

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

AGENDA

HARRISBURG, PENNSYLVANIA
January 29, 2008

A handwritten signature in black ink, appearing to read "Carl G. Roe". The signature is stylized with a large, looped initial "C" and a prominent, sharp peak on the right side.

Carl G. Roe
Executive Director

(SEASONS AND BAG LIMITS TABLE)

2008-2009 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,
FIELD POSSESSION LIMIT AND SEASON LIMIT
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

Species	First Day	Last Day	Daily Limit	Field Possession Limit After First Day
Squirrels – (Combined species) Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 17	6	12
Squirrels – (Combined species)	Oct. 18 and Dec. 15 and Dec. 26	Nov. 29 Dec. 20 Feb. 7, 2009	6	12
Ruffed Grouse - (Statewide)	Oct. 18 and Dec. 15 and Dec. 26	Nov. 29 Dec. 20 Jan. 24, 2009	2	4
Ruffed Grouse - There is no open season for taking ruffed grouse in that portion of State Game Lands No. 176 in Centre County which is posted "RESEARCH AREA - NO GROUSE HUNTING"				
Rabbits, Cottontail	Oct. 25 and Dec. 15 and Dec. 26	Nov. 29 Dec. 20 Feb. 7, 2009	4	8

Species	First Day	Last Day	Daily Limit	Field Possession Limit After First Day
Ringneck Pheasant - Male only in Wildlife Management Units 2A, 2B, 2C, 4C, 4E, 5A & 5B Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 18	2	4
Ringneck Pheasant - Male or female combined in Wildlife Management Units 1A, 1B, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C & 5D Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 18	2	4
Ringneck Pheasant - Male only in Wildlife Management Units 2A, 2B, 2C, 4C, 4E, 5A & 5B	Oct. 25	Nov. 29	2	4
Ringneck Pheasant - Male or female combined in Wildlife Management Units 1A, 1B, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C & 5D	Oct. 25 Dec. 15 Dec. 26	and and and Nov. 29 Dec. 20 Feb. 7, 2009	2	4
Species	First Day	Last Day	Daily Limit	Field Possession Limit After First Day
Bobwhite Quail - The hunting and taking of bobwhite quail is permitted in all Wildlife Management Units except in Wildlife Management Units 4A, 4B, 5A, 5B, 5C & 5D where the season is closed.	Oct. 25	Nov. 29	4	8
Hares (Snowshoe Rabbits) or Varying Hares	Dec. 26	Jan. 1, 2009	1	2
Woodchucks (Groundhog)	No closed season except during the regular firearms deer seasons and until noon daily during the spring gobbler turkey season.		Unlimited	

Species	First Day	Last Day	Daily Limit	Season Limit
Turkey - Male or Female			1	1
Wildlife Management Units 1A, 1B & 2A (Shotgun, Bow & Arrow only)	Nov. 1	Nov. 15		
Wildlife Management Unit 2B (Shotgun, Bow & Arrow only)	Nov. 1	Nov. 22		
Wildlife Management Units 2C, 2E, 2F, 4A & 4B	Nov. 1	Nov. 15		
Wildlife Management Units 2D, 2G, 3A, 3B, 3C, 3D, 4C, 4D & 4E	Nov. 1	Nov. 22		
Wildlife Management Units 5A & 5B	Closed to fall turkey hunting			
Wildlife Management Units 5C & 5D (Shotgun, Bow & Arrow Only)	Nov. 1	Nov. 7		
Turkey (Spring Gobbler) Statewide ¹ Bearded Bird only	April 25, 2009	May 25, 2009	1	2
Turkey (Spring Gobbler) Statewide Youth Hunt ¹ Bearded Bird only Eligible junior hunters only with the required license and when properly accompanied	April 18, 2009	April 18, 2009	1	1

MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703-711) as published in the Federal Register on or about August 27 and September 28 of each year.

Exceptions:

- (a) Hunting hours in §141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.
- (c) Subject to approval by the United States Fish and Wildlife Service, an early season for Canada geese will be held as defined in §141.25.

Species	First Day	Last Day	Daily Limit	Field Possession Limit After First Day
Crows (Hunting permitted on Friday, Saturday and Sunday only)	Jul. 4, 2008	Apr. 5, 2009		Unlimited
Starlings and English Sparrows	No closed season except during the regular firearms deer seasons and until noon daily during the spring gobbler turkey season			Unlimited
Wild Boar	May be taken while lawfully hunting deer, bear and fall turkey.			Unlimited

Species	First Day	Last Day	Daily Limit	Field Possession Limit After First Day
FALCONRY				
Squirrels – (Combined species)	Sept. 1	Mar. 31, 2009	6	12
Quail	Sept. 1	Mar. 31, 2009	4	8
Ruffed Grouse	Sept. 1	Mar. 31, 2009	2	4
Cottontail Rabbits	Sept. 1	Mar. 31, 2009	4	8
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2009	1	2
Ringneck Pheasant - Male and Female - (Combined)	Sept. 1	Mar. 31, 2009	2	4

Migratory Game Birds - Seasons and bag limits shall be in accordance with Federal regulations.

DEER

Species	First Day	Last Day	Season Limit
Deer, Antlered & Antlerless - (Statewide) ² (Archery - Bows and Arrows Only) Crossbows may be used in Wildlife Management Units 2B, 5C and 5D	Oct. 4 and Dec. 26	Nov. 15 Jan. 10, 2009	One antlered and an antlerless deer with each required antlerless license.

DEER - (Continued)

Species	First Day	Last Day	Season Limit
Deer, Antlerless – WMUs 2B, 5C & 5D (Archery – Bows and Arrows & Crossbows)	Sep. 20 and Nov. 17 and Dec. 15	Oct. 3 Nov. 29 Dec. 20	An antlerless deer with each required antlerless license.
Deer, Regular Antlered & Antlerless ² WMUs 1A, 1B, 2A, 2B, 2C, 2E, 2F, 3A, 3B, 3D, 4A, 4C, 4D, 4E, 5A, 5B, 5C & 5D	Dec. 1	Dec. 13	One antlered, and an antlerless deer with each required antlerless license.
Deer, Regular Antlered only ² WMUs 2D, 2G, 3C & 4B	Dec. 1	Dec. 5	One antlered deer
Deer, Regular Antlered & Antlerless ² WMUs 2D, 2G, 3C & 4B	Dec. 6	Dec. 13	One antlered, and an antlerless deer with each required antlerless license.
Deer, Antlerless only - (Statewide) Only Junior and Senior License Holders, ³ PGC Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the U.S. Armed Forces, or in the U.S. Coast Guard, with required antlerless license	Oct. 23	Oct. 25	An antlerless deer with each required antlerless license.
Deer, Antlerless only - (Statewide) (Muzzleloading season)	Oct. 18	Oct. 25	An antlerless deer with each required antlerless license.
Deer, Antlered or Antlerless - (Statewide) ² (Flintlock Muzzleloading season)	Dec. 26	Jan. 10, 2009	One antlered, or one antlerless-plus an additional antlerless deer with each required antlerless license.
Deer, Antlerless Wildlife Management Units 2B, 5C & 5D	Dec. 15 and Dec. 26	Dec. 20 Jan. 24, 2009	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

BEAR

Species	First Day	Last Day	Daily Limit	Season Limit
Bear, any age – (Bows & Arrows only) ⁴ WMUs 2C, 2D, 2E, 2F, 2G, 3A, 4A, 4B & 4D	Nov. 19	Nov. 20	1	1
Bear, any age - (Statewide) ⁴	Nov. 24	Nov. 26	1	1
Bear, any age ⁴ Wildlife Management Units 3C and that portion of 3B, East of Rt. 14 from Troy to Canton, East of Rt. 154 from Canton to Rt. 220 at Laporte and East of Rt. 42 from Laporte to Rt. 118 and that portion of 4E, East of Rt. 42.	Dec. 1	Dec. 6	1	1
Also, those portions of WMUs 2G and 3B in Lycoming County that lies North of the West Branch of the Susquehanna River from the Rt. 405 bridge, West to the Rt. 220 bridge, East of Rt. 220 to Rt. 44 and East of Rt. 44 to Rt. 973, South of Rt. 973 to Rt. 87, West of Rt. 87 to Rt. 864, South of Rt. 864 to Rt. 220 and West of Rt. 220 to Rt. 405 and West of Rt. 405 to the West Branch of the Susquehanna River.				
Bear, any age ⁴ WMUs 3D & 4C	Dec. 3	Dec. 6	1	1
Bear, any age ⁴ Rockview Prison	Dec. 1	Dec. 6	1	1

ELK

Species	First Day	Last Day	Daily Limit	Season Limit
Elk, Antlered & Antlerless ⁵ (With each required license)	Nov. 3	Nov. 8	1	1
Elk, Antlered & Antlerless ⁵ (With each required license) Elk Hunt Zone 1	Sep. 1	Sep. 27	1	1

FUR TAKING - TRAPPING

Species	First Day	Last Day	Daily Limit	Season Limit
Minks and Muskrats - (Statewide)	Nov. 22	Jan. 11, 2009		Unlimited

FUR TAKING – TRAPPING (Continued)

Species	First Day	Last Day	Daily Limit	Season Limit
Beaver - (Statewide)	Dec. 26	Mar. 31, 2009		
Wildlife Management Units 2E, 2F & 2G (Combined)			20	20
Wildlife Management Units 1A, 1B, 3A, 3B, 3C & 3D (Combined)			20	40
Wildlife Management Units 2A, 2B, 2C, 2D, 4A, 4B, 4C, 4D, 4E, 5A, 5B, 5C & 5D (Combined)			10	10
Coyotes, Foxes, Opossums, Raccoons, Skunks, Weasels - (Statewide)	Oct. 26	Feb. 22, 2009		Unlimited
Coyotes & Foxes – (Statewide) (Cable restraint devices may be used)	Jan. 1, 2009	Feb. 22, 2009		Unlimited
Bobcat ⁶ Wildlife Management Units 2A, 2C, 2E, 2F, 2G, 3A, 3B, 3C, 3D & 4D	Oct. 26	Feb. 22, 2009	1	1

FUR TAKING - HUNTING

Species	First Day	Last Day	Daily Limit	Season Limit
Coyotes - (Statewide)				Unlimited
Coyotes - (During any archery deer season)				May be taken while lawfully hunting deer or with a furtaker's license.
Coyotes - (During the regular firearms deer season and any bear season)				May be taken while lawfully hunting deer or bear or with a furtaker's license while wearing 250 square inches of daylight fluorescent orange-colored material in a 360 degree arc.
Coyotes - (During the spring gobbler turkey season)				May be taken by persons who have a valid tag and meet fluorescent orange and shot size requirements.
Opossums, Skunks, Weasels ⁷ (Statewide)				No closed season. These species may not be hunted prior to noon during the spring gobbler turkey season.

FUR TAKING – HUNTING (Continued)

Species	First Day	Last Day	Daily Limit	Season Limit
Raccoons and Foxes - (Statewide) ⁷	Oct. 25	Feb. 21, 2009		Unlimited
Bobcat ⁶				
Wildlife Management Units 2A, 2C, 2E, 2F, 2G, 3A, 3B, 3C, 3D & 4D	Oct. 25	Feb. 21, 2009	1	1

No open seasons on other wild birds or wild mammals.

¹Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

²Only one antlered deer (buck) may be taken during the hunting license year.

³Includes persons who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

⁴Only one bear may be taken during the hunting license year.

⁵Only one elk may be taken during the hunting license year.

⁶Bobcat may only be taken by furtakers in possession of a Bobcat Hunting-Trapping Permit and may not be taken during the regular antlered and antlerless deer season from 1/2 hour before sunrise to sunset.

⁷May not be taken during the regular antlered and antlerless deer season from 1/2 hour before sunrise to sunset.

D. Amend 58 Pa. Code, §139.17.

Commentary:

A uniform system of wildlife management units (WMUs) was implemented in 2003 to replace the system of multiple, species-specific management units. The primary objective of this new management unit system was to simplify regulations, and develop and implement management decisions on a system of more homogenous units based on physiography, land cover and use, human population density, and land ownership. Boundaries were defined using recognizable physical landscape features.

At the time of the approval of new units it was agreed to evaluate use of the units after five years. The 2007-2008 seasons will mark the 5th year. Input on possible changes to WMUs was solicited from Game Commission headquarters and region staff. Wildlife population and harvest data also was analyzed. Recommended changes were relatively few.

The following WMU map revisions are proposed: 1) The boundary between 2C and 2E near Ebensburg was not clear on the state highway map or on the ground and needed correction; 2) New highway construction around Lewistown has changed the location of U.S. Traffic Route 22, the boundary between 4B and 4D, requiring a map correction; 3) The boundary between 3B & 3C between Towanda and Tunkhannock is U.S Traffic Route 6, which closely follows the Susquehanna River. Using the river as the boundary will reduce hunter access problems and property split problems and better-align WMU and township boundaries; and 4) Due to continuing increases in human populations in southeast Pennsylvania, it is desirable to expand 5C around Reading and Allentown, affecting boundaries with 5B, 4C and 3D.

The outline map that follows includes the noted boundary adjustments to the existing system of 22 WMUs. These proposed changes to WMU boundaries will have minimal impact on wildlife databases.

CHAPTER 139. SEASONS AND BAG LIMITS

§139.17. Wildlife management units.

* * * * *

- (b) The outline map of Pennsylvania sets forth wildlife management units.

(See map of Pennsylvania Wildlife Management Units)

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BUREAU OF WILDLIFE PROTECTION

ADOPTED RULE MAKING

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PROPOSED RULE MAKING

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I. Hunting License Revocations – Convictions – Proposed recommendations to
Revoke the hunting and furtaking privileges of the individuals convicted of
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E. Amend 58 Pa. Code, §§139.2, 141.1 and 141.41.

Commentary: The Game and Wildlife Code (Title 34) directs the Commission to promulgate such regulations as it deems necessary and appropriate to protect, preserve and manage wildlife including permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth. The designation of special regulations areas is based on this authority and includes our most developed areas in the Commonwealth, which have been historically defined by county.

With the advent of wildlife management unit based seasons and bag limits, the retention of county-based special regulations areas has added considerable confusion among hunters and the public. To remedy this problem and, at the same time, facilitate implementation of other agency objectives we are proposing that special regulations areas be redefined by wildlife management units.

CHAPTER 139. SEASONS AND BAG LIMITS

§139.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

~~[Field possession limit deer—When multiple harvests of deer per day are authorized, only one deer at a time may be harvested. Before harvesting additional deer, the deer previously harvested shall be lawfully tagged.]~~

* * * * *

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§141.1. Special regulations areas.

(a) ~~[Name. The areas]~~ Purpose and scope. Wildlife Management Units 2B, 5C and 5D shall be known and referred to as special regulations areas. The purpose of this designation is to facilitate the management of game and wildlife in specific designated urban areas in a separate and distinct manner to address game and wildlife management concerns unique to these areas.

(b) ~~[Descriptions.~~

~~(1) — Southwest area. Includes the County of Allegheny.~~

~~(2) — Southeast area. Includes the counties of Bucks, Montgomery, Chester, Delaware and Philadelphia and also includes Tyler and Ridley Creek State Parks and other publicly owned lands therein.~~

~~(See map of Southeast Special Regulation Areas)~~

~~(c)~~ Prohibitions.

(1) Except as otherwise provided in subsection ~~[(d)]~~ (c), it is unlawful to take, kill or attempt to take or kill wildlife through the use of a firearm of any description which discharges single-projectile ammunition, or, while hunting for wild birds or wild animals, to possess single-projectile ammunition, except for employees of political subdivisions and other persons who have a valid deer control permit issued under the authority of Chapter 29 of the act (relating to special licenses and permits) in wildlife management units 2B, 5C and 5D.

(2) It is unlawful to use buckshot in ~~[Allegheny or Philadelphia Counties]~~ wildlife management units 2B and 5D without specific authorization of the Director.

