COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION MEETING

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PUBLIC MEETING

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BEFORE: ROBERT W. SCHLEMMER, President

David J. Putnam, Vice President

Brian H. Hoover, Secretary

James J. DeLaney, Jr., Commissioner

Ronald A. Weaner, Commissioner

Ralph A. Martone, Commissioner

Charles E. Fox, Commissioner

Timothy S. Layton, Commissioner

Matthew Hough, Executive Director

Bryan J. Burhans, Deputy Executive of Administration

Richard Palmer, Deputy Executive of Field Operations

William Capouillez, Director of Bureau of Wildlife Habitat Management

Dot Derr, Director of Administrative Services

Reporter: Susan M. Harshell
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HEARING: Tuesday, September 23, 2014
8:30 a.m.

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

WITNESSES: None
APPEARANCES

OFFICE OF CHIEF COUNSEL

BRADLEY C. BECHTEL, ESQUIRE

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PRESIDENT SCHLEMMER:
I'd like to call the meeting to order.

Stand please and pledge allegiance to the flag.

PLEDGE OF ALLEGIANCE RECITED

PRESIDENT SCHLEMMER:
May I have the roll call, please, Mr. Secretary?

SECRETARY HOOVER:
Commissioner Layton?

COMMISSIONER LAYTON:
Present.

SECRETARY HOOVER:
Commissioner Fox?

COMMISSIONER FOX:
Present.

SECRETARY HOOVER:
Commissioner Martone?

COMMISSIONER MARTONE:
Present.

SECRETARY HOOVER:
Commissioner Weaner?
COMMISSIONER WEANNER:
Present.

SECRETARY HOOVER:
Commissioner Delaney?

COMMISSIONER DELANEY:
Present.

SECRETARY HOOVER:
Commissioner Putnam?

VICE PRESIDENT PUTNAM:
Present.

SECRETARY HOOVER:
Commissioner Schlemmer?

PRESIDENT SCHLEMMER:
Present.

SECRETARY HOOVER:
And Commissioner Hoover is here.

PRESIDENT SCHLEMMER:
Thank you, sir. Approval of minutes for the Commission meeting held on June the 10th, 2014, do I hear a motion?

EXECUTIVE DIRECTOR HOUGH:
So moved.

MR. BURHANS:
Second.

MR. PALMER:
Second.

PRESIDENT SCHLEMMER:
Discussions? Mr. Secretary?

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

ALL AYE

SECRETARY HOOVER:
Opposed? Motion carries.

PRESIDENT SCHLEMMER:
Brad?

ATTORNEY BECHTEL:
Thank you, Mr. President. First I have come before the Commission today from the Bureau of Information and Education concerning the proposed rulemaking to amend 55 Pa. Code, Section 143.12. Hunter education delivery methods continues to evolve across the nation. The use of independent study is one deliver method which has been in use for nearly a decade in Pennsylvania. Students study the majority of the course on their own then attend an abbreviated two hour class to meet their local WCO, who leads a lesson on hunting laws and regulations. At the conclusion of this lesson, students complete the certification exam and receive a training certificate.
Recently, online training programs have been developed to not only provide the training component, but also enable online testing and certification of students as well. Upon successful completion of the course of study, students can print a certificate of training and purchase a hunting license. This continues to improve customer series and convenience. Additionally, it removes any potential barriers for students who are unable to attend the traditional, instructor led class or one of the agency's independent study classes. It provides another tool for the agency to reach a large audience of people interested in learning to hunt or trap. Vendors who develop and manage online hunter education, training and certification courses typically charge a user fee to recover the ongoing development and maintenance costs of the program. This proposed regulations enables the agency to offer a completely online HTE training and certification course while providing for a convenience fee to be paid by those students who choose this option. The Pennsylvania Game Commission will continue to offer nearly 1,000 hunter led, hunter trapper education classes each year. And these classes will continue to meet the legislative mandate for HTE instruction to be
free of charge. The text is shown on page two of your agenda. Thank you.

PRESIDENT SCHLEMMER:
Do I hear a motion?

COMMISSIONER LAYTON:
So moved.

PRESIDENT SCHLEMMER:
Is there a second?

COMMISSIONER WEANER:
Second. Second.

PRESIDENT SCHLEMMER:
Discussion? Hearing none, Mr. Secretary.

SECRETARY HOOVER:
There's a motion on the floor and it has been duly seconded. All these in favor, signify by saying aye.

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carries.

ATTORNEY BECHTEL:
And this is also from the Bureau of Information and Education. It concerns the proposed rulemaking to amend 58 Pa. Code, Section 131.10.

On July 2nd, 2014, the act of July 2nd, 2014 became
effective. But this final legislation created 75 Pennsylvania Code — Consolidated Statute, Section 1355.1 to establish the Department of Transportation authority, in consultation with the Commission, to issue Pennsylvania Hunting Heritage registration plates for eligible classes of vehicles. The legislation requires the Commission to charge a fee for the authorization to request the registration plate, but does not itself establish the fee amount. The Commission is proposing to create Section 131.10 by requiring applicants seeking authorization to request a Pennsylvania Hunting Heritage registration plate to pay a fee of $25. The text is shown on pay three of your agenda.

PRESIDENT SCHLEMMER:
Do I hear a motion?

COMMISSIONER MARTONE:
So moved.

PRESIDENT SCHLEMMER:
Is there a second?

COMMISSIONER WEANER:
Second.

PRESIDENT SCHLEMMER:
Discussion? I'd like to say something, that our local senator, Jim Brewster, this was his
initiative, and he's the one that got the plate passed
for us. And also, I would like to thank our --- Steve
very much for your efforts in this working with
PennDOT, and also like to extend thanks to my
granddaughter Helen, who helped in the design work.
So that's what I'd like to say for the record. Thank
you. Mr. Secretary?

SECRETARY HOOVER:

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

ALL AYE

SECRETARY HOOVER:

Opposed, no? Motion carries.

ATTORNEY BECHTEL:

Moving on to the Bureau of Wildlife
Protection, adopted rulemaking.

To effectively manage the wildlife
resources of this Commonwealth, the Game Commission,
at its June 10, 2014 meeting, proposed to amend 58 Pa.
Code, Section 141.42, relating to parties hunting big
game, by deleting voided roster requirement text
remaining in subsection (a) (d) and (f). The text of
this is shown on page five of your agenda.

PRESIDENT SCHLEMMER:
Do I hear a motion?

COMMISSIONER DELANEY:
So moved.

PRESIDENT SCHLEMMER:
Do I hear a second?

COMMISSIONER LAYTON:
Second.

PRESIDENT SCHLEMMER:
There's a second. Discussion? I believe that this particular rule was put forth by Senator Kasunic; correct on that?

