

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION

\* \* \* \* \*

BEFORE: Robert W. Schlemmer, President  
David J. Putnam, Vice President  
Brian H. Hoover, Secretary  
James J. Delaney, Jr., Commissioner  
Ralph A. Martone, Commissioner  
Charles E. Fox, Commissioner  
Timothy S. Layton, Commissioner  
Carl G. Roe, Executive Director  
R. Matthew Hough, Deputy Executive Director  
Bradley C. Bechtel, Esquire, Board Counsel

HEARING: Tuesday, September 24, 2013  
8:30 a.m.

LOCATION: The Lamplighter Restaurant  
6566 William Penn Highway  
Delmont, PA 15626

Reporter: Kimberly I. Faidley

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I N D E X

CALL TO ORDER	4
PLEDGE OF ALLEGIANCE	4
ROLL CALL OF COMMISSIONERS	4 - 5
APPROVAL OF MINUTES OF JUNE 25, 2013 MEETING	5 - 6
BUREAU OF ADMINISTRATION	
ADOPTED RULEMAKING	
Amend 58 Pa. Code, Chapter 143, Subchapter B	6
BUREAU OF WILDLIFE MANAGEMENT	
PROPOSED RULEMAKING	
Amend 58 Pa. Code, Section 133.21	6 - 9
Amend 58 Pa. Code, Section 147.673	9 - 11
BUREAU OF WILDLIFE PROTECTION	
PROPOSED RULEMAKING	
Amend 58 Pa. Code, Section 135.41	11 - 13
BUREAU OF WILDLIFE HABITAT MANAGEMENT	
REAL ESTATE	
Acquisition	13 - 62
OTHER NEW BUSINESS	62 - 70
JANUARY COMMISSION DATE	70 - 71
DISCUSSION AMONG PARTIES	71 - 76
ADJOURNMENT	76

E X H I B I T S

1  
2  
3  
4  
5  
6  
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9  
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Description

Page  
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## P R O C E E D I N G S

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PRESIDENT SCHLEMMER:

Morning, ladies and gentlemen. I'd like to call this meeting to order this morning. And all welcome. Please rise for the Pledge of Allegiance to the Flag.

PLEDGE OF ALLEGIANCE RECITED

PRESIDENT SCHLEMMER:

Mr. Secretary, call the roll, please.

COMMISSIONER HOOVER:

President Schlemmer?

PRESIDENT SCHLEMMER:

Present.

COMMISSIONER HOOVER:

Vice President Putnam?

VICE PRESIDENT PUTNAM:

Present.

COMMISSIONER HOOVER:

Commissioner Delaney?

COMMISSIONER DELANEY:

Present.

COMMISSIONER HOOVER:

Commissioner Weaner? Commissioner

Martone?

1 COMMISSIONER MARTONE:

2 Here.

3 COMMISSIONER HOOVER:

4 Commissioner Fox?

5 COMMISSIONER FOX:

6 Here.

7 COMMISSIONER HOOVER:

8 Commissioner Layton?

9 COMMISSIONER LAYTON:

10 Present.

11 COMMISSIONER HOOVER:

12 And Commissioner Hoover is here.

13 PRESIDENT SCHLEMMER:

14 Thank you, sir. I'd like to have a  
15 motion to approve the minutes?

16 COMMISSIONER DELANEY:

17 So moved.

18 COMMISSIONER HOOVER:

19 Second.

20 PRESIDENT SCHLEMMER:

21 Moved and seconded. All in favor, say  
22 aye.

23 AYES RESPOND

24 PRESIDENT SCHLEMMER:

25 That's the June 25th meeting minutes.

1 With that, moving along, you can take over now.

2 MR. ROE:

3 Mr. President, before we move to the  
4 first item, I would request that we table this item  
5 until January as I believe Commissioner Hoover has a  
6 concern about the number of licenses that need to be  
7 sold to retain the status of being an agent. We would  
8 like to report back to you what the cost might be to  
9 do that. We'll do that at the working group in  
10 December, if that's ---.

11 PRESIDENT SCHLEMMER:

12 Commissioner Hoover?

13 COMMISSIONER HOOVER:

14 That's fine.

15 COMMISSIONER DELANEY:

16 Do we need a motion to table that?

17 PRESIDENT SCHLEMMER:

18 Yes. Is there a motion?

19 COMMISSIONER DELANEY:

20 So moved.

21 COMMISSIONER MARTONE:

22 Second.

23 PRESIDENT SCHLEMMER:

24 All in favor?

25 AYES RESPOND

1                                    ATTORNEY BECHTEL:

2                                    Thank you, President Schlemmer. The  
3 next item to come before the Commission would be from  
4 the Bureau of Wildlife Management. This is a proposed  
5 ruling with regard to 58 Pa. Code, Section 133.21. In  
6 accordance with the goals established in the  
7 Pennsylvania Bald Eagle Habitat --- Bald Eagle  
8 Management Plan, excuse me, 2010 through 2019, the  
9 plan, the bald eagle has achieved a population level  
10 and a geographical distribution that no longer meets  
11 the definition of a threatened species. As of the  
12 2013 nesting season, bald eagle populations have  
13 reached all criteria set forth in the plan to be  
14 removed from the State Endangered and Threatened  
15 Species List, that is Pennsylvania sustaining a  
16 minimum of 150 nesting pairs, including successful  
17 pairs in at least 40 counties, with 60 percent of  
18 known nests successful, and a productivity of 1.2  
19 eaglets fledged per successful nest, based on a  
20 five-year running period.

21                                    Delisting of the bald eagle can be  
22 accomplished by amending 58 Pa. Code, Section 133.21,  
23 as outlined below on page six of your agenda. Upon  
24 delisting, bald eagles will continue to be a protected  
25 species under state statues and will continue to be

1 afforded added protection under the Federal Bald and  
2 Golden Eagle Protection Act. Pennsylvania Game  
3 Commission staff will continue to implement the plan  
4 and monitor bald eagle nests to ensure that this  
5 species does not regress towards endangerment.

6 PRESIDENT SCHLEMMER:

7 Is there a motion?

8 COMMISSIONER HOOVER:

9 I make a motion to accept the proposed  
10 rulemaking.

11 PRESIDENT SCHLEMMER:

12 Second?

13 COMMISSIONER MARTONE:

14 Second.

15 PRESIDENT SCHLEMMER:

16 Properly moved and seconded through the  
17 Secretary. Call for a vote?

18 COMMISSIONER MARTONE:

19 Discussion?

20 PRESIDENT SCHLEMMER:

21 All in favor of a discussion, go ahead.

22 COMMISSIONER MARTONE:

23 Thank you. I think it's important to  
24 note that, even though this species is moving from  
25 threatened to protected, it still has protected

1 status, not just state but federal. And I think it's  
2 important for both the sportsmen and the non-hunters  
3 to realize disturbing a bald eagle, killing a bald  
4 eagle still carries the same weight. You know, just  
5 because it's moved out of the threatened doesn't mean  
6 there's any change in its protected status. Thank  
7 you.

8 PRESIDENT SCHLEMMER:

9 Any further commentary? Hearing none?

10 COMMISSIONER HOOVER:

11 Motion on the floor to accept the  
12 proposed rulemaking to amend the Pa. Code. All those  
13 in favor, signify by saying aye.

14 AYES RESPOND

15 COMMISSIONER HOOVER:

16 Opposed? Motion passed unanimously.

17 ATTORNEY BECHTEL:

18 The next item before the Commission is  
19 also from the Bureau of Wildlife Management and it's  
20 also a proposed rulemaking. Pennsylvania hunters have  
21 had the opportunity to purchase their new hunting  
22 licenses from license-issuing agents and the  
23 Pennsylvania automated license system in early June of  
24 each year. Ideally, every hunter interested in also  
25 redeeming a Deer Management Assistant, or DMAP, coupon

1 will be able to do so at the time of their general  
2 hunting license purchase. Unfortunately, due to the  
3 current DMAP application deadline and accompanying  
4 processing time, most DMAP permit applications are not  
5 available until late June or early July. To  
6 accommodate hunting license buyers and permit one-stop  
7 purchases for licenses and permits in early June, the  
8 Commission is proposing to move up the DMAP  
9 application deadline to May 1st. With this deadline  
10 date change, DMAP applications would be made available  
11 to prospective applicants no later than February 15th  
12 each year. This change can be accomplished by  
13 amending 58 Pa. Code, Section 147.673, as outlined on  
14 page seven of your agenda.

15 PRESIDENT SCHLEMMER:

16 Motion?

17 COMMISSIONER PUTNAM:

18 So moved.

19 PRESIDENT SCHLEMMER:

20 Second?

21 COMMISSIONER MARTONE:

22 Second.

23 PRESIDENT SCHLEMMER:

24 Discussion? Hearing none, move for the  
25 vote. All in favor ---.

1                   COMMISSIONER HOOVER:

2                   All in favor?

3 AYES RESPOND

4                   COMMISSIONER HOOVER:

5                   All opposed? Motion passes unanimously.

6                   ATTORNEY BECHTEL:

7                   The next item is from the Bureau of  
8 Wildlife Protection and concerns proposed rulemaking.  
9 The Commission has historically permitted the use of  
10 small open fires on state game lands by licensed  
11 hunters, trappers or fishermen and through hikers  
12 within the corridor of the Appalachian Trail, and  
13 continued support for the use of small open fires by  
14 these users has not diminished. However, the  
15 Commission has identified an increasing number of  
16 fires being set and maintained by persons using the  
17 state game lands for other than their intended uses.  
18 In an effort to discourage and reduce the occurrence  
19 of these unintended uses, the Commission is proposing  
20 to limit the availability of the fire exception  
21 located in Section 135.41(a) to only licensed hunters,  
22 trappers or fishermen and through hikers within the  
23 corridor of the Appalachian Trail. The text of this  
24 proposed rulemaking is found on page eight of your  
25 agenda.

