

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

* * * * *

QUARTERLY MEETING

* * * * *

BEFORE: ROBERT W. SCHLEMMER, President
David J. Putman, Vice President
Brian H. Hoover, Secretary
James J. Delaney, Jr., Member
Ralph A. Martone, commissioner
Charles E. Fox, Commissioner
Timothy S. Layton, Commissioner
R. Matthew Hough, Executive Director
Richard R. Palmer Deputy Exec. Director

HEARING: Tuesday, June 10, 2014
8:33 a.m.

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

Witness(es): Calvin DuBrock, Richard Palmer, Randy
Shoup, Bill Capouillez

Reporter: Denise L. Travis, RPR

Any reproduction of this transcript
is prohibited without authorization

by the certifying agency.

A P P E A R A N C E S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BRADLEY BECHTEL, ESQUIRE
Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110
Counsel for Pennsylvania Game Commission

I N D E X

1		
2	OPENING REMARKS	
3	By President Schlemmer	6 - 8
4	TESTIMONY	
5	By Commissioner Martone	8 - 8
6	TESTIMONY	
7	By Director DuBrock	9 - 11
8	TESTIMONY	
9	By Vice President Putnam	11 - 12
10	TESTIMONY	
11	By Commissioner Martone	12 - 13
12	TESTIMONY	
13	By Attorney Bechtel	13 - 17
14	TESTIMONY	
15	By Vice President Putnam	17 - 17
16	TESTIMONY	
17	By Mr. Shoup	17 - 17
18	TESTIMONY	
19	By Director Palmer	17 - 18
20	TESTIMONY	
21	By Attorney Bechtel	18 - 26
22	TESTIMONY	
23	By Commissioner Delaney	26 - 27
24		
25		

1 (CONTINUED)

2 I N D E X

3

4 TESTIMONY

5 By Director Capouillez 27 - 28

6 TESTIMONY

7 By Commissioner Delaney 28 - 29

8 TESTIMONY

9 By Vice President Putnam 28 - 31

10 TESTIMONY

11 By Commissioner Delaney 31 - 32

12 TESTIMONY

13 By Vice President Putnam 32 - 34

14 TESTIMONY

15 By Secretary Hoover 34 - 35

16 TESTIMONY

17 By Vice President Putnam 35 - 35

18 TESTIMONY

19 By Director DuBrock 35 - 36

20 TESTIMONY

21 By Commissioner Delaney 36 - 37

22 DISCUSSION AMONG PARTIES 37 - 38

E X H I B I T S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

NUMBER

DESCRIPTION

PAGE
OFFERED

NONE OFFERED

P R O C E E D I N G S

1

2

3

CHAIR:

4

I call the meeting to order. Pledge

5

allegiance to the flag.

6

PLEDGE OF ALLEGIANCE RECITED

7

CHAIR:

8

Mr. Secretary, call the role, please.

9

SECRETARY HOOVER:

10

Commissioner Layton?

11

COMMISSIONER LAYTON:

12

Present.

13

SECRETARY HOOVER:

14

Commissioner Fox?

15

COMMISSIONER FOX:

16

Present.

17

SECRETARY HOOVER:

18

Commissioner Martone?

19

COMMISSIONER MARTONE:

20

Present.

21

SECRETARY HOOVER:

22

Commissioner Weaner?

23

(No response.)

24

SECRETARY HOOVER:

25

Commissioner Delaney.

1 COMMISSIONER DELANEY:

2 Present.

3 SECRETARY HOOVER:

4 Commissioner Putnam.

5 VICE PRESIDENT PUTNAM:

6 Present.

7 SECRETARY HOOVER:

8 President Schlemmer.

9 CHAIR:

10 Present.

11 SECRETARY HOOVER:

12 Commissioner Hoover is here.

13 CHAIR:

14 Thank you, Mr. Secretary.

15 I would like to have approval of the
16 minutes for the meeting held April the 8th.

17 COMMISSIONER DELANEY:

18 So moved.

19 COMMISSIONER LAYTON:

20 Second.

21 CHAIR:

22 Properly moved and seconded. Mr.

23 Secretary?

24 SECRETARY HOOVER:

25 Motion on the floor to approve the

1 minutes of the meeting of April 8th, 2014, has been
2 -- a motion has been made and duly seconded. All
3 those in favor, say aye.