~~(c)~~ ~~[(d)]~~ Permitted acts. It is lawful to:

(1) Except in Philadelphia County, Ridley Creek State Park, Delaware County and Tyler State Park, Bucks County, hunt and kill deer through the use of a muzzleloading long gun or a shotgun, ~~[at least .410 gauge]~~ (rifled barrels permitted), including semiautomatics which, upon discharge, propel a single-projectile in wildlife management units 2B, 5C and 5D.

(2) Take deer with a shotgun 20 gauge or larger ~~[—including semiautomatic—]~~ using buckshot in ~~[the Southeast area only]~~ wildlife management unit 5C.

(3) Take small game, furbearing animals, crows or wildlife with a manually operated rimfire rifle or handgun .22 caliber or less in wildlife management units 2B, 5C and 5D.

(4) Kill an animal legally caught in a trap with a manually operated rimfire rifle or handgun .22 caliber or less while trapping in wildlife management units 2B, 5C and 5D.

(5) Hunt or take deer ~~[on private lands only in the southeast area]~~ through the use of or by taking advantage of bait on private lands only in wildlife management units 5C and 5D.

* * * * *

(6) Harvest more than one deer at a time when multiple harvests of deer per day are authorized without first lawfully tagging previous harvests, provided all deer

harvested are lawfully tagged immediately thereafter in wildlife management units 2B, 5C and 5D.

Subchapter C. BIG GAME

§141.41. General.

* * * * *

(b) It is unlawful to:

* * * * *

(7) Except as otherwise provided in §141.1 (relating to special regulations areas), harvest more than one deer at a time before lawfully tagging a deer previously harvested when multiple harvests of deer per day are authorized.

Recommendation: The Executive Director and staff recommend the Commission approve these changes.

Action:

F. Amend 58 Pa. Code, §§141.48, 143.203, 143.206 and 143.207.

Commentary: The Commission recently redesigned all the "elk management areas/units" found within the Commonwealth's Northcentral region as "elk hunt zones." This redesignation is reflected in the Commission's elk management plan as well as the Hunting and Trapping Digest, however, this change is not properly reflected in current regulations. Therefore, in an effort to correct this lack of consistency, the Commission is proposing to amend §§141.48, 143.203, 143.206 and 143.207 by redesignating "elk management areas/units" as "elk hunt zones."

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§141.48. Elk [~~management units~~] hunt zones.

(a) The divisional line between two or more elk [~~management units~~] hunt zones shall be the center of the highway, natural water course [~~or~~] , other natural boundary or marked boundary.

(b) The elk [~~management units~~] hunt zones [~~shall~~] will be established by the Director prior to the opening of elk season.

Subchapter K. ELK LICENSES

§143.203. Drawing.

* * * * *

(d) Qualified applicants and alternates drawn for an elk license shall be required to obtain a regular hunting license and complete an orientation program as prescribed by the Director. [~~Persons who are eligible for license and fee exemptions and meet the requirements prescribed in section 2706 of the act (relating to resident license and fee exemptions) are not required to purchase a regular hunting license.~~]

* * * * *

§143.206. Validity of license.

An elk license is valid for taking elk only in the elk [~~management area~~] hunt zones designated on the elk license and is valid for an antlerless [~~or~~] , antlered or either sex elk as designated on the elk license.

§143.207. Unlawful acts.

It is unlawful for a person to:

* * * * *

(3) Hunt for elk in an elk [~~management area~~] hunt zone other than the elk [~~management area~~] hunt zone designated on the elk license.

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

G. Amend 58 Pa. Code, §147.701.

Commentary:

Several changes in bobcat regulations are being proposed. Bobcat taking permits were authorized in 2000 after 30 years of protection and 15 years of intensive research. Initially harvest opportunities were quite limited by geographic area and restricted to resident furtakers. As the season has expanded in scope and permits now exceed 1000 annually, nonresident furtakers increasingly have expressed an interest in applying for the bobcat permit drawing. Nonresidents currently are afforded the opportunity to be permitted as bobcat guides only. Nonresident furtakers make up less than 1 percent of licensed furtakers in Pennsylvania and pay four times the resident price for their license. This proposed rulemaking would permit nonresident furtakers to submit an application for the bobcat permit drawing beginning in 2008 and to receive a permit if drawn.

Beginning in 2003, the Commission began awarding preference points to individuals who apply for and do not receive a bobcat harvest permit during a given year. This preference point system was designed to incrementally increase the probability of receiving a permit each year that an applicant is unsuccessful. Bobcat permits are awarded using a random computer drawing from an applicant database, which is maintained by the Bureau of Automated Technology Services. The number of preference points is applied to the applicants name prior to the drawing. Under this system, the odds of being selected increase significantly as points are accrued, but new applicants always have a chance of being selected. Applicants who are selected and receive a permit are prohibited from applying the following year and their preference points are set back to zero.

Because the selection process is random it is possible that, under the current system, a person can maintain maximum preference points and never be selected to receive a permit. It is also possible (and this has occurred numerous times) that applicants may be selected to receive permits multiple times throughout the years while some applicants are never drawn. Some bobcat permit applicants see these situations as inequitable.

We believe that the selection process can be modified to provide guaranteed permits to applicants with maximum preference points but, due to random events, fail to receive a permit. Models based on past trends in the applicant database suggest that we can provide this benefit without negating the chance of a new applicant receiving a permit or significantly reducing the odds of applicants with lesser preference point status. The designation of a maximum preference of 6 or 7 points would result in 100-350 permits guaranteed during a given year with the remaining permits allocated by random drawing. This proposed rulemaking would implement this permit selection process change beginning with the 2008 bobcat season.

Finally, changes are proposed to update the regulations to reflect the current operational tagging procedures used in the bobcat management program.

CHAPTER 147. SPECIAL PERMITS

Subchapter S. BOBCAT HUNTING-TRAPPING PERMIT

§147.701. General.

This section provides for permits to be issued for the hunting and trapping of bobcat during the season established and in areas designated under §139.4 (relating to seasons and bag limits for the license year).

(1) A permit will only be issued to ~~[residents of this Commonwealth]~~ those who possess a valid ~~[resident]~~ furtakers license, junior combination license [,] or senior combination license ~~[or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) or to persons who qualify under section 2363 of the act (relating to trapping exception for certain persons)].~~

* * * * *

(5) Current applicants with the maximum number of preference points as specified by the Director will automatically receive a bobcat harvest permit. The selection of additional permit applications will be made by random drawing from all eligible applications submitted. Incomplete, illegible or duplicate applications will not be included in the drawing. The drawing will be held at the Commission's Harrisburg Headquarters on the second Friday in September and shall be open to the public.

(6) A special permit authorizing the lawful taking of one bobcat will be delivered to successful applicants by standard first class mail through and by the United States Postal Service. Permits shall be mailed by the first Friday in October. The total number of permits issued for the license year shall be set by the ~~[Executive]~~ Director no later than the first day of June.

(7) Tagging requirements are as follows:

(i) A permitted person taking a bobcat shall immediately, before removing the bobcat from the location of the taking, fully complete a temporary carcass tag furnished with the permit, which contains in English the person's name, address, special permit number, date of harvest, county and township of harvest, wildlife management unit of harvest and method of harvest and attach the tag to the bobcat. ~~[The bobcat carcass shall remain intact, that is, with entrails, until examined and tagged by a Commission representative. The temporary carcass tag shall remain attached to the animal until it is tagged with a numbered permanent interlocking tag. The person taking the bobcat may remove the pelt provided the pelt is kept with the carcass for examination and tagging.]~~ The temporary carcass tag shall remain attached to the animal until a permanent tag is provided. The permanent tag must be locked through the eyes of the pelt if it is to be exported beyond Pennsylvania.

(ii) A permitted person taking a bobcat shall ~~[contact]~~ report the harvest to the Commission within 48 hours of the taking by telephoning the number specified on the permit ~~[to arrange for carcass examination, data collection and tagging]~~.

(iii) A permanent tag for a bobcat taken under authority of a special permit shall be ~~[tagged with a numbered permanent interlocking tag no later than 4pm on the 10th day following the closing of the bobcat season]~~ in the persons' possession and locked immediately upon receipt of the tag.

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve these changes.

Action:

BUREAU OF WILDLIFE PROTECTION

ADOPTED RULE MAKING

A. Adoption of proposed amendments to §141.20.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 2, 2007 meeting, proposed the following change:

Amend §141.20 (relating to protected material required) to eliminate the protective material requirement for the spring turkey season.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "A."

Action:

EXHIBIT "A"

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§141.20. Protective material required.

* * * * *

(b) Permitted acts. It is lawful to:

(1) Hunt without wearing daylight fluorescent orange-colored material
for:

* * * * *

(x) Turkey during the spring turkey season.

* * * * *

(3) Move about or relocate while wearing a hat containing a minimum of 100 square inches of a solid daylight fluorescent orange-colored material on the head only and be stationary without wearing the required orange-colored material when hunting for:

(i) Turkey during the fall turkey season in Wildlife Management Units 1A, 1B, 2A, 2B, 5B, 5C and 5D.

(ii) * * *

(iii) * * *

BUREAU OF WILDLIFE HABITAT MANAGEMENT

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B. Adoption of proposed amendments to §143.12.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 2, 2007 meeting, proposed the following change:

Amend §143.12 (relating to hunter education training) to permit the Commission to waive hunter education course registration fees for its staff and volunteer instructors.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "B."

Action:

EXHIBIT "B"

CHAPTER 143. HUNTING AND FURTKER LICENSES

Subchapter A. GENERAL

§143.12. Hunter education training.

(a) *Course registration fees.* Upon application for enrollment in each fee-based hunter education course, a student shall remit the associated, non-refundable course registration fee in the form of cash, credit card, check or money order. Checks or money orders must be made payable to the "Pennsylvania Game Commission."

(b) *Training certificate.* The Commission will issue an appropriate certificate of training to each student who successfully completes an approved hunter education course. The Commission will issue a replacement hunter education training certificate to a person who provides sufficient affirmation or evidence of their successful completion of that course of instruction. A \$10 fee shall be remitted by any person requesting a replacement hunter education training certificate.

(c) *Waiver.* The Director may waive any course registration fee required by this section when such waiver is determined to be consistent with the Commission's hunter education training program or the intent of the act.

C. Adoption of proposed amendments to Chapter 147, Subchapter V, §§147.761-147.765.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 2, 2007 meeting, proposed the following change:

Amend Chapter 147 by adding Subchapter V (relating to agricultural damage depredation permit) to define and create the regulatory structure necessary to implement the new agricultural damage depredation permit program within this Commonwealth.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "C."

Action:

EXHIBIT "C"

CHAPTER 147. SPECIAL PERMITS

Subchapter V. AGRICULTURAL DAMAGE DEPREDATION PERMIT

Sec.

- 147.761. Purpose and scope.
- 147.762. Application.
- 147.763. Permit.
- 147.764. Subpermittee.
- 147.765. Violations.

§147.761. Purpose and scope.

The purpose of this subchapter is to provide for depredation permits to be issued to qualified agricultural landowners to authorize them to secure the assistance of subpermittees, not otherwise individually qualified by section 2121 of the act (relating to killing game or wildlife to protect property) themselves, to destroy game or wildlife causing agricultural damage on lands owned, leased or otherwise controlled by the agricultural landowners.

§147.762. Application.

(a) Applications for depredation permits issued under this subchapter shall be made through the district wildlife conservation officer on the appropriate form provided by the Commission.

(b) Applications must identify the name and contact information of the permit applicant, the names and contact information of the subpermittees, the specific location of the subject property owned, leased or otherwise controlled by the applicant, the species of game or wildlife causing damage, the specific nature and extent of the damage caused by the game or wildlife and any additional information the Commission may require.

(c) Applications will only be accepted from persons meeting the following criteria:

(1) The permit applicant meets the definition of a qualified "person," as defined in section 2121(c) of the act (relating to killing game or wildlife to protect property).

(2) Except in Wildlife Management Units 5C and 5D, the permit applicant is currently enrolled in one of the Commission public access programs (Farm Game or Safety Zone) for a minimum of 2 years.

(3) The permit applicant possesses a valid agriculture deer control permit if the species sought to be destroyed is white-tailed deer.

(d) Applications shall be accompanied by a copy of the deed, lease or other legal document evidencing the permit applicant to be the owner, lessor and/or the person in control of the lands to be permitted, including the hunting rights thereon.

§147.763. Permit.

A depredation permit issued under this subchapter authorizes the permittee to enlist the aid of a limited number of subpermittees for the purpose of destroying game or wildlife causing agricultural damage on lands owned, leased or otherwise controlled by the permittee.

(1) The maximum number of subpermittees listed may not exceed two per permit, unless the district wildlife conservation officer recommends an increase due to warranted circumstances.

(2) A depredation permit issued under this subchapter is valid at any hour, day or night, but only for the duration of the current permit year.

(3) An annual report shall be submitted on forms supplied by the Commission by July 31 of each permit year.

§147.764. Subpermittees.

A depredation permit issued under this subchapter authorizes a limited number of subpermittees, selected by the permittee, to act on behalf of the permittee by destroying game or wildlife causing agricultural damage on lands owned, leased or otherwise controlled by the permittee.

(1) *Qualifications.* A subpermittee shall be a resident of this Commonwealth, possess a valid resident hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) and have no prior record of violations of the act or related license revocations within the previous 10 years.

(2) *Eligibility.* A subpermittee may destroy game or wildlife upon lands owned, leased or otherwise controlled by the permittee only when such game or wildlife is either actually engaged in the material destruction of cultivated crops, fruit trees, vegetables, livestock, poultry or beehives, immediately following the destruction or when there is just cause for reasonable apprehension of additional imminent destruction.

(3) *Lawful devices and methods.* A subpermittee shall comply with the arms, ammunition and method restrictions located in section 2126 of the act (relating to unlawful activities) and §141.19 (relating to killing game or wildlife to protect property). A permittee may further restrict or limit the usage of specific arms, ammunition or methods of destruction as deemed appropriate.

(4) *Reporting.* A subpermittee shall report all wildlife destroyed within 24 hours to the Commission in the manner required by section 2122 of the act (relating to report to commission officer).

(5) *Surrender of carcass.* The allowances of section 2124 of the act (relating to retention of edible carcass for food) do not extend to subpermittees. A subpermittee shall surrender the entire carcass, including the head and hide, of all game or wildlife destroyed under this subchapter to the Commission in the manner provided by sections 2123 and 2125 of the act (relating to safekeeping edible carcass pending disposition; and surrender of carcass to commission officer). A subpermittee who surrenders the entire carcass of any game or wildlife destroyed under this subchapter to a food bank or a butcher operating on behalf of a food bank, at the express direction of the district wildlife conservation officer, shall be deemed to have met the surrender requirement.

§147.765. Violations.

The Director may deny, revoke or suspend any permit for any violation of this subchapter, specifically including violations of the conditions of the permit or reporting requirements, upon written notice to the permittee.

D. Adoption of proposed amendments to §141.4, and Chapter 147, by adding Subchapter W, §§147.781-147.785.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 2, 2007 meeting, proposed the following change:

Amend §141.4 (relating to hunting hours) and add Subchapter W, §§147.781-147.785 to Chapter 147 (relating to snow goose conservation hunt permit) to define and create the regulatory structure necessary to implement the new snow goose conservation hunt program within this Commonwealth.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "D."

Action:

EXHIBIT "D"

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§141.4. Hunting hours.

Except as otherwise provided, wild birds and animals may be taken 1/2 hour before sunrise to 1/2 hour after sunset.

* * * * *

(5) Migratory birds may only be hunted 1/2 hour before sunrise until sunset, except during the snow goose conservation season and the September resident goose season, when geese may be hunted 1/2 hour before sunrise until 1/2 hour after sunset.

CHAPTER 147. SPECIAL PERMITS

Subchapter W. SNOW GOOSE CONSERVATION HUNT PERMIT

Sec.

- 147.781. Purpose and scope.
- 147.782. Application.
- 147.783. Permit.
- 147.784. Violations.

§147.781. Purpose and scope.

