COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION
IN RE: MEETING

BEFORE:
Ronald A. Weaner, President
Ralph A. Martone, Vice President
David J. Putnam, Secretary
Gregory J. Isabella, Commissioner
Thomas E. Boop, Commissioner
David W. Schreffler, Commissioner
James J. Delaney, Jr., Commissioner
Robert W. Schlemmer, Commissioner
R. Matthew Hough, Deputy Executive Director
Carl. G. Roe, Executive Director

HEARING: Tuesday, April 12, 2011
8:30 a.m.

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

WITNESSES: Calvin DuBrock, Rich Palmer, Bill Capouillez

Reporter: Sarah Wendorf
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APPEARANCES

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PRESIDENT WEANER:

I call this meeting to order. We're now meeting in a voting session of the Pennsylvania Game Commission. I would like you all to join me in a salute to our flag, please.

PLEDGE OF ALLEGIANCE RECITED

PRESIDENT WEANER:

I welcome you all to this meeting, and I extend a special welcome to my agricultural resources class sitting out there at Dover High School hopefully watching right now. One word of note. Please if you have a cell phone, turn that off so that we're not interrupted with that. Mr. Secretary, will you call the role of members, please?

COMMISSIONER PUTNAM:

Mr. President, all Commissioners are present.

PRESIDENT WEANER:

Thank you. Do I hear a motion to approve the minutes from our meeting of February 1, 2011?

COMMISSIONER DELANEY:

So moved.

PRESIDENT WEANER:
Is there a second?

COMMISSIONER ISABELLA:
Second.

PRESIDENT WEANER:
Moved by Commissioner Delaney. Seconded by Commissioner Isabella. Is there any discussion? Hearing none, we shall proceed to vote. All those in favor, signify by saying aye.

AYES Respond

PRESIDENT WEANER:
Those opposed? Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you. I'll turn the first business item over to our solicitor.

ATTORNEY BECHTEL:
Thank you, Mr. President. The first item to come before the Commission today is from the Bureau of Wildlife Management. It concerns the State Wildlife Grants Program. Congress appropriated funds under the State Wildlife Grants Program or SWG directly and exclusively to state wildlife agencies for wildlife species of the greatest conservation
concern. Pennsylvania is eligible to receive these funds for fish and wildlife projects under the SWG program. We are recommending approval of a SWG funded project entitled Genetic Approaches to Understanding the Population Structure of Little Brown Bats, Myotis Lucifugus, in Pennsylvania.

The description of the project is in your agenda. The total SWG funds for this project are $28,807. This project will not require any net reduction in the Game Fund since it is a cooperative project. If approved, the Commission will contract with the organization and investigator and pay SWG eligible costs from the Game Fund. The Game Fund will be reimbursed by the U.S. Fish and Wildlife Service, Federal Aid Program using SWG funds. The Executive Director and Staff recommend approval of this State Wildlife Grant Project as described in the above commentary.

PRESIDENT WEANER: Do I hear a motion to adopt this?

COMMISSIONER ISABELLA: Motion.

PRESIDENT WEANER: Commissioner Isabella. Is there a second?
COMMISSIONER SCHREFFLER:
Second.

PRESIDENT WEANER:
Commissioner Schreffler seconded. Is there any discussion? Hearing none, we shall proceed to vote. All those in favor of the motion, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed say no? Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passed unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next items concerns adopted rulemaking. This is this adoption of a proposed amendment to Section 139.4. To effectively manage the wildlife resources of the Commonwealth, to Game Commission proposed at its February 1st, 2011 meeting to amend Section 139.4, relating to the seasons and bag limits for the license year, to provide updated seasons and bag limits for the 2011 to 2012 hunting license year. The Executive Director and Staff
recommend final adoption of this amendment to 58 Pa. Code as shown on Exhibit B on pages 4 through 11.

PRESIDENT WEANER:
Is there a motion?

COMMISSIONER ISABELLA:
Motion.

PRESIDENT WEANER:
Mr. Isabella. Second?

COMMISSIONER SCHLEMMER:
Second.

PRESIDENT WEANER:
Commissioner Schlemmer seconded the motion. Is there any discussion? During the discussion time here, we're going to go through this page by page. If there are any amendments to be made, we'll make them and handle them one at a time. So right now we'll open page four for discussion and Exhibit B. Yes, Commissioner Martone?

COMMISSIONER MARTONE:
On page four, I'd like to amend under squirrels, combined species, the third line down, December 26 currently reads February 4th. I would like to extend that to February 25th to match the rabbit season that we extended last year, so it would read December 26th to February 25th, 2012.
PRESIDENT WEANER:
We have a motion to amend by Commissioner Martone. Is there a second?
COMMISSIONER ISABELLA:
Second.
PRESIDENT WEANER:
Commissioner Isabella seconded. Is there any discussion on this motion to amend by striking February 4 and inserting February 25? Hearing none, all those in favor of this amendment signify by saying aye.
AYES RESPOND
PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?
COMMISSIONER PUTNAM:
Mr. President the motion passed unanimously.
PRESIDENT WEANER:
Okay. We have that — we now have an amended motion. We'll continue on down through here. Anything else from page four? Okay. Page five? Mr. Schreffler?
COMMISSIONER SCHREFFLER:
Yes, Mr. President, I would like to make a motion to set a season for porcupines from September
1st to March 31st with a limit of six.

**PRESIDENT WEANER:**

Is there a second?

**COMMISSIONER MARTONE:**

I'll second.

**PRESIDENT WEANER:**

Okay. So we have a motion by Commissioner Schreffler, a second by Commissioner Martone to create a season from September 1st to March 31st with a season --- or with a bag limit of six. Is there any discussion on that?

**COMMISSIONER SCHREFFLER:**

Mr. President, I would like to just comment on this. The porcupine is our second largest rodent and a rather unusual mammal in North America with poor site and hearing and slow to reproduce. And although it may have a role in our hunting seasons, I think that we should be judicious in moving this mammal from protected status to a statewide season. And I think that it's one of those --- in that it's damaging property, I want to also say the nuisance --- the ability to continue to kill porcupines that would be causing the nuisance or damaging your property would still continue even though there would be a season set with a period of time closed. The period
of time that I had for the closing of the season on porcupines would be when they are rearing their young basically.

And I also would like to remind my fellow Commissioners that we do have a role here --- in actually our constitutional role actually protect the species of animals for future generations, even though we may or may not agree with their role in the ecological scheme of things, the fact that they may be damaging others. The other thing that I'd like to remind us is that Pennsylvania sportsmen have been known for years for their devotion to fair chase, and I'm not sure that this is one of the animals that is a sporting animal for fair chase, so ---.

PRESIDENT WEANER:
Let me ask you a question to clarify your motion. Your six, was that a daily limit?

COMMISSIONER SCHREFFLER:
Bag limit.

PRESIDENT WEANER:
Daily because there's two columns, daily bag limit and field possession?

COMMISSIONER SCHREFFLER:
Yes, that's daily bag limit. I'm sorry.
And what were your suggesting as field possession limit after the first day?

COMMISSIONER SCHREFFLER:

Twelve (12).

PRESIDENT WEANER:

Is there any other discussion on this amendment? Commissioner Martone?

COMMISSIONER MARTONE:

I concur with Commissioner Schreffler on this. Looking at the young are born in April, May June, and they have a 50 day gestation period, we felt that --- or I feel that this is a prudent way to accommodate a season where the porcupine --- and start out with a much slower, more careful season than just a 12 month open season on porcupines.

PRESIDENT WEANER:

Other discussion? Commissioner Putnam?

COMMISSIONER PUTNAM:

Yes, the intent of this regulation was not to declare war on porcupines or even have an organized hunting season for porcupines. I believe they would be put in the same category as opossums, skunks or weasels. We don't have organized hunting for opossums. And while it may not be fair chase to go after porcupine, which I would highly agree with
--- it would be in the same category as the opossums as far as I'm concerned. The intent of this is to allow people to manage porcupines on their individual properties. Porcupines can be highly destructive. And I guess I'll leave it at that, but the intent of this would be to remove any gray areas, because porcupines don't --- you might find a porcupine chewing on your individual house one day, but they range a fairly good way. So if you want to control porcupines on your property, you need more latitude than just actually catching them in the act of depreciating on your building.

So I don't disagree with what my colleagues are saying. I think the porcupine is a valuable part of our ecology. I would not want to see any harm to the porcupine population. I don't believe a hunting season will result in any net change to the porcupine population because people are now taking measures to control porcupines on their own property. I believe many of those are not done fully in compliance with the law. In fact, I would find that very few are done in full compliance with the law. And if we pass this season, maybe we can accompany that with additional regulations --- or additional information on how to protect your property from
porcupines and what manners can be legal.

PRESIDENT WEANER:

Further discussion? Commissioner Martone?

COMMISSIONER MARTONE:

And I agree with Commissioner Putnam. I myself paid over $500 last year to take two dogs to the vet because of porcupine quills, but I'm hoping by putting a season from September 1st to March 31st a land owner, a camp owner, somebody may be able to reduce the population somewhat and then still be able to address nuisance animals outside of that season by using the nuisance laws that we have to prevent private property --- they'd still be able to kill the porcupine, but there is a reporting factor to that that I think the public needs to know about. But I'm hoping that a more prudent approach would solve the problem this way. Thank you.

PRESIDENT WEANER:

Further discussion? Okay. Let me repeat the motion. The motion is to amend the original motion by creating a porcupine season that runs from September 1 to March 31st, daily bag limit of six, field possession limit after the first day of 12. All those in favor of this motion, signify by saying aye.
AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:

COMMISSIONER SCHREFFLER:
I'd like to make a comment here about the White-Tailed deer on page eight. I've become increasingly concerned about the increase in wildlife management units that are being split between the antlered and antlerless season. I find and I would like to reiterate my concerns as I've done in the past. These first days of the deer season are usually the most successful days. These days are that many of our youth use an opportunity to get a deer, any deer while they're off school. Also a number of adults take vacation days, use their vacation days that they would like to have to get a deer. Some of them when they take vacation days during the first days of the hunting season have to work during the next weekend.
So this is an opportunity for them to get a deer, doe or buck. Also, and I hate to see that opportunity disappear, especially when we're trying to encourage our youth and others to continue hunting. And success is one of the best ways to encourage people to continue hunting. I also found in these recent months that the majority --- in fact, a large majority of the public comments that I've been getting and our agency have been getting favor the concurrent season, not the split season. And another concern is in the management of the deer herd. We are setting a situation up where it allows --- with the split season allows greater impact for poor weather on the doe season and our ability to manage the herd overall.

