COMMONWEALTH OF PENNSYLVANIA
GAME COMMISSION

BEFORE: RALPH A. MARTONE, PRESIDENT
Carl G. Roe, Executive Director
Robert W. Schlemmer, Vice President
David J. Putnam, Secretary
David W. Schreffler, Commissioner
James J. Delaney, Jr., Commissioner
Ronald A. Weaner, Commissioner
Brian H. Hoover, Commissioner
Charles E. Fox, Commissioner

HEARING: Tuesday, January 29, 2013
8:30 a.m.

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

WITNESSES: None

Reporter: Kimberly A. Carter

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APPEARANCES

BRADLEY BECHTEL, ESQUIRE
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Counsel for Pennsylvania Game Commission
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DISCUSSION AMONG PARTIES 4 - 109
CHAIR:
Please rise for the Pledge of Allegiance.
PLEDGE OF ALLEGIANCE RECITED

CHAIR:
At this time if you want to make sure your cell phone is either off or muted or on vibrate, I would greatly appreciate it.

And I would like to take an opportunity to welcome our newest Commissioner, Commissioner Charles Fox, to the Board. This will be his first official quarterly meeting, although he has had two days of public comment and staff reports to warm him up to the idea that we welcome him as a member of the Board. Mr. Secretary, would you call role?

MR. PUTNAM:
Commissioner Martone?

CHAIR:
Present.

MR. PUTNAM:
Commissioner Schlemmer?

MR. SCHLEMMER:
Present.
MR. PUTNAM:
Commissioner Putnam? Present.
Commissioner Schreffler?
MR. SCHREFFLER:
Present.
MR. PUTNAM:
Commissioner Delaney?
MR. DELANEY:
Present.
MR. PUTNAM:
Commissioner Weaner?
MR. WEANEER:
Present.
MR. PUTNAM:
Commissioner Hoover?
MR. HOOVER:
Present.
MR. PUTNAM:
Commissioner Fox?
MR. FOX:
Present.
MR. PUTNAM:
Mr. President, all Commissioners are present.
CHAIR:
Thank you very much. At this time I would like to approve the minutes of the Commission meeting held on September 25th, 2012. Do I have a motion to approve those minutes?

MR. SCHLEMMER:
So move.

MR. WEANER:
Second.

CHAIR:
Commissioner Schlemmer. Commissioner Weaner. Is there any discussion on the minutes?

NO RESPONSE

CHAIR:
Hearing none, all those in favor, say aye.

ALL RESPOND AYE

CHAIR:
Opposed, no? Mr. Secretary?

MR. PUTNAM:
The motion is approved.

CHAIR:
Thank you. And I will now turn this over to Chief Counsel Bechtel.

ATTORNEY BECHTEL:
Thank you, Mr. President. The first
item to come before the Commission today comes from the Bureau of Wildlife Management. It concerns the proposed rule making. The Commission is proposing to amend Section 139.4 relating to seasons and bag limits for the license year. This will provide updated seasons and bag limits for the 2013-2014 license year. The 2013-2014 seasons and bag limits have been amended to reflect current available scientific data, population and harvest trends, 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.

Due to a shift in the 2013 calendar dates, season opening dates are about one week later than in 2012. Proposed changes to small game season include reopening snowshoe hare hunting statewide with a daily bag of one hare.

In regards to the wild turkey season changes, 2013 marks the third year of the hen harvest rate and survival study. Yesterday we heard about how they flip-flopped that study, and they're going to do a cross-over design and change, which areas are open for what length of time.
Four changes to the extended bear hunting season are proposed: (1) is to add a Wednesday to Saturday extended season in WMU 4B, (2) to move the opening day of the extended season in WMU 3D, from Wednesday to Monday and (3) to eliminate the Monday through Saturday extended season in portions of WMUs in 3B and 2G, and replace them with a Monday through Saturday extended season, opening all of WMU 3B. And last, eliminate separate opening days that occur in different portions of WMU 4E, and implement a Wednesday through Saturday extended season in all of WMU 4E.

Concerning furbearer seasons, we are proposing to increase the daily and season bag limit for beaver to 20 daily, 20 per season in WMU's 2C and 5C. This is due to increases in nuisance complaints, which is consistent with the Beaver Management Plan. Also, the numbers and density of incidental fisher captures during the past three years in WMU's 3A, 3D and 4E are comparable to those observed in WMUs currently open to harvest and would warrant adding these WMUs to the list of WMUs with an established fisher trapping season.

The text of these changes is shown on pages 4 through 11 of your handout, and there is a
substitute page for page nine, which I believe is available down in front for everyone.

CHAIR:

Thank you, Brad. Do I have a motion to adopt the proposed amendments in Subsection 139.4?

MR. DELANEY:

So move.

CHAIR:

Mr. Delaney.

MR. WEANER:

Second.

CHAIR:

Commissioner Weaner. Is there any discussion? During this discussion of the seasons and bag limits, we're going to go through the following pages, beginning with the --- I believe it's page four, one page at a time and entertain amendments.

On page four. On page four, do I have any amendment? I would like to present an amendment on this page to the squirrel season eligible junior hunters only, changing from October 12th, opening day, to September 7th, and the last day changing from October 18th to September 13th.

On the next line for squirrels combined species, opening day September 14th and that would be
all on that page.

MR. WEANER:
I'll second that motion.

CHAIR:
Second, Commissioner Weaner. Also at this time, I would like to discuss an amendment changing --- eliminating the December 24th end date and --- to eliminate December 24th as an end date and December 26th as an opening date and just have the seasons for squirrel run December 16th through February 22nd.

OFF RECORD DISCUSSION

CHAIR:
I'm getting good advice over here. Okay. Let's finish the first page for the September 7th opening day and September 14th opening day. Is there any discussion on those dates at this time?

MR. DELANEY:
Yes, Mr. President.

CHAIR:
Commissioner Delaney?

MR. DELANEY:
While I'm apt to support an earlier season for squirrels for all the right reasons, including our youth hunters, I just think that ---. I
have some concerns with the full green up in place, the full vegetation in place, using a centerfire rifle, shooting into the woods with all the leaves and the vegetation on the trees, that we would really need to be cautious.

I mean, I'm going to support this, your initiative here. But I just --- those are my main concerns with all the leaves, all the vegetation in place, everything in place, and just shooting a gun into what you may not see on the other side. So with that said, everyone, we have to put some balance to these things that we do. I support what you want to do, but I just --- those are my concerns.

CHAIR:

So noted. And to add to the discussion, I'd like to mention that I see this as a big benefit for our youth hunters, our mentor hunters, that it gives our mentored adult --- mentoring adults an opportunity to spend quality time in the field with those youth hunters without having to decide between, do they want to archery hunt? Do they want to grouse hunt? They can concentrate their time and effort on getting these young people start right in hunting. And that was my --- one of my main reasons for making this proposal. Is there any discussion on this
further? Okay. Hearing none, all those in favor of the dates for changes for youth squirrel and squirrel season, signify by saying aye.

ALL RESPOND AYE

CHAIR:
Those opposed, say nay. Mr. Secretary?

MR. PUTNAM:
Mr. President, the vote passed unanimously.

CHAIR:
Thank you. Also on that page, again --. And I'm going to try to make this expedient. It would be eliminating December 25th as a non-hunting day, and so where you see on squirrel, ruffed grouse, and rabbit, it would eliminate December 24th and December 26th and allow all those seasons to continue. That would be my proposal. Do I have a second?

MR. DELANEY:
So move.

CHAIR:
Commissioner Delaney, is there any discussion?

MR. WEANER:
Yes.
CHAIR:
Commissioner Weaner?

MR. WEANER:
Do I understand that your motion would add Christmas Day as a hunting day, essentially?

CHAIR:
For all small game species on this page and following pages.

MR. WEANER:
Okay. For a whole lot of reasons, I'm not in favor of hunting on Christmas. And I'll be not supporting this. I urge you to vote no.

CHAIR:
Thank you, Commissioner Weaner. Any further discussion?

MR. SCHLEMMER:
Yes.

CHAIR:
Commissioner Schlemmer?

MR. SCHLEMMER:
I have to agree with Commissioner Weaner on this particular subject. I will be not voting in favor of that.

CHAIR:
Thank you. Commissioner Hoover?
MR. HOOVER:

I'm going to agree. I think that's a day that we need to allow our WCOs to spend some time --- quality time with their families, and hopefully be able to spend the day there without being called out, so I'm going to vote no.

CHAIR:

All right. Thank you for your comments. You know, I debated on this pretty heavily myself. We've heard testimony from the Pennsylvania Federation of Sportsmen's Clubs that they were in favor of this change to include Christmas Day, and I appreciate the comments from the Board. And do I have any further comments? Hearing none, all those in favor, signify by saying aye.

AYES RESPOND

CHAIR:

All those opposed?

NAYS RESPOND

CHAIR:

I think we need a show of hands, just for the Secretary. All those in favor, would you signify by raising your right hand, please?

AYES RESPOND

CHAIR:
Opposed, right hand, please?

NAYS RESPOND

CHAIR:
Mr. Secretary?

MR. PUTNAM:
Mr. President, the vote was four to four, with Commissioner Weaner, Hoover, Schlemmer and Schreffler who voted in the negative. The motion fails.

CHAIR:
Thank you very much. Are there any further amendments on this page? Hearing none, would you go to page five, please?

MR. DELANEY:
Mr. President, I do have a requested amendment for page five.

CHAIR:
Commissioner Delaney?

MR. DELANEY:
Under hares, snowshoe rabbits, or varying hares, I would like to add a line in there. WMU 3B, WMU 3C, and WMU 3D to have a season with the same starting date of December 26th through December 28, 2013, keeping the same daily limit and field possession limit, daily limit of one, field possession
limit of two.

MR. WEANER:
Second.

CHAIR:
Commissioner Weaner, second. Is there any discussion on ---? Any further discussion?

MR. SCHREFFLER:
I do, Mr. President.

CHAIR:
Mr. Schreffler?

MR. SCHREFFLER:
I would like to ask Commissioner Delaney his reasoning for the change.

MR. DELANEY:
I'd be happy to. I believe I gave a pretty good discussion at the working group meeting for about 10 or 15 minutes, and I believe on Sunday I offered that, but I continue to offer it. We received commentary from several sportsmen in the northeast, which I shared with most of you, and the concerns of our sportsmen, with snowshoe hare and the population levels that are down, number one.

Secondly, the snowshoe hare is a species of special concern in Pennsylvania. Third of all, the population in Monroe County went from about 70,000 to
190,000. The population in Pike County doubled. The population in Wayne County has doubled. And we've had a year-long discussion on the snowshoe hare, and I believe the Agency have put some really good discussions in place to see what we can do to protect the habitat.