1 PRESIDENT SCHLEMMER:

2 Motion?

3 COMMISSIONER DELANEY:

4 So moved.

5 PRESIDENT SCHLEMMER:

6 Second?

7 COMMISSIONER HOOVER:

8 Second.

9 PRESIDENT SCHLEMMER:

10 Discussion?

11 COMMISSIONER DELANEY:

12 Mr. President, ---

13 PRESIDENT SCHLEMMER:

14 Yes, sir.

15 COMMISSIONER DELANEY:

16 --- I would like to just have a short  
17 commentary on this. This may not mean a lot to a lot  
18 of people, but I think all one has to do and look at  
19 the midwest and the west and the wildfires and the  
20 loss of life and firefighters out there. So I think  
21 this sends a fairly clear message that supporting the  
22 use of open fires by non-hunters, we're sending a  
23 pretty clear message we don't want it done. And if  
24 you are doing it, you'll be penalized for it.

25 PRESIDENT SCHLEMMER:

1 Further commentary? Hearing none, call  
2 for a vote.

3 COMMISSIONER HOOVER:

4 Motion on the floor. All those in favor  
5 signify by saying aye.

6 AYES RESPOND

7 COMMISSIONER HOOVER:

8 Any opposed? Motion passes unanimously.

9 ATTORNEY BECHTEL:

10 The next item before the Commission  
11 concerns the acquisition of real estate. The Ideal  
12 Foundation of Sykesville is offering for sale seven  
13 tracts of land, totaling 852.51, more or less, acres  
14 in Warsaw Township, Jefferson County and Brady  
15 Township, Clearfield County. The Jefferson County  
16 tracts adjoin State Game Land No. 54, and the  
17 Clearfield County tracts are near State Game Land No.  
18 87, as shown on Exhibits RED 1 and 2 on pages 10 and  
19 11 of your agenda. The option price is approximately  
20 \$1,258,575 lump sum. The consideration is calculated  
21 based on \$1,100 per acre for the property that  
22 includes the oil and gas rights. Specifically, the  
23 two parcels, the 305 acres, that adjoin State Game  
24 Lands 54 include oil and gas rights. The remaining  
25 tracts are being offered at \$750 per acre, as it is

1 believed the oil and gas estate has already been  
2 excepted and reserved. The consideration, which will  
3 be based on the title work and what includes the oil  
4 and gas rights, shall be paid with funds from  
5 third-party commitments for compensation of habitat  
6 and recreational losses which occurred on state game  
7 lands from previously-approved projects. The  
8 Jefferson County parcels are forested with northern  
9 hardwoods, approximately 20 acres in reverting old  
10 fields. Small spring seeps and tributaries are  
11 located on the tracts which are part of the headwaters  
12 to South Branch North Fork Creek. Large wetlands  
13 associated with Beaver Meadow Run makes up the eastern  
14 portion of the Jefferson County tracts. The largest  
15 of the Clearfield County tracts is known as Five Ponds  
16 because five small fishing ponds have been created on  
17 the property. The Laurel Branch of Beech Run flows  
18 through the property which is mostly forested with  
19 mixed northern hardwoods. Access is provided from  
20 Beech Run Road as well as Rimer Road and Keller Road  
21 on the north. Approximately half of the smaller  
22 Clearfield County tract is planted in grasses and  
23 conifers, with the other half forested with northern  
24 hardwoods, primarily chestnut, oak and maple. The  
25 Ideal Foundation shall reserve all red maple until

1 September 24th of 2016.

2                   The next acquisition is Contract No.  
3 3647. Rorabaugh Lumber Company, RLC, is offering for  
4 sale 97.17, more or less, acres of land in Greenwood  
5 Township, Clearfield County, which will connect a  
6 700-acre detached parcel of existing State Game Lands  
7 No. 87, as shown on Exhibit RED 3 on page 13. The  
8 option price is \$82,594 lump sum to be paid with funds  
9 from third-party commitments for compensation of  
10 habitat and recreational losses which occurred on  
11 state game lands from previously-approved projects.  
12 RLC reserves the right to cut and remove all trees  
13 greater than 16 inches diameter at breast height until  
14 November 1st, 2016, with pulp wood to be removed upon  
15 mutual consent. RLC's timber reservation shall be  
16 limited to one timber harvesting operation period. At  
17 the completion of harvest, RLC shall provide a written  
18 release stating the reservation shall terminate. The  
19 property is forested and Poplar Run bisects the  
20 property.

21                   The next acquisition concerns Contract  
22 No. 3648. The Estate of Martin L. Bearer is offering  
23 for sale four tracts of land totaling 259 acres, more  
24 or less, in Bell Township, Clearfield County. One of  
25 the tracts is an interior to State Game Land No. 87,

1 and the remaining three tracts are indentures into  
2 State Game land No. 87. These are shown on Exhibit  
3 RED 4 on page 14 of your agenda. The option price is  
4 \$259,000 lump sum to be paid with funds from  
5 third-party commitments for compensation of habitat  
6 and recreational losses which occurred on state game  
7 lands from previously-approved projects. Portions of  
8 the property located off Troutville-McGees Mills Road  
9 are currently being reclaimed as per an Amfire mining  
10 permit. Headwaters of Laurel Run traverse the  
11 property with good woodcock habitat located along the  
12 stream bottom. License to enter the property shall be  
13 granted to comply with a governmental order, judgment,  
14 decree, law, ordinance or other legal mandate  
15 associated with any post-mining activity. There is  
16 good access to the tracts from the township roads.

17 Further acquisition is Contract No.  
18 3649. Thomas R. Lanager is offering for sale 60 acres  
19 of land in Penn Township, Clearfield County. The  
20 property is an interior to State Game Land No. 87, as  
21 shown on Exhibit RED 5 on page 16 of your agenda. The  
22 option price is \$39,000 lump sum to be paid with funds  
23 from third-party commitments for compensation of  
24 habitat and recreational losses. Approximately a  
25 third of the property is forested with maple, birch,

1 fire cherry and aspen. The second third of the  
2 property is grassland and the rest of the property is  
3 a surface mine with some acres already reclaimed. The  
4 Northern Harrier, a state-listed threatened species,  
5 is seen frequently in the area. Mr. Lanager is  
6 excepting and reserving coal, coal bed methane and  
7 related solid hydrocarbons. Unless coal is being  
8 produced in payable quantities and/or an active mining  
9 permit exists, the reservation ends January 1st of  
10 2024.

11 Contract No. 3650 is an acquisition.  
12 Bell Run Properties, LLC is offering for sale six  
13 tracts of land totaling 1,124.39 acres of land in Penn  
14 and Bloom Townships, Clearfield County, as shown on  
15 Exhibit RED 6 on page 17 of your agenda. The option  
16 price is \$1 million lump sum to be paid with funds  
17 from third-party commitments for compensation of  
18 habitat and recreational losses. Bell Run and  
19 tributaries to Bell Run exist on the property, as well  
20 as associated wetlands. The wetlands are considered  
21 an Exceptional Value by Pennsylvania Fish and Boat  
22 Commission due to at wild trout population. Hemlock,  
23 with a light scattering of hardwoods, can be found  
24 along Bell Run and its tributaries. The hemlock  
25 provides excellent winter thermal cover and protection



1 Alexander Kldiashvili, Vartoush Marchese and Suren  
2 Vartanyan are offering for sale five tracts of land,  
3 totaling 48.8 acres of land in Lehigh Township, Wayne  
4 County. The tracts fill in an indenture into State  
5 Game Land No. 312, as shown on Exhibit RED 8 on page  
6 20 of your agenda. The option price is \$150,000 lump  
7 sum to be paid with funds from the Game Fund. A  
8 12.73-acre parcel shall be subdivided, with the Game  
9 Commission acquiring 6.3 acres, with a 50-foot  
10 right-of-way across the remaining 6.43 acres being  
11 retained by the Sellers. Access to the property is  
12 from State Route 507, or Main Street. This property  
13 connects two parcels of the existing State Game Land  
14 No. 312. The property is forested with mixed beech  
15 and maple forest in early succession. Portions of the  
16 property include wetlands associated with Big Sampson  
17 Swamp, which comprise a large wetland complex in  
18 existing State Game Land No. 312. Acquisition of this  
19 property will buffer the state game land from future  
20 development and safety zone issues, as well as provide  
21 snowshoe hare habitat.

22 Further acquisition, Contract No. 3653.  
23 Patricia Anthony is offering for sale 72.4 acres of  
24 land in East Brunswick Township, Schuylkill County.  
25 The tract partially fills in an indenture into State

1 Game Land No. 106, as shown on Exhibit RED 9 on page  
2 22 of your agenda. The option price is \$76,500 lump  
3 sum to be paid with funds from third-party commitments  
4 for compensation of habitat and recreational losses.  
5 The property is forested with birch and mixed oaks,  
6 with mountain laurel in the understory. The property  
7 is located on the north slope of Blue Mountain and  
8 runs to the top of the ridge. The Blue Mountain, also  
9 known as the Kittatinny Ridge, is a globally  
10 significant fall migration flyway and has been  
11 designated by Audubon Pennsylvania as the largest of  
12 the state's Important Bird Areas. The property has no  
13 legal access. Access to the property will be through  
14 State Game Land No. 106.

15 Another acquisition, Contract No. 3654,  
16 Charles Fogarty and Larry Miller are offering for sale  
17 two tracts of land totaling 9.6 acres in Lykens  
18 Township, Dauphin County, adjacent to State Game Land  
19 No. 264. The option price is \$50,000 lump sum. The  
20 one-acre tract is owned solely by Charles Fogarty.  
21 Mr. Fogarty will be compensated \$14,000 for the tract.  
22 The other tract, an 8.6-acre tract, is owned by both  
23 Mr. Fogarty and Mr. Miller and they shall be  
24 compensated \$36,000 for this tract. The property is  
25 forested with dry oak mixed hardwoods. The sellers

1 shall reserve the oil and gas for 25 years. This  
2 acquisition will also make moot and cause the  
3 settlement of an access dispute in the Court of Common  
4 Pleas of Dauphin County.

