COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

QUARTERLY MEETING

BEFORE:    ROBERT W. SCHLEMMER, President
David J. Putnam, Vice President
Brian H. Hoover, Secretary
Ralph A. Martone, Commissioner
Jay Delaney, Commissioner
Ronald A. Weaner, Commissioner
Timothy S. Layton, Commissioner
Charles E. Fox, Commissioner
R. Matthew Hough Executive Director
Bradley C. Bechtel, Esquire Chief Counsel

HEARING:   Tuesday, January 28, 2014
           8:31 a.m.

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

WITNESSES: Cal DuBrook, Richard Palmer, Bill Capouillez

Reporter: Kayla Bolze
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APPEARANCES

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Good morning, ladies and gentlemen.

We’ll be starting our January 28th meeting call to order with the Pledge of Allegiance to the flag.

Pledge of Allegiance recited

Okay. Mr. Secretary, call to order.

Commissioner Schlemmer?

Commissioner Putnam?

Commissioner Hoover is present.

Commissioner Delaney?

Commissioner Weaner?
Present.

COMMISSIONER HOOVER:
Commisssioner Martone?

COMMISSIONER MARTONE:
Present.

COMMISSIONER HOOVER:
Commissioner Fox?

COMMISSIONER FOX:
Present.

COMMISSIONER HOOVER:
Commissioner Layton?

COMMISSIONER LAYTON:
Present.

COMMISSIONER HOOVER:
All are present.

PRESIDENT:
Thank you very much. I’m looking for a motion to approve the minutes of September 24th?

COMMISSIONER DELANEY:
So moved.

COMMISSIONER LAYTON:
Second.

PRESIDENT:
Moved and seconded. Mr. Secretary?

COMMISSIONER HOOVER:
For the motion on the floor to approve the minutes of the previous meeting, all those in favor signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
All opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries.

PRESIDENT:
Thank you. At this time, the Board would like to officially welcome Executive Director Matt Hough. Matt?

MR. HOUGH:
Thank you.

PRESIDENT:
Congratulations.

MR. HOUGH:
Thank you.

PRESIDENT:
If you’d say a few words here?

MR. HOUGH:
Well, I’d just like to thank the Board for having the confidence in me to put me in this position, for however long that may last. And just to
let everybody know, we’ll do the best we can do and keep moving this agency forward.

As Executive Director, it’s nice to have the employees and staff that we have. I won’t say it makes this job easier, but it certainly makes it a lot easier than it could be. So I’d like to just let everybody know we’re going to keep this thing moving in the right direction. Thank you.

PRESIDENT:

Thank you, sir. Now, I’d like to briefly turn the program over to Rich Palmer, as an award he’d like to make.

AWARD PRESENTATION

PRESIDENT:

Thank you very much. Brad? Let’s start off here with the Adopted Rule Making, please?

ATTORNEY BECHTEL:

The first item to come before the Commission today is from the Bureau of Administration. It regards Adopted Rule Making, the adoption of amendments to a proposal at its June 25th, 2013 meeting to amend Chapter 143, Subchapter B, relating to appointment of agents to eliminate the late fees for late agent applications, and also to make housekeeping amendments to the related text. These
are shown on pages three through five of your agenda.

PRESIDENT:
Do I hear a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT:
Mr. Weaner? Second?

COMMISSIONER MARTONE:
Second.

PRESIDENT:
Mr. Martone?

COMMISSIONER HOOVER:
Mr. President, I’d ---.

PRESIDENT:
Discussion?

COMMISSIONER HOOVER:
I’d like to offer an amendment to that.

PRESIDENT:
Yes, sir?

COMMISSIONER HOOVER:
I’d like to offer an amendment to 143.23 and 143.24 to reduce the minimum license sales number to 50 from the current levels of 200.

PRESIDENT:
143.2 ---?
COMMISSIONER HOOVER:
Three (3), and 143.24.
PRESIDENT:
Twenty-four (24).
COMMISSIONER HOOVER:
Specifically, it states to continue as an agent, a minimum of 200 licenses shall be sold each license year. I’d like to amend that to read, to continue as an agent, a minimum of 50 licenses shall be sold each licensing year. And it’s 143.24, if an agent sells less than the required 200 qualifying license in a given year. I’d like to read if an agent sells less than the required 50 qualifying licenses in a given year.
PRESIDENT:
Could you put that in the form of a motion?
COMMISSIONER HOOVER:
I’ll make a motion.
PRESIDENT:
Is there a second to that motion?
COMMISSIONER PUTNAM:
I’ll second it.
PRESIDENT:
Commissioner Putnam? Mr. Secretary,
walk through it, an amendment.

COMMISSIONER HOOVER:

There’s a motion on the floor for the amendment. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:

Opposed?

NO RESPONSE

COMMISSIONER HOOVER:

That motion carries.

PRESIDENT:

Okay. Thank you. Okay. We have to ---

ATTORNEY BECHTEL:

Yeah.

PRESIDENT:

--- hear a motion on the amendment. Oh, discussion on which. I’m sorry. Discussion at all?

COMMISSIONER LAYTON:

One thing, Mr. President. On 143.23, the second sentence, do you want to also make that 50? The qualifying license, for the purpose of calculating 200 licenses?

COMMISSIONER HOOVER:

Correct.

COMMISSIONER WEANER:
Mr. President?

PRESIDENT:
Yes, sir?

COMMISSIONER WEANER:
I’d be interested in hearing an explanation of why we’re amending it down to 50?

PRESIDENT:
Repeat that, please? I’m ---.

COMMISSIONER WEANER:
Sure. I’d be interested in hearing an explanation of why we’re amending it down to 50.

COMMISSIONER HOOVER:
We have several agents in outer lying areas that are not selling the required minimum 200 licenses, and are in jeopardy and receive letters every year, and are in jeopardy of losing their licensing agency. These licensing agents are areas where they’re not going to be qualified by any motion under the license, due to internet license sales as well as large organizations selling licenses. All we’re doing is making it convenient for everyone to get a license wherever they want to go.

COMMISSIONER WEANER:
Okay.

PRESIDENT:
Any further discussion? Okay. Call for a vote? Mr. Secretary?

COMMISSIONER HOOVER:
There’s a motion on the floor. It’s duly been seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed? The motion carries.

ATTORNEY BECHTEL:
The next item before the Commission is from the Bureau of Wildlife Management. It also concerns Adopted Rule Making. Adoption of amendments proposed at its September 24th, 2013 meeting, which would amend Section 133.21, relating to classification of birds, by removing the bald eagle from the list of threatened bird species in the Commonwealth. This change is shown on page seven of your Agenda.

PRESIDENT:
Do I hear a motion?

COMMISSIONER HOOVER:
So moved.

PRESIDENT:
Second on the motion?

COMMISSIONER MARTONE:
Second.

PRESIDENT:

Second, Mr. Martone. Discussion?

Hearing none, Mr. Secretary, call for the vote.

COMMISSIONER HOOVER:

Motion on the floor duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:

Opposed?

NO RESPONSE

COMMISSIONER HOOVER:

The motion carries.

ATTORNEY BECHTEL:

The next item is adoption of amendments proposed at its September 24th, 2013 meeting, amending Section 147.673 relating to eligibility and application for DMAP, to change the DMAP application deadline. This change is shown on page nine of your agenda.

PRESIDENT:

Is there a motion to that effect?

COMMISSIONER WEANER:

So moved.

PRESIDENT:
Second on the motion?

COMMISSIONER MARTONE:
Seconded.

PRESIDENT:
Mr. Martone. Discussion?

COMMISSIONER MARTONE:
Mr. President, just on the discussion of this, I would like to say that the Board has heard testimony from many of the stakeholders and our remote agents and staff ourselves. So those that are out there watching this, I assure you, there has been a lot of debate that’s gone into this the last few days. And I just wanted to offer that before we vote on it.

PRESIDENT:
Thank you. Further discussion? Call for the vote, Mr. Secretary?

COMMISSIONER HOOVER:
There’s a motion on the floor, and duly seconded. All those in favor, signify by saying aye.
AYES RESPOND

COMMISSIONER HOOVER:
Opposed?
NO RESPONSE

COMMISSIONER HOOVER:
Motion carries.
ATTORNEY BECHTEL:

The next item concerns proposed rulemaking to amend 58 Pa. Code Section 139.4, relating to seasons and bag limits for the license year, to provide updated seasons and bag limits for the 2014-2015 license year. Several changes in hunting seasons and bag limits, when compared with the 2013 to 2014 regulations, are being proposed. First, it is proposed that small game field possession limits be increased to three times the daily bag.

