

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION**



**AGENDA  
HARRISBURG, PENNSYLVANIA  
January 24, 2012**

A handwritten signature in black ink, appearing to read "Carl G. Roe".

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Carl G. Roe  
Executive Director

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Commonwealth of Pennsylvania  
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, January 24, 2012 at 2001 Elmerton Avenue, Harrisburg, Pennsylvania beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Ronald A. Weaner, President  
Ralph A. Martone, Vice President  
David J. Putnam, Secretary  
Gregory J. Isabella  
Thomas E. Boop  
David W. Schreffler  
James J. Delaney, Jr.  
Robert W. Schlemmer

Approval of Minutes of Commission Meeting held October 4, 2011.

Approval of Minutes of Commission Meeting held December 20, 2011.

## BUREAU OF WILDLIFE MANAGEMENT

### PROPOSED RULE MAKING

A. Amend 58 Pa. Code § 139.4.

Commentary:

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2012-2013 license year. The 2012-2013 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Two changes are proposed for small game seasons. First, it is proposed to open WMUs 2A and 2B to the hunting of pheasant cocks and hens. The Pike Run Wild Pheasant Recovery Area study in southwestern PA has concluded. Habitat patch analysis shows that Pike Run meets only 1 of 5 targets in the pheasant habitat model. Pheasant densities are at 1 hen per square mile, far short of the 10 hens per square mile objective. In light of the area's habitat characteristics and low pheasant densities, and in keeping with the pheasant management plan, this area of the state is to be opened to either-sex pheasant hunting and stocking of game farm pheasants is to be reinstated beginning with the 2012-13 season. The second proposed change concerns reducing the porcupine daily bag to 3 and establishing a season limit of 10 per hunter. This proposal is based on a growing concern for commercial exploitation of this species.

An expansion of bear harvest opportunity is also proposed. The taking of black bear by properly licensed hunters during all deer seasons from September through mid-December in wildlife management units (WMUs) 1A, 2B, 5B, 5C and 5D will be allowed. Pennsylvania's black bear population is larger and more widely distributed than ever and bear-human incidents are becoming commonplace, especially in more developed areas. Continued expansion of residential development into areas occupied by black bears has resulted in more frequent sightings and encounters between people and bears. In these five WMUs with relatively high human population densities there currently are low bear densities, the Commission wants to continue to have a minimum number of bears, and the Commission wants hunters to have an opportunity to play an important role in bear population management in these areas.

Changes to beaver trapping regulations follow the recently implemented beaver management plan, and changes are proposed for WMUs 3A, 3D and 5D. Based on annual beaver harvest and nuisance complaint densities, WMUs fall into three categories of harvest and damage

frequency characteristics. WMUs with high harvest rates ( $>50$  beavers per  $100 \text{ mi}^2$ ) and high nuisance complaint rates ( $>1.5$  complaints per  $100 \text{ mi}^2$ ) should have a combined bag limit of 40 beavers per season. WMUs with low harvest rates ( $<10$  beavers per  $100 \text{ mi}^2$ ) and low nuisance complaint rates ( $<0.60$  complaints per  $100 \text{ mi}^2$ ) should have a combined bag limit of 5 beavers per season. WMUs that fall between the low and high harvest/complaint categories should have a combined bag limit of 20 beavers per season. WMUs 3A and 3D fall between the low and high harvest/complaint categories therefore it is proposed to reduce the season bag limit to 20 beavers in these WMUs. However, the nuisance complaint density in WMU 5D is currently the fourth highest in the state. To help alleviate beaver damage complaints in WMU 5D, it is proposed to increase the beaver bag limit to 20. These bag limit changes will be monitored as to how they influence population numbers and nuisance complaint levels.

The addition of WMU 4C in the 2012-2013 bobcat hunting and trapping seasons has been proposed. This proposal is based on expanding population numbers and a trend of increased incidental captures of bobcats in WMU 4C.

The addition of two WMUs, 2G and 4D, for fisher harvesting has been proposed. This is based on expanding fisher populations and increased numbers of incidental captures in these WMUs.

Action:

**(SEASONS AND BAG LIMITS TABLE)**

**2012-2013 OPEN HUNTING AND FUR TAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<i>Squirrel</i> – (Combined species) <i>Eligible Junior Hunters only</i> , with or without the required license, when properly accompanied as required by law	Oct. 6	Oct. 12	6	12
<i>Squirrel</i> – (Combined species)	Oct. 13 and Dec. 10 and Dec. 26	Nov. 24 Dec. 22 Feb. 23, 2013	6	12
<i>Ruffed Grouse</i>	Oct. 13 and Dec. 10 and Dec. 26	Nov. 24 Dec. 22 Jan. 26, 2013	2	4
<i>Rabbit, Cottontail</i> – <i>Eligible Junior Hunters only</i> , with or without the required license, when properly accompanied as required by law	Oct. 6	Oct. 13	4	8
<i>Rabbit, Cottontail</i>	Oct. 20 and Dec. 10 and Dec. 26	Nov. 24 Dec. 22 Feb. 23, 2013	4	8
<i>Ring-necked Pheasant</i> – There is no open season for the taking of pheasants in any area designated as a wild pheasant recovery area within any wildlife management unit.				

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<i>Ring-necked Pheasant - Male only</i> in WMUs 2C, 4C, 4E, 5A & 5B <i>Eligible Junior Hunters only</i> , with or without the required license, when properly accompanied as required by law	Oct. 6	Oct. 13	2	4
<i>Ring-necked Pheasant - Male or female</i> combined in WMUs 1A, 1B, 2A, 2B, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C & 5D <i>Eligible Junior Hunters only</i> , with or without the required license, when properly accompanied as required by law	Oct. 6	Oct. 13	2	4
<i>Ring-necked Pheasant - Male only</i> in WMUs 2C, 4C, 4E, 5A & 5B	Oct. 20	Nov. 24	2	4
<i>Ring-necked Pheasant - Male or female</i> combined in WMUs 1A, 1B, 2A, 2B, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C & 5D	Oct. 20 and Dec. 10 and Dec. 26	Nov. 24  Dec. 22  Feb. 2, 2013	2	4
<i>Bobwhite Quail</i> - The hunting and taking of bobwhite quail is permitted in all WMUs except in WMUs 4A, 4B, 5A, 5B, 5C & 5D where the season is closed.	Oct. 20	Nov. 24	4	8
<i>Hare (Snowshoe Rabbit) or Varying Hare</i>	Dec. 26	Jan. 1, 2013	1	2
<i>Woodchuck (Groundhog)</i>	No closed season except during the regular firearms deer seasons.		Unlimited	

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Porcupine</i>	Sep. 1	Mar. 31, 2013	3	10
	Season closed during the overlap with the regular firearms deer seasons.			
<b>WILD TURKEY</b>				
<i>Turkey - Male or Female</i>			1	1
WMUs 1A, 1B & 2A (Shotgun, Bow & Arrow only)	Oct. 27	Nov. 10		
	and			
	Nov. 22	Nov. 24		
WMU 2B (Shotgun, Bow & Arrow only)	Oct. 27	Nov. 16		
	and			
	Nov. 22	Nov. 24		
WMUs 2C, 2D, 2E, 4A, 4B & 4D	Oct. 27	Nov. 10		
	and			
	Nov. 22	Nov. 24		
WMUs 2F, 2G, 3A, 3B, 3C, 3D, 4C & 4E	Oct. 27	Nov. 16		
	and			
	Nov. 22	Nov. 24		
WMU 5A	Oct. 30	Nov. 1		
WMUs 5B, 5C & 5D	Closed to fall turkey hunting			
<i>Turkey (Spring Gobbler) Statewide<sup>1</sup> Bearded Bird only</i>			1	2
	Apr. 27, 2013	May 11, 2013		
	and			
	May 13, 2013	May 31, 2013		
			May be hunted 1/2 hour before sunrise to 12 noon	
			May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	
<i>Turkey (Spring Gobbler) Statewide Youth Hunt<sup>1</sup> Bearded Bird only Eligible junior hunters only with the required license and when properly accompanied</i>	April 20, 2013	April 20, 2013	1	1

**MIGRATORY GAME BIRD**

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

(a) Hunting hours in §141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<i>Crow</i> (Hunting permitted on Friday, Saturday and Sunday only)	July 1	April 7, 2013		Unlimited
<i>Starling and English Sparrow</i>		No closed season except during the regular firearms deer season.		Unlimited

**FALCONRY**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<i>Squirrel</i> – (Combined species)	Sept. 1	Mar. 31, 2013	6	12
<i>Quail</i>	Sept. 1	Mar. 31, 2013	4	8
<i>Ruffed Grouse</i>	Sept. 1	Mar. 31, 2013	2	4
<i>Cottontail Rabbit</i>	Sept. 1	Mar. 31, 2013	4	8
<i>Snowshoe or Varying Hare</i>	Sept. 1	Mar. 31, 2013	1	2
<i>Ring-necked Pheasant - Male and Female</i> - (Combined)	Sept. 1	Mar. 31, 2013	2	4

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

**WHITE-TAILED DEER**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<i>Deer, Archery (Antlered &amp; Antlerless)</i> <sup>2</sup> <i>(Statewide)</i>	Sep. 29 and Dec. 26	Nov. 10  Jan. 12, 2013	One antlered and an antlerless deer with each required antlerless license.
<i>Deer, Archery (Antlerless only)</i> WMUs 2B, 5C & 5D	Sep. 15 and Nov. 12	Sep. 28  Nov. 24	An antlerless deer with each required antlerless license.
<i>Deer, Archery (Antlered &amp; Antlerless)</i> <sup>2</sup> WMUs 2B, 5C & 5D	Jan. 14, 2013	Jan. 26, 2013	One antlered, and an antlerless deer with each required antlerless license.
<i>Deer, Regular firearms (Antlered &amp; Antlerless)</i> <sup>2</sup> WMUs 1A, 1B, 2B, 3A, 3D, 4A, 4C, 5A, 5B, 5C & 5D	Nov. 26	Dec. 8	One antlered, and an antlerless deer with each required antlerless license.
<i>Deer, Regular firearms (Antlered only)</i> <sup>2</sup> WMUs 2A, 2C, 2D, 2E, 2F, 2G, 3B, 3C, 4B, 4D & 4E	Nov. 26	Nov. 30	One antlered deer.
<i>Deer, Regular firearms (Antlered &amp; Antlerless)</i> <sup>2</sup> WMUs 2A, 2C, 2D, 2E, 2F, 2G, 3B, 3C, 4B, 4D & 4E	Dec. 1	Dec. 8	One antlered, and an antlerless deer with each required antlerless license.
<i>Deer, Special firearms (Antlerless only)</i> <i>(Statewide)</i> Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the U.S. Armed Forces, or in the U.S. Coast Guard, with required antlerless license	Oct. 18	Oct. 20	An antlerless deer with each required antlerless license.
<i>Deer, Muzzleloading (Antlerless only)</i> <i>(Statewide)</i>	Oct. 13	Oct. 20	An antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>2</sup> <i>(Statewide)</i>	Dec. 26	Jan. 12, 2013	One antlered, or one antlerless-plus an additional antlerless deer with each required antlerless license.