5 PRESIDENT SCHLEMMER:

6 Thank you, sir. Do I hear a motion?

7 COMMISSIONER MARTONE:

8 So moved.

9 PRESIDENT SCHLEMMER:

10 Second?

11 COMMISSIONER LAYTON:

12 Second.

13 PRESIDENT SCHLEMMER:

14 Mr. Secretary?

15 COMMISSIONER HOOVER:

16 Motion on the floor ---.

17 COMMISSIONER MARTONE:

18 Discussion?

19 PRESIDENT SCHLEMMER:

20 Discussion. Commissioner Delaney?

21 COMMISSIONER DELANEY:

22 Yes. There is one recurring theme I  
23 think that we've had at every single Game Commission  
24 meeting for the last several years, and that is this  
25 type of work for the Bureau of Wildlife Habitat

1 Management, under the direction of Director  
2 Capouillez, I don't know how we continue to do it, but  
3 what we just --- our legal counsel just talked for  
4 five minutes about all these new land acquisitions,  
5 and to not have something positive to say about it ---  
6 I guess my point is, is it's not just this meeting,  
7 it's been meeting after meeting after meeting, land  
8 acquisition after land acquisition after land  
9 acquisition.

10 Bill, your bureau does a phenomenal job  
11 under your direction, and I think this Board says that  
12 over and over and over again. So this stuff doesn't  
13 just happen by chance. I look at this one  
14 acquisition, along with State Game Lands 312, you have  
15 like a small town bordering that game land, yet you've  
16 done what needs to be done to protect all the other  
17 property around there. So my compliments to you and  
18 to the Bureau of Wildlife Habitat Management.

19 MR. CAPOUILLEZ:

20 Thank you, sir.

21 PRESIDENT SCHLEMMER:

22 Further discussion?

23 VICE PRESIDENT PUTNAM:

24 I guess I would like to add to that. It  
25 is getting routine that you guys are doing fantastic

1 work every meeting that we come to, but there is a  
2 tremendous amount of work that goes into each one of  
3 these. And to see, which we have for probably the  
4 last three meetings, tracts that are already  
5 subdivided, they're laid out, they're ready to put 20,  
6 30, 40, 50 homes in valuable wildlife habitat, right  
7 adjacent to game lands, adjacent to significant  
8 wetlands, and we're acquiring these things. It really  
9 is --- it's a tremendous effort. And I guarantee you  
10 won't find any other state agencies doing this, not in  
11 the country, that are having the kind of success we're  
12 having in acquiring properties like this. So thanks  
13 to you, Bill, and to your staff.

14 MR. CAPOUILLEZ:

15 If I may, I'd like to, you know, thank a  
16 lot of other people, too. I mean, the regions, in  
17 particular, in the real estate division, have been  
18 tremendous, you know, pushing forward in getting these  
19 acquisitions. And they're extremely complex at this  
20 point. Everybody wants to maximize the value of their  
21 land, whether they're keeping timber or whether  
22 they're keeping oil and gas or whether they're trying  
23 to subdivide it. And the staff goes out and the  
24 regions go out and they do the land exams and they  
25 work through those negotiations and build those

1 relationships, and it's highly competitive. I mean,  
2 there's a lot of opportunities, you can well imagine,  
3 for somebody else to want to buy material on game  
4 lands and how lucrative that could be if you break it  
5 out into camps and how detrimental that can be for our  
6 habitat management if you put those camps on there and  
7 have to put those safety zones around there. And our  
8 staff is extremely good at keeping the relationships  
9 they have built and building new ones and negotiating  
10 those deals. So it's certainly a team effort, if not  
11 an agency effort, in a lot of aspects.

12 PRESIDENT SCHLEMMER:

13 Further discussion? Commissioner  
14 Martone?

15 COMMISSIONER MARTONE:

16 Thank you, President Schlemmer. I, too,  
17 would like to concur with Commissioner Delaney on the  
18 efforts of your bureau. But as you know, I'm a big  
19 supporter of Game Lands 87, and the number 87 keeps  
20 coming up in these. And I find it remarkable how many  
21 indentures we fill in, how many little spots we are  
22 filling in and what the game lands has done over the  
23 last several years. And I, again, attribute it not  
24 just to you but your staff and the Bureau and the  
25 North Central. I know how big a part they play in it

1 as well. So I think they deserve credit. As you  
2 stated, it is a team effort to put this together, and  
3 I thank you for it.

4 PRESIDENT SCHLEMMER:

5 Further discussion? Hearing none, call  
6 for the vote.

7 COMMISSIONER HOOVER:

8 Motion on the floor. All those in favor  
9 signify by saying aye.

10 AYES RESPOND

11 COMMISSIONER HOOVER:

12 Opposed? Motion passes unanimously.

13 ATTORNEY BECHTEL:

14 The next item before the Commission  
15 concerns oil, gas and minerals and the Restricted  
16 Surface Use Oil and Gas Cooperative Agreement  
17 amendment. Range Resources Appalachia, LLC, or Range,  
18 has requested to amend an existing Commission-approved  
19 Restricted Surface Use Oil and Gas Cooperative  
20 Agreement for Tract 117A-13 in Smith Township,  
21 Washington County. Tract 117A-13 is located on a  
22 62.6-acre portion of State Game Land No. 117. Range  
23 proposes to amend the agreement by adding an  
24 additional 42.898 acres, as shown on Exhibit OGM 1 on  
25 page 25 of your agenda.

1           Range has leased the privately-owned oil  
2 and gas rights under the majority of State Game Land  
3 No. 117 and surrounding private lands and has  
4 initiated unconventional well drilling and development  
5 programs in the vicinity of the proposed tract and has  
6 the ability to unitize the Commission's oil and gas  
7 reserve by horizontal drilling with no surface  
8 disturbance to the original 62.6-acre tract and the  
9 additional 42.898-acre tract.

10           The terms and conditions of the  
11 agreement will remain consistent with the existing  
12 agreement, approved by the Commission in June of 2013.  
13 The terms of the agreement are a five-year, paid-up  
14 non-surface use of oil and gas agreement, a  
15 \$2,500-per-acre bonus payment and 19-percent royalty  
16 for all oil/gas and other liquids or condensates  
17 produced and sold from the proposed tract which are  
18 owned by the Commission. The bonus payment of  
19 \$107,245 may be deposited into the Game Fund or into  
20 any kind of security or escrow account for the future  
21 purchase of wildlife habitats, lands or other uses  
22 incidental to hunting, furtaking and wildlife resource  
23 management. Future rentals and royalties owed the  
24 Commission shall be directly deposited into the Game  
25 Fund.

1 Oil and gas development will be  
2 regulated by the Commonwealth's oil and gas  
3 regulations and the Commission's standard Restricted  
4 Surface Use Oil and Gas Cooperative Agreement.

5 PRESIDENT SCHLEMMER:

6 Is there a motion?

7 COMMISSIONER MARTONE:

8 So moved.

9 PRESIDENT SCHLEMMER:

10 Is there a second?

11 COMMISSIONER Fox:

12 Second.

13 PRESIDENT SCHLEMMER:

14 Discussion? Hearing no discussion, call  
15 for the vote.

16 COMMISSIONER HOOVER:

17 Motion on the floor. All those in favor  
18 signify by saying aye.

19 AYES RESPOND

20 COMMISSIONER HOOVER:

21 Opposed? The motion passes unanimously.

22 ATTORNEY BECHTEL:

23 The next item is also a Restricted  
24 Surface Use Oil and Gas Cooperative Agreement, this  
25 time in Susquehanna County. Talisman Energy USA,

1 Inc., or Talisman, has requested that the Commission  
2 offer its oil and gas ownership under State Game Land  
3 No. 140 for oil and gas development. The proposed  
4 tract, containing approximately 91.44 acres, is  
5 located in Apolacon Township, Susquehanna County, as  
6 shown on Exhibit OGM 2 on page 27 of your agenda.

7 Talisman has a strong privately-owned  
8 oil/gas leasehold position surrounding this portion of  
9 State Game Land No. 140, and Talisman is the only  
10 company with the ability to unitize the Commission's  
11 oil and gas reserve by horizontal drilling with no  
12 disturbance to the game land's surface. The staff has  
13 negotiated the proposed terms of the agreement with  
14 Talisman in an effort to safeguard the prudent  
15 development of the Commission's oil/gas reserve and  
16 simultaneously protect the wildlife resources and  
17 recreational use of State Game Lane No. 140.

18 The terms of this agreement are a  
19 five-year, paid-up non-surface use oil and gas  
20 agreement, a \$2,500 per acre bonus payment and  
21 20-percent royalty for all oil/gas and other liquids  
22 or condensates produced and sold from the proposed  
23 tract which are owned by the Commission. The bonus  
24 payment of \$228,600 may be deposited into the Game  
25 Fund or into an interest-bearing escrow account for

1 the future purchase of wildlife habitats, lands or  
2 other uses incidental to hunting, furtaking and  
3 wildlife resource management. Future rentals and  
4 royalties owed the Commission shall be directly  
5 deposited into the Game Fund.

6 Oil and gas development will be  
7 regulated by the Commonwealth's oil and gas  
8 regulations and the Commission's standard Restricted  
9 Surface Use Oil and Gas Cooperative Agreement.