Thank you.

PRESIDENT WEANER:
Is there any further discussion? Okay.

Page nine? Page ten? Page 11?

COMMISSIONER DELANEY:
Mr. President, I do have a floor amendment ---

PRESIDENT WEANER:
Go ahead.

COMMISSIONER DELANEY:
--- for page 11 with regards to bobcat.
If you would come down to the bobcat and note the season that is listed there, again we're talking about fur taking/hunting. I would move to strike December 17 and December 7 and insert January 17, 2012 through February 7, 2012.

PRESIDENT WEANER:
A motion to make these two changes from Commissioner Delaney. Is there a second?

COMMISSIONER BOOP:
Second.

COMMISSIONER DELANEY:
Yes, Mr. President, if I could start the decision.

PRESIDENT WEANER:
Continue on.

COMMISSIONER DELANEY:
What started the discussion with regard to my proposed amendment was correspondence from the Pennsylvania State Fox and Coyote Hunters Association. And I would just like to read two lines and let my
fellow Commissioners offer some commentary. Please consider our request to transplant the number of hunting days to the period of January 17, 2011 through February 7, 2011. Our proposal would not begin the bobcat season until the statewide flintlock archery season has ended. This period would effectively equate to the actual number of hunting days, 19-3, Sundays excluded, as the current proposal. Our hope would be to eliminate the potential conflicts with any form of PA deer season, the adherent dangers of running the dogs, a later season would meet that objective. And I would want to add that there has been consultation with Bureau of Wildlife Management and open the floor to my fellow Commissioners.

PRESIDENT WEANER:
Thank you. Further discussion?

Commissioner Martone?

COMMISSIONER MARTONE:
While I agree with Commissioner Delaney that the hunting season makes sense and the request is a legitimate one, I have to admit some concerns. I do not see this as being just a shifting of harvest, the hunting harvest moving out of the current season and into the hunting season. I have a strong concern that that's going to be additive, that we're going to have
more hunters and a larger harvest. And we have no
certainty with only one year under our belt that the
bobcat population can sustain these harvests that we
already have, let alone an additive one.

One other concern is we heard from the
hounds people that they don't want to be running their
dogs during this trapping season, that that was a
problem for them. I'm going to be highly upset if we
come back next year and find out the hounds people
trained their dogs during that same trapping season
that we're moving them out of and that they're
complaining that dogs were caught in traps or shot by
hunters by accident. You know, we're trying to
accommodate a group, but I'm going on their word that
this is a positive solution. But I do have some
strong concerns about this at this point.

PRESIDENT WEANER:
Further discussion?

COMMISSIONER SCHREFFLER:
Mr. President?

PRESIDENT WEANER:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
Mr. President, I'd like to comment on
this also. I agree with Commissioner Martone that I
think that we're not just shifting a season. In fact, it appeared to me that the bobcat season was sort of a concurrent season with trapping and hounds men and hunters and other hunters who were using a predator calls all within a set time, and now we're taking that same period of time for the hunters and setting it aside later. So in effect my way of thinking it appears that it's almost like doubling the season. Also, I think this is going to provide opportunity for additional hunters, I think, and also I would --- should like to also comment on the fact that I think that it will become a more efficient period of time for the dogs to track and to capture the bobcats.

I have the same concerns as Mr. Martone about training dogs during the trapping season and during the earlier period of time than they had from the hunting previously, which was from 12/17 to 1/8. And as far as no other hunters being in the woods at this later period of time, we are moving the entire bobcat hunting season to this time, so there will be other hunters in the wood sitting there on stands or playing predator calls and that sort to hunt bobcats. The houndsmen, the hunters themselves, I think, and Mr. DuBrock, correct me if I'm wrong, that almost one third of the entire state was taken by the hunters
last year, about 27 or 29 percent.

MR. DUBROCK:

In 2010, 27 percent of the bobcat harvest was through hunters.

COMMISSIONER SCHREFFLER:

Okay. And so we're moving 27 percent of the take to this later period of time, which may provide a more efficient taking of bobcats. And so the other thing that I'd like to mention is that looking back on bobcats, I'm an old guy. I remember reading in Game Commissioner's publications like around 1980 that it was published that there's probably only 100 bobcats in the state, and that no matter what we do, we'll probably never see any more of that. Well, low and behold, our staff and our agencies has increased this bobcat population from practically zero to the number it is today, which was over 1,100 --- I believe over 1,100 bobcats harvested this last year.

MR. DUBROCK:

1,136.

COMMISSIONER SCHREFFLER:

1,136. I mean, that is fantastic. And I believe that was a much higher --- more than 15 percent higher than what you expected. Is that
correct, Mr. DuBrock?

MR. DUBROCK:

It was higher than what we predicted. It was a 54 percent increase over, I believe, the previous harvest.

COMMISSIONER SCHREFFLER:

Fifty-four (54) percent over increase over the previous harvest. The dogs being more efficient, especially if there's a light snow, the fact that our biologist have not collected sufficient data to give us a definite answer indicates to me that we should move slowly. And another large harvest --- this is my big concern and this is what I expressed to the coyote and fox hunters association people. My big concern is that we have another harvest and we jeopardize the future seasons for this animal, and I want to see down the road the big picture that this bobcat hunting and trapping continues in Pennsylvania and the population continues to grow and to provide our hunters this opportunity, which is --- in my way of thinking is fantastic that this has even occurred. And I'd hate to jeopardize that. So I'm opposed to this amendment that was proposed here by Commissioner Delaney, and I encourage my fellow Commissioners to vote against it. Thank you.
PRESIDENT WEANER:
Commissioner Boop?

COMMISSIONER BOOP:
We seem like every meeting we have an issue, at least one issue, that's controversial. But I think for those watching this is the issue today that's controversial before this board. I also share some of the concerns that have been expressed by my fellow Commissioners concerning this amendment, but I think there are a couple points that I just would like to add to the discussion.

In the management and the evolution of the management of this species, you know, we started out and we had a limited number of permits. And when we would control the harvest by a limited number of permits, we could have a longer season. But now, you know, where it's much more open, we have to be more concerned about the length of the season. And what happened is true of a lot of other situations. There are people out there, and we as Commissioners have heard from a number of them, that, you know, they love to run dogs and people went out and bought very expensive dogs and spent a lot of time in training those dogs and maintaining those dogs and then we went to this very short season format. And last year they
were very distressed about that, and we said, let us
get a year under our belt, we'll take a look at. And
now we're back, and they have asked not really for a
longer season, but they've asked just to move the
season from one point in time to another point in
time.

I also share the concern that we may have
some additive effect of the total, but I've hunted
over hounds for coyotes, not bobcats, but a lot of
these people, you know, their thrill is the thrill of
the chase. It's a little like fox hunting. Sure,
they'll kill a cat at the end of the hunt, but a lot
of times they won't. An immature cat, they'll just
let it go. And I'm not sure so when they've seen what
we've done here --- but I'm not as concerned that
we're going to have a huge harvest. As a hunter, I'd
much prefer the December 17 to January 7. It's over
the Christmas holidays. There's a lot of days
available there where hunters can go out. The weather
is usually better for a hunter than it's going to be
January 17th through February 7th. So I share
Commissioner Martone's concern. I hope the houndsmen,
if they're listening to this, or if they've see what
we've done, that they're not going to be out there
running their dogs during the earlier time period.
And I just have some faith and confidence that they'll do the right thing and this will work out. So I encourage the Commissioners to support Commissioner Delaney's amendment.

PRESIDENT WEANER:

Any further discussion? Commissioner Isabella?

COMMISSIONER ISABELLA:

Thank you, Mr. President. I have to put up the red flag on this amendment. I agree with my three colleagues here that brought up the concerns that they did. These hounds are very effective and I just feel that we should just go with caution and maybe delay this for one more year just to see what the take is going to be this year. You know, if we --- I mean, we just don't know. If we over harvest, we've got a problem. If we under harvest, okay, we delayed this one year.

We had testimony from the hounds people the other day telling us that these hounds were very effective. There was testimony from the trappers that they had concerns with this also. I mean, there's --- there's a lot of variables out there that we just don't know. Okay. I feel that we should just delay this one more year, go with the side of caution, you
know, and I will vote against the amendment.

PRESIDENT WEANER:
Further discussion?

COMMISSIONER DELANEY:
Yes, Mr. President. I'd like to follow up. There's no one that cares more about the resource first than me, and I believe that there's no one that cares more about these bobcats than this group. Two years ago when the agency asked to open up the bobcat season, we had a permit only system. And our staff felt the bobcat population was high enough that we could open up a broad season to encourage more hunting of the animal. This board supported that broad move, and we also said we would move forward with caution. On March the 29th, this board sat with Matt Lovallo, our biologist, and asked him questions with regard to the bobcat. On that date, I felt comfortable with the information that was provided to me from him and the Bureau of Wildlife Management that we could move forward with this, but with extreme caution. So I appreciate all the commentary from my fellow board members, but as we move forward, we can do this with a very cautious approach and each year we can change how we do business. We've shown we did that with the wild turkey the last two years, and I'm
sure that we can do it with bobcats. So I'm very
cognizant of the resource. I come from a part of
Pennsylvania where the trappers tell me they're not
happy because they get so many bobcats in their traps
on a regular basis in Susquehanna and Sullivan and
Bradford County. I certainly wouldn't propose this
amendment if I thought there was any chance that the
resource would be over harvested. So I challenge us
to cautiously move forward with this and cautiously
monitor it, and I'm sure our Bureau of Wildlife
Management will find a way to make that happen. Thank
you, Mr. President.

PRESIDENT WEANER:
Any last comments? Commissioner
Schreffler?

COMMISSIONER SCHREFFLER:
I would like to put Mr. DuBrock on the
spot, if I may, and ask, what exactly is the current
position of the Wildlife Management Bureau and the
Staff on this matter? We may have had some additional
thoughts since as you know ---.

PRESIDENT WEANER:
Excuse me. Just a minute. At this
point, I think I'd entertained discussion on the
amendment, but I think we're kind of past the
interrogation point right now.

