options. Right.

25 REPRESENTATIVE PERRY: Any other options

1 that you would want us to consider in mitigating that  
2 situation or ideas?

3 DR. AUSTEN: Well, the other thing that I  
4 think more is a marketing issue is some flexibility  
5 in terms of how we can put together packages of  
6 licenses. We have never had the ability to, other  
7 than to propose a license to you and have it, you  
8 know, gone through the legislative process, what we  
9 would like to do and what PALS gives us the  
10 opportunity to do is to try some different things,  
11 package together different license types, maybe even  
12 something as crazy as, in comes the 1st of October  
13 and we have a sale of licenses. I mean, you haven't  
14 bought your license yet, and you are probably not  
15 going to in the rest of the year. What if we gave  
16 them a 25-percent discount on their license at that  
17 point? We cannot do those sorts of things right now,  
18 and I think having some of that flexibility to put  
19 together some options like this, some options that we  
20 would have to run through our Commission, you know,  
21 and run all the numbers on to see what the  
22 probability of success is, but then if it does not  
23 succeed, to be able to yank it out of there just like  
24 any store would, any private enterprise would, and,  
25 you know, cut our losses. But we can't do those

1 things right now, and this would be a very  
2 innovative, cutting-edge approach to have that sort  
3 of capacity. Maybe something that says the Fish and  
4 Boat Commission can charge up to this amount, but  
5 anything less than that, have at it.

6           So those sorts of things would give us the  
7 wherewithal to try some things that I think might  
8 address this lapsed angler issue, this fact that only  
9 15 percent of the people buy a license every year for  
10 5 years. Why? I mean, this seems sort of silly, and  
11 give us some tools that we have never had before,  
12 which I think would really put us into the position  
13 of trying to get these people back in the fold and  
14 also recognize that their money not just gives them  
15 the right to go fishing but it is money that helps  
16 habitat, access, and all the other things that I  
17 think will lead to better resources down the line.

18           REPRESENTATIVE PERRY: Sure. I tend to  
19 agree with you, and, you know, I'm not sure,  
20 obviously we have our stake in this thing, but from  
21 the Fish Commission's standpoint, maybe something  
22 that, like I said, you are probably not looking for  
23 extra things to do, but that sounds like a great  
24 thing, the packaging thing, and if you had some kind  
25 of a proposal at some point that we could look at,

1 that is something that might be helpful to us to get  
2 there.

3 DR. AUSTEN: Right.

4 REPRESENTATIVE PERRY: Finally, I just want  
5 to follow up on Representative Denlinger's questions  
6 regarding the Chesapeake Bay Strategy. You are  
7 working on suspended solids, simple solids. Is there  
8 anything that you know of currently with your NPDES  
9 permitting that is going to change or require  
10 additional infrastructure, additional costs, to  
11 comply with the Chesapeake Bay Strategy?

12 DR. AUSTEN: As far as I can tell, and I'm  
13 not the ultimate expert on this, the NPDES permits  
14 that DEP has given us will put us in compliance with  
15 those sorts of things, and in fact if what we are  
16 seeing up at Tylersville and Pleasant Gap plays out  
17 in our other hatcheries, we should be well under the  
18 permit requirements.

19 REPRESENTATIVE PERRY: And that is for  
20 solids, but is there any question or problem at all  
21 with phosphorous or nitrogen or---

22 DR. AUSTEN: I don't think we have had too  
23 much issue with either of those in terms of the  
24 permit requirements, and obviously DEP works with us  
25 to put together permits that meet with the Chesapeake

1 Bay Tributary Strategy issues and also as well within  
2 what we would like to do. I mean, we want to be the  
3 good actors anyway as part of our job, so we are  
4 going to do the best we can in terms of not only  
5 implementing these technologies but in terms of how  
6 we manage our hatcheries, how we feed the fish, how  
7 we treat the water, all those sorts of things, to  
8 ensure that the stream in some cases, and it actually  
9 is, it is actually better water coming out of our  
10 hatcheries than what comes in.

11 REPRESENTATIVE PERRY: Okay.

12 Thank you, Mr. Chairman.

13 CHAIRMAN STABACK: Representative Gillespie.

14 REPRESENTATIVE GILLESPIE: Thank you, Mr.  
15 Chairman.

16 Thank you, Dr. Austen, for your testimony,  
17 and I also want to join my colleagues in thanking you  
18 for the great job that you have been doing. And also  
19 Gary Moore; he is always very responsive whenever we  
20 call up with any issues.