10 PRESIDENT SCHLEMMER:

11 Thank you, Brad. Do I hear a motion?

12 COMMISSIONER PUTNAM:

13 So moved.

14 PRESIDENT SCHLEMMER:

15 Do I hear second?

16 COMMISSIONER MARTONE:

17 Second.

18 PRESIDENT SCHLEMMER:

19 Having been moved and seconded, call for  
20 discussion? Hearing none, call for the vote.

21 COMMISSIONER HOOVER:

22 Motion on the floor, all those in favor  
23 signify by saying aye.

24 AYES RESPOND

25 COMMISSIONER HOOVER:

1 Any opposed? Motion passes unanimously.

2 ATTORNEY BECHTEL:

3 The next item concerns also a Restricted  
4 Surface Use Oil and Gas Cooperative Agreement in  
5 Washington County. CNX Gas Company, LLC, CNX, has  
6 requested the Commission offer its oil and gas  
7 ownership under a portion of State Game Land No. 245.  
8 The proposed tract, containing approximately 1,692.48  
9 surface acres and 1,297.99 net oil and gas acres, is  
10 located in East Finley, Morris, South Franklin  
11 Townships, Washington County, as shown on Exhibit OGM  
12 3 on page 29 of your agenda.

13 CNX has a strong, privately-owned  
14 oil/gas leasehold position on the perimeter of this  
15 portion of State Game Land NO. 245 and has initiated  
16 well drilling and development programs on adjacent  
17 private lands. CNX also has the ability to unitize  
18 the Commission's oil and gas reserve by horizontal  
19 drilling with no surface disturbance to this portion  
20 of State Game Land No. 245. The staff has negotiated  
21 the proposed lease terms with CNX in an effort to  
22 safeguard the prudent development of the Commission's  
23 oil/gas reserve and simultaneously protect the  
24 wildlife resources and recreational use of State Game  
25 Land No. 245.

1                   The terms of the agreement are a  
2 paid-up, three-year, non-surface use oil and gas  
3 agreement, a \$3,000 per-acre bonus payment, and a  
4 20-percent royalty for all oil/gas and other liquids  
5 or condensates produced and sold from the proposed  
6 tract. The bonus payment of \$3,893,970 may be  
7 deposited into the Game Fund or an interest-bearing  
8 escrow account for the future purchase of wildlife  
9 habitats, lands or other uses incidental to hunting,  
10 furtaking and wildlife resource management. Future  
11 rentals and royalties owed the Commission shall be  
12 directly deposited into the Game Fund.

13                   Oil and gas development will be  
14 regulated by the Commonwealth's oil and gas  
15 regulations and the Commission's standard Restricted  
16 Surface Use Oil and Gas Cooperative Agreement.

17                   PRESIDENT SCHLEMMER:

18                   Thank you, Brad. Do I hear a motion?

19                   COMMISSIONER HOOVER:

20                   So moved.

21                   PRESIDENT SCHLEMMER:

22                   Second?

23                   COMMISSIONER PUTNAM:

24                   Second.

25                   COMMISSIONER LAYTON:

1 Second.

2 PRESIDENT SCHLEMMER:

3 Properly moved and seconded.

4 Discussion? Hearing none, call for the vote.

5 COMMISSIONER HOOVER:

6 Motion on the floor. All those in favor  
7 signify by saying aye.

8 AYES RESPOND

9 COMMISSIONER HOOVER:

10 Motion passes unanimously.

11 ATTORNEY BECHTEL:

12 The next item concerns a Surface Coal  
13 Mining and Reclamation Agreement. P&N Coal Company,  
14 or P&N, of Punxsutawney, Pennsylvania is pursuing a  
15 Government Financed Construction Contract, GFCC,  
16 through Pennsylvania Department of Environmental  
17 Protection in order to facilitate the reclamation of  
18 existing abandoned mine land, or AML, features such as  
19 highwalls and strip pits and to recover coal resources  
20 on State Game Land No. 77 west of Slab Run. P&N  
21 proposed to reclaim nearly 6,250 linear feet of  
22 highwall that range from about 30 feet to 80 feet in  
23 height. The total surface area of mining/reclamation  
24 impact is approximately 93 acres, as shown on Exhibit  
25 OGM 4 on page 32 of your agenda. Recoverable coal is

1 principally from the Lower Kittanning seam and, to a  
2 lesser degree, the Middle Kittanning and Lower  
3 Freeport seams. P&N estimates approximately 137,400  
4 tons total of recoverable coal. The Commission is  
5 considered the owner of the coal and surface rights.

6 P&N is currently reclaiming and  
7 recovering incidental coal under a separate GFCC and  
8 Game Commission lease agreement dated June 12th, 2009  
9 for an area east of Slab run, and anticipates  
10 completing that project in October 2013, at which time  
11 they propose to transition to the Slab Run West  
12 project.

13 The term of the agreement shall be for a  
14 period of five years from the date a necessary and  
15 acceptable mining permit is issued. In order to  
16 replace any habitat or recreational impacts during the  
17 temporary use of the game lands, P&N will deposit  
18 \$350,000 into the Game Fund or an interest-bearing  
19 escrow account for the future purchase of wildlife  
20 habitats, lands or other uses incidental to hunting,  
21 furtaking and wildlife resource management. Upon  
22 recouping the initial advance payment value, P&N will  
23 then make monthly royalty payments to the PGC  
24 according to the following rates: 12 percent of the  
25 then current F.O.B. pit price per ton, or \$3.50 per

1 ton, whichever the greater, of coal with a BTU value  
2 greater than 9,500, and 10 percent per net ton, or  
3 \$2.50 per ton, whichever the greater, of coal with a  
4 BTU value less than \$9,500 or coal cleanings mined and  
5 removed from the lease area for the term of the lease  
6 agreement. All timber to be impacted will be assessed  
7 by Game Commission forestry staff and assessed at  
8 double stumpage. The second stumpage rate may be  
9 offset by mine reclamation or other habitat  
10 improvement projects approved by the Commission.  
11 Mining will be regulated by the Commonwealth's Mining  
12 Regulations and the Commission's standard surface coal  
13 mining agreement. In addition, the agreements will  
14 include a wildlife habitat reclamation and  
15 re-vegetation plan developed by the local Land  
16 Management Group Supervisor.

17 PRESIDENT SCHLEMMER:

18 Thank you, Brad. Do I hear a motion?

19 COMMISSIONER PUTNAM:

20 So moved.

21 COMMISSIONER FOX:

22 Second.

23 PRESIDENT SCHLEMMER:

24 Second?

25 COMMISSIONER FOX:

1 Second.

2 PRESIDENT SCHLEMMER:

3 Commissioner Fox. Properly moved and  
4 seconded. Discussion?

5 COMMISSIONER PUTNAM:

6 Mr. President?

7 PRESIDENT SCHLEMMER:

8 Mr. Putnam?

9 COMMISSIONER PUTNAM:

10 I'd like to comment on this only because  
11 we're approving these things routinely and we ---  
12 again, as I mentioned earlier on some of the other  
13 deals we do, everything we do is so special, that even  
14 special things just become routine.

15 This 93-acre project in most other  
16 states would be something that they would be having  
17 slideshows on, public grand openings, and be talking  
18 about it for years. This is really a spectacular  
19 thing where we're taking some very degraded habitat  
20 and making it into something special. We do this  
21 every day. It's hard for me just to say, okay,  
22 approve it without commenting that we're doing this  
23 day after day all over the state. It really speaks to  
24 the quality of our staff and the things that we're  
25 doing out there. It's hard for me just to say yeah

1 without commenting on it. Thank you. Thank you again  
2 to the entire Commission staff that worked on these  
3 projects. It's not any one person that does it. It's  
4 really a big team effort.

5 PRESIDENT SCHLEMMER:

6 Further discussion? Hearing none, call  
7 for vote.

8 COMMISSIONER HOOVER:

9 Motion on the floor. All those in favor  
10 signify by saying aye.

11 AYES RESPOND

12 COMMISSIONER HOOVER:

13 Opposed? Motion passes unanimously.

14 ATTORNEY BECHTEL:

15 The next item is the Restricted Surface  
16 Use Cooperative Agreement in Bradford and Sullivan  
17 Counties. Chief Exploration and Development, LLC,  
18 Chief, of Dallas, Texas requests the Commission to  
19 offer its surface use and an opportunity to develop  
20 and produce Commission owned oil and gas on a portion  
21 of State Game Land No. 12 located in LeRoy, Canton,  
22 Franklin and Overton Townships, Bradford County, and  
23 in Fox and Elkland Townships, Sullivan County. The  
24 proposed Tract 12A-13 containing approximately 19,133  
25 acres of Commission owned surface. The vast majority

1 of oil and gas interests contained within the tract  
2 are either owned by the Commission or have already  
3 been privately leased to Chief Oil & Gas. The tract  
4 and claimed leasehold ownership of Chief is shown on  
5 Exhibit OGM 5 on page 35 of your agenda.

6           Chief currently holds private leases on  
7 a large portion of State Game Land No. 12. Chief also  
8 maintains a lease position on private lands  
9 immediately adjacent to the state game lands and has  
10 already drilled several horizontal wells to the state  
11 game land boundary. Staff has negotiated with Chief  
12 in an effort to safeguard the prudent development of  
13 the Commission's oil and gas reserve and to  
14 simultaneously protect and minimize the impacts to the  
15 wildlife resources and recreational use of State Game  
16 Land No. 12.

17           In exchange for the Cooperative  
18 Agreement, Chief will pay the Commission a bonus of  
19 \$2,000 per net mineral acre for a five-year, paid-up  
20 primary term agreement and a royalty rate of 23  
21 percent per thousand cubic feet, MCF, for all oil, gas  
22 and liquid hydrocarbons produced and sold from the  
23 areas in which the Commission owns the oil and gas  
24 rights. The bonus payments will be made in two  
25 installments and will be deposited either into an

1 interest-bearing escrow account or to be used for the  
2 future purchase of wildlife habitats or lands  
3 acceptable to the Commission. The first payment  
4 totaling \$3 million will be due within 60 days of the  
5 execution of the agreement. The second installment  
6 will be due on the first anniversary of the agreement  
7 and will be in the amount of the balance of the bonus  
8 value due to the Commission. Chief has agreed to pay  
9 the Commission a well pad location fee for surface  
10 damages for each well pad developed on the game lands.