Migratory game bird possession limits were increased to three times the daily bag limit for the 2013 to 2014 hunting season. And this proposed change will make small game possession limits consistent with those for migratory game birds, and provide increased hunting opportunity, particularly for non-resident hunters. Staff has proposed to reduce the 2014 fall turkey season in WMUS 3A, 3B and 3C from three weeks to two weeks, while retaining the three day Thanksgiving hunt segment.

Also in regard to fall turkey seasons, it was proposed that the WMU 5A season be maintained to three days, but shifted from midweek to a Thursday through Saturday framework. Staff has suggested adding WMUs 2C and 4B to the Wednesday through
Saturday extended bear season that runs concurrent with deer season. Concerning furbearers, staff has proposed adding WMUs 1B and 3C to the fisher trapping season based on increased numbers of incidental captures and sightings during the past three years.

Finally, it’s proposed that all references to regulated harvest of skunks should specify the striped skunk. Spotted skunks, a species of conservation concern, have a very limited distribution and low abundance in southwestern counties in Pennsylvania, and should be excluded from any regulated harvest. The actual text appears on pages 12 through 19 of your Agenda.

PRESIDENT:
Is there a motion?

COMMISSIONER HOOVER:
So moved.

COMMISSIONER WEANER:
Seconded.

PRESIDENT:
Properly moved a second. Discussion?

Commissioner Martone?

COMMISSIONER MARTONE:
Commissioner President, are we going to address this page by page at this time?
PRESIDENT:

Yes. We’ll go page by time --- page.

Okay. Discussion beyond that? Mr. Secretary, you can go ---.

COMMISSIONER MARTONE:

No, wait. No wait, stop.

PRESIDENT:

Oh, wait.

COMMISSIONER MARTONE:

Discussion of page 12.

PRESIDENT:

Oh, we’re going to start? Okay.

COMMISSIONER HOOVER:

Let’s do it one page per page.

PRESIDENT:

All right. Go ahead.

COMMISSIONER MARTONE:

Commissioner President?

PRESIDENT:

Commissioner Martone?

COMMISSIONER MARTONE:

On page 12, I’d like to propose a change for the squirrel seasons. As you can see, it is proposed for a Junior Hunt only October 11th, and the greater squirrel season as October 18th. As we
discussed last year, I’d like to propose a September 13 start for both the junior hunt and the regular squirrel season, September 13th on both of those dates.

PRESIDENT:
Any other discussion on page --- on this page? All right. Can I hear a motion to that effect?

COMMISSIONER MARTONE:
Yes. yeah.

PRESIDENT:
It’s got to be your motion.

COMMISSIONER MARTONE:
I motion to change the October 11th on the Junior Hunt only to September 13th, and to change October 18th to September 13th.

PRESIDENT:
Do I hear a second?

COMMISSIONER FOX:
Second.

PRESIDENT:
Mr. Fox, second. Discussion?

COMMISSIONER MARTONE:
As we discussed with this last year, you know, we thought that this was an --- established last year that this was an underutilized resource. One of
the things we hear from a lot of our stakeholders is that they need more time, more opportunities. I think this extended this time.

There’s very few weekends in October, November, and December that we can add more time to the calendar. This one of those opportunities where we can extend the calendar and offer that opportunity. And I believe, you know, that this is a very safe alternative.

This will be --- squirrel hunters would be the only ones in the woods during the three --- first three weeks of the season. There’d be no competition with archers, no competition with other hunters. And I think that it offers a great opportunity for our youth to get out there and hunt.

And we’ve been seeing quite a few of our customers sending us e-mails requesting the season. I was surprised how many e-mails we’ve gotten at that point. So there is an interest in this type of season.

And this brings us into compliance with a lot of our neighboring states, who also offer a September squirrel season. And for those reasons, I’d like the Board to support this change. Thank you.

PRESIDENT:
Further discussion?

COMMISSIONER FOX:

Mr. President?

PRESIDENT:

Mr. Fox?

COMMISSIONER FOX:

Yes. Any comment, did you say?

PRESIDENT:

Further discussion.

COMMISSIONER FOX:

No. Okay.

PRESIDENT:

Hearing none, Mr. Secretary, call for the vote.

COMMISSIONER HOOVER:

There’s a motion on the floor duly seconded. All those in favor signify by saying aye.

COMMISSIONER MARTONE:

Aye.

COMMISSIONER FOX:

Aye.

COMMISSIONER HOOVER:

Opposed? No.

COMMISSIONER DELANEY:

No.
COMMISSIONER PUTNAM:
No.

COMMISSIONER WEANER:
No.

COMMISSIONER LAYTON:
No.

COMMISSIONER HOOVER:
Motion fails.

PRESIDENT:
Any further discussion on page 12?  Page 13?  Fourteen (14)?  Fifteen (15)?  Sixteen (16)?  Seventeen (17)?  Eighteen (18)?

COMMISSIONER DELANEY:
Yes, Mr. President.

PRESIDENT:
Mr. Delaney?

COMMISSIONER DELANEY:
At the bottom of page 18, under the picture, I would like to make an amendment to add 3B, WMU 3B, as in boy, to that list.

PRESIDENT:
Do we have a motion?

COMMISSIONER HOOVER:
Second.

PRESIDENT:
Movement seconded. Any discussion?

COMMISSIONER DELANEY:

Mr. President, under discussion, I would just like to add, the reason why I’m making this amendment is based on our furbearer biologists. We have to allow all of this discussion and staff before to this Board yesterday, and that’s why I’m asking for the Board to consider the amendment, this amendment.

PRESIDENT:

Further discussion? None. Call for the vote, Mr. Secretary?

COMMISSIONER HOOVER:

There’s a motion on the floor. It’s duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:

Those opposed?

NO RESPONE

COMMISSIONER HOOVER:

The motion carries.

PRESIDENT:

Continuing page 19.

COMMISSIONER PUTNAM:

Mr. President?
PRESIDENT:  
I’m sorry?  

COMMISSIONER PUTNAM:  
I’d like to make an additional amendment to this page.  

PRESIDENT:  
All right.  

COMMISSIONER PUTNAM:  
Under the mink and muskrats, the proposal is for the first day, November 22nd, the last day, January 4th. That season was actually shortened last year by a week due to a calendar change. And yesterday, we heard testimony.  

Or the day before, we heard testimony requesting an extension to January 11th. I’m proposing that we amend the mink and muskrat season to end on January 11, 2015.  

PRESIDENT:  
Motion. Second? Second to motion?  

COMMISSIONER HOOVER:  
Second.  

PRESIDENT:  
Commissioner Martone?  

COMMISSIONER MARTONE:  
Director, you brought --- would you
weigh in on this? Is there something that’s supported by Wildlife Management?

MR. HOUGH:
I think there is, Commissioner. Yes.

COMMISSIONER MARTONE:
Thank you.

PRESIDENT:
Further discussion? Hearing none, Mr. Secretary?

COMMISSIONER HOOVER:
The motion on the floor has been duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries.

PRESIDENT:
Page 19? Call for a vote on the original season bag limits?

COMMISSIONER HOOVER:
There was a motion on the floor that was duly seconded onto --- covering seasons and bag limits. All those in favor signify by saying aye.
AYES RESPOND

COMMISSIONER HOOVER:

Opposed?

NO RESPONSE

COMMISSIONER HOOVER:

The motion carries.

COMMISSIONER WEANER:

Mr. President, a point of order here. I should have mentioned this earlier on, but whenever we vote and there’s a split vote, are we not required to --- required to record who voted yes and who voted no for the public record? I mean, we always did before. And I guess I’m asking, if we do, I’ll support it in the matter.

PRESIDENT:

I ask legal counsel on that.

ATTORNEY BECHTEL:

My understanding is, you’re not required to do so. You have done so in the past, and if that’s the Board’s desire ---.

COMMISSIONER WEANER:

Okay. I’m good with that, then. Thank you.

COMMISSIONER MARTONE:

Mr. President, wouldn’t we even have to
vote on the amended motion at that point? I mean, that ---.

PRESIDENT:
You’re correct on that.