MR. ROE:

And I would offer that the Bureau of Wildlife Management may have contributed their information to a staff position as opposed to individual bureau positions. The agency has one position.

COMMISSIONER SCHREFFLER:

I withdraw that question then. And just ask one other question, since we're moving the entire hunting season or talking --- proposing to move the entire hunting season to the new dates, the proposed dates here, what percentage of the hunter hunting --- we're moving the hunting. That means the hunters and the predator callers as well as the houndsmen, all the hunting, to this period of time. What percentage of the hunting were the houndsmen themselves in the take?

MR. DUBROCK:

When you break down the hunting take last year, if I recall, the statistics correctly, 27 percent of the bobcat take in the 2010, '11 season was from hunting. Eight percent of the overall harvest or roughly 30 percent of the hunting harvest was a result of folks hunting with hounds. The remainder, so 70 percent, of the hunting harvest resulted from other
COMMISSIONER SCHREFFLER:
Thank you.

PRESIDENT WEANER:
Any further comments?

COMMISSIONER BOOP:
I'll follow up with a question.

PRESIDENT WEANER:
Commissioner Martone?

COMMISSIONER MARTONE:
You know, I expressed some concerns, but one of the things I would encourage my fellow Commissioners to vote for this amendment is regardless of whether we wait a year or two or three, we're not going to learn anymore about the effects of a separate hunting season. That will only come by having a separate hunting season, so you know, delaying this does provide more information on the harvest, but it will not provide any information on what a separate hunting season does to that harvest. The only way to do that is to have a separate hunting season.

PRESIDENT WEANER:
Any last discussion? Okay. We have a motion on the floor which changes the season, which deletes December and inserts January for the start
date, deletes January and inserts February for the last day. All those in favor, signify it by raising one hand. All those opposed, signify by raising one hand.

PRESIDENT WEANER:
Mr. Secretary, the vote?

COMMISSIONER PUTNAM:
Mr. President, the vote is six to two. The motion passes.

PRESIDENT WEANER:
And the two voting no?

COMMISSIONER PUTNAM:
Commissioner Schreffler and Commissioner Isabella.

PRESIDENT WEANER:
And the rest voting yes, and so the motion passes, the motion to amend. Okay. We have several amendments. We have an amended motion right now which would pass everything in your agenda from page 4 up through page 11 with those amendments that have been made. Is there any final discussion on any of these items? Hearing none, we shall proceed to vote. All those in favor of this amended motion, signify by raising one hand. All those opposed, signify by raising one hand. Mr. Secretary?
COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you very much.

ATTORNEY BECHTEL:
The next item to come before the Commission concerns the adoption of amendments to Section 141.28 proposed at the February 1st, 2011 meeting to create and define the geographic location of the Franklin County Wild Pheasant Recovery Area or SPRA. The Executive Director and Staff recommend final adoption of this amendment to Pa. Code as shown on Exhibit C on page 13 of your agenda.

PRESIDENT WEANER:
Is there a motion to adopt this?

COMMISSIONER ISABELLA:
Motion.

PRESIDENT WEANER:
Excuse me. Who made the motion?

Commissioner Isabella made the motion. Do we have a second?

COMMISSIONER DELANEY:
Second.

PRESIDENT WEANER:
Commissioner Delaney seconds. Is there any discussion? Commissioner Isabella?

COMMISSIONER ISABELLA:

Thank you. I'd like to introduce an amendment to substitute page 13. The purpose of this was as we introduced these wild pheasant recovery areas, there's been --- you know, there's been a lot of concerns. We want to make sure we do it right, and a lot of the sportsmen are in these areas, are very enthusiastic that the agency is, in fact, establishing these areas.

I was blind sided along with several other Commissioners that we got a lot of phone calls from the Hegins area that they would not be able to hunt woodchucks and water fowl during that area. And it caught me by surprise because we heard no other complaints from the other workers. I received a good amount of phone calls, plus I know people in the Hegins area, and it was a concern along with me and with other Commissioners that we sat down and we tried to work this out with Staff to make sure that, you know, we do this we get this done correctly. The major substitution in this amendment will be that you'll be able to train dogs in any manner.

PRESIDENT WEANER:
Excuse me. That will be prohibited; right?

COMMISSIONER ISABELLA:
Yes, right. It's prohibited. But number two is the major change. It's the prohibitions. It is unlawful to --- then we go to number two, and it says train dogs in any manner or hunt small game, and here's the major change, except woodchucks and water fowl except from the first Sunday in February through July 31st within any area designated as a WPRA. This should satisfy the sportsmen's concerns, that they could hunt groundhogs and water fowl, but the concern I have addressed to our friends out there in these WPRAs is, you know, we're making an attempt to establish wild pheasant populations in these WPRAs. They really have to follow the regulations, because as fast as we give them that exception, you know, we continue the WPRAs. So I just tell our friends to please be cautious when they're hunting in these WPRAs. That's my amendment.

PRESIDENT WEANER:
Thank you. Further discussion? Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
I'm going to second that amendment to
allow the hunting groundhogs in WPRAs.

PRESIDENT WEANER:
We already had a second. Thank you.

COMMISSIONER SCHREFFLER:
To the amendment?

PRESIDENT WEANER:
If we didn't have, we do now. Thank you.

Did you have any further comment then?

COMMISSIONER SCHREFFLER:
No.

PRESIDENT WEANER:
Commissioner Boop?

COMMISSIONER BOOP:
I live near the Hegins proposed WPRA, and I just briefly would like to reiterate and follow up a little bit on what Commissioner Isabella has indicated. When I was a boy growing up on a dairy farm in central Pennsylvania, soybeans were a fairly rare crop. Today I think I can fairly accurately state that aside from corn and hay, soybeans are probably the third most employed crop that the agricultural community has out there today. I got a number of calls from the Hegins area. It surprised me because the Turbotville WPRA, I didn't and I live in that area. You know, they're sort of in between where
I live.

But the real concern that I've been hearing is that, you know, the farmer puts out a 30, 40 acre soybean field and those of you familiar with agricultural practices and woodchucks, particularly during that period from June through the first week or two of July, they can literally destroy a soybean field. And the concern of the farmers they knew they could kill them for destroying crops, but that's when they're very busy during the year, and they said I just wanted to be able to, you know, invite the people from town or my neighbors or the guy that works for me or whatever out to be able to hunt these groundhogs when they're causing so much destruction to the soybean field. So I think it's, you know, a reasonable amendment to address another problem.

Apparently, in the Hegins area, they seem to be much more concerned with crop damage than getting recreational hunting in there than any place else that we've dealt with before. So I think these amendments including the water fowl and woodchucks is a good one and again I would encourage fellow Commissioners to support it.

_PRESIDENT WEANER:_

Commissioner Schreffler?
COMMISSIONER SCHREFFLER:

I will make a comment. I agree with Mr. Boop has said as far as the benefit to the farmer. I also would like to press notice that my feeling is that this exception not also enhances the habitat for the pheasants. A ground hog can clear up a lot of field. And the snow geese that come in don't just clip off the top of the grasses. They actually pull it out by the roots and destroy the crops. So it can be areas that we need for --- and crops and cover that we need for our pheasants, so I look at that as enhancing the pheasant.

PRESIDENT WEANER:

Further discussion? Commissioner Martone?

COMMISSIONER MARTONE:

I'd just like to make it clear that this amendment to allow hunting of woodchucks and water fowl, although it appears on the page where the Franklin County WPRA is and it is discussed with the Hegins Valley, this is an amendment for all WPRAs currently and in the future. This changes that rule across the board.

PRESIDENT WEANER:

And let me just clarify one thing. A
WPRA is a wild pheasant recovery area. We keep talking about this. It might be new to some people. Further discussion?

**COMMISSIONER DELANEY:**

Mr. President?

**PRESIDENT WEANER:**

Commissioner Delaney?

**COMMISSIONER DELANEY:**

As long as we're on 141.28, I just wanted to add I think the most important part of page 13, and this is our fifth wild pheasant recovery area in Pennsylvania that we are having a discussion about today, should be talking about an amendment for dog training, but also this is our second discussion on adding Franklin County WPRA to the program. So although I'm a dog guy and --- I support the proposed amendment. To me the bigger picture is we will have our fifth wild pheasant recovery area in Franklin County. Thank you.

**PRESIDENT WEANER:**

Further discussion? Hearing none, we shall proceed to vote. All those in favor of this motion to amendment, please signify by saying aye.

AYES RESPOND

**PRESIDENT WEANER:**
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion passes unanimously.

PRESIDENT WEANER:

Thank you. That was the amendment. Now we have a motion as amended, which is the right way to handle all this. So we shall now vote. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:

Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion passes unanimously.

PRESIDENT WEANER:

Moving to page 14.

ATTORNEY BECHTEL:

The next item before the Commission is from the Bureau of Wildlife Protection. It concerns adopted rulemaking, the adoption of amendments Section 131.2 proposed at the February 1st, 2011 meeting, by creating, amending and deleting certain definitions. The Executive Director and Staff recommend final adoption of this amendment to 58 Pa. Code as shown on
Exhibit A on page 15 of your agenda.

PRESIDENT WEANER:
Is there a motion to adopt?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT WEANER:
Commissioner Isabella moves, and Commissioner Delaney seconds. Is there any discussion? Hearing none, we shall vote. All in favor, please say aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary.

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item is also the adoption of amendments. This time to Section 141.1, which was proposed at the February 1st, 2011 meeting, to expand the shotgun/muzzleloader single projectile exception to bear hunters and also remove the now defunct baiting provisions. The Executive Director and Staff
recommend final adoption of this amendment to 58 Pa. Code as shown on Exhibit B on page 17 of your agenda.

PRESIDENT WEANER:
Is there a motion to adopt?

COMMISSIONER ISABELLA:
Motion.

PRESIDENT WEANER:
Commissioner Isabella. Is there a second?

COMMISSIONER SCHREFFLER:
Second.

PRESIDENT WEANER:
Commissioner Schreffler seconds. Any discussion on this motion? Hearing none, all those in favor signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary.