11 Further, Chief has agreed to store only  
12 freshwater in any impoundment and to pay the  
13 Commission an impoundment fee for each impoundment.  
14 Chief will also pay the Commission a double stumpage  
15 rate for any timber impacted as part of its  
16 operations. And in lieu of free gas, Chief will make  
17 an annual payment to the Commission in the amount of  
18 \$1,400. All surface damage fees as noted above will  
19 be paid into an interest-bearing escrow account or  
20 into the Game Fund. Chief's oil and gas development  
21 under this Agreement will be regulated by the  
22 Commonwealth's Oil and Gas Regulations and the  
23 Commission's requirements for protection and  
24 conservation of state game lands with respect to oil,  
25 gas and liquid hydrocarbon production. This Agreement

1 will also include a \$50,000 performance bond.

2 PRESIDENT SCHLEMMER:

3 Thank you, Brad. Do I hear a motion?

4 COMMISSIONER MARTONE:

5 Motion.

6 PRESIDENT SCHLEMMER:

7 Commissioner Martone. Do I hear a  
8 second?

9 COMMISSIONER FOX:

10 Second.

11 PRESIDENT SCHLEMMER:

12 Commissioner Fox. Discussion?

13 COMMISSIONER DELANEY:

14 Mr. President?

15 PRESIDENT SCHLEMMER:

16 Commissioner Delaney?

17 COMMISSIONER DELANEY:

18 On this action I would like to make an  
19 amendment. I would respectfully ask the Board of  
20 Commissioners to support \$250,000 to be used for  
21 wildlife resource management under the Restricted  
22 Surface Use Cooperative Agreement for Tracts 12A-13,  
23 State Game Lands No. 12, Bradford and Sullivan  
24 Counties. This financing is to be used specifically  
25 for the Northern Bobwhite Quail management plan for

1 Pennsylvania, 2011 through 2020.

2 PRESIDENT SCHLEMMER:

3 You have to have ---.

4 COMMISSIONER DELANEY:

5 That's in the form of a motion, yes.

6 COMMISSIONER HOOVER:

7 I'll second the motion.

8 PRESIDENT SCHLEMMER:

9 We vote on this prior to anything else?

10 ATTORNEY BECHTEL:

11 Yes.

12 PRESIDENT SCHLEMMER:

13 Discussion? Mr. Secretary?

14 COMMISSIONER HOOVER:

15 Discussion?

16 PRESIDENT SCHLEMMER:

17 Discussion? Commissioner Putnam?

18 COMMISSIONER PUTNAM:

19 Mr. President, ear-marking of funds has  
20 always been a serious topic with the Game Commission  
21 over many years. And the general procedure is, is  
22 that the Commission would like to have full rein.  
23 Commission staff would like to be able to direct  
24 things from wherever they can. And I appreciate that  
25 and understand that principle and generally would

1 support it. However, at our discussion yesterday, we  
2 talked about the quail plan. The quail plan is  
3 significantly behind schedule. And the reason it's  
4 been behind schedule is because we haven't had  
5 available resources to work on that. Things had to be  
6 reprioritized. And one of the things the  
7 Commissioners can do is we can reprioritize things.  
8 And through this particular action here, setting aside  
9 this money, I would hope that this would be able to  
10 get the quail plan back on track. When we passed the  
11 quail plan, we had about a hundred items that should  
12 have been done by now. I would hope those hundred  
13 items would be able to be simultaneously done or done  
14 in a much quicker fashion by having us pass this  
15 motion. So I would urge support of this motion.

16 PRESIDENT SCHLEMMER:

17 Thanks. Any further discussion?

18 Hearing none, I'll call for a vote on the amendment.

19 COMMISSIONER HOOVER:

20 There's a motion on the floor for the  
21 amendment. All those in favor signify by saying aye.

22 AYES RESPOND

23 COMMISSIONER HOOVER:

24 Opposed?

25 NAYS RESPOND

1                   COMMISSIONER HOOVER:

2                   The vote is five to two. So the motion  
3 passes.

4                   PRESIDENT SCHLEMMER:

5                   Now, we'll move on to the original  
6 motion. I believe we had a first and second. Call  
7 for the vote on that.

8                   COMMISSIONER HOOVER:

9                   There was a motion on the floor for the  
10 12A-13. All those in favor signify by saying aye.

11 AYES RESPOND

12                   COMMISSIONER HOOVER:

13                   Opposed? Motion passes unanimously.

14                   ATTORNEY BECHTEL:

15                   The next item before the Commission is  
16 the Surface Coal Mining Agreement, State Game Land No.  
17 75, Lycoming County.

18                   Fisher mining Company, Inc. of  
19 Montoursville, PA requests agreements to conduct  
20 surface coal mining operations on portions of State  
21 Game Land No. 75 located in Pine Township, Lycoming  
22 County, as shown on Exhibit OGM 6 on page 38 of your  
23 agenda.

24                   A 66-acre portion of State Game Land No.  
25 75 is designated as Thomas Northeast Extension and is

1 proposed for the mining an estimated 485,800 tons of  
2 the Lower and Middle Kittanning coals. This project  
3 is an extension of and is immediately adjacent to  
4 Fisher's Thomas Northeast Mine operation on State Game  
5 land No. 75.

6           As part of the reclamation plan, Fisher  
7 Mining will also implement the Appalachian  
8 Reforestation Reclamation Initiative reclamation-type  
9 plan in order to achieve a forested post mining land  
10 use. The mining and reclamation plan will consist of  
11 leaving a coal barrier in place, adding a minimum of  
12 1,200 tons per acre of alkaline addition material to  
13 the pit floor to ensure alkaline post mining water  
14 quality and to control post mining groundwater flow  
15 into the existing Thomas Northeast permit.

16           The estimated surface mining support and  
17 coal royalty value of the proposed additional mining  
18 on the 66-acre tract has been estimated to be  
19 approximately \$3,200,000. Fisher has agreed to an  
20 advance surface mining support payment of \$1,500,000  
21 which, in addition to all merchantable timber values,  
22 will be deposited either into the Game fund or an  
23 interest-bearing escrow account for the future  
24 purchase of wildlife habitats, lands or other uses  
25 incidental to hunting, furtaking and wildlife resource



1 Thank you, Brad. Is there a motion?

2 COMMISSIONER MARTONE:

3 So moved.

4 COMMISSIONER PUTNAM:

5 Second.

6 PRESIDENT SCHLEMMER:

7 Properly moved and seconded.

8 Discussion?

9 COMMISSIONER HOOVER:

10 Mr. President, I would ask that we split  
11 this into two motions, the first motion being the  
12 original motion for the 66-acre tract and the second  
13 motion being the additional 314-acre portion.

14 PRESIDENT SCHLEMMER:

15 It has to be made as a motion.

16 COMMISSIONER HOOVER:

17 That would be my motion, to split it  
18 into two separate motions, one for the original  
19 66-acre tract and one for --- the second would be for  
20 the agreement for the exclusive rights to option  
21 Fisher Mining for the 314 acres.

22 PRESIDENT SCHLEMMER:

23 That's in the form of a motion?

24 COMMISSIONER HOOVER:

25 That's the motion.

1                   PRESIDENT SCHLEMMER:

2                   I'll need a second to that.

3                   COMMISSIONER LAYTON:

4                   I'll second it.

5                   PRESIDENT SCHLEMMER:

6                   Seconded by Commissioner Layton. Call  
7 for a vote.

8                   COMMISSIONER PUTNAM:

9                   Discussion.

10                  PRESIDENT SCHLEMMER:

11                  Discussion?

12                  COMMISSIONER PUTNAM:

13                  I have a couple questions, Mr.

14 President, for Director Capouillez. One is the --- if  
15 we break this into two parts, the first 66-acre  
16 portion, will it cause significant hardship on the  
17 operation if we delay this until the next meeting?  
18 That's my first question.

19                  MR. CAPOUILLEZ:

20                  The 66 acres, sir?

21                  COMMISSIONER PUTNAM:

22                  You're aware of whatever the mining  
23 operation --- where they're at and how long they have  
24 to go under the current operation?

25                  MR. CAPOUILLEZ:

1           Correct. Their planning schedule, their  
2 immediate need would be the 66 acres. And there's  
3 absolute validity in doing that mining. There's some  
4 positive need as far as the coal barrier to influence  
5 the alkaline addition, as well as the drainage for the  
6 wetlands that are being created there. It's my  
7 understanding they're probably about a year out from  
8 when they need to get into that area. But the  
9 permitting process entails that they initiate it early  
10 so they can go through the permitting process.

11                           COMMISSIONER PUTNAM:

12           And my second question would be is, on  
13 the 314-acre portion, we're essentially offering them  
14 an option on this lease. Do we normally do that? Do  
15 we normally offer options to other people to buy our  
16 property or buy our property rights?

17                           MR. CAPOUILLEZ:

18           For property rights?

19                           COMMISSIONER PUTNAM:

20           Yes. The right to mine or the right to  
21 cut timber. Do we normally ---?

22                           MR. CAPOUILLEZ:

23           Yeah, we'll do ---. I mean, like if you  
24 look at all our oil and gas leases, they're all  
25 allowed to be extended if they're currently in

1 production. So I mean, this isn't --- this isn't  
2 abnormal certainly from an oil and gas perspective.  
3 We've not done a lot of mining leases here lately.  
4 Normally, the mining leases entail the entire  
5 operation, but they always go while they're continuing  
6 to product --- you know, produce and so forth. And I  
7 know a lot of the companies, to include Fisher mining,  
8 try to plan ahead for just that reason, so they can go  
9 ahead and solicit contracts, what they call firm  
10 contracts as opposed to spot-market contracts. The  
11 more that they can get on their lease, the more they  
12 have the ability to move that coal and market that  
13 coal in the future. So a lot of the companies try to  
14 lease as much as they can and then mine and operate as  
15 they move forward.