COMMISSIONER WEANER:
Correct.

PRESIDENT SCHLEMMER:
And the Senator is retiring this year, and the Commissioners presented him a plaque of appreciation on Sunday. So put that in the record, I'd appreciate that very much. Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carries.
ATTORNEY BECHTEL:
The next item is also adopted rulemaking. It's the adoption of proposed amendment 58 Pa. Code, Section 147.101 and 147.103, relating to the definition and classes to make it clear that hybrid applies to all offspring of species listed in 50 CFR 10.13, relating to a list of migratory birds. The text is shown on pages seven through eight of your agenda.

PRESIDENT SCHLEMMER:
Motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT SCHLEMMER:
Do I hear a second?

COMMISSIONER MARTONE:
Second.

PRESIDENT SCHLEMMER:
Discussion?

SECRETARY HOOVER:
Mr. President, I'd like to offer a ---.

PRESIDENT SCHLEMMER:
No. Discussion?

SECRETARY HOOVER:
No discussion.
PRESIDENT SCHLEMMER:
No discussion? Mr. Secretary?

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carries.

ATTORNEY BECHTEL:
The next item before the Commission concerning proposed rulemaking to amend 58 Pa. Code, Section 147.726.

The United States Fish and Wildlife Service has the authority to issue a Special Purpose Abatement Using Raptors Permit. This permit generally allows qualified individuals to utilize raptors to handle nuisance wildlife issues for other persons. The Commission requires a person to obtain a Nuisance Wildlife Control Operators Permit if that person conducts nuisance wildlife control work for another person in Pennsylvania.

In order for raptors to be utilized by properly permitted Nuisance Wildlife Control Operators in Pennsylvania, the Commission must amend its regulations. The Commission is proposing to amend
Section 147.726 to authorize the use of raptors for nuisance wildlife abatement by persons in possession of a Nuisance Wildlife Control Operator Permit and a Special Purpose Abatement Using Raptors Permit. The text of this is shown on page nine of your agenda.

PRESIDENT SCHLEMMER:
Do I hear a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT SCHLEMMER:
Second the motion?

COMMISSIONER MARTONE:
Second.

PRESIDENT SCHLEMMER:
Discussions? Hearing none, Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carried.

ATTORNEY BECHTEL:
The next item before the Commission
concerns proposed rulemaking to amend 58 Pa. Code, Section 133.21 and 147.101 and to create Section 147.111(b).

The United States Fish and Wildlife Service has the authority to grant states within the Atlantic Flyway the ability to permit certain qualified falconers the opportunity to take passage Peregrine Falcons, *Falco peregrinus tundrius*, for falconry purposes. Although various states in the Atlantic Flyway currently participate in the limited allowable take of passage Peregrine Falcons, Pennsylvania does not.

In order for the Commission in this Commonwealth's qualified falconers to participate in this program, the Commission must amend its regulations to distinguish between passage Peregrine Falcons, *Falco peregrinus tundrius*, and Peregrine Falcon, *Falco peregrines anatum*, which is currently listed as a Pennsylvania endangered species.

Furthermore, the Commission define the allowable take to establish limitations on the number of passage Peregrine Falcons that can be taken in any given permit year.

Finally, the Commission must establish a special permit program that includes eligibility
criteria as well as application and issuance standards.

Upon the establishment of this regulatory structure, the Commission will seek approval from the United States Fish and Wildfire Service for Pennsylvania and its qualified falconers to participate in the limited take of passage Peregrine Falcons within Pennsylvania. The text of this amendment is shown --- or the text of this proposed ruling can be shown on pages 10 through 13 of your agenda.

PRESIDENT SCHLEMMER:
Do I hear a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER MARTONE:
Second.

PRESIDENT SCHLEMMER:
Proper moved and second. Discussion?

SECRETARY HOOVER:
At this time, Mr. President, I'd like to make a motion to amend Section 147.11(b)(e)(6) and (7), by removing the words present the passage
Peregrine Falcon to the Commission at the Harrisburg headquarters, and insert the word arrange in (6) and to remove the words presentations to and insert the words inspection by, in (7). These are on pages 12 and 13 of your agenda.

COMMISSIONER WEANER:
Second.

PRESIDENT SCHLEMMER:
Discussion? Mr. Secretary?

SECRETARY HOOVER:
There's a motion on the floor that's been amended. So for this, we have to do the amendment first. We're going to vote on the amendment. All those in favor, signify by saying aye?

ALL AYE

SECRETARY HOOVER:
Those opposed, no? Motion carries. We will at this time, vote on the amended.

VICE PRESIDENT PUTNAM:
Mr. President?

SECRETARY HOOVER:
Yes.

PRESIDENT SCHLEMMER:
Discussion?

VICE PRESIDENT PUTNAM:
I'd like to comment on the proposed amendment. What we're doing is removing the requirement that these birds be taken to the Harrisburg headquarters within three days of capture. These are young birds that would be subject to a lot of stress already. Surely this would be another adverse impact to those birds and that's why we're making this change.

PRESIDENT SCHLEMMER:
Thank you. Mr. Secretary?

SECRETARY HOOVER:
Okay. There's a motion on the floor that's been duly seconded. All those in the favor, signify by saying aye?

ALL AYE

SECRETARY HOOVER:
Opposed, no? That motion carries.

ATTORNEY BECHTEL:
The next item before the Commission comes from the Bureau of Wildlife Habitat Management. It concerns a proposed rulemaking to amend 58 Pa. Code, Section 135.41, 135.181 and Chapter 147, Subchapter Z.

At the previous Board of Commissioners meeting conducted on June 10th, 2014, the Bureau of
Wildfire Habitat Management was directed to study feasibility Game Commission enacting a permit requirement for all game lands users who are not currently in possession of a valid hunting or furtaking license, or other permit or license signed by the Game Commission's appropriate authority.

At the Commissioner's Working Group Meeting on August 11, 2014, the detailed briefing and course of analysis was presented by the Bureau of Wildlife Habitat Management. A recommendation was made by the Bureau of Wildlife Habitat Management to the Working Group Committee Members to limit such a permit requirement only to those designated trail users on state game lands. This allowed for certain criteria and exemptions to occur. The presentation included varied evidence from --- evidence of the most egregious adverse impacts occurring to existing game lands areas from unauthorized uses on designated trails that had been limited to horseback riders, snowmobile users and bicyclists. Supporting documentation of ongoing significant costs accrued by the Commission in order to management, maintain, or otherwise assure compliance of these designated trail users was also presented by the Bureau.

In order to prudently manage the game
lands for its intended use and further protect, minimize, and mitigate those lost recreational and wildlife functions and values, which are adversely impacted due to these trail activities, the following proposed rulemaking is being offered for Board consideration. The text of this rulemaking is shown on pages 14 through 16 of your agenda.