4 ALL AYES

5 SECRETARY HOOVER:

6 All opposed? Motion passes.

7 CHAIR:

8 Thank you, Mr. Secretary.

9 COMMISSIONER MARTONE:

10 Mr. President, I would like to
11 acknowledge Commissioner Weaner's absence. We moved
12 this meeting up a couple of weeks, and his school
13 district has all its snow days this week. So he is
14 working, and he has a legitimate reason for not being
15 here. And I want to acknowledge that.

16 CHAIR:

17 Thank you, Commissioner.

18 At this time, we would like to recognize
19 one of our fine employees who is retiring. And Calvin
20 DuBrock has announced after 32 years of service to the
21 agency his retirement on August the 1st.

22 Cal.

23 (Applause.)

24 (Presentation of a painting to
25 Director DuBrock.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DIRECTOR DUBROCK:

Thank you, President Schlemmer.

I understand it's always dangerous getting up to a podium. I got D's in public speaking in high school. It's never been one of my favorite things to do.

But also it's been a very quick 32 years, and it's come more quickly than I had anticipated. It's been a great career. This agency is a wonderful agency, and this is totally unexpected. So I want to thank you very much. I want to thank the staff for the Commission very much. The -- it's very emotional now, too.

The agency has changed a great deal in the 32 years that I've been here. The Bureau of Wildlife Management has changed a great deal. I started my career with the Bureau of Land Management, which is now the Bureau of Wildlife Habitat Management. And I spent the first five years there before moving into the Bureau of Game Management, which became the Bureau of Wildlife Management.

And it just struck me yesterday in listening to the staff reports on diversity that in 1987 when I joined the Bureau of Game Management, we had one wildlife diversity staff person and there

1 were about a dozen biologists. Now we have eight or
2 nine full-time people -- ten full-time people with
3 the wildlife diversity program and, again, seasonal
4 folks. So the diversity program itself is larger than
5 the wildlife management program was back in the late
6 '80s. The program has grown tremendously, much to
7 the credit of the administration, previous executive
8 directors, the board of commissioners through that
9 time.

10 So it's been a terrific, I think,
11 opportunity for the agency to expand our foundation
12 of science, to do much more extensive monitoring
13 work, much more extensive foundational science work.
14 It has positioned us to make very responsible
15 decisions on conservation and management of wildlife.
16 We've expanded opportunities, I think, for hunters.
17 We've expanded opportunities for folks who don't
18 hunt to sit and enjoy and appreciate wildlife. And
19 so that's been very ratifying, I think.

20 Despite the fact that we still have a
21 number of species that are in peril in the
22 Commonwealth, I think it's ratifying to see -- we had
23 a discussion yesterday about the status of the bald
24 eagle that had over the course of my career 3 nesting
25 bald eagles to nearly 300 nesting bald eagles in the

1 Commonwealth. It's a credit to the agency and its
2 management programs. And it's a credit to the people
3 of the Commonwealth and our elected representatives
4 and how we've changed the landscape and how
5 environmental conditions have improved to allow
6 wildlife to recover as well.

7 So the agency has much to be proud of.

8 And I look forward to watching this
9 agency serve the people of the Commonwealth and
10 continue to advance wildlife conservation. So again,
11 thank you for the opportunity to serve. Thank you
12 for the opportunity to be part of the team. And I
13 look forward to the days and years ago where I can
14 watch and hopefully help as well in a new way
15 conservation here in the Commonwealth of
16 Pennsylvania. So thank you very much.

17 CHAIR:

18 Thank you, Calvin. And you got a B in
19 speaking?

20 DIRECTOR DUBROCK:

21 A D as in duck.

22 VICE PRESIDENT PUTNAM:

23 I would like to add my two cents to
24 that.

25 Cal and I go back a long way. He's

1 been here 33 years, but 34 years ago Cal and I worked
2 together at the U.S. Fish and Wildlife Services. I'm
3 a pack rat, and I still have a paper on my desk -- it
4 wasn't there the whole time -- that Cal and I and
5 Jack Byerly wrote way back then. Cal and I were
6 coauthors of the paper. It was printed on a dot
7 matrix printer. That was before we had copiers.