COMMISSIONER WEANER:
We did vote on the amendment, though, Jay.

COMMISSIONER MARTONE:
Oh, okay. We didn’t hear that out here.

COMMISSIONER WEANER:
It wasn’t said that way, but it was voted on.

PRESIDENT:
Yeah, we did.

COMMISSIONER MARTONE:
It was understood. I understand.

PRESIDENT:
Okay. Thank you.

ATTORNEY BECHTEL:
The next item before the Commission is to amend 58 Pa. Code Section 141.47. In 2004, the Board of Commissioners adopted regulations creating a 150 yard safety zone for elk along the Route 555 corridor from Weedville to Hicks Run to address problems with road hunting and the killing of highly
visible elk in yards and public places. The staff and local officers no longer believe this specially designated safety zone is needed.

And that established laws and regulation can police the hunters. And that some of the animals that need removed may be harvested with this safety zone legally and ethically. The Commission is proposing to amend Section 141.47, relating to elk, to eliminate the 555 corridor safety zone, as shown in your agenda on page 20 below the text.

PRESIDENT:
Is there a motion?

COMMISSIONER DELANEY:
So moved.

PRESIDENT:
Commissioner Delaney? Second?

COMMISSIONER MARTONE:
Second.

PRESIDENT:
Commissioner Martone. Discussion?

Hearing none, Mr. Secretary ---?

COMMISSIONER PUTNAM:
President, I would just ask that ---.

This is something that the regional staff has proposed after evaluating the situation up there.
PRESIDENT:
Further discussion? Mr. Secretary?

COMMISSIONER HOOVER:
The motion on the floor has been duly seconded. All those in favor signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries.

ATTORNEY BECHTEL:
The next item before the Commission comes from the Bureau of Wildlife Protection. And it concerns Adopted Rule Making, the adoption of amendments proposed at its September 24th, 2013 meeting to Section 135.14, relating to state game lands, to limit the availability of the fire exception to licensed hunters, trappers or fisherman and through hikers within the corridor of the Appalachian Trail. This text is shown on page 22 of your Agenda.

PRESIDENT:
Thank you. Do I hear a motion?

COMMISSIONER HOOVER:
So moved.
COMMISSIONER WEANER:
Second.

PRESIDENT:
Second on the motion?

COMMISSIONER HOOVER:
It’s Commissioner Weaner.

PRESIDENT:
Mr. Weaner? Discussion? Hearing no discussion, call for the vote, Mr. Secretary.

COMMISSIONER HOOVER:
There’s a motion on the floor that’s been duly seconded. All those in favor signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion passes.

ATTORNEY BECHTEL:
The next item before the Commission is a Proposed Rule Making to amend 58 Pa. Code Section 141.62. Current regulations prohibit a person from trapping beaver using a body-gripping trap larger than 10 inches by 10 inches. The Commission recently
received a request to expand the trap authorization to 10 inches in height to 12 issues in width to accommodate certain commercially available products.

The Commission has reviewed applicable safety and wildlife management concerns and determined that this nominal expansion of authorized body-gripping traps will not have a negative impact on the wildlife resources of this Commonwealth.

The Commission is proposing to amend Section 141.62, related to beaver trapping, to expand the trap authorization to 10 inches in height to 12 in width, and additionally, require a single offset trigger positioned in parallel not more than 1.5 inches from either vertical section of a set trap.

This text is shown on page 23 below the commentary.

PRESIDENT:
Thank you. Is there a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT:
Commissioner Weaner? Second?

COMMISSIONER PUTNAM:
Seconding.

PRESIDENT:
Commissioner Putnam? Discussion?
Hearing none, Mr. Secretary, call for the vote.

**COMMISSIONER HOOVER:**

The motion on the floor has been duly seconded. All those in favor signify by saying aye.

**AYES RESPOND**

**COMMISSIONER HOOVER:**

Opposed?

**NO RESPONSE**

**COMMISSIONER HOOVER:**

Motion carried unanimously.

**ATTORNEY BECHTEL:**

The next item before the Commission is a proposal to amend 58 Pa. Code, Sections 131.2, 141.43, 141.44, 141.45 and 141.47. Current regulations prohibit a person from hunting big game using an arrow or bolt equipped with a broad head exceeding three inches in length. The Commission recently received a request to lengthen the broad head length limitation to 3.25 inches to authorize certain handmade and commercially sold products.

The Commission has reviewed applicable safety and wildlife management concerns, and determined that this nominal expansion of authorized broad heads will not have a negative impact on the wildlife resources of this Commonwealth. The
Commission is proposing to amend the sections referenced above to lengthen the broad head length limitation from 3 to 3.25 inches. These changes are shown on pages 24 through 26 of your Agenda. And I do understand that there are replacement pages for pages 25 through 26.

PRESIDENT:
Is there anything special with that?

ATTORNEY BECHTEL:
No.

PRESIDENT:
Do I hear a motion?

COMMISSIONER HOOVER:
So moved.

COMMISSIONER WEANER:
Second.

PRESIDENT:
Got moved and seconded. Discussion?

COMMISSIONER DELANEY:
Yes, Mr. President.

PRESIDENT:
Mr. Delaney?

COMMISSIONER DELANEY:
The public may be wondering, why would we even take a look at something like this? Or, how
does something like this get started. And not to drag
this on today.

Rich, can you just give us just a brief
synopsis of how this started a year ago, and how we
got to now make this important for the supporting
public to see? They can make a suggestion. It might
take some time, but we’ll take a hard look at it. But
I think if you could just give us the shortened
version of where we came from and how we got to this
point?

MR. PALMER:
Yes. The way that this whole outfit was
initiated was a PA Game Show, actually a very well
drafted letter and explanation of the request to
expand some of the authorizations, supported with some
scientific evidence that I believe was submitted to
yourself, as well as some of the other Commissioners.
The result was, some of the Commissioners sent it down
to the Bureau for evaluation. We took a look at it.

We said we didn’t want to take any
immediate action. But we would continue to look at
it. And if we went to the archery section, we would
certainly consider making that change. We came out
and were ready to assemble on the change immediately
upon receiving that. So we were going into this
section. We would fix some other things that we were looking at. We followed through with our amendment. It was going to be difficult, but we were going to continue to look at that when we were looking through that section. So this is a follow-up to that initial communication, even though it was about a year ago.

COMMISSIONER DELANEY:
I appreciate that. And I think that it shows that the system works. So thanks your work on that matter.

COMMISSIONER MARTONE:
Mr. President? I would like to add --- and again, thank you, Director Palmer --- that this was started by a single individual’s request. But we also are cleaning up some language in here. And that’s what replacement address is, they’re eliminating the --- too pages on the same claim, which made it very confusing for to people to read the broadcast.

So that cleans up some language that a lot of our archers had questions on, as well. So I think that this handles several issues at one time.

COMMISSIONER DELANEY:
That’s correct. And the requested pages
that were handed out is only a minor change to make
the individual definition to the requirements for the
different species consistent with the general
definition. Thank you.

PRESIDENT:
Further discussion? Hearing none, Mr. Secretary?

COMMISSIONER HOOVER:
There’s a motion on the floor that’s been duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion passes unanimously.

ATTORNEY BECHTEL:
And the next item before the Commission concerns amendments to Section 141.1 and creates Sections 147.681 through 147.687. On March 31st, 2010, the Commission’s three year evaluation of the effectiveness of a broad scale and widely accessible authorization permitting the baiting of white-tailed deer across the southeast special regulations areas
expired. The Commission’s final review of the baiting authorization generally concluded that broad scale and widely accessible baiting did not establish viable increases in harvest rates to justify an extension of the experimental program.

On February 1st, 2011, the Commission amended Sections 147.552 and 147.556, relating to application, lawful devices and methods, to create a focus test, limited authorization permitting the baiting of white-tailed deer in wildlife management units 5C and 5D on approved properties enrolled in the Red Tag program. The Commission is proposing to amend Section 141.1 and create Sections 147.681 through 147.687 to create and implement a deer attractant permit to authorize limited baiting activities on private property in the southeast special regulations area. These changes are shown on pages 27 through 30 of your agenda.

PRESIDENT:
Is there a motion?

COMMISSIONER HOOVER:
Motion.

PRESIDENT:
Second on the motion?

COMMISSIONER WEANER:
Second.