But in good consciousness, I believe that we should not have a full season. Our staff has asked us to at least have some season so that we can do some science. I would fully support a full season in the northeast once we have an idea just how many snowshoe hare are left and where they're at.

MR. SCHREFFLER:
May I ask Mr. Boyd some questions?

CHAIR:
Sure. Yeah. Go ahead. Mr. Schreffler.

MR. SCHREFFLER:
Mr. Boyd, has --- over the last five or six years, what has been the population trend of the varying hare in Pennsylvania?

MR. BOYD:
We really don't have population trending information. We have had harvest information from our game take survey, and it has been declining downward a little over the past several decades, as well as the
number of hare hunters.

MR. SCHREFFLER:
And so it's not been regulated, maintained over that period of time?

MR. BOYD:
I don't believe so.

MR. SCHREFFLER:
Okay. And have hunters been responsible for that decline?

MR. BOYD:
As far as we know hunting has not been a cause of the decline. It's a habitat issue, for the most part. So it's a habitat issue.

MR. SCHREFFLER:
Okay.

MR. BOYD:
Commissioner, I could follow up with a few things to add. I took my notes out. 2004, there was 213 random sites across the state that were evaluated, only 18 of them had any sign of a snowshoe hare.

In 1980 we harvested 15,200. In the year 2010 we harvested 1,030. I can give you all my stats, if you'd like, with the population increases in the gated communities that are in the Pocono region.
I would just rather take a more conservative approach, have a season, but a shorter season, until we can have some guarantees that we do, in fact, have populations and where they're located. That's all.

MR. SCHREFFLER:
Thank you. Mr. Boyd, where do we get most of our data from, when we get this? Is it from the hunters? Is that where we're getting this data from?

MR. BOYD:
Right. The game take surveys are a random sample of about two percent of our hunters.

MR. SCHREFFLER:
Okay. So the longer season would provide more data than the three-day?

MR. BOYD:
Not necessarily. I don't think it would provide more data necessarily.

MR. SCHREFFLER:
Okay. Okay.

MR. BOYD:
But having some season certainly opens the door for collecting some data. If the season is closed we can't see anything.

MR. SCHREFFLER:
Okay. Thank you. Nothing further.

CHAIR:
Okay. Any further discussion? We have a proposed amendment, the varying hare adding 3B, 3C, 3D for the dates of December 26th through December 28, 2013, daily limit one, possession limit two. All those in favor, signify by saying aye.

ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

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

CHAIR:
Thank you. Page six. Do I have any amendments on page six? I would like to present one amendment to page six. If you would look on --- under turkey, male or female, the second line down where it says WMU's 1A, 1B, 2A, 2D. I would like to strike 1B from that list and add a separate line that says WMU 1B, November 2nd through November 9th and November 28th through November 30th. And, again, no change in the bag limit or possession of one.

MR. SCHREFFLER:
I'll second that.
CHAIR:
Second, Commissioner Schreffler. Any discussion? I would say this is being done ---. I'm asking for this at the recommendation of our wild turkey biologist in yesterday's presentation showing that WMU 1B has shown trends over the last three or four years of a decline in turkeys, and this meets our Wild Turkey Management Plan strategy in that case. Any further discussion on this? Commissioner Delaney?

MR. DELANEY:
I would ask that Commissioner Weaner make a motion.

CHAIR:
Commissioner Weaner?

MR. WEANER:
Duly noted.

CHAIR:
Okay. Thank you. All those in favor of the amended dates, please signify by saying aye.

ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

MR. PUTNAM:
Mr. President, motion passed unanimously.
CHAIR:
Thank you. Page seven, migratory birds and falconry. Is there any amendment to this page? Thank you.

Page eight. Okay. Page eight, is there any change or amendment to page eight?

MR. SCHREFFLER:
Yes, Mr. President.

CHAIR:
Commissioner Schreffler?

MR. SCHREFFLER:
Yes. I would like to offer an amendment to the fourth listing on this page where it says deer regular firearms, antlered to antlerless. And so I would like to add WMU's 2C, 4B, 4D and 2G to that, and to remove them from the section that says deer regular firearms antlered only, which says December 2nd to the 6th. So I would be adding them to the sections of December 2nd to December 14th, and removing them from the section that says December 2nd to December 6th, and I would ask that each of these WMUs be voted separately.

CHAIR:
Okay. We have a motion, as you just heard, to move four WMUs from antlered only to the
antlered, antlerless category. We will do this on a separate, starting with 2C.

MR. PUTNAM:
I'll second. Do you want to start with a second?

CHAIR:
Okay. Do I have a second on that?

MR. PUTNAM:
I'll second the motion.

CHAIR:
Commissioner Putnam, second. Any discussion?

MR. WEANER:
Yes.

CHAIR:
Commissioner Weaner?

MR. WEANER:
Technically, to vote on them separately you have to have a motion to split this motion, but I'll let that up to you.

In general, I've been an advocate for the position that --- that this advances. I've been an advocate for maybe all of the WMUs concurrent. But in the absence of what I see as enough Board support to do that across the board, I think plucking out a
couple of them and changing them doesn't really accomplish what we're interested in. I'm kind of into doing all of them or do none of them. And so therefore I'm going to vote no on this proposal, and I'm going to urge the rest of you to vote no.

CHAIR:
Commissioner Schreffler?
MR. SCHREFFLER:
Yeah. Over the last two days we've heard a number of testimonies requesting concurrent antlered and antlerless seasons, and would recognize that the concurrent season brings a lot of increased opportunity to working adults and youth hunters. And increasing the likelihood of successful youth hunters keeps them engaged in hunting.

Often the first Monday is a day off from school. A lot of businessmen offer the first Monday off, but then they have to work again on the Saturday. Or the first Monday is recognized --- and the first Monday is --- often is recognized as the best chance to harvest a deer.

Our research here at the Game Commission has found that the hunter attitudes and satisfaction is basically unchanged in the split seasons. And we also found that many times the hunters are not
returning to the field during that second opening day any better than they did before.

The concurrent seasons make it easier to meet deer management goals also and mitigate severe weather events that can really mess up our management goal --- our management plans to meet those goals. And also it's been mentioned that the does have less times to change their behavior or movement patterns, which increases the early success. Yesterday, and the last few days, the KTVC actually testified that the increased body weight, antler points, beam diameter and spread is directly related to our 12-day concurrent firearm season with the antler restrictions and the DMAP.

So for the sake of a better deer management and increased opportunity for the hunters, I encourage everybody to vote for these amendments, and find that the --- hunters are already voting for this with their boots. They may be --- some of the older hunters may be saying we want the old separate split between antlered and antlerless. But when it comes down to it, experience that I've seen, my personal experience, and what I'm hearing from a lot of hunters is that these hunters are migrating to the concurrent season of WMUs to hunt that first week and
then going off to their other avenues, like they're saving the deer in the split season for themselves. And the number of cars in some of the parking lots --- some of them increased dramatically during the other concurrent seasons. So I think really, in reality, that the hunters are voting with their actions, which speak louder than the voices in many cases.

CHAIR:

Thank you, Commissioner Schreffler. I think at this time ---. Let me add my two cents. I agree with Commissioner Weaner on this. While I would like to see statewide concurrent seasons, I don't believe we are at that point yet. And when we are, I would definitely support that. But until we are, I prefer to have 11 WMUs concurrent and 11 WMUs split, which is what we have at this point.

At this time I would like to have a vote on the four WMUs.

MR. WEANER:

We still have some additional discussion?

CHAIR:

Oh, I'm sorry.

MR. WEANER:

I'd like to respond to that.
CHAIR:
I'm sorry.

MR. WEANER:
Yeah. Well, it would be nice if we could do that. Every year everybody says that same thing that --- you know, let's wait until we can do them all at once, but I don't see that happening. I'm sitting on a --- with a WMU here that's surrounded by split season and this has concurrent. And I'm asking, in the area where I am, to have concurrent around the WMU where I am getting a lot of noise from hunters who I represent.

When I look especially at the --- like 4B and 4D, you're going to see that the deer population in 4B is increasing and it's good. And the health of the deer there are stable. The forest is reasonably fair and stable in 4 --- or that's in 4D. I'm sorry, 4B. And in 4D, the population of the deer is stable there, and the deer health is stable. And the forest regeneration assessment was poor.

But these, it would certainly help to take some pressure off a WMU that sits in the middle here surrounded by these others, and would make a lot of hunters there happy that things would go back to more of a normal situation. So I'm going to ask ---
that's why I'm picking these out. I'm not picking them out in a random --- here or there across the state. But at least those two WMUs, I would like to have some kind of concurrence by the rest of the Board to help with this problem that I have. Thank you.

CHAIR:

Commissioner Putnam?

MR. PUTNAM:

I think both sides have made a good --- some good points here, and I --- my feeling is we're not quite ready to go to concurrent seasons statewide. I do support the idea of having concurrent seasons, it's a very valuable tool. One week of concurrent seasons is still a valuable tool as opposed to going to a separate three-day antlerless season, which we had in the past. The more days we have to hunt antlerless deer, the more stable our --- and more predictable our kill is going to be. So one week of concurrent season is somewhat of a compromise.

I understand the issue of hunters migrating across the lines, although I --- only to some extent, because as a hunter I won't migrate across the lines. I've hunted the same valley my entire life, and I hunted it when it was really poor habitat. And the only reason we would ever leave the
valley we were hunting is because we had some young
kids that we wanted them to see a doe, so we had to go
where some does --- some of those does were. So for
that reason I won't support this motion. If
Commissioner Schreffler wants to address an individual
WMU, you can make another motion and try that
approach.

CHAIR:
Commissioner Delaney?

MR. DELANEY:
I'm not going to support it, for the
following reasons: When I hear you mention a
specialist did the work, 51 percent supported split
seasons. So that's one percent more in support of
that, but basically we could say they're even. But
there's still 51 percent in support of it.

I think the antlerless allocations are
what drive our Deer Management Program. And when I
reflect back four or five years ago, 2G with
concurrent season, many sportsmen and nonresidents
were not able to get an antlerless tag. And when we
split, many of them were able to get it. And so I
think when we talk about opportunity, it comes in a
lot of different --- a lot of different variables. In
addition --- especially 2G with DMAP, I believe that
those that want a concurrent season, they have a DMAP tag, they can still do that.

So for those reasons, and what Commissioner Weaner and Commissioner Putnam had to say, I'm just not going to support it for those reasons.

CHAIR:
Commissioner Schreffler?

MR. SCHREFFLER:
I totally agree with Commissioner Delaney, that allocation is what really drives the numbers. Although, as I look at things and I'm not sure, I have to go back and view ---. What it seems to me is that a lot of the younger hunters, the ones that we're trying to encourage and keep engaged, are the ones who are moving to the concurrent season areas, whereas some of the older hunters who experienced the shortened antlerless seasons and have remembered them from the past are the ones who stayed where they are and haven't been really ---. And that may be the reason for the 51 percent split that we're talking about.