8 I want to congratulate Cal on a long
9 and successful career. Thank you, Cal.

10 CHAIR:

11 Thank you. Any other comments?

12 Commissioner Martone.

13 COMMISSIONER MARTONE:

14 I'm especially proud to be here at this
15 time, because not only is Cal claiming to have gotten
16 a D in his public speaking, but he got it from the
17 same high school I attended. And he is one of our
18 distinguished alumni. And I can tell you it has --
19 it has been a privilege to even be associated with
20 the agency, and a lot of that is due to Cal's
21 presence at the agency.

22 So it is wonderful to see him have a
23 long and storied career; but at the same time, it is
24 heartbreaking to see him end that career. And I
25 don't think it's going to end quickly. I think he's

1 going to hang on for a bit longer with different
2 projects and things.

3 So I wish him well in the future. I'm
4 sure he's going to have to practice for retirement.
5 It isn't something you just jump into.

6 So thank you very much for your career
7 and your efforts for the agency.

8 CHAIR:

9 Thank you. Anyone else?

10 All right. We'll moved ahead with the
11 scheduled agenda this morning. Mr. Bechtel.

12 ATTORNEY BECHTEL:

13 The first item for the Commission today
14 is from the Bureau of Wildlife Management and
15 concerns adopted rulemaking.

16 The adoption of proposed amendment to
17 58 Pa. Code Section 133.6 was proposed at the April
18 8th, 2014, meeting to list the recently introduced
19 and expanding Eurasian collared dove as a game bird
20 and include their take in the aggregate dove bag
21 hunting/trapping license year.

22 The text of this amendment is shown on
23 page 3 of your agenda.

24 CHAIR:

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

1 SECRETARY HOOVER:

2 So moved.

3 CHAIR:

4 Second?

5 COMMISSIONER MARTONE:

6 Second.

7 CHAIR:

8 Properly moved and second. Mr.

9 Secretary?

10 SECRETARY HOOVER:

11 Discussion?

12 CHAIR:

13 Hearing none, Mr. Secretary?

14 SECRETARY HOOVER:

15 There's a motion on the floor. All

16 those in favor, signify by saying aye.

17 ALL AYES

18 SECRETARY HOOVER:

19 Those opposed? Motion carries.

20 ATTORNEY BECHTEL:

21 The next item is from the Bureau of
22 Wildlife Protection and concerns proposed rulemaking.

23 On January 27th, 2014, the Act of
24 November 27, 2013, became effective. This final
25 legislation amended 34 Pa.C.S. Section 2324 to

1 eliminate the roster requirement and remove the
2 Commission's authority to establish roster
3 requirements. The Commission is proposing to amend
4 Section 141.42 by removing the voided roster
5 requirement text remaining in Paragraphs A through D
6 and F.

7 The text of these amendments are shown
8 on pages 4 and 5 of your agenda.

9 CHAIR:

10 Do I hear a motion?

11 SECRETARY HOOVER:

12 So moved.

13 CHAIR:

14 Second?

15 COMMISSIONER MARTONE:

16 Second.

17 CHAIR:

18 Properly moved and seconded.

19 Discussion?

20 Hearing none, Mr. Secretary?

21 SECRETARY HOOVER:

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

24 ALL AYES

25 SECRETARY HOOVER:

1 Opposed, no. The motion passes
2 unanimously.

3 ATTORNEY BECHTEL:

4 The United States Fish and Wildlife
5 Service recently amended its definition of the term
6 hybrid at 50 CFR Section 21.3, relating to
7 definitions, to include any bird that results from a
8 cross of genetic material between two separate taxa
9 when one or more -- one or both are listed in 50 CFR
10 10.13, relating to list of migratory birds. This
11 revision clarified that the term hybrid includes any
12 bird resulting from propagation where only one parent
13 is defined as a migratory bird, where the previous
14 definition required both parents to be defined as a
15 migratory bird. The Commission is proposing to amend
16 Sections 147.101 and 147.103, relating to the
17 definitions, classes, to make it clear that the term
18 hybrid in its regulation applies to all offspring of
19 any species listed at 50 CFR 10.13, relating to list
20 of migratory birds. Adoption of this amendment with
21 maintain the Commonwealth's necessary compliance with
22 the applicable Federal regulations concerning
23 falconry to continue this program in Pennsylvania.