**PRESIDENT:**

While moved and seconded, any discussion? Commissioner Martone?

**COMMISSIONER MARTONE:**

Director Palmer, I do have a question for the first commentary. I am not in favor of baiting, but this is specific to solve a specific problem. And there’s special regulations there in the Code.

You know, I do support it. If this was a statewide issue, I would be adamantly against that. But you know, it seems that we need in the state this ---. Does the Executive Director have authorization to stop this, if there was CWB issued in that special regulations area? Is there a provision for that in here?

**MR. PALMER:**

Yes, there is.

**COMMISSIONER MARTONE:**

Okay.

**PRESIDENT:**

Further discussion? Mr. Secretary?

**COMMISSIONER HOOVER:**

The motion on the floor, and duly
seconded. All those in favor, signify by saying aye.
AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
Motion passes unanimously.

ATTORNEY BECHTEL:
The next item concerns an amendment to Chapter 147, Subchapter 10. Since the successful implementation of the Mentored Youth Hunting Program in fall of 2006, the Commission has been striving to find a way to apply the successes of this mentor-based program to Pennsylvania’s non-hunting adults. The Commission determined that such a program could entice increased adult participation in the Commonwealth’s great hunting heritage by streamlining their introduction to the sport of hunting.

On May 15th, 2013, Governor Corbett signed into law Senate Bill 623 to authorize the Commission to implement a Mentored Hunting Program in Pennsylvania. The Commission is proposing to amend Chapter 147, Subchapter 10, to create and implement a Mentored Adult Hunting Program in Pennsylvania. This program will maintain the mentor-based structure of
the Mentored Youth Hunting Program, but will have
different species allowances, costs, and safety
features.

Adult participants will now be able to
apply for and receive a Mentored Adult Hunting Permit
through the PALS system at any of the Commission’s
issuing agent locations across the Commonwealth prior
to participating in the program.

Permit application will require
participants to supply the required identification
information and pay a fee of $19 for residents and
$100 for non-residents, plus any applicable
transactional and issuing agent fees. The text of
this amendment is shown on pages 31 through 35 of your
agenda. And I again understand there is a replacement
page for page 34, which I believe is available.

COMMISSIONER WEANER:
We’ll move.

COMMISSIONER FOX:
Second.

PRESIDENT:
Discussion? Hearing none, Mr.
Secretary, call for the vote.

COMMISSIONER HOOVER:
There’s a motion on the floor, and duly
seconded. All those in favor, signify by saying aye.
AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carried unanimously.

ATTORNEY BECHTEL:
The next item before the Commission is to amend 58 Pa. Code 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 2014-2015 hunting license year. This text is shown on pages 36 through 38 of your agenda.

PRESIDENT:
Is there a motion to accept?

COMMISSIONER HOOVER:
So moved.

PRESIDENT:
Second?

COMMISSIONER WEANER:
Second.

PRESIDENT:
Properly moved into second. Discussion?
Mr. Secretary, call the vote.

COMMISSIONER HOOVER:
The motion on the floor and duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
Motion carries unanimously.

ATTORNEY BECHTEL:
The next item is from the Bureau of Wildlife Habitat Management. It concerns a donation of land --- State Game Land Number 203, Allegheny County. Anthony Gagliardi and Carol Lund are offering a donation of 42 and a half, more or less, acres of land in Springdale Township, Allegheny County, as shown on Exhibit RED 1 on page 40 of your agenda.

The property is located approximately 16 miles southeast of State Game Land Number 203. Mr. Gagliardi and Ms. Lund will retain the oil and gas rights. Approximately 38 acres of the property is comprised of mixed northern hardwoods, with the remainder of the property in reverting old fields and small forest openings. The property is accessed from
High Street, and is bisected by Crone Hollow Road.

PRESIDENT:
Do I hear a motion?

COMMISSIONER LAYTON:
So moved.

PRESIDENT:
Is there a second?

COMMISSIONER MARTONE:
Second.

PRESIDENT:
Commissioner Martone. Discussion?

Hearing none, Mr. Secretary, call for the vote.

COMMISSIONER HOOVER:
There’s a motion on the floor duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries unanimously.

ATTORNEY BECHTEL:
The next items concern acquisitions.

Contract Number 3657, State Game Lands Number 314 in Erie County. The Western Pennsylvania Conservancy is
offering for sale 53.7, more or less, acres in Springfield Township, Erie County located south of State Game Land Number 314, as shown on page 44 of your agenda.

The option price is $47,525 lump sum.

WPC is working in conjunction with the U.S. Fish and Wildlife Service to acquire the property through funding available through the Great Lakes Restoration Initiative, Joint Venture Habitat Restoration, and Protection Grant program. The Game Commission has agreed that no use of the surface for oil and gas exploration, production, removal or sale shall be allowed on the premises. The tract is mostly forested, mostly northern hardwoods with an oak component. And at least three species of special concern plants are located on the property.

A tributary to Turkey Creek with a vernal pool is located on the property. And access to the property is from State Route 5 and Crayton Road, Township Road 322.

The next contract, Number 3658, is State Game Lands Numbers 54 and 195 in Jefferson County. Green Hills Land Company, LLC, is offering for sale two tracts of land. One’s a 26, more or less, acre interior into State Game Land Number 54 in Snyder
Township, Jefferson County, shown on Exhibit RED 3 on page 45 of your Agenda. And the other is 1,967, more or less, acres in Gaskill and Henderson Townships, Jefferson County, adjacent to Game Land Number 195. And it also adjoins State Game Land Number 87 to the east, as shown on Exhibit RED 4 on page 46 of your Agenda. Hanak Limited Partnership is offering 163.36, more or less, acres, additionally, in Henderson Township, Jefferson County, located north of State Game Land Number 195, also shown on Exhibit RED 4 on page 46 of your agenda. The option price for the three properties is $2,400,000 lump sum.

The third-party commitments will pay for this from habitat and recreational losses that previously occurred on State Game Lands. The 26-acre interior is forested with northern hardwoods and ironwood, mountain laurel, and grapes in the understory. Three branches of an unnamed tributary to Toby Creek flow through the property.

Access is from existing State Game Lands. The 1,967 acres is made up of 12 parcels, with approximately 1,012 acres of northern hardwoods, 955 acres of shrub lands and reverting fields. Small wetlands and mining-related water impoundments are present.
Lost Run and Laurel Run flow through the property. Access is from Filtering Plant Road and East Branch Road. The 163 acre parcel is also forested with northern hardwoods. And the East Branch of the Mahoning Creek, a stocked trout stream, and unnamed tributaries flow through the property. Access is from Branch Road.

Contract 3659, which is in State Game Land Number 311 in Elk County. Richard and Michele Vollmer are offering 81.63, more or less, acres of land in Benezette Township, Elk County adjacent to State Game Land Number 311, as shown on Exhibit RED 5 on page 47 of your agenda. The option price is $399,000 lump sum.

The Rocky Mountain Elk Foundation has also pledged $100,000 toward the cost of purchasing the property. Mr. and Mrs. Vollmer will retain the oil and gas rights. The property is divided by a mix of woodlots consisting of northern hardwoods and conifers, and shrub lands with grass fields.

There is a spring flowing into a one-half-acre pond located on the property. The property is located in the center of the range of the largest elk sub-population in Pennsylvania, making this a prime elk viewing opportunity. Winslow Hill Road
bisects the property.

Contract Number 3660, State Game Land Number 25 in Elk County. The Conservation Fund is offering for sale 12,911, more or less, acres of land in Jones Township, Elk County adjacent to State Game Land Number 25 on the east, as shown on Exhibit RED 6 on page 48, and adjoining the Allegheny National Forest on the west. The Conservation Fund will reserve the timber, except for conifers, white oaks, walnut, and apple trees.

The timber right shall be exercised in accordance with the terms and conditions of the Commission’s timber harvesting provisions and best management practices. The term of this reservation is 25 years. The purchase price may be made in one lump sum payment of $12,170,058 or in a series of phased closings, with no more than five annual installments.

These installment payments may be paid in cash. Or in lieu of said payment, the Commission, at its sole discretion, may choose to elect to transfer to TCF timber from other State Game Lands tracts. The revenue would be meeting the payment obligation.