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

COMMISSIONER LAYTON:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER WEANER:
Second.

PRESIDENT SCHLEMMER:
Proper moved and second. Discussion, gentlemen?

COMMISSIONER DELANEY:
I'll start.

PRESIDENT SCHLEMMER:
Okay.

COMMISSIONER DELANEY:
Commissioner Delaney. I think we started this process months and months ago relative to
some concerns amongst Board members and our staff, and we asked our staff to look into the issue. And I believe Director Capouillez has done an outstanding job to come back and report to the Board his findings, factual finding that shows there is damage to our State Game Land System and to show us that there's a concern with the U.S. Fish and Wildlife Service, that we need to mitigate some of these damages within our resources and our budget. It's observe that there's a --- it's a contentious issue amongst the Board, something that we need to really look hard at to work at fixing. I suspect there are some very strong opinions from the (d) that's here on what needs to be done to fix it. But I for one stand that we need to do something. We received, I believe it was 600, or 700 or 800 comments with regard to this issue. There was a lot of misinformation out there that I believe was corrected by our staff. I think we still need some more work on it. But I really believe that we need to do something to mitigate the problems that we have. We have a great agency, and if we can't solve this dilemma or this issue we can't solve any. So I think it's going to take some work for us to get it done. So I believe if we work together we can find some solution, that at least the majority of us could
support.

PRESIDENT SCHLEMMER:

Mr. Putnam?

VICE PRESIDENT PUTNAM:

I agree with Jay, that we do have a problem. And I think Bill did a good job of getting us starting in the process. However, I don't feel comfort that the current proposal as it exists is really the way we're going to --- what we're going to end up with. We've had some discussions that --- with our partners and others that --- well, we're going to exempt Rails to Trails, for example. It's not in here. We need to come up with specific exemptions. And I really don't feel comfortable with this where we're at. We are definitely going to do something. One of the things that we can do, and we can do it today or start this afternoon, is use our enforcement powers to reign in the illegal use. Most of the activities that are pointed out to us that are causing actual damage, are illegal use. We are spending money maintaining trails that are --- that have dual uses, but the problems are pointed out to us. They're mostly illegal. And we have the existing authority to tackle that right now. I would like to see us start on that approach first before we start spending a lot
effort regulating people who are really not ---. I mean, many --- most of the people that came here and testified are not causing a problem. The problem is an exception to one group, the off road bicycle people who don't want to ride on roads.

But other than that, most of the people that came here and spoke, were the people that are members of organized groups, don't really need much regulation. And the people who need the most regulation, I don't think they're part of the process right now, and we need to get them in the process. And I think that's going to be done better through enforcement.

I'll reserve my right to come back and add additional comments if this goes on.

PRESIDENT SCHLEMMER:
Okay. Commission Martone?
COMMISSIONER MARTONE:
Before this proposal comes to a vote, I want to make it clear the details surrounding this proposal. As of last Thursday there were 869 comments from hunters and non hunters opposed to this, while 197 were in favor. That's the initial count. I will admit, that includes 597 Rails to Trails comments that were all opposed. Key legislators, including take 25
member at a House Game and Fisheries Committee and two
other legislators are opposed to this. The Governor's Advisory Council for hunting, fishing
and conservation unanimously opposed this. Our key
conservation partners, including the Western
Pennsylvania Conservancy, National Wild Turkey
Federation, United Bow Hunters of Pennsylvania,
Pennsylvania Federation of Sportsmen's Clubs, all
opposed to this.

    Major organizations representing the
Pennsylvania Equine Council, Pennsylvania State
Snowmobilers Association, International Mountain
Bikers Association, Keystone Rails to Trails all
opposed to this propose at. And most important of
all, this issue is opposed by the Pennsylvania Game
Commission itself. From the field staff, regional
staff, headquarter staff and even senior
administration, all oppose this proposal.

    I would encourage everyone following
this issue to pay close attention to the results of
today's vote and pay attention to who voted and how
they voted, I think it's important. Thank you.

SECRETARY HOOVER:
Mr. President?

PRESIDENT SCHLEMMER:
Any other comments? Commissioner Layton.

COMMISSIONER LAYTON:
I'm having a hard time understanding whether people are opposed to the permit itself or the fee that's associated with the permit. I think everybody sitting here today understands that we have a problem with our --- with our game land. We have a problem that needs to be addressed. Currently that burden to mitigate those problems is --- comes from the hunters and trappers from Pennsylvania. I understand why a lot of these groups are opposed to the permit. If it's a fee issue, what I would suggest is that we continue to move forward with this because the permit in and of itself does more to benefit the Game Commission, I think than the fee that's associated with it. If with the permit we can put out information to those people who want to use the game lands, who want to ride bikes, who want to ride horses, who want to use the game lands for snowmobiles, at least we can get the information out to them that this is what's required of you. This is the timeframe that you're allowed to use our game lands. These are the trails that you have to travel. I think staff, Director Capouillez and the staff of
the Game Commission has a monumental task ahead of them. Because first, I think what they need to do is

— go out and identify those trails that are designated by the Game Commission. We need shut down the trails that are currently illegal trails and shouldn't be used by the Game Commission. We need to get signage out there. We do need to get --- I agree with Commissioner Putnam, we need law enforcement out there and we need to get a hold of this situation.

But I think by simply throwing this whole proposal out would be wrong on our account, because the permit even without the fee gives us the ability to know who is on our game lands, what they're doing on our game lands, and gives us the opportunity to at least send those rules out that are extremely difficult to find. If you even go to our --- the Game Commission website and you don't have an a Hunters and Trappers Digest. You know, there are some issues I think we need to work out with this proposal. But I would I urge support of it, and we can make adjustments and do what we need to do to make it work for both the Game Commission and those secondary users. Thank you.

PRESIDENT SCHLEMMER:
Commissioner Hoover?

SECRETARY HOOVER:
Commissioner Martone draws conclusions, that from 800 e-mails, 597 of which were institutional e-mails that were all the same, that all of the hunters out there and all the hunting license holders are against this permit. And I tend to disagree with Commissioner Martone --- strenuously disagree with him, and I don't know how he draws that conclusion. We received four letters from legislators, two from the House Game and Fisheries Committee that were against and came out against the permit proposal, and he draws from that conclusion that all 25 are against the permit proposal they haven't even met. So he does some really good work within the Commission here, and then he does some not so good work in trying to persuade people by manipulating the numbers.