21 Just a couple of quick questions. PCBs were  
22 all the rage a few years ago with concerns coming out  
23 of our trout hatcheries. I just wonder if you could  
24 give us an update on how that has been mitigated and  
25 what the current status is with PCBs and our trout.

1 DR. AUSTEN: Yes; excellent question. Thank  
2 you for bringing that up.

3 That was a big issue before us, and we found  
4 a number of sources, and almost all of them have been  
5 either eliminated or reduced substantially. Amazing  
6 enough, there are PCBs in fish feed. There are PCBs  
7 in a lot of things, but there are PCBs in fish feed,  
8 and we worked with the vendors to create formulas  
9 that have substantially reduced loads of PCBs in  
10 them.

11 In some of our hatcheries, for example, the  
12 Huntsdale Hatchery just down the road here on the  
13 Breeches, we actually had to idle a series of  
14 raceways there because there is some sort of, and it  
15 still is not fully understood, there is some sort of  
16 groundwater impact, there is some connection there,  
17 possibly through some buried industry waste or  
18 something else that we are not fully, even though we  
19 have had substantial work with consultants on there  
20 to figure this out, we don't fully understand it.  
21 But when we bypass the raceways, it drops down any of  
22 the issues with PCBs and the hatchery. So all of  
23 these things have combined to lead to the point where  
24 we have actually worked with DEP and the consumption  
25 advisory work group to start backing off from the



1 standpoint that we need to do it annually, because  
2 our measures are consistently below the statewide  
3 action limit.

4           So I think we have done a pretty good job of  
5 addressing that. We are going to continue to monitor  
6 on kind of a structured statistical basis our  
7 hatchery product, but I think we have pretty much  
8 gotten rid of PCBs, to the best of our knowledge, in  
9 almost all of our facilities.

10           REPRESENTATIVE GILLESPIE: Okay; great.  
11 Thank you.

12           And one I ask every year, particularly  
13 because of my emergency services background, is the  
14 number of boating fatalities or fatalities we have  
15 experienced as a result of people being on the water,  
16 and then tying in with that, how many of those are  
17 directly alcohol related?

18           I just saw quickly in your annual report  
19 here that, I guess you have at least two multiple  
20 fatality incidents in the Commonwealth. And maybe  
21 you don't have this information. If you don't, that  
22 is fine; you can perhaps supply it later on. But how  
23 many boating fatalities did we experience last year?

24           DR. AUSTEN: I think we had about 11 last  
25 year. Is that right, Gary?

1           REPRESENTATIVE GILLESPIE: That always seems  
2 to be about the number. Do you know off the top of  
3 your head how many of those were the direct result of  
4 alcohol?

5           DR. AUSTEN: I would say about half of  
6 those?

7           MR. MOORE: About 40 percent usually on the  
8 water.

9           DR. AUSTEN: We have a full report on that  
10 that I would be happy to have sent to you so you can  
11 take a look at that. Each accident is described in  
12 terms of what happened, what the causes were, and,  
13 you know, the situation of alcohol, type of boat, and  
14 all those sorts of things.

15           REPRESENTATIVE GILLESPIE: Okay. Thanks so  
16 much.

17           Thank you, Mr. Chairman.

18           CHAIRMAN STABACK: Okay. That ends the line  
19 of questioning, Doug. Seeing that there are no more  
20 questions, this hearing is concluded.

21           I certainly want to thank you for the  
22 testimony that you offered and for the manner in  
23 which you responded to the questions asked of you.  
24 As usual, you took those questions straight on,  
25 answering them fully and clearly, and I just

1 certainly appreciate it.

2           Once again, I want to thank you for being  
3 here, and on that note, this hearing stands  
4 adjourned.

5           DR. AUSTEN: Thank you.

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7           (The hearing concluded at 10:35 a.m.)

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1 I hereby certify that the proceedings and  
2 evidence are contained fully and accurately in the  
3 notes taken by me on the within proceedings and that  
4 this is a correct transcript of the same.

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Debra B. Miller, Reporter

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