The property is mainly forested with mixed northern hardwoods, with a small component of
mixed conifers in locations, interspersed with forest openings. Many streams, tributaries, and upland wetland areas are located on the property, and include the West Branch of the Clarion River, Clearwater Run, Silver Creek, Little Mill Run, Wolf Run, Little Wolf Run, and Meffert Creek, with several of these streams containing wild trout. The property is bisected by Route 219 and has multiple access points from township roads.

Contract Number 3661, State Game Land Number 147 in Blair County. Paul Good is offering for sale 642.69, more or less, acres of land located in Frankstown Township, Blair County, adjacent to State Game Land Number 147, as shown on Exhibit RED 7 on page 49 of your agenda. The option price is $1,150,000 to be funded by habitat mitigation commitments for impacts to state and federally listed species.

The presence of Eastern Small-footed Myotis is a Pennsylvania threatened species, and Indiana Bat, a Pennsylvania and federally listed endangered species, is the impetus for the mitigation funding, and will require U.S. Fish and Wildlife Service’s approval before the property can be purchased. The property is forested, with
approximately 72 percent in mixed oak, with the remainder in mixed hardwoods. There are two small forest openings, less than one acre in size.

And several intermittent streams cross the property. There is a ranch house with a detached garage and a small pavilion on the property. A gravel road bisects the property. And access is from Locke Mountain Road.

And Contract Number 3662, State Game Land Number 239, in Bradford County. Evergreen Land Development, LLC, is offering for sale 175.5, more or less, acres of land in Athens and Smithfield Townships, Bradford County, adjacent to State Game Land Number 239, as shown on Exhibit RED 8 on page 50 of your agenda. The option price is $451,000.

Approximately half of the property is comprised of mixed hardwoods, and the remaining portion in grassland and reverting fields, with sections containing various evergreens of varying heights, which were originally planted for sale as Christmas trees. The landowner excepts and reserves the oil and gas. Access to the property is from Blakeslee Road, Chapel Road and Bluebird Road.

PRESIDENT:

Thank you, Brad. Do I hear a motion?
COMMISSIONER DELANEY:
So moved.

PRESIDENT:
Commissioner Delaney? Second?

COMMISSIONER LAYTON:
Second.

PRESIDENT:
Several. Discussion?

COMMISSIONER DELANEY:
Yes, Mr. President. Contract 3662, in Bradford County, we, three years ago ---. The Board, part of our goal was to look for additional land in Bradford County. And the Bureau of Wildlife Management, I think it did that, the entirety of this work was trying to find something in the area. And it’s really, really difficult to find land.

As we start to drill on State Game Lands 36, there’s certainly going to be a disruption to the sportsmen. But I think this is an excellent trade off to the piece of property, the value, the small game you have --- that’s on this property, I think, goes a long way.

In addition to that, my math could be wrong. I believe there’s probably about 17,000 acres of property here, just to take a little bit. It
boggles my mind that we’re sitting here today, talking about an acquisition of almost 17,000 acres. You know, I fully support all of these acquisitions.

PRESIDENT:
Commissioner Martone?

COMMISSIONER MARTONE:
I have to concur with Commissioner Delaney. When you start looking at these as being part of the norm, you’re ignoring a lot of work and a lot of hard work that went into this. Anybody that’s ever gone out to try to buy one acre knows the pain of just doing that little transaction.

And yet, we’re able to have people that put these kind of packages together. It’s remarkable, and there’s --- you know. We have the easy part. Brad reads it. We vote on it. But there was an awful lot of it went in behind it that I think should be acknowledged.

So I thank Director Capouillez for all the hard work for him on down the line. So thank you, Mr. Capouillez.

PRESIDENT:
Commissioner Putnam?

COMMISSIONER PUTNAM:
I might as well get up on that
bandwagon. This really is ---. Taking the time to read these things in detail and try to understand what we’re voting on right now, the amount of work involved here is tremendous.

Some of the deals, and particularly the position of State Game Lands 25 in Elk County, to read that, to understand it, and to understand the work that went into --- to putting something like that together is well worthwhile. I mean, this is a very complex deal. You will not find many state agencies with a staff that have the courage and wherewithal to put something like this together.

There are some pitfalls in this, in some of the timber reservations and things. It takes some guts to go forward with this type of proposal. And I think our staff is surely unmatched by any other state agency for having the ability to put things like this together.

The payment for these --- for this land which is a huge accomplishment for any state agency, is coming from the impacts that we’re bearing on other properties. It’s going --- you know, coming out of escrow account for the money that we voted on in previous meetings, when we made --- offered oil and gas rights up. It’s what’s being used to pay for
these things.

I think I would ask Director Capouillez to, maybe, comment a little bit on that, on our escrow account and our escrow funding. We’re open and transparent. Everything we do is done at these public meetings. Yet, everybody still seems to still have questions about where we stand and how much money we have, and where it comes from, and where it goes to. So would you just give us a little thumbnail of that, Bill?

MR. CAPOUILLEZ:

Absolutely. You know, what you’re looking at is really unprecedented, given --- for what the staff’s been able to put together in the past. You’re looking at nearly 30 square miles. And when you try to walk 30 square miles --- I challenge you to do that in any given day.

It’s 30 square miles. And the staff, as you’ve known, they accept the --- that we have verbatim on where to acquire this acreage. You see here a donation. You see a timber land exchange. You see a right-of-way exchange. You see the elusive Indiana Bat escrow for threatened species. You see what was left of Penn State money, back when we did a deal with U.S. Fish and Wildlife. And you think of
all those funding needs. And you see use of the
escrow from the third-party commitments. You see use
of the Game Fund. And you also see an option bid.

So absolutely everything that we have
available to us, we utilize in the staff in regions to
acquire this land. One of the other things that
you’ll note is the fact the agency has really taken to
heart that need to put early succession and have this
out on the ground. You heard from the commentaries
yesterday and Sunday, the need for early succession
habitat not only for our small game species, but for
our big game.

You need to do that. And what we can we
do in order to achieve that on the ground? This tract
with The Conservation Fund takes that step forward.
We had an innovative technique where we’re allowing
for utilization of temporary resources on the Game
Lands to be put into the habitat that we need by way
of other deeds and other commitments. I mean, truly,
if this gets approved, you’re committing the agency to
create a respectful habitat.

And you’re committing the agency to
create more habitat on the ground, with resources that
we have both in-house as well as partnerships that
we’re forming today. So in respect to The
Conservation Fund, those payments will either be, again, made through the means that we have available through escrow Game Fund. Or more preferably, through the use of timber resources and habitat creation.

COMMISSIONER PUTNAM:
Thank you.

PRESIDENT:
Further discussion? Hearing none, Mr. Secretary, call for the vote.

COMMISSIONER HOOVER:
A motion on the floor that’s been duly seconded. All those in favor, signify by saying aye. AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion passes unanimously.

ATTORNEY BECHTEL:
The next item before the Commission ---.

The next item before the Commission concerns a land exchange, Contract Number 36663, State Game Land number 95 in Butler County. Iron Mountain Information Management, LLC, or Iron Mountain, has requested to construct two boreholes and a water pipeline in order
for Iron Mountain to access and utilize the groundwater and void space located in a previously excavated limestone deep mine beneath State Game Land number 95, as shown on Exhibit RED 9 on page 53 of your agenda.

The water pipeline shall be 18 to 30 inches in diameter and run from Iron Mountain’s property at 1137 Branchton Road, parallel to Branchton Road to deliver water from Iron Mountain’s underground facility to water beneath the State Game Land. In exchange, Iron Mountain will convey to the Game Commission 278, more or less, acres in Cherry and Washington Townships, Butler County that connects two parcels of State Game Land Number 95, as shown on Exhibit RED 10 on page 54 of your agenda.

Iron Mountain accepts and reserves the right to use the groundwater and void space under the property it is conveying solely for the purpose of heating and/or cooling space and equipment. Iron Mountain will also except and reserve the oil and gas and subsurface limestone with the rights to deep mine the limestone, remove, and produce the oil and gas, so long as there is no use of the surface in conjunction with the said subsurface rights.

The property being conveyed from Iron
Mountain is forested with mixed oaks, maple, black cherry, beech, dogwood, hickory, white pine, ash and elm. The shrub understory is made up of witch hazel, rubus, grey stem dogwood and willow. Approximately six acres of the property are shrub land and reverting old fields. Thirty (30) acres of the property are agricultural lands, with 20 tillable acres.