24 The text of these changes is shown on
25 pages 6 and 7 of your agenda.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIR:

Do I hear a motion?

COMMISSIONER MARTONE:

So moved.

CHAIR:

Second?

SECRETARY HOOVER:

Second.

CHAIR:

Approved and seconded. Discussion?

Commissioner Putnam?

VICE PRESIDENT PUTNAM:

Randy, would you explain how this would affect species such as the Mallard duck that breeds with a Muscovy duck? I think that's one of the more common hybrids that we see.

MR. SHOUP:

I would -- I would have to do a little bit of research on that to get an answer for you, Commissioner, unless I could defer to Deputy Director Palmer -- Deputy Executive Director.

DIRECTOR PALMER:

I believe the primary intent of this was to deal with hybrid raptors for the most part.

COMMISSIONER MARTONE:

1 What would be a common example of this
2 application at this point?

3 DIRECTOR PALMER:

4 Many of the propagated raptors -- some
5 of the testimony was heard yesterday about propagated
6 raptors are actually hybrids. And what it does is
7 just folds them into the same regulatory package as
8 any other bird or any of the raptors that are on the
9 MBTA. It's more to support hybrids of all sizes.

10 COMMISSIONER MARTONE:

11 So it's more for the captive-bred ones?

12 DIRECTOR PALMER:

13 Correct.

14 CHAIR:

15 Any further discussion? Hearing none,
16 Mr. Secretary?

17 SECRETARY HOOVER:

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

20 ALL AYES

21 SECRETARY HOOVER:

22 Opposed, no. Motion carries.

23 ATTORNEY BECHTEL:

24 The next item is from the Bureau of
25 Wildlife Habitat Management, real estate, donations,

1 Contract No. L-3668, State Game Land No. 333, Centre
2 County.

3 Benner Township is offering a donation
4 of 2.45 more or less acres of land in Benner
5 Township, Center County, which is part of an interior
6 in State Game Land No. 333, as shown on Exhibit RED 1
7 on page 9 of your agenda. This property was part of
8 the land involved with the Final Plan for Disposition
9 of Commonwealth Real Property at the State
10 Correctional Institution at Rockview. In the
11 Disposition Plan, the tract was referred to as Parcel
12 Benner C. A small strip of land owned by the
13 Pennsylvania Fish and Boat Commission is located
14 between Parcel Benner C and State Game Land No. 333.

15 As a condition of this transfer, Benner Township
16 reserves the right to promote passive recreation on
17 Parcel Benner C as described in the Spring Creek
18 Canyon Master Plan. Examples of possible uses of
19 this parcel may include but are not limited to
20 handicapped parking spaces, picnic tables, refuse
21 receptacles, installation of signage, and portable
22 restroom facilities. These facilities will be
23 purchased, constructed, and maintained at the sole
24 expense of Benner Township. The Game Commission will
25 not to be responsible for any expense relative to any

1 of these improvements. Notwithstanding the
2 generality of the foregoing, nothing shall preclude
3 the use of the property for the protection and
4 propagation of game or wildlife and hunting and
5 furtaking, including, but not limited to parking, in
6 accordance with the Game and Wildlife Code, as
7 amended from time to time. This tract is mostly
8 forested with mixed hardwoods with a small forest
9 opening. The property is accessed from Shiloh Road.

10 CHAIR:

11 I do hear a motion?

12 COMMISSIONER MARTONE:

13 So moved.

14 CHAIR:

15 Second on the motion?

16 COMMISSIONER LAYTON:

17 Second.

18 CHAIR:

19 Discussion? Hearing none, Mr.

20 Secretary?

21 SECRETARY HOOVER:

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

24 ALL AYES

25 SECRETARY HOOVER:

1 Opposed, no. The motion passes
2 unanimously.

3 ATTORNEY BECHTEL:

4 The next item concerns acquisition,
5 Contract No. L-3669, State Game Land No. 80, Lebanon
6 County.

7 Richard H. And Karen R. Light are
8 offering for sale 2.35 more or less acres in Swatara
9 Township, Lebanon County adjacent to State Game Land
10 No. 80 as shown on Exhibit RED 2 on page 11 of your
11 agenda. The option price is \$2,500 lump sum. The
12 tract is forested with mixed northern hardwoods.
13 Access to the property is from Old State Road,
14 Township Road T-470, which is the southern boundary
15 of the property.