The purpose of this subchapter is to provide for snow goose conservation hunt permits to be issued to licensed migratory bird hunters. This permit will authorize migratory bird hunters to harvest snow geese during a time specified by the Director when all waterfowl seasons are closed and require hunter activity and harvest reporting carried out under the permit.

§147.782. Application.

(a) A permit will only be issued to persons who possess a valid hunting license, a valid migratory game bird license and, if the applicant is 16 years of age or older, a valid Federal duck stamp.

(b) Applications for snow goose conservation hunt permits issued under this subchapter shall be made on the form and in a manner provided by the Commission.

(c) Applications must include the name and contact information of the permit applicant.

§147.783. Permit.

(a) A snow goose conservation hunt permit issued under this subchapter authorizes the permittee to harvest snow geese within this Commonwealth during a period of time when all waterfowl seasons are closed.

(b) The permittee is required to maintain records specifying hunting activity and harvest by day, time of day, and any other detail required by the Commission. An annual report of this hunting record shall be submitted in a manner specified by the Commission within 30 days of the last hunting day of the conservation hunt period.

(c) The permittee shall comply with the arms, ammunition, hunting hours and hunting regulations for migratory game birds adopted by the United States Secretary of the Interior as published in the *Federal Register* each year.

§147.784. Violations.

The Director may deny permit applications received from persons who failed to complete and submit harvest reports and survey information from the prior season.

E. Adoption of proposed amendments to §143.52.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 2, 2007 meeting, proposed the following change:

Amend §143.52 (relating to procedure for unlimited antlerless licenses) to change the over-the-counter sales date from the third Monday in September to the second Monday in September in order to permit County Treasurers to begin accepting and processing antlerless deer applications prior to the opening day of the new archery season in WMU's 2B, 5C and 5D.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "E."

Action:

Commonwealth of Pennsylvania
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, January 29, 2008, at 2001 Elmerton Avenue, Harrisburg, Pennsylvania beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Thomas E. Boop, President
Roxane S. Palone, Vice President
Gregory J. Isabella, Secretary
Russell E. Schleiden
David W. Schreffler
H. Daniel Hill
James J. Delaney, Jr.

Approval of Minutes of Meeting held October 2, 2007

Proposed 2008 Commission Meeting Dates:

April 21 and 22, 2008
June 23 and 24, 2008
October 6 and 7, 2008

EXHIBIT "E"

CHAPTER 143. HUNTING AND FURTAKE LICENSES

Subchapter C. ANTLERLESS DEER LICENSES

§143.52. Procedure for unlimited antlerless licenses.

* * * * *

(c) Beginning on the second Monday in September, county treasurers within the designated wildlife management units shall accept antlerless applications over the counter from residents and nonresidents of this Commonwealth and may immediately issue licenses to applicants.

PROPOSED RULE MAKING

F. Amend 58 Pa. Code, §141.45.

Commentary: On June 30, 2007, Governor Rendell signed into law Senate Bill 580 (Act 18, '07). This legislation effectively amended section 2383 of the Code to create an exception to the prohibition against the use of dogs to hunt big game by specifically permitting the use of a dog to pursue, chase, scatter and track wild turkeys during the fall wild turkey season. With the passage of this legislation, 58 Pa. Code §141.45 (relating to turkey) must be amended in order to maintain consistency with the recently amended statute. Therefore, the Commission is proposing to amend §141.45 to remove the regulatory prohibition against the use of dogs while hunting wild turkey.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§141.45. Turkey.

(a) While hunting wild turkey it is unlawful to:

* * * * *

(2) Use [~~dogs,~~] drives or electronic callers.

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

G. Amend 58 Pa. Code, §137.1.

Commentary: Currently, §137.1 requires a person importing lawfully acquired wildlife, or parts thereof, for menagerie, educational or scientific purposes to obtain an importation permit, but does not require an importation permit for exotic wildlife dealer or exotic wildlife possession permit holders. In an effort to create consistency in the regulations and increase the Commission's capabilities to address wildlife epidemiological concerns, the Commission is proposing to amend §137.1 (relating to importation, sale and release of certain wildlife) to specifically require propagation, exotic wildlife dealer and exotic wildlife possession permit holders to acquire an importation permit prior to importing any wildlife into this Commonwealth. The Commission is also proposing to amend §137.1 to prohibit the importation, possession, sale and release of all non-human primates and the Conure-Nanday, sometimes referred to as the Black-hooded Parakeet, in response to human health/safety and wildlife habitat health purposes.

CHAPTER 137. WILDLIFE

§137.1. Importation, possession, sale and release of certain wildlife.

(a) Unless otherwise provided in this section or the act, it is unlawful for a person to import, possess, sell, offer for sale or release within this Commonwealth the following wild animals or wild birds or the eggs of the birds or a crossbreed or hybrid of the wild animals or wild birds, which are similar in appearance:

(1) In the *family Felidae*. Species and subspecies, except species which are commonly called house cats which may be possessed but not released into the wild. Lawfully acquired bobcats – *Lynx rufus* – may be imported and/or possessed by licensed propagators specifically for propagation for fur farming purposes. Importation permits and transfer permits as mentioned in subsections (d) and (e) are not required for bobcats imported for propagation for fur farming purposes. Bobcats imported under this exception and their progeny may not be sold or transferred for wildlife pet purposes or released into the wild.

(2) In the *family Canidae*. Species and subspecies of the coyote, the red and gray fox and a full-blooded wolf or crossbreed thereof not licensed by the Department of Agriculture. Lawfully acquired coyotes and red or gray foxes may be imported and/or possessed by licensed propagators specifically for propagation for fur farming purposes. Coyotes and red and gray foxes imported under this exception and their progeny may not be sold or transferred for wildlife pet purposes or released into the wild. This subsection does not permit the sale for release or the release of the mammals into the wild.

* * * * *

(7) ~~[Threatened, endangered or injurious. An animal, bird or egg of a bird listed by the Commonwealth or the United States Department of the Interior as threatened, endangered or injurious.]~~ The order Primates. All families of non-human primates.

(8) ~~[The Monk Parakeet. *Myiopsitts Monachus*, sometimes referred to as the Quaker Parakeet or Gray headed Parakeet.]~~ Threatened, endangered or injurious. An animal, bird or egg of a bird listed by the Commonwealth or the United States Department of the Interior as threatened, endangered or injurious.

(9) ~~[Game or wildlife taken alive from the wild, except the Commission may import wildlife taken from the wild for enhancement of the Commonwealth's wild fauna.]~~ In the family *Psittacidae*. The Monk Parakeet, *Myiopsitts monachus*, sometimes referred to as the Quaker Parakeet or Gray-headed Parakeet, and the Conure-Nanday, *Nandayus nenday*, sometimes referred to as the Black-hooded Parakeet.

(10) ~~[Game or wildlife held in captivity or captive bred in another state or nation.]~~ Game or wildlife taken alive from the wild, except the Commission may import wildlife taken from the wild for enhancement of the Commonwealth's wild fauna.

(11) Game or wildlife held in captivity or captive bred in another state or nation.

* * * * *

(c) Nothing in this section prevents zoological gardens~~[-exotic wildlife dealers or exotic wildlife possession permit holders]~~ from importing wildlife.

(d) A person wishing to import lawfully acquired wildlife, or parts thereof, ~~[for menagerie, educational or scientific purposes]~~ shall first obtain an importation permit from the Commission subject to the following:

* * * * *

(2) A person wishing to import wildlife for a menagerie, exotic wildlife possession, exotic wildlife dealer or propagation purposes shall be in possession of a menagerie, exotic wildlife possession, exotic wildlife dealer or propagation permit prior to submitting the application for an import permit. See Chapter 147 (relating to special permits.)

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve these changes.

Action:

H. Amend 58 Pa. Code, Chapter 143, Subchapters A, B, C, D, E, and J, and Chapter 147, Subchapter R.

Commentary: The Commission has been working in joint partnership with the Pennsylvania Fish and Boat Commission (PFBC) to create and implement the Commonwealth's first Point-of-Sale (POS) licensing system. The Commission and PFBC intend to replace their own individual paper-based licensing systems with the common computer-based automated licensing system. Implementing this computerized POS licensing system within this Commonwealth will significantly streamline the application and purchase process for customers, virtually eliminate manual auditing and reporting for agents, and provide tremendous new electronic functionality to assist the Commission and PFBC support staff in monitoring license administration. In addition, the data from the POS licensing system will enable the Commission and PFBC to monitor license sales, create strategic business plans based on trend analysis and, most importantly, create marketing plans based on more accurate customer demographics. However, despite all of the enormous progress achieved so far, the Commission staff have identified the following various provisions that must be amended to accommodate the POS licensing system prior to it becoming operational.

CHAPTER 143. HUNTING AND FURTKER LICENSES

Subchapter A. GENERAL

§143.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Customer ID number – The unique customer identifier permanently assigned to each customer of the Commission's Point-of-Sale automated licensing system.

Point-of-Sale – The Commission's computer-based automated licensing system that facilitates the purchase and creation of license products at the agent location.

§143.11. Internet license sales.

~~[To fulfill Internet orders for general hunting licenses, the Commission may print specific license privileges directly on the hunting license back tag. For individuals who already possess a valid hunting license and opt to purchase an archery, muzzleloader, migratory game bird or bear license using the Commission's website, the Commission may assign a web order number to issue these additional license privileges. To validate these additional privileges, the license holder shall enter his web order number on the general hunting license back tag and sign in the spaces provided.]~~ For individuals who already possess a valid hunting license and opt to purchase an archery, muzzleloader or migratory game bird license online, the license holder shall print the receipt, sign in the space provided and carry while afield.

Subchapter B. APPOINTMENT OF AGENTS

§143.26. Time for rebate.

~~Rebate to the agent will be [drawn from the Game Fund and returned to the agent in lump sum as soon as practicable after the agent's yearly sales are audited]~~ credited to their account at the beginning of the license year following their first year as an agent.

Subchapter C. ANTLERLESS DEER LICENSES

§143.41. Purpose and scope.

* * * * *

(b) The Commission, after reviewing ~~[reproductive]~~ available management data, will establish the number of antlerless deer licenses allocated to each wildlife management unit. ~~[Licenses will be distributed among county treasurers for issuance on the basis of percentage of land each county represents in the unit.]~~

(c) An application shall be accepted without restriction or regard to the applicant's county of residence. The following procedure shall be adhered to when determining successful applicants for licenses:

* * * * *

(2) ~~[The Commission in Harrisburg will serve as the central receiver for all mail in applications in all wildlife management units.]~~ Envelopes received by first class mail delivered through and by the United States Postal Service will be processed and licenses issued as soon as practicable.

(3) ~~[Envelopes received by first class mail delivered through and by the United States Postal Service will be examined as soon as practicable, unopened, to determine the number of applications received as well as to verify delivery to the intended wildlife management unit.]~~

~~(4)~~ This process of ~~[application distribution]~~ license issuance will continue until the available supply of licenses for that wildlife management unit is exhausted.

(d) The Commission may act in the capacity of a county treasurer for issuing antlerless licenses ~~[in a wildlife management unit]~~ if authority to issue licenses has been removed from any or all county treasurers ~~[in the wildlife management unit]~~.

(e) Notwithstanding the provisions of this chapter limiting the number of licenses available, the Commission will authorize antlerless deer licenses to be issued regardless of an established quota to:

(1) A resident of this Commonwealth within 60 days of discharge from active duty under honorable conditions from the United States Armed Forces or United States Coast Guard. ~~[The issuing county treasurer will designate the license for a specific wildlife management unit by writing the unit's alphanumeric designation on the face of the license.]~~

(2) A disabled veteran as defined in 34 Pa. C.S. §2706(b)(1) (relating to resident license and fee exemptions). ~~[The issuing county treasurer will designate the license for a specific wildlife management unit by writing the unit's alphanumeric designation on the face of the license.]~~

* * * * *

§143.42. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Application – ~~[The form issued with a regular hunting license used in applying for an antlerless license.]~~ The universal form contained in the "Hunting and Trapping Digest" or a reasonable facsimile thereof used in applying for an antlerless license or an unsold tag.

~~[County allocation — The number of licenses allocated by the Commission to an individual county.]~~

* * * * *

Date issued – The date ~~[placed on the license by a county treasurer or the Commission]~~ printed on the license at the time of issuance indicating when the license was mailed or given to the person named on the license.

Envelope – The official envelope issued with a regular hunting license which shall be used by the applicant to mail completed applications to ~~[the Commission]~~ a county treasurer.

* * * * *

License – The numbered [~~back tag~~] license which is issued by the county treasurer or the Commission authorizing the holder thereof to hunt antlerless deer in a specific wildlife management unit.

* * * * *

~~[Unsold tag application – The form contained in the "Hunting and Trapping Digest" used in applying for an unsold tag.]~~

* * * * *

§143.43. Preamble.

(a) An application shall be submitted to [~~the Commission wildlife management unit address in Harrisburg~~] a county treasurer and a license shall be issued only in accordance with the act and this subchapter.

* * * * *

§143.44. Application.

~~[(a) – Only the original current application is valid for making application.]~~

~~(b) – It is unlawful to apply for more than one license.]~~

~~(c) – The application is not transferable by the person receiving it. The application may not be used by another person to apply for a license]~~

It is unlawful to apply for more than one license before the unsold tag and unlimited antlerless license application periods as set forth in this chapter.

§143.45. Completing and submitting applications.

(a) Except as otherwise provided in §143.52 (relating to procedure for unlimited antlerless licenses) and for those applications submitted by qualified landowners, it is unlawful for a county treasurer to accept an application other than [~~from the Commission~~] by regular first class mail delivered through and by the United States Postal Service. [~~County treasurers with unsold antlerless deer licenses shall accept applications over the counter and may immediately issue licenses beginning on the first Monday in November.]~~ Applications for unsold antlerless deer licenses shall be accepted by county treasurers over the counter and may immediately be processed if licenses are available beginning on the first Monday in November.

(b) [~~The Commission will not accept antlerless deer license applications other than by regular first class mail delivered through and by the United States Postal Service.]~~ Applications will not be accepted by county treasurers prior to the start of the normal business day on the second Monday in July.

~~(c)~~ [Applications will not be accepted by the Commission prior to the start of the normal business day on the first Monday in August.]

~~(d)~~ The application shall be legibly completed, in its entirety, in accordance with instructions on the application. An applicant may enter up to three units, in order of preference, on the application.

~~(e)~~ (d) * * *

~~(f)~~ (e) * * *

~~(g)~~ (f) The envelope ~~shall~~ must contain return first class postage and a return address. If requirements of this subsection are not met, applications will be placed in a dead letter file and may be reclaimed by the applicant upon contacting the ~~[Commission's Hunting License Division in Harrisburg]~~ county treasurer's office. Postage, both forward and return, is the responsibility of the applicant.

~~(h)~~ (g) * * *

§143.48. First-come-first-served license issuance.

(a) Envelopes containing applications will be accepted on a first-come-first-served basis. ~~[Envelopes will be inspected by the Commission in Harrisburg, unopened, to determine if they comply with §143.45(b), (c), (e) and (g) (relating to completing and submitting applications).]~~

(b) ~~[If the conditions in §143.45(b), (c) and (e) are met, it constitutes initial acceptance, and the applications will be forwarded to a county treasurer within the wildlife management unit for issuance of the appropriate number of licenses. If the conditions are not met, the enclosed applications will be rejected and returned to the sender as soon as possible.]~~ If there are more than three applications in one envelope, the enclosed applications will be rejected and returned to the sender as soon as practicable.

* * * * *

(c) ~~[Envelopes containing applications initially accepted for the issuance of a license shall be opened and inspected by the county treasurer at his earliest convenience. If an application in an accepted envelope fails to comply with §143.45 (relating to completing and submitting applications), applications enclosed in the accepted envelope shall be rejected and returned by the county treasurer to the sender as soon as practicable. The back tags initially assigned to the envelope shall be marked VOID across the face in ink.]~~ If an application fails to be in compliance with §143.45 (relating to completing and submitting applications), applications enclosed in the envelope shall be rejected and returned by the county treasurer to the sender as soon as practicable.

