

Outdoors

Fishing: Access to Erie streams is becoming difficult since most run through posted land

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By Deborah Weisberg

Access will be on the agenda Friday when Pennsylvania Fish and Boat Commission executive director Doug Austen meets with representatives of the Pennsylvania Steelhead Association and Trout Unlimited in Erie. Property postings there have reached crisis proportions.

The meeting will precede Austen's appearance later that evening at the Northwest Sportsmen's Coalition public forum in Albion, Pa.



Doug Osler, Post-Gazette

12 Mile Creek in Erie County is a popular spot for anglers after steelhead. More and more landowners in Erie are posting their land, making it impossible for fishermen to reach their favorite spots.

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"We're going to stress our belief that easements are the way to go," said former Pennsylvania Steelhead Association president Matt Hrycyk, one of a handful of Erie anglers who serve as the Fish Commission's citizen advisors on access issues. "That, and educating the mass hordes of people who come up here to fish that when they're on private property they need to behave accordingly.

"But as far as buying up property, the commission will get a lot more bang for the buck out of easements."

The Fish Commission recently announced that it has \$600,000 from the sale of the new Erie and Erie-trout "combo" stamps for purchasing property or recreational easements on Erie's most pressured steelhead streams. It has committed \$200,000 toward Fairview Township's purchase of the \$850,000 three-acre Brugger family property near the mouth of Trout Run, which will help ease angler parking.

Although the Fish Commission hopes to eventually quadruple the proceeds from its Erie stamps, it acknowledges that, given Erie real estate values, it will need to partner with other state agencies and private conservancies to stretch the \$400,000 it has in hand. It is pouring over Erie deed books and networking with locals to identify prospects.

"Different properties have been brought to our attention, although it's a limited universe as to what's along a stream," Fish Commission spokesman Dan Tredinnick said. "At this point, we honestly don't know what, say, half a mile of public access would cost us."

Groups such as the Theodore Roosevelt Conservation Partnership try to work with states to establish easement programs, though Terry Riley, the group's vice president of public policy, said states east of the Mississippi, including Pennsylvania, have been slow to embrace the concept.

"It's ironic, since that's where land is overwhelmingly private and public access is most limited," he said.

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The Roosevelt group is also lobbying for an amendment to the game law that would provide \$20 million to states for angling and hunting easements.

"Easements can cost tens of thousands of dollars an acre," Riley said, "depending on whether they're close to a city and how scarce property is. But if they're done right, they're generally less costly than buying outright and you're not burdened with infrastructure maintenance. For the property owner, often it's the huge tax break as much as the easement sale itself they find so attractive."

In Pennsylvania, three-quarters of stocked trout streams are on private land, but in Erie it is more than 90 percent.

"If everyone [there] posted tomorrow, it would end fishing as we know it," Tredinnick said.

He said just 36 stream miles remain open on Erie's three largest creeks -- Walnut, Elk and Twenty Mile -- although fishing pressure has more than tripled in the past decade, with steelheaders making 200,000 stream visits each fall and pouring \$9.5 million into the local economy. The Fish Commission spends about \$750,000 a year stocking one million juvenile steelhead.

Some landowners profit from state-stocked fish because they lease access to select anglers and guides.

"Fish do swim," Tredinnick said, "but if we're spending money to put fish out there, we want the public to have the right to enjoy them. We don't want fishing to become a sport where only folks who can pay get to fish."

Erie's first "pay to play" lodge opened at Gudgeonville on Elk Creek last fall in what is seen by some as the start of an ominous trend that should spur the state to explore new options.

"Declare Elk Creek navigable," said John Bodner, owner of Fish Man Guide Services and a founding member of the Pennsylvania Steelhead Association. "Maybe there's a law in the books somewhere that Elk Creek is navigable. Extend the Erie Bluffs State Park the whole length of Elk to I-79 or create a streamway or a greenway the whole length of the stream."

The issue of navigability has never been pursued with regard to Elk, Walnut or Twenty Mile creeks and it would take a court or the legislature to initiate such action, according to the Pennsylvania Department of Environmental Protection, which keeps a list of the Commonwealth's navigable waterways. Though a declaration of navigability could open up stream sections now off-limits to wading anglers, the Fish Commission is unwilling to spearhead the challenge.

"Given the landowner situation in Erie, property rights isn't a fight we're going to pick, at least for now," Tredinnick said. "It would have a positive benefit once you're on the water, but it wouldn't get you *to* the water."

Bodner's idea of a greenway on Elk Creek is more realistic, according to Riley, who has seen similar efforts succeed in other states.

"Landowners are typically a lot more open to establishing a greenbelt, especially if it's done on a county government level," he said. "It's more grassroots. Locals tend to trust their county officials more than the state, because they know the county folks better. State and federal government is so far removed, they feel they have no control and no ownership."

"We need creative ways to keep all our creeks open, or the day will come when there won't be any access left."