**WHITE-TAILED DEER – (Continued)**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>2</sup> WMUs 2B, 5C & 5D	Dec. 26	Jan. 26, 2013	An antlerless deer with each required antlerless license.
<i>Deer, Extended Regular firearms (Antlerless)</i> WMUs 2B, 5C & 5D	Dec. 26	Jan. 26, 2013	An antlerless deer with each required antlerless license.
<i>Deer, Antlerless</i> (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

**BLACK BEAR**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Bear, Archery</i> <sup>4</sup> WMUs 2B, 5C & 5D	Sep. 15	Sep. 28	1	1
<i>Bear, Archery</i> <sup>4</sup> WMUs 1A, 2B, 5B, 5C & 5D	Sep. 29	Nov. 10	1	1
<i>Bear, Archery</i> <sup>4</sup> <i>Statewide</i>	Nov. 12	Nov. 16	1	1
<i>Bear, Muzzleloading</i> <sup>4</sup> WMUs 1A, 2B, 5B, 5C & 5D	Oct. 13	Oct. 20	1	1
<i>Bear, Regular firearms</i> <sup>4</sup> <i>Statewide</i>	Nov. 17	Nov. 21	1	1
<i>Bear, Extended firearms</i> <sup>4</sup> WMUs 3A, 3C, and Portions of WMU 3B, East of Rt. 14 from Troy to Canton, East of Rt. 154 from Canton to Rt. 220 at Laporte and East of Rt. 42 from Laporte to Rt. 118 and that portion of 4E, East of Rt. 42.  Portions of WMUs 2G in Lycoming and Clinton counties and 3B in Lycoming County that lie North of the West Branch of the Susquehanna River from the Rt. 405 Bridge, West to Rt. 15 at Williamsport, Rt. 15 to Rt. 220, and North of Rt. 220 to the Mill Hall exit, North of SR 2015 to Rt. 150; East of Rt. 150 to Lusk Run Rd. and South of Lusk Run Rd. to Rt. 120, Rt. 120 to Veterans Street Bridge to SR 1001; East of SR 1001 to Croak Hollow Rd., South of Croak Hollow Rd. to Rt. 664 (at Swisssdale), South of Rt. 664 to Little Plum Rd. (the intersection of SR 1003), South of SR 1003 to SR 1006, South of SR 1006 to Sulphur Run Rd., South of Sulphur Run Rd. to Rt. 44, East of Rt. 44 to Rt. 973, South of Rt. 973 to Rt. 87, West of Rt. 87 to Rt. 864, South of Rt. 864 to Rt. 220 and West of Rt. 220 to Rt. 405 and West of Rt. 405 to the West Branch of the Susquehanna River.	Nov. 26	Dec. 1	1	1
<i>Bear, Extended firearms</i> <sup>4</sup> WMUs 1A, 2B, 5B, 5C & 5D	Nov. 26	Dec. 8	1	1
<i>Bear, Extended firearms</i> <sup>4</sup> WMUs 3D, 4C, 4D & 4E	Nov. 28	Dec. 1	1	1

**ELK**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Elk, Regular firearms</i> <sup>5</sup> <i>(Antlered &amp; Antlerless)</i>	Nov. 5	Nov. 10	1	One elk with required license
<i>Elk, Special Conservation</i> <sup>5</sup> <i>(Antlered &amp; Antlerless)</i>	Sep. 1	Nov. 10	1	One elk with required license
<i>Elk, Extended firearms</i> <sup>5</sup> <i>(Antlered &amp; Antlerless)</i>	Nov. 12	Nov. 17	1	One elk with required license

**FUR TAKING - TRAPPING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Mink and Muskrat</i> <i>(Statewide)</i>	Nov. 17	Jan. 6, 2013		Unlimited
<i>Beaver</i> <i>(Statewide)</i>	Dec. 26	Mar. 31, 2013		
WMUs 1A, 1B & 3C (Combined)			20	40
WMUs 2A, 2B, 2D, 2E, 2F, 3A, 3B, 3D & 5D (Combined)			20	20
WMUs 2C, 2G, 4A, 4B, 4C, 4D, 4E, 5A, 5B, & 5C (Combined)			5	5
<i>Coyote, Fox, Opossum, Raccoon, Skunk, Weasel - (Statewide)</i>	Oct. 21	Feb. 17, 2013		Unlimited
<i>Coyote &amp; Fox - (Statewide)</i> <i>(Cable restraint devices may be used)</i>	Dec. 26	Feb. 17, 2013		Unlimited
<i>Bobcat (with appropriate permit)</i> WMUs 2A, 2C, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4C, 4D & 4E	Dec. 15	Jan. 6, 2013	1	1
<i>Fisher (with appropriate permit)</i> WMUs 2C, 2D, 2E, 2F, 2G & 4D	Dec. 15	Dec. 20	1	1

**FUR TAKING - HUNTING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Coyote - (Statewide)</i>		Outside of any big game season may be taken with a hunting license or a furtaker's license and without wearing orange.		Unlimited
<i>Coyote - (During any big game season)</i>		May be taken while lawfully hunting big game or with a furtaker's license.		
<i>Opossum, Skunk, Weasel (Statewide)</i>		No closed season.		
<i>Raccoon and Fox - (Statewide)</i>	Oct. 20	Feb. 16, 2013		Unlimited
<i>Bobcat (with appropriate permit)</i>				
WMUs 2A, 2C, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4C, 4D & 4E	Jan. 15, 2013	Feb. 5, 2013	1	1

***No open seasons on other wild birds or wild mammals.***

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

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

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

<sup>4</sup> Only one bear may be taken during the hunting license year.

<sup>5</sup> Only one elk may be taken during the hunting license year.

B. Amend 58 Pa. Code § 141.1.

Commentary: Agricultural deer damage continues to be a challenge in the Commonwealth's more developed areas. Special hunting regulations exist for these areas, but hunting and permitted control provisions at times create conflicting regulations. The amendment to § 141.1(d)(6) will permit hunters to legally harvest deer during any deer season through the use of bait on properties authorized under a valid deer control permit (red tag farms) in WMUs 5C and 5D in the southeastern Pennsylvania special regulations areas.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.1. Special regulations areas.

\* \* \* \* \*

(d) *Permitted acts.* It is lawful to:

\* \* \* \* \*

(6) Hunt or take deer during any deer season through the use of or by taking advantage of bait on private property currently operating under a valid deer control permit where approval for limited baiting activities has previously been obtained under § 147.552 (relating to application).

Action:

C. Amend 58 Pa. Code § 141.28.

Commentary: The Pike Run Wild Pheasant Recovery Area (WPRA) study in southwestern PA has concluded unsuccessfully. Habitat patch analysis shows that Pike Run meets only 1 of 5 habitat targets in the pheasant model. Pheasant densities are at 1 hen per square mile, far short of the 10 hens per square mile objective. In light of the area's habitat characteristics and low pheasant densities, and in keeping with the pheasant management plan, it is proposed that this area be opened to either-sex pheasant hunting, and stocking of game farm pheasants be reinstated beginning with the 2012-13 season. To complement this proposed season change, § 141.28 will need to be amended to delete the Pike Run WPRA description as illustrated below. Additionally, amending § 141.28(b)(2) to include crows along with waterfowl and woodchucks to the list of species that can be hunted within WPRA's from the first Sunday in February through July 31 is being proposed. This addition will not have a detrimental effect on pheasant recovery.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.28. Wild pheasant recovery areas.

(a) *Definition.* For the purpose of this section, the phrase "wild pheasant recovery area" (WPRA) includes and is limited to the following geographic locations.

(1) ~~[Pike Run WPRA. The portion of Washington County, WMU 2A, bounded on the east by the Monongahela River, on the north by I-70, on the west by PA Rt. 917 to Swagler Rd. to Spring Valley Rd. to PA Rt. 2015 to Lone Pine Rd. to the intersection with Tenmile Creek in West Zollarsville, and bounded on the south by Tenmile Creek.~~

(2) *Somerset WPRA.* That portion of Somerset County, WMU 2C, bounded on the western side starting at the intersection of Coleman Station Rd. and Stutzmantown Rd. proceeding south on Coleman Station Rd., crossing SR 31, to Brotherton Rd., continuing south to Round Hill Rd., then east onto Wills Church Rd., then to Archery Rd. The boundary then follows Berlin Plank Rd. (US Rt. 219) south into the town of Berlin where it joins the Mason Dixon Hwy. (US Rt. 219) proceeding south to Pine Hill Rd. to Walker School Rd. then east on Maple Valley Rd., to Sawmill Rd. to the Cumberland Hwy. (SR 160). The boundary then follows the Cumberland Hwy. (SR 160) south to Salco Rd. and then proceeds north on Salco Rd. to Huckleberry Hwy. (SR 160) in the town of Berlin. The boundary follows Huckleberry Hwy. (SR 160) north, crossing SR 31, to the intersection of Roxbury Rd., then north to Shanksville Rd. The boundary then proceeds north to Stutzmantown Rd., then west to the beginning at the intersection of Coleman Station Rd.