16 CHAIR:

17 Hear a motion?

18 COMMISSIONER MARTONE:

19 So moved.

20 CHAIR:

21 Second the motion?

22 COMMISSIONER FOX:

23 Second.

24 CHAIR:

25 Discussion? Hearing none, Mr.

1 Secretary?

2 SECRETARY HOOVER:

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

5 ALL AYES

6 SECRETARY HOOVER:

7 Opposed, no. The motion passes.

8 ATTORNEY BECHTEL:

9 The next item before the Commission
10 concerns a Restricted Surface Use Oil and Gas
11 Cooperative Agreement on Tract 303A-14, State Game
12 Land No. 303 in Washington County.

13 Range Resources-Appalachia, LLC, Range,
14 of Canonsburg, Pennsylvania, requested the Commission
15 offer its oil and gas rights under State Game Land
16 No. 303 for non-surface use development. The
17 proposed tract, containing approximately 221.45
18 surface acres and 141.05 net oil and gas acres, is
19 located in Jefferson Township, Washington County as
20 shown on Exhibit OGM 1 on page 13 of your agenda.

21 Range has a strong privately owned oil
22 and gas lease position surrounding State Game Land
23 No. 303, has initiated unconventional well drilling
24 and development in the vicinity of the proposed
25 tract, and has the ability to unitize and develop the

1 Commission's oil and gas reserve and privately held
2 oil and gas reserves under the proposed tract by
3 horizontal drilling with no surface use or
4 disturbance to the Game Land. The staff has
5 negotiated the proposed terms of the agreement with
6 Range in an effort to prudently develop the
7 Commission's oil and gas reserve and protect the
8 wildlife resources and recreational use of State Game
9 Land No. 303.

10 The terms of the Agreement are a
11 five-year, paid-up non-surface use oil and gas
12 agreement, a \$2,500 per net oil and gas acre bonus
13 payment, and 20% royalty for all oil and gas and
14 other liquids or condensates produced and sold from
15 the proposed tract. The bonus payment of
16 approximately \$352,625 may be deposited either into
17 the Game Fund or an interest bearing escrow account
18 to be used for the future purchase of wildlife
19 habitats, lands, or other uses incidental to hunting,
20 furtaking, and wildlife resource management. Future
21 rentals and royalties owed the Commission shall be
22 deposited directly into the Game Fund.

23 Oil and gas development will be
24 regulated by the Commonwealth's Oil and Gas
25 Regulations and the Commissions Standard Restricted

1 Surface Use Oil and Gas Cooperative Agreement.

2 CHAIR:

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

4 SECRETARY HOOVER:

5 So moved.

6 CHAIR:

7 Second to the motion?

8 COMMISSIONER MARTONE:

9 Second.

10 CHAIR:

11 Seconded. Discussion? Hearing none,
12 Mr. Secretary?

13 SECRETARY HOOVER:

14 There's a motion on the floor that's
15 been duly seconded. All those in favor, signify by
16 saying aye.

17 ALL AYES

18 SECRETARY HOOVER:

19 Opposed, no. The motion passes
20 unanimously.

21 ATTORNEY BECHTEL:

22 The next item concerns anthracite coal
23 deep mining leases. And I think you will find a
24 replacement page on the desk. These are Tracts
25 264A-14, 264B-14, and 264C-14, State Game Land No.

1 264 in Dauphin County.

2 Ladnar, Inc. (Ladnar) and the Wiconisco
3 Company, Inc., (Wiconisco), both of Hummelstown,
4 Pennsylvania, have requested leases to mine and
5 remove anthracite coal by deep mining method on three
6 tracts located on State Game Land No. 264, in Dauphin
7 County. These are shown on Exhibits OGM 2, 3, and 4
8 on pages 15, 16, and 17 of your agenda. The proposed
9 leases are part of a negotiated settlement agreement
10 to resolve a long-standing legal dispute with Ladnar
11 and Wiconisco concerning the ownership to over 8,000
12 acres of mineral interests underlying and adjoining
13 State Game Land No. 264.