But I totally agree that the allocation is what the --- is what drives this. It's just that I ---. We keep saying that we're going to --- we'd
like concurrently to go there, and we keep putting it off year after year. And I agree also with Commissioner Delaney that there are certain special circumstances in areas in which the split season is an additional tool to use to help with the management goals that we have.

In fact, I was the one who initially began to talk about split seasons as an additional tool --- toolbox of deer management to try to use them and to help to initiate a study of the past. When I look at it, you know, I'm --- you know, I've been ---. When I looked at the success or failure of that split season, I see there were some uses for it, but I also see that the general overall split seasons program has not been a success in our Deer Management --- in our Deer Management Plan, our --- and our process.

So it's not that I totally disagree, but I think that --- you know, again, there's a time and place, and allocations. The number is what really drives. It's not whether it's become concurrent or whether it's split, it's the number to doe allocation that really drive how many deer we're going to see out there. Thank you.

CHAIR:

Thank you. Hearing the discussion, I'm
inclined to vote on all four at once and not split the motion. Based on that, Commissioner Schreffler, would you like to restate your motion?

MR. SCHREFFLER:

I still would like to at least draw one thing out. At least maybe having a --- have a separate vote on 4B, for instance, and ---.

CHAIR:

You can vote for four and you can reintroduce another amendment.

MR. SCHREFFLER:

Okay. That's what I'll have to do.

CHAIR:

Yeah.

MR. SCHREFFLER:

Yeah. So I'll vote for four and then I'll reintroduce that.

CHAIR:

Okay. At this time, we have a motion to move those four WMUs from split to concurrent. We've had discussion. All those in favor of the motion signify by saying aye.

AYE RESPONDS

CHAIR:

Opposed?
No. Mr. Secretary?

Mr. President, the motion fails. Mr. Schreffler was the only one voting in the affirmative.

Thank you.

Thank you. Mr. President, I would like to restate another motion.

Only if you promise the discussion won't be quite so long.

I vote for that. Okay. I would like to add WMU 4B to deer regular firearms antlered and antlerless season in the December 2nd to the 14th, and remove it from the deer regular firearms antlered only from December 2nd to December 6th.

And the reason for this is that population increase has been good. The health is stable in that area and the forest is fair, and I think that this will provide the opportunity to better manage the area.
CHAIR:

Thank you, Commissioner Schreffler. I appreciate your brevity. We have a motion. Do I have a second?

MR. PUTNAM:

Second.

CHAIR:

Commissioner Putnam, is there any discussion on the motion to move 4B from split to concurrent?

MR. WEANER:

Is that for the motion, the second?

CHAIR:

Discussion.

MR. WEANER:

Oh, discussion.

CHAIR:

All those in favor of the motion moving 4B from the split season antlered only, to antlered and antlerless concurrent signify by saying aye.

AYES RESPOND

CHAIR:

Aye. Those opposed, nay?

NAYS RESPOND

CHAIR:
Nay. Okay. I'm going to need a show of hands. All those in favor signify by raising your right hand.

AYES RESPOND

CHAIR:
All those opposed?

NAYS RESPOND

CHAIR:
Mr. Secretary?

MR. PUTNAM:
Mr. President, the motion fails.

Commissioner Putnam, Commissioner Schreffler voting in the affirmative ---.

OFF RECORD DISCUSSION

CHAIR:
Thank you. Do I have any further amendments to page eight?

Page nine is a replacement page. For those of you in the audience, there's a blue replacement page you may have picked up. If not, it's down here available on the stage. I believe all the Commissioners have been given one.

Do I have any amendments to the replacement page nine? Okay.

Hearing none, we'll move on to page ten.
Are there any amendments to page ten?

Page 11? Any amendments to page 11?

That concludes the seasons and bag limits. At this time we have an amended motion, which encompasses all of Exhibit A, seasons and bag limits in your agenda. If passed, pages 4 through 11, including amendments, will be approved. Is there any discussion on any of these items?

MR. SCHLEMMER:

Mr. President, can we have an explanation of the changeup between the blue page inserted and the previous white page that was in the drafted agenda?

CHAIR:

Commissioner Hoover, would you like to take that on, or Executive Director Roe? Commissioner Hoover.

MR. ROE:

I'll do it. Basically what the change was with the previous page, where it said deer, flintlock, antlered or antlerless 26th to the 25th from WMU's 2B, 2C and 5D, that basically remains the same. But the deer, extended regular firearms antlerless is limited to Allegheny County, Bucks, Chester, Delaware, Montgomery and Philadelphia
Counties.

CHAIR:

That's it?

MR. ROE:

I'll speak to it. The intent is to put greater pressure on the special regulation areas to --- as part of the Urban Deer Management Program, is to focus shotguns in that area. And anything outside of special regulations area will be flintlock only, and of course, the archery that goes with that. But I believe the intent --- I'll speak for both of the Commissioners is to, again, put greater pressure on the special reg areas and alleviate some of that pressure outside than --- put more pressure outside the special regulation areas than inside.

And that's where we want the deer taken more so. And that's the reason for those changes. Would either one of you like to make a comment? Did I hit it or ---?

MR. SCHLEMMER:

Yes. Correct. You're correct on that.

MR. ROE:

Okay.

MR. PUTNAM:

Thank you, Carl.
CHAIR:

Thank you, Commissioner Putnam. Is there any other further discussion on accepting seasons or bag limits as amended? Hearing none, all those in favor, signify by aye?

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?

MR. PUTNAM:

Mr. President, the motion passes unanimously.

CHAIR:

Thank you.

MR. PUTNAM:

The next item before the Commission is from the Bureau of Wildlife Protection, and it concerns adopted rule making. Adoption of proposed amendments to Section 147.804 to amend that section relating to general -- to allow a mentor to transfer a valid DMAP permit issued to him to an eligible mentored youth upon the harvest of an antlerless deer. The text of this amendment appears on page 13 of your agenda.

CHAIR:

Thank you. Do I have a motion to adopt
the proposed amendments to Subsection 147.804, allowing a mentor to transfer valid DMAP permit to an eligible mentored youth as stated?

MR. HOOVER:
So move.

MR. WEANER:
Second.

CHAIR:
Commissioner Hoover. Second, Commissioner Weaner. Any discussion? Hearing none, all those in favor, say aye.

ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

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

CHAIR:
The next item in terms of proposed rule making, the Commission has determined that the complete eradication of feral swine and wild boar from the wild within Pennsylvania is necessary to prevent further harm to its natural resources, agricultural industry, forest products industry, and threats to human health and safety.
The Commission has previously promulgated an Executive Order to remove protection for feral swine. The Pennsylvania Supreme Court declared that the Commission has jurisdiction over matters relating to wild boars, a member of the family Suidae, and also a feral swine --- in the case of Seeton v. PGC, 937 A.2d 1028, in 2007.

The Commission is proposing to remove protection for feral swine and wild boar statewide, wherever found, in order to protect the natural resources of the Commonwealth, its traditional agricultural and forest products industries, and to mitigate threats to human health and safety.

The Commission is also proposing to prohibit the importation, possession and release into the wild of feral swine and wild boar to further these ends. The text of this change is shown on pages 14 and 15 of your agenda.

MR. WEANER:
So move.

CHAIR:
Commissioner Weaner?

MR. WEANER:
Second.

CHAIR:
Commissioner Putnam, is there any discussion?

MR. PUTNAM:
Yes, Mr. President. I have a --- I guess we need to follow through with the motion that's at play and I'd like to interject a similar but different motion. So procedurally, how can we do that?

MR. WEANER:
Are you going to make an amendment?

ATTORNEY BECHTEL:
You would have to make an amendment first or new business.

CHAIR:
Or what, Counselor?

ATTORNEY BECHTEL:
Or new business.

MR. DELANEY:
Okay. I'm going to propose a motion to table this until the April meeting.

MR. PUTNAM:
Is there a second?

MR. HOOVER:
Second.

CHAIR:
Okay. So I have Commissioner Delaney proposing to table this. Commissioner Hoover seconded it. Is there any discussion on the amendment to table?

MR. SCHLEMMER:
Commissioner, could you explain to me what you're tabling this for?

MR. DELANEY:
Yes. I believe this is --- it's an extremely difficult and volatile issue that involves the Pennsylvania Supreme Court. It involved the livelihood of 20 or 30 farms from across the state, and it also involves the environment. I fully support what we have said we want to do, and that's to eradicate feral swine from Pennsylvania.

But with that said, there was a letter from Senator Scarnati asking are we interested to meet with those folks that have businesses in Pennsylvania, in light of public testimony here on Sunday afternoon, and a request from what seems to be a very genuine person who said that we're going to put him out of business.

And in light of the discussion that Commissioner Putnam had with the gentleman about some things that might be able to be done, I would just
like to give this another month or two for discussion. And if nothing comes out of it, I will fully be willing to support in its entirety what's written here.

But I would like to see Agency Staff and some of these pig farmers just have some more discussion, just in light of what I've learned from Commissioner Putnam and what I learned during public comment. And I thought that's why we had these meetings to elicit public comment and move on it.

So that's my opinion. I realize we want to eradicate them. I get that, but we have people that it's their livelihood. We have the environment to be concerned about. And we have the Supreme Court has told this agency, you manage it, you handle it and you do it. I like what's written here. I agree with what's written and what's in place for us to move forward. I just would like to see one last chance to have these 20 or 30 businesses across the state have direct a conversation with Agency Staff. If that doesn't work out, then I'm willing to move forward with this at our April meeting in its entirety.

CHAIR:
Commissioner Weaner?
COMMISSIONER WEANER:
I think that we can accomplish what Mr. Delaney would like to accomplish by voting yes on this motion now. It has to be voted on twice. And so at some later date, be it April, be it the June meeting, after we've accomplished the things that he's suggesting, we can then vote on it for the final time. I think it could just be not the right thing to do to just push it off now. I think we need to put the vote on it once now. We can do all those things. We can vote on it a second time. I strongly urge you to vote yes on this motion --- or excuse me, you'll vote no on the motion to table.

MR. DELANEY:

And if that --- if that can be accomplished in what Commissioner Weaner said, I'm more than willing to move forward with it. But we have on the record at least what my position is, and maybe I can get the other Commissioners' thoughts. Commissioner Schlemmer?

MR. SCHLEMMER:

I totally agree with the Commissioner on --- in regards to, we do want to eradicate, frankly, the feral swine, all the problems. And I tend to agree with Commissioner Delaney about moving forward on this motion to give a little time, possibly table
it, and bring it up at our work session coming up and make a final decision when we move on to our April meetings.

CHAIR:
Commissioner Putnam?