~~(3)~~ (2) \* \* \*

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

~~(5)~~ (4) \* \* \*

(b) *Prohibitions.* It is unlawful to:

\* \* \* \* \*

(2) Train dogs in any manner or hunt small game except crows, woodchucks and waterfowl from the first Sunday in February through July 31 within any area designated as a WPRA.

Action:

D. Amend 58 Pa. Code § 141.62.

Commentary:

To comply with the beaver management plan, two regulation changes are needed in 58 Pa. Code § 141.62. The 15-foot trap placement restriction near beaver dams and lodges should be enforced statewide which will simplify regulations and help protect juvenile beavers in the colony. This can be accomplished by deleting references to Wildlife Management Units 3B, 3C, and 3D in § 141.62(b)(2) as indicated below. Secondly, the body-gripping trap limit of 10 should only apply to WMUs with high relative harvest/complaint density and with bag limit of 40 beavers per season. The purpose of this change is to lift the 2 body-gripping trap limit only in WMUs with high relative beaver harvest and complaint densities. Because of the high efficiency of body-gripping traps, these devices should be limited to two in WMUs with medium to low beaver harvest and nuisance complaint densities. Limiting body-gripping traps also creates beaver trapping opportunities for the maximum number of trappers. This change can be accommodated as noted in § 141.62(b)(4).

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§ 141.62. Beaver trapping.

\* \* \* \* \*

(b) *Unlawful Acts.* It is unlawful to:

\* \* \* \* \*

(2) [~~Except in Wildlife Management Units 3B, 3C and 3D, place,~~ Place, check, reset or tend a trap or snare on an established beaver dam or beaver house, or within 15 feet of either a dam, or a house. Measurement shall be from directly above the trap or snare, across the water, ice or land to the nearest point of the structure.

\* \* \* \* \*

(4) Set, tend or operate more than a combined statewide total of 20 traps or snares no more than 10 of which may be traps. No more than two of the traps may be body gripping traps except in Wildlife Management Units [~~1B, 3A, 3B, 3C and 3D where the two body gripping trap limit does not apply~~] where beaver bag limits are 40 or more per season.

\* \* \* \* \*

Action:

E. Amend 58 Pa. Code § 147.804.

Commentary: The National Wild Turkey Federation and others have continued to express an interest in having the Commission expand mentored youth turkey hunting opportunities to include fall turkeys. Commission staff has expressed conditional support so long as fall turkey harvest would not increase. With the advent of mentored youth license exemption language in Title 34 (Game & Wildlife Code), the Board has the ability to modify 58 Pa. Code to allow for the transfer of a mentor fall turkey tag by amending § 147.804(c) and adding § 147.804(h) as indicated below. This action will not significantly increase the fall harvest or negatively impact the ongoing fall hen harvest rate and survival study and is consistent with the goal of providing additional mentored youth hunting opportunity as identified in the Wild Turkey Management Plan for PA.

CHAPTER 147. SPECIAL PERMITS

Subchapter X. MENTORED YOUTH HUNTING PROGRAM PERMIT

§ 147.804. General.

\* \* \* \* \*

(c) A mentored youth's hunting eligibility is restricted to the following species: squirrel, woodchuck, coyote, deer and wild turkey[~~-, spring gobbler season only~~].

\* \* \* \* \*

(h) Notwithstanding the prohibitions in section 2711 (a) (3) and (5) of the act (relating to unlawful acts concerning licenses), a mentor is authorized to transfer a fall turkey tag issued to them to an eligible mentored youth. The fall turkey tag shall be valid and in the possession of the mentor at all times while hunting fall turkey. The transfer of the fall turkey tag may not occur until after the mentored youth has harvested the fall turkey, but before tagging the carcass. A mentored youth may receive by transfer no more than one fall turkey tag each license year.

Action:

## BUREAU OF WILDLIFE PROTECTION

### PROPOSED RULE MAKING

A. Amend 58 Pa. Code § 135.50.

Commentary: 58 Pa. Code § 135.50 currently defines, *inter alia*, the term "ATV-All-terrain vehicle" for the purpose of restricting the type and design of off-road vehicles that may be operated on State Game Lands under applicable allowances. Section 135.50 contains a specific reference to section 7702 of the Vehicle Code (75 Pa.C.S. § 7702) to aid in defining this term. On June 25, 2001, relevant portions of the act of June 25, 2001 (P.L. 701, No. 68, § 4) effectively changed the meaning given to the terms "all-terrain vehicle" and "ATV" under 75 Pa.C.S. § 7702. The 2001 changes to section 7702 were never incorporated in 58 Pa. Code § 135.50. The Commission is proposing to amend § 135.50, to eliminate references to subsection 3, which no longer exists under 75 Pa.C.S. § 7702, and replace them with a generic exclusory reference. This proposal is non-substantive and is not intended to further expand or further limit the types of off-road vehicles that may be operated on State Game Lands under applicable allowances.

## CHAPTER 135. LANDS AND BUILDINGS

### Subchapter C. STATE GAME LANDS

§ 135.50. Definitions.

The following words and terms, when used in this section and §§ 135.49 and 135.51, have the following meanings, unless the context clearly indicates otherwise:

*ATV-All-terrain vehicle* – A Class I ATV as defined in 75 Pa.C.S. § 7702(1) [~~and~~ (3)] (relating to definitions), or a motorized off-highway vehicle 58 inches or less in width, having a dry weight of 900 pounds or less traveling on four or more low-pressure tires and having a bench seat[~~, which complies with restrictions in 75 Pa. C.S. § 7702(3)~~]. This term shall not include any motorized off-highway vehicle excluded from the term ATV under 75 Pa. C.S. § 7702.

\* \* \* \* \*

Action:

B. Amend 58 Pa. Code § 141.4.

Commentary: The Commission is proposing to amend § 141.4 to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2012-2013 hunting license year.

## CHAPTER 141. HUNTING AND TRAPPING

### Subchapter A. GENERAL

§ 141.4. Hunting hours.

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

\* \* \* \* \*

*(See Pennsylvania Meridian Map, Hunting Hours and  
Migratory Game Bird Hunting Hours Tables)*

**HUNTING HOURS TABLE  
FOR JULY 1, 2012 THROUGH JUNE 30, 2013**

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
July 1 – 7	5:09	9:02	Jan. 6 – 12	6:52	5:21
July 8 – 14	5:14	8:59	Jan. 13 – 19	6:51	5:28
July 15 – 21	5:20	8:54	Jan. 20 – 26	6:48	5:36
July 22 – 28	5:26	8:48	Jan. 27 – Feb. 2	6:43	5:44
July 29 – Aug. 4	5:32	8:40	Feb. 3 – 9	6:37	5:53
Aug. 5 – 11	5:39	8:32	Feb. 10 – 16	6:29	6:01
Aug. 12 – 18	5:46	8:22	Feb. 17 – 23	6:21	6:09
Aug. 19 – 25	5:52	8:12	Feb. 24 – Mar. 2	6:11	6:17
Aug. 26 – Sept. 1	5:59	8:01	Mar. 3 – 9	6:01	6:25
Sept 2 – 8	6:05	8:00	Mar. 10 – 16* <b>begins</b>	6:50	7:32
Sept. 9 – 15	6:12	7:39	Mar. 17 – 23	6:39	7:40
Sept. 16 – 22	6:19	7:27	Mar. 24 – 30	6:27	7:47
Sept. 23 – 29	6:25	7:15	Mar. 31 – Apr. 6	6:16	7:54
Sept. 30 – Oct. 6	6:32	7:04	Apr. 7 – 13	6:05	8:01
Oct. 7 – 13	6:39	6:53	Apr. 14 – 20	5:54	8:08
Oct. 14 – 20	6:47	6:43	Apr. 21 – 27	5:44	8:15
Oct. 21 – 27	6:54	6:34	Apr. 28 – May 4	5:34	8:22
Oct. 28 – Nov. 3	7:02	6:25	May 5 – 11	5:26	8:29
Nov. 4 – Nov. 10 * <b>ends</b>	6:10	5:18	May 12 – 18	5:18	8:36
Nov. 11 – 17	6:18	5:12	May 19 – 25	5:12	8:43
Nov. 18 – 24	6:26	5:08	May 26 – June 1	5:07	8:49
Nov. 25 – Dec. 1	6:34	5:06	June 2 – 8	5:04	8:54
Dec. 2 – 8	6:40	5:05	June 9 – 15	5:02	8:58
Dec. 9 – 15	6:45	5:05	June 16 – 22	5:02	9:01
Dec. 16 – 22	6:49	5:07	June 23 – 30	5:05	9:03
Dec. 23 – 29	6:52	5:10			
Dec. 30 – Jan. 5	6:53	5:09			
			<b>*Daylight Saving Time</b>		

## MIGRATORY GAME BIRD HUNTING HOURS TABLE

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
Aug. 26 – Sept. 1	5:59	7:31	Dec. 23 – 29	6:52	4:40
Sept. 2 – 8	6:05	7:30	Dec. 30 – Jan. 5	6:53	4:39
Sept. 9 – 15	6:12	7:09	Jan. 6 – 12	6:52	4:51
Sept. 16 – 22	6:19	6:57	Jan. 13 – 19	6:51	4:58
Sept. 23 – 29	6:25	6:45	Jan. 20 – 26	6:48	5:06
Sept. 30 – Oct. 6	6:32	6:34	Jan. 27 – Feb. 2	6:43	5:14
Oct. 7 – 13	6:39	6:23	Feb. 3 – 9	6:37	5:23
Oct. 14 – 20	6:47	6:13	Feb. 10 – 16	6:29	5:31
Oct. 21 – 27	6:54	6:04	Feb. 17 – 23	6:21	5:39
Oct. 28 – Nov. 3	7:02	5:55	Feb. 24 – Mar. 2	6:11	5:47
Nov. 4 – 10*ends	6:10	4:48	Mar. 3 – 9	6:01	5:55
Nov. 11 – 17	6:18	4:42	Mar. 10 – 16*begins	6:50	7:02
Nov. 18 – 24	6:26	4:38	Mar. 17 – 23	6:39	7:10
Nov. 25 – Dec. 1	6:34	4:36	Mar. 24 – 30	6:27	7:17
Dec. 2 – 8	6:40	4:35	Mar. 31 – Apr. 6	6:16	7:24
Dec. 9 – 15	6:45	4:35	Apr. 7 – 13	6:05	7:31
Dec. 16 – 22	6:49	4:37	*Daylight Saving Time		

Action:

C. Amend 58 Pa. Code §§ 141.43 and 141.44.

Commentary:

On January 27, 2009, the Commission adopted amendments to §§ 141.43 and 141.44 (relating to deer and bear) that, *inter alia*, authorized the general use of crossbows during archery deer and bear seasons. The crossbow amendments in these provisions are subject to a sunset provision that expires on June 30, 2012. The Commission is proposing to amend §§ 141.43 and 141.44 to eliminate the sunset language to effectively make permanent the authorized general use of crossbows during archery deer and bear seasons.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.43. Deer.