What I do want to point out is that this permit was brought forth because we do have a problem on our game lands. We have game lands today that have no game on them, that are more in tune to recreational purposes then they are for hunting and trapping. And those are the problems that we need to fix and solve. And if we continue to kick the can down the road so to speak, as we done in the past with other things, and not make the hard choices then we will never fix the problems that are out there. This permit becomes a
vehicle to get the information out to the public and
tell them, yes, you're allowed on our lands, you've
been allowed on it for free, but here are the
stipulations by which you have to operate to get onto
our lands, the times and the details that you're
allowed there.

At this point, I agree that this is not
a perfect proposal. I certainly do agree that there's
a lot of work to it. And I'd like to make a motion to
table this and have the staff come back to us with a
proposal that the Commissioners will all support.

PRESIDENT SCHLEMMER:
Commissioner Putnam?

VICE PRESIDENT PUTNAM:
Thank you. I'll use up the remainder of
my time. We've got a motion on the floor.

SECRETARY HOOVER:
We have a motion on the floor, Mr.

President.

PRESIDENT SCHLEMMER:
I got to hear --- there's a motion on
the floor.

VICE PRESIDENT PUTNAM:
Okay. We're going to discuss the
motion. No?
COMMISSIONER WEANER:
No, this is a non-discussable motion.

PRESIDENT SCHLEMMER:
That's correct. Motion on the floor.

SECRETARY HOOVER:
I need a second.

PRESIDENT SCHLEMMER:
I need a second.

VICE PRESIDENT PUTNAM:
Second.

PRESIDENT SCHLEMMER:
It's properly moved and seconded. Mr. Secretary?

SECRETARY HOOVER:
I'd ask for a discussion.

ATTORNEY BECHTEL:
I'd ask for a discussion on this --- a non-discussion.

SECRETARY HOOVER:
There's a motion on the floor to table 135.41, and 135.181 and Chapter 147, Subchapter Z and have the --- have the staff bring back the proposal at the work --- at the next work group meeting in a more workable form.

PRESIDENT SCHLEMMER:
Call for a vote.

SECRETARY HOOVER:
All those in favor, signify by saying aye.

ALL AYE

SECRETARY HOOVER:
Opposed? Motions passes.

PRESIDENT SCHLEMMER:
I would like to say something, because I didn't get into the first part of this. In moving forward, Bill I'd like thank you for all your effort and your boots on the ground effort out there, walking on out game lands. Okay? And I had --- I made up a little statement here about listening to this proposal since it was decided to vet the proposed fees to repair and preserve our game lands. And we are charged and took an oath as Commissioners to basically preserve, propagate and protect the wildlife, and in turn the wildlife habitat, that our hunters and trappers have supplied.

Increasing degrees of freedom ultimately creates chaos. To restrict human behavior, we must have rules to protect life, and in this case property. We have a social contract with each other, and we have a set of rules that we cannot yield to any special
interest groups, whether they be legislative or passive users. It's important that we move forward with this proposal as we have just stated, and make changes as needed and amend those as required. At one point, as Commissioners we must stand on principal and do our duty.

Final thought, no one ever did anything great by playing it safe. Thank you. And I'm going to support what we all do here. Thank you. I just wanted to make that statement.

COMMISSIONER DELANEY:

Mr. President, I still have something that I need some clarification for here. Do you want me to ask the question under new business, or while Director Capouillez is here, can I ask him now?

PRESIDENT SCHLEMMER:

While the Director is here why don't you ask him.

COMMISSIONER DELANEY:

This is going to be a tough question, and our Executive Director is going to have to answer it. But the good Commissioner from the northwest stated that our agency and all of the staff adamantly opposed to this procedure that we're going to do. And I believe I heard Director Hough say it hasn't even
been --- I'm sorry, Director Hough, that it hasn't
even been vetted yet. I mean, there's a lot of people
out here in the audience that are going to see this
film. And Commissioner Martone said our agency staff
is adamantly against this.

So I as a Commissioner, I'd like to hear
where our staff is at on this. I don't know that it
was vetted, Matt, is what you had said yesterday. So
offer us some clarification to this if you would.

EXECUTIVE DIRECTOR HOUGH:

In discussions with senior staff and the
majority of senior staff, certainly not all of them,
because Bill is in favor of it. But the majority of
those individuals are not in favor of this proposal as
it stands. And I'm talking senior staff, I'm talking
I actually smoke to four of those six regional
directors who were opposed to it, individuals from the
Bureau of Wildlife Protection that were opposed to it,
Information and Education people that were opposed to
it as it stands.

COMMISSIONER DELANEY:

Did you not say to us yesterday that the
senior staff has not vetted this yet?

EXECUTIVE DIRECTOR HOUGH:

No, I have vetted it with the senior
staff. Obviously, I did. We have senior staff meetings, we have regional director meetings. What I said was, that the proposal that the Commission saw at the Working Group Meeting was never vetted to senior staff before it was shown to the Commissioners.

COMMISSIONER DELANEY:
Okay. So then isn't that statement accurate, that our agency is adamantly against this proposal.

EXECUTIVE DIRECTOR HOUGH:
As this proposal stands, senior staff is not in favor of this proposal. We know there's a problem, we know we have to find a solution to this problem. The devils in the details basically. And we don't think that this proposal is going to solve that problem the way it stands.

COMMISSIONER DELANEY:
As written.

EXECUTIVE DIRECTOR HOUGH:
Correct.

COMMISSIONER DELANEY:
Perfect. That's just what I wanted to hear. So we have an issue and we need to fix it?

EXECUTIVE DIRECTOR HOUGH:
Correct. Yes.
PRESIDENT SCHLEMMER:
Would you like to approve it?

SECRETARY HOOVER:
Commissioner Hough --- I mean, Executive Director Hough, we're asking --- or I am asking that the staff return to this issue and bring forth a proposal for this permit that is more palatable to our constituents and the Board of Commissioners, at the next work group meeting. I am not interested in allowing this to lay and just go away, I would like to see this proposal move forward at some point in a corrected form that addresses the issues that we currently deal with in our game lands, and remembering the fact that what the game lands are there for. They are not there for recreational purposes, and they have turned into recreational game lands and it's now it's become a dual purpose. Everyone came to us and said, we're going to lose control of our game lands. We have already lost control of our game lands. And for those of you that sit out there saying, no, we haven't, that is incorrect. Take a look at it, we have lost control of our game lands. And not all of our game lands, but a good portion of them.

So we need to get these game lands back into our control, and get them back to the hunter and
the trapper for which they were originally designated. And I'd appreciate that you follow through with that.

EXECUTIVE DIRECTOR HOUGH:
Certainly will.

PRESIDENT SCHLEMMER:
Commissioner Martone?

