

## Report Highlights

### A Performance Audit of the Pennsylvania Fish and Boat Commission

Act 2004-159 amended the Fish and Boat Code to implement a new license fee structure and requires the Legislative Budget and Finance Committee (LB&FC) to conduct a performance audit of the Pennsylvania Fish and Boat Commission (PFBC) every three years. In this second cyclical report we found:

- **The PFBC has formally adopted a “Resource First” policy** - This philosophy established the ethical principle that PFBC’s primary role is that of a conservation agency. It is reiterated in its policies and is the basis for activities directed at resource maintenance and improvement, e.g., dam removal, assessing trout waters and addressing invasive species.
- **Fish Fund and Boat Fund reserve balances are projected to become insufficient to meet cash flow needs by FY 2012-13 (Fish Fund) and by FY 2015-16 (Boat Fund)** - In FY 2008-09, PFBC revenues totaled \$49.8M, including \$36.7M (74 percent) in the Fish Fund and \$13.1M (26 percent) in the Boat Fund. Each fund has a reserve balance adequate to support operations through FY 2011-12. Total combined revenue increased marginally (0.5 percent) while total combined spending increased by 4.3 percent from FY 2006-07 to FY 2008-09.
- **The PFBC implemented many of the objectives of its *Strategic Plan (April 2005)* and is incorporating other PFBC plans and clearer outcome measures in the new strategic plan for July 2010-June 2015** - The PFBC is addressing concerns we had about their *Strategic Plan (April 2005)* in the new plan by soliciting input from stakeholders and staff to identify the goals, linking the plan with the Annual Plan of Work, and soliciting assistance in developing meaningful performance measures for more useful reporting of goal accomplishment.
- **The PFBC is evaluating its marketing efforts** - The direct mail marketing campaign targeted at lapsed anglers had an 11 percent response rate in 2008 and a 6 percent response rate in 2009. The PFBC is initiating a similar campaign for 2010.
- **The PFBC has not completed its hatcheries review and costs are rising** - The Bureau of Fisheries spent \$18.9M (39 percent of the PFBC’s total budget) in FY 2008-09, with the hatcheries accounting for 57 percent of the Bureau’s total expenditures. A full hatchery review undertaken in 2007 to evaluate all fish production needs, current and potential hatchery production, and potential future modifications in hatchery alignment and staffing is ongoing.
- **Marcellus Shale activities** - The PFBC recently adopted a policy regarding oil and gas operations and water withdrawals and has been contacted by companies seeking drilling sites, water resources, and access rights. To protect PA waterways, the PFBC voluntarily conducted 126 inspections of Marcellus Shale drilling sites within 1/8 mile of a water resource and 22 due to complaints. In 65 cases, problems were found. Potential violations were forwarded to DEP and other matters were referred to the PFBC’s Division of Environmental Services for further testing. No additional funding was received for this activity.
- **The PFBC is targeting waterways access to provide adequate access statewide** - The draft *Statewide Fishing and Boating Access Plan* seeks to prioritize watersheds and create access plans for a minimum of five of the watersheds each year. The PFBC has been successful in continuing to add to and improve existing access points by approving 26 access projects between July 2007 and January 2010.

#### Recommendations:

- The PFBC should (a) proceed with its efforts to identify and secure sustainable revenue streams, (b) complete its fish hatchery review, and (c) evaluate its marketing plans in light of the limited return of the 2009 lapsed angler program.
- The General Assembly should (a) consider funding for PFBC to protect water resources from degradation by Marcellus Shale drilling and (b) consider amending the Recreational Use of Land and Water Act (RULWA) to clarify and broaden the scope of legal protection for landowners who make their property (i.e., land and water areas) available for public recreational purposes.