MR. PUTNAM:
The Court Decision has put the Game Commission in a bad position here, in that it's forcing us to regulate animals that are reported to be agriculture animals inside a fence. That's not our business, and it's not something we should be spending our resources on regulating these inside the fence.

We do need to protect the resources outside that fence. And we have millions or billions of dollars at risk in damages from these animals, should they become fully established in the wild. So the Game Commission has a very serious duty to keep that from happening. Under the Court Decision that tells us we have to regulate inside the fence, this proposal is about the only thing that we can do with the tools that we have available to us. It's not a good solution, but it's the best that we can do.

So I would hope that we could come up with --- that someone else can maybe come up with another alternative to the proposal that we have here.
But with the tools we have available to us, this is about --- this is what we're going to have to end up doing. I think by voting on it now and allowing at least three months to work it out before our next vote, I think that will give us the opportunity to show that we're very serious about pressing the issue that the Court mandated us to address and yet allow at least another three months to try to work out a better solution.

CHAIR:

Commissioner Schreffler?

MR. SCHREFFLER:

Yes. This problem has been going on for some time, and it's been practically a year or more, a year at least, that these people had notice. And I don't see that giving them more time is going to change anything really. And there are other strategies for them to use so that they don't go out of business. And I'm just concerned about our responsibilities to the Court and our responsibilities to the wild population with the animals that we have under our jurisdiction. And I urge everyone to vote against the motion to table and for the motion with that presentation. Thank you.

CHAIR:
And I'd like to put in my two cents as well. I know that we put out an Executive Order last March, so this isn't any news or surprise to the commercial hunting industry, but I think we have an enormous obligation to our sportsmen to protect the habitat in Pennsylvania, and wild boars present an extreme threat to that.

Whether we get to the point where this all goes into effect or there's some modification down the road, fine. But I would urge the Board at this time not to table this proposal, to pass it, and then we will hear from all interested parties between now and the April meeting.

Commissioner Delaney?

MR. DELANEY:

If I withdraw the motion to table it, do we have some assurances that we'll meet with the industry before the April meeting?

CHAIR:

I'm not in a position to assure something is ---.

MR. ROE:

Yes.

CHAIR:

Oh, I change my mind, yes.
MR. ROE:

You know, this is not a rush to judgment. I mean, we had Mr. Dee and the Poor family appear in the April Commission meeting last year and present their views. We had testimony in the June Commission meeting on feral swine and wild boar on this very issue. And as I recall, we even had it up in Franklin. So we've been at this almost 15 --- before it was all said and done, it was 15 months before this was finally adopted in April --- or in June, whatever the case may be, for the industry to come forward. They have come forward. We heard their testimony. The question is, is that sufficient enough for you to change your mind about this, and then we go back into court to have it decided somewhere down the line.

But the element of time has been there for the industry to appear, and they have appeared before us. Mr. Dee has been before us twice, as a matter of fact. But having said that, we will outreach to those people one more time to see if we can help them solve their individual problems. Not that we will --- I'm not sure if we'll be able to do that.

MR. DELANEY:
Okay. Director Roe, based on what you have to say, based on what the rest of the Board of Commissioners have to say, I'm glad that we had this dialogue and this discussion. And based on that, I'll withdraw the motion to table this.

CHAIR:

Thank you. So we would be back to their original motion to adopt the proposed amendments to Subsection 137.35, as stated in our agenda. We had Commissioner Weaner, and seconded by Commissioner Putnam. Is there any further discussion at this time? Hearing none, all those in favor, say aye.

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?

MR. PUTNAM:

Mr. President, the motion passed unanimously.

CHAIR:

Thank you.

MR. PUTNAM:

The next item before the Commission is the proposal from Section 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 2013 to 2014 hunting year.

The Commission at this time is also proposing to add feral swine and wild boar to the list of species that may be lawfully taken during the regular antlered and antlerless deer seasons and expand references to the seasons during which coyotes may be hunted to big game in order to maintain consistency with Section 139.4, relating to seasons and bag limits for the license year. The text is shown on pages 16 through 18 of your agenda.

CHAIR:

Do I have a motion to adopt the proposed amendments as stated?

MR. SCHREFFLER:

So move.

CHAIR:

Commissioner Schreffler.

MR. HOOVER:

Second.

CHAIR:

Commissioner Hoover. Any discussion at this time? All those in favor, say aye.

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?
MR. PUTNAM:
Mr. President, motion passed unanimously.

ATTORNEY BECHTEL:
The next item before the Commission, Pennsylvania Bureau of Information and Education. This is proposed rule making to create a new section in 58 Pa. Code Section 143.12. This section will propose changes to provide future hunter education program flexibility and will enable implementation of planned improvements to the hunter education replacement training certificate process by providing for online fulfillment capabilities. This will result in a significant improvement to customer service. The text is shown on page 19 of your agenda.

CHAIR:
Thank you. Do I have a motion to amend the proposed subsection 143.12 as stated?

MR. SCHLEMMER:
So move.

CHAIR:
Commissioner Schlemmer.

MR. SCHREFFLER:
Second.

CHAIR:
Commissioner Schreffler. Is there any discussion? I'd like to ask Bureau Director Neville if you would explain what this entails?

**MR. NEVILLE:**

Certainly, Commissioner. Currently we handle replacement certificates in-house. We do all the printing here, all the fulfillment, take the money. And it's a long and cumbersome process. We would like to make it easier for our hunters to get replacement cards 24/7, not simply when the Commission is open, not when you can get through on the phone, and anywhere in the country. If you fly to Wyoming and forget your card, and you can't buy a hunting license right now, you may be out of luck. If you get there Friday night, we may not answer your phone call until Monday or Tuesday. So with an online system you could find a computer in Wyoming, Colorado and do your fulfillment right there, print something out, and go buy your hunting license. So this makes it very convenient for our sportsmen.

**CHAIR:**

Thank you. I appreciate that.

Commissioner Schreffler?

**MR. SCHREFFLER:**

Yes. I've had several hunters this year
who had that very problem. And they had hunted in a
state like Montana in the past where they didn't ask
them for their hunter education kit. And this year
they ended up in Colorado where they require them to
have it, and they didn't carry it with them. And they
called me back here and tried to get that call in to
get this, and of course they couldn't start hunting,
and didn't find out until right before.

And so it was difficult, took time and
--- for us to do that. And so I thought this is an
excellent service to our hunters. Over the years ---
this will go back to, what,'86, 1986, I believe.

MR. NEVILLE:

We can fulfill things before that with
an affidavit. But yes, we --- in our database we have
records back to '86 --- since '86, so ---.

MR. SCHREFFLER:

Since '86, so --- and you know, over the
years those things have been lost in the laundry and
everywhere else. And some of them have had documents
--- hunter courses completed in school, and went to
school stuff, and so on, so it's a real problem. So I
think this is a real, real good service for our
sportsmen who find it more and more necessary to have
this.
CHAIR:
Thank you. Any further discussion? All those in favor, say aye.
ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

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

ATTORNEY BECHTEL:
The next matter before the Commission is a donation of real estate, Contract Number 3621, State Game Lands Number 156, Lebanon County. Gary L. and Kathy S. Andrews are offering a donation of three tracts comprised of 12 acres of land in South Lebanon Township, Lebanon County, adjoining State Game Land Number 156, as shown on Exhibit RED 1 on page 21 of your agenda. The three undeveloped parcels are forested with mixed hardwoods and have mountain laurel and blackberry in the understory.

CHAIR:
Thank you. Do I have a motion to accept the acquisition of land that was described by Contract 3621?

MR. HOOVER:
So move.

MR. SCHLEMMER:
Second.

CHAIR:
Commissioner Hoover, Commissioner Schlemmer. Is there any discussion? All those in favor, signify by saying aye.

ALL RESPOND AYE.

CHAIR:
Opposed? Mr. Secretary?

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

MR. SCHREFFLER:
The next item before the Commission concerns the acquisition of four tracts. Contract Number 3622, the Western Pennsylvania Conservancy offers for sale 40 acres of land in Springfield Township, Erie County, within State Game Lands Number 314, which is shown on exhibit RED 2, on page 23 of your agenda. This is a material parcel. The option price is $41,912 lump sum, of which $23,000 will be paid from the Game Fund, and the remainder shall be paid with funds from third-party commitments for compensation of habitat and recreational losses which
occurred on State Game Lands from previously approved projects.

WPC is working in conjunction with U.S. Fish and Wildlife Service to acquire the property through joint funding, available through the Great Lakes Restoration Initiative, Joint Venture Habitat Restoration Protection Grant.

Approximately 24 acres of the property are reverting old fields with woolgrass, staghorn sumac, silky dogwood and greenbrier. Thirteen (13) acres are forested with northern hardwoods, predominately oak, red maple and ash, and the remaining three acres are in agricultural fields that are tillable in drier years.

The property is located within an Important Bird Area and at least three species of special concern are located on or near the property. It is bisected by a Conrail Railroad right-of-way. There is a small section of a tributary to Turkey Creek on the property. Access to the property is from Lynch Road, TR 473.

The Commission and the Western Pennsylvania Conservancy have mutually agreed that no use of the surface for oil and gas exploration production, removal, or sale shall be allowed on the
The second acquisition is Contract Number 3623, Klondike Timber Resources is offering for sale 500 acres of land in Liberty Township, McKean County, adjoining State Game Land Number 61, shown on Exhibit RED 3 on page 24 of the agenda. The option price is $400,000 lump sum, to be paid with funds from third-party commitments.

There is an excellent regenerating northern hardwoods forest habitat with small natural openings. All timber, except conifers, is reserved until January 1st, 2015. During this time period the holder of the timber reservation will consult with the Commission with regard to the placement of any new roads, log landings and shall revegetate and reseed new roads and log landings per Commission specifications.

Located on the property are the headwaters of Scaffold Lick Run and there's a wetland pond in the middle of the tract. There is access to the property from a deeded 30-foot right-of-way from TR or T-408, Stang Hollow --- Strang Hollow Road.

Third acquisition is from Joshua and Vivian First, offering for sale 99 acres of land in Howard Township, Centre County, an interior property
in State Game Land Number 323, as shown on Exhibit RED 4, on page 26 of your agenda. The option price is $315,000 lump sum, which shall be paid with escrowed funds from a prior land exchange on State Game Land Number 176 with the Pennsylvania State University, and requires approval from the United States Fish and Wildlife Service.

The property is adjacent to the U.S. Army Corps of Engineers Foster Joseph Sayers Dam property and near Bald Eagle State Park. The property is made up of early successional forested habitat.

Access into the property is from a 15-foot and a 50-foot width right-of-way, which leads to Old Route 220, Township Road 663.

And the last acquisition is Contract Number 3625, State Game Land Number 281, Perry County. Earl F. Evans Estate is offering for sale 46 acres of land, located within State Game Land Number 281, as shown on exhibit RED 5 on page 27 of your agenda. The option price is $127,000, lump sum to be paid from the Game Fund. The tract is forested with mixed northern hardwoods and an unnamed stream crosses the northern edge of the property onto existing State Game Land and into the Juniata River. There is an access from a 50-foot wide right-of-way from Township Road T-449.
Chair:

Thank you. Do I have a motion to accept the acquisition of land by Contracts 3622, 3623, 3624 and 3625?

Mr. Delaney:

So move.

Mr. Weaner:

Second.

Chair:

Commissioner Delaney. Seconded, Commissioner Weaner. Is there any discussion? All those in favor, say aye.

All respond aye.

Chair:

Opposed? Mr. Secretary?

Mr. Putnam:

Mr. President, the motion passes unanimously.

Attorney Bechtel:

Next before the Commission are three land exchanges. The first one is Contract Number 3626. The Southwest Region has requested a land exchange with B & A Development Company to construct a road and parking lot for hunters on State Game Land Number 79, Cambria County --- Cambria Township,
Cambria County, as shown on Exhibit RED 6 on page 29 of your agenda.

In the exchange, B & A Development Company acquires .43 acres from State Game Land Number 79 to increase the area behind their property, and the Commission gains .43 acres from B & A Development Company to include road frontage along Township Road 450, Allie Buck Road. This land exchange will allow for much needed access into a portion of State Game Land Number 79 which is currently inaccessible.

Contract Number 3627, Williams Ohio Valley Midstream, LLC is offering 167 acres located near State Game Land Number 302, in West Finley Township, Washington County, as shown on Exhibit RED 7, on page 30 of your agenda, in lieu of the habitat and surface damages for a right-of-way license that will allow Williams Ohio Valley Midstream, LLC the privilege of constructing a 12 inch gas pipeline across State Game Land Number 245, in West Finley Township, Washington County, as shown on Exhibit RED 8 on page 31 of your agenda.

The property is forested with mixed hardwoods. Access is from Jackson Road. The pipeline will be on a right-of-way 75-foot wide with an additional 25 feet in width for temporary construction.
area, and will traverse approximately 5,239 feet through State Game Land Number 245, along with the use of approximately 4,495 feet of existing roadway needed to construct and maintain the pipeline.

The third exchange, Contract Number 3628, involves the Pennsylvania Department of Transportation, which has agreed to transfer exclusive jurisdictional control of a 2.688 acre indenture into State Game Land Number 46 in Elizabeth and Clay Townships, Lancaster County, as shown on Exhibit RED 9 on page 32 of your agenda.

In exchange, PennDOT is proposing the creation of a Stage Game Land Bank for their District 8-0 service area to offset permanent impacts to existing State Game Lands from future highway projects. The property is forested with mixed hardwoods, and Seglock Run flows the length of the property. Access is from both Laurel Drive to the north and Seglock Road.

CHAIR:

Thank you. Do I have a motion to accept the acquisition of land?

MR. SCHLEMMER:

So move.

CHAIR:
Commissioner Schlemmer.

MR. HOOVER:

Second. Second.

CHAIR:

Second Commissioner Hoover. Any discussion? All those in favor, say aye.

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?

MR. PUTNAM:

Mr. President, motion passes unanimously.

ATTORNEY BECHTEL:

The next item before the Commission is Contract Number 3629. The following item was voted on notationally and was voted 7 to 0. Carl G. Clark and Estelle Clark, husband and wife, and Harold H. Wolfinger and Connie Wolfinger, husband and wife offered for sale three tracts of land totaling 3,031 acres of land in Elk and Cameron Counties, as shown on Exhibit RED 10 on page 34 of your agenda.

Two tracts, a 982-acre tract and a 997.2-acre tract are in the City of Saint Marys, Elk County and adjoin State Game Land Number 293, and the third, a 1,052-acre tract in Shippen Township, Cameron
County, adjoins Elk State Forest. The option price was $3 million lump sum to be paid with funds from third-party commitments for compensation of habitat and recreational losses, which occurred on State Game Lands from previously approved projects. The property is predominately forested with mixed hardwoods and harbors Little Clear Creek, Seeley Hollow Run, and several other clean water tributaries and associated riparian corridors. The sellers are reserving on the Cameron County 1,052-acre tract all timber, not to include conifers, birch and beech upon the land, with the right to cut and remove said timber until January 1st, 2019. The sellers requested the Commission purchase the property by December 31st, 2012. And this is an information item. No action is required.

The next item also before the Commission is the purchase of property at tax sale, Contract 3620. Subject to certain limitations, the Code authorizes the Director to bid on real estate, oil, gas or mineral rights at auction or tax sale. Successful bids must be made known to the general public at the next regularly scheduled meeting of the Board of Commissioners.

On August 17th, 2012 the Commission was the successful bidder at a tax sale held at the
Cambria County Courthouse, and purchased the mineral rights on two tracts located within State Game Land Number 108, in Reade and Dean Townships, Cambria County. The Commission has now been successful in acquiring Parcel Numbers 04-049-034, which is 104 acres of C coal seam for $5,000, and Parcel Number 09-020-002, 240 acres of all minerals except the C coal seam for $1,200 as shown on Exhibit RED 11 on page 36 of your agenda. This, again, is an information item with no action required.

The next item to come before the Commission concerns the settlement of the State Game Lands Number 158, Cambria and Blair Counties. Before the Commission is a proposed settlement of a dispute, whereby the Commission will quitclaim 17 acres to Michael Endress in return for a quitclaim from Mr. Endress with regard to approximately 190 acres, an interior to State Game Lands Number 158 in Reade Township, Cambria County. Both of these properties are shown on Exhibit RED 12, on page 30 of your agenda.

A Quiet Title was filed by the Commission against Mr. Endress, and Mr. Endress has proposed a land exchange to settle the dispute and vest full title in the 190 acres of land to the
Commission. The settlement will entail the granting to Mr. Endress of the 17 acres.

CHAIR:
Thank you. Do I have a motion to accept the settlement of dispute on State Game Lands 158 Cambria/Blair Counties as described?

MR. SCHREFFLER:
So move.

CHAIR:
Commissioner Schreffler. Second?

MR. HOOVER:
Second.

CHAIR:
Commissioner Hoover. Any discussion?

Under discussion, and while we're --- this is our last, I think, land owner before we hit the OGM, I would like to compliment Bureau Director Capouillez. The preceding pages were multiple land deals with many, many acres. And if anybody in the audience or at home has done any type of land purchase, you realize how time-consuming and frustrating it is. And this Bureau handles this on a daily/weekly basis. And they came to us today with multiple purchases, and I just want to compliment you on your accomplishments. Every meeting it seems like you pull off more and more
miracles, so I would like to thank you for those
efforts. It's always nice to come to this part of the
agenda.

MR. CAPOUILLEZ:
And certainly the credit goes to the
staff and the regions. I mean, there's a lot of
people involved in getting these to fruition. Thank
you, sir.

CHAIR:
Thank you. Not hearing any discussion,
all those in favor, say aye.
ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

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

ATTORNEY BECHTEL:
The next item before the Commission is a
Restricted Surface Use Oil and Gas Cooperative
Agreement, Tract 232A-12, State Game Land 232,
Washington County. The Commission offered its oil and
gas ownership under a portion of State Game Land
Number 232, in Donegal and Independence Townships,
Washington County, for non-surface use oil and gas
development by a competitive royalty bid.

Tract 232A-12, as shown on Exhibit OGM 1 on page 40 of your agenda, which contains approximately 1,201.33 acres, was announced for competitive royalty bid in October of 2012, with a one-time bonus/rental payment of $2,500 per acre for a one year paid up primary term agreement. The minimum royalty was set at 18 percent for all oil, gas, and condensate produced and sold from under the premises.

Oil and gas development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's Standard Restricted Surface Use Oil and Gas Cooperative Agreement. The bonus payment of $3,003,325, shall be deposited into an interest bearing escrow account for the future purchase of wildlife habitats, lands, or other uses incidental to hunting, furtaking and wildlife resource management.

Bids were opened on November 2nd, 2012, with Chesapeake Appalachia, LLC of Oklahoma City, Oklahoma submitting the highest royalty bid of 23.25 percent of the value of oil, gas, and condensate produced and sold from under the premises. The results of the royalty bid are listed on page 39 of your agenda.
CHAIR:

Do I have a motion to accept the Restricted Surface Use Oil and Gas Agreement on Tract 232A-12, located on State Game Lands 232, Washington County?

MR. WEANER:

So move.

CHAIR:

Commissioner Weaner. Second?

MR. HOOVER:

Second.

CHAIR:

Commissioner Hoover. Is there any discussion? All those in favor say aye.

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?

MR. PUTNAM:

Mr. President, motion passes unanimously.

ATTORNEY BECHTEL:

The next item also concerns a Restricted Surface Use Oil and Gas Cooperative Agreement, Tract 150A-12, State Game Land Number 150, Lawrence County. The Commission offered its oil and gas ownership under
State Game Land Number 150 in Pulaski Township, Lawrence County, for a non-surface use oil and gas development by a competitive royalty bid. Tract 150A-12, as shown on Exhibit OGM 2, on page 42, containing approximately 586 acres, was announced for competitive royalty bid in October 2012, with a one-time bonus rental payment of $3,250 per acre for a five year paid up agreement, and a minimum bid of 20 percent royalty. Oil and gas development will be regulated by the Commonwealth's oil and gas regulations and the Commission's Standard Restricted Surface Use Oil and Gas Cooperative Agreement. The bonus payment of $1,904,522.75 shall be deposited into an interest bearing escrow account for the future purchase of wildlife habitats, lands, or other uses incidental to hunting, furtaking and wildlife resource management.

Bids for this tract were opened on November 8, 2012, with HilCorp Energy Company of Houston, Texas submitting the highest royalty bid of 20 percent of the value of oil, gas and condensate produced and sold from under the premises. The results of the royalty bid are shown on page 41 of your agenda.

MR. WEANER:
So move.

CHAIR:
Commissioner Weaner. Second?

MR. HOOVER:
Second.

CHAIR:
Commissioner Hoover. Is there any discussion? I would like --- I'm sorry, Commissioner Putnam.

MR. PUTNAM:
I would like to propose --- we had testimony yesterday from several people regarding this lease, and they seem to have a few things that weren't exactly correct. Can you comment on that? I think you talked to them since the testimony.

MR. CAPOUILLEZ:
Yes, sir. We received several comments, both phone and e-mail with regard to ---. Well, more than several. I mean, we received quite a few. And in fact, I did talk to I believe the same lady that had testified, Carrie Vaughn, with regard to the situation out there. And my comments to her are going to be similar to what I'm going to answer your question as. This area, if you look at page 42 of your agenda, you can see that both of these tracts are
relatively small, and I'd say like 350 acres or less.

And when you're looking at a non-surface use lease, both of these areas can be drilled from adjoining properties privately. In fact, this particular company had a very strong leasehold in and around the Game Commission's properties. For us to do nothing here --- under the rule of capture they could very easily, in their bylaws and rules and their fracking processes, take our gas. And the sportsmen and the wildlife resource is not realizing the value of that.

Again, non-surface use leases, a lot of the comments that we received were with regard to fracking as opposed to this particular lease scenario, more towards the fracking process. We try to limit all of our impacts on Game Lands, as you well know, both in well pad locations as well as the uses of the Game Lands. The fracking issue, in and of itself, is a Department of Environmental Protection issue. Oil and gas regulations oversee how that process goes forward. If there are any constituents in the fracking fluids that are harmful or pollutant, certainly if that occurs on Game Lands we have the ability to do something with regard to that. But as far as the overall oversight and regulation, it's
DEP's charge to do that. So I did explain that to Mrs. Vaughn, as well as anyone else who has called in.

CHAIR:

Thank you. Thank you. And that was basically the question I was going to ask, because, you know, this is within 15, 20 miles of where I live. I know there's always local concern. And I appreciate your response, and I think it's very, very acceptable. Having done many of these, approved many of these leases, I know the Game Commission is very careful and cognizant of the issues and does a good job. So we appreciate your input.

MR. PUTNAM:

Thank you.

CHAIR:

Any further discussion? Hearing none, all those in favor, say aye.

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?

MR. PUTNAM:

Mr. President, the motion passes unanimously.

ATTORNEY BECHTEL:

The next item before the Commission
concerns an underground mine surface support lease amendment. Rosebud Mining Company, known as Rosebud, of Kittanning, PA, has requested an amendment to extend the existing underground mining agreement with the Commission for an additional five-year period in order to continue underground coal mine operations and remove an estimated 700,000 tons of remaining coal reserves.

All terms and conditions of the original lease remain the same and deep mine operations will continue with all rights as previously granted, on the tract shown on Exhibit OGM 3 on page 44 of your agenda. There will be no additional surface impacts to the Game Land. Rosebud will continue to pay wheelage to the Commission at a rate of one percent of the F.O.B. pit price of all coal removed from beneath and transported over State Game Land Number 79.

The Commission and Martin L. Bearer, t/d/b/a North Cambria Fuel Company consummated a 15 year lease agreement dated March 3rd, 1998. The lease was transferred to Rosebud Mining Company on October 14th, 2009. The existing lease will expire on March 3rd, 2013, however Rosebud estimates that underground mining activities will continue for another three to five years, and therefore requests a five-year
extension to the term of the lease. If approved, the expiration date of the lease will be March 3rd, 2018. Mining will be regulated by the Commonwealth's Mining Regulations and the Commission's existing lease agreement. In addition, the lease includes a wildlife habitat reclamation and revegetation plan developed by the local Land Management Group Supervisor.

CHAIR:
Thank you. Is there a motion to accept the Restricted Underground Mine Surface Support Lease Agreement?

MR. WEANNER:
So move.

CHAIR:
Commissioner Weaner. Second?

MR. HOOVER:
Second.

CHAIR:
Commissioner Hoover. Is there any discussion?

MR. DELANEY:
Yes.

CHAIR:
Yes, Mr. Delaney.
MR. DELANEY:

Just looking at this, I can see that we're getting some remunerations back from it. But one percent of the F.O.B. tip price in the coal removal, is there a guesstimate of what those numbers would be or is that not on table yet --- a table?

MR. PUTNAM:

I mean, I can check with Mike on exact numbers. I want to say that's estimated around $800,000 just by them driving across our property. That particular lease was initially a surface mine lease. The area has been since reclaimed, revegetated, open to hunting. I have friends that hunt out there, and are very successful with hunting out there. The coal does not belong to us. And so the company in facing up there is actually mine reserve that is --- they're through the Game Commission properties underground, and they're on a private property. Again, none of the coal belongs to us. And the public is well aware of the operations. It's just the continuation to allow for them to continue to take the coal out and pass a wheelage. I can tell you that that one percent F.O.B. pit price for wheelage is very high. From an industry perspective, it's probably unprecedented.
CHAIR:
Okay. Thank you. Any further discussion? All those in favor, say aye.

ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

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

ATTORNEY BECHTEL:
In the next item before the Commission:

Chevron Appalachia, LLC. Chevron has requested to amend an existing Commission-approved oil and gas lease to tract 223A-08 in Dunkard Township, Greene County. Tract 223A-08 is located on a portion of State Game Land Number 223, and currently consists of 2,031 acres.

Chevron proposes to amend the lease by adding an additional 33.983 acres to the agreement, as shown on Exhibit OGM 4 on page 46 of your agenda. The Commission owns the surface and 50 percent of the underlying oil and gas rights. Chevron has leased a privately-owned oil and gas rights and agreed to non-surface use on this portion of the Game Land. The terms and conditions of the lease will remain
consistent with the existing agreement, approved by
the Commission in April 2008, except the bonus payment
will be increased from $125 per acre to $1,500 per
acre for the amended acreage.

This bonus payment will be deposited
into an interest bearing escrow account for future
purchase of oil and gas lands or other uses incidental
to hunting wildlife and resource management. Oil and
gas development will be regulated by the
Commonwealth's oil and gas regulations, and the
Commission's existing Oil and Gas Lease Agreement,
which is currently in place.

CHAIR:
Is there a motion to approve the
restricted oil and gas lease amendment?

MR. WEANER:
So move.

CHAIR:
Commissioner Weaner.

MR. SCHLEMMER:
Second.

CHAIR:
Second, Commission Schlemmer. Any
discussion? All those in favor, say aye.

ALL RESPOND AYE
CHAIR:
Opposed, no? Mr. Secretary?

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

ATTORNEY BECHTEL:
The next item before the Commission also concerns a Restricted Surface Use Oil and Gas Cooperative Agreement for the land exchange. Pennsylvania General Energy Company, LLC, PGE, of Warren, Pennsylvania, requests the Commission offer its oil and gas ownership under a portion of State Game Land Number 75 for oil and gas development. The proposed tract 75A-12, containing approximately 11,899 acres, is located in McHenry and Pine Township, Lycoming County as shown on Exhibit OGM 5 on page 48 of your agenda.

PGE is currently developing oil and gas rights on the State Forest tracts south of the proposed tract, and has infrastructure in place, including water and gas pipelines that will ease the surface burden of developing the Game Land acreage.

In exchange for the oil and gas agreement, PGE will cause to convey to the Commission the Kinzua Tract, a 6,200 acre tract of land adjacent...
to State Game Land Number 62 in Keating Township, McKean County, as shown on Exhibit OGM 6 on page 49 of your agenda.

The primary term of the agreement is ten years, with a five-year provision for drilling the first well. If PGE does not meet its drilling commitment, the Commission may request the surrender of the 1,800 (sic) acre western portion of the tract at the end of the ten years. The initial royalty rate for each well will be set at 18 percent and will increase to 21 percent once payout costs are met.

The proposed agreement also provides PGE with the right to utilize the surface of State Game Land Number 75 for drilling pads, access roads and pipelines to transport Commission owned gas reserves at locations approved by the Commission. PGE will adhere to the reclamation and revegetation requirements as specified by the agreement and the Department of Environmental Protection regulations. PGE has also agreed to meet no less than annually to discuss development and to solicit input and suggestions to protect wildlife and wildlife habitat.

Oil and gas development will be regulated by the Commonwealth's Oil and Gas Regulations, the Commission's Standard Restricted
Surface Use Oil and Gas Development Agreement protection provisions and a $50,000 performance bond. The agreement will include the Commission's standard wildlife and environmental protection measures.

CHAIR:
Do I have a motion to approve this Restricted Use of Oil and Gas Cooperative Agreement?

MR. PUTNAM:
So move.

CHAIR:
Second?

UNIDENTIFIED SPEAKER:
Second.

CHAIR:
Is there any discussion? I would like to ask Director Capouillez, there's sort of --- there's a lot going on in this particular page here, could you just sort of simplify, give us an overview of it at this point? Or is there no simplification possible?

MR. CAPOUILLEZ:
I'll refer that to Brad.

ATTORNEY BECHTEL:
There's probably simplification possible. PGE is acquiring the rights to purchase the
Kinzua Tract. And if you said, we want to make a deal, this is the tract --- if you want the deal, this is the tract. And everything else was negotiated in there. Basically they're --- they've got an 11,000-acre tract. They already have a lot of the infrastructure going up to that tract, so there will be less of it going on. And PGE is a company that's operating on other Game Lands and --- as well as the State Forest. Their theories are to try and have meetings to try and discuss things before things happen, try and work with you about how to develop infrastructure. So that's the way that this is structured in that manner.

As far as the royalty provisions, that was just a negotiated position. We each had our parameters within which we were allowed to work, and the unique thing is the step up to 21 percent.

CHAIR:
That helps. I appreciate it. And I appreciate the effort that went into getting this package put together. Thank you very much. Any other discussion at this point? Okay. All those in favor, say aye.
ALL RESPOND AYE

CHAIR:
Opposed, nay? Mr. Secretary?

MR. PUTNAM:

Mr. President, the motion passes unanimously. That ends the printed portion of this agenda.

CHAIR:

Okay. We are under new business. At this time, do we have any new business to address? Commissioner Putnam?

MR. PUTNAM:

Mr. President, the Commission was appointed to look at the Wildlife Management Units in the north central, and we have a report.

CHAIR:

Okay. For those of you in the audience, we have been discussing the realignment or review of the WMUs. At the last working group meeting I appointed a committee composed of Commissioner Weaner, Commissioner Schreffler, Commissioner Putnam and myself. That committee has come to a recommendation on WMU 2G, and I will turn it over to Commissioner Putnam to present that recommendation.

MR. PUTNAM:

Okay. Two members of the committee, Commissioner Schreffler and myself, met with Game
Commission staff to look at forest cover types and various habitat issues, public land issues in the north central. We looked at a problem that's perennially occurring in the eastern side of 3A, located mostly on State Lands in 3A, and the bulk of 2G.

We came up with several alternatives because the --- we were going to use major roads and the boundary dividing along --- anywhere near along those habitat lines limits us to only a couple roads that we could use. We came up with a line ---. We also looked at soils data, and we came up with a line that runs basically from Coudersport to DuBois, starting at Route 872 in the north, to Route 607, to Route 155, to Route 120, to Route 555, to Route 255 and to Route 80. This is an administrative --- it is the boundary or administrative procedure, so the Executive Director has the authority to modify those boundaries. It's not something that we need to vote on. I think we --- the committee would like to propose a motion that the Board vote their support for this proposal, just to show --- just to show the Board's support. So I'll make a motion that the Board vote to recommend the Executive Director adopt these proposed boundary changes.
MR. HOOVER:
Second.

MR. SCHREFFLER:
Second.

CHAIR:
Commissioner Hoover, seconded by Commissioner Schreffler. This is opened up for any discussion. I would like to commend Commissioner Putnam and Commissioner Schreffler. They put a lot of time and effort into this. Commissioner Putnam, particularly invested a considerable amount of time on behalf of the Board, and I believe we have come up with something the Board can live with. Commissioner Weaner?

MR. WEANER:
Yeah. I think the gist of this is, we've created a new Wildlife Management Unit. We're still within the boundaries of 2G. The outer boundary of the old 2G is intact, but we drew a line in it and created a new WMU. I'm not sure what we're going to call it yet, but we'll figure that out.

MR. ROE:
2H.

MR. WEANER:
2H. I thought maybe it would be Putnam
H or something like that.

_CHAIR:_

Or Putnam 2 or Martone 2 will work.

_MR. WEANER:_

Whatever they call it. But this will maintain the integrity of the boundary of 2G so that other --- like the Turkey Research Program which used that area isn't affected by it. This is a compromise debate.

_CHAIR:_

And I think, you know, sportsmen have become accustomed to where those boundaries are and --- you know, for their use, it helps not to make any major changes in the outer boundary. But I'm in complete agreement that this was a necessary, you know, improvement. Any further discussion,

_Commissioner Putnam?_

_MR. PUTNAM:_

I will mention that the eastern side of this unit is still quite large, that the --- I guess will remain as 2G, and it will still be about 2,900 square miles. The unit on the western side will be about 1,200 square miles. There is about a 500-mile chunk in the middle of it, in the Hammersley Wild Area that we could have put either way, but we weren't in
--- we weren't interested in balancing the miles out as much as we were balancing out the habitat and the land use. The eastern side, or the new 2G, is at a very high percentage of State Forest Lands on it. We intend to talk to DCNR. And at least our philosophy is that DCNR will have the ability to make a good chunk of that to the DMAP program.

We talked earlier about making 2G a concurrent season. Well, with the DMAP program, the bulk of that land --- I don't know what the percentage is. You have the ability to measure that, but probably 80 percent or so of that land will be in the State ownership and have the ability to have limited concurrent seasons to the DMAP program.

We also did look --- which I did mention the eastern end of 2A, which would have resulted in drawing a line down all the way from 3A down through 2G. There were a number of problems with that, and particularly the people at the --- because of the road boundaries, the eastern side of 3A, talking with people that lived there who were familiar with the unit, that they advised us we could create more problems by trying to address one problem and create many more problems, and pointed out the rule of --- the law of unintended consequences. That would have
had a lot of complications, including the turkey study and a number of things. So we looked at it. We tried to see if we could address it, and it just wasn't feasible.

CHAIR:
Thank you. All those in favor of --- or I'm sorry, Commissioner Delaney, do you have a comment?

MR. DELANEY:
I do have a comment, certainly. I guess most folks have been able to watch this process for the last two years. It started almost two years ago with some debate with the Commissioners and our staff, and it took us almost two years to get to this process. And it's been a process, but those on the Board that worked on this with --- under Commissioner Putnam's lead --- to me, from what I've learned from this, is that there is good science to back up what Commissioner Putnam did, and Commissioner Weaner and Commissioner Schreffler and all those that sat on the committee. So I think a lot of work went into it, it wasn't just a matter of drawing the line. They put an awful lot of work into it, so for that, I'm thankful.

CHAIR:
Thank you. Okay. All those in favor of
the new 2G/2H WMUs, signify by saying aye.

ALL RESPOND AYE

CHAIR:

Opposed? Mr. Secretary?

MR. PUTNAM:

Mr. President, the motion passes unanimously.

CHAIR:

Thank you. Under new business, do I have any more? Commissioner Weaner?

MR. WEANER:

In recent years I received a lot of requests and comments about establishing a minimum age for the Mentored Youth Hunting Program. I'm a strong advocate for the Mentored Youth Hunting Program, but I just think that we've tried it for a while with no minimum age. We've got positive comment, and we've gotten negative comment. The comment I hear a whole lot is, you know, how can a three-year-old really shoot that deer. And for those and a host of reasons, I move that we establish a minimum age for the Mentored Youth Program of eight years of age.

MR. DELANEY:

For the sake of debate, I'll second the motion.
CHAIR:
One moment, please.

OFF RECORD DISCUSSION

CHAIR:
I'm hearing that since this is regulatory, we would need to --- if we're going to do this, we would need to make a proposal to put on the April agenda and ---.

MR. WEANER:
I would modify my motion to say whatever it has to say.

CHAIR:
Okay. So you're proposing that you would like to add to April's agenda a minimum age to the Mentored Youth Hunting Program?

MR. WEANER:
Yes.

CHAIR:
Commissioner Delaney, do you continue to second that?

MR. DELANEY:
Yes.

CHAIR:
We have a second. Is there any discussion? Commissioner Weaner?
MR. WEANER:

To follow up, you know, I'm not sure where this can go. We've heard some of our conservation --- other organizations out there across the state that did provide testimony here, and most of it was not in support of my proposal. And we may hear that from the general public out there. But I'm interested in putting this out there, getting a discussion. And, you know, if it's overwhelmingly negative, everyone is satisfied with what we have right now, you know, I'll be voting no the next time around. But I think it's worth the discussion because a lot of people have talked to me about this, and that's why it was there.

CHAIR:

Thank you. Commissioner Schlemmer?

MR. SCHLEMMER:

Commissioner Weaner, I was involved with the original crew that worked on this with the Governor's Advisory Council and other people on the outside. We put so much work into this, got into regulation down the road. I hate to see it change. I think from a safety point --- I can be corrected on this --- we've had a good safety record. Am I correct or not? No comments from anybody? So I would have to
say no on the regulation. I think there's a lot of reaction here. Maybe I should be addressing these to Jeff Mulholland about pictures in the paper about children with large antlers and then big adults getting frustrated over that.

But anyway, I'd have to go --- I would have to leave it the way it is. That's my comment. Thank you.

CHAIR:

I'll add to Commissioner Schlemmer's comments. I'm adamantly opposed to putting a minimum age. We have an excellent Mentored Youth Program. It is a successful Mentored Youth Program selling over 35,000 mentored licenses every year. Looking at the safety record, it is exemplary. If there are a few pictures, a period throughout this state that caused this issue, it is an incredibly small number and it is far outbalanced by the positive this program provides.

And as Commissioner Weaner himself mentioned, this is supported by every major conservation partner we have out there from the NWTF, to the National Shooting Sports Foundation, and everything --- you know, I just ---. And on top of that, I think Pennsylvania has been a leader in this. We have set the --- you know, the scenario for the
rest of the country to follow. And, you know, as ---. I appreciate us being in the leadership position. And the last thing I want to see is us put a black eye on that. And so I would encourage the Board --- and you know, I'll use the word, I am adamantly opposed to this. Thank you. Commissioner Schreffler?

MR. SCHREFFLER:

I have to say that I've heard a number of sportsmen's groups, where they have been upset about some of these pictures of very young children shooting these nice big bucks and so on and not having a minimum age and how can that be. But that is --- I had strong feelings about this, too, about the early age also. But the staff has provided me with a draft, which you probably can't really see, but these are very few, very few, mentored licenses at the young age. And about age six, seven, when kids start to have better reasoning power, that's when this graph goes up, and we have more kids getting the mentored license. Now, this is the licenses that we give to mentored kids. And I look at this, and it's just a small, small group, a small minority that are in --- that these parents are getting these licenses for at an extremely young age.

And something else has come to my
attention in the meantime. There is an age zero or a few months and they have a mentored license. But why is that? Well, some parents like to get their kids a CID number, a license, so they have it their whole life. And they have it as a little kid, and they probably don't usually put it into effect until the kid's older. But they have this little hunting license at --- it's just sort of a neat thing in their, I guess, future chest of things they're going to do or whatever to start them off.

The other thing that I think is what Bob mentioned --- or Commissioner Schlemmer mentioned, is that the safety record is exemplary. It's exemplary. And I just --- my mind is changing about this minimum age because we have to, somewhere along the line, put trust in our parents and our --- our hunters that are out there trying to get their kids started in hunting and engaged for the rest of their lives in a lifetime sport. And each child is different. My many years in education has shown that each child is different. In fact, each adult ---. There are a lot of adults that aren't as mature as some of the kids that I've come in contact with. And so age has nothing to do with maturity and reasoning. So I am not sure that --- that I would like to change this program at the
moment, as I look at the facts presented to me. Thank you.

CHAIR:
Thank you. Commissioner Putnam?

MR. PUTNAM:
I think the Mentor Program is a wonderful program, and this is surely not any attempt to get the nose under the tent and incrementally do away with it, everybody here strongly supports it. The concern mostly is with pictures of four, or five and six year olds with big game animals. And there's not a lot of them. And as Commissioner Schreffler said, it's a very small minority at the low end. And I think the number of hunting at the low end --- hunting big game at the low end is even lower yet.

So one alternative may be to keep the program as it is, but no big game until they're seven --- six, seven or eight years old. I think nobody's going to be too excited about a picture of a kid in the paper holding up a squirrel, but they are concerned. I mean, I see them when they're standing there, and the gun's taller than they are. I really wondered how they --- you know, if they really got --- and if it was a good experience for the kid. And I think Commissioner Weaner's primary reason for
bringing this out is, let's hear from the public. Let's hear what --- you know, what everybody thinks about it. I would be interested from people who were familiar with the youth, and their mentality and is it a good experience to drag some little four-year-old out there and put him behind a gun and have him pull the trigger. We're probably talking about a very, very small number. I'm sure when Jeff gets the picture of one where he's four years old, he has to put it in because he knows it's going to stir up some controversy.

But other than that, that is my view on it. When it comes to a vote, I can't say which way to go. But at the moment, I am concerned about pictures of --- you know, we just had one in our paper, a five-year-old standing by a doe. That's my concern.

CHAIR:
Commissioner Delaney?

MR. DELANEY:
I guess I would support the debate, only because I think it's going to make this program stronger. If we go through a debate process, we may come back here in another two months and say, hey, this works, we have a great program in Pennsylvania. I think those that built it, or a part of building it,
like Commissioner Schlemmer and the Governor's Youth Council, although they built a great program, in my opinion it seems like Commissioner Weaner's just asking to make sure we have all the right safeguards in place. And I think this is only going to make the program get stronger. And that's just my opinion on it.

CHAIR:

Well, we have a motion to propose to put this on the April agenda. We've had discussion. At this point all those in favor of Commissioner Weaner's proposal ---. Let's have a show of hands. Raise your hand.

AYES RESPOND

CHAIR:

All those opposed?

NAYS RESPOND

CHAIR:

Mr. Secretary?

MR. PUTNAM:

Mr. President, the vote is four to four, with Commissioner Fox, Commissioner Schreffler, Commissioner Martone and Commissioner Schlemmer in the negative. Motion fails.

CHAIR:
Thank you. Do I have anything else under new business at this time? Commissioner Weaner?

MR. WEANER:

I'm here again. No motion at this time. We've talked about as a Board a couple of times the situation in Michaux State Forest that deals with the turkey population down there. And we've talked about the fact that historically it's an area where lots of pen-raised birds were dumped in --- or were put there. Years later wild birds were brought in. It's an area that's not been one of the huge success stories for turkey management that we kind of expected. I mean, things aren't bad, but it's --- they've never caught on like they have in the rest of the state. And we talked about should we do some DNA testing to see if there's remnants of pen-raised birds there and it's never gotten any traction.

So I'm simply requesting that for our meeting in March, our working group meeting, that Wildlife Management and that whoever else would report back to us on the feasibility of doing some DNA testing in the Michaux State Forest, Wildlife Management Unit 5A to see if it's feasible to do this, if it's --- you know. I would just like to get the ball rolling here. It's a unique situation. I've
lived here, and a lot of people are talking about it. We've talked about it. So that's what I would say.

CHAIR:
Thank you. I don't know that we have a
caption on that, but it's a valid request. Thank you.

MR. WEANER:
It's a working group.

CHAIR:
Any further items under new business?

MR. DELANEY:
Yes, Mr. President. I have a similar
request to Commissioner Weaner. It's just to talk
about at our next working group meeting with regard to
Bureau of Wildlife Protection. And after hearing
testimony from Dr. Cantrell yesterday with the urine-
based deer lures, I guess I just struggle with, you
know, we say we should use it inside the quarantine
area, yet we don't have to use it outside. And
really, just what the challenges are with enforcement
of anything with it if we move forward. And it's just
as simple as that, it's a discussion item for our next
working group meeting with regard to the urine-based
lures.

CHAIR:
Thank you. Any more under new business?
At this time we have proposed Commission dates in the agenda, are there any changes to these dates? Commissioner Weaner?

MR. WEANER:

Mr. President, April 15th and 16th is a Monday and Tuesday. And due to some scheduling conflicts I would suggest that we change that --- try something ---. This isn't saying --- I'm not suggesting we keep doing this, but move it back a day, start on the 14th with public comment and possibly some reports, and then have our voting meeting on the 15th. I think that would suit our schedules better. So I would just make that change then before we vote on this motion.

CHAIR:

Okay. We have a change for the April meeting to the 14th, 15th, and the actual voting portion of the meeting on Monday, the 15th. Commissioner Delaney?

MR. DELANEY:

I'm glad that Commissioner Weaner brought that up. But I think that --- in fairness, since this is somewhat of a change and we always started meetings at 8:30, can I go ahead and just throw out there that it would be a one o'clock start
on Sunday?

    CHAIR:
    On Sunday, 8:30 start on Monday, the 15th.

    MR. DELANEY:
    Thank you.

    CHAIR:
    Any other changes to the dates listed in the agenda? Any discussion on this? All those in favor of accepting these dates, signify by saying aye.

    ALL RESPOND AYE

    CHAIR:
    Opposed? Okay. I would like to state that we have scheduled the working group meeting prior to that April Board meeting. There will be a slight change in how our working group meetings are scheduled. This one will be held on March 21st. I believe that's a Thursday, in State College. And the time and place will be announced, I'm sure, as a news release, and shortly, once we find the time and determine a place. But you can expect the next working group meeting to be held on Thursday, March 21st in State College somewhere.

    Okay. I think our last order of business at this time would be election of officers.
Before we get to that, I'd like to make my statement, as President. And I will say this, it is first of all an amazing honor to just be a Commissioner, period. But it has been a true privilege to be chosen by my fellow Commissioners to serve as their President this past year. I can state with absolute certainty that the nine Board members I have served with as my time as a Commissioner have been dedicated, hard-working individuals with the best interest of the state's hunters, its wildlife resources and the Agency in mind.

I would also like to thank Carl Roe and the entire staff for their hard work in making the past year a success for me. In particular, I would like to give a big thanks to Denise Malone and Lydia Craig for their amazing effort to keeping the Board on track and working smoothly. It is not easy. I've seen it day in and day out. Keeping eight guys on track alone has to be an issue.

I would also like to thank Carl for his patience, his guidance and his support over the past year. I would say I've learned a lot having worked with him. I would also like to thank my wife. As Board President, she has put up with our living room being covered with maps, papers, reports, documents.
She knows more about deer, bear, and turkey than most women will ever want to know. I think at this point she would make an excellent Commissioner. And her expertise in speaking to sportsmen has been improved greatly.

To the next Board President, I offer four pieces of advice. First, in life there are always two sides to every argument, but in the Game Commission there are many more than two sides, there are usually three, four, five different sides to every issue. Get used to it.

Second, be patient. Some problems solve themselves. You don't need to solve every problem. Third, get a tattoo that says appreciate the difference between policy and operations. And finally, never send an e-mail the same day you write it. It is amazing how much clarity develops in 24 hours.

At this time I would like to turn it over to our Nominating Committee, which is composed of Commissioner Weaner and ---.

MR. WEANER:

Okay. The report of the Nominating Committee, three offices. For President, we're nominating Bob Schlemmer. For Vice President, we're
nominating David Putnam, and for Secretary, nominating Brian Hoover.

CHAIR:
Thank you. And I think we'll handle each position individually, starting with ---.

Somebody suggested we start with Secretary, but ---.

Commissioner Delaney, do you like that idea? We have Commissioner Hoover is nominated for Secretary. Are there any further nominations from the Board? Hearing none, there's a motion to elect Commissioner Hoover as Secretary. Do I have ---?

MR. PUTNAM:
We made that motion.

CHAIR:
You made it? Anybody second it?

MR. DELANEY:
Second.

CHAIR:
So moved. Commissioner Delaney. All those in favor, say aye.

ALL RESPOND AYE

CHAIR:
Opposed? Mr. Secretary?

MR. PUTNAM:
Mr. President, Commissioner Hoover has
been elected Secretary.

    CHAIR:

    Thank you. Well, he was ---.

    MR. HOOVER:

    That's what I said.

    CHAIR:

    We have a nomination of Commissioner Putnam for Vice President. Are there any further nominations for Vice President? Hearing none, do we have a second?

    MR. HOOVER:

    Second.

    CHAIR:

    Commissioner Hoover. Any discussion? Hearing none, all those in favor, say aye.

    ALL RESPOND AYE

    CHAIR:

    Opposed? Mr. Secretary? Mr. Secretary?

    MR. HOOVER:

    See what happens?

    CHAIR:

    Congratulations to Commissioner Putnam.

    MR. PUTNAM:

    Thanks.

    CHAIR:
And finally, last but not least, for the Office of President of the Board, we have nomination of Commissioner Schlemmer. Do I have a second?

MR. PUTNAM:
Second.

CHAIR:
Commissioner Putnam. Any discussion? Hearing none, all those in favor, say aye.

ALL RESPOND AYE

CHAIR:
I wanted to say nay, just to catch you off guard. Opposed? Mr. Secretary?

MR. HOOVER:
The vote is unanimous.

CHAIR:
Thank you. Congratulations to our new President. So at this time, I will relinquish my spot.

MR. SCHLEMMER:
Thank you.

CHAIR:
It's always nice to have that new view. You almost became Executive Director.

MR. SCHLEMMER:
My phone's going off, too. You must
have an audience. I am honored and truly humbled by this. I have spent, frankly, the majority of my life with the Pennsylvania Game Commission, and this is quite an honor. And I thank you all for the trust you had put into me today. Unbelievable.

I have to thank my family, too. Family first. The folks that --- my family and my wife who passed away, stuck with me all these years. So anyway, enough with that, we have to move forward here. I hate to give canned presentations.

I had a good friend who just said just throw it away, talk from the heart. That's what I got to keep in mind today. So my idea of moving forward, there's been notes on here today. We as Commissioners will strive to connect in a positive way with you, the people we serve, and that is all the citizens of the Commonwealth, including the licensed purchasing sportsmen and sportswomen, to enable us to protect, propagate, manage and preserve our wildlife, and our hunting and our trapping heritage.

We will continue to have open transfer and dialog with staff through our open meetings, and they'll continue to be open to the public. And coming up we're going to continue to update our Commissioner policy manual, keeping in mind the oath that we were
took when we were sworn in as Commissioners.

That being said, there's several topics I'd like to talk about. First thing on my agenda, it's amazing how it came up. Again, in the open commentary in the beginning about youth and seniors, I'll always back the youth, and I think we should be putting some backing into the seniors this year. We've continued to work with staff and all stakeholders on ways to encourage our youth in our hunting and trapping traditions. And along these lines we'd like to see what we can do for our senior license holders. And we're all going to get there. I guess I am.

But anyway, along these same lines, I think we'd like --- they're a treasure trove for our juniors, and we should explore all avenues, not limited to small game and large game regulations, but we should address handicap access concerns also. I request that staff and Commissioners prepare to look at our options at our next working group session.

Under planning, Commissioners also review our policy manual and suggested issues and adjustments for implementation as required, and to maintain ideas that are working and establish new direction to meet current needs of our mission, as
laid out in public law.

And finally, communications.
All-important. You've got to talk to people, continue to communicate in outreach to our constituents, through our traditional methods, as well as modern day technology. Also be working with --- and communicate with our elected officials on a local and statewide basis. This will facilitate a better understanding of our mission and address the concerns of these legislators and their constituents.

In summary, we'll be addressing our youth and seniors, policy planning and reviewing, communications being the key item here. No item here stands on its own. And I can relate that. I've said this a couple of times to you guys about the watch. And the hand said you can't tell time without me, and then the case jumped in and said, well, you can't do any good without being in a case. Then the main spring said, can't do anything without me, and the little gears jumped up and said, if the gear isn't there it doesn't work. We all have to work together to make things right. So each part depends on the other.

And that's basically all I have to say in my opening talk here. I thank you all for your
confidence. And I will have working group assignments out and discuss them with you individually within 24 hours, e-mail. Okay?

So any other comments? Carl?

MR. ROE:
I'd just like to congratulate President Schlemmer. I think he's going to do a fine job. And I know what's ahead of him, so I'll send him a sympathy card later.

MR. SCHLEMMER:
The problem is, I have to ride with him. We're saving the State money. With that, the meeting is adjourned. Thank you.

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MEETING CONCLUDED AT 10:33 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Martone was reported by me on 1/29/2013 and that I, Kimberly A. Carter, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

[Signature]

[Court Reporter]