§143.49. Issuing licenses.

(a) Licenses may be issued by county treasurers immediately following receipt of applications ~~[from the Commission]~~.

(b) Licenses shall be ~~[validated by the addition of the county treasurer's or the Director's signature or signature stamp, date of issue and the applicant's regular hunting license back tag number. The county treasurer shall write in ink the applicant's regular hunting license back tag number on the antlerless deer ear tag. The county treasurer shall write in ink the assigned antlerless license number on the face of the check or money order]~~ issued through the Commission's Point-of-Sale automated licensing system. The county treasurer shall write in ink the applicants' customer ID numbers on the face of the check or money order. If there are no licenses available in the applicant's first unit of preference, the county treasurer shall issue a license for the applicant's next unit of preference in the order given. If all three units have no licenses available, the county treasurer shall return the application to the applicant indicating that the selected units were sold out.

(c) Except as otherwise provided in §143.52 (relating to procedure for unlimited antlerless licenses) and for qualified landowners, licenses issued shall be delivered to successful applicants in the envelope by first class mail through and by the United States Postal Service. Licenses shall be placed with the United States Postal Service no later than the ~~[third]~~ second Monday in September, except for licenses issued under §143.51(f) (relating to application and issuance of unsold tags) which shall be placed with the United States Postal Service no later than ~~[October 1]~~ the fourth Monday in September. If more than one application is mailed to the county treasurer in the same envelope, the licenses shall be mailed to the person whose name appears on the return section of the envelope. The person receiving the additional licenses is responsible for delivering them to the appropriate people.

§143.50. Procedure for nonresidents of this Commonwealth.

~~[The Commission having unsold licenses on the third Monday in August and thereafter will accept applications for those units in compliance with §143.45 (relating to completing and submitting applications) from nonresidents of this Commonwealth.]~~ Nonresidents may apply for unsold licenses on the last Monday in July and thereafter in compliance with §143.45 (relating to completing and submitting applications).

§143.51. Application and issuance of unsold tags.

(a) Except as provided in §143.52 (relating to procedures for unlimited antlerless licenses), beginning on the ~~[fourth]~~ first Monday in August, residents and nonresidents of this Commonwealth are eligible to receive an unsold tag.

(b) ~~[An applicant for this tag may not use the regular antlerless deer license application.]~~ An applicant shall only use the ~~[unsold]~~ application contained in the "*Hunting and Trapping Digest*" or a reasonable facsimile thereof.

BUREAU OF WILDLIFE MANAGEMENT

A. State Wildlife Grants Program

Commentary: Congress has appropriated funds under the State Wildlife Grants Program (SWG) directly and exclusively to state wildlife agencies for "wildlife species of the greatest conservation concern."

Pennsylvania is eligible to receive these funds for fish and wildlife projects under the SWG program. We are recommending approval of the four projects listed in EXHIBIT "A."

Projects listed in EXHIBIT "A" will not require any net reduction in the Game Fund, since all are cooperator projects. The Game Commission will simply function as a conduit for these federal funds. If approved, the Game Commission will contract with the organizations and investigators of these projects, and pay SWG-eligible costs from the Game Fund. The Game Fund will be reimbursed by the U.S. Fish and Wildlife Service, Federal Aid program using SWG funds. The Game Commission will receive up to 3 percent of all SWG funds to administer the program.

Recommendation: The Executive Director and staff recommend approval of the slate of State Wildlife Grant projects listed in EXHIBIT "A."

Action:

* * * * *

(e) Unsold tags shall be [validated by the addition of the county treasurer's or Director's signature or signature stamp, date of issue and the applicant's regular hunting license back tag number. The county treasurer shall write in ink the applicant's regular hunting license back tag number on the antlerless deer ear tag] issued through the Commission's Point-of-Sale automated licensing system. The county treasurer shall write in ink the applicants customer ID numbers on the face of the check or money order. If there are no licenses available in the applicant's first unit of preference, the county treasurer shall issue a license for the applicant's next unit of preference in the order given. If all three units have no licenses available, the county treasurer shall return the application to the applicant indicating that the selected units were sold out.

(f) Beginning on the [second Monday in September, residents and nonresidents of this Commonwealth are eligible to apply for one additional unsold tag by mailing to the appropriate Commission wildlife management unit address in Harrisburg] third Monday in August, residents and nonresidents of this Commonwealth are eligible to apply for one additional unsold tag by mailing to a county treasurer.

§143.52. Procedure for unlimited antlerless licenses.

* * * * *

(b) Beginning on the [fourth Monday in August, residents and nonresidents of this Commonwealth shall be eligible to apply to designated wildlife management units for an unlimited number of antlerless deer licenses by mailing the application to the appropriate Commission wildlife management unit address in Harrisburg] first Monday in August residents and nonresidents of this Commonwealth shall be eligible to apply by mail to a county treasurer for an unlimited number of antlerless deer licenses for designated units.

(c) Beginning on the [third Monday in September, county treasurers within the designated wildlife management units shall accept antlerless applications over the counter from residents and nonresidents of this Commonwealth and may immediately issue licenses to applicants] fourth Monday in August, county treasurers shall accept antlerless applications over the counter for designated units from residents and nonresidents of this Commonwealth and may immediately issue licenses to applicants.

§143.53. Reapplication.

(a) A person whose application has been rejected and returned may secure a new official envelope from a hunting license issuing agent and reapply for a license by:

(1) If applicable, correcting the errors which caused the original application to be rejected and returning it to [the Commission wildlife management unit address in Harrisburg] a county treasurer.

(2) Changing on the application the designated wildlife management [unit] units in which the applicant desires to hunt and forwarding it to [~~another Commission wildlife management unit address in Harrisburg~~] a county treasurer.

(b) A person who was issued a license that was subsequently lost in the United States mail and never received by the licensee may, upon submitting an affidavit stating this fact, receive a replacement license from any county treasurer. There will be no additional cost for this license. Prior to issuing a replacement license, county treasurers shall first verify through [~~their records or through communication with another county treasurer~~] the Commission's Point-of-Sale automated licensing system that the applicant was issued the original license.

Subchapter D. BEAR LICENSES

§143.68. Carry the license.

~~[The]~~ For a bear license issued subsequent to the owner's general hunting license, the bear license shall be signed by the owner in the space provided and shall be carried on the person at all times when the owner is hunting for bear. The bear license does not need to be displayed but shall be produced for inspection upon demand of any officer authorized to enforce this title.

Subchapter E. [~~FLINTLOCK (MUZZLELOADER) DEER LICENSES~~] (Reserved)

[~~See.~~

~~143.81. Purpose and scope.~~

~~143.82. Definition.~~

~~143.83. Preamble.~~

~~143.84. Application.~~

~~143.85. Issuance of licenses.~~

~~143.86. Unlawful acts.~~

~~143.87. Penalties.]~~

§143.81. [~~Purpose and scope~~] (Reserved).

[~~This subchapter establishes methods for application and issuance of a license.~~]

§143.82. [~~Definition.~~] (Reserved).

[~~The following words or terms, when used in this subchapter, have the following meaning, unless the context clearly indicates otherwise:~~

~~License—The special stamp issued by a license issuing agent authorizing the holder thereof to hunt deer with a muzzleloading firearm during the special season.]~~

§143.83. ~~[Preamble] (Reserved).~~

~~[Applications shall be submitted to authorized issuing agents and licenses issued by them under the act and this subchapter.]~~

§143.84. ~~[Application.] (Reserved).~~

~~[(a) Application shall be made no later than the second Saturday in November.~~

~~[(b) A collector may, upon completing an application, purchase a muzzleloading firearm deer season license only after the close of the special flintlock season and is not bound by the procedures in this section.]~~

§143.85. ~~[Issuance of licenses.] (Reserved).~~

~~[When the conditions in §143.84 (relating to application) have been met, the agent may issue the appropriate license.]~~

§143.86. ~~[Unlawful acts.] (Reserved).~~

~~[It shall be unlawful to:~~

~~(1) Accept an application or issue a license contrary to the act or this chapter.~~

~~(2) Apply for or receive a license contrary to the act or this chapter.~~

~~(3) Aid another person in applying for or receiving a license contrary to the act or this subchapter.~~

~~(4) Transfer a license to another individual.]~~

§143.87. ~~[Penalties.] (Reserved).~~

~~[A person violating this subchapter shall, upon conviction, be sentenced as prescribed by the act.]~~

Subchapter J. MIGRATORY GAME BIRD LICENSE

§143.181. Purpose and scope.

This subchapter establishes rules for application and issuance of Migratory Game Bird License and ~~[survey cards]~~ HIP surveys.

§143.182. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

HIP survey – The Migratory Game Bird Harvest Information Program (HIP) survey that will be completed at the time the license is issued.

Migratory Game Bird License – The ~~[numbers, wallet-size card]~~ license authorizing the holder thereof to hunt for migratory game birds. The license is not valid unless used in conjunction with a regular resident or nonresident hunting license.

~~[Survey card – The matching, numbered Migratory Game Bird Harvest Information Program card that is attached to the Migratory Game Bird License. The survey card will be completed at the time the license is issued.]~~

§143.183. Application.

Application may be made when purchasing a hunting license, or at any time thereafter upon completion of the HIP survey. ~~[In addition to filling out the application for a hunting license, the applicant shall complete the matching numbered Migratory Game Bird Harvest Information Program survey card.]~~

§143.184. Issuance of license.

After confirming that the HIP survey ~~[card]~~ has been completed in its entirety, the issuing agent shall ~~[enter the date of issuance in ink on the license and the matching numbered survey card in the space provided and issue the license.]~~ issue the license.

§143.186. Processing ~~[survey cards]~~ HIP surveys.

~~[Issuing agents shall forward survey cards completed each month directly to the United States Fish and Wildlife Service, Office of Migratory Bird Management, no later than the 5th day of the following month. Issuing agents shall forward the survey cards in the postage-paid envelopes provided by the Commission, as per the instructions set forth in the current issuing agents instruction manual.]~~ HIP survey data shall be forwarded electronically to the United States Fish and Wildlife Service, Office of Migratory Bird Management, through the Commission's Point-of-Sale automated licensing system no later than 30 days after license issuance.

§143.187. Unlawful acts.

It is unlawful to:

* * * * *

(2) ~~[Process survey cards contrary to §143.186 (relating to processing survey cards)].~~

(3) Apply for or receive a Migratory Game Bird License contrary to the act or this subchapter.

~~(4)~~ (3) * * *

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

DEER MANAGEMENT ASSISTANCE PROGRAM PERMITS

§147.672. Definitions.

The following words and terms, when used in this section and §§147.671.673-147.676, have the following meanings unless the context clearly indicates otherwise:

* * * * *

DMAP harvest permit – The numbered permit which is issued ~~[by the Commission,]~~ through the Commission's Point-of-Sale automated licensing system, authorizing the holder thereof to hunt antlerless deer in a specific DMAP area in accordance with provisions in the act and this part as they pertain to lawfully hunting deer. Each DMAP harvest permit has its own antlerless deer ear tag ~~[and antlerless deer harvest report card]~~ attached to be used only for tagging ~~[and reporting]~~ an antlerless deer harvested.

* * * * *

§147.673. Eligibility and application for DMAP.

* * * * *

(d) Approved applicants will receive one coupon for each DMAP permit the DMAP area is entitled to. In DMAP areas designated by the Director, DMAP harvest permits may be made available directly through authorized issuing agents without coupons being issued.

§147.674. Issuance of DMAP harvest permits.

(a) DMAP harvest permits will be made available without regard to quota limitations and will be issued ~~[by the Commission]~~ through the Commission's Point-of-Sale automated licensing system.

(b) Two harvest permits for the DMAP area may be issued each license year to persons who possess a valid Pennsylvania hunting license ~~[or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions)].~~

* * * * *

(e) In DMAP areas designated by the Director, applicants may apply for DMAP harvest permits without possessing a coupon as long as harvest permits remain available for that area.

§147.675. Validity of permit.

* * * * *

(b) DMAP harvest permits are valid only on the DMAP area indicated on the ~~[license]~~ permit.

§147.676. Unlawful acts.

It is unlawful to:

* * * * *

(6) Fail to ~~[complete]~~ submit harvest report and survey information in accordance with instructions provided ~~[on the report card or the survey, or both].~~

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve these changes.

Action:

I. Hunting License Revocations - Convictions - Proposed recommendations to revoke the hunting and furtaking privileges of the individuals convicted of violating the Game and Wildlife Code.

Commentary: The Commission, under authority of the Game and Wildlife Code, may revoke any hunting license and furtaker's license and deny any person the right to secure a license or to hunt and furtake anywhere in the Commonwealth, with or without a license, if said licensee or person has been convicted, or signed an acknowledgment of violating any provision of the Game and Wildlife Code. The Commission may revoke such licenses for a period of not to exceed three (3) years for the first offense; for a second or subsequent offense, for such period of time as the Commission shall determine.

1. Persons denied the right to hunt or furtake in the Commonwealth, through this action, are notified by Certified Mail that the revocation will commence July 1, 2008, and continue for such period of time as set forth following the individual's name. The symbol "RA" means the revocation was added to an existing revocation.
2. In accordance with the Administrative Agency Law of April 28, 1978, P.L. 202, No. 53 5, 2 PA CSA 502 et seq., the person placed on revocation has the opportunity for an Administrative Hearing concerning the hunting license revocation. If an Administrative Hearing is requested, a petition for review must be filed at the Commission Headquarters within thirty (30) days from the date of notice. Unless deemed in the best interest of the Commission by the Director or a designee, hearings shall be conducted at the central office. Hearings will be conducted in accordance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code 31.1 et seq. The hearing itself will be conducted in accordance with Chapter 35 of the Rules and Chapter 145 of the Pa. Code.

Recommendation: The Executive Director and the Wildlife Protection Director recommend that the Commission revoke the hunting and furtaking license privileges of the persons named by the BUREAU OF WILDLIFE PROTECTION. Such revocation shall become effective July 1, 2008, and shall continue for such period of time and under the conditions set forth following each individual's name.

Action:

BUREAU OF WILDLIFE HABITAT MANAGEMENT

REAL ESTATE

A. Acquisition

1. Option No. 50054

0.5 +/- acres of land in North Franklin Township, Washington County (Exhibit RED 1). This tract is the Mount Wheeler Tower Site used in conjunction with the Commission's radio system. The option price is \$1 lump sum. Verizon is selling this site for \$1 as part of a package wherein the Commission is agreeing to release Verizon from its obligations to remove towers and reclaim and revegetate three other tower sites on State Game Lands No. 38, 91 and 170. These other three towers will also be used in conjunction with the Commission's radio system.

2. Option No. 50013

4,968 +/- acres of land in Horton Township, Elk County, adjoining State Game Land No. 44 (Exhibit RED 2). The option price is \$400 per acre to be paid from funds previously escrowed by Penn State University as part of the obligation to acquire replacement lands in conjunction with the State Game Land No. 176, Compartment 5 land exchange. The option excepts and reserves all timber (excluding conifers) 12 inches DBH or greater for a period of ten years from the date of settlement. This tract adjoins the eastern boundary of State Game Land No. 44 for nearly one mile and shares an existing gated road. It will provide improved hunter access to remote portions of existing State Game Land No. 44, as well as open up thousands of acres previously posted no trespassing. Most of the property has been logged or surface mined with large herbaceous openings created during reclamation that are interspersed with early successional stages of seedling sapling forest growth comprised of mixed oak and northern hardwoods. Deer, bear, turkey, grouse, rabbits, woodcock, foxes, coyotes and bobcats are present on the tract. Numerous grassland bird species such, as Grasshopper Sparrows, Bobolinks and Meadowlarks utilize the openings in the summer months. Ring-necked Pheasants from local stockings also take advantage of the established herbaceous areas. The Northcentral Region envisions portions of this tract will be used in the future for releasing pheasants and will provide excellent areas for youth pheasant hunting opportunities.