A tributary to the South Branch of the Slippery Rock Creek, with associated riparian areas and wetlands, is on the property. The presence of the Eastern Massasauga Rattlesnake, a Pennsylvania endangered species, has been noted on the property. And access to the property is from Township Road T-537.

Contract Number 3664, State Game Lands Numbers 179 and 245, Greene and Washington Counties, also concerns an exchange. Consolidation Coal Company, or Consol, has requested rights-of-way across State Game Land Number 179 for 69 kilovolt electric transmission line, Exhibit RED 11 on page 55 of your agenda. And Consol Pennsylvania Coal Company, LLC, has requested a right-of-way across State Game Land Number 245 for a 16 inch water pipeline and a temporary construction easement, as shown on Exhibit RED 12 on page 56 of your Agenda.
In exchange for the value of 12 years of the right-of-way license fees for the electric transmission lines located on State Game Lands Number 179 and 25 years of the license fees for the water pipeline across State Game Land Number 245, Consol has agreed to convey 388, more or less, acres of land to the Commission. At this time, the Commission has agreed to accept five properties totaling 215.76 acres, more or less.

Two of the properties are located in Jackson Township, Greene County, and adjoin State Game Land Number 179, as shown on Exhibit RED 13 on page 57 of your agenda. One of the properties is 25.9, more or less, acres. And the second is 14.4, more or less, acres. The two tracts are mostly forested with mixed hardwoods and approximately four acres in reverting fields. The properties are bisected by Blockhouse Run and can be accessed from Township Road 403 and Keyhole Road. The other three properties adjoin State Game Land Number 245.

Two of these properties are located in Morris Township, Washington County. A 5.4 acre indenture into State Game Land 245, which is forested with mixed hardwoods, has a one-acre open field. And a 21.11, more or less, acres make up of 17 acres of
woodland in pole size timber, two acres of tillable agricultural land and two acres of grassland as shown on Exhibit RED 14 on page 58 of your Agenda.

And access to these properties is from Craft Creek Road. The remaining property being conveyed is 154.3, more or less, acres located in West Finley Township, Washington County, as shown on Exhibit RED 15 on page 59 of your Agenda. This is 120 acres of the property consisting of woodland in pole size timber, a 35, more or less, acres of grassland and 25, more or less, acres tillable.

Access is from State Route Number 3025. Consol will be accepting and reserving oil, gas, coal and minerals, and retaining full surface support for a period of 50 years. Consol agrees to pay single stumpage and $400 per acre for any future impacts to surface for wildlife damages.

Another exchange is Contract Number 3665, State Game Land Number 198 in Blair County. E&E Logging and Sons Timber, E&E Logging, is offering 246.29, more or less, acres in Allegheny Township, Blair County, which is an interior into State Game Land Number 198, as shown on Exhibit RED 16 on page 60 of your Agenda, in exchange for timber being offered for sale by the Commission.
The proposed timber is associated with the Blue Knob Removal timber sale in Blair and Bedford Counties, located on State Game Land Number 26. The Blue Knob Removal timber sale involves three blocks of timber. Two blocks will be credited against the entire value of the land to be exchanged, with the remaining block to be purchased by E&E Logging at the established Commission value of $90,622.85, which will be deposited into the Game Fund.

The property being conveyed by E&E Logging is forested with mixed oak, maple, and birch, and is currently being timbered by E&E Logging, creating early successional focustest habitat. An unnamed tributary runs the length of the property, and empties into Sugar Run. Acquiring this tract will provide better access into existing portions of State Game Land Number 198.

PRESIDENT:
Thank you, Brad. Do I hear a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT:
Weaner? Second?

COMMISSIONER MARTONE:
Second.
PRESIDENT:
Commissioner Martone? Discussion?

COMMISSIONER MARTONE:
Mr. President?

PRESIDENT:
Commissioner Martone?

COMMISSIONER MARTONE:
Director Capouillez, could you ---? I mean, some of us aren’t from Western Pennsylvania have no clue what we’re talking about with Iron Mountain and all this activity under the gaming lands. It’s kind of unusual. Could you explain what Iron Mountain is?

DIRECTOR CAPOUILLEZ:
Yes, sir. Iron Mountain is a banded limestone deep mine, which has been converted into a storage reference facility. The federal government utilizes a large portion of that. In the case of Iron Mountain, they actually own the opening and the deep mine complex.

A portion of that goes under the Game Lands. And because it’s such a tremendous amount of computer equipment in there, there’s a lot of heat generated. And so their proposal is to utilize the geothermal and groundwater that exists there, which, a
portion of that is underneath the Game Lands, in order to further their facility.

We negotiated with them. Staff did an excellent job. They actually acquired the tract that linked up the Game Lands there, as well as increasing that threatened and endangered habitat for the Massasauga Rattlesnake. So it’s been extremely good to ---.

COMMISSIONER MARTONE:
Thank you.

PRESIDENT:
Further discussion? Hearing none, Mr. Secretary, call for the vote.

COMMISSIONER HOOVER:
There’s a motion on the floor that’s been duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries unanimously.

ATTORNEY BECHTEL:
The next items before the Commission are
informational items. Subject to certain limitations, Section 135.241 of 58 Pa. Code authorizes the Director to bid on real estate, oil, gas, or mineral rights at auction or tax sale, and to request to downpayment checks to bid on property at auction. Successful bids must be made known to the general public at the next regularly scheduled meeting of the Board of Commissioners.

The first informational item is Contract Number 3666, State Game Land Number 147 in Blair County. On October 12th of 2013, the Game Commission was the successful bidder on three of four tracts that were offered at public auction by landowners Belinda and Brannock. The three tracts are located in Frankstown Township, Blair County, and are adjacent to State Game Land Number 147, as shown on Exhibit RED 17 on page 62 of your Agenda.

The first tract is 31.09, more or less, acres, and the second tract is 30.80, more or less, acres. Each of these two tracts was acquired with the successful bid of $67,000 per tract. The third tract is 81.90, more or less, acres and was acquired with the successful bid of $160,000.

The $294,000 total was paid from a prior land exchange on State Game Land Number 176 with the
Pennsylvania State University and required approval from the U.S. Fish and Wildlife Service. The tracts lie within five miles of the Hartman Mine Hibernacula, known to be utilized by Indiana Bats, listed on the U.S. Fish and Wildlife Service as an endangered species. The two smaller parcels share a 30-foot right-of-way across the fourth parcel offered at public auction, which the Game Commission did not acquire.

The right-of-way starts at State Route 2007, Reservoir Road, and provides critical access into this portion of State Game Land Number 147. The larger tract also provides access into existing State Game Land 147 from State Route 2007, Reservoir Road. These tracts are forested with mixed hardwoods, with an understory of witch hazel at higher elevations and green briar and witch hazel at lower elevations.

The second informational item is Contract Number 3667, the South Central Regional Office Building, Huntingdon County. A public real estate auction was scheduled for June 15th, 2013 to sell the 9, more or less, acre Brady Henderson Elementary School property in Brady Township, Huntingdon County, Exhibit RED 18 on page 63 of your Agenda. The auction was postponed when an issue arose
regarding the right-of-way into the property. And the solicitor for Huntingdon Area
School District was able to rectify the problem. The Commission then submitted the successful bid of
$200,000. The Huntingdon Area School District then filed a Petition Seeking Approval of a Private Sale of
Real Estate for the Brady Henderson Elementary School property.

On December 11th, 2013, the Court of Common Pleas of Huntingdon County granted approval to
allow the sale of School District property. The 27,000 square foot school building will be renovated
to become the new South Central Regional Office Building. Access is from Technology Drive off Route 655 from U.S. Route 22.

The next item before the Commission concerns Oil, Gas and Minerals. It’s a Restricted Surface Use Oil and Gas Cooperative Agreement. Tract 298A-14, State Game Land Number 298, in Lycoming County.

The Commission offered its oil and gas ownership under a portion of State Game Land Number 298 in Eldred and Gamble Townships, Lycoming County, for non-surface use oil and gas development by a competitive royalty bid. Tract Number 298A-14, shown
on Exhibit OGM 1 on page 65 of your agenda.