COMMISSIONER MARTONE:
A couple of things I want to add to the discussions. Commissioner Hoover says that we have lost control of our game lands, but I would propose this is not a statewide issue. I would agree in southeast Pennsylvania, game lands are heavily used by recreational users, and there probably is more concerns there than anywhere else in the state. But I can tell you I spend an awful lot of time traveling the state and spend a lot of time on game lands, and this is not a statewide issue. This is an issue that very rarely pops up in the northwest, and the north center and many of the places I go. Are there incidents, yes. But is it, as Commissioner Hoover paints the picture, a loss of our game lands and have we lost control? Maybe in the southeast there is truth to that. But I can tell you it's not true statewide.

The other thing that concerns me is that
right now we have proposed and gone to Executive Director Hough to ask the staff to come up with a solution to this problem. This is the way it's supposed to work. This is the way it has always worked for this agency, for a Commissioner to make a proposal and ask the staff to fix it. What happened up to this point is not the way it was supposed to work, where a Commissioner asked for something to get done and it gets done without the agency involvement.

So what we go from here on is the correct path. How we got here has been completely incorrect. Thank you.

COMMISSIONER WEANER:
Mr. President, I have a problem with what's required. Without a motion on the floor there's not supposed to be any discussions of anything. We don't have any motion on the floor, and technically what we're doing is not following Rob's rules of order.

PRESIDENT SCHLEMMER:
Thank you.

ATTORNEY BECHTEL:
The next item before the Commission today is from real state. It concerns the donation of Contract Number L 3670, State Game Land Number 96 in Venango County.
Lucy M. Daris is offering a donation of 6.6, more or less, acres of land in Jackson and Plum Townships, Venango County, which adjoins State Game Land Number 96, as shown on Exhibit Red One on page 18 of your agenda. The property mostly forested with mixed hardwoods, and has two small forest openings approximately one half acre in size. The tract is accessed from Sunville Road.

PRESIDENT SCHLEMMER:
A motion?

COMMISSIONER MARTONE:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER MARTONE:
Second.

PRESIDENT SCHLEMMER:
Discussions? Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carried.

ATTORNEY BECHTEL:
The next item concerns an acquisition, Contract Number L 3671, State Game Land Number 307, Lackawanna County.

D&L Realty Company is offering for sale 163 acres, more or less, in Archbald Borough, Lackawanna County, adjacent to State Game Land Number 307, as shown on Exhibit Red Two on page 20 of your agenda. The option price is $357,500 lump sum, to be paid with funds from third party commitments for compensation of habitat and recreational losses, which occurred on state game lands from previously approved projects. The tract is forested with mixed northern hardwoods. There is the presence of past lining activity on the property with multiple mine spoil banks located through the lower portion of the property, which have been become covered with forest growth. The seller is accepting and reserving oil and gas together with the rights to explore for, develop and produce said oil and gas. Acquiring this property will provide critical access into existing State Game Land Number 307 from Business Route 6.

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

COMMISSIONER WEANER:
So moved.
PRESIDENT SCHLEMMER:
So moved. Second?

COMMISSIONER DELANEY:
Second.

PRESIDENT SCHLEMMER:
Discussion? Hearing none, Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carried.

ATTORNEY BECHTEL:
The next item concerns the settlement of a dispute, Contract Number L 3672, State Game Land's Number 216 in Lawrence County. Before the Commission is proposed settlement of a boundary dispute whereby Constance Feldman will convey to Commission .32, more or less, acres situated in Slippery Rock Township, Lawrence County for the amount of $155,000 as shown on Exhibit Red Three on page 22 of your agenda. The two adult children of Mrs. Feldman shall have the right to occupy the house located on the premises for the duration of their natural lives or for so long as
one or both utilize the house as their residence. This settlement stems from a dispute as to the property boundary and encroachment. The property is an indenture into State Game Land Number 216.

PRESIDENT SCHLEMMER:
Thank you, Brad. Motion?

COMMISSIONER MARTONE:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER WEANER:
Second.

PRESIDENT SCHLEMMER:
Discussions? Mr. Secretary?

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carried.

ATTORNEY BECHTEL:
Next item before the Commission concerns oil and gas mineral recovery. It's an oil and gas lease amendment, tract 223A 08, State Game Lands Number 223 in Greene County.
Chevron Appalachia, LLC, Chevron, has requested to amend an existing Commission approved oil and gas lease for Tract 223A 08 in Dunkard Township, Greene County. Tract 223A 08 is located on a portion of State Game Lands Number 223, and currently consists of 2,064.98 acres. Chevron proposes to amend the lease by adding an additional three parcels, totaling 3.75 surface acres to the agreement. That's as known on Exhibit --- OGM Exhibit One, page 24 of your agenda.

The Commission owns 100 percent of the surface and the underlying oil and gas rights on two of the parcels and owns 50 percent of the oil and gas rights on the third parcel. The net oil and gas acreage to be added to the lease is 9.36 acres. Chevron has leased the privately owned oil and gas rights and agreed to non-surface use on these portions of the game land.

The terms and conditions of the lease will remain consistent with the existing agreement, approved by the Commission in April of 2008, except the bonus payment will be increased from $125 per acre to $1,500 per acre for the amended acreage. The bonus payment of approximately $14,040 may be deposited into either the Game Fund or interest bearing escrow
account to be used for the future purchase of wildlife
habitats, lands or other incidental uses to hunting,
furtaking and wildlife resource management. All
future rentals and royalties owed the Commission shall
be directly deposited into the Game Fund.
Oil and gas development will be regulated by the
Commonwealth's Oil and Gas Regulations and the
Commission's Restricted Surface Use Oil and Gas
Cooperative Agreement, which is currently in place.

PRESIDENT SCHLEMMER:
Thank you, Brad. Is there a motion?

SECRETARY HOOVER:
So moved.

PRESIDENT SCHLEMMER:
Second?

VICE PRESIDENT PUTNAM:
Second.

PRESIDENT SCHLEMMER:
Discussion? Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carried.

ATTORNEY BECHTEL:

The next item concerns a Restricted Surface Use Oil and Gas Cooperative Agreement, Tract 302A 14, State Game Land's Number 302 in Green and Washington Counties.

Noble Energy, Noble, requested that the Commission offer its oil and gas ownership under a portion of State Game Land Number 302 for oil and gas development. The proposed tract, containing approximately 4.94 acres, is located in Richhill Township, Greene County and West Finley Township, Washington County, as shown on Exhibit OGM Exhibit Two on page 26 of your agenda.