14 The initial terms for the proposed
15 leases are 15 years, with an opportunity to extend
16 for an additional 10 years if the producer or
17 producers are engaged in active mining at the time of
18 renewal. The producers will each pay Commission at
19 the royalty rate of 5.5% of the then current F.O.B.
20 pit price per ton, or \$2.00 per ton of coal,
21 whichever is greater, for all coal mined and removed
22 from the leased areas. The producers will also be
23 required to maintain a minimum production of 200 tons
24 per month under each of the proposed leases. Future
25 rentals and royalties owed the Commission will first

1 be debited from an existing \$298,880 royalty credit
2 paid under previous leases until this sum is
3 exhausted and thereafter deposited directly into the
4 Game Fund.

5 The surface disturbance will be limited
6 to a combined total of 30 acres for the leases. The
7 proposed leases will include the standard performance
8 bond and environmental protection standards. In
9 addition, the proposed post mining land use will be
10 revegetated as wildlife habitat in accordance with
11 the Commission's recommendations.

12 In exchange for the proposed anthracite
13 coal deep mining leases and other due consideration,
14 Ladnar and Wiconisco will convey by deed of
15 confirmation any and all right, title, and interest
16 or surface, surface support, and subsurface it may
17 have ever possessed in lands or mineral interests
18 underlying and adjoining State Game Land No. 264,
19 save for a 0.35 acre exception and reservation.

20 Mining will be regulated by the
21 Commonwealth's Deep Mining Regulations and the
22 Commission's standard deep mine leasing agreement.

23 CHAIR:

24 Thank you. Hearing a motion?

25 SECRETARY HOOVER:

1 So moved.

2 CHAIR:

3 Second?

4 COMMISSIONER MARTONE:

5 Second.

6 CHAIR:

7 Moved and second. Discussion?

8 COMMISSIONER DELANEY:

9 Mr. President?

10 CHAIR:

11 Commissioner Delaney.

12 COMMISSIONER DELANEY:

13 This seems like a very complicated
14 document. I guess I just want to bring the attention
15 of our sportsmen and our conservation partners out
16 there how difficult it is to manage our state game
17 lands.

18 Bill, how long has this been in the mix
19 to try to satisfy all parties along with this -- with
20 both of these tracts?

21 DIRECTOR CAPOUILLEZ:

22 I'm going to say -- I've been involved
23 in this probably for about 15, 20 years from the
24 beginning to end. There's a lot of what we call
25 punch mines up in that area or old remnant mines,

1 mines with pick and axe. And some of them still
2 work. We had -- we had cut a lease -- several leases
3 out there over the -- over the course of the last
4 couple of decades in an attempt to try to acquire all
5 of the surface support acreage and control of game
6 lands. This actually brings to fruition those
7 efforts from those last couple of decades to really
8 be able to know that we now have total ownership
9 control.

10 COMMISSIONER DELANEY:

11 It's very complex, and I appreciate
12 your work to try to help facilitate and put this
13 package together. And I support it.

14 CHAIR:

15 Further discussion? Hearing none, Mr.
16 Secretary?

17 SECRETARY HOOVER:

18 There's a motion on the floor that has
19 been duly seconded. All those in favor, signify by
20 saying aye.

21 ALL AYES

22 SECRETARY HOOVER:

23 Opposed, no. The motion carries
24 unanimously.

25 ATTORNEY BECHTEL:

1 Mr. President, that completes the
2 formal agenda at this time.

3 CHAIR:

4 Thank you very much, Brad.

5 Other new business? Mr. Putnam?

6 VICE PRESIDENT PUTNAM:

7 I have several items; and actually,
8 these -- these are more old business than new
9 business. One of them is we discussed at our last
10 working group meeting a predator study. We received
11 a proposal from the staff and had some discussion
12 during that meeting. Since that time after the
13 meeting, I agreed to coordinate comments that we
14 received with Cal.

15 Since that time, we have circulated
16 that propos -- I've circulated that proposal to some
17 of the wildlife researchers around the country to get
18 some preliminary comments. I sat down and talked
19 with Cal about it this morning. And going forward,
20 we're going to solicit additional comments and have a
21 scoping meeting here or at State College, someplace
22 bringing in our staff and outside experts to discuss
23 this study.