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item is the adoption of amendments to Section 141.4 also proposed at the February 2011 meeting, by placing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2011-2012 hunting license year and also to remove the limitations prohibiting the hunting of woodchuck, opossum, skunk and weasel during legal hunting hours of the spring gobbler season. The Executive Director and Staff recommend final adoption of this amendment to 58 Pa. Code shown on Exhibit C on pages 19 through 21 of your agenda.

PRESIDENT WEANER:
Is there a motion?

COMMISSIONER ISABELLA:
Motion.

PRESIDENT WEANER:
Commissioner Isabella. Is there a second?

COMMISSIONER SCHLEMMER:
Second.

PRESIDENT WEANER:
Commissioner Schlemmer seconded the motion. Is there any discussion? Hearing none, we shall proceed to vote. All those in favor, signify by
saying aye.

AYES RESPOND

PRESIDENT WEANER:

Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion passes unanimously.

PRESIDENT WEANER:

Thank you.

ATTORNEY BECHTEL:

The next item for adoption is amendments to Section 141.20 proposed at the February 2011 meeting to restructure the various fluorescent orange requirements. The Executive Director and Staff recommend final adoption of this amendment of 58 Pa. Code as shown on Exhibit D on pages 23 and 24 of your agenda.

PRESIDENT WEANER:

Is there a motion to adopt?

COMMISSIONER ISABELLA:

So moved.

PRESIDENT WEANER:

Commissioner Isabella. Is there a second?

COMMISSIONER SCHREFFLER:
Second.

PRESIDENT WEANER:
Commissioner Schreffler seconds the motion. Is there any discussion?

COMMISSIONER ISABELLA:
Mr. President?

PRESIDENT WEANER:
Commissioner Isabella.

COMMISSIONER ISABELLA:
Thank you, Mr. President. Rich, can you just go over what changes have occurred here at 141.20?

MR. PALMER:
The primary change was that previously in the code the protective material requirements were scattered through a number of different sections usually by species. Since we were going into this section, what we wanted to do is combine those into a more comprehensive set within the regulations so the protective material requirements can all be found in generally one location.

COMMISSIONER ISABELLA:
Okay. So basically nothing has changed?

MR. PALMER:
That's correct.

COMMISSIONER ISABELLA:

I just wanted to get that out because I don't want to get any nasty grams tonight saying we changes the orange situation. Thank you, Rich. No more questions.

PRESIDENT WEANER:
Commissioner Martone?

COMMISSIONER MARTONE:
Rich, I asked essentially a question from one of our constituent groups that was concerned about something. Do you remember the details of that?

MR. PALMER:
Yes, Commissioner. I believe that the question was --- or the concern that was expressed was that when the group had looked at these proposed regulations, they thought that there might be an extension of the orange requirements into the overlapping archery, muzzleloader, rifle seasons and the special regulations areas, and that concern was primarily expressed because the regulations call for protective material during what is considered to be a special firearm deer season. And their concern was with that extended season in the special regulations areas was considered a special rifle deer season. By
definition in the regulation, it is not. It is specifically called an extended regular deer season, so that prohibition does not apply here in that timeframe.

COMMISSIONER MARTONE:
Thank you.

PRESIDENT WEANER:
Further discussion? Hearing none, we shall vote. All those in favor of the motion, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no.

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item concerns the adoption of amendments to Section 141.41 proposed at the February 2011 meeting, to remove redundant and inconsistent language concerning mistake kills. The Executive Director and Staff recommend final adoption of this amendment to Pa. Code as shown on Exhibit E on page 26
of the agenda.

PRESIDENT WEANER:
Is there a motion to adopt?

COMMISSIONER DELANEY:
So moved.

PRESIDENT WEANER:
Commissioner Delaney. Is there a second?

COMMISSIONER ISABELLA:
Second.

PRESIDENT WEANER:
Commissioner Isabella seconds the motion.

Is there any discussion on this motion? Commissioner Putnam?

COMMISSIONER PUTNAM:
This amendment specifies that you have to report the kill of a big game animal. We probably at least once a week receive suggestions from the public that we should start requiring reporting of big game animals. How long has been --- how long have we had the reporting requirement for killing big game animals?

MR. PALMER:
I'd have to research that for you. It's a long time.
COMMISSIONER PUTNAM:
For whatever reason, it seems maybe the outdoor people can help us out on this a little bit. It is a requirement to report killing of big game animals. It has been for as long as I've been hunting, and for some reason we still continually receive suggestions that we should start a reporting system for big game animals.

PRESIDENT WEANER:
Further discussion? Hearing none, we shall vote. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item concerns adoption of amendments to Section 141.62, 141.63 and the addition of Section 141.69, all of which were proposed at the February 2011 meeting, to define and clarify the
standards relating to certain trapping activities. The Executive Director and Staff recommend final adoption of this amendment to 58 Pa. Code shown on pages Exhibit F on pages 28 and 29 of your agenda.

PRESIDENT WEANER:
Is there a motion to adopt this?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT WEANER:
Commissioner Isabella moves. Is there a second?

COMMISSIONER SCHREFFLER:
Second.

PRESIDENT WEANER:
Commissioner Schreffler seconds the motion. Is there any discussion?

COMMISSIONER ISABELLA:
Mr. President?

PRESIDENT WEANER:
Commissioner Isabella.

COMMISSIONER ISABELLA:
At this time, I would like to change the amendment that would replace page 29, which covers 141.69 with this replacement page. The issue here was the Pennsylvania Trappers Association had an issue
with the artificial cubbies. I believe we answered that question, and this would make the change satisfied.

PRESIDENT WEANER:
Is there a second?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT WEANER:
Commissioner Schreffler properly moved and seconded to strike the information on page 29 and insert the information on the blue page listed as floor amendment for page 29. Is there any discussion? Hearing none, we shall vote on the amendment. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Okay. We now have an amended motion, which adds this page. Is there any discussion on that? Hearing none, we will vote on the amended motion. All those in favor, signify by saying aye.
Those opposed, say no. Mr. Secretary?

Mr. President, the amended motion passes unanimously.

Thank you.

The next item concerns the adoption of amendments to Section 143.67 proposed at the February 2011 meeting, to grant the Director the authority to establish the application deadline for bear licenses at such periods as he determines. The Executive Director and Staff recommend final adoption of this amendment to 58 Pa. Code as shown on Exhibit G on page 31 of your agenda.

Is there a motion to adopt?

So moved.

Commissioner Delaney moves, and Commissioner Schlemmer seconds the motion. Is there any discussion? Commissioner Boop?
COMMISSIONER BOOP:

Just for the purposes of those who may be interested in watching this particular vote, now that we have restored this year the extended bear seasons in some of the management units, it's my hope, and I think the Executive Director feels that he can accommodate this, that with our new automated system, you know, someone buys a bear license, you know, before the Monday --- well, excuse me, the Saturday that starts the four day bear season, they're fine. But for that person who, you know, on Thanksgivings day, Friday night is going to camp in a management unit where there's going to be an extended bear season at some point during the 12 days of the rifle season, that that person's going to have the ability to go out and buy a bear license whether we cut it off, you know, Sunday or whatever. It's just that we're hoping that we can accommodate that because believe it or not, as I'm sure some of you know, there are people that make a decision to buy a license at the last minute, and we'd like to be able to accommodate those people who want to buy a license in that extended season.

PRESIDENT WEANER:

Thank you. Further discussion? Hearing
none, we shall vote. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item concerns a proposed regulation. I'd like to pass this out to the Commissioners. It came late and was not able to be placed in your agenda. Since the successful implementation of the mentored youth hunting program in the fall of 2006, the Commission has been striving to find ways to improve this innovative program. The Commission has reviewed comments from hunters and sporting organizations across the Commonwealth supporting an expansion of the mentored youth hunting program to allow for limited antlerless deer hunting by mentored youth. The Commission recently determined that appropriate resources are now available and that this initiative can finally move forward. The
Commission is proposing to amended Section 147.804 to allow a mentor to transfer a valid antlerless license issued to him to an eligible mentored youth upon the harvest of an antlerless deer. A mentored youth will be eligible to receive a maximum of one antlerless deer license each license year. The Executive Director and Staff recommend the Commission approve this proposed regulation.

PRESIDENT WEANER:
Is there a motion to adopt this?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT WEANER:
Commissioner Isabella. Is there a second?

COMMISSIONER DELANEY:
Second.

PRESIDENT WEANER:
Commissioner Delaney. Discussion?

Commissioner Boop?

COMMISSIONER BOOP:
Again, I guess maybe as a point of order, this item was not in our agenda. Anyone looking at the website would not have seen this. Would it be possible, Mr. President, we could have the Executive
Director just explain this in laymen terms?

MR. ROE:

Certainly. Basically what it boils down to is whether the amendment or the proposed change in the regulation will allow next fall with other things that need to happen between now and then the opportunity for a mentor who has purchased an antlerless license to give that to a mentored youth, that means that mentored youth program under 12 years old that will be able to use that antlerless license, which will be able to transfer it, which would be an exception to the prohibition of any transfer of tags, which is currently in the regulation.

COMMISSIONER BOOP:

Just as a point of clarification, will that include DMAP tags.

MR. ROE:

Not as we see it now. Not on an antlerless tag.

COMMISSIONER BOOP:

Thank you.

PRESIDENT WEANER:

And let me follow up. What is this contingent on?

MR. ROE:
It's contingent on the legislature finishing their responsibilities to make this the law.

PRESIDENT WEANER:
And so if that doesn't happen, this doesn't happen?

MR. ROE:
Exactly. What we're anticipating is the law being finished within the next two or three weeks, maybe a month, and this will allow a final adoption in June, which will allow us to promulgate the regulations in time for this season.

PRESIDENT WEANER:
Okay. Questions or comments?

Commissioner Isabella?

COMMISSIONER ISABELLA:
Mr. President, just to comment, halfway down the page, we have a misprint. The section number, we have an extra one in there. I just wanted to bring that up.

PRESIDENT WEANER:
So noted. Further discussion?

COMMISSIONER DELANEY:
Yes, Mr. President.

PRESIDENT WEANER:
Commissioner Delaney.
COMMISSIONER DELANEY:
I just need a point of clarification, I guess, from the Executive Director that this legislation is where?

MR. ROE:
The legislation will probably be voted on today or tomorrow by the Senate, e-mailed to the Senate Appropriations yesterday, referred back to the House. And at that point in time, we expect it to go through the House pretty quickly.