Noble has a strong privately oil and gas lease hold position surrounding this portion of State Game Land Number 302, and has the ability to unitize the Commission's oil and gas reserve by horizontal drilling with no disturbance to the game lands surface. The staff has negotiated the proposed terms of the agreement with Noble in an effort to safeguard the prudent development of the Commission's oil/reserve and simultaneously protect the wildlife resources and recreational use of State Game Land Number 302.
The terms of the agreement are five year paid up Non Surface Use Oil and Gas Agreement, a $4,000 per acre bonus payment and 18.5 percent royalty for all oil and gas, and other liquids and condensates produced and sold from the proposed tract. The bonus payment of $19,736 may be deposited either into the Game Fund or an interest bearing escrow account to be used for the future purchase of wildlife habitats, lands or other uses incidental to bunting, furtaking and wildlife resource management. Future rentals and royalties wed to the Commission shall be deposited directly into the Game Fund.

Oil and gas development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's Restricted Surface Use Oil and Gas Cooperative Agreement.

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

SECRETARY HOOVER:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER LAYTON:
Second.

PRESIDENT SCHLEMMER:
Moved and seconded. Discussions?

Hearing none, Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carries.

ATTORNEY BECHTEL:
The next item before the Commission is also Restricted Surface Use Oil and Gas Cooperative Agreement, Tract 245A 14, the State Game Land Number 245 in Washington County.

John M. Stilley, d/b/a Patriot Exploration, Patriot, has requested the Commission offer its oil and gas ownership under a 358.7, more or less, portion of State Game Land Number 245 for oil and gas development. This is shown on OGM Exhibit Three on page 28 of your agenda. The Game Commission owns 50 percent of the oil and gas rights under the proposed tract. The remaining privately held 50 percent oil and gas ownership is oil leased from the private oil and gas owners.

Patriot is an affiliate company of Amerikohl Mining Company, Amerikohl, and this action
will provide a means to provide a final resolution to a previously negotiated Settlement Agreement dated November 7th, 2013, between Amerikohl, the United States Fish and Wildlife Service and the Game Commission. Under the terms of the aforementioned Settlement Agreement, the Game Commission agreed to waive $17,366 in lease value on a future leasing arrangement on an undetermined game lands. Amerikohl conducted an exhaustive coal exploration and drilling program on several game lands and could not find a coal reserve in which the Commission and Amerikohl could agree to effectuate a coal mining lease. However, Amerikohl affiliate company Patriot has working interest in oil and gas development and several areas of the Commonwealth, and this lease action will serve as a means to finalize the November 2013 Settlement Agreement with Amerikohl, and ultimately result in no surface impact to the game lands.

The staff has negotiated the proposed terms of the agreement with Amerikohl and Patriot in an effort to safeguard the prudent development of the Commission's oil/gas reserve and time simultaneously protect the wildlife resources and recreational use of State Game Land Number 245. The terms of the
agreement are ten year paid up Non Surface Use Oil and
Gas Agreement, a $3,000 per acre bonus payment, of
which the agreed waiver of $317,366 will be applied,
and a 19 percent royalty for all oil/gas and other
liquids or condensates produced and sold from the
proposed tract, which are owned by the Commission.
The remaining bonus payment of $220,714 due the
Commission may be developed into the Game Fund or
interest bearing escrow account for the future purpose
of wildlife habitats, lands or other uses incidental
to hunting, furtaking and wildlife resource
management. Future rentals and royalties owed the
Commission shall be deposited directly into the Game
Fund.

Oil and gas development will be
regulated by the Commonwealth's oil and gas
regulations and the Commission's Restrict Surface Use
Oil and Gas Cooperative Agreement.

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

SECRETARY HOOVER:
So moved.

COMMISSIONER MARTONE:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER LAYTON:
Second.

PRESIDENT SCHLEMMER:
Moved and seconded. Discussion? Mr. Martone?

COMMISSIONER MARTONE:
I would like to comment on this. I want to commend Bureau Director Capouillez for coming up with this agreement. In doing so, he protected some very critical and unique habitat in the northwest, with --- which was considered to settle this agreement. And I think that the solution is the benefit of all sportsmen in Pennsylvania.

Bill, do you have any comments on this? You did a lot of work on it; I want to give you a chance to comment on it.

DIRECTOR CAPOUILLEZ:
There was a lot of work done by the region --- both the regions as well. There was the issue with regard to surface mining obviously impacts a lot of the surface area just due to the process. This was an excellent compromise to meet the Settlement Agreement that Brad had negotiated from previous, as well as the U.S. Fish and Wildlife. So
it settles the issue and it reduces our surface impact in its entirety. So it was a good compromise by everybody.

COMMISSIONER MARTONE:
Yeah.

DIRECTOR CAPOUILLEZ:
And again, I want to thank you for your efforts because there were very big concerns, particularly in the northwest with the unique habitat that was possibly going to be used to settle this, and I think this agreement has the best for everybody, particularly the sportsmen of Pennsylvania with game lands involved. So thank you again for your efforts.

PRESIDENT SCHLEMMER:
Further discussions? Hearing none, Mr. Secretary.

SECRETARY HOOVER:
Motion on the floor has been duly seconded. All those in favor, signify by saying aye?

ALL AYE

SECRETARY HOOVER:
Opposed, no? Motion carries.

ATTORNEY BECHTEL:
The last item before the Commission today is the Restrict Surface Use Oil and Gas
Cooperative Agreement Amendment. Tract 12A 13, State Game Land Number 12, Bradford and Sullivan Counties.

Chief Exploration & Development, LLC, or Chief, of Dallas, Texas have requested to amend their existing 19,133 acre Commission approved Restricted Surface Use Oil and Gas Cooperate Agreement for Tract A 13, located in Bradford and Sullivan Counties. The proposed amendment consists of adding 449, more or less, acres for non-surface use oil and gas development in Overton Township, Bradford County and Elkland Township, Sullivan County as shown on OGM Exhibit Four as shown on page 30 of your agenda.

Chief has a strong lease position surrounding proposed amendment area, has initiated unconventional well drilling and development programs in the vicinity of the amended acreage and has the ability to unitize and timely develop the Commission's oil and gas reserve, with no additional surface use or disturbance.

The terms of the amendment are consistent with the existing agreement approved by the Commission in September 2013. Chief has agreed to pay the Commission a bonus of $2,000 per acre and 23 percent royalty for all oil/gas and other liquids or condensates produced and sold from the proposed tract. The bonus payment of approximately $898,000 may be
deposited into the Game Fund or interest bearing escrow account for the future purchase of wildlife habitats, lands or other uses incidental to hunting, furtaking and wildlife resource management. Future royalties owed the Commission shall be directly deposited into the Game Fund.

Oil and gas development will be regulated by the Commonwealth's oil and gas regulations and the Commission's Restricted Surface Oil and Gas Cooperative Agreement.

PRESIDENT SCHLEMMER:
Do I hear a motion?

SECRETARY HOOVER:
So moved.

PRESIDENT SCHLEMMER:
Second?

COMMISSIONER WEANER:
Second.

PRESIDENT SCHLEMMER:
Discussion? Hearing none, Mr. Secretary.