24 The initial budget -- proposed budget
25 is \$4 million, which makes it a pretty significant

1 study. And based on the comments we received, we
2 think there could be some information that would be
3 nationally important out of a study like that.
4 There's concerns about what if we do a study and find
5 out that we have a problem with coyotes. What do we
6 do about it?

7 As far as we know, unless we go to
8 methods that aren't currently legal, there is nothing
9 that can be done to decrease the coyote population
10 other than the methods we have in place right now.
11 So we may -- we may find out that we have -- we have
12 an issue with coyote predation, but there's nothing
13 we can do about it. If that's the case, why would we
14 spend a lot of time and money studying coyotes?
15 Bears would be part of the study. I do think we have
16 a good handle on the control of bears.

17 So there's a lot of issues there, I
18 think, to go forward. The staff has certain views
19 about it, as you may have seen at our last working
20 group. The commissioners have certain views about
21 it. But I think if we get a panel of -- of the top
22 experts in the country here sitting down with us, we
23 could really sort out what's -- what's going to work
24 and what we should maybe not spend our time on. The
25 Commissioners may have certain ideas that we think

1 would be a good idea, and the panel may tell us to --
2 that it's not worthwhile to abide by those
3 recommendations.

4 So this is kind of an update on the
5 predator study. It is a big thing. And right now at
6 least it's going to go forward. It's going to at
7 least go to the scoping stage.

8 COMMISSIONER DELANEY:

9 Commissioner, before you go on to your
10 next item, could I add to that?

11 VICE PRESIDENT PUTNAM:

12 Okay. I'll think about it.

13 COMMISSIONER DELANEY:

14 I personally feel the Board is very
15 serious about this study. You know, we -- and we're
16 going at it slow to make sure that we get it right. I
17 brought it up at our April meeting that we should
18 discuss it at our next working group meeting. We
19 discussed it in detail on May 14th at the working
20 group meeting. And here we are on June 10th still
21 having a discussion.

22 I'm -- I'm happy that Commissioner
23 Putnam is kind of being the facilitator on this. We
24 want to get it right. The one thing that I've
25 learned from this is that there are a whole lot of

1 opinions on this from our staff, from outside
2 biologists, from Commissioners, from an array of
3 people. So I think we need to go slow; but we need
4 to do it -- I think we have an obligation to our
5 sportsmen to finally put this to rest, to get some
6 answers, because we all have opinions. But I think
7 we need to get some facts to justify those opinions.
8 And I appreciate what Commissioner Putnam is doing
9 and our staff being good listeners to the direction
10 the Board wants to go.

11 Thank you.

12 VICE PRESIDENT PUTNAM:

13 And one -- one final point on that. So
14 far we have had this before the Board for about six
15 months. And we received very few comments from the
16 public on that -- on the study. People say, yeah,
17 yeah, it's about time we did it.

18 But we really have received very few
19 comments on that. I guess this is the time of year
20 when we don't get a lot of comments. You know,
21 overall, the comments we receive on our -- on our GM
22 comments is quite low.

23 The second issue we talked about at the
24 last couple meetings is the use of electronic calls.
25 I think there's at least legislative interest in

1 moving something forward on electronic calls. We had
2 a pretty -- pretty good discussion at our last work
3 group meeting on our electronic calls. And yet the
4 only comment we received -- I thought we may get some
5 comments yesterday. The only comment we got was a
6 single line in a letter from the National Wild Turkey
7 Federation saying they oppose the use of electronic
8 calls for wild turkeys. Calls were being discussed
9 for other species as well, including deer. We have
10 not received a single comment on deer from anyone.

11 And on that same line, chronic wasting
12 disease is another elephant in the closet here,
13 probably the most -- one of the biggest things
14 affecting wildlife in the future years. And again,
15 we -- we have certain groups that are telling us we
16 don't have enough deer; but nobody is saying anything
17 about chronic wasting disease as far as commenting
18 either way on our posting.

19 One thing I would take from that is our
20 issuing of 13,000 disease management permits, not a
21 single comment on that, which I'm taking it as
22 support. But we've taken some pretty major steps and,
23 I think, some very good -- very good steps of setting
24 up the disease management permit system to give us
25 flexibility to go in and target areas where we know

1 we have disease management problems. But again,
2 we're not hearing much from the -- from anyone; and I
3 would expect at least the organized groups would be
4 submitting some comments. But that's all I have.