This tract contains approximately 1,140.21 acres. It was announced for competitive royalty bid in October of 2013, with a one-time bonus/rental payment of $4,000 per acre for a five year paid up primary term agreement, with the first well to be drilled and completed within 18 months. The minimum royalty was set at 19 percent for all oil, gas, and liquid hydrocarbons 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. Bids were opened on November 13th, 2013. Inflection Energy, PA, LLC, of Denver, Colorado, submitted the highest royalty bid of 20 percent of the value of oil, gas, and liquid hydrocarbons produced and sold from under the premises.

PRESIDENT:
Do I hear a motion?

COMMISSIONER HOOVER:
So moved.

PRESIDENT:
A second?
COMMISSIONER MARTONE:
Second.

PRESIDENT:
Properly moved and seconded. Mr. Secretary, call for the vote. Oh, discussion, I’m sorry. Any discussion at all? Hearing none, Mr. Secretary ---?

COMMISSIONER HOOVER:
There’s a motion on the floor. It’s been duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries unanimously.

PRESIDENT:
Thank you, Mr. Secretary. Moving on --- what do we got here?

ATTORNEY BECHTEL:
There are two supplements to your Agenda that came in. Both of these concern propagation areas. The first is a Propagation Area 111, State Game Lands Number 95 in Butler County. A boundary
alteration is proposed to Propagation Area 111, 308 acres, located on State Game Land Number 95, Butler County, in the northwest region.

The proposal would reduce Propagation Area 111 from 308 acres to 201 acres, as it’s shown on Exhibit One, which is attached to the supplement. The area was initially established as a waterfowl propagation area in 1974, as a stopover and resting habitat for migrating waterfowl, which, in this case, are mainly geese.

The area, as it was initially established, encompassed much more terrestrial land than is necessary to ensure non-harassment of waterfowl using the surface water. The proposed boundary line change would still maintain a buffer around the lake to prevent harassment of resting waterfowl, while simultaneously opening terrestrial areas for hunting opportunity. The change would allow hunters and fishermen access to an additional 107 acres that was previously restricted.

The proposed change will also establish a more easily identifiable and more easily maintained boundary. The proposed boundary utilizes more existing roadways and field edges as boundaries, instead of lines through wooded areas. These are
easier for State Game Land users to identify and easier for the State Game Land crew to maintain. The change would have no adverse effects on migrating waterfowl, as the lake will still have a 201 acre buffer.

The second change was Propagation Area 108, Marine Area 406 in Butler County. A boundary alteration is proposed to Propagation Area 108 of 386 acres, located on Marine Cooperative Management Area Number 406, Butler County, in the northwest region. The proposal would reduce Propagation Area 108 from 386 acres to 161 acres, as shown on Exhibit Two, which is also attached to the supplement.

Propagation Area 108 was established as a waterfowl propagation area through a Cooperative Management Agreement between the Game Commission and Marine State Park that facilitated PGC habitat work. The total area managed by the PGC is 519 acres.

The initial focus of Area 108 is to provide a resting and nesting area for geese. Due to population increases, geese have become a nuisance issue on Marine State Park. The public day use areas, swimming picnicking and playground, are favored foraging areas, creating numerous conflict issues on the park.
Crop damage incurred by local farmers resulting from the elevated deer populations in the unhunted Propagation Area is also a noteworthy factor. Consultation among Marine State Park and PGC staff led to the consensus that Area 108 should be reduced to increase public access while still maintaining a lake buffer for migrating waterfowl, especially ducks. This would give hunters and fishermen access to 225 additional acres for recreation.

The change would include land and surface water access that was previously restricted. The shoreline access for fishermen and hunters alone would increase by approximately one mile. A secondary advantage to Area 108 realignment would be ease of identification by the public. The new boundary line would make use of existing roadways, field edges, and already cleared portions of the existing boundary line. The new line will be easier for the public to identify, and easier for the PGC crew to maintain.

PRESIDENT:
Do I hear a motion?

COMMISSIONER HOOVER:
So moved.

PRESIDENT:
Second?
COMMISSIONER MARTONE:
Second.

PRESIDENT:
Commissioner Martone? Discussion?

COMMISSIONER MARTONE:
Mr. President? I’d like to acknowledge Wildlife Management Officer Jeff Kendall for doing all of the legwork on these two proposals. And I think he’s opening some excellent property for hunters to access now. So I want to acknowledge him and his efforts.

PRESIDENT:
Thank you. Further discussion? Hearing none, Mr. Secretary?

COMMISSIONER HOOVER:
There’s a motion on the floor, duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries unanimously.

PRESIDENT:
Moving on, gentlemen, the next section
coming up, New Business. Commissioner Delaney?

COMMISSIONER DELANEY:

I’ll act on my New Business after other Commissioners have their ---.

PRESIDENT:

Okay.

COMMISSIONER LAYTON:

Yeah, Mr. President, if I may?

PRESIDENT:

Commissioner?

COMMISSIONER LAYTON:

I’ve been pushed by a couple sportsmen’s organizations and several hunters, and would just ---. I would like to get the staff of the agency to come back with us the next Working Group Meeting. They’d just give us a --- kind of a compare and contrast between the current concurrent antlerless and antlered season, as opposed to the old system of a three day independent antlerless season.

I’d like to kind of see some numbers as far as license allocations and the harvest during those periods. And certainly, if I need to get back to this, to make some social benefits to having an independent three day season.

And the reason I bring this before the
Board is because I just, arbitrarily, looked at two sets of numbers. I looked at 1993 and compared it to 2013. 1993, we had an allocation of 780,000 antlerless licenses with a harvest of approximately 243,000 antlerless deer, which was a 31 percent harvest rate. In 2013, the allocation was up to the left, 839,000, with a harvest of 209,000, give or take, antlerless deer, with a 25 percent success rate.

So it’s just interesting to me that we have the concurrent season. But yet, we saw a larger percentage of harvest during the three day season. And I think it’s just something that works, at least, looking at it and talking about it, especially for the social aspects of the independent season.

So if we could get that in and just mill that over a little bit, and take a look at that?

PRESIDENT:
Thank you, Commissioner Layton. Further comments on New Business? Commissioner Delaney?

COMMISSIONER DELANEY:
All right. Go ahead. Is there someone else?

PRESIDENT:
Go ahead.

COMMISSIONER DELANEY:
All right. With that, I would respectfully ask the Board to be --- for a couple of minutes for Executive Director Rell (phonetic) to --- oh. We missed him. I’m sorry.

OFF RECORD DICUSSION

COMMISSIONER DELANEY:

In any event, and on a serious note, we heard from Pheasants Forever, and our staff yesterday with regard to Pheasants. And Executive Director Hough, I’d just like to defer a couple of minutes to him for a major announcement.

DIRECTOR HOUGH:

Okay. As those of you that were here on Sunday and Monday, there was a lot of individuals here from Pheasants Forever that were very interested in moving the Wild Pheasant Restoration areas forward. As you probably know, we have been unable to get pheasants for the last year or so because of the population decline out West. As late as last night, Lynn Appleman, who was here and gave public comment, contacted the State of Montana ---. Actually, an Indian Reservation in the State of Montana. And they have committed to giving us 300 wild trap pheasants this year.

So that just goes to show what a great
cooperation we have with all of our conservation partners. But especially those like Pheasants Forever that were able to make this contact. So from what I understand things were in motion to get out there immediately, or as soon as possible, to get these birds and get them back here, and get them on the ---.

PRESIDENT:

Got any comments, Mr. Delaney?

COMMISSIONER DELANEY:

Well, I think that Executive Director Hough said it well.

PRESIDENT:

Okay. Very good. Anything else to address under New Business? Hearing none, I'd like to move on to proposed Commission meeting dates. April 7 and 8, June 9, 10, September 22 and 23, and January 25, 26 and 27th in 2015. Could I hear a motion to accept these dates?

COMMISSIONER HOOVER:

So moved.

PRESIDENT:

And a second?

COMMISSIONER MARTONE:

Second.

PRESIDENT:
Already moved and seconded. Discussion on the dates? Hearing none, call for a vote, Mr. Secretary.

COMMISSIONER HOOVER:
There’s a motion on the floor, duly seconded. All those in favor, signify by saying aye.

AYES RESPOND

COMMISSIONER HOOVER:
Opposed?

NO RESPONSE

COMMISSIONER HOOVER:
The motion carries unanimously.

PRESIDENT:
Moving on, the final item of business here today is election of officers for 2014. And I will now turn the gavel over to our Chairman, Commissioner Delaney.