(a) *Archery deer season.*

(1) Permitted devices. It is lawful to hunt deer during the archery deer season with any of the following devices:

\* \* \* \* \*

(ii) *A crossbow and bolt.* A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch with at least two cutting edges located on the same plane throughout the length of the cutting surface, and may not exceed 3 inches in length. [~~This subparagraph shall become effective July 1, 2009, and expire on June 30, 2012, unless the Commission authorizes its continued legal effectiveness prior to June 30, 2012.~~]

\* \* \* \* \*

§ 141.44. Bear.

(a) *Archery bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the archery bear season with any of the following devices:

\* \* \* \* \*

(ii) *A crossbow and bolt.* A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch with at least two cutting edges located on the same plane throughout the length of the cutting surface, and may not exceed 3 inches in length. [~~This subparagraph shall become effective July 1, 2009, and expire on June 30, 2012, unless the Commission authorizes its continued legal effectiveness prior to June 30, 2012.~~]

\* \* \* \* \*

Action:

## **BUREAU OF WILDLIFE HABITAT MANAGEMENT**

### **REAL ESTATE**

#### **A. Acquisition**

Contract No. 3596, State Game Land No. 235, Franklin County

Commentary: Ricky and Arlin Wadel are offering for sale 60 +/- acres of land in St. Thomas Township, Franklin County adjoining State Game Land No. 235 (Exhibit RED 1). The option price is \$117,436 lump sum to be paid from the Game Fund. This indenture into State Game Land No. 235 is forested with red maple, black birch, white pine, chestnut oak and hemlock with an understory of witch hazel and mountain laurel. Broad Run, which is a Class A Wild Trout Stream, runs through the northwest corner of the property.

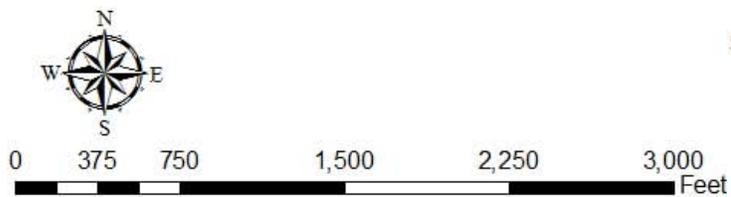
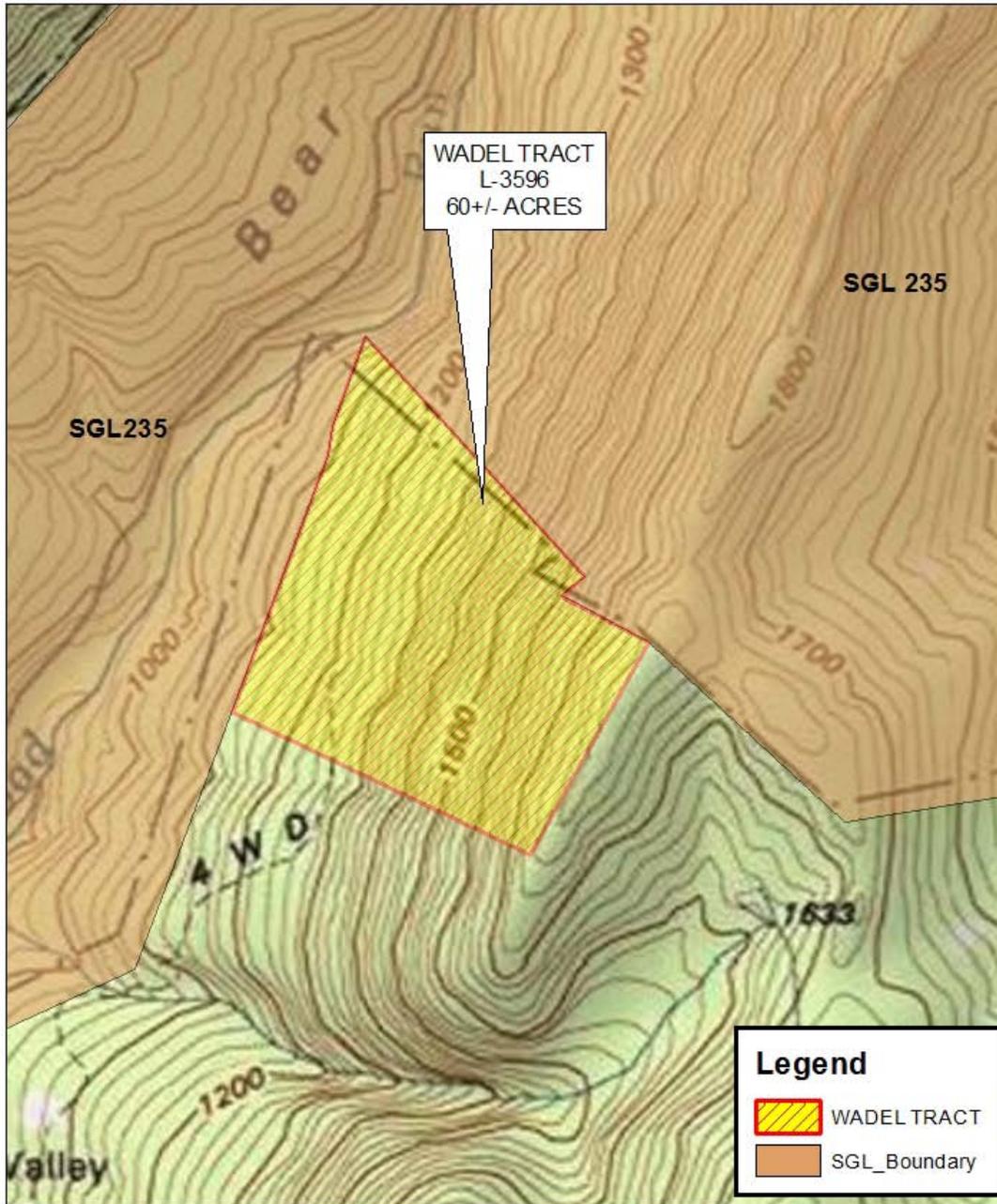
Contract No. 3597, State Game Land No. 207, Luzerne County

Commentary: The Earth Conservancy is offering for sale 406.55 +/- acres of land in Hanover and Fairview Townships, Luzerne County adjoining State Game Land No. 207 (Exhibit RED 2). The option price is \$243,930 lump sum. The option reserves all coal, oil, gas and other minerals but not including uranium or any other radioactive minerals. Earth Conservancy shall not enter into any sale or lease for removal of coal, oil, gas or other minerals through the surface without the written consent of the Game Commission. After January 1, 2032, the coal, oil, gas and other minerals shall revert to the Game Commission with 50% of any future revenue received by the Game Commission being allocated for Earth Conservancy. The property is forested with mixed oak on top of the mountain and northern hardwoods in the lower areas with blueberry in the understory. The timber has been cut in some areas with early successional habitat resulting. The property shall be paid for with third party commitments for compensation of habitat and recreational losses.