3. Option No. 50045

1,555.6 +/- acres of land in Horton Township, Elk County, near State Game Land No. 44 (Exhibit RED 3). The option price is \$400 per acre. Settlement on the real property shall only occur if the settlement simultaneously includes the sale and payment for timber growing on the property in the amount of \$1,322,260. The purchase price for the land and the timber is to be paid from funds previously escrowed by Penn State University as part of the obligation to acquire replacement lands in conjunction with the State Game Land No. 176, Compartment 5 land exchange. Approximately half of the property is woodlands comprised of mixed oak and northern hardwoods. The other half has been surface mined and reclaimed over the last 20 years with grasses, Black Locust and conifers. These extensive grasslands will add important small game habitat to State Game Land No. 44 that is predominantly forested. The stream bottoms contain areas that have not been timbered or mined and have stands of hemlock, white pine and hardwoods. The Elk County Chapter of Pheasants Forever has been involved in some large pheasant habitat recovery projects near to this property and future management directed towards small game management would greatly compliment their efforts. Access to the property is enhanced from Brandy Camp Road, Township Road 2002 and from old logging and mining roads.

Recommendation: The Executive Director and Staff recommend the options listed above be accepted and the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the acquisition of these tracts.

Action:

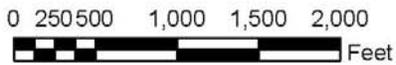
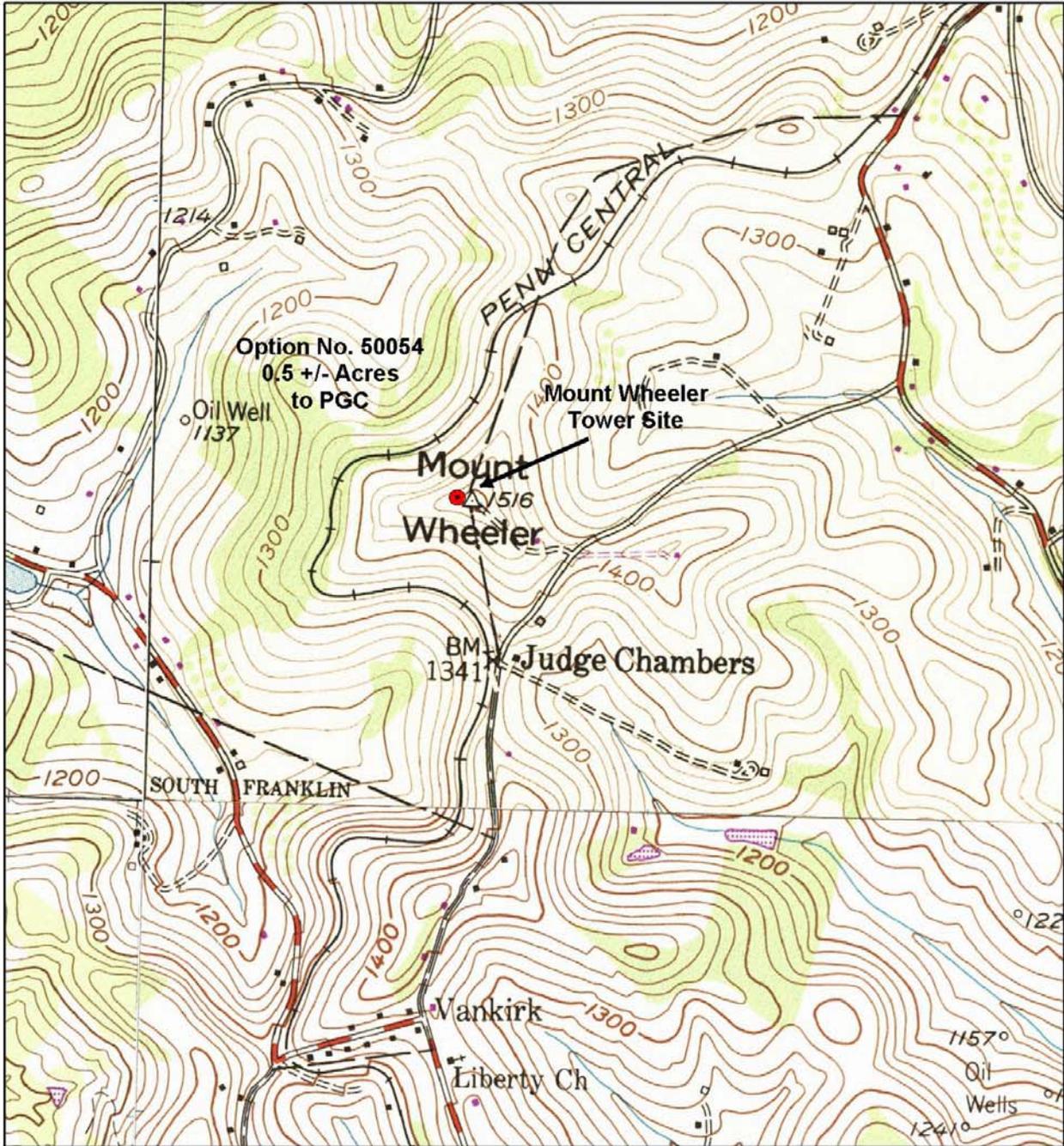


EXHIBIT RED 1

Verizon to PGC
 0.5 +/- Acres
 Mount Wheeler Tower Site
 North Franklin Twp.
 Washington County
 Southwest Region

EXHIBIT "A"

STATE WILDLIFE GRANT PROJECTS

ASSESSING RISKS OF WIND ENERGY DEVELOPMENT FOR A PRIORITY SPECIES: PENNSYLVANIA'S SPECIAL RESPONSIBILITY FOR CONSERVATION OF EASTERN GOLDEN EAGLES

This project will collect information on where and how the unique eastern population of golden eagles migrates through Pennsylvania, and use these data to provide statewide maps showing the relative risk to eagles from wind power development. These maps will provide a critical tool for managers and legislators to guide safe development of wind power throughout the state and to prevent an at-risk species from becoming endangered (Todd Katzner, National Aviary - \$70,000).

UTILIZATION OF WET SCRUB-SHRUB-DOMINATED HABITAT TYPES BY WILLOW FLYCATCHER AND OTHER WAP PRIORITY BIRD SPECIES IN PA

The willow flycatcher, *Empidonax traill*, is a Wildlife Action Plan (WAP) species of concern, also identified by Partners in Flight as a species of concern at the continental scale. This project will determine if the willow flycatcher and other WAP priority species utilize specific wet thicket habitat types by comparing habitat characteristics of sites where species were observed with those unused. Understanding habitat selection patterns and the ability to identify potential breeding areas for the willow flycatcher and other wet-thicket priority species is crucial to their management (Ephraim Zimmerman, Western Pennsylvania Conservancy - \$80,000).

CASPARIS MINE BAT HIBERNACULUM GATING PROJECT

This project will protect hibernating bats from harassment by restricting human access by reinforcing an earthen barrier at the mine entrance and installing a bat gate. The mine will then be more favorable for use by Indiana and other bat species, as well as providing additional habitat for Allegheny woodrats (Christopher W. Sanders, Sanders Environmental, Inc. - \$15,000).

RESTORATION AND MANAGEMENT OF GLOBALLY SIGNIFICANT PENNSYLVANIA BARRENS HABITATS

This project will implement Wildlife Action Plan (WAP) priorities to restore and manage globally significant ridgetop, mesic-till and serpentine barrens sites in Pennsylvania, as well as use the priorities to leverage additional management and provide basic information for private landowners and public agency partners on management needs and techniques on both private and public lands. TNC will implement the management recommendations and establish monitoring programs for barrens vegetation communities and invertebrate, bird and mammal priority species as defined in the WAP in order to adapt management techniques to maximize benefits to these priority species and habitats (Todd Sampsell, The Nature Conservancy - \$100,000).

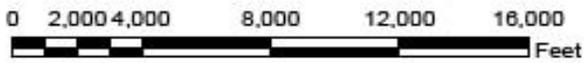
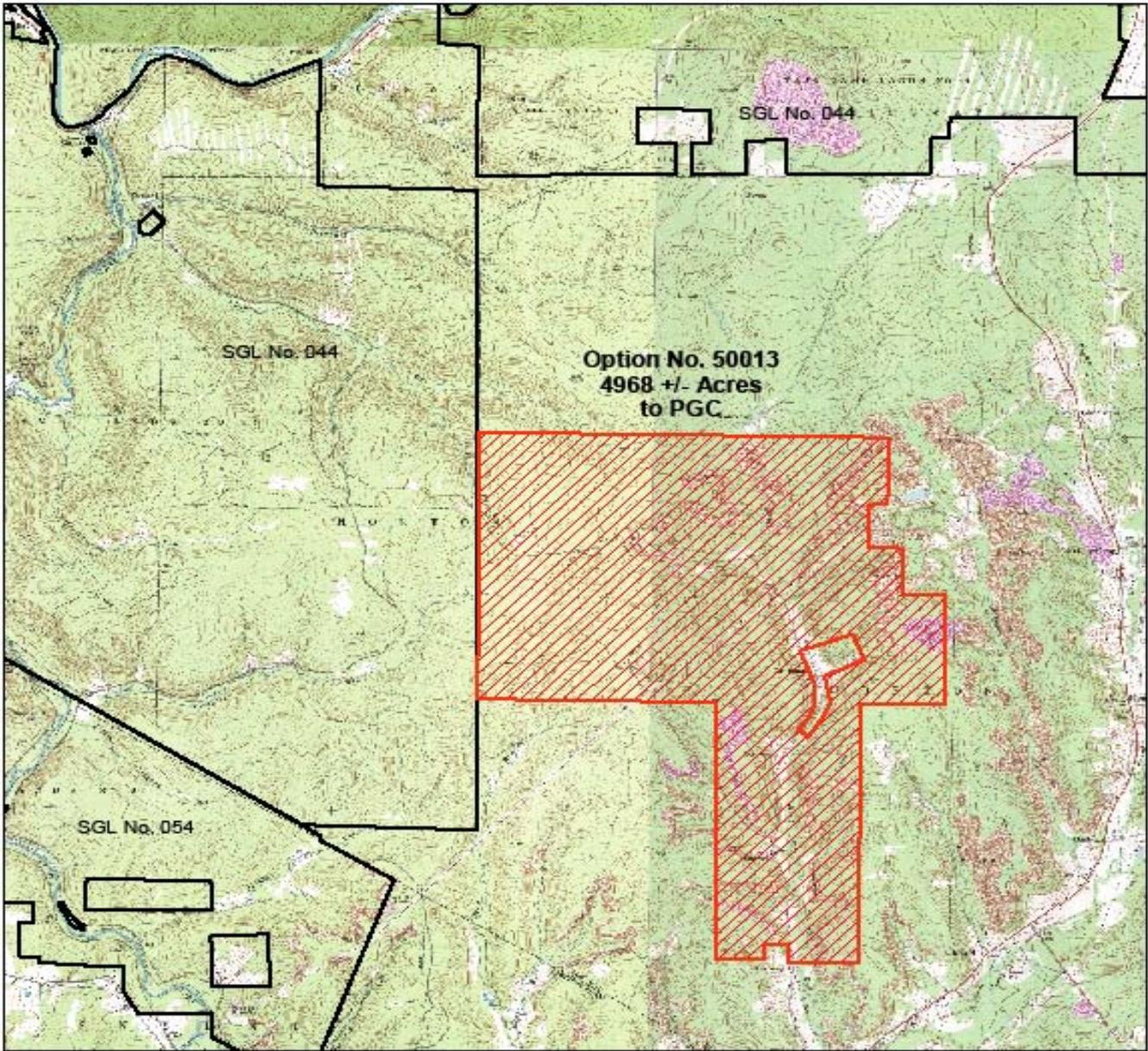


EXHIBIT RED 2
 STATE GAME LAND No. 44
 New Shawmut Timber to PGC
 4968 +/- Acres
 Horton Twp.
 Elk County
 Northcentral Region

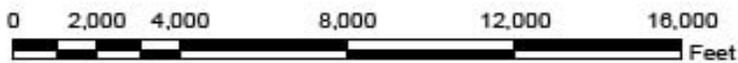
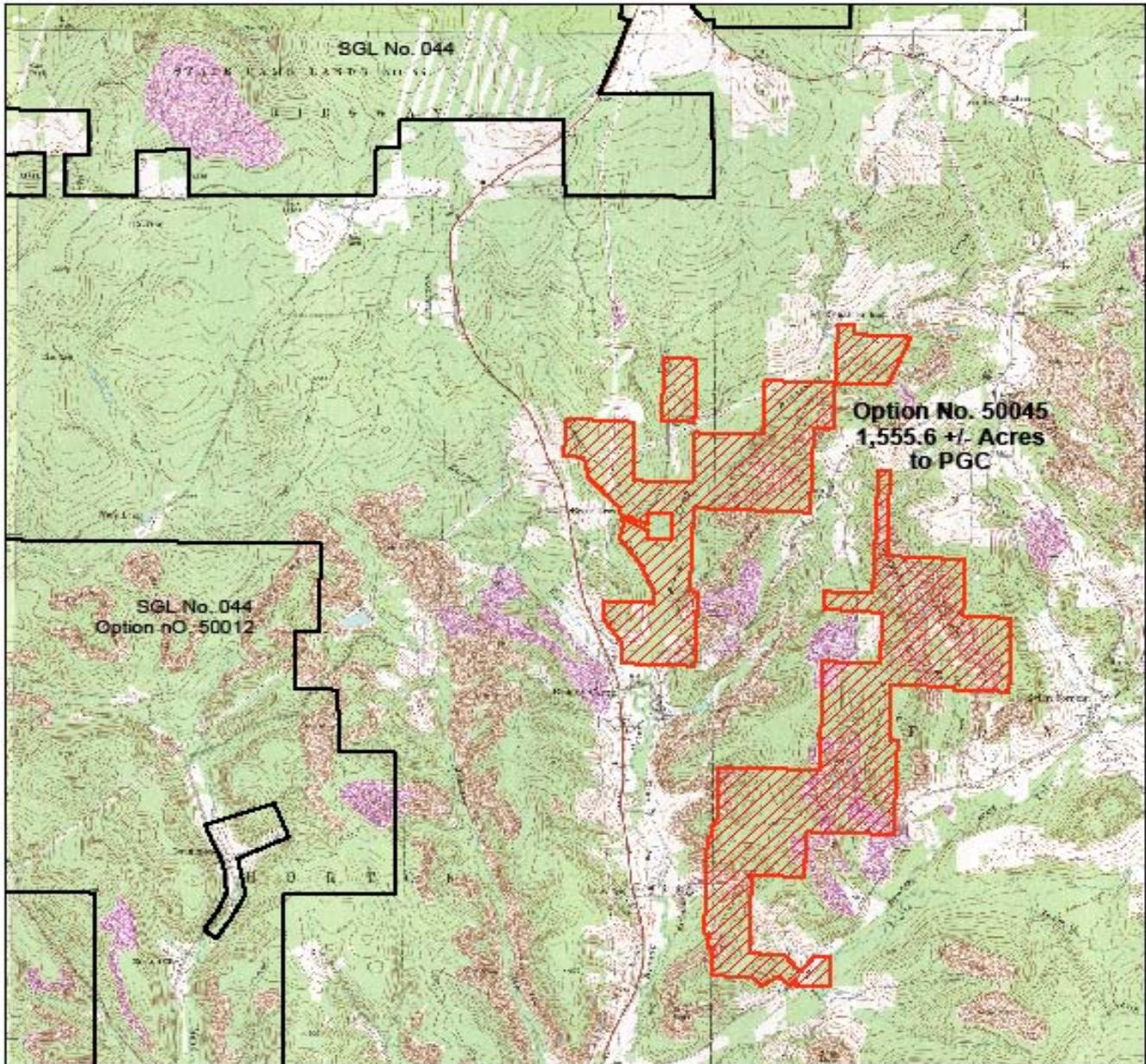


EXHIBIT RED 3
 STATE GAME LAND No. 44
 New Shawmut Timber to PGC
 1555.6 +/- Acres
 Horton Twp.
 Elk County
 Northcentral Region

B. Donation

1. Option No. 50044

45.74 +/- acres of land in Eldred Township, McKean County, adjoining State Game Land No. 301 (Exhibit RED 4). Dominion Transmission, Inc. is purchasing this tract as required compensatory mitigation by the United States Army Corps of Engineers for wetland impacts associated with constructing a pipeline. This tract will be deeded directly to the Commission. The property will be acquired under and subject to the covenants that the property shall be used and maintained in accordance with the Game and Wildlife Code for wildlife habitat and conservation and that the property shall not have timber removed according to a permanent deed restriction required by the United States Army Corps of Engineers referencing project permit # 200300942. Thirteen acres of the tract are forested wetlands and contain Balsam Fir, Hemlock and White Pine that create a unique stand of tree species worthy of protecting. The remaining portion of the tract is comprised of mixed hardwoods in pole size timber. This property is easily accessible from Loop Road and improves access to the western boundary of existing State Game Land No. 301.