COMMISSIONER DELANEY:
Thank you, Executive Director Roe. I guess just partial commentary to this and our discussion, I'm hopeful that the resolution the Board of Commissioners sent to the legislature in support of this is part of their deliberations today. Thank you.

PRESIDENT WEANER:
So is there further discussion? This motion authorizes the promulgation of regulations so that when this --- if this passes, we can be ready to get it into this season. If we didn't take action today, this would not likely be able to happen for this upcoming hunting season. Having said that, we shall proceed to vote if there's no further questions or comments. All those in favor, signify by saying
aye.
AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item to come before the Commission is from the Bureau of Wildlife Habitat Management. It concerns real estate and acquisition. There are two contracts. Would you like me to take them together or separate?

PRESIDENT WEANER:
Take them together, please.

ATTORNEY BECHTEL:
Contract number 3582 is on State Game Land Number 87 in Clearfield County. RLF Deemer Properties, LLC is offering for sale 9,306 more or less acres in Bell and Greenwood Townships, Clearfield County adjoining State Game Land Number 87, as shown on Exhibit RED One. The option price is $5,583,600 lump-sum payment to be paid with funds by third party
commitments for compensation of habitat and recreational losses from previously approved Commission actions on oil/gas and mineral recovery leases. There is a description of the property in your agenda.

The other contract is contract number 3583 on State Game Land Number 217 in Carbon County. Wildlands Conservancy, Incorporated is offering for sale 172 acres more or less in East Penn Township, Carbon County, adjacent to State Game Land Number 217 as shown on Exhibit RED Two on page 35 of your agenda. The option price is $137,000 lump-sum payment to be paid with funds from third party commitments for compensation of habitat and recreational losses from previously approved Commission actions on oil/gas and mineral recovery leases. Once again, there is a description of the property in your agenda. The Executive Director and Staff recommend that the acquisitions listed above be accepted and that the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the acquisition of these tracts.

PRESIDENT WEANER:

Is there a motion to approve?

COMMISSIONER BOOP:
So moved.

PRESIDENT WEANER:

Commissioner Boop moves. Commissioner Schreffler seconds the motion. Is there any discussion?

COMMISSIONER DELANEY:

Mr. President?

PRESIDENT WEANER:

Commissioner Delaney.

COMMISSIONER DELANEY:

Director, just when I think you can't up the ante and you pull off something like this, 9,306 acres, when we do 5,000 acres tracks, I thought it could never get any better than that. When is the last time this agency purchased this amount of property in a bank or such a large parcel as something like this?

MR. CAPOUILLEZ:

I'm not aware of the agency ever acquiring this much acreage under one contract, certainly not in my tenure here. And I did a little research on it. I've not seen where we've ever done this before. This is the first time.

COMMISSIONER DELANEY:

If there's not something that we're doing
for future generations, this absolutely is. I'm moved
by the work that this agency continues to do with
these land acquisitions just for other generations.
Thank you.

MR. CAPOUILLEZ:
Sir, I'd like to take a moment, too, if I
may. Dennis Neideigh, will you please stand up? And
Denny Dusza, is he here? These two gentlemen, I mean, they truly do need to be recognized. This tract of
land, this is the third time this has come available
for sale. This tract of land was originally leased
last year. People couldn't get on there unless you
paid the fee. 640 acres in a square mile. You're
looking at roughly 15 square miles of property that
we're picking up. And if not for the efforts of these
two individuals, this would not be happening. So I
would really like for everyone to join with me in
thanking them.

PRESIDENT WEANER:
Further comments? Commissioner Boop?

COMMISSIONER BOOP:
I just briefly echo Commissioner Delaney. You
know, to quote someone certainly more famous than
myself, any time we can buy dirt it's a good day. So
this is something we're doing for the future, and I
can't say enough to compliment the agency personnel who were involved in this. Thank you.

PRESIDENT WEANER:

Further comments, questions? We shall now proceed to vote. All those in favor of these two items, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:

Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion passes unanimously.

PRESIDENT WEANER:

Thank you.

ATTORNEY BECHTEL:

The next item concerns a land exchange, contract number 3584 on State Game Land Number 198 in Cambria County. Caiman PENN Midstream, LLC has proposed a land exchange which would provide the Commission with an access road into State Game Land Number 198 in Washington Township, Cambria County in exchange for a pipeline right-of-way and the use of a portion of the access road Caiman PENN is conveying to the Commission as shown on Exhibit RED Three on page 37 of your agenda. A description of those roads
appears in your agenda. The Executive Director and
Staff recommend the exchange listed above be accepted
and the Commission authorize the Bureau of Wildlife
Habitat Management to proceed with the exchange.

PRESIDENT WEANER:

Is there a motion to adopt? Commissioner
Martone moves. Is there a second?

COMMISSIONER SCHLEMMER:
Second.

PRESIDENT WEANER:

Commissioner Schlemmer seconds the
motion. Is there any discussion? Go ahead.

COMMISSIONER MARTONE:

It just shows the variety of your bureau.
We went from 9,000 plus acres to negotiating 30 feet
by 1.4 feet. And I have to say they probably were
equally hard to negotiate, so I want to compliment
you. Thank you.

MR. CAPOUILLEZ:

Thank you.

PRESIDENT WEANER:

Further discussion. Hearing none, we
shall vote, all those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion passes unanimously.

PRESIDENT WEANER:

Thank you.

ATTORNEY BECHTEL:

The next item before the Commission concerns oil/gas and mineral recovery. It is a restrictive use oil/gas production agreement on State Game Land Number 114 in Lycoming County. Anadarko E&P Company, LP or Anadarko, and EXCO Resources PA, LLC or EXCO have requested that had Commission offer its oil and gas ownership under all of State Game Land Number 114 for restricted surface use production. The proposed two restricted surface use tracts, containing 571 acres more or less for EXCO and 2,310.5 more or less for Anadarko are located in Anthony, Cogan House and Mifflin Townships, Lycoming County and are shown on Exhibit OGM One on page 39 of your agenda.

Both EXCO and Anadarko have initiated well drilling and development programs on private lands adjacent to the State Game Land. Both operators have the ability to unitize and produce the Commission's oil/gas reserve by developing well
locations on private lands and directional drilling beneath the State Game Land. Both of the agreements prohibit any well pad construction or drilling on the State Game Lands and further restrict surface uses from infrastructure development on the State Game Lands via pipelines, access roads and geophysical testings. In an effort to prudently develop the Commission's oil/gas reserve and simultaneously protect the wildlife resources and recreational uses on State Game Land Number 114, the agreements include a five year primary term and $3,000 per acre up front bonus payment and an initial royalty rate of 18 percent with a step royalty increase of 20 percent of the gas production on each well's initial payback having been reached.

The sum of the bonus payments and rentals, $8,644,500, will be deposited into the Game Fund and/or deposited into an interest bearing escrow account for future purchase of wildlife habitat and lands acceptable to the Commission. All royalties will be deposited directly into the Game Fund.

The Executive Director and Staff recommended that this restricted surface use Oil/Gas Production Agreement be approved and that the Commission authorize the Bureau of Wildlife Habitat
Management to proceed to with the agreement as listed above.

PRESIDENT WEANER:
Motion to adopt?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT WEANER:
Commissioner Isabella. Is there a second?

COMMISSIONER BOOP:
Second.

PRESIDENT WEANER:
Commissioner Boop seconds. Discussion?

Commissioner Martone?

COMMISSIONER MARTONE:
Director Capouillez, could you explain the term standard restricted surface use that's used in this?

MR. CAPOUILLEZ:
Absolutely. In the case of a restricted surface use lease like this one is, there is actually no well pad development that will occur on the game lands. There will be actually no physical drilling on the surface of the game lands. All the oil and gas reserves will be accessed through well pads that are
put on private lands, which are adjacent to the game lands and then horizontally drilled underneath the game lands itself.

COMMISSIONER MARTONE:
Excellent. Thank you.

PRESIDENT WEANER:
Other discussion? Hearing none, we shall vote. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary.

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.

PRESIDENT WEANER:
Thank you.

ATTORNEY BECHTEL:
The next item is also restricted surface use Oil/Gas Production Agreement, State Game Land Number 172, Bradford County. Chesapeake Appalachia, LLC of Oklahoma City, Oklahoma requested the Commission offer its oil and gas ownership under all State Game Land Number 172. The proposed tract containing a total of 722.3 acres is located in Terry and Wilmot Township, Bradford County and is shown on
Exhibit OGM Two, page 41 of your agenda.

The terms of the agreement are a paid up five year restricted surface use Oil/Gas Production Agreement, a $5,000 per acre bonus payment and a 20 percent royalty. Chesapeake Appalachia, LLC has a strong lease position surrounding State Game Land Number 172 and has initiated well drilling and development programs on private lands adjacent to the state game lands. Chesapeake Appalachia has the ability to unitize the Game Commission's oil/gas reserve by developing well locations on private lands and directional beneath the state game lands. The agreement prohibits any well pad construction or drilling on the state game lands and further restricts surface uses from infrastructure development on the state game land via pipelines, access roads and geophysical testing in an effort to safeguard the prudent development of the Commission oil/gas reserve and simultaneously protect the wildlife resources and recreational use of State Game Land Number 172.

The sum of the bonus payment and rentals, $3,611,500, will be deposited into the Game Fund and/or deposited into an interest bearing escrow account for future purchases of wildlife habits and lands acceptable to the Commission. All royalties
The Executive Director and Staff recommend that this restricted surface use Oil/Gas Production Agreement be approved and that the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the agreement as listed above.

PRESIDENT WEANER:
Is there a motion to approve?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT WEANER:
Commissioner Isabella moves. Is there a second?

COMMISSIONER BOOP:
Second.

PRESIDENT WEANER:
Commissioner Boop seconds the motion. Is there any discussion?

COMMISSIONER DELANEY:
Mr. President.

PRESIDENT WEANER:
Mr. Delaney?

COMMISSIONER DELANEY:
If I could, Director Capouillez, could
you elaborate a little bit on prohibits --- when we restrict the surface use, does that mean they cannot put a gas pipeline over it, or does it mean that we have a say in that?

MR. CAPOUILLEZ:

They would have to go through a right-of-away permitting process, which has an alternative analysis process that goes along with that, in where they would actually have to show a due cause for wanting to put the right-of-way of across us, and we would have to review that and determine whether or not that makes sense or is feasible.