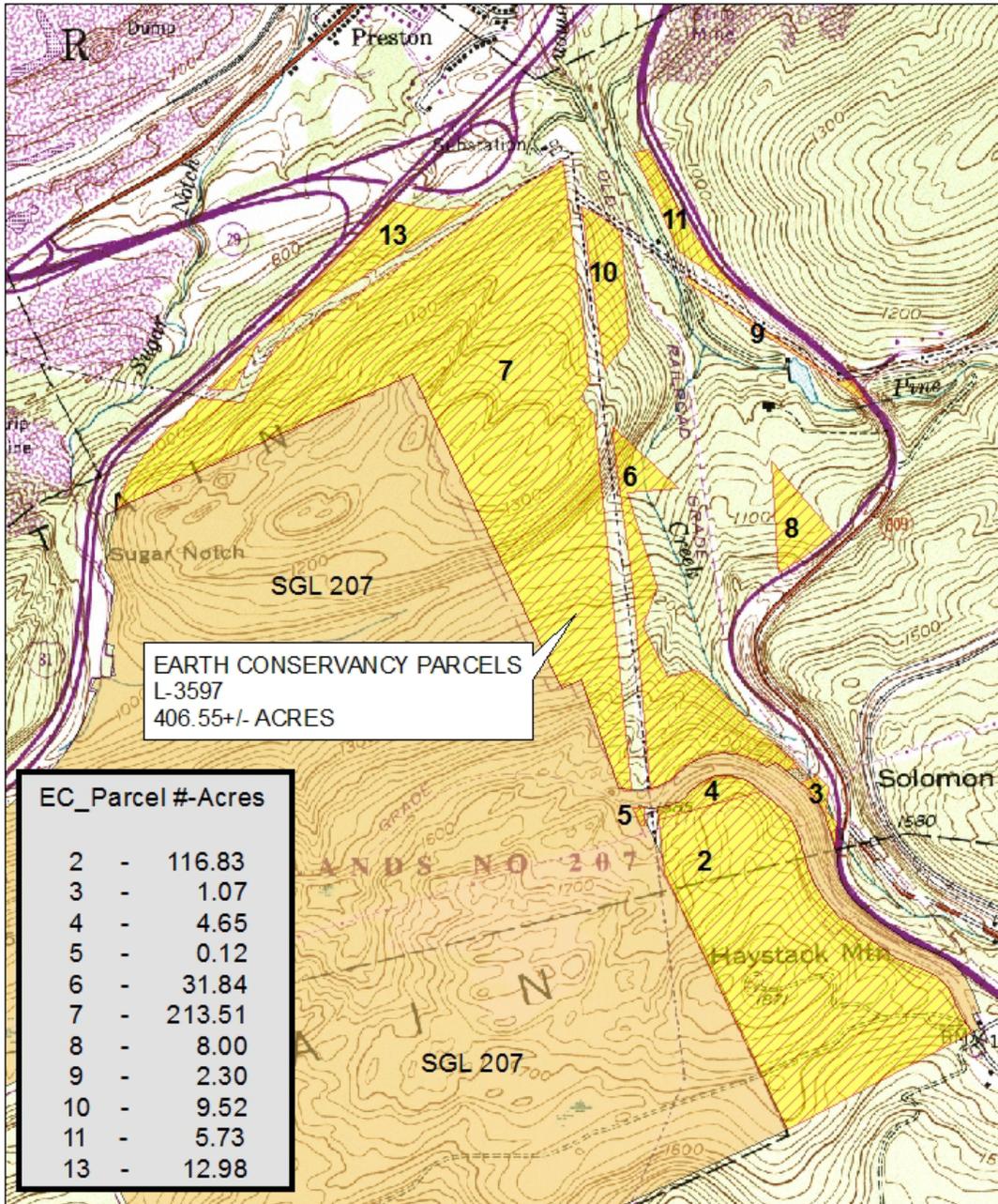
Contract No. 3598, State Game Land No. 106, Berks County

Commentary: Lennia Kutz is offering for sale 27 +/- acres of land in Albany Township, Berks County adjoining State Game Land No. 106 (Exhibit RED 3). The option price is \$42,120 lump sum. There has been much interest expressed by the National Wild Turkey Federation and local sportsmen's groups to contribute to the purchase of this property. The remainder shall be paid from third party commitments for compensation of habitat and recreational losses. The property is forested with red maple, yellow poplar and black birch. Acquiring the property will provide protection for two species of special concern, one under the jurisdiction of the Game Commission and the other under the jurisdiction of the Pennsylvania Fish and Boat Commission.

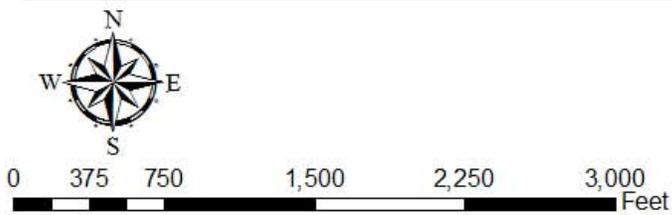
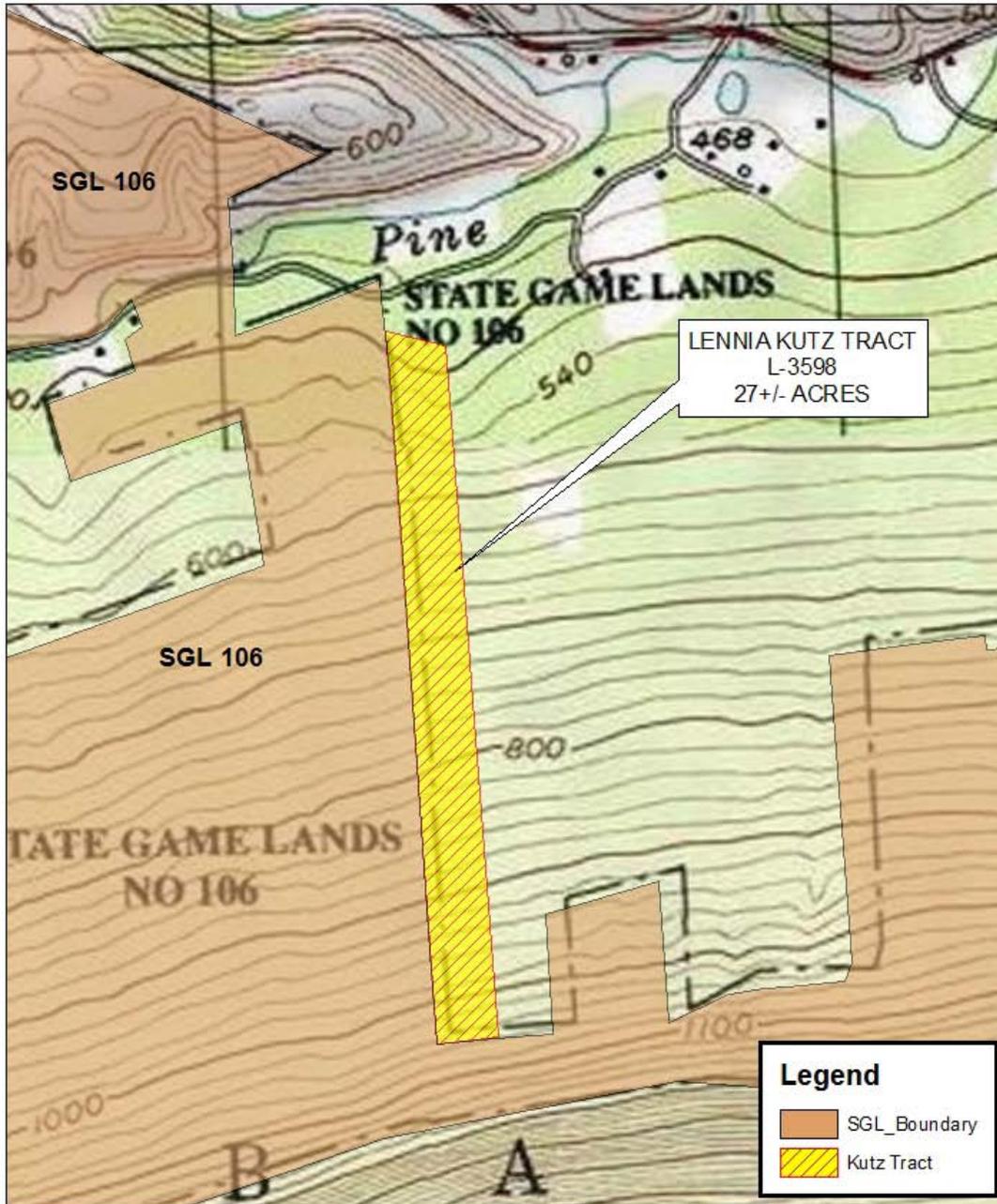
Action:



**RED 1**  
**State Game Land No. 235**  
 Wadel Tract  
 L-3596  
 60+/- Acres  
 St. Thomas Township  
 Franklin County  
 Southcentral Region



**RED 2**  
**State Game Land No. 207**  
 Earth Conservancy Parcels  
 L-3597  
 406.55 +/- Acres  
 Hanover & Fairview Townships  
 Luzerne County  
 Northeast Region



**RED 3**  
**State Game Land No. 106**  
 Lennia Kutz Tract  
 L-3598  
 27+/- Acres  
 Albany Township  
 Berks County  
 Southeast Region