2. Option No. 50036

A private hunting club has voluntarily declared a restriction that if the club ever ceases to exist the property owned by the club, consisting of almost 1,000 acres would be given to the Commonwealth of Pennsylvania, solely for the use of the Pennsylvania Game Commission. This action does not take effect unless and until the club dissolves. There is no current interest being transferred to the Commission, so the club has asked not to have their name or exact location of the tract publicized. However, gifts are revocable in Pennsylvania until accepted and the club has requested the Commission to publicly accept the Declaration of Restrictions, which is on file in the County where the club is located. This would effectively make the gift of the future interest irrevocable by future club members and ensure that the property would come to the Commonwealth upon dissolution of the club.

Recommendation: The Executive Director and Staff recommends that the donations listed above be accepted and the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the acquisition of these tracts.

Action:

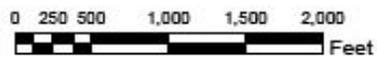
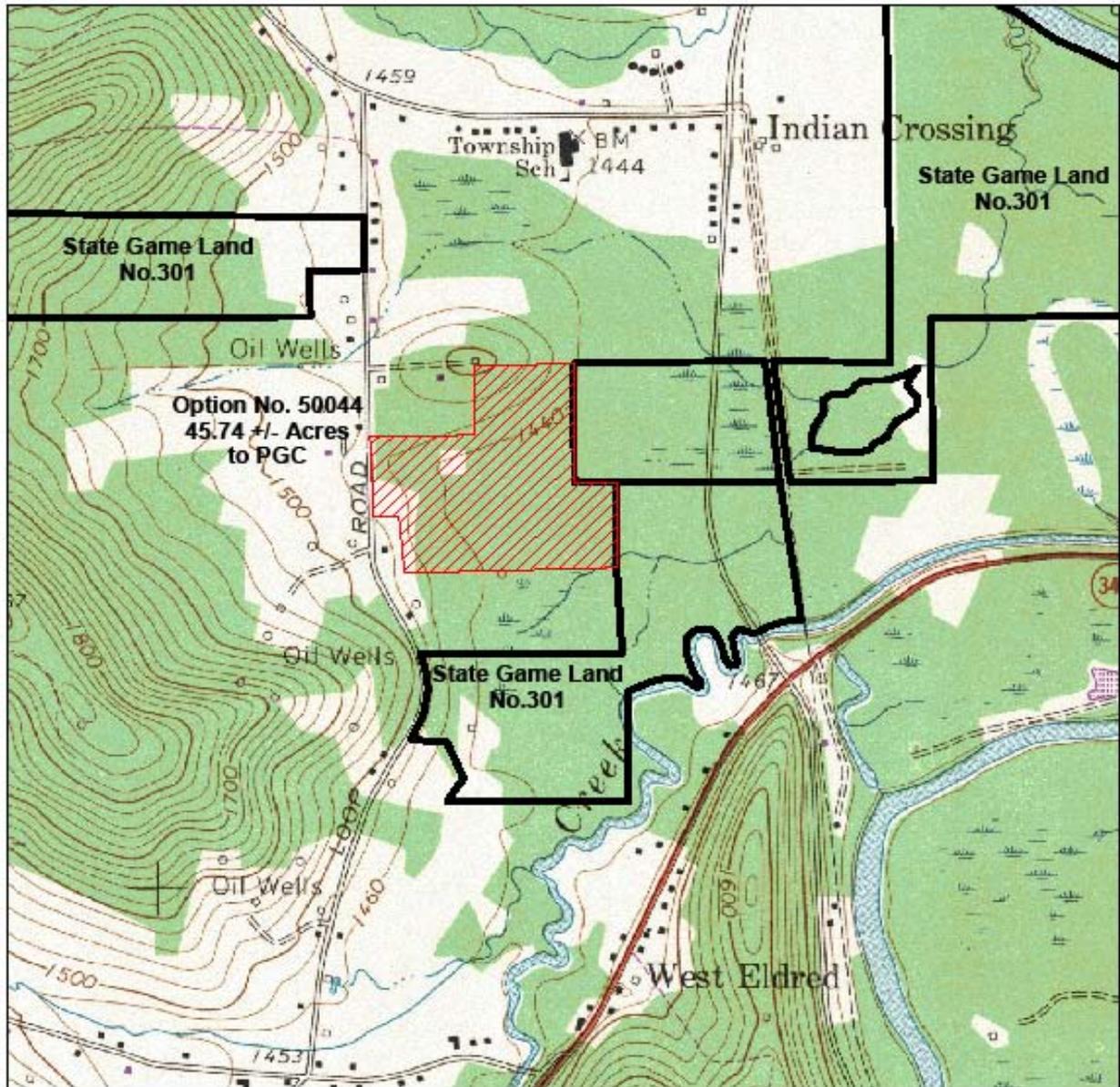


EXHIBIT RED 4
 STATE GAME LAND No. 301
 Dominion Transmission, Inc. to PGC
 45.74 +/- Acres
 Eldred Twp.
 McKean County
 Northcentral Region

C. Land Exchange

1. Option No. 50020

Clear Lake Timber Company was previously the high bidder on the Commission's timber sale called "Never Ending," 108-05-2 for the amount of \$158,624. Clear Lake Timber Company is also the owner of a tract of land comprised of 120 acres in Burrell Township, Indiana County, adjoining State Game Land No. 276, which the Commission is interested in acquiring. The Commission and Clear Lake Timber Company have agreed to the value of \$150,000 for the parcel.

Clear Lake Timber Company has offered to transfer the 120 acres in Burrell Township, Indiana County (shown on Exhibit RED 5). The value of \$150,000 would then be credited against the blocks to be cut on the timber sale listed above until the value has been exhausted. The exchange will provide additional hunting acreage contiguous to State Game Land No. 276. The wooded tract will provide additional habitat to an existing population of Eastern Woodrats, which are listed as a threatened mammal in Pennsylvania. The tract contains mostly Black Cherry, Tulip Poplar, Red Maple and Black Birch with approximately 100 acres of pole size timber with the remaining acreage in saw timber. There are three acres of wetlands associated with the riparian corridor along Tom's Run, which is a small high quality stream. The tract will provide access to a presently inaccessible portion of existing State Game Land No. 276 that is south of Tom's Run from Chestnut Ridge Road.

The staff has reviewed this proposal and has determined it to be of equal or greater value for the benefit of wildlife.

2. Option No. 50023

Dominion Transmission, Inc. has agreed to a land exchange involving an easement for a new 24 inch pipeline, with 12.70 acres of permanent right-of-way and 6.35 acres of temporary construction right-of-way totaling 19.05 acres of impact on State Game Land No. 215 situate in Lack Township, Juniata County (Exhibit RED 6) and 2.44 acres of permanent right-of-way and 1.22 acres of temporary construction right-of-way totaling 3.66 acres of impact on State Game Land No. 113 Oliver Township, Mifflin County (Exhibit RED 7).

In lieu of paying the annual rental fee associated with a right-of-way license and the timber damages from the pipeline project, Dominion Transmission Corporation has agreed to provide \$475,000 towards the acquisition of a 1,000 +/- acres of land located in Fermanagh Township, Juniata County, State Game Land No. 107 (Exhibit RED 8) or other lands acceptable to the Commission. The remainder of the purchase price will be paid by a combination of funding sources including the Game Fund to the extent of available and budgeted funds. This tract will close out a large indenture into existing State Game Land No. 107. The property is entirely wooded with mixed northern hardwoods and contains a perennial stream supporting native brook trout.

The staff has reviewed this proposal and has determined it to be of equal or greater value for the benefit of wildlife.

Recommendation: The Executive Director and Staff recommend that the land exchanges listed above be approved and the Commission authorizes the Bureau of Wildlife Habitat Management to proceed with these exchanges.

Action:

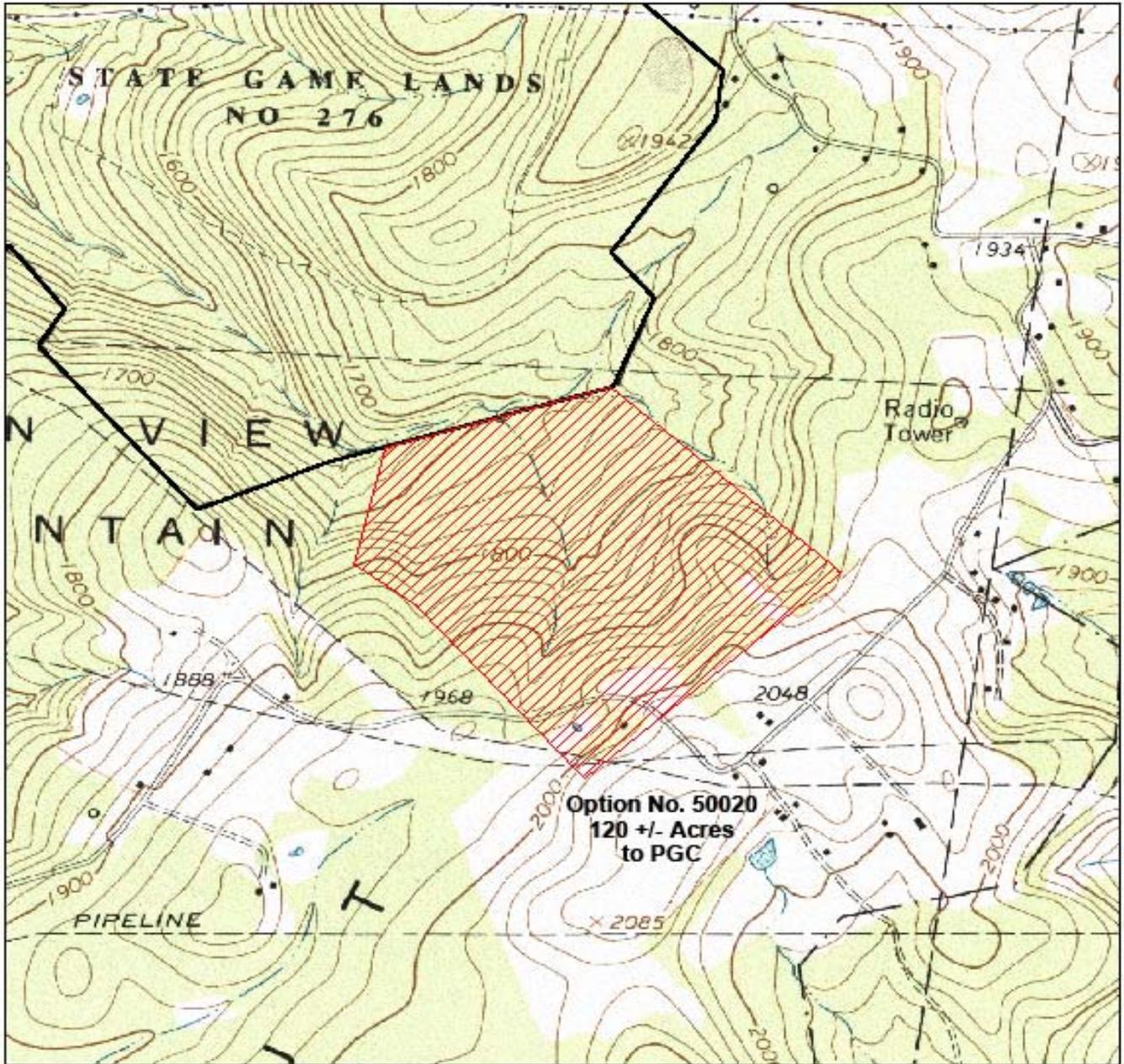
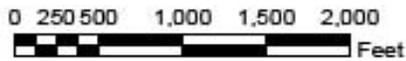


EXHIBIT RED 5
 STATE GAME LAND No. 276
 Clear Lake Timber Company to PGC
 120 +/- Acres
 Burrell Twp.
 Indiana County
 Southwest Region