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

ALL AYE
SECRETARY HOOVER:
No? That motion carries.

PRESIDENT SCHLEMMER:
Thank you, Bill. I appreciate it very much. Moving forward here under new business, but not really new, I'd like to thank Pat Anderson and his crew from the southwest for supplying WCOs to look after us, we appreciate it very much. And thanks to everybody, Pat. So thank you.

BRIEF INTERRUPTION

PRESIDENT SCHLEMMER:
Okay. The January meeting will be held on January 25, 26 --- 27, sorry.

SECRETARY HOOVER:
Before we close the meeting, I do want to thank Director Capouillez for all the work that he did on the permit process. What we did wrong in this process was absolutely nothing. What we did right was to bring the process out at a work group meeting to give everyone the opportunity to comment on it well advance of when it would normally be brought out to the public, which would be a today's meeting, and then the public comment portion would have begun today. According to Commissioner Martone, we did this the
wrong way, we sat at a work group meeting, we stuffed it at a work group meeting and Director Capouillez was requested at that point to --- as the Director of Wildlife Habitat Management to come forward with a proposal, which he did, and it was vetted as we went through the process. So thank you, Bill, for all the work did on that, I think you did a phenomenon job. And if nothing else, it brought out the problems that we currently have in the system, and hopefully will be address --- we'll be able to address those and get them corrected. Thank you.

PRESIDENT SCHLEMMER:
Commissioner Putnam?

VICE PRESIDENT PUTNAM:
On that line under new business, we recognize the problem and I guess I would like to ask the Executive Director to proceed with enforcement as he sees fit to reign in that problem to ask staff to categorize what the problem is, particularly in the off road or single track trails. What do we have as far as authorized single track trails and what's some extent of the unauthorized trails? I don't think we need to map the unauthorized ones up, because hopefully they're going to be closed soon. I think we need to make --- initiate efforts to
implement some of the things that Director Capouillez
talked about, such as painting signs, and blazing
trails as opposed to putting up signs that people
steal. I think we're going to need to come up with a
list of exceptions, and we're going to have to have
that fairly widely discussed, because many of the
people who were writing to us would be exempt under
what we perceive as the way this would end up. It's
not the way we wrote it, but I think it's the way we
thought it would end up. So I think we want to work
on that part of the --- of the proposed regulations.
When we get to the actual permit stage, maybe we may
not need a permit, maybe we'll exempt the people who
are behaving legally and reign in the ones who are
behaving illegally.

We talked about how many comments are
received, and the Board does listen to the comments.
I guarantee you, we've agonized over all these
comments. 597 institutional comments don't weigh to
me as much as they --- a personal letter from Perry
Gilbert, or John Shutter or Dave Brown. Those carry
far more weight with me than 500 form letters. 500
form letters are pretty easy to get rid of.

But anyhow, we do listen to the public.
And I think that's pretty well evident here. That's
all I have. I do have one other topic after that, if anybody wants to hear about that.

PRESIDENT SCHLEMMER:

Commission Delaney?

COMMISSIONER DELANEY:

Two comments --- actually, one I got to put in the form of a motion. But the first comment, I guess disappointing to me, you know, we're --- where we're at here in Jefferson County, we had chronic wasting disease last month, you know, and we get all these comments about the permits. Yet, chronic wasting disease is knocking on our door here, not one single comment offered to the Game Commission with regard to chronic wasting disease. You know, hunting is going to be a whole lot different in Commissioner Layton's area this year. But it's just disappointing to me, we almost look at it as a priority, these other issues. And chronic wasting disease almost should be the number one issue we address in what we're talking about ---.

But with that said, Director Hough if it's possible to have your Director of Administrative Services doctor come up to the room for just a minute. When I do a motion here, in case the Commissioners would have any questions pertaining to it.
EXECUTIVE DIRECTOR HOUGH:
Sure.

COMMISSIONER DELANEY:
Dawn, I'm not catching you off guard.

EXECUTIVE DIRECTOR HOUGH:
It sure looks like you are.

PRESIDENT SCHLEMMER:
Deer in headlights.

COMMISSIONER DELANEY:
It's in regard to the antlerless deer licenses issue we have in northeastern Pennsylvania. And I wrote this up, and I'll put it in a form of a motion when I'm done.

Commissions and Executive Staff, at the August 11, 2014 Board of Commissioners Working Group Meeting, I gave a detailed account on the antlerless deer licenses from the first round of unsold tags. It was a serious lapse in the sale of these unsold tags at the Luzerne County Treasurer's Office. These antlerless permits are sold on a first come, first serve basis starting on Monday, August the 4th. On Friday, August the 8th, I started to get complaints from those sportsmen who sent their application into the Luzerne County Treasurer's office, that they were not receiving the antlerless licenses they requested.
It appeared as though, if you sent an application to other county treasurers requested unsold tags from Wildlife Management Unit 3B, 4C or 4E, you received them. If you sent them to Luzerne County, they were either not processed or slowly processed.

In fact, it's my understanding that after the Pennsylvania Game Commission got involved, 500 antlerless applications that should have been done by Luzerne County were sent to Wayne County for processing. Since this process is first come first serve, many sportsmen were denied the first round of antlerless licenses they requested from Luzerne County. Sportsmen in my area of the state were livid even though the antlerless permit applications are solely the responsibility of the county treasurers by authority of the state legislature.

How can a sportsmen have reasonable assurance if they're being treated fairly in obtaining their antlerless deer permit? Begin dialogue with the state legislature to give the Pennsylvania Game Commission the full authority to manage the antlerless deer license to the Pennsylvania Automated License Sale System. When that system was designed for the 2009, 2010 license year it was designed to enable the agency to allow hunters to purchase antlerless deer
licenses at the point of sale. The Pennsylvania Game Commission is equipped and prepared to manage sales of antlerless deer licenses. The Pennsylvania Game Commission needs the authority from the legislature. I would respectfully ask the Board of Commissioners to support making the antlerless deer license available through the Pennsylvania Automated License Sale System a legislative priority for the Pennsylvania Game Commission for the remained 2014, 2015 legislative session. And I would be putting that in the form of a motion.

PRESIDENT SCHLEMMER: Motion on the floor.
SECRETARY HOOVER: Second.

PRESIDENT SCHLEMMER: Discussion?
COMMISSIONER WEANER: Mr. President, what exactly is the motion? You want to restate that so we know that.

PRESIDENT SCHLEMMER: Restate the motion.
COMMISSIONER DELANEY: The motion is what I had just said. And I'll read the last paragraph. I would ask the Board
of Commissioners to support making the antlerless deer license available through the Pennsylvania Automated License Sales System a legislative priority to the Pennsylvania Game Commission for the remaining 2014, 2015 legislative session.