B. Land Exchange

Contract No. 3599, State Game Land No. 50, Somerset County

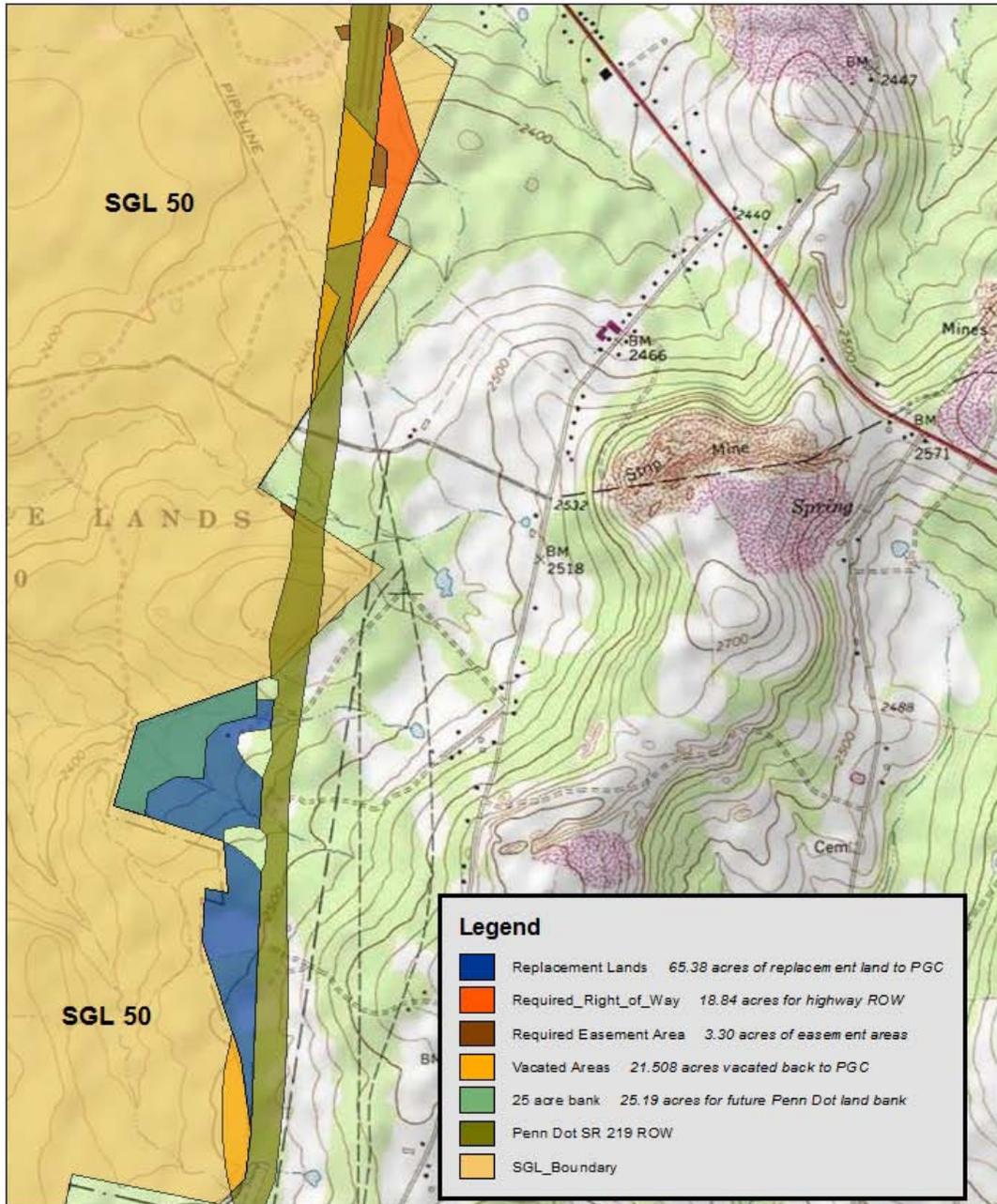
Commentary: The Pennsylvania Department of Transportation is offering 65.38 acres of land in Somerset and Black Townships, Somerset County adjacent to State Game Land No. 50 as replacement land for 22.14 +/- acres of State Game Land No. 50 (Exhibit RED 4). The acreage required by PennDOT is needed for the US Route 219 Transportation Improvement Project SR 6219. 18.84 acres of the 22.14 acres required by PennDOT is needed for a highway Right of Way, 2.33 acres is needed for a temporary construction easement and 0.97 acres for occasional sedimentation control easement. An additional 21.508 acres shall be vacated back to the Game Commission upon completion of the project. In addition, 25.19 acres shall become part of a future PennDOT land bank.

The conveyance to the Game Commission contains mixed hardwoods recovering from a clear cut with two small old reverting fields. A small tributary (headwaters to Laurel Run) runs through a section of the property.

Contract No. 3600, State Game Land No. 311, Elk County

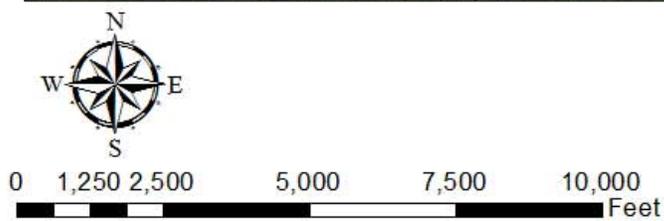
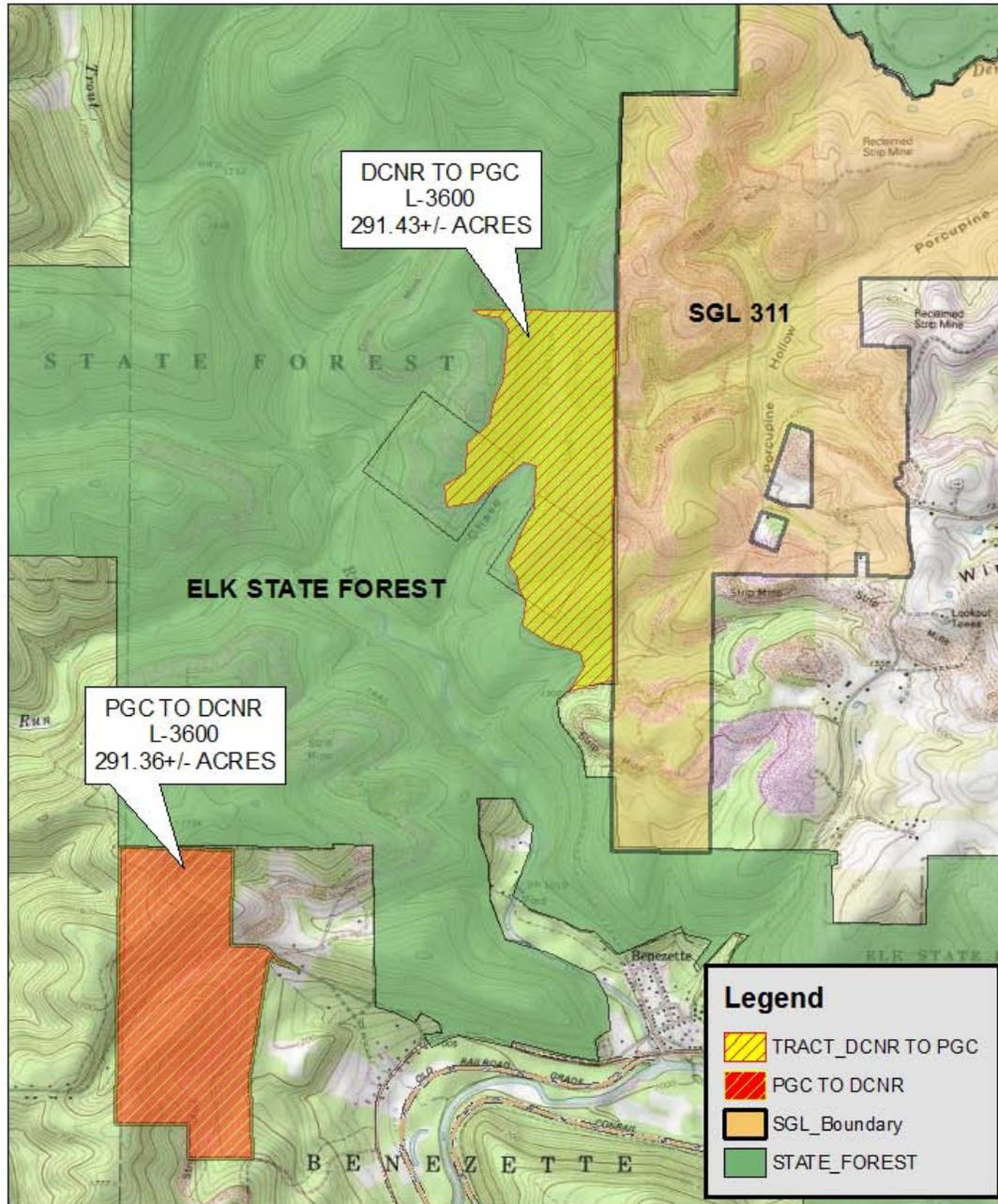
Commentary: The Department of Conservation and Natural Resources (DCNR) is offering 291.43 +/- acres of land adjacent to State Game Land No. 311 in Benezette Township, Elk County in exchange for 291.36 +/- acres of State Game Land No. 311 (Exhibit RED 5). The two agencies have negotiated this exchange to enhance the two separate agencies' abilities to meet their independent objectives and benefit the general public's use of these lands. The tract being conveyed to the DCNR is detached from the main portioned of State Game Land No. 311 and adjoins Elk State Forest. The tract being transferred from the DCNR adjoins existing State Game Land No. 311 and will reduce the Game Commission's future boundary line maintenance and enhance the Commission's elk habitat management goals. The exchange will also help the DCNR alleviate an existing dangerous condition where horse back riding has been occurring along a narrow busy section of Highway Route 555. No horse trails are on the acreage being conveyed to the Game Commission. Both tracts are forested. The acreage DCNR is transferring to the Game Commission has three herbaceous openings that are currently being maintained by the Game Commission's Food and Cover Corps.

Action:



**RED 4**  
**State Game Land No. 50**  
**PENN DOT - SR219 EXCHANGE**  
**L-3599**

**Somerset & Black Townships**  
**Somerset County**  
**Southwest Region**



**RED 5**  
**State Game Land No. 311**  
 PGC - DCNR EXCHANGE  
 L-3600  
 291.36+/- Acres - 291.43+/- Acres  
 Benezette Township  
 Elk County  
 Northcentral Region

C. Purchase of Properties at Auction and Tax Sales

Contract No. 3595, State Game Land Nos. 79 and 108, Cambria County

Commentary: Subject to certain limitations, § 135.241 of 58 Pa. Code authorizes the Director to bid on real estate, oil, gas or mineral rights at auction or tax sale and to request down payment checks to bid on property at auction. Successful bids must be made known to the general public at the next regularly scheduled meeting of the Board of Commissioners.