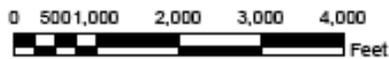
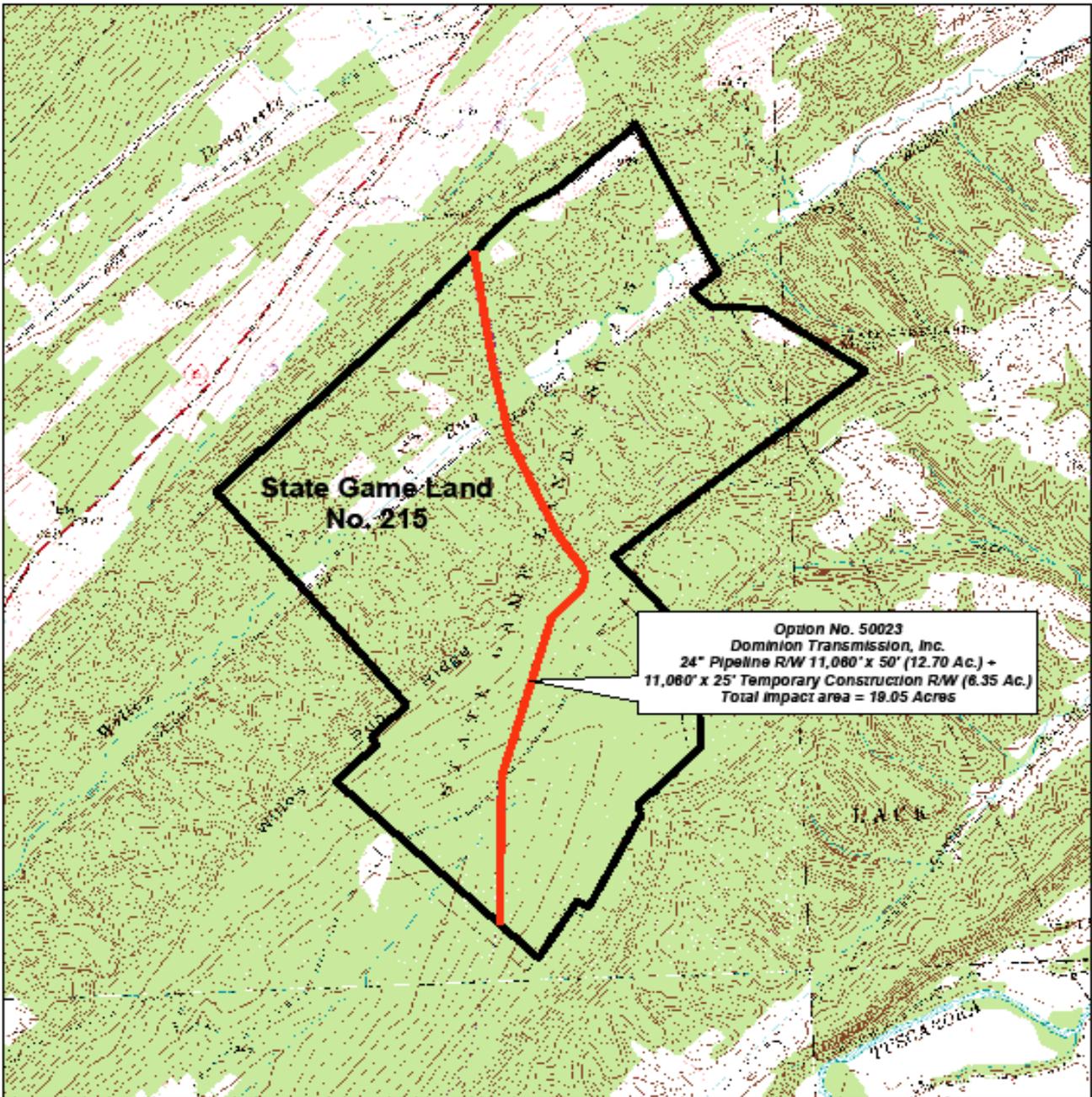
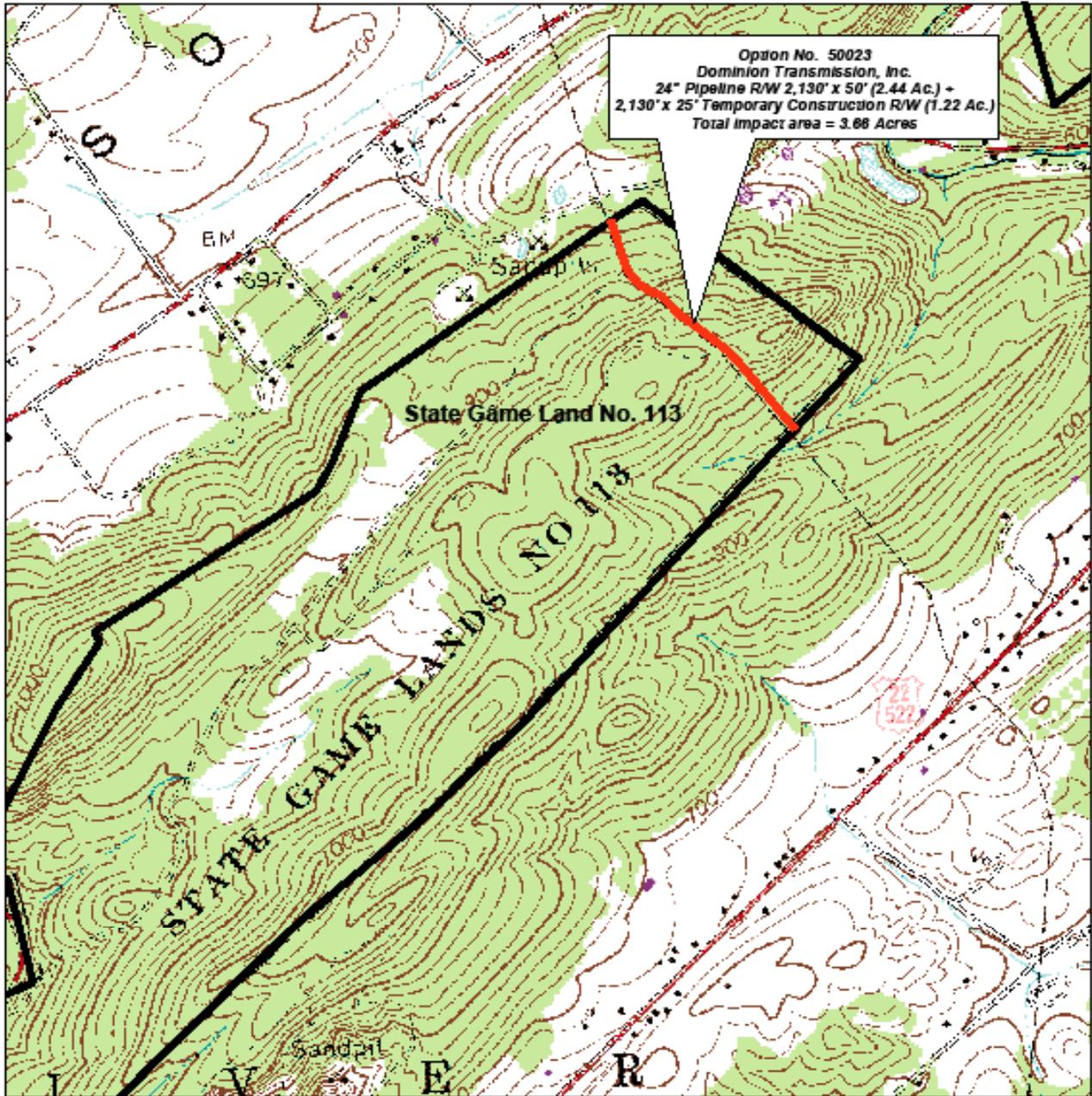


EXHIBIT RED 6

STATE GAME LAND No. 215

Dominion Transmission, Inc. Easement
19.05 +/- Acres

Lack Twp.
Juniata County
Southcentral Region



Option No. 50023
 Dominion Transmission, Inc.
 24" Pipeline R/W 2,130' x 50' (2.44 Ac.) +
 2,130' x 25' Temporary Construction R/W (1.22 Ac.)
 Total Impact area = 3.66 Acres

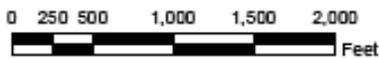


EXHIBIT RED 7

STATE GAME LAND No. 113

Dominion Transmission, Inc. Easement
 3.66 +/- Acres

Oliver Twp.
 Mifflin County
 Southcentral Region

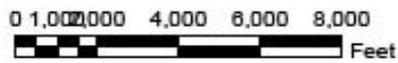
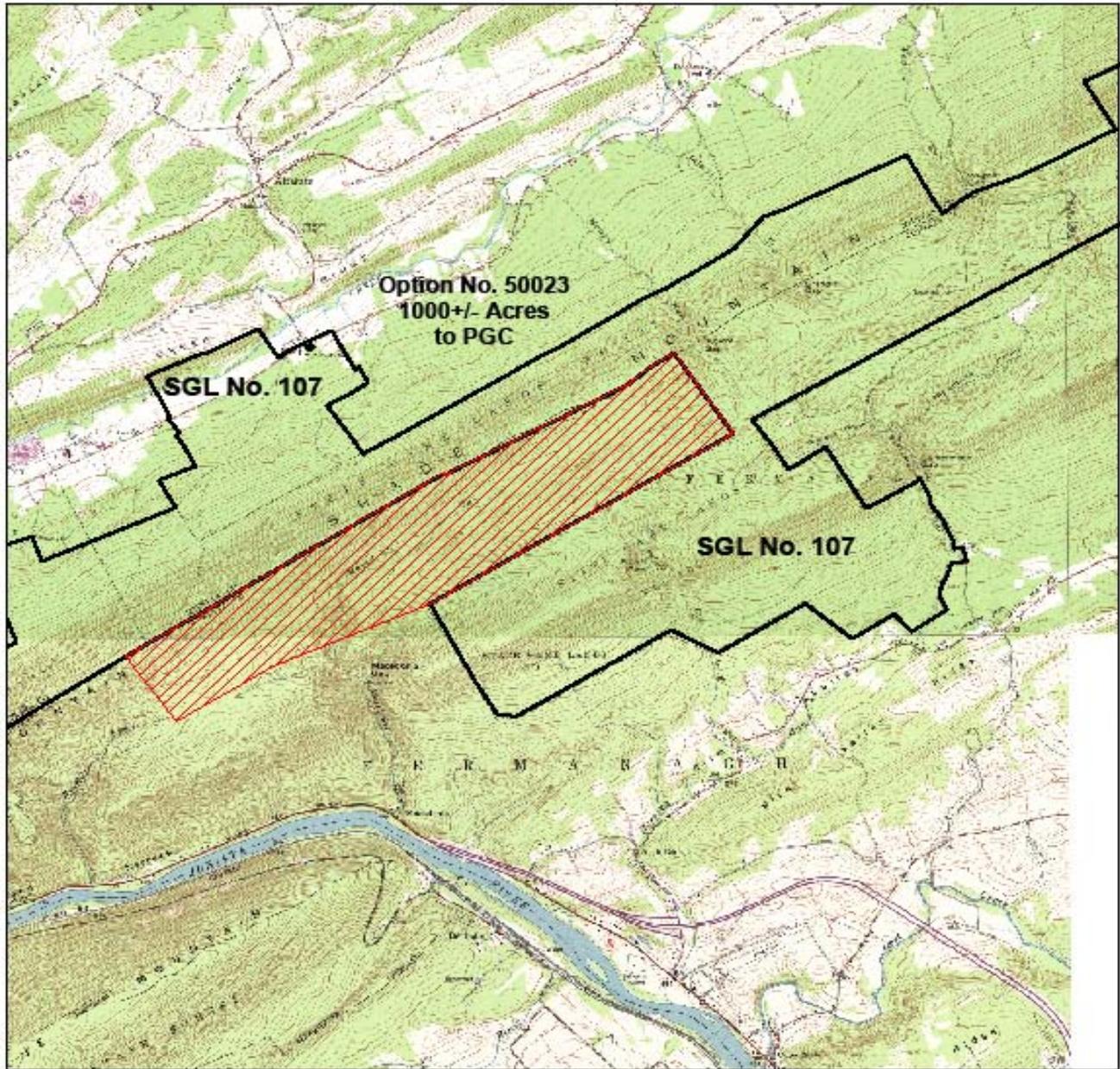


EXHIBIT RED 8
 STATE GAME LAND No. 107
 Mifflintown Municipal Authority to PGC
 1000 +/- Acres
 Fermanagh Twp.
 Juniata County
 Southcentral Region

B. State Wildlife Grants – Northeast Cooperative Projects

Commentary: To be eligible for federal funding under the State Wildlife Grants (SWG) program, states developed comprehensive Wildlife Action Plans that identify species and habitats of greatest conservation need. Many of the species, habitats and conservation actions outlined in the state action plans are common across or are common to a group of states within a region and can most effectively be addressed by working across state lines. This premise led to the development of the “Northeast Wildlife Teamwork Strategy” or NEWTS, by the Northeast Association of Fish and Wildlife Agencies (NEAFWA). The goal of NEWTS is to cooperatively develop, coordinate, fund and implement conservation actions and projects that are regional/sub-regional in scope, and build upon the many regional initiatives that already exist.

NEAFWA has entered into a Cooperative Agreement with the Wildlife Management Institute (WMI) to provide overall coordination services for NEWTS projects. WMI has agreed to collect and manage state monies provided in support of cooperative work, raise matching funds for projects, and coordinate NEAFWA approved projects. Additionally, WMI will take NEAFWA identified regional conservation needs, coordinate the solicitation of prospective cooperators and matching funds, develop an annual list of projects, prepare contracts and amendments for approved regional projects, and write annual and final performance reports.

NEAFWA has asked each state in the Northeast U.S. and the District of Columbia to provide up to 4% of their annual SWG apportionment for funding projects under the regional NEWTS program. For our agency to participate in this multi-state, regional effort we will need to enter into an agreement with WMI so that they can advise us of priority regional NEWTS projects and invoice us.

As with all SWG-related activities, NEWTS projects funded via the agreement with WMI will not require any net reduction in the Game Fund. The Game Fund will be reimbursed by the U.S. Fish and Wildlife Service, Federal Aid program using SWG funds.

Recommendation: The Executive Director and staff recommend Commission approval to contract with the Wildlife Management Institute to annually fund through the State Wildlife Grants program multi-state regional conservation projects.

Action:

OIL/GAS & MINERALS

A. Underground Mining Coal Lease

State Game Land No. 245, Washington County

Commentary: Consol Pennsylvania Coal Company LLC, has requested to lease and remove by underground mining methods an estimated 9,060 tons of coal from one-acre block of the Pittsburgh coal seam located in Morris Township, Washington County, Southwest Region as shown on (Exhibit OGM 1).

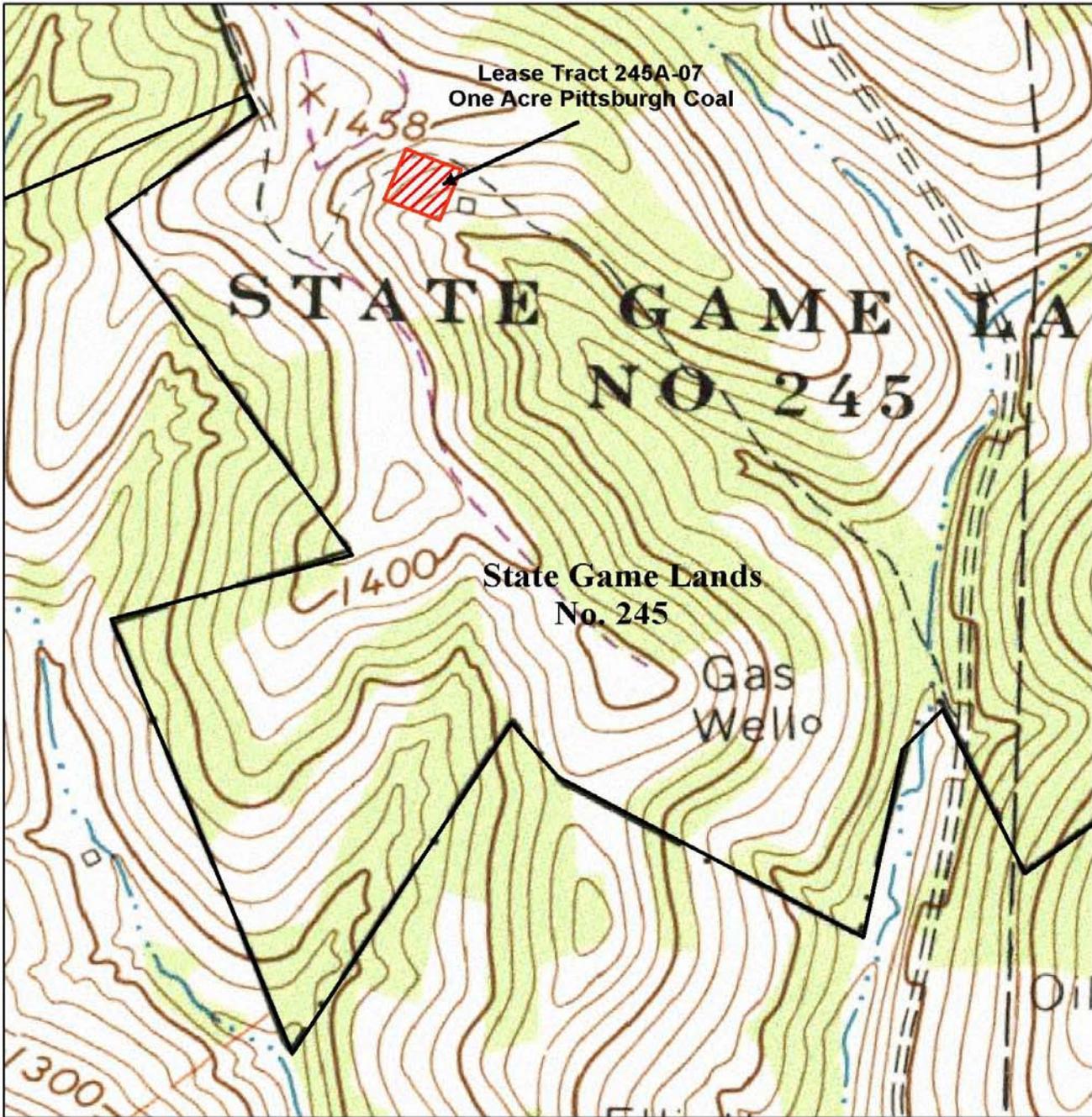
In exchange for the 5 year lease from the Commission, Consol Pennsylvania Coal Company LLC will pay the Commission a one time lump sum payment of one hundred twenty thousand dollars (\$120,000) into an interest bearing escrow account to be used for the future purchase of lands acceptable to the Commission.