5 CHAIR:

6 Thank you, Commissioner Putnam.

7 Commissioner Hoover?

8 SECRETARY HOOVER:

9 I have two items that I would like to
10 discuss. We heard testimony yesterday about
11 individual property owners requesting access to our
12 state game lands for the opportunity to access the
13 horse trails within our state game lands. Currently
14 all management of the game lands is paid for by
15 hunters of this state. And I believe that the time
16 has come to create a user permit that allows for the
17 use of state game lands for authorized activities
18 only and only during the times of the year that don't
19 conflict with hunting and trapping activities.

20 As it stands today, anyone can take a
21 hunter safety course and buy a license for unlimited
22 use of the state game lands for authorized
23 activities.

24 I would like to ask the staff to
25 research the value of a use permit and the viability

1 of such a permit and propose the language at the next
2 work group meeting for discussion.

3 On a second note, I would also like to
4 request the staff in wildlife protection and wildlife
5 management to research and propose language at the
6 work -- at the next work group meeting that will
7 allow falconers to participate in a process for
8 obtaining one of twelve permits issued to the
9 Atlantic Flyway for the taking of falcons for the use
10 of hunting. And that's all I have.

11 CHAIR:

12 Thank you. Commissioner Putnam.

13 VICE PRESIDENT PUTNAM:

14 Mr. President, one more thing. I would
15 like to ask Director DuBrock if he had any follow-up
16 comments on the few items that I mentioned with
17 regards to a predator study. He didn't know I was
18 going to say that.

19 DIRECTOR DUBROCK:

20 I'll come up here and say I really
21 don't have any additional comments, although I look
22 forward to continued dialogue about a -- a hybrid
23 predator study. I think it's hopeful to engage other
24 experts, other minds to help us more clearly define
25 the problem to see whether the approach that we've

1 outlined is a prudent approach and whether there are
2 -- are other alternatives. It's certainly a big
3 price tag, and maybe there may be more cost-effective
4 ways to do it. And so we welcome a collaborative
5 approach working with other researchers. So thank
6 you.

7 VICE PRESIDENT PUTNAM:

8 Thank you.

9 CHAIR:

10 Thank you, Cal. Anything else under
11 new business?

12 COMMISSIONER DELANEY:

13 Mr. President, there -- there's one
14 thing I wanted to catch Cal about from yesterday, but
15 I don't want put him on the spot here for today. But
16 for our next working group meeting, hopefully, we'll
17 have a better handle on pheasant propagation and
18 numbers that we're looking like going into the
19 fall/winter stocking season, if we could get
20 something together for the next working group
21 meeting, if that's not too soon. Generally, we try to
22 get a snapshot of our game farm production and when
23 for the given year.

24 And next, I've seen some of the
25 information from the Franklin WPRA on how things have

1 been progressing there. Perhaps since Annette
2 McPheeson will be over for our next working group
3 meeting in August, we could get some type of a
4 briefing on how things are progressing there. Thank
5 you.

6 CHAIR:

7 Anything else under new business?

8 Hearing none, moving on.

9 The September Commission meeting will
10 be held in Belmont, Pennsylvania. And the dates are
11 the 22nd and 23rd of September.

12 Mr. Fry, you won't to have to drive so
13 far.

14 I would like to thank everyone for
15 attending this session. And that concludes our
16 meeting unless.

17 Commissioner Martone?

18 COMMISSIONER MARTONE:

19 Did we change the date of the working
20 group meeting?

21 CHAIR:

22 The working group meeting is moved up
23 to the 11th.

24 COMMISSIONER MARTONE:

25 Thank you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CHAIR:

Thank you. That concludes the business for today. Thank you. There will be a press conference in 15 minutes in the cafeteria.

* * * * *

MEETING CONCLUDED AT 9:07 A.M.

* * * * *

CERTIFICATE

I hereby certify that the proceedings
are contained fully and accurately in the notes taken
by me during the hearing of the foregoing cause and
that this is a correct transcript of the same.



Denise L. Travis, RPR

Notary Public in and for the
Commonwealth of Pennsylvania

My commission expires
April 20, 2018.