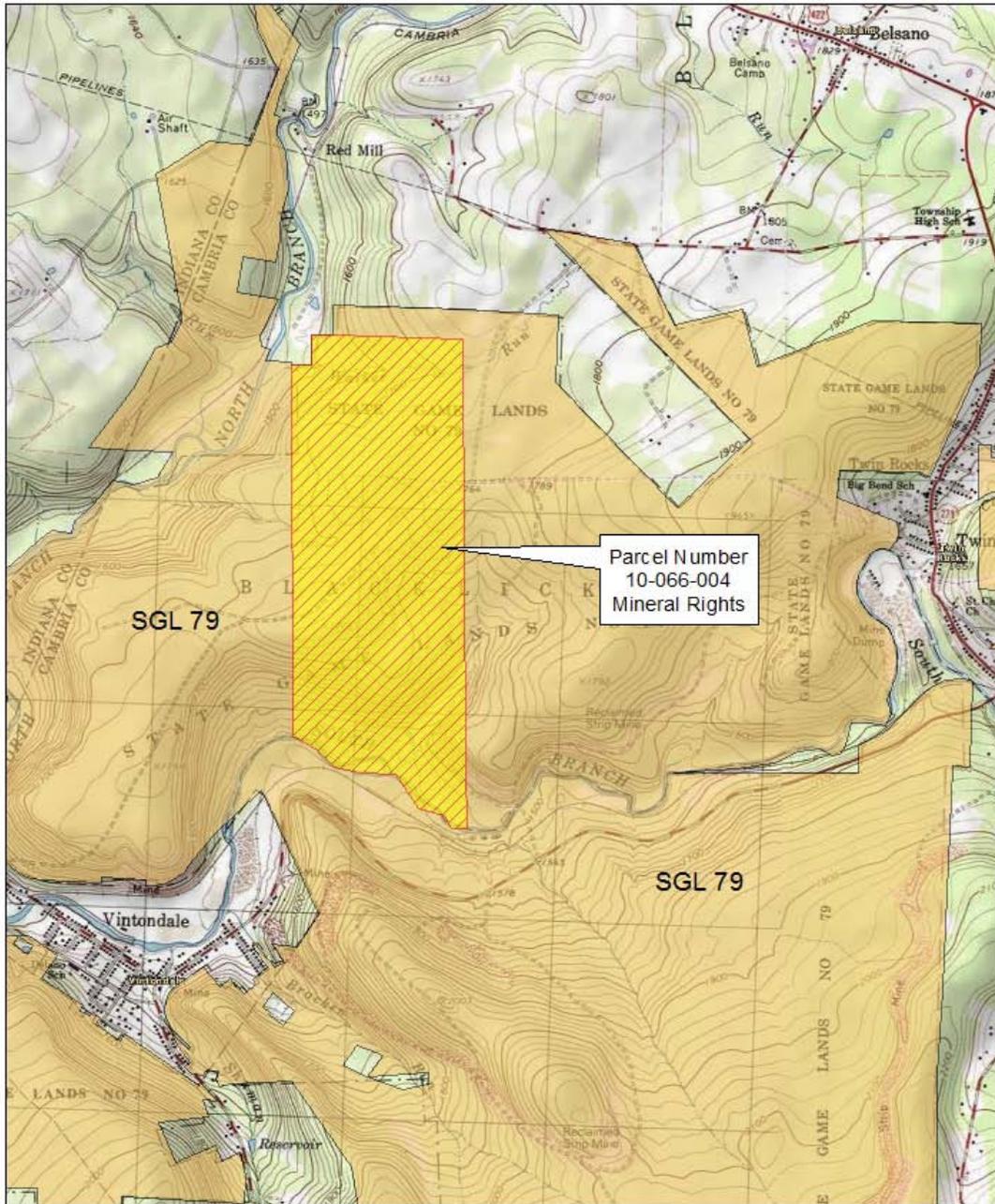
On August 19, 2011, the Game Commission was the successful bidder at a tax sale held at the Cambria County Courthouse and purchased the mineral rights or fractural interests thereof on nine tracts (ten different Control Numbers) located in Blacklick, Reade and Dean Townships, Cambria County under State Game Land Nos. 79 (Exhibit RED 6) and 108 (Exhibit RED 7). Tax Parcel No. 10-066-004, 453 acres of coal rights was acquired with a bid of \$3,075. Tax Parcel No. 09-020-003, 3/45 interest of 300 acres of coal rights was acquired with a bid of \$386.25. Tax Parcel No. 04-020-003, 1/3 interest of 400 acres of coal rights, was acquired with a bid of \$5,186.25. Tax Parcel No. 04-049-035, 5/6 interest of 464 acres of coal rights, was acquired with a bid of \$11,075. Tax Parcel No. 04-049-034, 5/6 interest of 104 acres of coal rights, was acquired with a bid of \$10,575. Tax Parcel No. 04-049-033, 5/6 interest of 88 acres of coal rights, was acquired with a bid of \$4,575. Tax Parcel No. 04-049-031, 5/6 interest of 464 acres of coal rights, was acquired with a bid of \$35,075. Tax Parcel No. 04-049-098, full interest of 57 acres of coal rights, was acquired with a bid of \$1,575. Tax Parcel No. 04-049-037, 1/6 interest of 33 acres of coal rights, was acquired with a bid of \$2,175. Tax Parcel No. 04-049-033, 1/6 interest of 88 acres, was acquired with a bid of \$3,575. A total of 2,451 +/- acres of fractional minerals interests were purchased for a total amount of \$77,272.50.

Contract No. 3594, State Game Land No. 88, Juniata County

Commentary: On August 26, 2011, notice was received from the Southcentral Region that the Estate of George M. Stewart was offering for sale five separate tracts of land totaling 369 +/- acres in Spruce Hill Township, Juniata County at a public auction to be held September 24, 2011. The property adjoins State Game Land No. 88 (Exhibit RED 8). The Game Commission was the successful bidder on tract number #3, totaling 65.96 acres, with a bid of \$400,000, which was paid with escrowed funds from the land exchange on State Game Lands No. 176 with the Pennsylvania State University and required approval from the United States Fish and Wildlife Service. The property, located on the northern slope of Tuscarora Mountain, provides access to a large inaccessible portion of State Game Land No. 88. A five-acre portion of the tract is an herbaceous opening currently managed as a hayfield. A diverse hardwood forest is present with hickory, white oak, red maple, black birch, sugar maple, tulip poplar with a scattering of conifers. Headwaters of an unnamed creek flow through the property.

Action:

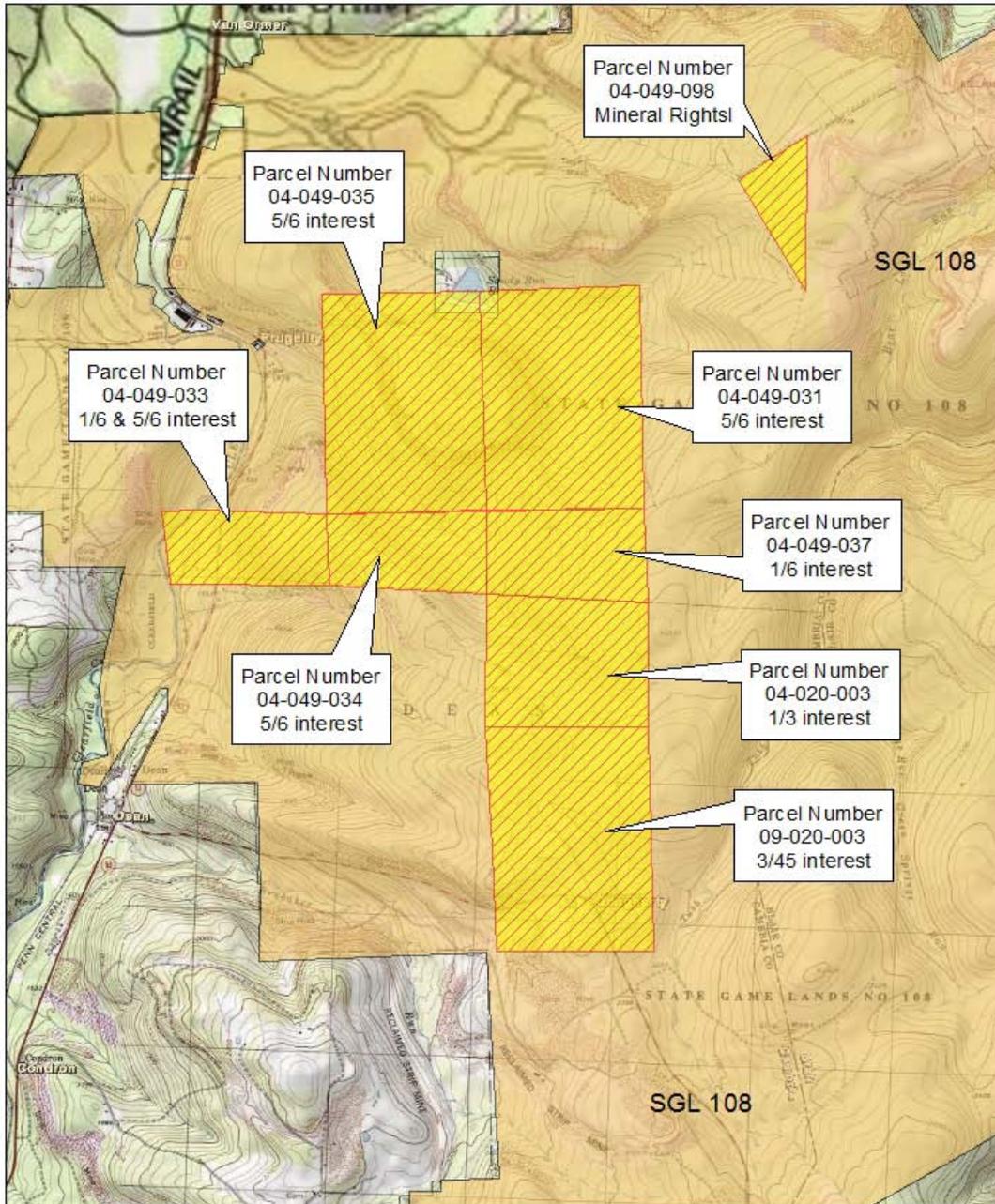
These are information items, no action is required.



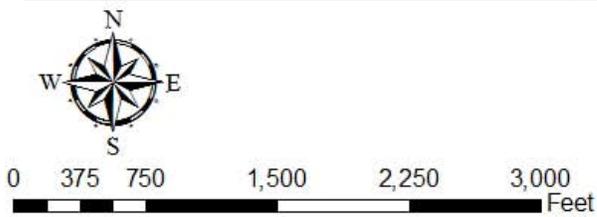
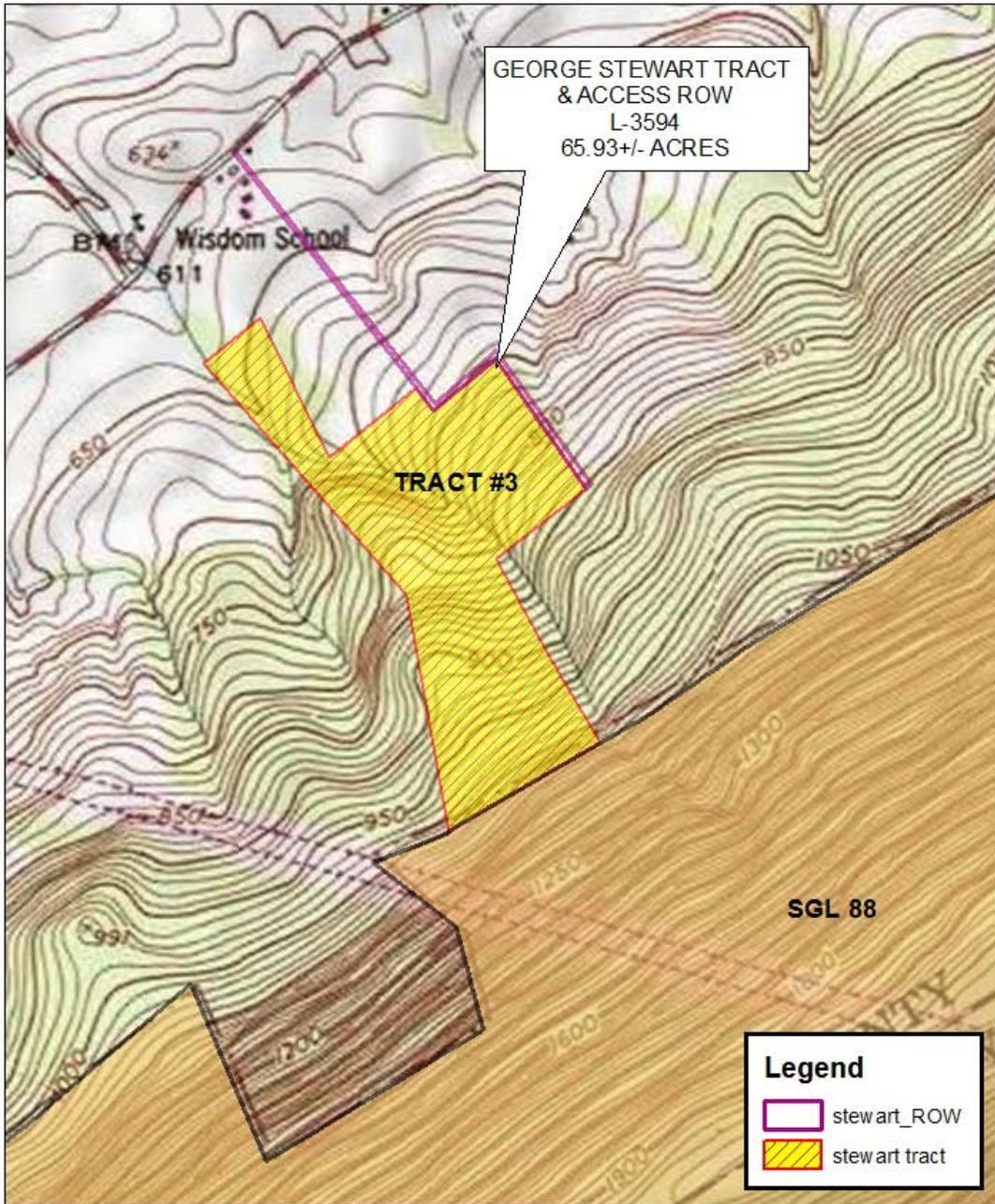
Parcel Number  
10-066-004  
Mineral Rights



**RED 6**  
**State Game Land No. 79**  
 L-3595  
 Subsurface Rights Only  
 Blacklick Township  
 Cambria County  
 Southwest Region



**RED 7**  
**State Game Land No. 108**  
 L-3595  
 Subsurface Rights Only  
 Reade & Dean Townships  
 Cambria County  
 Southwest Region



**RED 8**  
**State Game Land No. 88**  
 George Stewart Tract & Access ROW  
 L-3594  
 65.93+/- Acres  
 Spruce Hill Township  
 Juniata County  
 Southcentral Region

## OIL/GAS & MINERALS

### D. Gob Gas Production Agreement, State Game Land No. 223, Greene County

Commentary:

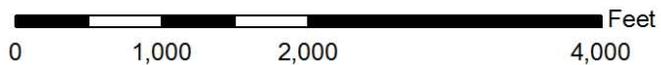
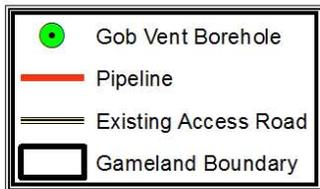
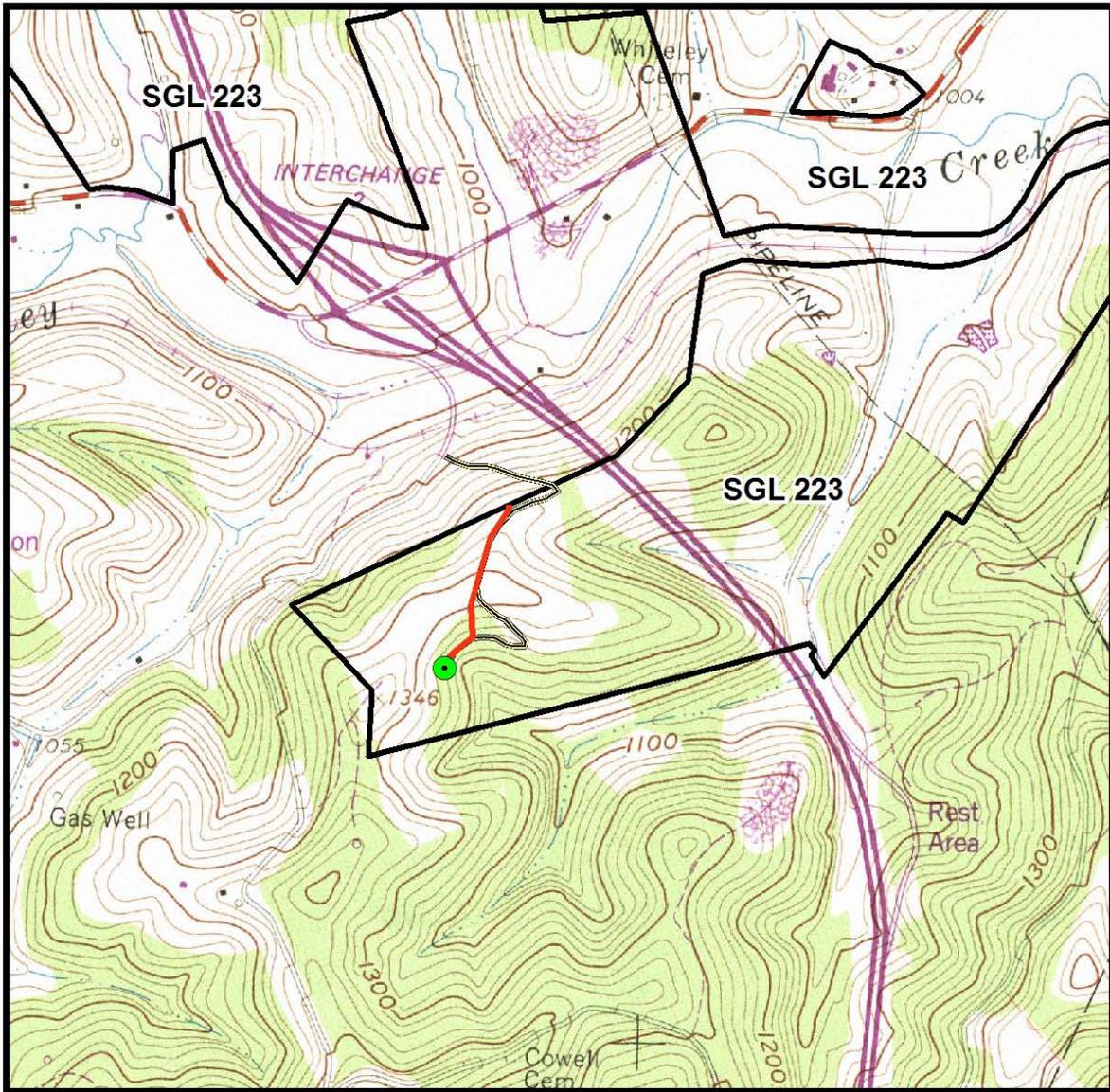
Alpha Natural Resources (Alpha) has requested an agreement to market natural methane gas from an existing gob vent borehole from under a portion of State Game Land No. 223 in Greene County, Southwest Region (Exhibit OGM 1). Alpha drilled the gob vent borehole for the purpose of venting gas to the atmosphere in order to protect underground mine workers. Alpha has the right to drill gob vent bore holes under mining regulations for the safety of miners.

The only surface disturbance for the project will consist of the installation of approximately 1,100 feet of 2 inch diameter gas line which will generally follow the existing access road. The agreement will be limited to the gob vent borehole. Alpha will pay the Commission a 12.5% royalty of the wellhead price per MCF of gas produced and sold from the existing gob vent borehole. All royalty proceeds shall be deposited into the Game Fund.

Development will be regulated by the Commonwealth's oil and gas regulations and the Commission's standard gas production agreement. The agreement will include the Commission's standard wildlife and protection measures.

Alpha currently owns approximately 1,100 acres of surface lands in Greene County which are enrolled in the hunter access programs.

Action:



**EXHIBIT OGM 1**  
 PENNSYLVANIA GAME COMMISSION  
 STATE GAME LAND No. 223  
**ALPHA NATURAL RESOURCES**  
 GOB VENT BOREHOLE AGREEMENT  
**TRACT 223A-12**  
 Whiteley Twp., Greene County  
 Southwest Region

Other New Business

Proposed Commission Meeting Dates:

April 23 and 24, 2012  
June 25 and 26, 2012  
Sept. 24 and 25, 2012

Election of Officers

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

Adjournment