16 COMMISSIONER PUTNAM:

17 Okay.

18 PRESIDENT SCHLEMMER:

19 Any further discussion? Commissioner  
20 Hoover?

21 COMMISSIONER HOOVER:

22 Mr. Capouillez, you said that there was  
23 an NRRQ, a National Resource Recovery Questionnaire  
24 that was sent out. Do you have the responses that  
25 were sent back for that questionnaire?

1                   MR. CAPOUILLEZ:

2                   Yeah. Staff would have that,  
3 absolutely. From the region, absolutely.

4                   COMMISSIONER HOOVER:

5                   Do you know what they are, what the  
6 responses were?

7                   MR. CAPOUILLEZ:

8                   Anecdotally, I can recall there was  
9 concern with regard to some of the timber operations  
10 as to, you know, when timber would be cut. Certainly  
11 anything that would be done out there from a mining  
12 perspective, the region and the staff would look at  
13 that and would have the ability to control that  
14 environment as far as what habitat creation would  
15 occur versus what --- you know, what would be done  
16 just by way of the mining. All of our leases are for  
17 the betterment. I mean, it's all secondary use for  
18 us. We don't just lease coal. And so, when we're  
19 looking at any kind of an operation, we're looking at  
20 acid treatment reclamation opportunities, habitat  
21 creation. I do know that there's some timber  
22 management projects in that area that would need to be  
23 looked at and considered. The option's written so  
24 that, you know, there would not be any obligation by  
25 way of the Commission to approve anything, just to

1 entertain the opportunity to do additional mining and  
2 additional reclamation and enhancement work.

3 COMMISSIONER HOOVER:

4 Would it be in your opinion then that  
5 the responses were more negative or more positive  
6 towards this operation?

7 MR. CAPOUILLEZ:

8 I'm going to say there's concerns, but I  
9 didn't see anything that --- where anybody was saying  
10 that, you know, they were in disapproval of it. And  
11 again, a lot of those concerns were concerns raised  
12 that, you know, we would take into account. If you  
13 were to just lease the property, then I would  
14 recommend that, you know, those concerns are extremely  
15 valid and we would have some additional work to do. I  
16 don't think anybody is in the position within the  
17 staff or the region to, you know, actually promote or  
18 effectuate a lease on that 300-and-some acres because  
19 we have not done the due diligence on that yet. But  
20 the option itself is --- the way we have it written is  
21 to entail such that there is no obligation if the due  
22 diligence would occur.

23 COMMISSIONER HOOVER:

24 Thank you.

25 PRESIDENT SCHLEMMER:

1 Commissioner Martone?

2 COMMISSIONER MARTONE:

3 Bill, could you describe our knowledge  
4 of history and relationship with Fisher Mining?

5 MR. CAPOUILLEZ:

6 Yes. Fisher Mining --- I'm going to say  
7 they've been on that mountain for 20 years, at least  
8 that I've been dealing with them, and certainly longer  
9 than that. There was a tremendous deep mine complex  
10 there that blew out and once the portals got filled up  
11 and the actual underground workings got filled up,  
12 created acid mine drainage, and blew out what was  
13 called Otter Run, which was a tributary to Pine Creek,  
14 and it killed --- absolutely killed all the fishery  
15 down through.

16 And when Mr. Blaschek, you know, started  
17 mining up there, the goal and the intent was to  
18 surface mine in daylight those areas and reclaim those  
19 areas, which he did and which brought back that stream  
20 from a dead stream back to, again, a trout fishery.  
21 And he's done an excellent job from that perspective.  
22 His mining operation has been well received as far as  
23 the sportsmen and habitat value that it's provided.

24 There's wetlands that we've created up  
25 there. In fact, we have fish in the wetlands. We've

1 seen osprey fly over. We've seen, on occasion, eagle  
2 fly over. You know, there is a lot of value added.  
3 And quite truthfully, it's because we've done it right  
4 and we've had a good working relationship with Fisher  
5 Mining Company, and they've done stuff that we've  
6 asked them to do. They've put in a lot of acid  
7 treatment systems. They've created the habitat that  
8 we need them to create. So it's been a very long,  
9 prosperous relationship, mutually beneficial.

10                   If you look at the option itself, one of  
11 the things you'll note there is it says it's exclusive  
12 and nontransferable. And the reason for that is  
13 simply because of the relationship we have with Fisher  
14 Mining. You know, we would certainly look differently  
15 on some other company coming in there based on the  
16 history and based on the things that we know need to  
17 be done, another company coming in there and just  
18 taking over the operation without there being a whole  
19 learning curve established behind that.

20                   COMMISSIONER MARTONE:

21                   Thank you.

22                   PRESIDENT SCHLEMMER:

23                   Further discussion? Commissioner  
24 Delaney?

25                   COMMISSIONER DELANEY:

1 I'm troubled with the 314 acres, Bill,  
2 with --- if we had said or if I read you properly, we  
3 haven't done due diligence yet to make sure we're a  
4 hundred percent sure on that area. I would rather be  
5 very conservative and say let's talk about that  
6 another day. Let's have further discussion on the 314  
7 acres before I would just say let's give them an  
8 option. Look at --- Chesapeake is good. Chief is  
9 good. Range Resources is good. They're all good  
10 until something happens. And I just really believe  
11 that before I sign off on an option for that type of  
12 acreage, I just think there's --- we need much more  
13 discussion.

14 PRESIDENT SCHLEMMER:

15 Further discussion? Commissioner  
16 Martone?

17 COMMISSIONER MARTONE:

18 I understand what Commissioner Delaney  
19 is saying, but this is an option. This is nowhere  
20 near the actual agreement to do any activity on land.  
21 At that time we would have all our Is dotted and Ts  
22 crossed when that day comes. And that would again  
23 come before the Board to be approved; is that correct?

24 MR. CAPOUILLEZ:

25 Correct. As I understand it --- and it

1 might be a better question for Chief Counsel, but as I  
2 understand the option, there's no obligation for the  
3 Commission to approve anything by way of additional  
4 mining within that area.

5 COMMISSIONER DELANEY:

6 I guess I would say then why did we  
7 write the option into this if we're going to have to  
8 vote on it again at some point in the future anyhow?

9 MR. ROE:

10 I guess if I may offer a comment. I  
11 mean, if you get into a competitive environment,  
12 Fisher Mining, they're already there, is clearly going  
13 to give us the best bid possible because they're  
14 overbid is --- would be done so much. And like,  
15 again, when we talk historically, based upon what  
16 they've done up there, if --- and the question is if  
17 we decide to lease the 314 acres, then Fisher Mining  
18 would have clearly the first choice to refuse that  
19 option. But we're not even talking about leasing that  
20 314 acres. But it does give them an idea of what  
21 might be possible for the future for them.

22 COMMISSIONER DELANEY:

23 And yet we haven't done due diligence  
24 yet, so I would rather reserve that until we have some  
25 additional information. Just my opinion.

1                   PRESIDENT SCHLEMMER:

2                   Further discussion? Commissioner  
3 Hoover, would you please repeat your amendment,  
4 please?

5                   COMMISSIONER HOOVER:

6                   The amendment on the floor was to split  
7 the agreement into two --- or for voting on the  
8 splitting portion of the 314 acres, to split it from  
9 the original motion. All those in favor signify by  
10 saying aye.

11 AYES RESPOND

12                   COMMISSIONER HOOVER:

13                   Opposed?

14                   COMMISSIONER MARTONE:

15                   No.

16                   COMMISSIONER HOOVER:

17                   One no. Motion to split.

18                   PRESIDENT SCHLEMMER:

19                   We'll move on to the original. It's  
20 been properly moved and seconded. Discussion? The  
21 original is the 66 acres.

22                   COMMISSIONER HOOVER:

23                   We're doing the original motion right  
24 now. We're going to take the vote on the 66 ---.

25                   MR. ROE:

1                   You're doing the original, as amended,  
2 which means you're voting on the first portion, which  
3 is the 66 acres.

4                   PRESIDENT SCHLEMMER:

5                   Right.

6                   MR. ROE:

7                   Okay.

8                   PRESIDENT SCHLEMMER:

9                   Thank you, sir.

10                  COMMISSIONER HOOVER:

11                  So the motion is on the original split  
12 motion of the 66 acres. All those in favor signify by  
13 saying aye.

14 AYES RESPOND

15                  COMMISSIONER HOOVER:

16                  Opposed? Motion passes unanimously.

17                  MR. ROE:

18                  Now you must vote on the second one.

19                  PRESIDENT SCHLEMMER:

20                  All right. Now, we vote on the second  
21 one.

22                  MR. ROE:

23                  You need to vote on the option now.

24                  PRESIDENT SCHLEMMER:

25                  I thought we voted on the option; no?

1                   MR. ROE:

2                   No. The amendment was to split it into  
3 two votes.

4                   COMMISSIONER PUTNAM:

5                   Now we can discuss the second item  
6 before we vote.

7                   PRESIDENT SCHLEMMER:

8                   Discussion on the second item?

9                   COMMISSIONER PUTNAM:

10                  Mr. President?

11                  PRESIDENT SCHLEMMER:

12                  Yes.

13                  COMMISSIONER PUTNAM:

14                  We've had a lot of discussion on this  
15 second part here. I think the appropriate thing might  
16 be to table this for another meeting. And I would  
17 entertain further discussion on that among the  
18 Commissioners. And hearing none, I might make a  
19 motion.

20                  PRESIDENT SCHLEMMER:

21                  There's been a motion.

22                  COMMISSIONER DELANEY:

23                  I'll second the motion.

24                  COMMISSIONER PUTNAM:

25                  I didn't make a motion. I would just

1 like further discussion on that particular point.

2 PRESIDENT SCHLEMMER:

3 Further discussion on tabling the  
4 motion?

5 COMMISSIONER PUTNAM:

6 No. We're discussing whether we want to  
7 vote on this one right now. Okay. I'll make a motion  
8 that we table the second part. So that amends the  
9 amendment to the original ---.