So I mean, this restricted use lease is actually more restrictive than the other one simply. Because there are some other needs from federal funding and so forth on this particular game lands, we want to make sure that there's absolutely nothing that can go on there without additional approvals so we comply with those measures. So both of them are extremely restrictive. Neither one allows for surface drilling. This one actually limits any physical use of the property without additional approval.

COMMISSIONER DELANEY:

As I mention in our work session, this is lot of money, $3.6 million, but I know this game land
very well. I hunt grouse and woodcock there. And I still have concerns for the sportsmen of this area. They won't be drilling on our land, which I think it's phenomenal how you do these leases, but there's going to be certainly --- there's well pads in that area right now, so I think we should have some concerns about our infrastructure. There's a dirt road that runs right through the center of the game land that's going to get beat up. The Sugar Run Creek runs right through there and I just guess as we go forward there's a lot of water quality problems with the fracking, so I'm just hoping five years or ten years down the line that we don't have some issues with regards to these leases. I'm going to support it, but I still remain cautious with some of the issues with the hydraulic fracking.

PRESIDENT WEANER:
Questions? Commissioner Boop?

COMMISSIONER BOOP:
I think it's important to note, though, that, you know, we really can't stop the tide of what's going on in north central Pennsylvania. And, you know, if we don't work with these companies and negotiate as we're doing, they have the ability, as I think you've indicated in the past, Director
Capouillez, of accessing the gas anyway. So I think we're doing it in as prudent a manner as we can, but like Commissioner Delaney, I'm certainly hearing some comments from hunters expressing some concerns and other users of the land. And I think we're about as prepared as we can be to address that. So again, I mean, we don't have a lot of alternatives, do we, sir?

MR. CAPOUILLEZ:

No, we don't. I mean, in the case of both of these last two leases, the companies that are in the periphery of drilling can actually by rule of capture take oil and gas out from underneath the game lands and not compensate the Game Commission at all for it, and that's legal. And the do nothing option really is not an option, because if, in fact, they don't get a lease and have the ability to drill underneath us, they just drill a well to us or adjacent to us, and through the fracking and the oil capture, they take the gas anyway and we get nothing for it. And the sportsmen lose entirely.

So what we've been doing here by allowing for these monies to put in an interest bearing escrow account, portions of them, I mean, you know, approving 9,400 acres, which you just did a little bit ago, all
of these monies came from these deals. Not only from
gas and mineral for that matter, surface mining leases
that we've done over the last decade, you know, a lot
of those markers got called in to come up with the
funding necessary for the 9,400 acres, which would
never have occurred had leases not been approved by
the Commissioners like they are being today.

PRESIDENT WEANER:
Further discussion? Hearing none, we
shall proceed to vote. All those in favor, signify by
saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes
unanimously.

ATTORNEY BECHTEL:
The next item before the Commission is an
Oil/Gas Production Agreement Land Exchange on State
Game Land Number 268 in Tioga County. Endless
Mountain Energy requests the Commission to offer its
oil and gas ownership under a portion of State Game
Land Number 268. The tract containing a total of
1,930 acres more or less is located in Morris
Township, Tioga County as shown on Exhibit OGM Three on page 43 of your agenda.

In exchange for an oil/gas agreement, Endless Mountain Energy will cause to convey to the Commission a 584.7 acre tract of land adjacent to State Game Land Number 62 known as the Kane Tract in Hamlin Township, McKean County as shown on Exhibit OGM Four on page 44 of your agenda. There is a description of this tract in your agenda.

The terms of the agreement are a paid up five year oil/gas agreement, a $3,500 per acre bonus payment, a $15,000 well location fee, a $25 per acre rental and a 20 percent royalty. Of the total bonus payment, $409,346 will be credited towards the conveyance to the Commission of the Kane Tract. The remainder of the bonus payment, or $6,345,654, will be deposited into the Game Fund or an interest bearing escrow account and to be used for the future purchase of wildlife habitats and lands acceptable to the Commission. All loyalties will be directly deposited into the Game Fund.

The Executive Director and Staff recommend this Oil/Gas Production Agreement be approved and that the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the
agreement as listed above.

PRESIDENT WEANER:
Is there a motion to approve?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT WEANER:
Commissioner Isabella moves. Is there a second?

COMMISSIONER SCHREFFLER:
Second.

PRESIDENT WEANER:
Commissioner Schreffler seconds the motion. Is there any discussion?

MR. CAPOUILLEZ:
Mr. President, I'd like to make ---.

PRESIDENT WEANER:
Go right ahead.

MR. CAPOUILLEZ:
I'd like publicly recognize both Mike DiMatteo and Kerry Speelman. If you could please stand. At this point, there's over $18.5 million worth of oil and gas assets coming forth to the Commission. As Executive Director Roe said, I mean, that only really touches where we would have been had we gotten a license increase, but you know, if not for
the effort of these two individuals, we would not be looking at these Commission items either. And I truly believe that they need a round of applause as well.

PRESIDENT WEANER:
Okay. We're still at discussion point. Is there any discussion on this item? Commissioner Martone?

COMMISSIONER MARTONE:
Director Capouillez, I have to admit when those two guys talk I almost never understand what the heck they're talking about. That's how complicated this stuff gets. I mean, you can pay attention, but it's obvious that their job is a very, very difficult one and they do an excellent job at it, so I appreciate you recognizing them. Thank you.

PRESIDENT WEANER:
Any further discussion? Hearing none, we shall proceed to vote. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes unanimously.
PRESIDENT WEANER:

Thank you. Before we go to new business, just one comment I'd like to make. I know that we've just recognized a couple people here for making contributions to these land deals and OGM deals and we really appreciate that, but we have a lot of other employees in our Game Commission here that are also doing really great work, and it just isn't quite as glamorous maybe. And I would just like to publicly say we really appreciate what you're all doing, too, and you know, it's just the way the cookie crumbles sometimes. Some things are more glamorous than others, but your work is vital and we appreciate it a lot.

Moving along them to new business items, is there any new business?

COMMISSIONER DELANEY:

Mr. President, I have some old business first, or do you want to do that after ---?

PRESIDENT WEANER:

No, well go with old business. I'm sorry. I should have asked for that. Go ahead.

COMMISSIONER DELANEY:

At our January meeting, I asked for some discussion about how we do our meetings, our Game
Commission meetings, our work sessions, our public comment sections, and I don't really think that we had a fair discussion about that, and I think that we should. Have we evaluated that we do our work sessions in the most prudent public manner? But I guess more importantly to that when we conduct our public comment phase, as we did yesterday at 8:30 in the morning on a Monday morning, do we think that we're getting the most amount of sportsmen and shareholders and sportswomen and trappers and shareholders at a meeting at nine o'clock on a Monday morning or perhaps should we have some dialogue about trying an evening public comment?

I guess there's --- for the sake of time, I'm not sure that we have to debate the warrants of that today, unless you'd like to, or perhaps we can defer some of these issues to the Executive Director and his Staff to look at. Or do the Commissioners have an opinion on how we do our business? And I'm just throwing it out there just to see if there's some way we can engage more of the public in what we do.

I mean, this is an amazing amount of information that transpired between yesterday and today. I think our IE department has gone great lengths to make available our meeting to the public.
They're available to see that, but I'm still looking for a way that perhaps we could engage more people at a more reasonable time to offer public comments. I work in municipal government, and none of our public comment meetings happen during the day. Most of them, they're at the evening, most school board meetings seem to be in the evening.

So all I ask is that we look at this in some manner, or the Executive Director does, and perhaps come back at an another meeting and offer some suggestions, or perhaps what we're doing now is fine, but I'd just like us to take a look at that or offer some commentary to our board.

PRESIDENT WEANER:

I would suggest that that would be the track to take. So I appreciate your comment. We'll take it to our Executive Director. Is there anything else under old business? Okay. Then let us go to new business. Are there items of new business that Commissioners would like to bring up? Commissioner Schreffler?

COMMISSIONER SCHREFFLER:

Yes, I'd like to place a motion to accept the management plan for the beaver and bald eagle.

PRESIDENT WEANER:
So you're moving to accept the two management plans that have been presented. Is there a second?

COMMISSIONER PUTNAM:
Second.

PRESIDENT WEANER:
Commissioner Putnam seconds the motion.

Commissioner Schreffler made the motion. Is there any discussion on the motion? Hearing none, we shall proceed to vote on accepting these two management plans. All those in favor, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary.

COMMISSIONER PUTNAM:
Mr. President, the motion carries unanimously.

PRESIDENT WEANER:
Okay. Other new business? We have a report under new business from our wildlife specialist here to talk about allocations.

MR. DUBROCK:
Thank you, Mr. President. I believe Deputy Executive Director Matt Hough is distributing to you recommended antlerless license allocations as
well as recommended elk licenses for the 2011, 2012 season.

**PRESIDENT WEANER:**

Is this something that everyone in the public has also?

**MR. DUBROCK:**

They do not.

**PRESIDENT WEANER:**

Did you want to just briefly elaborate on what you have then for the record.

**MR. DUBROCK:**

Which would you prefer first.

**PRESIDENT WEANER:**

Let's start with the elk licenses.

**MR. DUBROCK:**

Okay. Elk licenses, and Chris Rosenberry actually covered these in the workshop yesterday, but what we're recommending for the 2011 elk season, and this is the regular rifle season, elk zone one is an open area. Anyone receiving an elk license may hunt and use that license in that zone. Zone two, four antler and 12 antlerless licenses. In zone three, one antler and two antlerless licences. In zone four, one antlered and one antlerless license. Zones five and six are closed, no licenses issued for them. We're
recommending for elk zone 7, four antlered and six antlerless licenses, and the same for zone eight, four antlered and six antlerless. In elk hunt zone nine, two antler and nine antlerless licenses. And in elk zone ten, two antler and two antlerless licenses, for a total of 18 antler elk licenses and 38 antlerless elk licenses or a total of 56 licenses for the 2011 season. That does not include the one conservation license that was auctioned off earlier this year.

PRESIDENT WEANER:

We have a recommendation from Staff here to issue 56 elk licenses according to this schedule. Is there a motion to adopt this?

COMMISSIONER SCHLEMMER:

So moved.

