

BEFORE THE  
PENNSYLVANIA GAME COMMISSION

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BEFORE: RALPH A. MARTONE, President  
Robert W. Schlemmer, Vice-President  
David J. Putnam, Secretary  
David W. Schreffler, Commissioner  
James J. Delaney, Jr., Commissioner  
Ronald Weaner, Commissioner  
C.G. Roe, Executive Director  
R. Matthew Hough, Deputy Executive Director

HEARING: Tuesday, April 24, 2012  
8:30 a.m.

LOCATION: PA Game Commission  
2001 Elmerton Avenue  
Harrisburg, PA 17110

WITNESSES: Calvin DuBrock, Randy Shoup, Bill  
Capouillez

Reporter: Jolynn C. Prunoske

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DISCUSSION AMONG PARTIES

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CHAIR:

I'd like to call this meeting of the Pennsylvania Game Commission Board of Commissioners to order. At this time, if you would stand and recite the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIR:

I'd like to welcome everybody to the meeting. And if you would, a reminder about your cell phones. If you would turn your cell phones off or to vibrate, I'd appreciate it. I have to do that myself. Mr. Secretary, would you do a roll call of the Commissioners?

MR. PUTNAM:

Commissioner Martone?

CHAIR:

Yes.

MR. PUTNAM:

Commissioner Schlemmer?

MR. SCHLEMMER:

Present.

MR. PUTNAM:

Commissioner Putnam? Present.

1 Commissioner Schreffler?

2 MR. SCHREFFLER:

3 Present.

4 MR. PUTNAM:

5 Commissioner Delaney?

6 MR. DELANEY:

7 Present.

8 MR. PUTNAM:

9 Commissioner Weaner?

10 MR. WEANER:

11 Present.

12 MR. PUTNAM:

13 Mr. President, all the Commissioners are  
14 present.

15 CHAIR:

16 Thank you, Mr. Secretary. At this time,  
17 I would like to approve the minutes of the Commission  
18 meeting that was held January 24th, 2012. Do I have a  
19 motion to approve those minutes from that meeting?

20 MR. SCHLEMMER:

21 So moved.

22 MR. WEANER:

23 Second.

24 CHAIR:

25 Commissioner Schlemmer. Seconded it,

1 Commissioner Weaner. Is there any discussion on these  
2 minutes? Hearing none, all those in favor, please say  
3 aye.

4 ALL AYES RESPOND

5 CHAIR:

6 All those opposed? Mr. Secretary.

7 MR. PUTNAM:

8 Mr. President, the minutes are approved.

9 CHAIR:

10 Thank you. At this time, I would like to  
11 turn the meeting over to Executive Director Roe.

12 MR. ROE:

13 Thank you, Mr. President. I just want to  
14 take a few minutes to get it on the record, as we do  
15 in our Bureau records or meeting records, that this  
16 will be the last meeting for Bob Strailey, who is a  
17 Bureau director for our Information Technology. He's  
18 been with the State since 1979, I guess it was, Bob,  
19 around there?

20 MR. STRAILEY:

21 I'd say.

22 MR. ROE:

23 Just wanted to thank you for your many  
24 years of service to the State and to the Game  
25 Commission, and best of luck on your retirement.

1 Thank you.

2 CHAIR:

3 Bob, I'm getting to the point where the  
4 word retire is sounding better and better all the  
5 time. And I'm hanging around with way too many  
6 retired people. They don't have to check their  
7 calendars, check their watch, or anything. So good  
8 luck on that. I think you'll adapt well. At this  
9 time, we will move into the adopted rulemaking.

10 ATTORNEY BECHTEL:

11 Yes. The first item to come before the  
12 Commission today comes from the Bureau of Wildlife  
13 Management. It is adopted rulemaking, the adoption to  
14 proposed amendment to Section 139.4. To effectively  
15 manage the wildlife resources of this Commonwealth,  
16 the Game Commission proposed at its January 24th, 2012  
17 meeting, to amend Section 139.4, relating to the  
18 season and bag limits for the license year, to provide  
19 updated seasons and bag limits for the 2012-2013  
20 hunting license year. These are shown on Exhibit A on  
21 pages three through ten of your agenda.

22 CHAIR:

23 Okay. At this time, do I have a motion  
24 to adopt the proposed amendment to Subsection 139.4?

25 MR. WEANER:

1 So moved.

2 CHAIR:

3 Commissioner Weaner. Second?

4 MR. SCHLEMMER:

5 Second.

6 CHAIR:

7 Commissioner Schlemmer. Is there any  
8 discussion? During the discussion, for the seasons  
9 and bag limits, we are going to go through this item  
10 page by page. Any proposed amendments will be handled  
11 one at a time. And at this time, I think we can dig  
12 in on page three of Exhibit A in your agenda. Do I  
13 hear any discussion or any amendment to page three?  
14 Okay. We'll move on to page four.

15 MR. DELANEY:

16 Yes, Mr. President. I do have an  
17 amendment on page four.

18 CHAIR:

19 Commissioner Delaney.

20 MR. DELANEY:

21 If we could go down towards the bottom of  
22 the page where it reads hare, snowshoe rabbit, or  
23 varying hare, my amendment is to move to close the  
24 snowshoe hare season statewide except for the  
25 following WMUs. WMU2G, WMU3A, and WMU4F.

1                   MR. WEANER:

2                   Second.

3                   CHAIR:

4                   Do you mean 4F or 2F?

5                   MR. DELANEY:

6                   My apologies. I'll repeat that again.

7 WMU2G, WMU3A, and in northwestern Pennsylvania, WMU2F.

8 Does that clarify things, Mr. President?

9                   CHAIR:

10                  Yeah. Those are all contiguous and that

11 makes it a little bit clearer and it makes it a unit

12 in the north central.

13                  MR. DELANEY:

14                  Writing error on my behalf.

15                  CHAIR:

16                  So let me repeat. Snowshoe hare or

17 varying hare, the season of December 26th to January

18 1st would be closed statewide except in Units 2G, 3A,

19 and 2F; is that correct, Commissioner Delaney?

20                  MR. DELANEY:

21                  That's correct.

22                  CHAIR:

23                  Do I have a second?

24                  MR. PUTNAM:

25                  Second.

1                   MR. WEANER:

2                   I still second it.

3                   CHAIR:

4                   Putnam, second. Is there any discussion  
5 on this motion?

6                   MR. DELANEY:

7                   Yes, Mr. President, I do have some  
8 discussion, opinions that I'd like to offer.  
9 Certainly, I believe this is a large and complex  
10 issue. I think we've had some reasonable discussions  
11 with the Bureau of Wildlife Management at our working  
12 group meeting. And from what I have seen to date, we  
13 have very little science to support season.

14                   Number two, the snowshoe hare is a  
15 species of special concern in Pennsylvania. It's  
16 noted that there's been some fairly severe habitat  
17 loss. The 2010-2012 --- I'm sorry. The 2011-2012  
18 season was one of our warmest on record and very  
19 little snow for an animal that turns white in  
20 Pennsylvania's woods. What has driven this for me to  
21 bring to the table actually has been hunter interest.  
22 Hunters are the ones that brought it to me with their  
23 concerns, particularly in northeastern Pennsylvania.  
24 It's been said that we really don't know what's  
25 happening to the species. It's also been said we

1 don't have a lot of metrics to judge the change in  
2 hare populations.

3           Doctor Diefenbach, back in 2005, has said  
4 he's convinced the state is in danger of losing them  
5 all together. And I actually support and advocate the  
6 agency to just do some research. And when they come  
7 back, that we have a viable population certainly, you  
8 know, consider reopening the season. That would be my  
9 opinion.

10                   CHAIR:

11           Thank you. Is there any other  
12 discussion? Mr. Putnam.

13                   MR. PUTNAM:

14           Thank you, Mr. President. The snowshoe  
15 hare is a species that's near and dear to me. I grew  
16 up hunting snowshoe hares in McKean County, and it was  
17 always the highlight of our Christmas season, getting  
18 out after hares. The hares have experienced a pretty  
19 significant decline based on my observations.

20 However, in about the last five or six or so years,  
21 we've seen increased cuttings in the areas that I hunt  
22 and a reduced deer population that has allowed some  
23 pretty significant rebounding of hare habitat.

24           Talking to the hare hunters, and I've had  
25 much more communication with hare hunters in the last

1 several years, they seem to be seeing an increase in  
2 the north central. I've asked them, and I reported  
3 this, I think, at the last meeting, that when I asked  
4 the hare hunters how they were doing and whether they  
5 would like to see a longer season. None of them asked  
6 for a longer season. But they are seeing a fairly  
7 good number on the north central. So I am very  
8 excited that they have finally gotten on the radar  
9 screen and we're going to take a good look at them.  
10 And I support continuing the hunting in the north  
11 central and closing the rest of the state. Thank you.

12 CHAIR:

13 Any further discussion? Hearing none,  
14 we'll vote. All those in favor signify by saying aye.

15 ALL AYES RESPOND

16 CHAIR:

17 Opposed?

18 MR. PUTNAM:

19 Mr. President, the motion passes  
20 unanimously.

21 CHAIR:

22 Anymore discussion on page four? Moving  
23 on to page five, do I hear any discussion from page  
24 five? Page six? Page seven?

25 MR. SCHREFFLER:

1 Mr. President.

2 CHAIR:

3 Commissioner Schreffler.

4 MR. SCHREFFLER:

5 I have two amendments to make on page  
6 seven. The first amendment is to add Wildlife  
7 Management Unit 4D to the regular firearms season,  
8 antlered and antlerless from November 26th to December  
9 8th, and remove it from W Wildlife Management Unit 4D  
10 from deer, regular firearms, November 26th to November  
11 30th.

12 The second amendment, which I'd like to  
13 have voted separately, is to add Wildlife Management  
14 Unit 4B to the deer, regular firearm season, antlered  
15 and antlerless, November 26th to December 8th, and  
16 remove Wildlife Management 4B from the deer, regular  
17 firearms, antlerless --- antlered only, November 26th  
18 to December 8th.

19 CHAIR:

20 Okay. Commissioner Schreffler, would you  
21 please restate your first amendment?

22 MR. SCHREFFLER:

23 First one was to add 4D to the deer,  
24 regular firearms, antlered and antlerless, November  
25 26th to December 8th.

1                   CHAIR:

2                   Okay. Gentlemen, we have a motion. Do I  
3 have a second for this motion? Hearing none, the  
4 amendment fails. Commissioner Schreffler, would you  
5 state your second amendment please?

6                   MR. SCHREFFLER:

7                   The second amendment was to add Wildlife  
8 Management Unit 4B to the deer, regular firearm  
9 season, antlered and antlerless, November 26th to  
10 December 8th, and remove it from the deer, antlered  
11 only, November 26th to December 8th.

12                   CHAIR:

13                   Okay. Gentlemen, you've heard  
14 Commissioner Schreffler's second amendment on 4B. Do  
15 I hear a second?

16                   MR. PUTNAM:

17                   Second.

18                   CHAIR:

19                   Okay. I have a second from Commissioner  
20 Putnam. Any discussion on moving 4B as stated by  
21 Commissioner Schreffler?

22                   MR. SCHREFFLER:

23                   Yes.

24                   CHAIR:

25                   Commissioner Schreffler?

1                   MR. SCHREFFLER:

2                   I got several comments about that from  
3 hunters in that area. One said we hunt private lands  
4 in several locations in 4B, which seem to be  
5 overpopulated with doe, and my kids could not fill  
6 their tags because they couldn't shoot doe the first  
7 two days when available. Another one said they was  
8 hoping that a full two-weeks in current season would  
9 be approved for this unit.

10                  I found that a lot of hunters have been  
11 moving --- actually voting with their boots by going  
12 to those areas that have concurrent seasons, and they  
13 would prefer to have concurrent seasons where they  
14 are. Our research here by the Game Commission, we  
15 spent a lot of valuable funds for research on the  
16 split season, and found that it did not accomplish  
17 those objectives. And the hunters were not actually  
18 more satisfied, which I'm finding in a lot of comments  
19 I'm getting. And that the deer management goals were  
20 not met in those cases.

21                  The limiting doe allocations, and  
22 allocation was the way to go, is much more effective  
23 in meeting management objectives or limiting the  
24 opportunity or season length for our hunters and  
25 especially for our youth. So I really think this is

1 important here for the scientific matters as well as  
2 providing opportunities for our hunters, which seemed  
3 to be more and more in favor of having this concurrent  
4 season in this wildlife management unit. Thank you.

5 CHAIR:

6 Thank you, Commissioner Schreffler. Is  
7 there any other discussion? Commissioner Weaner?

8 MR. WEANER:

9 Unit 4B is largely within the territory  
10 that I represent and while I concur with some of the  
11 arguments put forth for returning this, I would --- I  
12 think we made a number of changes the last couple of  
13 years. We changed --- which are concurrent whether or  
14 not for several years in a row. And we have a study  
15 ongoing which will present us information on possibly  
16 changing the boundaries, possibly changing boundaries  
17 of WMUs here in June.

18 And what I'd like to do is I'd like to  
19 get that report and take a look at what the WMUs look  
20 like for the following season. And, you know, at some  
21 point, I might be able to concur and say we ought to  
22 go statewide with all of the --- or concur with all of  
23 the state. But at this point, to make one more  
24 change, and we've been making several changes in the  
25 past, I think it adds to the confusion, and I'd like

1 to wait until next year and do the whole thing. So  
2 therefore, I choose to vote no to this amendment.

3 CHAIR:

4 Commissioner Putnam.

5 MR. PUTNAM:

6 While I seconded the motion, I don't  
7 necessarily favor the change. I wanted to stimulate  
8 the discussion on this particular topic. I'm torn on  
9 some of these other units as well between the  
10 shortened season, the changing of the allocations  
11 based on what the biologists' recommendations are. I  
12 think in general, our biologists are right on with the  
13 numbers that they're suggesting for these units.  
14 We've shortened the seasons in some cases, as  
15 Commissioner Schreffler said, to address the concerns  
16 of people who aren't seeing enough deer. We still  
17 didn't --- we didn't get much of a positive response  
18 from doing that.

19 I would favor the 12-day concurrent  
20 season in all the units once we complete the WMU study  
21 next year. Hopefully, we'll have something we can all  
22 live with there. So while I concur with most of the  
23 arguments that Commissioner Schreffler made, I'll  
24 agree with Commissioner Weaner, that we've made enough  
25 changes. We should try to go forward with a minimum

1 amount now.

2 CHAIR:

3 Commissioner Schreffler?

4 MR. SCHREFFLER:

5 Yes. I'd just like to say a few things.  
6 We talked about confusion among hunters. I think the  
7 real confusion isn't that we're making the change if  
8 we adapt it, but when you go from one side of a  
9 highway to the other, and one side has the split  
10 season and the other side has the concurrent season,  
11 and the doe run across the road, I think sometimes  
12 that's hard to understand amongst hunters. And also  
13 to understand that they may be hunting in a particular  
14 county or geographic area, wherever, and part of it is  
15 not concurrent and the other part is separate seasons.  
16 So I think it's a lot simpler and less complex to the  
17 hunters if we have at least those WMUs that are next  
18 to each other similar or the same, same seasons.

19 The other thing is that we found that ---  
20 and it was reported yesterday by a biologist, that  
21 allocations, not season length, are the way --- are  
22 actually the way we really manage the deer herd. And  
23 the concurrent season is actually more effective in  
24 managing the deer. And what we can find is that it  
25 stabilizes the deer herd even more effectively than

1 the split season. So I really think that this is not  
2 going to be a big dramatic change for anybody. I  
3 think that the hunters are going to like it. I hear  
4 from the hunters, and they asked for it. I don't  
5 think it's --- you know, I think it's a move in the  
6 right direction in this area which we see from --- we  
7 see actually a rise in population in the deer herd.

8 CHAIR:

9 Thank you, Commissioner Schreffler. Any  
10 other discussion? Commissioner Delaney?

11 MR. DELANEY:

12 Commissioner Schreffler, I just ask you  
13 to repeat your opinion on what the sportsmen want in  
14 2B which is the limited season to the concurrent. You  
15 made some analogies of the split season versus the  
16 concurrent and what sportsmen want about regarding 2B.

17 MR. SCHREFFLER:

18 Well, about 4B.

19 MR. DELANEY:

20 4B?

21 MR. SCHREFFLER:

22 Yeah, 4B.

23 MR. DELANEY:

24 Yeah, I'm sorry. 4B. Give me 4B.

25 MR. SCHREFFLER:

1                   Yeah, I'm sorry. Well, what I've been  
2 getting is a lot of --- I've been getting a lot of  
3 communication from hunters that they would like the  
4 two-week concurrent season. And that some of them are  
5 disappointed that --- especially when they have young  
6 hunters with them that are out there. They're seeing  
7 a lot of does in the first two days when the kids are  
8 off school. They can't shoot the deer. And then they  
9 have conflicts with scheduling other activities,  
10 school and maybe job opportunities or job conflicts,  
11 that they don't get out to hunt more after that. So  
12 they were unable to fill their tags. And so they have  
13 been asking for this.

14                   The other thing that's very interesting  
15 is that I'm getting all kinds of reports, and I've  
16 actually observed this because I live right next to a  
17 game lands that has concurrent seasons. And the  
18 increase in hunters to that area from other areas who  
19 come there because the first days are not concurrent  
20 in the surrounding wildlife management units. So they  
21 come to the wildlife management unit that they can  
22 hunt either doe or antlers --- or bucks. And so in  
23 essence, what they're doing is they're voting with  
24 their boots. They are going to an area where they  
25 find the opportunity to hunt. It's sort of a silent

1 vote, you might say, for in essence, they're voting  
2 with their boots, that they want a concurrent season.

3           It was interesting in the very beginning  
4 of this whole thing, when we tried to encourage  
5 enthusiasm amongst the hunters by splitting the season  
6 so they would see a lot of deer going by and getting  
7 enthusiastic and wanting to hunt and to move into the  
8 areas like 2G and so on where they weren't seeing as  
9 many deer. It didn't work out that way. And after we  
10 had the concurrent seasons, we found that the hunters  
11 became more and more in favor of them and actually  
12 began to like the concurrent season. And as they  
13 understood that the allocation's the thing that really  
14 determines the population of deer and not the season  
15 length or the opportunity, they began to understand  
16 that concurrent season was the better way to go.

17           A lot of rifle hunters have this feeling  
18 that, you know, you span the seasons and done things  
19 for other hunting groups, and they're the last one on  
20 the list a lot of times. And they're saying that this  
21 opens opportunity for them. And I also hear a lot of  
22 from hunters who own properties in these areas, who  
23 work out of state or come back here to hunt or they  
24 were family properties. And they say that this  
25 actually opens up and provides opportunity for them.

1 This is one area that --- 4B is one area in the  
2 Wildlife Management Unit that could stand the  
3 concurrent season.

4                   But I'd rather go with the lower  
5 allocation and the 12 days rather than having a higher  
6 allocation and just have the five and seven split  
7 season. I think it makes more sense. And I think a  
8 lot of hunters are coming to that conclusion also.

9                   MR. DELANEY:

10                   Commissioner, I just wanted to mention to  
11 you, we just had a 2011 Pennsylvania deer hunter  
12 survey done. And really, it had a lot to say there.  
13 Fifty-two (52) percent, or the majority of sportsmen,  
14 favor the five day antlered followed by the seven day  
15 antlerless. I mean, that's the only point I'm trying  
16 to make. You said a lot of hunters want it, but I  
17 think this 2011 Pennsylvania deer survey by the agency  
18 staff has said something a little bit different than  
19 what you said. But I'm done with my opinion. And  
20 thanks for allowing me to have some commentary.

21                   CHAIR:

22                   Commissioner Putnam?

23                   MR. PUTNAM:

24                   To follow up, I do agree with most of  
25 what Commissioner Schreffler said. I think we should

1 be working to a 12-day concurrent season. I think  
2 this is an excellent discussion to start the process  
3 for next year, which I would strongly favor. I'm not  
4 in favor of making anymore changes at the moment. I  
5 specifically would like to change 3A if I could to the  
6 point to satisfy the people in the part of 3A that  
7 have very low numbers of deer. But the majority if 3A  
8 has very good deer population. And I'm not sure that  
9 are we drawing the management unit boundary, will it  
10 be able to help something like that? 3A's a  
11 relatively small unit. We're going to have to ---  
12 we're always going to draw the line, and there's  
13 always going to be inequities on either side of the  
14 line. And I think that's probably a discussion we'll  
15 have as we talk about redrawing the --- redrawing the  
16 management units. But at this time, I favor just  
17 making minimal amount of changes.

18 CHAIR:

19 I'm afraid to ask for a discussion  
20 further. At this point, seeing now that we have a  
21 motion by Commissioner Schreffler to move 4B from the  
22 12-day --- five day/seven day split to a 12-day  
23 concurrent, we'll have a vote. All those in favor  
24 signify by saying aye.

25 ALL AYES RESPOND

1                   CHAIR:

2                   Opposed?

3 ALL NOS RESPOND

4                   MR. PUTNAM:

5                   Mr. President, the motion fails by a vote  
6 of five to one.

7                   CHAIR:

8                   Okay. Also on page seven, I would like  
9 you to look at the very top.

10                  MR. SCHREFFLER:

11                  Excuse me. I had two amendments.

12                  CHAIR:

13                  Yeah, that was a while ago.

14                  MR. SCHREFFLER:

15                  Short memory.

16                  CHAIR:

17                  Sorry. At the top where it says deer,  
18 archery, first day, September 29th, the last day,  
19 November 10th, I would like to propose a motion to  
20 move that last day to Monday, November 12th. That's  
21 adding a single day to the archery season. However,  
22 that's my motion.

23                  MR. SCHLEMMER:

24                  Second.

25                  MR. WEANER:

1 Mr. President, point of order. As  
2 president, you can't make a motion.

3 CHAIR:

4 Oh.

5 MR. WEANER:

6 But I would make that motion for you.

7 CHAIR:

8 Thank you. Commissioner Weaner actually  
9 teaches this stuff, so he has one over on me.  
10 Commissioner Weaner, would you state your motion?

11 MR. WEANER:

12 I move that we change the date of  
13 November 10th to November 12th.

14 CHAIR:

15 Do I have a second?

16 MR. SCHLEMMER:

17 You have a second.

18 CHAIR:

19 Commissioner Schlemmer, second. Any  
20 discussion?

21 MR. SCHLEMMER:

22 Yes, Mr. President. Would you put forth  
23 why you would like to do this?

24 CHAIR:

25 Okay. As I was stating before, that

1 Monday happens to be Veteran's Day where we have a lot  
2 of people and schools have a day off. We thought it  
3 would --- I thought it would add some recreational  
4 value by adding a single day to the archery season.  
5 That was my consideration. Any other discussion on  
6 this?

7 MR. WEANER:

8 I would add one thing. Even though I  
9 made the motion, our school doesn't have off and it  
10 doesn't benefit me at all.

11 CHAIR:

12 Neither does mine. Any other discussion?  
13 Seeing none, we'll proceed to vote. All those in  
14 favor of this motion signify by saying aye.

15 ALL AYES RESPOND

16 CHAIR:

17 Opposed?

18 MR. PUTNAM:

19 Mr. President, the motion passes  
20 unanimously.

21 CHAIR:

22 Thank you. Any other changes to page  
23 seven? On to page eight. I'm going to take about a  
24 two-minute break here.

25 SHORT BREAK TAKEN

1                   CHAIR:

2                   An important thing, our discussion was  
3 whether the President can or can't make a motion. And  
4 the discussion came out to be maybe. But to solve our  
5 problem in a better way, at this time I'm going to ask  
6 does anybody have any amendments to page eight?  
7 Commissioner Weaner?

8                   MR. WEANER:

9                   Mr. President, with regard to the black  
10 bear, right in the middle of the page, I move to  
11 withdraw from bear archery where it says WMU1A, remove  
12 that. Down where it says bear muzzleloader, WMU1A,  
13 remove that. Next to the bottom where it says bear,  
14 extended firearms, WMU1A, remove that.

15                   CHAIR:

16                   Okay. You heard Commissioner Weaner's  
17 motion. Do I have a second?

18                   MR. DELANEY:

19                   Second.

20                   CHAIR:

21                   Second, Commissioner Delaney. Do I have  
22 any discussion? Commissioner Weaner?

23                   MR. WEANER:

24                   The primary reason for removing this is,  
25 as you had alluded to yesterday, we've all gotten

1 quite a bit of correspondence from hunters that hunt  
2 in this Wildlife Management Unit 1A. And through, you  
3 know, I think it would be prudent to remove that from  
4 all the other extended seasons that we're proposing  
5 for this couple WMUs.

6 CHAIR:

7 And I'll add that, you know, I mentioned  
8 it yesterday as well. I'd like to repeat that. This  
9 is the way the process works the best. We've heard  
10 from a lot of people living in 1A that there is some  
11 excellent bear habitat, particularly on the northeast  
12 corner where Venango County touches it. And I think  
13 again we're responding to those constituents that  
14 addressed it. I would like to ask Cal, can you  
15 comment on this, removing 1A from this proposal?

16 MR. DUBROCK:

17 It was one of the issues that got the  
18 most public attention over the last few months. We  
19 had in excess of 100 letters asking that 1A be  
20 removed. And it was the only Wildlife Management Unit  
21 mentioned actually for the seven units --- the five  
22 units that were being proposed in this extended. And  
23 the staff certainly supports the removal of 1A.

24 CHAIR:

25 Thank you. Any further discussion?

1 Hearing none, we'll proceed to vote. The motion is to  
2 remove 1A from bear archery, bear muzzleloader, and  
3 bear extended firearms. All those in favor, signify  
4 by saying aye.

5 ALL AYES RESPOND

6 CHAIR:

7 Opposed?

8 MR. SCHREFFLER:

9 Mr. President, the motion passes  
10 unanimously.

11 CHAIR:

12 Any further amendments or motions to page  
13 eight? Page nine? Page ten? Okay. At this time, we  
14 have an amended motion which encompasses all of  
15 Exhibit A in your agenda. If passed, pages three  
16 through ten, including the amendments that were made,  
17 will be approved. Do I have any motion to accept  
18 these amendments to this amended exhibit?

19 MR. WEANER:

20 We already had the motion.

21 CHAIR:

22 Oh, okay. I'm sorry. Is there any  
23 further discussion on this? Hearing none, would you  
24 please vote by raising one hand to signify if you're  
25 voting in favor by raising one hand?

1 ALL HANDS RESPOND

2 CHAIR:

3 Those opposed, raise one hand. Mr.  
4 Secretary?

5 MR. PUTNAM:

6 Mr. President, the motion passes  
7 unanimately.

8 CHAIR:

9 Thank you.

10 ATTORNEY BECHTEL:

11 The next item to come before the Board  
12 today would be the adoption of proposed amendments to  
13 Section 141.28, to effectively manage the wildlife  
14 resources of this Common, the Game Commission proposed  
15 at its January 24th, 2012 meeting to amend Section  
16 141.28, relating to wild pheasant recovery areas, to  
17 eliminate the Pike Run wild pheasant recovery area,  
18 and to include crows to the list of species that can  
19 be hunted within wild pheasant recovery areas starting  
20 the first Sunday in February. The text of this  
21 amendment is shown on pages 12 through 14 of your  
22 agenda.

23 CHAIR:

24 Do I have a motion to adopt the proposed  
25 amendments to subsection 141.28 as stated?

1                   MR. PUTNAM:

2                   Motion.

3                   CHAIR:

4                   Commissioner Putnam.

5                   MR. WEANER:

6                   Second.

7                   CHAIR:

8                   Second, Commissioner Weaner. Is there  
9 any discussions? Seeing none, we'll proceed to vote.  
10 All those in favor vote by saying aye.

11 ALL AYES RESPOND

12                   CHAIR:

13                   Opposed? No?

14                   MR. PUTNAM:

15                   Mr. President, the motion passes  
16 unanimously.

17                   CHAIR:

18                   Thank you, Mr. Secretary.

19                   ATTORNEY BECHTEL:

20                   The next item is concerning the adoption  
21 of proposed amendment 141.62, to amend that section  
22 relating to beaver trapping, to extend the 15-foot  
23 trap placement restriction near beaver dams and lodges  
24 statewide and extend the body-gripping trap limit of  
25 ten to wildlife management units where beaver bag

1 limits are 40 or more per season. The text of these  
2 amendments are shown on pages 16 of your agenda.

3 CHAIR:

4 Do I have a motion to adopt the proposed  
5 amendment to subsection 141.62 as stated?

6 MR. DELANEY:

7 So moved.

8 CHAIR:

9 Commissioner Delaney. Second?

10 MR. WEANER:

11 Second.

12 CHAIR:

13 Commissioner Weaner. Any discussion?

14 Hearing none, all those in favor say aye.

15 ALL AYES RESPOND

16 CHAIR:

17 Opposed?

18 MR. PUTNAM:

19 Mr. President, the motion passes

20 unanimously.

21 CHAIR:

22 Thank you.

23 ATTORNEY BECHTEL:

24 The next item concerns the adoption of  
25 proposed amendments to Section 147.808 (sic), to amend

1 this section relating to general to allow a mentor to  
2 transfer a valid fall turkey license to an eligible  
3 mentored youth upon the harvest of a fall turkey. The  
4 text of this amendment is shown at page 18 of your  
5 agenda.

6 CHAIR:

7 Do I have a motion to adopt the proposed  
8 amendment to Subsection 147.804 as stated?

9 MR. SCHLEMMER:

10 Motion.

11 CHAIR:

12 Commissioner Schlemmer. Second?  
13 Commissioner Weaner?

14 MR. WEANER:

15 Second.

16 CHAIR:

17 Any discussion?

18 MR. DELANEY:

19 Just a point of clarification, Mr.  
20 President. I believe our Counsel said 147.808. My  
21 document says 147.804.

22 ATTORNEY BECHTEL:

23 It's 804.

24 CHAIR:

25 Okay. Thank you, Commissioner Delaney.

1 147.804. Any further discussion? I'd like to add,  
2 this is another step in our mentored youth program,  
3 and I think it's a very positive step. And I would  
4 like to thank the legislators for allowing us to add  
5 the antlerless doe tag transfer and now we have  
6 extended it to fall turkey, and I think it's a very  
7 good move. So I appreciate that. And I would  
8 encourage the Board to vote in favor. All those in  
9 favor of this motion, signify by saying aye.

10 ALL AYES RESPOND

11 CHAIR:

12 Opposed?

13 MR. PUTNAM:

14 Mr. President, the motion passes  
15 unanimously.

16 ATTORNEY BECHTEL:

17 The next item before the Board comes from  
18 the Bureau of Wildlife Protection. It concerns the  
19 adoption of proposed amendments to Section 135.50  
20 relating to definitions to delete references to 75  
21 Pa.C.S. Section 7702(3) relating to definitions, which  
22 no longer exists, and replace them with a generic  
23 exclusory reference. The text of this adoption is  
24 shown on page 20 of your agenda.

25 CHAIR:

1 Do I have a motion to adopt the proposed  
2 amendment to Subsection 135.50 as stated?

3 MR. WEANER:

4 So moved.

5 CHAIR:

6 Commissioner Weaner. Second?

7 MR. SCHREFFLER:

8 Second.

9 CHAIR:

10 Commissioner Schreffler. Is there any  
11 discussion? Commissioner Weaner?

12 MR. WEANER:

13 One thing we need to point out, this is  
14 basically a bookkeeping mechanism, and I want to be  
15 very, very clear that we are not extending any use of  
16 ATVs on game lands. I mean, nothing's changing. It  
17 says ATVs here. Nothing's changing. You can't ride  
18 an ATV on a game land if that passes. Thank you.

19 CHAIR:

20 Good point, Mr. Weaner. Any other  
21 discussion? At this time, we'll vote. All those in  
22 favor signify by saying aye.

23 ALL AYES RESPOND

24 CHAIR:

25 Opposed say no.

1                   MR. PUTNAM:

2                   Mr. President, the motion passes  
3 unanimously.

4                   CHAIR:

5                   Thank you, Mr. Secretary.

6                   ATTORNEY BECHTEL:

7                   The next item concerns the adoption of  
8 proposed amendments to Section 141.1 relating to  
9 special regulations areas to permit hunters to legally  
10 harvest deer during any deer season through the use of  
11 bait on properties authorized under a valid deer  
12 control permit, known as red tag farms, in wildlife  
13 management units 5C and 5D in the southeastern  
14 Pennsylvania special regulations areas. The text is  
15 shown on page 22 of your agenda.

16                   CHAIR:

17                   Do I have a motion to adopt the proposed  
18 amendments to Subsection 141.1 as stated?

19                   MR. SCHREFFLER:

20                   So moved.

21                   MR. WEANER:

22                   Second.

23                   MR. SCHREFFLER:

24                   What I'm moving is a replacement page  
25 that was supplied to us as my --- okay. Not yet.

1                   CHAIR:

2                   Do I have a second? Commissioner Weaner.  
3 Is there any discussion on this? Commissioner Weaner?

4                   MR. WEANER:

5                   Mr. President, I move to amend this  
6 motion by deleting the page 22 that's been presented  
7 before us and inserting the blue page 22 replacement.  
8 It says the same exact thing. It adds one sentence.  
9 The sentence is this limited authorization is valid  
10 only to the extent that persons comply with the  
11 standard and conditions as set forth in 147.556,  
12 relating to unlawful devices and methods.

13                   CHAIR:

14                   Thank you, Commissioner Weaner. We have  
15 a motion to amend as proposed by Commissioner Weaner.  
16 And it is on the additional blue page. It replaces  
17 page 22. Do I have a second?

18                   MR. SCHREFFLER:

19                   I second that.

20                   CHAIR:

21                   Commissioner Schreffler. Is there any  
22 discussion on the amended amendment?

23                   MR. WEANER:

24                   Mr. President?

25                   CHAIR:

1 Yes.

2 MR. WEANER:

3 I would suggest that we get someone to  
4 explain exactly what this is.

5 CHAIR:

6 Could you go ahead and explain the  
7 additional sentence please?

8 ATTORNEY BECHTEL:

9 Yeah. The additional language, as on the  
10 replacement page, basically it ensures that the  
11 persons that are going to be hunting through the use  
12 of bait, and it's very limited red tag areas, in a  
13 regular deer season will be required to comply with  
14 the same baiting restrictions as a red tag sub-  
15 permittee would be required to follow.

16 CHAIR:

17 Okay. Any discussion, further  
18 discussion?

19 MR. DELANEY:

20 Yes, Mr. President.

21 CHAIR:

22 Go ahead, Commissioner Delaney.

23 MR. DELANEY:

24 I really struggle with these baiting  
25 issues. You know, we told sportsmen or we talked with

1 the sportsmen, and we received some information from  
2 the deer team with regard to the baiting and its  
3 effects or not its effects. And while I recognize  
4 this is a narrow kind of acreage or issue, I really  
5 still have concerns with baiting and EHD or chronic  
6 wasting disease or tuberculosis, diseases of turkeys,  
7 mange, distemper, rabies, or raccoon, skunks. So I  
8 just think it's still not an easy issue. While I may  
9 support it because of the amount of deer some of these  
10 places have and the damage that they're doing, I just  
11 think that it's still contentious with some of the  
12 disease risks by doing that.

13 CHAIR:

14 Commissioner Schreffler?

15 MR. SCHREFFLER:

16 Yeah. I think this is a valid aid to  
17 some of the remaining farms in the special red areas  
18 around Philadelphia, in southeastern Pennsylvania.  
19 And I think it's needed, and I think they've had some  
20 problems with being able ---. You know, every time  
21 they've tried to control the deer, the deer disperse  
22 to neighboring properties. And hopefully the baiting  
23 will help bring them in so they can actually control  
24 the deer on the farms and to help them become  
25 economically viable, because there are a lot of other

1 pressures on them as well.

2 CHAIR:

3 I'd like to remark that I concur with  
4 Commissioner Delaney, and I would be opposed to this  
5 if it wasn't so narrowly focused and so limited. And  
6 that's what's convincing me that this is worth doing.  
7 But any wider spread of baiting, I would probably be  
8 opposed to. Any further discussion? Seeing none,  
9 we're voting on the amendment from Commissioner  
10 Weaner. All those in favor, signify by saying aye.

11 ALL AYES RESPOND

12 CHAIR:

13 Opposed?

14 MR. PUTNAM:

15 Mr. President, the amendment passes  
16 unanimously.

17 CHAIR:

18 Thank you, Mr. Secretary. Now, we need  
19 to complete the original motion for Subsection 141.1.  
20 We have that Commissioner Schreffler made and then  
21 seconded by Commissioner Weaner. Any further  
22 discussion on this original motion? All those in  
23 favor, signify by saying aye.

24 ALL AYES RESPOND

25 CHAIR:

1 Opposed?

2 MR. PUTNAM:

3 Mr. President, the original motion passes  
4 unanimately.

5 CHAIR:

6 Thank you, Mr. Secretary.

7 ATTORNEY BECHTEL:

8 The next item to come before the  
9 Commission is adoption of proposed amendments to  
10 Section 141.4, Appendix G, relating to hunting hours,  
11 by updating the current hunting hours table and  
12 migratory bird hunting hours table to accurately  
13 reflect the dates and hours of legal hunting for the  
14 2012-2013 hunting license year. The text of these  
15 changes is shown on pages 24 through 26 of your  
16 agenda.

17 CHAIR:

18 Okay. Gentlemen, the hunting hours  
19 tables as stated are on page 25 and on to page 26. Do  
20 I have a motion to adopt the proposed amendment to  
21 Subsection 141.4 as stated?

22 MR. SCHLEMMER:

23 So moved.

24 CHAIR:

25 Commissioner Schlemmer.

1                   MR. WEANER:

2                   Second.

3                   CHAIR:

4                   Second, Commissioner Weaner. Any  
5 discussion? All those in favor, signify by saying  
6 aye.

7 ALL AYES RESPOND

8                   CHAIR:

9                   Opposed, say no.

10                  MR. PUTNAM:

11                  Mr. President, the motion passes  
12 unanimously.

13                  CHAIR:

14                  Thank you, Mr. Secretary.

15                  ATTORNEY BECHTEL:

16                  The next item is the adoption of proposed  
17 amendments to Sections 141.43 and 141.44, relating to  
18 deer and bear, to delete the sunset language to  
19 effectively make permanent the authorized general use  
20 of crossbows during the archery deer and bear seasons.  
21 The text of this change is shown on page 28 of your  
22 agenda.

23                  CHAIR:

24                  This is final adoption for the inclusion  
25 of crossbows. Do I have a motion to adopt the

1 proposed amendment to Subsection 141.43 and 141.44 as  
2 stated?

3 MR. PUTNAM:

4 Motion.

5 CHAIR:

6 Commissioner Putnam. A second?

7 MR. WEANER:

8 Second.

9 CHAIR:

10 Commissioner Weaner. Is there any  
11 discussion? Commissioner Weaner.

12 MR. WEANER:

13 Mr. President, I move to amend this  
14 motion by striking everything that's written in the  
15 book here on page 28 and insert instead the blue  
16 addition page 28 that we were presented.

17 CHAIR:

18 Do all the Commissioners have the  
19 replacement for page 28 covering two pages? Okay. Do  
20 I have a second on Commissioner Weaner's motion to  
21 amend?

22 MR. PUTNAM:

23 Second.

24 CHAIR:

25 Commissioner Putnam. Any discussion?

1 Commissioner Weaner?

2 MR. WEANER:

3 Once again, I would suggest that we get  
4 expert help in explaining the differences between  
5 these two tables.

6 MR. DUBROCK:

7 Commissioner Weaner, the difference on  
8 your fore-amendment page as opposed to what was  
9 printed in the book primarily is with the final  
10 adoption in 139.4 of the muzzle-loading bear season.  
11 On the second page of your replacement, you'll see  
12 that we needed to establish permitted devices for that  
13 particular season, there not having been a  
14 muzzleloader bear season in the past. There was no  
15 specific section for that. And that is the added  
16 information.

17 CHAIR:

18 Any further discussion? Mr. Schlemmer?

19 MR. SCHLEMMER:

20 Yes, I'd like to question. It's saying  
21 the crossbow and bolts. Are we still using the  
22 various bolts or is there common terminology referring  
23 to an arrow in this instance?

24 MR. DUBROCK:

25 It's been my experience the Agency has

1 always used the term bolt in describing the projectile  
2 that is used with the crossbow. And that has not  
3 changed to this point.

4 MR. SCHLEMMER:

5 Thank you.

6 CHAIR:

7 Any further discussion? Commissioner  
8 Weaner?

9 MR. WEANER:

10 Yeah. I was one of the opposed to the  
11 whole crossbow issue initially. And as I said at the  
12 last meeting, it still bugs me to be voting on this,  
13 but we can't take them away at this point. We knew  
14 that when the vote was last a couple years ago, so I  
15 reluctantly urge you all to support this motion.

16 CHAIR:

17 Thank you, Commissioner Weaner. Any  
18 further discussion? We're now voting on the amended  
19 motion by Commissioner Weaner. No further discussion?  
20 All those in favor of the amendment motion, signify by  
21 saying aye.

22 ALL AYES RESPOND

23 CHAIR:

24 Opposed? Mr. Secretary?

25 MR. PUTNAM:

1                   Mr. President, the amendment passes  
2 unanimously.

3                   CHAIR:

4                   Okay. And now we would be back to the  
5 original motion which was stated --- it was made by  
6 Commissioner Putnam and seconded by Commissioner  
7 Weaner. Any further discussion on the original  
8 motion? Hearing none ---?

9                   MR. DELANEY:

10                   Yes, Mr. President.

11                   CHAIR:

12                   Yes.

13                   MR. DELANEY:

14                   I just think I need to add just to the  
15 discussion too and not to reiterate what we talked  
16 about, but I was one that also voted against the  
17 crossbow when we first started this. And I'm going to  
18 vote in the affirmative for it today because they are  
19 a legal weapon. I think it's done a lot of good for  
20 the sport. But I would still challenge our Bureau of  
21 Wildlife Management to monitor the harvest figures of  
22 the antlered deer with regard to the increase harvest  
23 as we move forward.

24                   CHAIR:

25                   Thank you, Commissioner Delaney. Any

1 further discussion?

2 MR. SCHREFFLER:

3 Yes.

4 CHAIR:

5 Commissioner Schreffler?

6 MR. SCHREFFLER:

7 I would just like to say that I echo what  
8 Mr. Delaney --- Commissioner Delaney just said. I  
9 also was originally opposed. I think the hunters have  
10 quite an investment. Also hunting oftentimes just  
11 boils down to how good a hunter you are and not the  
12 weapon you have. But I also would like to see the  
13 Bureau of Wildlife Management closely monitor the  
14 harvest of bucks in the future.

15 CHAIR:

16 Thank you. Further discussion? Hearing  
17 none, all of those in favor signify by saying aye.

18 ALL AYES RESPOND

19 CHAIR:

20 Opposed?

21 MR. PUTNAM:

22 Mr. President, the motion passed  
23 unanimously.

24 CHAIR:

25 Thank you, Mr. Secretary.

1                   ATTORNEY BECHTEL:

2                   The next item concerns proposed  
3 rulemaking. The Commission is proposing to amend the  
4 Pa. Code Section 131.2 by creating, amending, and  
5 deleting certain definitions. The first amendment  
6 involves the removal of two sentences from the  
7 definition of a bow. The first sentence concerns the  
8 prohibition of devices commonly known as draw-locks on  
9 bows. The Commission determined that the prohibition  
10 of this drawing aid was no longer necessary given the  
11 recent expansion to permit crossbows during archery  
12 season. The contents of the second sentence were  
13 deemed redundant to similar language recently created  
14 in Section 141.43, relating to deer, and are therefore  
15 no longer necessary.

16                   The second amendment involves the  
17 addition of the definition of decoy. And the third  
18 amendment involves the addition of the definition of  
19 meat or animal products. The text of these  
20 definitions are shown on pages 29 and 30 of your  
21 agenda.

22                   CHAIR:

23                   Okay. Gentlemen, the first amendment is  
24 a change in language to permit the use of draw-locks  
25 in archery. The second amendment is definition for

1 decoys. Third, definition for meat and animal  
2 products for use in taking furbearers. That said, do  
3 I have a motion to amend 58 Pa. Code Subsection 131.2  
4 as stated?

5 MR. WEANER:

6 So moved.

7 CHAIR:

8 Commissioner Weaner. Do I have a second?

9 MR. PUTNAM:

10 Second.

11 CHAIR:

12 Commissioner Putnam. Any discussion?

13 Hearing none, we'll proceed to vote. All those in  
14 favor, signify by saying aye.

15 ALL AYES RESPOND

16 CHAIR:

17 Opposed?

18 MR. PUTNAM:

19 Mr. President, the motion passes

20 unanimously.

21 CHAIR:

22 Thank you.

23 ATTORNEY BECHTEL:

24 On April 24, 2012, the Commission finally  
25 adopted amendments to 58 Pa. Code Section 139.4,

1 relating to seasons and bag limits for the license  
2 year, to among other things, expand fall turkey  
3 hunting opportunities in WMUs 1A, 1B, and 2A, by  
4 removing the shotgun, bow, and arrow only limitation.  
5 This amendment will effectively allow hunters within  
6 WMUs 1A, 1B, and 2A to hunt fall turkey with rifles.  
7 As a result of this change, the Commission is  
8 proposing to amend Section 141.20 to apply the more  
9 restrictive fluorescent orange requirements to WMUs  
10 1A, 1B, and 2A that apply to all other WMUs where use  
11 of rifles to hunt turkey is authorized. The text of  
12 this change is shown on page 31 of your agenda.

13 CHAIR:

14 Okay. Gentlemen, the amendment you just  
15 heard is designed to accommodate the addition of  
16 rifles to fall turkey by adjusting the fluorescent  
17 orange requirements for 1A, 1B, and 2A. Do I have a  
18 motion to amend 58 Pa. Code 141.20 as stated?

19 MR. SCHREFFLER:

20 So moved.

21 CHAIR:

22 Commissioner Schreffler.

23 MR. WEANER:

24 Second.

25 CHAIR:

1 Commissioner Weaner. Is there any  
2 discussion on this? Hearing none --- oh, I'm sorry.  
3 Mr. Putnam.

4 MR. PUTNAM:

5 The issue of hunting turkeys with rifles  
6 always brings up the point of safety. I reviewed the  
7 --- all of our reports of hunter-related shooting  
8 incidents. I don't believe there's ever been a case  
9 of a hunter shot with a rifle who had orange that was  
10 visible to the shooter. We did have quite a few  
11 incidents, many of them fatal. And that's the problem  
12 with rifles. Rifles are more often fatal than  
13 shotguns. But I don't believe we've ever had a hunter  
14 shot in mistake who had orange that was visible to the  
15 shooter with a rifle.

16 And the same would go --- most of our  
17 hunting-related shooting incidents involve people  
18 violating the law and not complying with our orange  
19 law. There are times when they, like me, who hide  
20 down in a hole and can be fully dressed in orange and  
21 I'm still pretty well hidden. That can always occur.  
22 But if hunters are wearing orange that's visible to  
23 the shooter, very, very few people were shot in  
24 Pennsylvania.

25 CHAIR:

1 Thank you, Commissioner Putnam. Any  
2 other discussion on this? Hearing none, all those in  
3 favor say aye.

4 ALL AYES RESPOND

5 CHAIR:

6 Opposed?

7 MR. PUTNAM:

8 Mr. President, the motion passes  
9 unanimously.

10 ATTORNEY BECHTEL:

11 The next item is also an amendment. The  
12 Commission has recently reviewed its policy concerning  
13 what it requires from licensed hunters and trappers  
14 who change their residency from resident to  
15 nonresident and vice versa. Currently, if a  
16 Pennsylvania resident becomes a nonresident after  
17 having previously purchased a hunting or furtaking  
18 license, that license is deemed invalid and the person  
19 is required to repurchase a nonresident hunting or  
20 furtaking license at full cost in order to continue  
21 engaging in hunting or trapping activities within this  
22 Commonwealth during that license year. The result is  
23 quite the opposite for nonresidents who become  
24 residents after having previously a hunting or  
25 furtaking license, whom are not required to repurchase

1 a new license or even report the change in residency.  
2 In both cases, the Commission has identified a value  
3 in obtaining updates from its license holders when a  
4 change in residency occurs. The Commission is  
5 proposing to create Section 143.13, relating to change  
6 of residency registration, to harmonize the approach  
7 that it takes concerning both types of residency  
8 change. Pursuant to this amendment, changes in  
9 residency will require the license holder to acquire a  
10 change in residency registration within 30 days of the  
11 change in residency, otherwise their license will  
12 automatically become invalid. Once a change of  
13 residency registration has been submitted, no further  
14 repurchase of license will be required for residents  
15 or nonresidents that have changed their residency  
16 status. The text of this change is shown on page 32  
17 below the commentary.

18 CHAIR:

19 Okay. Gentlemen, this amendment seldom  
20 used, a situation that might be encountered involves  
21 licensing of residents becoming nonresidents and  
22 nonresidents becoming residents during a license year.  
23 Do I have a motion to amend 58 Pa. Code Chapter 143  
24 adding Subsection 143.13 as stated?

25 MR. SCHREFFLER:

1 So moved.

2 CHAIR:

3 Commissioner Schreffler. Second?

4 MR. SCHLEMMER:

5 Second.

6 CHAIR:

7 Commissioner Schlemmer. Any further  
8 discussion? All those in favor signify by saying aye.

9 ALL AYES RESPOND

10 CHAIR:

11 Opposed?

12 MR. PUTNAM:

13 Mr. President, the motion passes  
14 unanimously.

15 ATTORNEY BECHTEL:

16 The next item is also an amendment. On  
17 March 31st, 2010, the Commission's three-year  
18 evaluation of the effectiveness of a broad scale and  
19 widely accessible authorization permitting the baiting  
20 of white-tailed deer across the southeast special  
21 regulations area expired. The Commission's final  
22 review of the baiting authorization generally  
23 concluded that broad scale and widely accessible  
24 baiting did not establish viable increases in harvest  
25 rates to justify an extension of the experimental

1 program. On February 1st, 2011, the Commission  
2 amended Sections 147.552 and 147.556, relating to  
3 application and lawful devices, to create a focused,  
4 limited authorization permitting the baiting of white-  
5 tailed deer in WMUs 5C and 5D on approved properties  
6 enrolled in the red tag program. The Commission's  
7 reference to WMUs 5C and 5D was in error as this  
8 geographical reference is not compatible with the term  
9 special regulations areas as referenced in Section  
10 2308(b)(2), subsection three of the Act, relating to  
11 unlawful devices and methods, and described in Section  
12 141.1 Subsection B relating to the special regulations  
13 areas. The Commission is proposing to amend Section  
14 147.552, relating to application, to replace the  
15 reference to WMUs 5C and 5D with the more appropriate  
16 reference to the southeast special regulations areas.  
17 The text of this change is shown on page 33 below the  
18 commentary.

19 CHAIR:

20 This amends the code to accommodate the  
21 recent changes to permit very limited use of bait on  
22 red tag properties in 5C and 5D. Do I have a motion  
23 to amend 58 Pa. Code 147.552 as stated?

24 MR. SCHREFFLER:

25 So moved.

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CHAIR:

Commissioner Schreffler. Second?

MR. WEANER:

Second.

CHAIR:

Commissioner Weaner. Is there any discussion? Hearing none, all those in favor say aye.

ALL AYES RESPOND

CHAIR:

Opposed?

MR. PUTNAM:

Mr. President, the motion passes unanimously.

ATTORNEY BECHTEL:

The next item to come before the Commission is the Bureau of Wildlife Habitat Management. It concerns the donation of real estate, contract number 3601, State Game Land No. 264 in Dauphin County from the executors of the estate of David V. Randall. They have offered a donation to the Game Commission of 5.05 plus/minus acres in Wiconisco Township, Dauphin County located on the south-facing slope of Big Lick Mountain as shown on Exhibit Red 1 on page 35 of your agenda. The property is forested with oak, maple, and birch, and will act as a buffer

1 between backyards of existing residences and State  
2 Game Land No. 264.

3 CHAIR:

4 Do I have a motion to accept the donation  
5 of land as described by contract 3601, State Game  
6 Lands 264, Dauphin County?

7 MR. DELANEY:

8 So moved.

9 MR. WEANER:

10 Second.

11 CHAIR:

12 Commissioner Delaney. Second,  
13 Commissioner Weaner. Is there any discussion? All  
14 those in favor say aye.

15 ALL AYES RESPOND

16 CHAIR:

17 Opposed?

18 MR. PUTNAM:

19 Mr. President, the motion passed  
20 unanimously.

21 ATTORNEY BECHTEL:

22 The next item concerns two acquisitions.  
23 The first is contract number 3602, State Game Land  
24 Nos. 24 and 45 in Clarion and Venango Counties.  
25 Timbervest Partners II, Pennsylvania, LLC, is offering

1 for sale two tracts of land, one located in Clarion  
2 and one in Venango County. The first tract being  
3 offered is 82.10 more or less acres located in  
4 Farmington Township, Clarion County adjoining State  
5 Game Land No. 24 as shown on Exhibit Red 2 on page 38  
6 of your agenda. It's referred to as the Hall tract.  
7 The cost of the Hall tract is \$82,100 lump sum.

8           The second tract is 545 more or less  
9 acres located in Cranberry Township, Venango County  
10 adjoining State Game Land No. 45, as shown in Exhibit  
11 Red 3 on page 39 of your agenda. And it's referred to  
12 as the D. Vann tract. The cost of the D. Vann tract  
13 is \$473,000 lump sum. Acquiring this property will  
14 provide vital legal access into a portion of State  
15 Game Land No. 45, which is currently inaccessible.  
16 The D. Vann Tract contains an unnamed tributary to  
17 Sandy Creek, which borders the property to the east.  
18 And both properties have regenerating mixed northern  
19 hardwoods and shall be paid for with funds from third  
20 party commitments for compensation of habitat and  
21 recreational losses which occurred on State Game Lands  
22 from previously approved projects.

23           The second acquisition is Contract No.  
24 3603, State Game Lands Nos. 166, 147, and 41, in Blair  
25 and Bedford Counties. The Conservation Fund is

1 offering for sale 2,157.43 more or less acres of land  
2 in multiple tracts located in Frankstown, Blair,  
3 Taylor, and Catherine Townships, Blair County, and  
4 Bloomfield and Greenfield Townships, Bedford County  
5 adjoining or near State Game Land Nos. 166, 147, and  
6 41 as shown on page 40 of your agenda in Exhibit Red  
7 4.

8           The Conservation Fund is willing to sell  
9 the properties as a two-phase acquisition project.  
10 Phase one of the project shall include the acquisition  
11 of three separate tracts. The first being 403 more or  
12 less acres in Frankstown, Blair, and Taylor Townships,  
13 Blair County, adjoining State Game Land No. 147,  
14 referred to as the Reservoir tract. The second being  
15 95.88 more or less acres northwest of Roaring Spring  
16 in Taylor Township, Blair County, and referred to as  
17 Dunnings Ridge tract. And the third being 368.55 more  
18 or less acres located southeast of Claysburg in  
19 Bloomfield and Greenfield Townships, Bedford County,  
20 near State Game Land No. 41, and is referred to as the  
21 Dunnings I-99 tracts. These tracts are forested with  
22 mixed northern hardwoods in various age classes with  
23 mountain laurel understory at higher elevations and  
24 greenbrier, witch hazel, and grapevine thickets  
25 present at lower elevations. Rock outcroppings are

1 also present, especially at higher elevations on the  
2 Reservoir tract.

3                   Settlement on this phase shall be no  
4 later than June 21st, 2012. The cost for the three  
5 tracts will be \$625,000 to be paid with funds from  
6 third party commitments for compensation of habitat  
7 and recreational losses which occurred on State Game  
8 Lands from previously approved projects.

9                   Phase two of the project shall be the  
10 acquisition of 1,290 more or less acres in Frankstown  
11 and Catherine Townships, Blair County, adjoining State  
12 Game Land No. 166, and is referred to as the Beaver  
13 Dam tracts. The Beaver Dam tracts are forested with  
14 mixed northern hardwoods and lie within both an  
15 important mammal area and an important bird area,  
16 which support the existence of both state and  
17 federally listed species. The cost of the property  
18 shall be \$2,458,000, minus any funds raised by the  
19 Conservation Fund. The property shall be purchased  
20 with funds from third party commitments for  
21 compensation of habitat and recreational losses which  
22 occurred on State Game Lands from previously approved  
23 projects, and may also be partially funded by habitat  
24 mitigation commitments for impacts to state and  
25 federally listed species. Settlement on this phase

1 shall be held no later than June 2013.

2 CHAIR:

3 Thank you, Brad. Do I have a motion to  
4 accept the acquisitions of land described by Contract  
5 3602, State Game Lands 24, 45, Clarion and Venango  
6 County and Contract 3603, State Game Lands 166, 147,  
7 and 41, Blair and Bradford (sic) County?

8 MR. PUTNAM:

9 So moved.

10 CHAIR:

11 Commissioner Putnam. Second?

12 MR. WEANER:

13 Second.

14 CHAIR:

15 Commissioner Weaner.

16 COMMISSIONER SCHREFFLER:

17 A comment there. That's Blair and  
18 Bedford County, not Bradford.

19 CHAIR:

20 Oh, okay. You're right. Thank you,  
21 Commissioner Schreffler. Any further discussion?  
22 Commissioner Putnam?

23 MR. PUTNAM:

24 Yeah, I'd like to ask Director Capouillez  
25 to tell us the third party commitments, can you tell

1 us where the money is coming from to pay for these  
2 tracts?

3 MR. CAPOUILLEZ:

4 Yeah, these tracts are going to be  
5 largely funded by oil, gas, and mineral operations  
6 that the Commission's approved in the past, where  
7 there will be some surface use on the game lands. And  
8 we go for recreational and habitat replacement. This  
9 is an example of where we've absolutely maximized that  
10 opportunity, you know, for the sportsmen and for the  
11 wildlife where we approved in the past limited  
12 impacts. And here we're acquiring land that actually  
13 houses threatened endangered species, land that we  
14 would never have the opportunity to acquire if those  
15 third party commitments hadn't been, you know,  
16 approved by the Commission in the past.

17 CHAIR:

18 Thank you. Commissioner Schreffler?

19 MR. SCHREFFLER:

20 Yes. I'd just like to mention that not  
21 only that, but I visited some sportsmen's clubs in the  
22 area there, especially in Bedford and Blair Counties,  
23 and they're probably right in this area that utilize  
24 that state game lands. And I think they'll be  
25 valuable additions. They'll be well used by the

1 sportsmen.

2 CHAIR:

3 Thank you. Any further discussion?

4 Hearing none, we'll proceed to vote. All those in  
5 favor signify by saying aye.

6 ALL AYES RESPOND

7 CHAIR:

8 Opposed?

9 MR. PUTNAM:

10 Mr. President, the motion passes  
11 unanimously.

12 ATTORNEY BECHTEL:

13 The next thing before the Commission is  
14 land exchange. The first is contract number 3604,  
15 State Game Land 72 in Clarion County. The executors  
16 of the estate of Charles R. Alexander are offering 4.5  
17 more or less acres of land in Highland Township,  
18 Clarion County, in exchange for a right-of-way through  
19 State Game Land Number 72, Highland Township, Clarion  
20 County. That's shown on Exhibit Red 5. The 70-foot  
21 wide right-of-way shall run from Miola Road through  
22 State Game Land Number 72 to the northern boundary of  
23 the Alexander property along an existing private road  
24 referred to as Penny Lane. In addition to conveying  
25 the 4.5 more or less acres, the Alexanders have also

1 agreed to place certain restrictions, including no-  
2 build buffers on the Alexander property. A no-build  
3 setback of 75 yards shall extend along the boundary  
4 between State Game Land Number 72 and the Alexander  
5 property from Miola Road east approximately 1,800  
6 feet. From this point to the eastern terminus of the  
7 Alexander property, the no-build setback buffer shall  
8 increase to 150 yards. The 4.5 more or less acres is  
9 forested and is accessed from Miola Road.

10                   The second exchange is contract number  
11 3605, State Game Land Numbers 111 and 88 in Somerset  
12 and Juniata Counties. David and Laurie Crosby desire  
13 a 350-foot by 16 and a half feet permanent right-of-  
14 way into their existing residence as shown on Exhibit  
15 Red 6 on page 43 of your agenda. The non-exclusive  
16 right-of-way shall be across State Game Land Number  
17 111 in Lower Turkeyfoot Township, Somerset County, and  
18 is for one single-family dwelling with associated  
19 outbuildings. No new buildings shall be constructed  
20 within 75 yards of the State Game Land boundary.  
21 Maintenance of the right-of-way shall be at each  
22 party's sole discretion to meet their particular  
23 needs. In exchange, the Crosbys will provide  
24 \$1,062.50 toward costs associated with the acquisition  
25 of the Wilson L. and Mabel Eberly property.

1                   These are two tracts of land totaling 4.4  
2 acres in Spring Hill Township, Juniata County,  
3 adjacent to State Game Land Number 88, as shown on  
4 Exhibit Red 7 on page 44 of your agenda. Currently  
5 the Game Commission and the Eberlys share a common  
6 right-of-way. Acquiring these tracts will provide  
7 improved access into State Game Land Number 88. The  
8 first tract is 4.31 acres and will provide access from  
9 State Road 3006, Mountain Road. The second tract is  
10 0.09 acres, and will allow for the use of an existing  
11 timber road located on State Game Land Number 88. The  
12 total cost of the two tracts is \$18,953.84 lump sum,  
13 and will be paid with funds from the Crosby right-of-  
14 way with the remainder being paid from third party  
15 commitments for compensation of habitat and  
16 recreational losses which occurred on State Game Lands  
17 from previously approved projects.

18                   The final exchange is contract number  
19 3606 taking place on State Game Lands Numbered 295 and  
20 87 in Centre and Clearfield Counties. Aquillas J. and  
21 Sallie A. Peachey are offering 4,011 more or less  
22 acres of land in Greenwood and Penn Townships,  
23 Clearfield County, adjacent to State Game Land Number  
24 7 --- I'm sorry. State Game Lands Number 87, as shown  
25 on Exhibit Red 8 on page 46 of your agenda, in

1 exchange for 524 acres of State Game Land No. 295  
2 located in Miles Township, Centre County, as shown on  
3 Exhibit Red 9, page 42 --- 47 of your agenda. The 524  
4 acres consists largely of mixed hardwoods and steep  
5 terrain with rock outcroppings and limited access.  
6 The Game Commission shall retain 50 percent of the oil  
7 and gas on the 524 acres being conveyed to the  
8 Peacheys. In addition to the land exchange, the  
9 Peacheys agree to allow immediate public access into a  
10 portion of State Game Land Number 87 by allowing the  
11 use of an existing road located on the 4,011 acres  
12 being conveyed to the Game Commission, as shown on  
13 Exhibit Red 10, on page 48 of your agenda. Current  
14 public access is being impeded by terrain and private  
15 land holdings. The tract being conveyed to the Game  
16 Commission will connect a detached 596-acre parcel of  
17 State Game Land Number 87 to the main portion of the  
18 State Game Land. The 4,011 acres consists mainly of  
19 mixed hardwoods, interspersed with herbaceous openings  
20 and supports a large beaver dam complex. Curry Run, a  
21 cold water fishery designated as a wild trout stream  
22 runs through the property.

23                   The Peacheys are excepting and reserving  
24 all timber 13 inches or greater at DBH until November  
25 11, 2026, not to include any hickory and conifer

1 trees, except for larch. All reclamation, seeding,  
2 and infrastructure development supporting timber  
3 operations will be in coordination with the Game  
4 Commission. In order to effectuate the land exchange,  
5 the Game Commission shall pay the Peacheys \$410,000  
6 with funds from third party commitments for  
7 compensation of habitat and recreational losses which  
8 occurred on State Game Lands from previously approved  
9 projects. Settlement on this contract or on this  
10 exchange shall be held no later than September 1st,  
11 2012.

12 CHAIR:

13 Gentlemen, do I have a motion to accept  
14 land exchanges described by Contract 3604, 3605, and  
15 3606?

16 MR. DELANEY:

17 So moved.

18 CHAIR:

19 Commissioner Delaney. Second?

20 MR. WEANER:

21 Second.

22 CHAIR:

23 Commissioner Weaner. Is there any  
24 discussion?

25 MR. SCHREFFLER:

1 Yes.

2 CHAIR:

3 Commissioner Schreffler.

4 MR. SCHREFFLER:

5 I'd just like to comment to Director  
6 Capouillez that I appreciate the foresight that was  
7 put into the exchanges, especially in the setbacks.  
8 That's always been a concern of mine, State Game Land  
9 where people build right up against the boundaries and  
10 then they put the safety zone and in essence lose that  
11 hunting for, you know, 300 yards into the game land.  
12 And I thought that was well done. And it's good  
13 foresight.

14 And the other comment I had was that it's  
15 always one of the things that we're always looking for  
16 is more access to our game lands. Several of these  
17 here have provided that access to game lands, which is  
18 really critical to hunters, even to manage those game  
19 lands. And that's also a good move. Thank you.

20 CHAIR:

21 Any further discussion? Commissioner  
22 Putnam?

23 MR. PUTNAM:

24 Yeah. I'd like to ask the Director  
25 Capouillez if he can expand on what Commissioner

1 Schreffler just said. Explain the setback provision,  
2 what we got for that particular right-of-way. And  
3 then after that, just comment a little bit more on the  
4 land exchange. That was a pretty significant land  
5 exchange, one of the bigger tracts of game lands we've  
6 ever given up.

7 MR. CAPOUILLEZ:

8 Sure. With regard to the setbacks, as  
9 Commissioner Schreffler said, what we try to do is in  
10 working with these deals, the staff in the region are  
11 very, very diligent in looking towards the future. A  
12 lot of times once, you know, an exchange occurs, what  
13 might have been with the intent of the property for  
14 one single dwelling or a camp can sometimes change and  
15 there might be three or four. So that's the time to  
16 actually start to negotiate with the landowner, prior  
17 to the exchange, and allowing for there to be limited  
18 use of what we're exchanging so there's less of an  
19 impact on the game lands. And that's why you're  
20 seeing some of those setbacks which, again, like we're  
21 saying, cuts into the safety, the safety zone of the  
22 game lands. And although we can manage it for  
23 habitat, the recreational value starts to --- starts  
24 to be lost because people can't hunt it to the fullest  
25 degree that they could before.

1                   With regard to the large acquisition, you  
2 know, as per the Executive Director, the Agency has  
3 taken a lot more effort in establishing early  
4 successful habitat for the various species that rely  
5 on that throughout the Commonwealth. This particular  
6 tract, coupled with the 9,200 and some odd acres we  
7 just recently purchased from the Deward (phonetic)  
8 estate, really sets a large block of game lands and  
9 early successful habitat, something that, you know,  
10 we're desperately in need of. And I can tell you too,  
11 that, you know, some of the issues, as soon as you buy  
12 a large tract, all the properties around it will go up  
13 in value. And we saw that very quickly out here to  
14 the point where, for lack of a better term, you know,  
15 it was getting to the point of almost extortion for us  
16 to try to get into some of these tracts by some of the  
17 private landowners. This deal allows for us to access  
18 everything we need to for the sportsmen, for habitat,  
19 and to further increase and link up some of those  
20 other outlying tracts. So it was an exceptional deal  
21 for us to do.

22                   MR. SCHREFFLER:

23                   And access to the Peachey tract was quite  
24 limited?

25                   MR. CAPOUILLEZ:

1           Correct. So the recreational values and  
2 the habitat values far outweigh what we're doing from  
3 the exchange perspective.

4           CHAIR:

5           Thank you. Any further discussion?  
6 Okay. At this time, we'll proceed to vote. All those  
7 in favor of approving this motion, signify by saying  
8 aye.

9 ALL AYES RESPOND

10          CHAIR:

11          Opposed?

12          MR. PUTNAM:

13          Mr. President, the motion passes  
14 unanimously.

15          CHAIR:

16          That concludes that portion. Before we  
17 move on to the new business, do we have any old  
18 business to conduct? Okay. Moving forward to new  
19 business, I believe at this time we would look at the  
20 proposed elk license. Mr. DuBrock.

21          MR. DUBROCK:

22          Commissioners, yesterday Dr. Rosenberry  
23 provided a summary of the status of the elk  
24 population, and we reviewed with you proposed elk  
25 licenses. And I believe that has been distributed to

1 the Commissioners. Hopefully you have it before you  
2 now. The recommendation is for 19 antlered tags and  
3 46 antlerless tags, a total of 65 elk licenses for the  
4 2012 season. That does not include the one  
5 conservation license that was auctioned off earlier  
6 this year. And the distribution is as outlined on the  
7 table before you.

8 CHAIR:

9 Am I correct in saying this is the exact  
10 one that we saw yesterday at the presentation?

11 MR. DUBROCK:

12 That is correct. Yes.

13 CHAIR:

14 Okay. Commissioners, do you all have the  
15 paper with the proposed license? Okay. Do I have a  
16 motion to accept the license as proposed?

17 MR. SCHREFFLER:

18 So moved.

19 CHAIR:

20 Commissioner Schreffler. Second?

21 MR. PUTNAM:

22 Second.

23 CHAIR:

24 Second, Commissioner Putnam. Is there  
25 any discussion on the allocation of elk license?

1 Commissioner Putnam?

2 MR. PUTNAM:

3 Yesterday I questioned Doctor Rosenberry  
4 what the elk number would be. The population has  
5 grown pretty significantly in recent years. And he  
6 responded that we manage elk the same as we do deer.  
7 We're looking at thresholds of habitat impact, herd  
8 health impacts, and citizen complaint. We have  
9 received some complaints in the recent --- in the last  
10 year, particularly in the Bennett Valley area. The  
11 allocations reflect an increase in harvest in the  
12 Bennett Valley area. It's the way the system is  
13 supposed to work, and that's the way it's going to  
14 continue to work. I'm very happy to see that we are  
15 addressing the citizen complaints we received.

16 Some point along the way, I think we're  
17 going to see significant increases in these numbers  
18 because the herd seems to be increasing pretty fast.  
19 That's all I have.

20 CHAIR:

21 Okay. Thank you. And I think it should  
22 also be noted that there's a total of 65 elk license  
23 being issued, 19 antlered, 46 antlerless. However,  
24 that does not include the one that's considered a  
25 conservation license that will be given to a

1 conservation group; is that correct?

2 MR. DUBROCK:

3 That is correct.

4 CHAIR:

5 Thank you. Any further discussion?

6 MR. SCHLEMMER:

7 Question.

8 CHAIR:

9 Mr. Schlemmer.

10 MR. SCHLEMMER:

11 Cal, can you tell me, are there any  
12 restricted areas for the special license, where they  
13 can hunt?

14 MR. DUBROCK:

15 There are not. The special conservation  
16 license that was auctioned off, that person can hunt  
17 in any management unit, and, in fact, has an extended  
18 opportunity from the first of September through the  
19 last legal hunting day.

20 MR. SCHLEMMER:

21 Thank you.

22 CHAIR:

23 Commissioner Schreffler?

24 MR. SCHREFFLER:

25 I just wanted to mention that I think

1 this is really an appropriate allocation as the deer  
2 --- the elk herd continues to expand. And I believe  
3 that it will, especially as we see more and more  
4 right-of-ways for the gas pipelines and so on  
5 increasing, favorable habitat for elk in the area.  
6 And I'd just like to say that I think that the  
7 management program --- I've visited up there and been  
8 up there several times, is operating --- I'll echo  
9 what Dave Putnam said, that it's operating perfectly  
10 well. And I think it's doing a good job.

11 CHAIR:

12 Thank you. Any further discussion?  
13 Okay. At this time, we have a motion and a second to  
14 accept the elk license. Is there no further  
15 discussion? All those in favor, signify by saying  
16 aye.

17 ALL AYES RESPOND

18 CHAIR:

19 Opposed? Mr. Secretary?

20 MR. PUTNAM:

21 Fell asleep there. Mr. President, the  
22 motion passes unanimously.

23 CHAIR:

24 Thank you. At this time, we will be  
25 handling the antlerless allocations. Just for

1 information, yesterday the Board, each of the  
2 Commissioners, was given a packet with the  
3 recommendations for each Wildlife Management Unit 1A  
4 all the way through 5D. Each page had a considerable  
5 amount of information that you saw in Doctor  
6 Rosenberry's presentation. At the bottom of each  
7 page, the antlerless allocation options are listed.  
8 There is a 12-day concurrent listing that shows what  
9 number they would recommend for a decrease, another  
10 number for a stable, and a final number for an  
11 increase.

12                   There's also a recommendation for a five-  
13 day antlered, seven-day concurrent. And again,  
14 there's a number under decrease, a number under  
15 stable, and a sixth number under increase. At this  
16 time, if it pleases the Board, I'd like to go down  
17 through the Wildlife Management Units and have the  
18 Commissioners offer their suggestions for the  
19 allocation, and we'll take a discussion on each of  
20 those. Once we have a completed list, we will have a  
21 motion to accept that list. And at that time, we'll  
22 be able to vote on an entire list of allocations. Is  
23 that suitable to the Commissioners? Signify by  
24 nodding.

25 ALL AYES RESPOND

1                   CHAIR:

2                   Good enough. Hopefully this will be less  
3 complicated than my explanation just was. We'll start  
4 with Wildlife Management Unit 1A, which at this time,  
5 having been approved in the seasons of bag limits is a  
6 12-day concurrent season. Is there anybody with a  
7 number they'd like to offer for 1A? Being that that's  
8 my area, I would like to offer in 1A a number of  
9 42,000 antlerless licenses to be allocated. Any  
10 discussion as to that number? I'm going to put 42,000  
11 down under 1A.

12                   On 1B, also considered a 12-day  
13 concurrent season for 1B, I'm offering a number of  
14 33,000 since it's my district. I would ask for any  
15 discussion on 1B? Commissioner Schreffler?

16                   MR. SCHREFFLER:

17                   Can you tell us why you chose 33,000  
18 rather than a higher number?

19                   CHAIR:

20                   As soon as I get to that page. Last year  
21 we issued 30,000. This year the recommendation was to  
22 decrease, and their recommendation was a decrease in  
23 population was 36,000. I just felt that a 20-percent  
24 increase was just a lot of licenses. I thought we  
25 would --- I would split the difference and offer an

1 increase of 3,000, which is a ten-percent increase.  
2 It's something I think both myself and the sportsmen  
3 in 1B could bear. That would be my explanation.

4 MR. SCHREFFLER:

5 The reason I question is because the deer  
6 population ---.

7 CHAIR:

8 It doesn't fall on any of their six.  
9 Yeah, they gave me six numbers, and it wasn't quite  
10 enough for me.

11 MR. SCHREFFLER:

12 I noticed the population was increasing  
13 while ---.

14 CHAIR:

15 Right. And I am recommending an increase  
16 in allocation. Any further discussion? Seeing none,  
17 under 1B, I would recommend a 33,000. 2A, which is a  
18 split season, five-day buck, seven-day concurrent, do  
19 I have a recommendation for a number on 2A?

20 MR. SCHLEMMER:

21 59,000.

22 CHAIR:

23 Commissioner Schlemmer, 59,000. Do I  
24 hear any discussion on that proposed number? Okay.  
25 Moving on, 2B, which is the special regulation area,

1 which is a 12-day concurrent, do I hear any  
2 recommended number for that?

3 MR. SCHLEMMER:

4 I recommend, Mr. President, 67,000 in  
5 allocation concurrent.

6 CHAIR:

7 67,000 for 2B. Do I hear any discussion  
8 or concern on that number? Moving on to 2C, which is  
9 a split season, five-day buck only, seven-day  
10 concurrent, do I hear any numbers for 2C?

11 MR. SCHLEMMER:

12 For 2C, I'm looking at a split season,  
13 please?

14 CHAIR:

15 Yes, it is.

16 MR. SCHLEMMER:

17 With an allocation of 50,000.

18 CHAIR:

19 50,000. Do I have any discussion on  
20 Wildlife Management Unit 2C? 2D, again a split  
21 season, five-day/seven-day. Do I hear any discussion  
22 on 2D?

23 MR. SCHLEMMER:

24 Mr. President, on 2D, I'd like to offer  
25 62,000 allocation.

1                   CHAIR:

2                   Okay. Since I share that area, I'd like  
3 to take a look at 2D briefly. Last year we issued in  
4 2D, 60,000. The recommended for stable would be  
5 64,000. So I guess you followed the same --- I can't  
6 argue with you because I did that. I guess you're  
7 doing the same, splitting the difference. So I would  
8 concur since we split that. Any other discussion on  
9 2D at this time as 62,000? Yes, Mr. Schreffler.

10                   MR. SCHREFFLER:

11                   Mr. Schlemmer, you just sort of split the  
12 difference? Is that what it was?

13                   MR. SCHLEMMER:

14                   That's correct.

15                   MR. SCHREFFLER:

16                   Because I noticed the population was  
17 really increasing in that WMU. And as far as health,  
18 was stable.

19                   MR. SCHLEMMER:

20                   That was a tough decision, Commissioner.  
21 I had to put the customer leg on that. I got quite a  
22 few phone calls and so forth. And so I came up and  
23 hopefully evened that out. And with the change in  
24 WMUs next year, we can take and review this and take  
25 another look at it.

1                   CHAIR:

2                   I have to add being that I shared 2D, I  
3 did question a lot of our field personnel on this.  
4 And I think they would concur with the recommendation  
5 that there is an increased population. And also if  
6 you're familiar with 2D, it extends down to the  
7 northern Pittsburgh/Cranberry area where there is a  
8 lot of deer and nowhere to hunt them. And then the  
9 northern part of 2D is definitely more rural, more  
10 forested. So it has almost a north and south  
11 component that makes it very difficult to balance out  
12 the entire management unit. But hopefully, this will  
13 put us on our way to at least stabilizing this herd.  
14 It may be a little slower than Doctor Rosenberry would  
15 have liked, but at least it puts us on that track.  
16 Any other discussion on 2D? Commissioner Delaney?

17                   MR. DELANEY:

18                   President Martone, yourself and  
19 Commissioner Schlemmer live there. Your sportsmen are  
20 there. I respect the fact --- I don't know anything  
21 about 2D. I respect your opinions by living there.  
22 Sportsmen are from there. And I'll be supporting your  
23 recommendations.

24                   CHAIR:

25                   And I can say the same is true for the

1 northeast, that I'm not comfortable with and I take  
2 your recommendations when we get there. No further  
3 discussion on 2D, I'd move on to 2E, which is a split  
4 season as well. Do I have a number for 2E?

5 MR. SCHLEMMER:

6 Mr. President, on 2E is also a shared WMU  
7 with Commissioner Putnam. I'd like to have his input  
8 on this, but I'm recommending an allocation of 21,000.

9 CHAIR:

10 Commissioner Putnam?

11 MR. PUTNAM:

12 I don't have any objection to that.

13 CHAIR:

14 Okay. 21,000. Any further discussion on  
15 2E? 2F, again, that falls in my district. That is a  
16 split season, and I'm recommending 27,000 for 2F. And  
17 if I can get to that page, that is the recommendation  
18 for stabilizing the herd for 2F at 27,000. Any  
19 discussion on 2F? Thank you. 2G, Commissioner  
20 Putnam.

21 MR. PUTNAM:

22 I think we're talking about the elephant  
23 in the closet here with 2G.

24 CHAIR:

25 I really didn't want to go there, but 2G

1 has to be discussed.

2 MR. PUTNAM:

3 2G is a serious concern to me. Not that  
4 we can't handle it, but I'm very torn by the  
5 disappearing habitats of 2G. I was born and raised in  
6 2G. I hunt in 2G. And I drive through 2G a lot. I  
7 just planted about 30,000 seedlings in 2G, and I see  
8 higher numbers, lower numbers. The habitat is not  
9 that even. However, I do want to point to the fact  
10 that the population of 2G has almost doubled since  
11 2006. The population is now over 100,000 animals  
12 there.

13 Some of the complaints that we're  
14 hearing, the complaints that the Board is voicing back  
15 are there's some lag time involved in that. Some of  
16 the people I talked to in this, even the ones that  
17 hunt the Sproul State Forest, as bad as that habitat  
18 is, when I ask them how the deer are, they won't say  
19 oh, it's really great, it's back to the old days, but  
20 they will almost all begrudgingly tell me, oh, yeah,  
21 there's more deer there. And they're doing that  
22 because they don't want anybody else to see it and say  
23 oh, wow, it's finally working. So I do believe our  
24 program is working, and I believe it's working in 2G.  
25 I'm concerned that the numbers in the northern part of

1 it are getting to the point where we really do need to  
2 do some control, to put the brakes on the herd.

3           The southern part, I'm not so confident  
4 that we're at that point yet. So my recommendation  
5 will be, as some of you, I'll split the difference,  
6 set it at 33,000, which is a 10,000 increase over last  
7 year. I really lean towards even the 20,000 increase.  
8 I think we could stand it except for the fact that the  
9 --- we can't apply the permits to exactly where  
10 they're needed. That being said, we will never be  
11 able to apply the permits down to the individual  
12 property. It's going to take some restraint on the  
13 individual hunters when they start talking about their  
14 own individual areas.

15           I got a letter last year from a guy that  
16 said I only saw one deer last year, and it's the one I  
17 shot. What can you say to that? If there's only one  
18 deer in the area you're hunting, maybe you shouldn't  
19 shoot the last one. So I mean, it's very easy to  
20 blame the Game Commission for every last thing. I  
21 didn't want to kill the deer but you made me do it.  
22 Anyhow, our antlerless allocations, I think, are  
23 achieving our objectives pretty well, and I'll leave  
24 it at that.

25                           CHAIR:

1 Will you repeat your number?

2 MR. SCHREFFLER:

3 33,000.

4 CHAIR:

5 Okay. For 2G, 33,000. Any discussion on  
6 this? I'd also like to point out that these decision  
7 sheets will be made public. They'll be handed out and  
8 made available to the public. I would encourage you  
9 to look at 2G and put yourself in Commissioner  
10 Putnam's place making these decisions. You'll see,  
11 it's not the fun part of the job. Moving on, 3A,  
12 which is a 12-day concurrent season. Do I have a  
13 recommendation for 3A?

14 MR. PUTNAM:

15 3A, I would recommend 26,000.

16 CHAIR:

17 Okay. Commissioner Putnam, 26,000. Any  
18 discussion on 3A? 3B is a split season. Do I have a  
19 recommendation for Management Unit 3B?

20 MR. DELANEY:

21 Yes, President Martone. I'm going to  
22 recommend the same allocation as last year. But let  
23 me elaborate a little bit. It was 39,952. I'm going  
24 to make it a little bit cleaner at 40,000 to make it  
25 easier. I really think WMU 3B is an example of a WMU

1 that really wasn't doing so good and the forest health  
2 model has increased. I think if you look at this  
3 spreadsheet, it really shows some really good things  
4 going on when you give it a chance to work. So I'm  
5 agreeable to keep the allocations the same as we had  
6 last year, you know. Our trends seem to be looking  
7 good at 3B, so that's my recommendation, 40,000.

8 CHAIR:

9 Thank you. Any discussion on 3B? Moving  
10 on to 3C, which is a split season, five and seven, do  
11 I have a recommendation for 3C?

12 MR. DELANEY:

13 Yes, I'm going to recommend 35,000. 3C  
14 was one of the original study WMUs, and we have had a  
15 substantial increase in the deer population in WMU 3C,  
16 so I'm actually going to follow the recommendation of  
17 keep the herd stable, and that would be 35,000.

18 CHAIR:

19 Thank you, Commissioner Delaney. Any  
20 discussion on 3C?

21 MR. SCHREFFLER:

22 Yes.

23 CHAIR:

24 Commissioner Schreffler.

25 MR. SCHREFFLER:

1                   Give me a second here, but I think 3C,  
2 when I go back and look at the recommendations by ---  
3 it doesn't say stable. It said reduce the deer  
4 population by allocation --- where the decision chart  
5 is. And the population has really been increasing in  
6 that WMU. Would that make a difference in your  
7 recommendation?

8                   MR. DELANEY:

9                   Oh, it certainly did. Last year we had  
10 29,118, so it's increasing it substantially with  
11 35,000.

12                  MR. SCHREFFLER:

13                  Okay.

14                  CHAIR:

15                  Do I have an agreement on 3C at 35,000?

16                  MR. SCHREFFLER:

17                  I guess. It doesn't really reduce it is  
18 what they recommended, but it does increase it from  
19 last year. But it's really a considerable increase in  
20 deer population. What that does is sort of stabilize  
21 it. And I'm hopeful that will bring it back in line.  
22 The habitat seems to be --- the forest health seems to  
23 be holding steady. You would concur with that, Mr.  
24 Delaney?

25                  MR. DELANEY:

1                   Yeah. Actually, I think the forest  
2 health has gotten better.

3                   MR. SCHREFFLER:

4                   Okay.

5                   MR. DELANEY:

6                   That's at least what the numbers show me.

7                   MR. SCHREFFLER:

8                   Okay.

9                   CHAIR:

10                  Okay. For 3C, a split season of 35,000.  
11 3D, 12-day concurrent season. Do I have a  
12 recommendation for a number?

13                  MR. DELANEY:

14                  This WMU for me, it's in northeastern  
15 Pennsylvania, and it's fairly large. But I have the  
16 same issues here that I believe Commissioner Putnam  
17 has in 2G. It's a tough one. The eastern half of the  
18 WMU seems to have very good habitat. It's doing  
19 pretty well. And the western half doesn't seem to be  
20 doing so well. It's a WMU that's under review. You  
21 know, I don't think the forest health managers are  
22 doing really good, and I kind of wrestled with this  
23 WMU last year to see, you know, what kind of numbers  
24 we should put out there. Last year's numbers were  
25 38,955. And I'm actually looking to keep the deer

1 herd stable there. To keep it stable is recommending  
2 36,000, but I still think we should do the right  
3 thing, and I'd be willing to keep that at the same  
4 level as last year also, which is 38,955. So we make  
5 it cleaner at 39,000.

6 CHAIR:

7 Thank you for the cleaner number. Any  
8 discussion on 39,000 for 3D? 4A, which is a 12-day  
9 concurrent season, do I have a recommendation?

10 MR. PUTNAM:

11 Where are we at?

12 CHAIR:

13 4A.

14 MR. SCHREFFLER:

15 4A is getting ahead here. Recommendation  
16 is to maintain. It's a 12-day concurrent season. To  
17 maintain a stable population at 29,000.

18 CHAIR:

19 Okay. So 4A, I have a recommendation  
20 from Commissioner Schreffler at 29,000. Do I have any  
21 discussion on 4A? 4B, which is a split season,  
22 five/seven, do I have a recommendation for the  
23 allocation of 4B?

24 MR. WEANER:

25 Mr. President.

1                   CHAIR:

2                   Commissioner Weaner?

3                   MR. WEANER:

4                   4B is largely within the territory of the  
5 area that I represent. And I'm going to recommend,  
6 excuse me, 26,000. The recommendation to stabilize  
7 the herd is 31,000 here. I've heard a lot of people  
8 saying that in the Tuscarora Forest, they're just not  
9 seeing very many deer. I'm not willing to go the  
10 whole way to the 31,000. So that's why I'm  
11 recommending 26,000 for 4B.

12                   CHAIR:

13                   Okay. We have a recommendation from  
14 Commissioner Weaner of 26,000 in 4B. Do I have any  
15 discussion on that number? Commissioner Schreffler?

16                   MR. SCHREFFLER:

17                   If I --- this, I see the population  
18 increasing right here. The population is increasing  
19 overall in that unit. But what Commissioner Weaner  
20 said in his Tuscarora Forest, he hears some grumbling  
21 there and so on. And I wonder if we couldn't just  
22 keep it at what it was last year rather than --- last  
23 year was --- I thought that said 28,000. It said  
24 23,000. Okay.

25                   CHAIR:

1           Okay. So do I understand that you are  
2 agreeing with the 26,000 recommendation ---

3           MR. SCHREFFLER:

4           Yes.

5           CHAIR:

6           --- by Commissioner Weaner?

7           MR. SCHREFFLER:

8           Yes, I do.

9           CHAIR:

10           Okay. So 4B is the recommendation of  
11 26,000. I have 4C at a 12-day concurrent. Do I have  
12 a recommendation for 4C?

13           MR. WEANER:

14           Yeah, we're getting into the part of the  
15 state here where we don't have Mr. Isabella or anyone  
16 else representing that area, so I'm basically going to  
17 suggest that we follow the recommendations listed  
18 here. They're recommending 35,000. I would recommend  
19 35,000.

20           CHAIR:

21           Okay. Based on the fact that I'm on the  
22 wrong page, I better take a second here. 35,000 under  
23 4C matches the recommendation on the decision chart.  
24 Is there any discussion on that 35,000? Commissioner  
25 Schreffler?

1                   MR. SCHREFFLER:

2                   Yes. I get a lot of contact from  
3 hunters, especially involved in Dauphin, Lebanon, and  
4 Berks Counties. I've been in that area. And I concur  
5 that going with the 35,000 --- it's a good number.

6                   CHAIR:

7                   Okay. So we have agreement. Any further  
8 discussion on 4C, 35,000? 4D is a split season. Do I  
9 have any recommendation for 4D?

10                  MR. PUTNAM:

11                  Yes, Mr. President. I'm from 4D, and  
12 like our other units, we have some very high  
13 productive farm land in 4D. We've got some very  
14 unproductive dry forests in 4D. So it's always going  
15 to be a quandary. I don't think we've drawn the units  
16 --- unit boundaries is going to significantly address  
17 that problem, but I would go with the recommendation  
18 of the staff at 36,000.

19                  CHAIR:

20                  I have a recommendation for 4D of 36,000.  
21 Any further discussion?

22                  MR. WEANER:

23                  Yeah, part of that area is in my area  
24 also, and I agree.

25                  CHAIR:

1 Commissioner Schreffler?

2 MR. SCHREFFLER:

3 I also am part of that area, too, and I  
4 concur.

5 CHAIR:

6 Okay. We've got complete agreement on  
7 something. That doesn't happen very often. We got to  
8 celebrate. Moving on, 4E, we have a split season. Do  
9 I have a recommendation for 4E?

10 MR. DELANEY:

11 Yes, President Martone. That's kind of  
12 --- a lot of it is in my area, but I'm going to follow  
13 through with the 28,000, which is fairly close to last  
14 year.

15 CHAIR:

16 28,000 for 4E. Matches the  
17 recommendation on the decision sheet for a split  
18 season. Is that correct?

19 MR. DELANEY:

20 That's correct.

21 CHAIR:

22 Okay. Any discussion on that? 5A is a  
23 12-day concurrent. Do I have a recommendation for 5A?

24 MR. WEANER:

25 Yeah, we've been at 19,000 for a couple

1 years. People seem satisfied with that. We do have a  
2 anomaly of the state forest being right in the middle  
3 of our district. There are fewer deer like there are  
4 everywhere else, but in general, I'm satisfied with  
5 the number 19,000.

6 CHAIR:

7 Any further discussion on that 19,000?  
8 Thank you. 5B, again, a 12-day concurrent. Do I have  
9 a proposal for 5B?

10 MR. WEANER:

11 Yeah, I'll continue along with the  
12 biologists' recommendation in this area as well. It's  
13 51,000.

14 CHAIR:

15 5B is 51,000. Any further discussion on  
16 5B? Commissioner Schreffler?

17 MR. SCHREFFLER:

18 Again, as I previously lived in the area  
19 of Lancaster, Lebanon, Dauphin County, Berks County, I  
20 get a lot of contact from that area. And I go back to  
21 that area and still occasionally hunt there. I feel  
22 that 51,000 is a good number.

23 CHAIR:

24 Thank you. Any further discussion?  
25 51,000 for 5B. 5C, 12-day concurrent, special

1 regulation area. Do I have a recommendation?

2 MR. WEANER:

3 Yeah, I'm going to recommend --- I'll do  
4 two of them at once. 5C and 5D, I would just go with  
5 the recommendations presented. So for 5C, stabilize  
6 at 111,000. And 5D, stabilize at 19,000.

7 CHAIR:

8 111,000 for 5C. And I got to turn the  
9 page. 19,000 for 5D. Let me repeat that. 5C,  
10 111,000. 5D, 19,000. Is that correct?

11 MR. WEANER:

12 Yes.

13 CHAIR:

14 Any further discussion on those?

15 MR. DELANEY:

16 Yes, President Martone. I have a  
17 question for you, Director DuBrock. Do you think that  
18 we'll sell 111,000 tags for 5C?

19 MR. DUBROCK:

20 The simple answer is we'll see.

21 MR. DELANEY:

22 That's not what I asked.

23 MR. DUBROCK:

24 We, in the past, I think we have exceeded  
25 that number, so yeah, I'm optimistic that we will with

1 the concurrent season provide that additional  
2 opportunity, yes.

3 MR. DELANEY:

4 Fair enough. Thank you.

5 CHAIR:

6 Okay. At this time, we have proposals  
7 for all 22 Wildlife Management Units. I'm going to  
8 read them quickly, and then I'll ask for a motion to  
9 accept these numbers and second, further discussion,  
10 and we'll vote. Is that acceptable? 1A, 42,000. 1B,  
11 33,000. 2A, 59,000. 2B, 67,000. 2C, 50,000. 2D,  
12 62,000. 2E, 21,000. 2F, 27,000. 2G, 33,000. 3A,  
13 26,000. 3B, 40,000. 3C, 35,000. 3D, 39,000. 4A,  
14 29,000. 4B, 26,000. 4C, 35,000. 4D, 36,000. 4E,  
15 28,000. 5A, 19,000. 5B, 51,000. 5C, 111,000. 5D,  
16 19,000. I feel like I just discussed one of my wife's  
17 shopping trips.

18 MR. WEANER:

19 So moved.

20 CHAIR:

21 I wanted to also point out for the first  
22 time nobody added all those up. Okay. Commissioner  
23 Weaner, you have moved to accept this motion?

24 MR. WEANER:

25 Yes.

1                   CHAIR:

2                   Do I have a second?

3                   MR. DELANEY:

4                   So moved.

5                   CHAIR:

6                   Commissioner Delaney. Any further  
7 discussion on these numbers?

8                   MR. WEANER:

9                   Mr. President, I would like to say that  
10 this packet that we were presented with is  
11 outstanding. We got more information in here than  
12 I've ever seen before, and it's getting better each  
13 year. So I would commend the deer team and all those  
14 associated with this for the data that was presented  
15 and the way it was presented, the options that were  
16 presented. It's a very good system, and I appreciate  
17 it.

18                   CHAIR:

19                   I would concur with that completely. Any  
20 further discussions?

21                   MR. SCHLEMMER:

22                   I'd like to echo Commissioner Weaner.

23                   MR. PUTNAM:

24                   I would like to echo that, and I would  
25 also like to make a couple suggestions. One is anyone

1 who really cares about the deer program should look at  
2 these numbers, look at them very closely. We're  
3 seeing some pretty significant increases in the  
4 population on some of these units to the point where  
5 there's certainly at least one segment is a concern  
6 that we're going to lose many of the gains that we  
7 made over the years. And I would share that, that I  
8 don't want to see us lose the gains that we've made.  
9 But there is a tremendous amount of very good  
10 information and if people look at them you can see  
11 some of these units have almost doubled in population  
12 since 2004, 2006.

13 CHAIR:

14 Mr. DuBrock.

15 MR. DUBROCK:

16 If I just may note for those in the  
17 audience in particular that the document that you're  
18 referring to will be posted on our website probably  
19 early this afternoon.

20 MR. PUTNAM:

21 I have one more thing.

22 CHAIR:

23 Commissioner Putnam.

24 MR. PUTNAM:

25 Based on the way this discussion went

1 today, I think it would be much more productive if we  
2 could hold this discussion at our working group  
3 meeting, the exact same discussion we just held in our  
4 formal meeting, and allow the public to have a week or  
5 two weeks to see these numbers that we're suggesting  
6 and as much time as possible. And then comment to us.  
7 We've got public testimony yesterday in general about  
8 what they think we should do. But they don't have a  
9 chance to react to what we're actually doing. So I  
10 think we can move this discussion to a working group  
11 meeting. But then have maybe a follow-up discussion  
12 in the formal meeting would be a better way to do it.

13 CHAIR:

14 I agree, but I feel bad for our mailman.  
15 It's going to inundate us, but it's good. It's a good  
16 suggestion. Any further discussion? Hearing none, we  
17 proceed to vote. I'd like a show of hands. Those in  
18 favor of these allocations and the motion, signify by  
19 raising one hand.

20 ALL AYES RESPOND

21 CHAIR:

22 All those opposed, raise one hand? Mr.  
23 Secretary?

24 MR. PUTNAM:

25 Mr. President, the vote passes

1 unanimously.

2 CHAIR:

3 Thank you. At this time, I'm completely  
4 lost. I guess our final thing is we have the  
5 following Commission meeting dates approved for 2012.  
6 The date of June 25th to the 26th, 2012 in Harrisburg.  
7 September 24th, 2012, tentatively in Franklin,  
8 Pennsylvania, Venango County. And the proposed  
9 meeting date for January of 2013 of January 27th to  
10 the 29th again in Harrisburg. Are the Commissioners  
11 okay with these dates? Should we proceed with those  
12 dates?

13 MR. DELANEY:

14 Affirmative.

15 CHAIR:

16 Okay. Do I have any further discussion  
17 on those? I would like to point out that we have  
18 already determined the date for the working group  
19 meeting for June. It will be on Tuesday. I believe  
20 that's May 29th, the day after Memorial Day. And  
21 we'll also put that on the website, but we've  
22 determined that. So those of you who are interested  
23 in those working group meetings, either attending or  
24 watching them on the webcast, that will be May 29th.  
25 Okay. Before adjourn, is there any discussion from

1 the Board? Anything for the good of the order at this  
2 point? I think we've worn them out. At that time, do  
3 I have a motion to adjourn?

4 MR. SCHLEMMER:

5 Motion.

6 CHAIR:

7 Commissioner Schlemmer. Second?

8 MR. SCHREFFLER:

9 Second.

10 CHAIR:

11 Commissioner Schreffler. All those in  
12 favor of adjournment, signify by saying aye.

13 ALL AYES RESPOND

14 CHAIR:

15 Opposed? Mr. Secretary.

16 MR. PUTNAM:

17 Mr. President, the meeting is adjourned.

18 CHAIR:

19 Thank you.

20 \* \* \* \* \*

21 HEARING CONCLUDED AT 10:27 A.M.

22 \* \* \* \* \*

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CERTIFICATE

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I hereby certify that the foregoing proceedings, hearing held before Chairman Martone, was reported by me on 04/24/2012 and that I Jolynn C. Prunoske read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Jolynn C. Prunoske