10 COMMISSIONER DELANEY:

11 And I'll second that motion.

12 PRESIDENT SCHLEMMER:

13 Mr. Secretary?

14 COMMISSIONER HOOVER:

15 Is there any discussion on that?

16 PRESIDENT SCHLEMMER:

17 Discussion on that? Hearing none ---.

18 COMMISSIONER HOOVER:

19 The motion on the floor to table the  
20 option agreement, the second portion of that surface  
21 coal mining agreement, all those in favor signify by  
22 saying aye.

23 AYES RESPOND

24 COMMISSIONER HOOVER:

25 Opposed?

1                   COMMISSIONER MARTONE:

2                   No.

3                   COMMISSIONER HOOVER:

4                   One no. It passes. Commissioner  
5 Martone.

6                   ATTORNEY BECHTEL:

7                   I am pleased to be able to bring up a  
8 supplement to your agenda, which I believe has been  
9 passed out to everyone, concerning an acquisition in  
10 Tioga County. Cummings Lumber Company, Inc., is  
11 offering for sale four tracts of land totaling 1,121.3  
12 acres, more or less, in Union Township, Tioga County,  
13 that is an indenture to Pennsylvania State Forest  
14 land, as shown on Exhibit RED 11, which I believe is  
15 attached to the supplement. The option price is  
16 \$3,150,000 lump sum to be paid with funds from  
17 third-party commitments for compensation of habitat  
18 and recreational losses. The property is forested  
19 with approximately 50 percent cherry, 45 percent maple  
20 and 5 percent mixed hardwoods. There are several open  
21 meadow wetland and forested wetland components  
22 throughout the property, with shrubs and hemlocks  
23 interspersed along the fringes. Other portions of the  
24 property have pockets of forested wetlands located on  
25 the flats. The area has good public access from

1 SR-2017, known as Ogdensburg Road, and is partially  
2 bisected by the Tioga River, which supports a  
3 well-known fishery and exceptional riparian habitats.  
4 The closest existing state game lands complex is State  
5 Game Land No. 12, which lies approximately ten miles  
6 to the east. The sellers are reserving the oil and  
7 gas, which is currently under lease. Any future oil  
8 and gas lease shall include terms and conditions  
9 stating any use of the surface and all planting and  
10 reclamation activities associated with future oil and  
11 gas development shall be directly coordinated with the  
12 Commission. Furthermore, Cummings Lumber Company,  
13 Inc., its successors and assigns shall pay the  
14 Commission any fees or consideration due under any  
15 current or future oil and gas lease as a result of  
16 surface impacts or use of the surface.

17 PRESIDENT SCHLEMMER:

18 Thank you, Brad. Do I hear a motion?

19 COMMISSIONER HOOVER:

20 So moved.

21 PRESIDENT SCHLEMMER:

22 Second?

23 COMMISSIONER LAYTON:

24 Second.

25 PRESIDENT SCHLEMMER:

1 Properly moved and seconded.

2 Discussion?

3 COMMISSIONER HOOVER:

4 I wanted to point out, I know we've gone  
5 through a lot of purchases and bonus payments, and I  
6 wanted to commend Mr. Capouillez and his team.

7 At this point, we're about to spend a  
8 little over \$6 million, about \$6.3 million on  
9 purchasing land here in the state to add to our state  
10 game lands, but we brought in a little over \$9 million  
11 in bonus payments. That does not include any payments  
12 for oil and gas that's extracted. So what a  
13 phenomenal job that these guys are doing to further  
14 the Game Commission and our agenda in purchasing land  
15 and promoting, you know, the sport of hunting.  
16 Congratulations are in order.

17 PRESIDENT SCHLEMMER:

18 Further discussion?

19 COMMISSIONER FOX:

20 I'd like to say I'm familiar with this  
21 area. Probably Bradford and Tioga County are the two  
22 areas of the state that's been the most heavily  
23 impacted by gas and oil. And it's certainly  
24 heartening for me that we've acquired something up in  
25 that area to help the sportsmen. Thank you for your

1 work.

2 PRESIDENT SCHLEMMER:

3 Commissioner Fox, I believe that you  
4 were the one who brought this to the attention of the  
5 Board, and we appreciate your work in that area, too.  
6 Further discussion? Hearing none, Mr. Secretary?

7 COMMISSIONER HOOVER:

8 There's a motion on the floor. All  
9 those in favor signify by saying aye.

10 AYES RESPOND

11 COMMISSIONER HOOVER:

12 Opposed? Motion passes unanimously.

13 PRESIDENT SCHLEMMER:

14 Moving on now to new business, other new  
15 business. First off, I would like to mention that the  
16 Board of Commissioners' Legislative Committee will be  
17 meeting with the Senate Game & Fisheries Committee and  
18 members of the House Fish --- Game & Fisheries  
19 Committee in the near future.

20 And for the record, as President of the  
21 Board, I would like to form a Quail Panel Committee to  
22 meet with staff regarding the current quail management  
23 plan. The committee will be --- Chairman will be  
24 Commissioner Jay Delaney, along with Commissioner Dave  
25 Putnam and Commissioner Tim Layton.

1                   And right now, anybody else who would  
2 like to add new business?

3                   COMMISSIONER PUTNAM:

4                   Mr. President, I have a couple comments.

5                   PRESIDENT SCHLEMMER:

6                   Go ahead, sir.

7                   COMMISSIONER PUTNAM:

8                   The first one, we discussed the bobcat  
9 plans and the river otter plans management plans  
10 yesterday. And our policy manual says that they must  
11 be approved by the Commissioners before released to  
12 the public for public comment. And I'd like to make a  
13 motion to release those two high quality plans.

14                  PRESIDENT SCHLEMMER:

15                  Commissioner Putnam has made a motion.  
16 Do I hear a second?

17                  COMMISSIONER DELANEY:

18                  Second.

19                  PRESIDENT SCHLEMMER:

20                  Properly moved and seconded.

21 Discussion? Hearing none, Mr. Secretary?

22                  COMMISSIONER HOOVER:

23                  Motion on the floor to release the river  
24 otter and bobcat plan to the public for public  
25 comment. All those in favor signify by saying aye.

1 AYES RESPOND

2 COMMISSIONER HOOVER:

3 Opposed? Motion passes unanimously.

4 PRESIDENT SCHLEMMER:

5 Thank you, sir. Commissioner Putnam?

6 COMMISSIONER PUTNAM:

7 Mr. President, I have one more item to  
8 discuss. We've been asked to list the cave-dwelling  
9 bats of Pennsylvania, the three species of bats as  
10 endangered. And by most measures, by the rate of  
11 decline of those bats, they do --- they are definitely  
12 in serious trouble. Any other species, I might be  
13 more inclined to list them, but I received about 500  
14 requests --- actually, about two requests, but 499  
15 form letters requesting those bats be listed. I  
16 replied to about every one of those with the standard  
17 comment that says I know these bats are in trouble. I  
18 believe we should be doing something. If you have  
19 anything to suggest that we may be able to do that  
20 would make a difference in the trajectory of the bats,  
21 I would be happy to consider it. I've not received a  
22 single response back to that.

23 We could list the bats as a feel-good  
24 measure, but that would be about as far as it would  
25 go. We need --- we actually need to take some --- I

1 think we need to take some measures to do things;  
2 however, it's a very complicated situation. And  
3 personally, I'm a little more aggressive than others.  
4 Maybe some might consider me to be reckless, but I do  
5 believe we're in a very serious situation, and there  
6 may be some things that can be done that would make a  
7 difference in this downward trajectory of the bats.

8           The one thing that I would comment on is  
9 listing them by the state would not do anything to  
10 protect the bats in the ground or would do very  
11 little. I think listing by the feds would be even  
12 much worse. I know there's certain legislation being  
13 considered about whether the state should be involved  
14 in listing, but the federal government is really the  
15 one that's really in the closet when it comes to  
16 listing these species. And whether we're talking  
17 about bats, mussels, whatever, the Fish & Wildlife  
18 Service is the one that really runs that show.

19           There have been numerous problems  
20 pointed out with listing. And I think if you look  
21 into the details, you'll find that the Game Commission  
22 has very little or no complaints about our management  
23 of bats. We already have bats that are listed. We're  
24 not receiving complaints. And I have never received a  
25 single complaint, I can tell you that, about the Game

1 Commission's handling of our listed bats. I hear  
2 complaints by the minute regarding some of the other  
3 agencies and the way they handle their listed species.  
4 I'll leave it at that.

5           The problem we have is white-nose  
6 syndrome. We know what the problem is, it's  
7 white-nose syndrome, and the problems are occurring  
8 underground. And what I'm suggesting now is --- Cal  
9 mentioned a few things yesterday at our meeting that  
10 we're working on a number of things, but our bat  
11 researchers are good. If I have a question, our guys  
12 are the guys I go to talk to about this. The  
13 resources that they have available to them are  
14 limited. There is a lot of federal money available,  
15 but I don't believe that we've done everything we  
16 could with the federal money that's available. And if  
17 --- as we just did with the quail, if the  
18 Commissioners have to help redirect some resources, I  
19 think we'd be more than willing to do that.

20           So I'm going to ask --- I'm asking the  
21 Executive Director and the staff to look at this issue  
22 very closely in the next 30 days and come back to us,  
23 as the Game Commission, and tell us --- not just the  
24 Commissioners, but all the --- have all the Game  
25 Commission involved in this effort, to see what can we

1 do reasonably. I'm not asking for extraordinary or  
2 unreasonable measures but anything that's reasonable.  
3 With the timetable, what would this item --- what is  
4 this item that we might possibly do. There are  
5 several antigens that may be useful. We have  
6 researchers working at Lock Haven University right now  
7 under contract with the Game Commission to look at a  
8 fungus that will attack another fungus. There are  
9 people working on bacteria that attack fungus. And I  
10 guess I would feel remiss if we sit here and watch  
11 this happen and, three years down the road, we find  
12 that there was an agent that could have helped these  
13 last surviving bats and we didn't take every measure  
14 we could to get that thing applied in the ground.  
15 There's a lot of what-ifs, a lot of, well, you have to  
16 think about the unintended consequences, but I guess  
17 my feeling is I don't want to sit here in two or three  
18 years and say, well, it's too bad we didn't do  
19 anything. And I'm not saying we're not doing  
20 anything, because we are.