PRESIDENT WEANER:

Moved by Commissioner Schlemmer. Is there a second?

COMMISSIONER SCHREFFLER:

Second.

PRESIDENT WEANER:

Seconded by Commissioner Schreffler. Is there any discussion on this motion?

COMMISSIONER DELANEY:

Mr. President.
PRESIDENT WEANER:
Commissioner Delaney?

COMMISSIONER DELANEY:
Director DuBrock, with this allocation for elk, what will this do to the size of the elk herd? Will it increase it, decrease it or keep it stable?

MR. DUBROCK:
It does a couple of things. And I may actually call upon Chris Rosenberry to assist me in this. But I believe one of the things it does is attempt to maintain the quality of the mature antler component within the population. I believe the remainder supports stabilizing essentially the elk population. The increased number of licenses in zone two have been suggested to help us to begin to address the increasing population in the Winslow Hill area as well.

COMMISSIONER DELANEY:
Thank you.

PRESIDENT WEANER:
Further question or discussion? Hearing none, we shall proceed to vote on this recommendation. All those in favor, signify by saying aye.

AYES RESPOND
PRESIDENT WEANER:
Those opposed, say no. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion carries unanimously.

PRESIDENT WEANER:
Thank you. Mr. Dubrock, do you want to continue?

MR. DUBROCK:
The second sheet that's been distributed to the Commissioners reflects the antlerless license recommendations. We were briefed extensively yesterday by Doctor Rosenberry about the status of the deer population, deer health, habitat health as well as CAC recommendations and each wildlife management unit. Our recommendations are to stabilize the deer population in each management unit with three exceptions, and that is 2B, 5C and 5D where we would recommend a decrease in the populations.

PRESIDENT WEANER:
And those being the specialized regulation areas?

MR. DUBROCK:
That is correct, the most urbanized areas. And so the recommendation that you have in
front of you reflect the season framework that you have approved at this meeting, so anticipating that we've got two options, a 12 day concurrent antler and antlerless season and a 5 day antler and 7 day concurrent antlerless season framework which varies from management unit to management unit. And if you'd like, I can just step through each of these for the public's ---.

PRESIDENT WEANER:
Well, did you just pass this out? They all have it. I think to summarize here we adopted already earlier today the season format that you've got listed on here, some seasons being concurrent, some seasons having the split season, and that's what --- you're recommending the same thing that we just adopted?

MR. DUBROCK:
That is correct.

PRESIDENT WEANER:
And so --- and you've indicated you've got three areas, the special regs areas that are to be decreased, everything else is stable, and that would be reflected on the numbers that you presented to us yesterday ---

MR. DUBROCK:
That's correct.

PRESIDENT WEANER:
--- or your team presented to us. And I think that total's something like 913,000 licenses according to antlerless allocation.

MR. DUBROCK:
I did not add them.

PRESIDENT WEANER:
I added. That's the unofficial number.

MR. DUBROCK:
I'd like to focus on each WMU, because we're managing each WMU level rather than divert our attention to the total.

PRESIDENT WEANER:
Okay. Is there a motion to adopt this recommendation as presented to us?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT WEANER:
Commissioner Schreffler. Is there a second?

COMMISSIONER ISABELLA:
Second.

PRESIDENT WEANER:
Commissioner Isabella seconds the motion
to adopt what we've been presented. At this time, I'll open it to discussion. Commissioner Martone?

COMMISSIONER MARTONE:
Are you interested in amending that ---?

PRESIDENT WEANER:
Discussion means that you discuss or offer other motions.

COMMISSIONER MARTONE:
I wanted to go with the flow here. I would like to look at the number for wildlife management unit 2D. Right now it's listed as stable, and the proposed recommendation is 55,000. We recently had a citizens advisory committee meet, and their recommendation was to decrease the deer herd in 2D. To accommodate that recommendation I would like an additional 5,000 added to that number giving a total for 2D of 60,000 based on that CAC recommendation.

Also, in wildlife management unit 2F, the number proposed on the sheet recommendation is a stable number of 32,000. However, as I mentioned yesterday during the public comment, 2F is a unit that sells out almost within days of opening this antlerless license. 2D (sic) sells out. That means
there is a lot of recreational opportunity available in 2F. Because of that, we have introduced a split season to accommodate that and the additional interest in license. I would like to add 2,000 to the number proposed of 32,000 and raise that to 34,000.

**PRESIDENT WEANER:**

Is there a second for this motion?

**COMMISSIONER DELANEY:**

I'll second that.

**PRESIDENT WEANER:**

Commissioner Delaney seconds. The motion would change 2D. It would strike out 55,000 and insert 60,000. And in 2F, we would strike out 32,000 and insert 34,000. Is there any further discussion on that item? Hearing none, we shall vote on that motion as I've just stated it. All those in favor, signify by saying aye.

**AYES RESPOND**

**PRESIDENT WEANER:**

Those opposed, say no.

**COMMISSIONER ISABELLA:**

Opposed.

**PRESIDENT WEANER:**

Mr. Secretary?

**COMMISSIONER PUTNAM:**
Mr. President, the motion to amend 2D and 2F passes seven to one.

PRESIDENT WEANER:
The one dissenting vote is Commissioner Isabella. So therefore, the motion passes.

COMMISSIONER PUTNAM:
The motion passes.

PRESIDENT WEANER:
Now, open for discussion again.

Commissioner Delaney.

COMMISSIONER DELANEY:
If we can revert to wildlife management unit 3B and 3D. 3B and 3D. We had a very good discussion with our Bureau of Wildlife Habitat Management, Bill Capouillez, who directed the board and advised the board that we can get to a good habitat goal of 70 percent in a length of time, overnight, two years or five years, and we of the board can get us there quicker or it could take somewhat longer.

So with that in mind, I do have two proposals for WMU 3B. This past year the allocations for 3B were 33,761 tags. We also put 3B into a split season and that passed, and the recommendations to keep the herd stable were 48,000. In light of the
forest health measures in WMU 3B being one of the best in the state and going in that direction, what I want to do is continue --- we already voted on the five day antlered, seven day concurrent, but to slightly increase the herd. I am offering to increase --- I should say decrease your recommendation and make it 40,000.

PRESIDENT WEANER:
So you're striking 48 and inserting 40?

COMMISSIONER DELANEY:
That's correct. And to follow up with WMU 3D, we had a lengthy discussion yesterday, and the forest health measures in 3D have not changed for ten years. I advocate increasing the tags and we're going to continue to have the 12 day concurrent. We already passed that. Rather than using the stable number of 36, I'd like to decrease the size of the herd and increase the tags to 31,000 to see if that is going to matter to increase the forest health measures in 3D.

PRESIDENT WEANER:
What was your number again?

COMMISSIONER DELANEY:
To go --- in WMU 3B, the recommended amount to keep the herd stable was 36,000. I'm proposing to add an additional 3,000 to make that
39,000. That will decrease the size of the deer herd.

PRESIDENT WEANER:

Do we have a second to that motion to amend?

COMMISSIONER MARTONE:

Second.

PRESIDENT WEANER:

It's been seconded by Commissioner Martone. Okay. We have a motion on the floor. Let me restate the motion. The motion is to amend by striking out 48,000 from 3B and inserting 40,000, and from 3D, striking out 36,000 and inserting 39,000. Is there any discussion on that amendment?

COMMISSIONER SCHREFFLER:

Could we split the amendment and handle each of those separately, Mr. Delaney?

COMMISSIONER DELANEY:

I'll defer to the President.

PRESIDENT WEANER:

To do that, you'll have to make a motion to split the motion.

COMMISSIONER SCHREFFLER:

Okay. My motion is then to vote on 3B proposed changes --- or 3B separately from the proposed changes for 3D.
PRESIDENT WEANER:
Is there a second to that motion?

COMMISSIONER ISABELLA:
Second.

PRESIDENT WEANER:
Commissioner Isabella seconds the motion. The motion has been made to split the motion into two separate motions, one for 3D and one for 3B. Is there any discussion on that? What we're voting on is whether we're going to vote on these separately. That's what we're voting on. All those in favor of splitting this motion, signify by saying aye.

AYES RESPOND

PRESIDENT WEANER:
Those opposed, say no.

NOS RESPOND

PRESIDENT WEANER:
Mr. Secretary, what was the vote?

COMMISSIONER PUTNAM:
Mr. President, I would ask for a hand vote.

PRESIDENT WEANER:
Okay. Normally, you can call it however you want it, and then someone could request a division of the house, but we'll go this way. We shall now
revote. All those in favor of splitting the motion --- that's all we're voting on, just splitting the motion. All those in favor of splitting the motion, raise one hand. All those opposed to splitting the motion, raise one hand. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion fails six to two.

PRESIDENT WEANER:

And who were the two that voted?

COMMISSIONER PUTNAM:

Five, three.

PRESIDENT WEANER:

Let's revote. We'll get this again. We are going to revote. The motion is to split the motion. All those in favor of splitting this motion, signify by raising one hand. Hands down. All those opposed to splitting this motion, raise one hand. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the motion fails 5 to 3.

PRESIDENT WEANER:

And the three voting no were?

COMMISSIONER PUTNAM:

Commissioner Schreffler, Commissioner
Isabella and Commissioner Schlemmer voted no.

PRESIDENT WEANER:
So everyone else voted yes. So the motion has not been split. We are now back to discussion on the main motion to amend by making these two changes. Is there any discussion on this? Okay. At this time, we are voting on the motion. Let me restate the motion again. We are voting on 3B, changing the number --- the allocation from 48,000 down to 40,000 and 3D, as in dog, from 36,000 to 39,000. That's the motion that we're now voting on. All those in favor, signify by raising one hand. Hands down. All those opposed, raise one hand. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion to amendment the allocations for 3B and 3D passes six to two.

PRESIDENT WEANER:
And those voting no?

COMMISSIONER PUTNAM:
Commissioner Schreffler and Commissioner Isabella voted no.

PRESIDENT WEANER:
And everyone else voted yes. Thank you very much. Are there any other amendments or any
other discussion about the motion to adopt the recommendation? Commissioner Boop?