COMMISSIONER DELANEY:
Thank you, Mr. President. I’ve solicited opinions from the full Board. And I am prepared, as the Chairman, to nominate a slate of officers. I would like to do it each office individually, offer a slate, which will need a second, and then go into discussion.

And then, do a vote by show of hands.
And I would ask our present recording Secretary to also confirm the names of the votes, so our stenographer has this for the minutes.

With that said, for the office of Secretary, nominated are Commissioner Charlie Fox and Commissioner Brian Hoover. That is the motion for the office of Secretary. And if the Board so wishes, it will need a second.

COMMISSIONER LAYTON:

Second.

COMMISSIONER DELANEY:

There’s been a motion made, and there’s been a motion seconded. Is there any other nominations for the office of the Secretary? If not, I would ask those all those Commissioners in favor of Commissioner Fox ---.

COMMISSIONER MARTONE:

Well, would it be possible to do this by paper ballot rather than a show of hands? I think in the past, that’s the way it’s been done.

COMMISSIONER DELANEY:

If the Board so chooses, I don’t have an issue or a problem with that. But I’ll, maybe throw it to the Counsel for some direction.

ATTORNEY BECHTEL:
That was exactly correct, Commissioner Delaney. We have --- I think the most recent election, we did it by show of hands. There have been paper ballots in the past. If the Board so chooses, it is a Board decision, you may use a paper ballot or however you wish.

COMMISSIONER MARTONE:
Can I call for a vote on that?

ATTORNEY BECHTEL:
You probably should make a motion for a paper ballot, and a second. And you vote on that.

COMMISSIONER MARTONE:
Okay.

COMMISSIONER DELANEY:
Commissioner Martone, if you’d like to make that motion?

COMMISSIONER MARTONE:
I’d like to make a motion that we vote on these sleight of officers by paper ballot. That’s it.

COMMISSIONER DELANEY:
Is there a second?

COMMISSIONER WEANER:
I second the motion.

COMMISSIONER DELANEY:
Motion made and seconded. Is there any discussion? I guess the only discussion I would offer is that we’re a transparent group. And I certainly could pen my name to publically, who I choose to vote for.

But if the Board chooses to go with a private paper ballot, I’m okay with that too. All those in support of paper ballots, vote by using your right hand. I see Commissioner Martone, Commissioner Weaner, and Commissioner Fox. I take it, based on that ---.

Well, let me just note the other ---. All those in favor of having a public vote and show of hands, raise your right hand. Mr. Secretary, can you confirm that vote?

COMMISSIONER HOOVER:

There was a vote on the floor. The vote was three in favor of paper ballots, five against paper ballots. The motion fails.

COMMISSIONER DELANEY:

Okay. So I’d like to move forward from this point and move on with the election. And again, the sleight for the office of Secretary is Commissioner Fox and Commissioner Hoover. We will start with a show of hands. All those in favor of
Commissioner Fox, raise your right hand. Mr. Secretary, call the Commissioners for the ---?

COMMISSIONER HOOVER:
The vote for Commissioner Fox is Commissioner Fox, Commissioner Weaner, and Commissioner Martone.

COMMISSIONER DELANEY:
And those in favor of Commissioner Hoover, raise your right hand? Please, the names?

COMMISSIONER HOOVER:
Commissioner Layton, Commissioner Hoover, Commissioner Schlemmer, Commissioner Delaney and Commissioner --- and you.

COMMISSIONER DELANEY:
So we’ll confirm ---?

COMMISSIONER PUTNAM:
Commissioner Putnam, yes.

COMMISSIONER DELANEY:
We’ll confirm that the vote is five to three.

COMMISSIONER HOOVER:
That’s correct.

COMMISSIONER DELANEY:
In favor of Commissioner Hoover. The next office is for the office of the Vice President.
I will nominate in the form of the motion for Vice President Commissioner David Putnam. We’ll need a second if the Board so chooses.

COMMISSIONER MARTONE:
Seconded.

COMMISSIONER DELANEY:
Second by Commissioner Martone. Is there ---?

COMMISSIONER WEANER:
Point of order. I don’t think it’s a requirement that a nomination be seconded. In fact, I’m ---.

COMMISSIONER DELANEY:
Our Counsel can address that.

ATTORNEY BECHTEL:
I don’t know that for certain. But if you don’t have a second, I don’t know how you’d get a motion to accept it.

COMMISSIONER WEANER:
Well, if the motion is to accept the report of the nominated Commissioner, it’s one thing.
completely different. I’m not sure which he made.

ATTORNEY BECHTEL:
Yeah, I apologize. They can be brought in. You’re correct in the sense that if there’s a nomination and there’s nobody that is opposing them, there’s no need to have seconds and ---.

COMMISSIONER WEANER:
Well, what is the motion in this?

COMMISSIONER DELANEY:
The motion is for Commissioner Putnam to be nominated to the office of Vice President. And I’ll reflect a little further on that. I still want to have a vote to give all the Commissioners the opportunity to vote yes or no for the nominee.

COMMISSIONER WEANER:
Well, I don’t have any problem with what you’re doing. I’m just --- want to make sure that we’re doing it correctly. Because for example, if there were further nominations, I know for a fact that you do not need a second for those nominations.

ATTORNEY BECHTEL:
Yeah. Call for further nominations.

COMMISSIONER DELANEY:
Okay. That’s --- yeah, that’s where I’m going. Is there any other nominations from the Board
for the office of Vice President? Hearing none, I will call for a vote for Commissioner Putnam to the office of Vice President with a show of your hands. All those in favor of Commissioner Putnam for Vice President, please raise your right hand. Is there any no vote for Commissioner Putnam? If none, Mr. Secretary, call the vote, please.

COMMISSIONER HOOVER:
The vote on the floor was for Vice President Dave Putnam. And the motion --- and the vote was unanimous.

COMMISSIONER DELANEY:
So we’ll move on to the office of President. For the office of President, the nomination is for Commissioner Ron Weaner and for Commissioner Bob Schlemmer. If the Board sees fit, I believe we need a second for that.

COMMISSIONER LAYTON:
Second.

COMMISSIONER DELANEY:
Motion has been made and seconded. Is there any other nominations for the office of President of the Board of Commissioners? Hearing none, I’ll call for a vote. All those in support of Commissioner Bob Schlemmer raise your right hand. And
Mr. Secretary, please call the name of those that are voting in the affirmative for Commissioner Schlemmer.

COMMISSIONER HOOVER:
The vote on the floor is five in favor, with Commissioner Delaney, Commissioner Putnam, Commissioner Schlemmer, Commissioner Hoover and Commissioner Layton.

COMMISSIONER DELANEY:
All those in favor of Commissioner Weaner, please raise your right hand.

COMMISSIONER HOOVER:
And the vote on the floor is Commissioner Weaner, Commissioner Fox and Commissioner Martone for three.

COMMISSIONER DELANEY:
Mr. Secretary and Mr. President, with the nominations and the elections being covered and closed, we have Secretary Brian Hoover, Vice President Commissioner David Putnam and President Robert Schlemmer. Congratulations, gentlemen.

PRESIDENT:
Thank you. Thank you very much.

COMMISSIONER DELANEY:
The elections are closed.

PRESIDENT:
I’d like to say one thing. This marks my 40th year in the Pennsylvania Game Commission. And time went by just about like that. Unbelievable.
Always looked for an attaboy from my dad, and he got it today.

Another thing we’re going to be looking at in the near future in discussion with a few of the Commissioners would be --- like to look at some of the ---. As Commissioner Hough said, we’re going to look into the large areas, large cold spots, and see what we can do to do some improvement there. We’re already working towards small game enhancement with habitat and so forth. And we’re also going to be looking on improving our complement of personnel. We need people with boots on the ground.

And speaking of boots on the ground, we’re looking forward to having input from all the regions and all the regions’ personnel, with their boots on the ground, so we can make proper decisions.

Small game, Jay, I appreciate everything you’ve done in that arena, too. And the bob quail, the bobwhite and the quail people, they’re doing great work. And see what we can do in that area, too. So, with that, that will conclude the meeting for today. I thank you all for coming. There’ll be a press
conference in 15 minutes.

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MEETING CONCLUDED AT 9:55 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before President Schlemmer was reported by me on 1/28/2014 and that I Kayla Bolze read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

[Signature]

Court Reporter