21                   We had a talk yesterday on the --- and  
22 voted today on delisting the bald eagle. Recovery of  
23 the bald eagle, the actions that we took in the early  
24 days were not done by our biologists. They were done  
25 by a team of everybody in the Game Commission. Now,



1 that. Commissioner Putnam asked the staff and  
2 Executive Director to facilitate practices on  
3 cave-dwelling bats. And while the Commissioner is  
4 really astute and understands this issue really well,  
5 I think as a Board --- as a Board, we need to let the  
6 Executive Director know that we all share your same  
7 concerns. Or at least I can tell you Delaney agrees  
8 with Putnam on this issue. And perhaps other  
9 Commissioners have an opinion, but you're spot on,  
10 Commissioner Putnam. You know, I fully agree, our  
11 staff has done a remarkable job to date. We have some  
12 of the best in the business with our staff, but we  
13 need a full court press I think in the next 30 days,  
14 and I want to sign on as being part of that.

15 PRESIDENT SCHLEMMER:

16 Further discussion on that? I concur on  
17 that. Commissioner Putnam?

18 COMMISSIONER PUTNAM:

19 We got three now.

20 COMMISSIONER LAYTON:

21 We have more. When I first met with  
22 Cal, one of the things I said to him was that, you  
23 know, I recognize the fact that deer aren't the only  
24 animals we have in Pennsylvania, that I was concerned  
25 with what was going on with the bats. So I concurred.

1 I certainly support Commissioner Putnam.

2 PRESIDENT SCHLEMMER:

3 I see that Fox is ---

4 COMMISSIONER FOX:

5 Yes.

6 PRESIDENT SCHLEMMER:

7 --- nodding his head also. Commissioner  
8 Hoover?

9 COMMISSIONER HOOVER:

10 I would also like to point out that,  
11 looking at the decline of the bats, I mean, if we  
12 don't make a move within the next two years, we're not  
13 going to have any bats. I mean, the answer is we've  
14 got 90 percent or 90-some odd percent of the bats we  
15 have, and we're losing more every day. So yeah, I  
16 think ---.

17 PRESIDENT SCHLEMMER:

18 I believe we're done into the cave right  
19 now, ---

20 COMMISSIONER HOOVER:

21 Correct.

22 PRESIDENT SCHLEMMER:

23 --- okay, if that's proper. Any other  
24 new business? Hearing none, moving along here, I'd  
25 like to mention that the next working group meeting

1 will be December the 16th. That will be held in  
2 Harrisburg. And I'm going to cover --- the January  
3 Commission meeting will be held on January 26th, 27th,  
4 28th in 2014. Does the Commission wish to proceed  
5 with these dates? Gentlemen, just a yea or nay here.  
6 I'm getting a nod of heads yes.

7 YEAS RESPOND

8 PRESIDENT SCHLEMMER:

9 That being said, you're probably all  
10 aware that Executive Director Roe, this is his final  
11 meeting. And we would like to thank him. I have a  
12 few short notes here I would like to actually read.

13 Carl, on behalf of the Board of  
14 Commissioners, I would like to extend our thanks to  
15 your tenure with the Pennsylvania Game Commission. As  
16 Executive Director, you have served the Commission  
17 with new missions in all too numerous to mention. The  
18 recent Game Commission press release pretty well  
19 covered the bases on this. And I know you'll be  
20 extremely active in your retirement, and I suggest you  
21 might do a little fishing. I know he goes down to the  
22 shore and does that a lot. And again, I'd like to  
23 thank you for your time at the helm. And that being  
24 said, the Board would like to present a print in your  
25 honor. If you would come up.

1 OFF RECORD DISCUSSION

2 PRESIDENT SCHLEMMER:

3 He selected this one (indicating).

4 Thank you, sir. We'll get a group photo after ---.

5 MR. ROE:

6 I'm not going to say much because I got  
7 a hell of a lot of work to do in the next 90 days.  
8 No, it's been a real pleasure. I think one of the fun  
9 things about the job has been the --- getting to visit  
10 and get to know a lot of sportsmen's groups and  
11 conservation groups. And I would be remiss if I  
12 didn't mention the conservation groups also who are a  
13 part of all of our team. I guess I'm going to be  
14 around for another 90 days, so I'm not saying goodbye,  
15 but I just want to say it has been a great pleasure  
16 and honor to work with the men and women of the  
17 Pennsylvania Game Commission, the greatest people in  
18 state government, as you know, dedicated, loyal, and I  
19 couldn't ask for --- have a --- I had an awful lot of  
20 fun. Some days are more fun than others, but days  
21 were fun. So thank you very much, and I got to go to  
22 work, so ---.

23 PRESIDENT SCHLEMMER:

24 Carl, if you'd stay there for just a  
25 second, please, some of the Commissioners would like

1 to say a few words.

2 MR. ROE:

3 Well, sure. I'm sorry.

4 PRESIDENT SCHLEMMER:

5 Mr. Martone?

6 COMMISSIONER MARTONE:

7 I have to speak on Carl's leaving  
8 because it strikes me very poignantly. And as a  
9 student of Theodore Roosevelt, I use his quotes on  
10 many occasions. But in this case, I didn't have to go  
11 look for one. The two quotes that apply to my  
12 relationship with Carl and how I feel of him as the  
13 Executive Director were already on the top of my mind,  
14 so I'll state them clearly. According to Roosevelt,  
15 the best executive is the one who has sense enough to  
16 pick good men and, in Dot's case, good women, to do  
17 what he wants done, and then self-restraint enough to  
18 keep from meddling with them while they accomplish it.  
19 And I think that Carl's claim to fame.

20 The other quote that I think applies to  
21 our current Executive Director is one that I'm sure  
22 that Carl knows. And I'm not sure if all the Board  
23 has heard it, so I think it needs repeating. Again,  
24 from Roosevelt, it is not the critic who counts, nor  
25 the man who points how the strong man has struck

1 us --- stumbles, or where the doer of deeds could have  
2 done better. The credit belongs to the man who is  
3 actually in the arena, whose face is marred by dust,  
4 sweat and blood, who strives valiantly, who knows the  
5 great enthusiasm, the great devotions, and spends  
6 himself in a worthy cause, who, at best, knows the  
7 triumphs of high achievement, and who, at worst, if he  
8 fails, at least he fails while daring greatly, so that  
9 his place is never to be with the cold and timid souls  
10 who could neither experience victory or defeat. And I  
11 really think that applies to Carl.

12                   And I want to thank him for his tenure  
13 not for myself but for future generations who pick up  
14 the gun and the bow and the trap and who experience  
15 what I and many Pennsylvanians have gotten to  
16 experience because I think his legacy will be with  
17 those future generations. So I thank him. And I  
18 thank him very deeply from the heart. Thank you,  
19 Carl.

20                   MR. ROE:

21                   That is my favorite quote by Roosevelt.

22                   PRESIDENT SCHLEMMER:

23                   Anyone else wish to speak at this time?  
24 Commissioner Putnam?

25                   COMMISSIONER PUTNAM:

1                   I want to thank you, too, Carl. I know  
2 you and I might not necessarily agree on everything as  
3 we go along, but you've done a tremendous job for the  
4 Game Commission. I've been a student of the Game  
5 Commission and the Executive Director's for many, many  
6 years. I've personally known everybody since Glenn  
7 Bowers, and I will tell you, you've done a really good  
8 job. Thank you very much.

9                   MR. ROE:

10                   Thank you.

11                   PRESIDENT SCHLEMMER:

12                   Mr. Delaney?

13                   COMMISSIONER DELANEY:

14                   Yeah, I definitely would have to have  
15 something to say about Carl Roe. When I came on the  
16 Board in 2007, we rarely brought up the two words  
17 small game. And back in 2007 until today, if I  
18 remember one legacy that Carl will help leave is that  
19 it's not all about deer. It's about other species of  
20 wildlife. It's about getting kids involved in the  
21 sport. And it's about small game hunting. So Carl, I  
22 really believe that you helped us in that vision for  
23 the last several years to talk about there are other  
24 species in the Pennsylvania Game Commission, and small  
25 game hunting is the connection to it. So I really

1 believe you did a phenomenal job in what you did in  
2 that arena, and for that I'm thankful.

3 MR. ROE:

4 Thank you.

5 PRESIDENT SCHLEMMER:

6 Other comments?

7 COMMISSIONER FOX:

8 I've only been here a short time, but I  
9 will say, Carl, I feel very privileged to have had the  
10 opportunity to work with you and continue working with  
11 you for the next 90 days. Thank you for all that  
12 you've done.

13 MR. ROE:

14 Thank you.

15 PRESIDENT SCHLEMMER:

16 Anybody else?

17 APPLAUSE

18 PRESIDENT SCHLEMMER:

19 Any further business to be conducted at  
20 this meeting. Hearing none at this time, the meeting  
21 is adjourned. Thank you for coming.

22 \* \* \* \* \*

23 MEETING CONCLUDED AT 9:50 A.M.

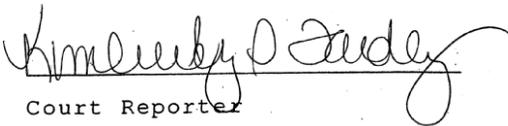
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CERTIFICATE

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I hereby certify that the foregoing proceedings,  
hearing held before President Schlemmer was reported  
by me on 9/24/2013 and that I Kimberly I. Faidley read  
this transcript and that I attest that this transcript  
is a true and accurate record of the proceeding.

  
Court Reporter