COMMISSIONER BOOP:

Yes, thank you, Mr. President. I'd like to address management units 4D and 4E. I'd like to do them together, 4D and 4E. We have a citizens advisory committees in both, and both recommended an increase in the deer herd. These management units are for the most part ridges and valleys. They're not deep woods. We had --- in 2010, in 4D, we had allocations of 30,052 and it's proposed to have had 44,000 with a goal of stable. I would like to propose a reduction to 37,000, which would be a reduction of 7,000 in 4D. And in 4E, last year, we had 26,899. It's proposed this year to be 35,000 to remain stable. I'd like to propose reducing that by 6,000 to a total of 29,000.

The reasons, of course, are social in that the citizens advisory committees have recommended an increase. Politically, this is a hot bed of a lot of the criticism of our deer management plan. Third, I think we have corrected the perceived problems with the DMAP program, and we've not restricted the DMAP coupons that will be available to address the concerns in these two management units. So for all these three reasons --- or for all these reasons, not just three,
I would respectfully move to reduce 4D and 4E by the amounts stated.

PRESIDENT WEANER:
Is there a second?

COMMISSIONER DELANEY:
So moved.

PRESIDENT WEANER:
Commissioner Delaney seconds the motion.

Commissioner Boop makes the motion. To restate his motion, 4D would go from 44,000 to 37,000, 4E from 35,000 to 29,000. Is there any discussion?

COMMISSIONER SCHREFFLER:
Yes.

PRESIDENT WEANER:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
I would like to say in 4D I think that, although I respect the opinions of Mr. Boop, it seems that more on the eastern end of 4D is where the problem is and that the bulk of 4D is not having a problem with deer. In fact, if you look at the charts that were given to us by Staff, the population actually is slightly increasing. And the other thing that concerns me is that the habitat regeneration is only 36 percent in 4D. Yet, the deer population seems
to be on the trend upward. And I myself would prefer
to see that this unit stay at the stable 44,000 allocation.

And I also travel through the western end
of this, and it's an area that I get into and talk.
And I think that the deer herd there in Centre County
and in northern Blair and Bucks County and all is
hanging --- is really fairly substantial. So,
therefore, I would like to amend and make a motion to
amend Mr. Boop's --- his proposal to --- back to the
44,000 allocation.

COMMISSIONER BOOP:
Well, point of order. I don't think he
can amend it back to the original.

PRESIDENT WEANER:
You can't just the gauge with the
amendment. You'll have to redo it some other way.

COMMISSIONER SCHREFFLER:
Okay. Can I give another way?

PRESIDENT WEANER:
I would suggest that you would vote no on
this amendment and then we can change it.

COMMISSIONER SCHREFFLER:
You're right. I would --- let me amend
it to ---.
PRESIDENT WEANER:
No. Again ---.

COMMISSIONER BOOP:
Point of order.

PRESIDENT WEANER:
State your point.

COMMISSIONER BOOP:
Well, the point is that he can't amend the motion. He has to --- I think he has to vote no on the motion. If it's defeated. Then he can move to amend it.

PRESIDENT WEANER:
You'll just have to vote no if you're not in favor of this, and then go back the other way. You cannot just completely negate the whole motion.

COMMISSIONER SCHREFFLER:
I could give another number. 43,000 I could say.

PRESIDENT WEANER:
I'm going to say no.

MR. ROE:
In other words, you have to vote this amendment, and then if you want to offer another amendment with another number, you can.

PRESIDENT WEANER:
The other tack would be to do what you did in the last motion and split the motion.
Commissioner Boop?

COMMISSIONER BOOP:
Again, one point that I didn't make before we vote on this and I missed it. And Commissioner Martone correctly noted it when he made a motion concerning several management units. 4E typically goes to the third round to sell out of antlerless license. 4D typically goes to the second round to sell out. So these are not management units that sell out immediately like he was talking about with respect to 2F. I mean, in 4E many years you have people that are able to get three antlerless license before they sell out, so you know, we're not really increasing recreational opportunity for new people, but just giving multiple tags to hunters.

PRESIDENT WEANER:
Further discussion? Commissioner Putnam?

COMMISSIONER PUTNAM:
4D is an example of the problem we have with our wildlife management units having very disparate habitats. We have some of the most fertile limestone soils in the state in 4D and we have some of
the most infertile mountain lands in 4.D and I would generally --- because the habitat is poor, I would support a higher allocation than what Commissioner Boop has proposed. And I guess my hope would be is that through the DMAP Program we may be able to focus our hunters on the areas --- the areas that have the higher population in 2D. We have very disparate population within there. So I do favor stabilizing that population or even reducing in it some areas, but I will support Commissioner Boop on this amendment.

PRESIDENT WEANER:

Further discussion? Okay. We're prepared to vote. Here is the motion once again. The motion to amend says that 4D will go from 44 --- we'll strike 44,000 and insert 37,000. 4E, we will strike 35,000 and insert 29,000. All those in favor of this motion, signify by raising one hand. Hands down. All those opposed, raise one hand. Mr. Secretary?

COMMISSIONER PUTNAM:

Mr. President, the amendment passes six to two.

PRESIDENT WEANER:

Those voting no?

COMMISSIONER PUTNAM:

Commissioner Schreffler and Commissioner
Isabella. Everyone else voting yes.

PRESIDENT WEANER:

Are there further --- is there further discussion or amendment?

COMMISSIONER SCHREFFLER:

Mr. President?

PRESIDENT WEANER:

Mr. Schreffler?

COMMISSIONER SCHREFFLER:

I would like to enter my motion to --- back to 4D, again, I would like to mention that here there seems to be a herd on the increase. It does have a disparate habitat, as Mr. Putnam said, and I think that the bulk of the wildlife management unit should be stabilized at least --- at the very least in the allocation. And that I propose that we change that number from 37,000 to --- since we're in the five --- this is a five day split season, five to seven days, to make it 43,500.

PRESIDENT WEANER:

We have a motion to amend. Is there a second?

COMMISSIONER ISABELLA:

Second.

PRESIDENT WEANER:
The maker of the motion is Commissioner Schreffler. Commissioner Isabella seconds the motion. The motion reads that in area --- or WMU 4D we will strike the number, which is now 37,000, and we will insert 43,500. Is there any discussion on that item? Hearing none, we shall proceed to vote. All those in favor of striking 37,000 and inserting 43,500, signify by raising one hand. Hands down. All those opposed, raise one hand. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion fails six to two.

PRESIDENT WEANER:
And those voting no?

COMMISSIONER PUTNAM:
Those voting no are Commissioner Boop, Commissioner Putnam, PRESIDENT WEANER, Commissioner Martone, Commissioner Delaney and Commissioner Schlemmer.

PRESIDENT WEANER:
And those voting yes are Commissioner Schreffler and Commissioner Isabella. Any other further discussion on this motion as amended? Hearing none, we're now going to vote on the allocations presented to us as amended by these various motions.
To summarize it, the allocation as proposed to us was 913,000. It is now as amended 902,000 for a net loss of 11,000 licenses. And I think we have all of the --- you know what all of the amendments are, so we're voting on the whole package right now. All those in favor of this motion as amended, signify by raising one hand. Now all those opposed, raise one hand. Mr. Secretary?

COMMISSIONER PUTNAM:
Mr. President, the motion passes six to two.

PRESIDENT WEANER:
Those voting no?

COMMISSIONER PUTNAM:
Those voting no are Commissioner Schreffler and Commissioner Isabella.

PRESIDENT WEANER:
Everyone else votes yes. Are there any other items of new business? Commissioner Putnam?

COMMISSIONER PUTNAM:
I would like to talk about the, I guess, request of the Executive Director to look at the issue of redrawing our wildlife management units by the next meeting, come up with a schedule and a procedure for how those wildlife management units will be redrawn.
We've just talked about 4D. It's an example of some very disparate habitats. I am not confident that that can be redrawn to address that particular issue, because they are so homogenous.

I do think there are some wildlife management units that can be redrawn now with new staff and new technology that's available to the Commission that wasn't available the last time we reviewed the units. We received a lot of public comment, and I think it would be worthwhile. I think this would be a fairly long process in my opinion, but if we start now, solicit public comments, I think we can address those. No matter where the line is drawn, it's going to be right on the edge of someone's favorite hunting ground or split someone's favorite hunting ground in half, but I believe the time is now to look at the units.

PRESIDENT WEANER:

Other comments or other information for new business? Commissioner Boop?

COMMISSIONER BOOP:

A couple points, Mr. President. We've now --- I'm not sure if this is the second or the third meeting where we've had the webcast for the meeting, and I guess I would just hope that the
Executive Director could may be give us a little update at the June meeting as to how it's working, the feedback that we're getting. I think it's a very useful tool. And the one thing we talked about in just sort of casual conversation, there is a lot of people out there that don't have computers and don't have access to the broadcast, and I was just sort of wondering if we have auditoriums in all the regional offices and whether we believe we could look into the possibility of broadcasting it in the auditoriums or regional offices, which would be a lot more convenient for many people when we're looking at presumably $5 gas this summer. I think it would be a benefit to some of the outer communities.

Another quick point for the Bureau of Wildlife Protection, and I mention this to Director Palmer. I just have some concern that we don't have a procedure in place for mistake kills for bear and elk, and I hope that we can address that now that we have some of these other issues behind us. And we do have provisions for turkey and deer and the other species, but we have had a few incidents with bear and elk and I would just like to address that.

And then the third point is that as we go forward I think as most of you know, I still have very
significant concerns about our deer program, and I would like to take a look at if we could get some information, either through the game take survey or through the cards, whatever source management thinks is the best way to go about that, to try to get some information on how much of the take is on private land and how much is on public land. It's my personal belief, both through personal observation and anecdotal, that a good portion of our take is occurring on private land. And I think in the next 10, 15 years as we further refine this program, we're going to have to start managing public and private lands differently. And at this point, we don't seem to have much information to guide any discussion or decision making with respect to that, so those three issues.

PRESIDENT WEANER:

Thank you. Any other new business? Hearing none, I'll refer you to the upcoming meetings that are listed on here, our June, October and January meetings. Executive Director Roe, were there any comments that you would like to make before we adjourn?

We will hold a press conference in a cafeteria of the training school around the corner
here in about --- let's say, at 10:45 for those people that will attend that. Any last comments for the good of the order before we adjourn? I appreciate everyone coming here today. I think we had a good meeting. We stand adjourned.

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MEETING CONCLUDED AT 10:28 A.M.

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CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

[Signature]

Court Reporter