The project will be regulated by the Commonwealth's coal mining regulations and the Commission's standard lease agreement. There will be no surface use of the lease area associated with this proposed mining.

The staff has reviewed this proposal and has determined that the total value of the coal royalty is greater than or equal to the accumulated value for the lease.

Recommendation: The Executive Director and staff recommend the proposed lease be approved and the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the leasing arrangement as listed above.

Action:



 LEASE AREA
1.0 Acre

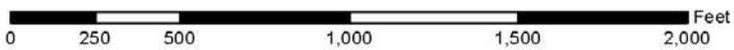


EXHIBIT OGM-1
 Pennsylvania Game Commission
 STATE GAME LANDS No. 245
Consol Pennsylvania Coal Company, LLC
Lease Tract 245A-08

Morris Twp
 Washington County
 Southwest Region

B. Oil and Gas Lease Offering

State Game Land No. 239, Bradford County

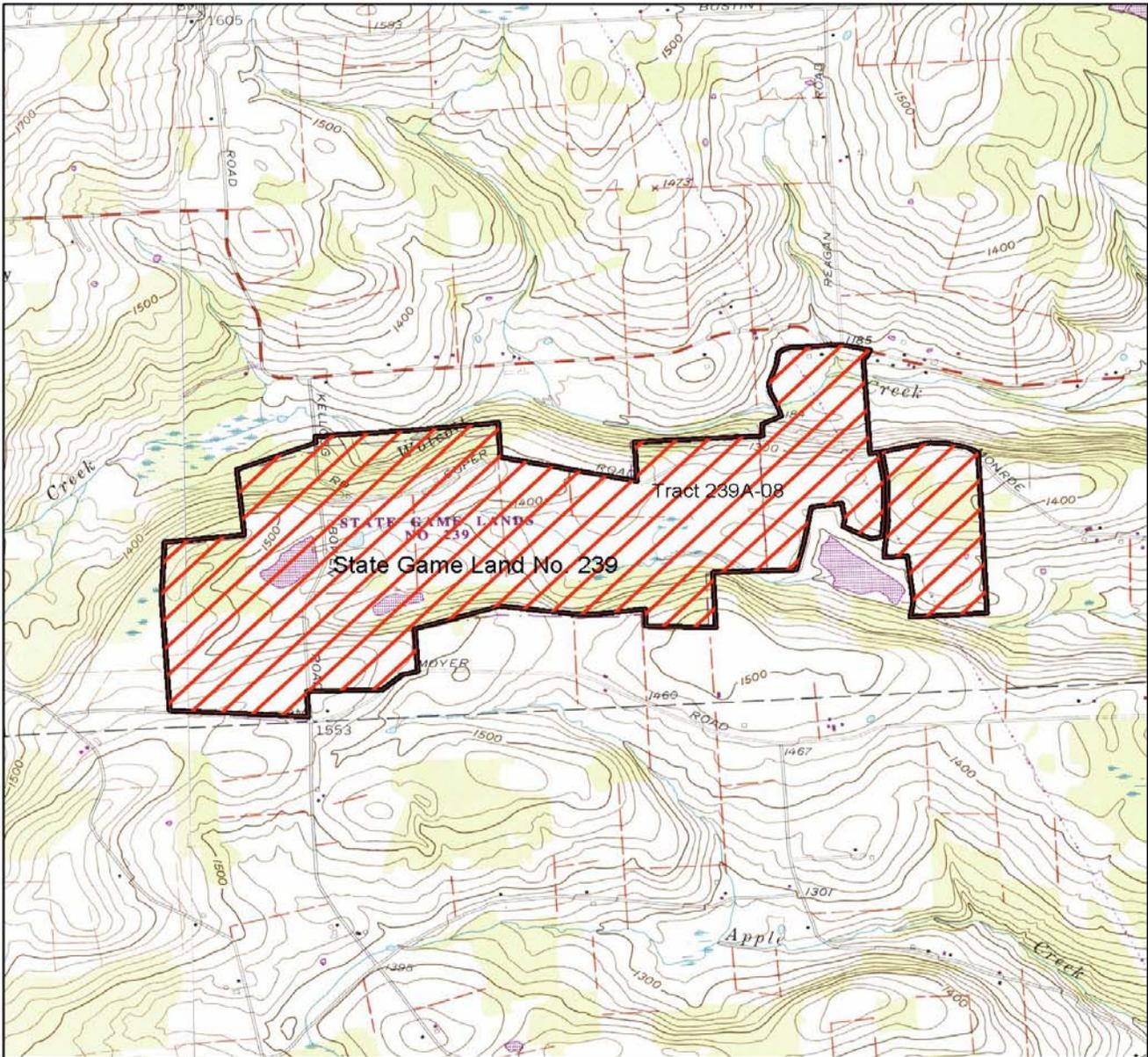
Commentary: The Commission offered its oil and gas ownership under State Game Land No. 239 for lease. Tract 239A-08, containing 670.96 acres, was exposed for competitive royalty bid in January 2008, with a bonus payment of \$125 per acre and a fixed yearly rental rate of \$20 per acre. Additionally, the lease offer provides the Commission a one-time payment of \$10,000 for each deep well drilled within the leased premises and a one-time payment of \$5,000 for each shallow well drilled within the leased premises. The lease area, exposed for competitive royalty bid, is shown on the attached (Exhibit OGM 2).

Oil/Gas development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's standard oil/gas lease agreement and \$25,000 performance bond. The lease will include the Commission's standard wildlife and environmental protection measures, and further limits the subsequent well development to a total of two well drilling locations, unless additional written approval is obtained from the Commission.

The results of the royalty bid expressed in a percentage rate of the market value of each mcf of gas, and the highest bidder are indicated in "General Item B."

Recommendation: The Executive Director and Staff recommends that an oil and gas development lease be awarded to the highest bidder, in accordance with Commission policy and lease award procedure.

Action:



 **LEASE AREA**
670.96 Acres

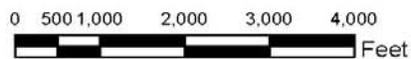


EXHIBIT OGM-2
 Pennsylvania Game Commission
 STATE GAME LAND 239
Oil & Gas Lease
TRACT 239A-08
 670.96 ACRES
 ATHENS TWP.
 BRADFORD COUNTY
 NORTHEAST REGION

GENERAL ITEM "B"

Commentary: As indicated in the Agenda Item A, bids for this tract were opened on January 23, 2008, with _____, of _____, PA submitting the highest royalty rate bid of _____% of the market value of each mcf of gas produced from the subject lease. The results of the bid are listed

<u>BIDDERS</u>	<u>BID ROYALTY/MCF</u>	<u>SET RENTAL \$20/ACRE</u>
_____	_____%	\$20/acre
_____	_____%	\$20/acre

_____ showed interest, but submitted no bid.
_____ showed interest, but submitted no bid.
_____ showed interest, but submitted no bid.

Recommendations: The Executive Director and Staff recommends that an oil and gas development lease be awarded to _____, of _____, PA in accordance with Commission policy and lease award procedure.

Action:

C. Oil and Gas Lease Offering

State Game Land No. 75, Lycoming County

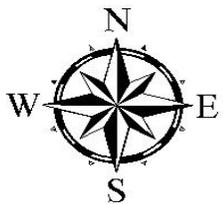
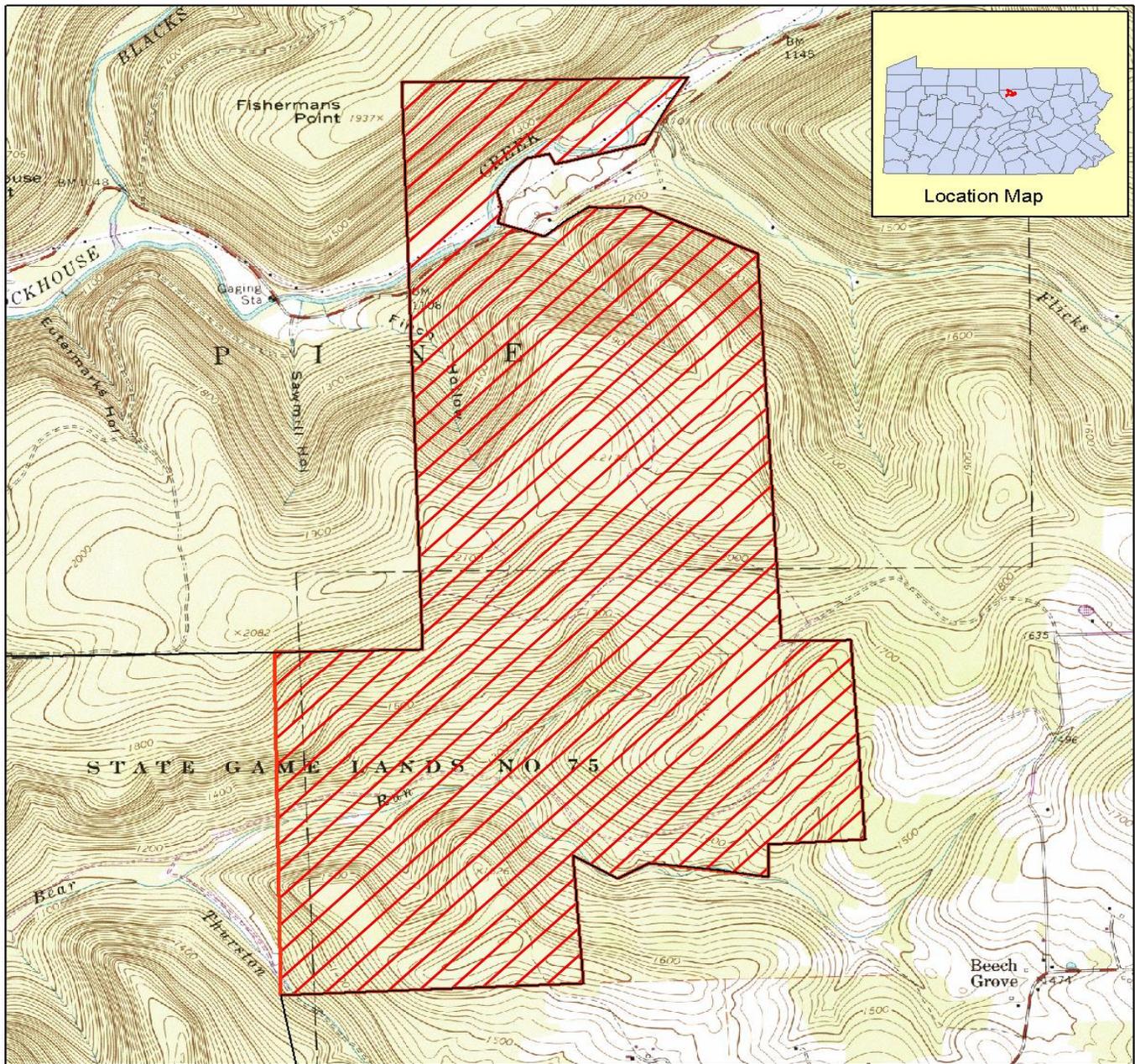
Commentary: The Commission offered its oil and gas ownership under a portion of State Game Lands No. 75 for lease. Tract 075A-08, containing 1748.2 acres, was exposed for competitive royalty bid in January 2008, with a bonus payment of \$125 per acre and a fixed yearly rental rate of \$20 per acre. Additionally, the lease offer provides the Commission a one-time payment of \$10,000 for each deep well drilled within the leased premises and a one-time payment of \$5,000 for each shallow well drilled within the leased premises. The lease area, exposed for competitive royalty bid, is shown on the attached (Exhibit OGM 3).

Oil/Gas development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's standard oil/gas lease agreement and \$25,000 performance bond. The lease will include the Commission's standard wildlife and environmental protection measures, and further limits the subsequent well development to a total of five well drilling locations, unless additional written approval is obtained from the Commission.

The results of the royalty bid expressed in a percentage rate of the market value of each mcf of gas, and the highest bidder are indicated in "General Item C."

Recommendation: The Executive Director and Staff recommends that an oil and gas development lease be awarded to the highest bidder, in accordance with Commission policy and lease award procedure.

Action:



 LEASE AREA
1748.2 ACRES



EXHIBIT OGM-3
 Pennsylvania Game Commission
 STATE GAME LAND 075
Oil & Gas Lease
TRACT 075A-08
 1748.2 ACRES
 COGAN HOUSE AND PINE TWPS.
 LYCOMING COUNTY
 NORTHCENTRAL REGION

GENERAL ITEM "C"

Commentary: As indicated in the Agenda Item A, bids for this tract were opened on January 23, 2008 with _____, of _____, PA submitting the highest royalty rate bid of _____% of the market value of each mcf of gas produced from the subject lease. The results of the bid are listed

<u>BIDDERS</u>	<u>BID ROYALTY/MCF</u>	<u>SET RENTAL \$20/ACRE</u>
_____	_____%	\$20/acre
_____	_____%	\$20/acre

_____ showed interest, but submitted no bid.
_____ showed interest, but submitted no bid.
_____ showed interest, but submitted no bid.

Recommendations: The Executive Director and Staff recommends that an oil and gas development lease be awarded to _____, of _____, (state) in accordance with Commission policy and lease award procedure.

Action:

Other New Business

Election of Officers for Ensuing Year

Executive Session, if necessary, will be held immediately following the close of the Commission meeting.

Adjournment

PROPOSED RULE MAKING

C. Amend 58 Pa. Code, §139.4.

Commentary: To effectively manage the wildlife resources of this Commonwealth and also provide hunting and trapping opportunities in the Commonwealth during the upcoming license year, the Commission is proposing to amend 58 Pa. Code §139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2008-2009 license year. Although the 2008-2009 seasons and daily season and possession limits are similar to those set in 2007-2008, the 2008-2009 seasons and bag limits have been amended to conform to current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the wildlife resources of the Commonwealth.

One change is proposed for small game, that is, to extend by one day the special season for junior pheasant hunters to include an additional Saturday. Adding this Saturday will provide additional hunting opportunity of released game farm birds in farmland habitats. Again this year we acknowledge the interest of some parties to close quail season statewide. Given the diminished status of wild quail populations, this recommendation is understandable; however, we do not plan to recommend changes in bobwhite season length or hunt areas until we have a bobwhite quail management plan completed. At that time proposals to expand quail hunting or close it statewide will be considered; however, in the interim bobwhite hunting closures will continue in the last vestiges of the historic quail range.

A change is proposed in crow season dates to extend the shooting days to approximate the 124 days allowed under federal frameworks. By starting the season on the Friday closest to July 1 and running it every Friday, Saturday and Sunday continuously through the first weekend in April will provide 120 hunting days. By law seasons must be set to avoid the peak nesting season, which falls between April 7 and the end of May.

On December 27, 2007, the Pennsylvania Supreme Court ruled that wild boars are protected mammals under the Game and Wildlife Code. As a result, the Commission must take regulatory action to remove protection from wild boars to allow incidental taking during the fall big game seasons.

The only substantial change for the deer hunting seasons is a proposal to have a 5 day, antlered deer only season in WMUs 2D, 2G, 3C and 4B starting the Monday after Thanksgiving followed immediately by 7 days of concurrent, antlered and antlerless deer hunting. The proposal retains the 2-week (12 day) concurrent, antlered and antlerless season in the remaining 18 WMUs in the Commonwealth. The change to the four WMU's is to evaluate the impact of changed season length on hunter success rates for future use as a new management tool.

The elk hunting season's proposal recommends curtailing September elk hunts following the 2008 season due to limited hunter success and satisfaction because of the small hunt area, the high proportion of private property, and very limited hunter access to property.

Finally, for bobcat, proposals recommend adding WMU 4D to the bobcat hunt/trap area. Increased number of incidental bobcat captures and bobcat sightings in this area support this proposal.

Recommendation: The Executive Director and staff recommend the Commission approve the proposed 2008-2009 hunting seasons and bag limits amendment to §139.4 as described in the attached table.

Action: