

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION

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COMMISSION MEETING

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BEFORE: David J. Putnam, President
Brian V. Hoover, Vice President
R. Matthew Hough, Executive Director
Rich Palmer, Deputy Executive Director
Bryan Burhans, Deputy Executive Director
Timothy S. Layton, Secretary
Bradley C. Bechtel, Esquire, Chief Counsel

HEARING: Tuesday, June 30, 2015
8:30 a.m.

LOCATION: Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110-9797

COMMISSIONERS: Charles E. Fox, Ronald A. Weaner,
James R. Daley, James J. Delaney Jr.,
Robert W. Schlemmer

Reporter: Jacob Rae

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A P P E A R A N C E S

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I N D E X

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DISCUSSION AMONG PARTIES

5 - 52

E X H I B I T S

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| | | <u>Page</u> |
|-----------------------------|--------------------------------|----------------|
| <u>Number</u> | <u>Description</u> | <u>Offered</u> |
| <u>Commission Exhibits:</u> | | |
| RED 1 | State Game Land Number 323 Map | 20* |
| RED 2 | State Game Land Number 88 Map | 21* |
| RED 3 | State Game Land Number 91 Map | 24* |
| RED 4 | State Game Land Number 91 Map | 25* |
| OGM 1 | State Game Land Number 25 Map | 28* |
| OGM 2 | State Game Land Number 62 Map | 29* |

*EXHIBITS NOT ATTACHED

P R O C E E D I N G S

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MR. PUTNAM:

We'll call the meeting to order and start off with the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

MR. PUTNAM:

We'll start off with a reminder to please turn off your cell phones or put them on silent. We'll have the roll call by the Secretary.

MR. LAYTON:

President Putnam?

MR. PUTNAM:

Present.

MR. LAYTON:

Vice President Hoover?

MR. HOOVER:

Present.

MR. LAYTON:

Commissioner Delaney?

MR. DELANEY:

Present.

MR. LAYTON:

Commissioner Weaner?

MR. WEANER:

1 Present.

2 MR. LAYTON:

3 Commissioner Schlemmer is absent.

4 Commissioner Fox?

5 MR. FOX:

6 Here and present.

7 MR. LAYTON:

8 Commissioner Daley?

9 MR. DALEY:

10 Present.

11 MR. LAYTON:

12 Commissioner Layton is present.

13 MR. PUTNAM:

14 Thank you. Can we have the approval of
15 the minutes of the previous meeting?

16 MR. WEANER:

17 Mr. President, do you want to turn on
18 your microphone, please?

19 MR. PUTNAM:

20 Thank you. Can we have the approval of
21 the Commission meeting held April 10th, 2015?

22 MR. DELANEY:

23 So moved.

24 MR. WEANER:

25 Second.

1 MR. PUTNAM:

2 Having been properly moved and seconded,
3 do we have a vote? All those in favor, signify by
4 saying aye.

5 AYES RESPOND

6 MR. PUTNAM:

7 Opposed? Motion carries. I'll turn it
8 over to the Bureau of Wildlife Management for proposed
9 Rule Making.

10 ATTORNEY BECHTEL:

11 The first item today comes from the
12 Bureau of Wildlife Management's proposed Rule Making
13 to amend 58 Pa Code, Section 135.104. The controlled
14 goose hunting program on the Middle Creek Wildlife
15 Management Area provides opportunities for hunters to
16 harvest Canada geese during the regular goose hunting
17 season. Each year, a number of hunters are selected
18 to hunt from blinds through a public drawing. Hunters
19 may subsequently enter into a drawing on later days
20 for unclaimed blinds where they may take additional
21 geese but remain within the one goose per day daily
22 bag limit.

23 Hunter success rates have been declining
24 on the controlled goose hunting area due in part to
25 declining resident goose populations, fewer migrant

1 geese and higher harvest rates on geese in areas
2 surrounding Middle Creek. To increase hunter success
3 and resident goose populations, the September season
4 daily limits and season daily bag limits have been
5 reduced. The September season hunting is closed on
6 State Game Land 46. To help increase hunter success
7 rates and the Canada goose populations on Middle
8 Creek, it is being proposed to limit the take on the
9 controlled goose hunting area to one Canada goose per
10 person per season. The text of the amendment is shown
11 on page two of your agenda.

12 MR. WEANER:

13 So moved.

14 MR. PUTNAM:

15 You heard the commentary. Do we have a
16 motion, do we have a second?

17 MR. LAYTON:

18 Second.

19 MR. PUTNAM:

20 Discussion? John, do you have anything
21 else you'd want to add to that, to the discussion we
22 just got?

23 MR. DUNN:

24 Just that we will be meeting with our
25 partners in the coming year, what happens to the

1 success rate with this change? We may be proposing
2 some other changes due to this.

3 MR. PUTNAM:

4 Okay. Any additional comments or
5 discussion? Mr. Secretary?

6 MR. LAYTON:

7 We have a motion on the floor that's
8 been properly seconded. All those in favor, signify
9 by saying aye.

10 AYES RESPOND

11 MR. LAYTON:

12 Opposed?

13 NO RESPONSE

14 MR. LAYTON:

15 Motion carries.

16 ATTORNEY BECHTEL:

17 The next item concerns proposed Rule
18 Making to amend 58 Pa Code Section 133.21 relating to
19 classification of mammals to reflect the current
20 status of the population of mammals in this
21 Commonwealth and to update scientific nomenclature.
22 The first amendment pertains to the Delmarva fox
23 squirrel. This is one of three subspecies of fox
24 squirrels listed in Pennsylvania. The species was
25 considered present historically in only a very limited

1 portion of southeastern Pennsylvania, and a
2 reintroduction attempt in 1989 occurred with no
3 documented survival past one year. Suitable habitat
4 for the species within its historic range is
5 nonexistent, and no documented individuals have been
6 recorded in the 25 years since the reintroduction
7 effort was undertaken. The mammal technical
8 committee, a scientific advisory committee of the
9 Pennsylvania Biological Survey, has voted to consider
10 it as state extirpated, and to remove it from the list
11 of state endangered mammals. Across the species core
12 range in coastal portions of Delaware, Maryland and
13 Virginia, it is considered stable and proposed to be
14 removed from federal list of endangered species.

15 The second amendment updates the common
16 name of the eastern woodrat in Pennsylvania to the
17 Allegheny woodrat. Based upon genetic and
18 morphological evidence, the eastern woodrat has been
19 split into two species; the eastern and the Allegheny
20 woodrat. The Allegheny woodrat inhabits Pennsylvania
21 and is currently listed as threatened. The text of
22 these changes is shown on pages three and four of your
23 agenda.

24 MR. PUTNAM:

25 Do we have a motion?

1 MR. DALEY:

2 So moved.

3 MR. WEANER:

4 Second.

5 MR. PUTNAM:

6 Mr. Secretary? Oh no, discussion? No
7 discussion. Mr. Secretary?

8 MR. LAYTON:

9 We have a motion on the floor that's
10 been properly seconded, and all those in favor signify
11 by saying aye.

12 AYES RESPOND

13 MR. LAYTON:

14 Opposed? Motion carries.

15 ATTORNEY BECHTEL:

16 The next item concerns proposed Rule
17 Making to amend 58 Pa Code Section 147.673. The
18 Commission is statutorily tasked with managing the
19 Commonwealth's white-tailed deer herds on behalf of
20 all its citizens. To accomplish this task, the
21 Commission allocates antlerless deer licenses across
22 the state amongst its various wildlife management
23 units to utilize hunter harvest as the primary
24 management tool of white-tailed deer. These
25 allocations are adjusted each year to allow the deer

1 herd to grow, stabilize or decrease, and are based on
2 the best available science and in consideration of the
3 broad and disparate interests of the Commonwealth's
4 various stakeholders. However, this system primarily
5 focused on addressing deer management at the landscape
6 level.

7 In 2003, the Deer Management Assistance
8 Program, or DMAP, was first established to provide
9 both public and private landowners with an additional
10 tool for the management of local white-tail deer herds
11 on lands where excessive deer numbers have compromised
12 the landowners' land uses and other interests. DMAP
13 was specifically designed as a strategic tool to deal
14 with localized land issues, not larger landscape
15 problems. However, a growing voice of hunters have
16 recently raised concerns that DMAP may be excessively
17 impacting local white-tail deer herds, especially on
18 state-owned lands, as evidenced by a lack of deer
19 sightings. Regulatory changes allow the Commission to
20 closely monitor and make necessary changes when
21 alignment of local deer management goals using DMAP
22 are not in alignment with the agency's mandate to
23 effectively manage the deer in a responsible and
24 appropriate manner.

25 The Commission is proposing to amend

1 Section 147.673, relating to eligibility and
2 application for DMAP, to allow the Commission to
3 assess DMAP coupon allocations for political
4 subdivision or government agency applicants at
5 individual and distinct DMAP units to be less than
6 15,000 acres each and also assess DMAP coupons to
7 these applicants based upon current conditions
8 relative to goals and objectives outlined in the
9 approved management plan.

10 By limiting the extent of DMAP units on
11 public lands to less than 15,000 acres each, political
12 subdivision or government agency landowner applicants
13 will be asked to narrow the focus of their DMAP
14 applications to areas in greater need of this tool in
15 an effort to manage deer populations at a more
16 distinct local level. Furthermore, political
17 subdivision or government agency landowner applicants
18 will be issued DMAP coupons in such numbers that are
19 consistent with current conditions relative to goals
20 and objectives outlined in an approved management plan
21 and without a guaranteed minimum allocation. The
22 proposed amendments better allow the Commission to
23 manage the white-tail deer herd to best meet landowner
24 needs, hunter desires and citizen's interests. The
25 text of these changes is shown on pages six and seven

1 of your agenda.

2 MR. PUTNAM:

3 Do I have a motion?

4 MR. HOOVER:

5 So moved.

6 MR. PUTNAM:

7 Second?

8 MR. WEANER:

9 Second.

10 MR. PUTNAM:

11 Discussion? Actually, I'll provide a
12 little additional commentary to this. This is a
13 proposed rule. This is not going to be final until
14 our next meeting, so we have plenty of time to
15 continue the discussion, make additional comments. It
16 is part of our ongoing effort to address the issues of
17 hot spots and cold spots. This is an extremely
18 valuable tool to address hot spots. However, many of
19 the cold spots that have been identified are also
20 being, as far as we can tell, targeted with DMAP.
21 That's the issue we're really trying to address here.
22 So I invite additional comments from the
23 Commissioners. Commissioner Daley?

24 MR. DALEY:

25 I think that was well put, because, you

1 know, we have gotten some comments through what we got
2 yesterday. They had more time to look at it. Again,
3 there is some opposition to the 15,000 acres. I agree
4 that, you know, let's continue the dialogue and do
5 this at the next meeting.

6 MR. PUTNAM:

7 Thank you. Any additional comments?
8 Commissioner Layton?

9 MR. LAYTON:

10 Do you want me to call roll, or do you
11 want me to comment?

12 MR. PUTNAM:

13 No, I thought you were commenting when
14 you turned around.

15 MR. LAYTON:

16 I can comment. We talked to some of our
17 partners yesterday after the meeting, and we are going
18 to have conversation with them, and you know, we've
19 agreed to go out into the field and kind of do some
20 tours of some of the lands that are actually being
21 affected by this proposed change. And so, you know,
22 as we go through those discussions and those meetings,
23 I think we'll be able to if need be, tweak this, to
24 make it fit into everybody's needs.

25 MR. PUTNAM:

1 Thank you. Any additional comments?
2 Mr. Secretary?

3 MR. LAYTON:

4 We have a motion that's been properly
5 seconded. All those in favor signify by saying aye.
6 AYES RESPOND

7 MR. LAYTON:

8 Opposed? Motion carries.

9 ATTORNEY BECHTEL:

10 The next item for the Commission comes
11 from the Bureau of Wildlife Protection. It concerns
12 proposed Rule Making to amend 58 Pa Code Section
13 131.8. Notwithstanding the Bald Eagle's delisting on
14 March 15th, 2014, its populations and the populations
15 of its smaller cousin, the Golden Eagle, necessitate
16 further protection from unlawful takings in the form
17 of increased replacement costs.

18 The Commission is proposing to amend
19 Section 131.8 to increase replacement costs for Bald
20 and Golden Eagles from \$200 to \$2,500. The text of
21 this change is shown on pages eight and nine of your
22 agenda.

23 MR. PUTNAM:

24 Motion?

25 MR. DELANEY:

1 So moved.

2 MR. PUTNAM:

3 Second?

4 MR. WEANER:

5 Second.

6 MR. PUTNAM:

7 Discussion? Mr. Secretary?

8 MR. LAYTON:

9 We have a motion on the floor that's
10 been properly seconded. All those in favor signify by
11 saying aye.

12 AYES RESPOND

13 MR. LAYTON:

14 Opposed? Motion carries.

15 ATTORNEY BECHTEL:

16 And the next item is also proposed Rule
17 Making to amend 58 Pa Code Sections 143.182, 143.185
18 and 147.804. Since the successful implementation of
19 the Mentored Youth Hunting Program in the fall of
20 2006, the Commission has been striving to improve upon
21 the successes of this mentor-based program. Sporting
22 organizations and many other interested groups have
23 continued to encourage the Commission to expand
24 mentored youth hunting opportunities within this
25 Commonwealth to additional species, including the

1 cottontail rabbit and mourning dove. Importantly, the
2 mourning dove is defined as a migratory bird species
3 and therefore requires the acquisition of a Migratory
4 Game Bird License to facilitate the Harvest
5 Information Program, or HIP. HIP is a national
6 cooperative state and federal program designed to
7 improve the information collected regarding the
8 harvest of migratory game birds.

9 The Commission is proposing to amend
10 sections 143.182, 143.185 and 147.804 to add
11 cottontail rabbit and mourning dove to the list of
12 species that mentored youth are eligible to hunt and
13 also require that mentored youth obtain a Migratory
14 Game Bird License prior to hunting mourning dove. The
15 text of this change is shown on pages 10 and 11 of
16 your agenda.

17 MR. PUTNAM:

18 Motion?

19 MR. HOOVER:

20 So moved.

21 MR. PUTNAM:

22 Second?

23 MR. FOX:

24 Second.

25 MR. PUTNAM:

1 Discussion?

2 MR. DELANEY:

3 Yes, Mr. President.

4 MR. PUTNAM:

5 Commissioner Delaney?

6 MR. DELANEY:

7 I believe that this is a perfect example
8 of why we do it, and ask this Board of Commissioners
9 to expand our mentored youth hunting program to
10 include the rabbit hunters. The Pennsylvania Gun Dog
11 Beagle Association came here to testify often in the
12 last few years that have asked for this. I will be
13 supporting it, and I will say four years ago, when we
14 implemented the coyote to our youth hunting program,
15 it went over very, very well with Pennsylvania Fox and
16 Coyote Hunter's Association, so we know it can be
17 done. So I would encourage my fellow Commissioners to
18 have this for your consideration, and I think for the
19 future of the agency to continue our small game
20 hunting improvements.

21 MR. PUTNAM:

22 Thank you. Any additional comments?

23 Mr. Secretary?

24 MR. LAYTON:

25 We have a motion on the floor that's

1 been properly seconded. All those in favor signify by
2 saying aye.

3 AYES RESPOND

4 MR. LAYTON:

5 Opposed? Motion carried.

6 ATTORNEY BECHTEL:

7 The next items come from the Bureau of
8 Wildlife Habitat and Management. They concern two
9 acquisitions. The first is Contract Number L-3682,
10 State Game Land Number 323 in Centre County. Joshua
11 and Vivian First are offering for sale three tracts
12 totally 230.9 more or less acres in Howard Township,
13 Centre County, adjacent to State Game Land Number 323.
14 As shown on Exhibit RED 1 on page 13 of your agenda.

15 (Commission Exhibit RED 1 marked for
16 identification.)

17 ATTORNEY BECHTEL:

18 The tracts also adjoin United States
19 Government property to the North known as the Foster
20 Joseph Sayers Dam property, which is managed by the
21 Commission under an agreement with the United States
22 Army Corps of Engineers. The option price is \$325,000
23 lump sum to be paid with escrowed funds from prior
24 land exchange on State Game Land Number 176 with the
25 Pennsylvania State University and will require review

1 and approval from the U.S. Fish and Wildlife Service.
2 This transaction is contingent upon transfer or
3 easements currently held by Pennsylvania Department of
4 Conservation and Natural Resources on the property to
5 the Commission for no consideration. The three tracts
6 are located in an area known as the Lower Bald Eagle
7 Valley Region of Centre County and are forested with a
8 mix of pole stage northern hardwoods creating early
9 successional forest habitat. Access to this property
10 is through State Game Land Number 323, as well as
11 administrative access from two rights-of-way which can
12 lead to Township Route 663, also known as Old Route
13 220.

14 The second acquisition is Contract
15 Number L-3683, State Game Land Number 88 in Perry
16 County. The Sarah W. Fritz Estate is offering for
17 sale three tracts totaling 63.5 more or less acres in
18 Saville Township, Perry County, adjacent to State Game
19 Lands Number 88, as shown on Exhibit RED 2 on page 14
20 of your agenda.

21 (Commission Exhibit RED 2 marked for
22 identification.)

23 ATTORNEY BECHTEL:

24 The option price is \$150,000 to be paid
25 from the Game Fund. The tracts are comprised of a

1 mostly mature stand of oak/hickory forest. The
2 terrain is primarily steep and rocky. Two of the
3 tracts, one being 34.5 more or less acres, and the
4 other being 2.4 more or less acres, fill an indenture
5 into State Game Land Number 88, and provide access
6 from State Route 74. The 2.4 more or less acre parcel
7 will grant key access into a portion of State Game
8 Land Number 88, located at a manageable lower
9 elevation on the south side of Tuscarora Mountain.
10 The third tract, 26.6 more or less acres, partially
11 fills in another indenture and is accessed from the
12 existing State Game Lands Number 88.

13 MR. PUTNAM:

14 Motion?

15 MR. DELANEY:

16 So moved.

17 MR. PUTNAM:

18 Second?

19 MR. WEANER:

20 Second.

21 MR. PUTNAM:

22 Discussion?

23 MR. DELANEY:

24 Mr. President?

25 MR. PUTNAM:

1 Commissioner Delaney?

2 MR. DELANEY:

3 I think that as we consider the vote for
4 this, I just want offer just a short editorial under
5 discussion. If the Board was to pass this, if my math
6 is correct, I believe that this will put us at or over
7 1.5 million acres of State Game Lands in the
8 Commonwealth. I think the vote is somewhat historic
9 in what this agency has come to and got to, and I just
10 think this morning talking to our customers out here
11 need to know that we are at 1.5 million acres of State
12 Game Lands.

13 MR. PUTNAM:

14 Thank you. The 1.5 million is a number
15 that we're counting on and the official count will be
16 when the land sales are consummated, and we will have
17 an appropriate celebration at that time, but this is a
18 monumental occasion to get us up to 1.5 million acres.
19 Any additional discussion? Mr. Secretary?

20 MR. LAYTON:

21 We have a motion that's been properly
22 seconded. All those in favor signify by saying aye.

23 AYES RESPOND

24 MR. LAYTON:

25 Opposed? Motions carried.

1 ATTORNEY BECHTEL:

2 The next item concerns an exchange,
3 Contract Number L-3684, State Game Land Number 91 in
4 Luzerne County. Transcontinental Gas Pipeline,
5 TRANSCO, is offering an easement totaling 4.29 acres
6 upon, over and through and across land owned by
7 TRANSCO in Buck Township, Luzerne County, adjacent to
8 State Game Land Number 91, as shown on Exhibit RED 3,
9 on page 16 of your agenda.

10 (Commission Exhibit RED 3 marked for
11 identification.)

12 ATTORNEY BECHTEL:

13 The easement is an exchange for a right-
14 of-way license that TRANSCO requested in order to
15 construct, operate and maintain a new 42-inch natural
16 gas pipeline across a portion of State Game Land 91 in
17 Buck Township, Luzerne County. TRANSCO has agreed to
18 convey this 4.29 acre easement to the Commission in
19 lieu of habitat, surface and marketable damages
20 associated with the license. The easement offered by
21 TRANSCO will connect a limited access portion of State
22 Game Land Number 91 with State Route 115, providing
23 much-needed access for future habitat management, as
24 well as improved access for hunters and trappers. The
25 easement will allow for locating, opening,

1 constructing, repairing, maintaining and using a road
2 up to 30 feet in width and a parking area of up to
3 2.56 acres.

4 Motorized vehicle use of the road by the
5 Commission and those doing work for the Commission
6 will not be limited. Use of the road by the general
7 public will be limited to foot travel, non-motorized
8 vehicles or motorized wheelchairs and other mobility
9 support devices authorized under law. The Commission
10 will be responsible for the construction and
11 maintenance of the road and parking area. Any
12 marketable timber cut within the easement will become
13 the property of the Commission.

14 In addition to the easement, the
15 Commission's standard annual License fee will continue
16 to be paid by TRANSCO, so long as the License remains
17 active. The License will authorize 424 linear feet of
18 42 inch natural gas pipeline within the new 30-foot
19 wide right-of-way, as shown on Exhibit RED 4 on page
20 17 of your agenda.

21 (Commission Exhibit RED 4 marked for
22 identification.)

23 ATTORNEY BECHTEL:

24 The new right-of-way will occupy 0.28
25 acres of State Game Land Number 91, and will be

1 located immediately adjacent to an existing 100-foot
2 right-of-way that TRANSCO acquired from previous
3 landowners in the Commission's chain of title.
4 TRANSCO will use and reclaim an additional 0.27 acre
5 of Game Lands outside of this right-of-way during
6 construction of the pipeline. As a condition of the
7 License, TRANSCO will also construct 130 more or less
8 feet of improved access road across all pipelines
9 within both right-of-ways to facilitate heavy hauling
10 by the Commission during future timber management
11 activities on State Game Lands Number 91.

12 MR. PUTNAM:

13 Do I have a motion?

14 MR. WEANER:

15 So moved.

16 MR. PUTNAM:

17 Second?

18 MR. FOX:

19 Second.

20 MR. PUTNAM:

21 Discussion? I'll offer a commentary on
22 this is a --- every one of our acquisitions and
23 exchanges greatly benefit the sportsmen of
24 Pennsylvania by providing additional access to our
25 game lands. It seems like everyone that I look at

1 here has significant, not just more access, but
2 significant access to areas. We own a lot of
3 property, but a lot of our property has been
4 landlocked and hard to get to. But as long as I have
5 the floor, I have to introduce Director Sussenbach.
6 This is his first official meeting as a Director of
7 Wildlife Habitat management, so welcome aboard, Pete.
8 And now, Mr. Secretary?

9 MR. LAYTON:

10 We have motion that's been properly
11 seconded. All those in favor signify by saying aye.

12 AYES RESPOND

13 MR. LAYTON:

14 Opposed? Motion carried.

15 ATTORNEY BECHTEL:

16 The next item concerns a restricted
17 surface use oil and gas cooperative agreement or land
18 exchange on Tract 025A-15, State Game Land Number 25,
19 in Elk County. Seneca Resources Corporation, or
20 Seneca, of Pittsburgh, Pennsylvania requested the
21 Commission offer its oil and gas rights under a
22 portion of State Game Land Number 25 for oil and gas
23 development. The proposed tract, containing
24 approximately 2,106.73 acres, is located in Jones
25 Township, Elk County, as shown on Exhibit OGM 1, on

1 page 19 of your agenda.

2 (Commission Exhibit OGM 1 marked for
3 identification.)

4 ATTORNEY BECHTEL:

5 Seneca owns the oil/gas rights under all
6 of State Game Land Number 25, with the exception of
7 the 2,106.73 acres and has initiated unconventional
8 gas well exploration, drilling, production and
9 transportation activities on State Game Land Number 25
10 and on the adjoining Elk State Forest lands. Seneca
11 is the only company that has the ability to unitize
12 and effectively develop the Commission's oil and gas
13 reserves under the proposed tract by horizontal
14 drilling. PGC staff has negotiated the proposed terms
15 of the agreement with Seneca in an effort to prudently
16 develop the Commission's oil/gas reserve, as well as
17 to simultaneously minimize the surface use and protect
18 the wildlife resources and recreational use of State
19 Game Land Number 25.

20 The terms of the agreement are a five-
21 year paid up Surface Use Oil and Gas Agreement, a
22 \$1,350 per acre net oil and gas bonus payment, a total
23 bonus of \$2,844,085 and 15 percent royalty for all
24 oil/gas and other liquids or condensates produced and
25 sold from the proposed tract. The bonus payment shall

1 be deposited into the Game Fund. As additional bonus
2 consideration, Seneca will transfer a 290-acre tract
3 of land adjoining State Game Land Number 62 in Hamlin
4 Township, McKean County to the Commission and will
5 also surrender the remaining eight years of a ten-year
6 timber reservation on a 184-acre tract of land
7 previously conveyed to the Commission also located in
8 Hamlin Township, McKean County, as shown on Exhibit
9 OGM 2, on page 20 of your agenda.

10 (Commission Exhibit OGM 2 marked for
11 identification).

12 ATTORNEY BECHTEL:

13 Both the 290-acre tract and the 184-acre
14 reservation are northern hardwood forest habitat in
15 the small sawtimber and pole timber size classes with
16 good potential for habitat improvement. High
17 elevation wetlands also exist on the tracts.

18 Future rentals and royalties owed to the
19 Commission shall also be deposited into the Game Fund.
20 Oil and gas development will be regulated by the
21 Commonwealth's oil and gas regulations and the
22 Commission's standard Restricted Surface Use Oil and
23 Gas Cooperative Agreement.

24 MR. PUTNAM:

25 Do I have a motion?

1 MR. HOOVER:

2 So moved.

3 MR. PUTNAM:

4 Second?

5 MR. FOX:

6 Second.

7 MR. PUTNAM:

8 Discussion? Mr. Secretary?

9 MR. LAYTON:

10 We have a motion that's been properly
11 seconded. All those in favor signify by saying aye.

12 AYES RESPOND

13 MR. LAYTON:

14 Opposed? Motion is carried.

15 ATTORNEY BECHTEL:

16 The last item before the Commission
17 today is from the Executive Office. It concerns the
18 proposed strategic plan. The 2015-2020 Strategic Plan
19 is presented to the Board of Commissioners for
20 approval. The strategic plan was developed in a
21 collaborative approach with a focus on developing
22 SMART goals; goals which are Specific, Measurable,
23 Achievable, Realistic and Timely. By no means does
24 this document represent all of the inner workings of
25 the Pennsylvania Game Commission. Instead, the

1 document outlines goals and challenges the Agency will
2 focus on during the next five years to continue to
3 improve the Agency's effectiveness.

4 This strategic plan was developed
5 through an interactive strategic planning process
6 which sought input from all six regions, all six
7 bureaus and the Board of Commissioners. In addition,
8 this document was sent out for public review and
9 comment. In total, five core goals were identified in
10 the strategic plan: first, put wildlife first;
11 second, improve wildlife habitat; third, follow sound
12 business practices; fourth, serve the Pennsylvania
13 public; and fifth, improve support for hunting and
14 trapping.

15 MR. PUTNAM:

16 Do I have a motion to accept the
17 strategic plan?

18 MR. DELANEY:

19 So moved.

20 MR. PUTNAM:

21 Second?

22 MR. WEANER:

23 Second.

24 MR. PUTNAM:

25 Discussion?

1 MR. Delaney:

2 Yes, Mr. President. Unfortunately, the
3 public that are welcome to speak today didn't have a
4 chance to see Director Hough's presentation as to the
5 strategic plan. And one thing I can hope you took
6 away from this was how many times he said we, when he
7 presented it yesterday, which meant it included the
8 Board of Commissioners, his staff, regional staff and
9 it was an all in on this, so I appreciate Matt's work
10 on this, and all the times he said we yesterday to
11 develop this.

12 Secondly, if there are any sportsman
13 across the Commonwealth of Pennsylvania that want to
14 know what's going to happen to the Pennsylvania Game
15 Commission in the next five years, I challenge you to
16 take a look at this plan if the Board passes it today.
17 I think it's an excellent plan, very professionally
18 done by our staff. We had much discussion about this
19 yesterday. But I just wanted to ensure the public
20 that there was a broad discussion on this yesterday on
21 exactly what was included in the plan.

22 MR. PUTNAM:

23 This plan will be available on our
24 website for the public that's watching, they can go
25 take a look at it. I would like to congratulate the

1 staff on getting this done on time, under budget.
2 This is a pretty monumental achievement for them. And
3 we had kind of a late start. We went through
4 transitional with the Executive Director, so we
5 weren't working on this thing for the last five years.
6 We really got a late start doing it and it really,
7 really was a big effort, so thanks to everybody that
8 was involved in putting this together. Additional
9 commentary? Commissioner Hoover.

10 MR. HOOVER:

11 I just wanted to point out, I think we'd
12 be remiss if we didn't congratulate Deputy Director
13 Burhans for all of his work that he put in. He
14 stepped into the role and in the very beginning of
15 this thing when he got into the job and took it over,
16 and I think he ran with it and did a pretty good job
17 on it as well, so congratulations to all staff and
18 everyone that was involved.

19 MR. PUTNAM:

20 Thank you. Mr. Secretary?

21 MR. LAYTON:

22 We have a motion on the floor. It's
23 been properly seconded. All those in favor signify by
24 saying aye.

25 AYES RESPOND

1 MR. LAYTON:

2 Opposed? Motion carried.

3 MR. PUTNAM:

4 And now we're going to new business. We
5 have several items to discuss. One will be our quail
6 program. Commissioner Layton is present as the
7 Chairman of our Quail Committee, and he'd like to give
8 a little, brief update.

9 MR. LAYTON:

10 Yeah, there's been an update to report
11 on as far as the Quail Management Plan, recently
12 members of the Game Commission staff met with members
13 of Fort Indiantown Gap about the possibility of
14 partnering with them to establish any quail
15 populations on their property. Not only does the
16 habitat there exceed the expectations that we need to
17 establish quail populations, but one of the highlights
18 is that they have a biologist on staff that's excited
19 about working with us to make this happen.

20 So currently the PGC staff is networking
21 with our out of state partners with this project, to
22 try to find quail that can be trapped and transferred,
23 and we certainly, not only the members of the
24 committee, but the members of the Board of
25 Commissioners want to thank Matt and the senior staff

1 that made this happen and went into Indiantown Gap.
2 And we're looking forward to seeing what we can do
3 with the quail populations and seeing if we can
4 establish populations at Indiantown Gap and hopefully
5 expanding that program into other areas that we can
6 find with a habitat that meets our needs.

7 So if anybody else has any comments on
8 that, either/or Bryan or Rich, I know you guys were
9 out in front on this, and we certainly appreciate all
10 your efforts that you made. Thank you very much. I
11 think even, one more thing, from the time that --- I
12 can remember the day in Delmont where we kind of
13 brought this issue to the forefront. Commissioner
14 Delaney brought it up. We have made huge achievements
15 in getting the quail plan taken care of. And without
16 the executive staff and senior staff, it wouldn't
17 happen, so we thank you for that.

18 MR. PUTNAM:

19 Thank you. We often read in the paper
20 about what the Commissioners are thinking and
21 oftentimes we are asked for what we think, so I think
22 we're going to have a couple of resolutions and then
23 some commentary on some of the items that are before
24 us. There's a lot of legislation out there that will
25 affect the Commission. Some of this we will comment

1 on, some we won't comment on, but one of them is the
2 resolution to support early retirement. I don't know
3 if you want to call it early retirement, but
4 Commissioner Layton does have a resolution regarding
5 the retirement bills that are out there that will
6 affect our field officers.

7 MR. LAYTON:

8 Yeah, just briefly, we would encourage
9 the legislators to include our WCOs in the definition
10 of law enforcement officers with regard to early
11 retirement legislation. We believe that our
12 conservation officers deserve the same benefits that
13 are currently being offered to other law enforcement
14 officers in the Commonwealth, including those
15 conservation officers currently working with Fish and
16 Boat Commission. So we'd just like to put that out
17 there for our WCOs.

18 MR. PUTNAM:

19 Okay. Do we want to vote on that as a
20 resolution? I'll ask Commissioner Weaner, our
21 Parliamentarian.

22 MR. WEANER:

23 I think our intent's pretty clear. I
24 don't see any opposition to it. I think it stands on
25 its own merits.

1 MR. PUTNAM:

2 Okay. We don't need to vote on it. We
3 had a recent reunion of the Pennsylvania Game
4 Commission. I was going to ask --- I'm asking
5 Director Hough to give some comments on that.

6 MR. HOUGH:

7 Thanks, Dave. 2015 marks the 120th year
8 of the Pennsylvania Game Commission, and probably
9 about six or seven months ago, Chad Eylder, out of the
10 Bureau of Wildlife Protection, came to me with the
11 idea of having a Game Commission reunion to celebrate
12 our 120th year. And Chad and I had a long discussion
13 and we decided that Chad would put a committee
14 together, Chad would lead the committee.

15 The committee was made up of individuals
16 from all the regions and all the bureaus, and the week
17 of June 5th, we had a reunion in Gettysburg,
18 Pennsylvania, which was very nice. We had about 215
19 individuals, including Commissioners, retired
20 employees and current employees attend. Spent the
21 entire weekend there. Had a great time. Keynote
22 speaker was Mr. Pete Duncan. For those of you who
23 don't remember Pete, Pete was the Secretary of at that
24 time, DER, Department of Environmental Resources, and
25 later the Executive Director of the Pennsylvania Game

1 Commission. So Pete came back and was our keynote
2 speaker. Did a fantastic job, provided a great
3 message. It was a really good weekend, and I'd just
4 like to thank Chad and the committee for putting that
5 together because they did an excellent job. So I
6 would just like to thank everyone for that. Thank
7 you.

8 MR. PUTNAM:

9 Thank you, Matt. There was another
10 event two weekends ago, I guess it was, called the
11 YHEC, and Charlie Fox has been very involved in that,
12 and I'm asking Charlie to give us a report on that.

13 MR. FOX:

14 For those of you that are not familiar
15 with the term YHEC, it's the Youth Hunter Education
16 Challenge. It's the NRA's oldest program. It's been
17 around since 1985. The goal is to produce safe,
18 knowledgeable, ethical hunters. The requirements to
19 participate, the participant must have taken our HTE
20 class. It's divided into two categories. We have the
21 junior category, that is 12 to 14. We have a senior
22 category that is 15 to 18. They also compete in teams
23 and they compete as individuals. It's organized
24 around two regional shoots and the state shoot in
25 Pennsylvania. The regional shoot in Western

1 Pennsylvania had 60-some participants there. We had
2 an Eastern shoot where we had 150 participants. And
3 then last week, we had our state shoot, which had 197
4 participants. Now participants compete in six events.
5 They compete in four shooting events; .22,
6 muzzleloader, shotgun and archery. But they also take
7 a hunter responsibility exam and then also do wildlife
8 identification. Once they have competed at our state-
9 level shoot, they are eligible to compete at the
10 national shoot.

11 Our competitors come from all corners of
12 the state. 197 participants from Fayette, Greensburg,
13 Pine Grove, Troy, Branch Valley, so it's pretty broad
14 across the state. Once they move on from here, they
15 will compete at the nationals. So right now, it looks
16 like Pennsylvania will have somewhere between 30 and
17 40 able to compete at the national event. It's held
18 in New Mexico at the NRA Whittington Center; the
19 largest shooting facility in the world. I'm looking
20 forward to going out there during the last full week
21 in July.

22 One of the unique things about it is
23 that Whittington goes back and forth with the national
24 shoot, and next year, we will be in Mansfield,
25 Pennsylvania. I've been there before, but they came

1 here since 1999, and back and forth between New Mexico
2 and Mansfield. It's a week-long event, and it's
3 usually the last week in July. If you have an
4 interest, I'd like to see you. I would certainly
5 consider that you would either attend or volunteer at
6 that event. The NRA provides you with meals, lodging.
7 You come to the Sportsman Club, the host.

8 Looking for youth activity, it's a
9 tremendous youth activity; much more time-consuming
10 than some of the others, because teams prepare. In
11 some cases, it's like they prepare as early as March.
12 I can see them sometimes two and three times a week.
13 But I encourage you, if you're interested in the
14 program, look at the website. I'll give the website,
15 www.payhec.org. And that will take you to links to
16 other YHEC programs. There are other YHEC programs in
17 about 40 states. Roughly 16, maybe 15 of them will be
18 representing us at the national championships. If you
19 have any questions, I will be happy to answer them.

20 MR. PUTNAM:

21 Thank you, Charlie. That's really a
22 very good event. Is it always held at the Scotia
23 Range?

24 MR. FOX:

25 It has been for the last 18 years.

1 MR. PUTNAM:

2 So the event's held at the Game
3 Commission's Scotia Range there in Centre County. One
4 other topic on legislation that's pretty active out
5 there is the use of semi-automatic rifles.

6 Pennsylvania is one of the last two states that
7 doesn't allow some form of hunting with automatic
8 rifles. Commissioner Weaner said he's proud to be one
9 of the last two states to not allow semi-automatic
10 rifles. And we do place a lot of weight on tradition.

11 We have kept some traditions far longer than other
12 states, so, in some ways, we're very progressive. In
13 other ways, we maintain our traditions.

14 It appears to us that some form of this
15 legislation will pass. There's a lot of support for
16 it, and there's various bills that provide for caliber
17 restrictions, magazine restrictions, restrictions on
18 species that are hunted out there. The preferred
19 course of action would be to, from our standpoint,
20 would be for the Commission to be given authority to
21 regulate the use of semi-automatic rifles as opposed
22 to some specific legislation that specifies one or two
23 species and we would want to expand it in the future,
24 would need legislative approval to do it. So people
25 have asked for our comments on it, and our support is

1 on a bill that just simply gives the authority to the
2 Commission to regulate it. And I will ask any other
3 Commissioners that would like to comment on that to
4 speak up. So I guess I'm representing the other
5 Commissioners when I say that.

6 The next working group meeting will be
7 August 10th, 2015. And the September Commission
8 Meeting will be held September 28th and 29th, 2015, in
9 the Homewood Suites by Hilton, in DuBois,
10 Pennsylvania. The President of the Commission usually
11 takes the meeting to their district at the fall
12 meeting, and that's where we're going to be going for
13 this one.

14 Under new business, I believe we're
15 requested to release the Osprey Management Plan to the
16 public. We had a presentation yesterday on the Osprey
17 Management Plan and at this time, I'll ask for a
18 resolution to release our Osprey Management Plan ---
19 or motion to release the Osprey Management Plan for
20 public comment.

21 MR. WEANER:

22 So moved.

23 MR. PUTNAM:

24 Second?

25 MR. FOX:

1 Second.

2 MR. PUTNAM:

3 Discussion? Mr. Secretary?

4 MR. LAYTON:

5 We have a motion on the floor that's
6 been properly seconded. All those in favor signify by
7 saying aye.

8 AYES RESPOND

9 MR. LAYTON:

10 Opposed?

11 OPPOSED RESPOND

12 MR. LAYTON:

13 The motion carried.

14 MR. PUTNAM:

15 Motion carries with one no vote.

16 Commissioner Brian Hoover.

17 Okay. We have a couple other items
18 here. Commissioner Delaney has served his full eight
19 years as a Commissioner, and this will be his last
20 official meeting unless he is not replaced. And so
21 we're going to give the floor to Commissioner Delaney.

22 MR. DELANEY:

23 Very good. I have just a few prepared
24 notes here. April 17, 2007 was the date that I became
25 a Pennsylvania Game Commissioner. Was that a long

1 time ago, or the blink of an eye?, I asked myself that
2 question recently. I have attended 442 official
3 meetings to date, as Commissioner, not including most
4 social encounters with sportsmen, stakeholders and
5 members of the legislature. I mention these meetings
6 not to talk about me but ask that you respect the time
7 (these) commissioners put into their positions with
8 no salary.

9 I have a lot to be thankful for. Very
10 few people have had the privilege to serve as a Game
11 Commissioner. I have always strived to put our wild
12 resources first with our sportsmen across the state a
13 very close second. I have also been blessed to serve
14 with so many excellent Commissioners; 14 of them. In
15 addition, the Pennsylvania Commission, to me, is the
16 model wildlife agency with some of the most dedicated
17 people that I've ever met. While I'm grateful for the
18 excellent staff we have in the Executive Office
19 presently, I must also extend my heartfelt thanks to
20 the men and women of the Northeast Regional Office
21 under the direction of Director Dan Figured.

22 In 2006, Game Commissioner Greg Isabella
23 encouraged me to apply for the position of Game
24 Commissioner and was that process was rigorous.
25 Almost a year of meetings with several other advisory

1 council members, Janet here, and others, but it was an
2 extremely rigorous, rigorous process. I certainly
3 need to thank some folks who offered me this special
4 opportunity. And the first one I'd like to thank is
5 former Governor Ed Rendell for nominating me to the
6 position. Then there's Senator Ray Musto, who's
7 deceased, and Senator Lisa Baker who led the charge
8 for my nomination in the State Senate the afforded me
9 a nomination of 49-0 My family- my Dad never hunted,
10 yet he offered me counsel often keeping me focused as
11 my Mother did. My wife Valerie's here today. She
12 should be nominated for sainthood for the last eight
13 years, through some very difficult years when I was
14 Secretary, Vice President and then President. While
15 she is not a hunter, she can certainly tell you what
16 is on sportsmen's minds after listening to thousands
17 of discussions.

18 Did I have an agenda when I started as a
19 Pennsylvania Game Commissioner? The answer is yes, I
20 certainly did. But there's one thing I learned, that
21 one Commissioner can't make a difference. You have to
22 have five votes to make anything happen. I've had
23 some very good teachers over the last eight years, and
24 I had a lot of success with my voting record. What
25 did I strive for? Number one, to make our hunting

1 heritage stronger. Number two, to find a balance
2 between the science of wildlife management and the
3 sportsmen and stakeholders we serve. Try taking the
4 state with nearly 13 million people, 930,000 hunters
5 and 480 species of birds and mammals and find balance.
6 It's extremely difficult.

7 The third most important issue that was
8 really important to me was to speak on behalf of the
9 small game hunters across the state and to do
10 everything I could to bring that segment of the
11 sporting public to the table. I think we've done some
12 really great things for our small game hunters in the
13 last eight years and I'm thankful to the Board of
14 Commissioners, and our executive staff for supporting
15 those efforts.

16 To the sportsmen across the state, and
17 more importantly, Northeastern Pennsylvania, I say
18 thank you for the excellent dialog we've had over the
19 last eight years. It's been a good ride. I have no
20 regrets, only positive things to say about the
21 Pennsylvania Game Commission's future. I hope the new
22 Commissioner from Northeastern Pennsylvania will be as
23 blessed as I have been for these past eight years.
24 Hopefully this fall I will be back to using my
25 vacation days from my real job as Fire Chief and get

1 out there hunting pheasants and grouse with my birddog
2 Hunter. My sincere thanks to all of you.

3 MR. PUTNAM:

4 Thank you, Jay. Since I'm the
5 President, I always get to have another word.

6 I want to recognize Jay, as well. He
7 has been a very strong Commissioner, and I think he's
8 been a straight arrow his entire time here. He's
9 represented our sportsmen and in any private
10 discussions as well as public discussions, Jay is
11 always the same guy. What you see here, what you see
12 in our working group meetings, Jay is always out there
13 arguing for the sportsman. He's been the champion of
14 small game hunting.

15 As recently as our last meeting, we had
16 some people came in as a group of about four or five
17 people testified about rabbit season, and wanting to
18 know why we end it in the middle of February instead
19 of the end of February. They gave some pretty
20 convincing testimony, we discussed it with staff. I
21 mean Jay took the message, carried it, and we had
22 discussions with staff, bring it back the next day, we
23 vote on it, and now the season runs 'til the end of
24 February. That's one accomplishment of Jay's, but Jay
25 has many and that's an example of how he heard a

1 sportsman, he championed the issue and got it through
2 the system in 24 hours, or something like that.

3 So anyhow, I'm going to miss you, Jay.
4 But the one thing is Jay does have, the Commissioners
5 of the Game Commission can serve up to six months
6 beyond their expiration date, so there's a possibility
7 that we could see Jay at a future meeting. So thank
8 you very much, Jay. Additional comments from the
9 Commissioners?

10 MR. DELANEY:

11 David, there's one thing I should bring
12 up about Commissioner Schlemmer not being here
13 yesterday. Aside from my parting notes, he had an
14 excused absence for not being here. One check
15 presentation received yesterday from the NRA at the
16 town hall for \$25,000, Commissioner Schlemmer really
17 facilitated that almost two years to get that money
18 that was designated for a shooting range in
19 Southwestern Pennsylvania. He has an excused absence
20 for not being here, but I'm sure he would have loved
21 to have been here for that check presentation
22 yesterday.

23 MR. PUTNAM:

24 Thank you, Jay. Jay, we'll take a photo
25 down here after our next item.

1 Okay, the final item that I have on my
2 list is John Dunn. John is retiring. John and I
3 started out at the Jerry Wentz biologist bootcamp.
4 When was that? Thirty (30) years ago. We planted
5 trees on Game Lands 30 at a time when the deer
6 population was so high that it was totally useless. I
7 advocated for putting the trees out in the manger
8 instead, they would get more out of it. And I've
9 known John throughout his career. I respect John. I
10 always hate to see him in a coat and tie though. I'd
11 rather see John out in his hip boots working in the
12 field. We get into this field and sometimes we go a
13 little higher than what we should. We got into it to
14 wrestle beavers and deer and bear, and then we get up
15 to the point where we're like John, sitting there with
16 a coat and tie on. But John's going to now retire and
17 has some plans. John, do you want to say a few words?
18 Tell us what your plans are and where you're going
19 hunting.

20 MR. DUNN:

21 Thanks for those kind words, Dave. I've
22 worked for the Commission for over three decades, and
23 I got to work with some really great people. And that
24 includes not just Agency employees, but also our
25 partners, folks like you heard yesterday, partners,

1 the National Wild Turkey Federation, Ducks Unlimited,
2 Pheasants Forever. They all help us work towards
3 getting our work done. And I can't say enough too
4 about the professionalism, dedication, cooperation of
5 Game Commission employees. And in particular, I want
6 to mention biologists throughout the Agency. We have
7 some of the best biologists, best scientists
8 recognized nationally across the country, and I hope
9 the Board will continue to seek your counsel. I know
10 you have some often difficult wildlife management
11 decisions to make, but I think if you seek their
12 counsel, they can help you along the way. So I just
13 wish you all the best in the future and continued
14 success in years ahead.

15 MR. PUTNAM:

16 Okay, John, stay there, stay there a
17 second. Is there any other Commissioners want to add
18 anything?

19 MR. DELANEY:

20 Well I think we should say Calvin
21 DuBrock was the Director of wildlife Management and we
22 haven't even missed a beat in probably one of the
23 busiest bureaus in the Game Commission, and when he
24 left, all the responsibilities he had, John just kind
25 of picked up. And I don't think he skipped a beat in

1 the last year. So John, I appreciate that. You know,
2 I mean, when Cal left, there was a huge void there,
3 and I think you filled that void very admirably in the
4 last year.

5 MR. HOUGH:

6 I'd just like to thank John. Cal
7 retired a year ago in July, and I had the opportunity
8 to ask John to step into his place as Acting Bureau
9 Director until a replacement was named.

10 MR. Dunn:

11 Yeah, you said two months.

12 MR. HOUGH:

13 Just so everyone knows, he wasn't like
14 jumping up and down wanting to do this. He did
15 realize that it would make him take his hip boots off
16 and put a tie on, I guess. So he's had some problems
17 with that. But I do say John, you did an excellent
18 job, and I really do want to thank you, and this is
19 coming from the heart, for doing a great job. You
20 stepped into a very tough position. You did an
21 excellent job and I do appreciate it, so I just wanted
22 to thank you, John. We do have a print for you, by
23 the way, so please step up to the podium.

24 MR. PUTNAM:

25 Jay, you may as well come down and get

1 yours as well.

2 PRINT PRESENTATION

3 MR. PUTNAM:

4 Do the Commissioners have any additional
5 items they want to bring up? We're getting to the
6 bitter end of this meeting? Hearing no further
7 comments we'll adjourn the meeting.

8 * * * * *

9 MEETING CONCLUDED AT 9:24 A.M.

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CERTIFICATE

I hereby certify that the foregoing Meeting was reported by me on 6/30/15 and that I, Jacob S. Rae, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.



Jacob S. Rae,

Court Reporter