Commissioner, just to expand to that, just to --- we have to give our agency some direction in what we would like to do with that. And I believe the time has come that we give our agency directions to move forward legislatively to try to be able to do this.

COMMISSIONER WEANER:
Okay.

PRESIDENT SCHLEMMER:
Answer your question?

COMMISSIONER WEANER:
Yep. We do have a second, Mr. Secretary.

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

ALL AYE

SECRETARY HOOVER:
Opposed? Motion carries.

COMMISSIONER DELANEY:
Thank you, Dawn.

DIRECTOR DERR:
Okay. If I can just may say

COMMISSIONER DELANEY:
Sure.

DIRECTOR DERR:
I'd like to thank you, Commissioner Delaney for coming to that meeting with the Luzerne County folks. I think that that was a very positive move on our part when we went there together supported by, you know, the Roots --- the Grass Roots staff up to the Commissioners. So I really do appreciate your support on that.

COMMISSIONER DELANEY:
And you did a very good job. You know, we had an issue. I'm not sure that it's fixed for next year yet, but I'm thankful for your thought process to work with the County Treasurer's Office and that staff, and just think that the time has come for us to be in the business of permitting the licenses ourselves rather than the others. And I'm sure there will be a debate, yet --- in the future, but thanks for your involvement and help.

PRESIDENT SCHLEMMER:
Thank you, Dawn. Commission Martone?
COMMISSIONER MARTONE:

I would ask that Executive Director Hough and the staff for the Bureau of Wildlife Management to have, once again, a report for our December Working Group Meeting on a concurrent archery/deer, archery/bear season that we can considerate at the January meeting. Thank you.

PRESIDENT SCHLEMMER:

Commissioner Weaner?

COMMISSIONER WEANER:

Pigging backing on what Mr. Delaney said, I'm also interested in having the staff and the Game Commission take a look at the, to use his term, begin dialogue with the possibility of lobbying our legislature to do something about chronic wasting disease. They've taken the responsibility for deer and servants behind fences and they've given it the Department of Agriculture. I don't see that working, I see a huge disaster coming down the road if something doesn't radically change. And so I'm just asking that we take a look at lobbying them to try to get something done and report back to us at the next meeting.

I'm not putting that in the motion, I'm just suggesting it.
PRESIDENT SCHLEMMER:

Thank you, Commissioner. Mr. Putnam?

VICE PRESIDENT PUTNAM:

A year ago we met in this same room, about exactly a year ago, and we saw video on the recovery of the Bald Eagle. And I made a statement after that, that the Bald Eagle --- bringing the Bald Eagle back to Pennsylvania was a joint effort of all the Bureaus of the Game Commission, that most of the people that we saw in that video were wearing badges when they were climbing up the trees and bring those Bald Eagles back to Pennsylvania.

And I made the same analogy to our bat issue, that we have law enforcement people that could really work with our biologist to protect bats in the ground. I asked for a special effort to be made in September, that bats are most vulnerable in the ground, and a small amount of disturbance can result in the direct death of bats. And yet, in the spring we reported update and the exact words were, we have two sites in --- I think in the northeast, two mine sites. One of them had the gate cut off with a plasma torch and the other one was being breached daily by local.

Now, after I made a specific request for
our biologist and our law enforcement people to work together, I hear that this site is being breached daily by locals. Because apparently my request to them was ignored. The Game Commission has very substantial resources to get things done, including cave gating. And yesterday at the presentation we talked about possibly gaining a couple sites, but Gregg in his presentation said, he has a lot of things on his plate, and working on contracts, and getting cave gating moving forward was not necessarily you know, was just part of a big --- a lot of duties. We have the people here who can do contracts. We have the people who can manage construction. It should not be one item on one biologist's plate to get these caves gated. We're coming into another winter, and we're losing these bats at such a rate that, you know, this coming winter will be the most important winter for bats in our lifetime. Last winter was most important winter, we let it go and did nothing. And I would say, I believe we did nothing, zero.

And I would like to, again urge our urge the Executive Director and our two deputies to work together to bring the Bureaus together to identify the important priority sites and get our staff working on getting those protected. The Fish
and Wildlife Service, at least one branch of the Fish and Wildlife Service is more than willing to work with the Game Commission in implementing these things. Director Capouillez and I have gone out, and we've looked at one site so far. But that's one site after almost an entire year has gone by without us doing anything. So I really, really think that this is a --- should be a priority for us.

It's easy for the people sitting up here to say, let's do one more thing, let's do one more thing, let's do one more thing. We're already talked about enforcing the trail regulations, which could probably take our whole staff the next year to get that under control, now we're talking about working on bats. But it is a matter of priorities, and I guess I'm asking the Executive Director and his two deputies now to make that a priority, to get something going in the bat issue, identify the sites, Wildlife Management can identify them, and Wildlife Protection and Wildlife --- or you know, Wildlife Habitat Management and Wildlife Protection can be a big part of getting that going.

PRESIDENT SCHLEMMER:
Thank you. Any other discussions?

COMMISSIONER LAYTON:
Mr. President,

PRESIDENT SCHLEMMER:
Mr. Layton.

COMMISSIONER LAYTON:
I don't think Executive Director Hough has enough to do, so I want to add one more thing to it, if I can.

EXECUTIVE DIRECTOR HOUGH:
Thanks.

COMMISSIONER LAYTON:
I would like for our staff to look at, along the lines of CWD, the Disease Management Area 2 to making it its own Wildlife Management Unit. I think by doing this we could --- we could solve a lot of problems, we could eliminate permits versus license, we could run those seasons together so that there's no confusions with the WCOs in the field. And I think that we could be more specific to addressing the Disease Management Area and targeting the deer in that area.

One of the things that was brought up to me a little bit earlier, there could be a concern, is that that DMA could grow. And I would suggest that we look at just having some kind of language if we do make that DMA its own unit, that we can grow it as
needed for future so that we could target that area
and we can do what we need to be --- what needs to be
done to help us at least slow down CWD in that area.
Thank you.

PRESIDENT SCHLEMMER:
Any other discussions? I would like to
also recognize Denise and her staff for putting this
package together. Thank you both. And I'd like to
thank the Ferry family who owns the Lamplighter in the
Holiday Inn, and for their putting up with us this
time, too. Thank you very much.

So hearing nothing more under new
business, the January Commission meeting will be held
the 2th, 26th; 27th, 2015. Does the Commission wish
to proceed with these dates? Do I hear a motion?

COMMISSIONER WEANER:
Mr. President, that already has been
made a motion at the April meeting ---

PRESIDENT SCHLEMMER:
Okay. Thank you.

COMMISSIONER WEANER:
--- and passed.

PRESIDENT SCHLEMMER:
Executive session, if necessary will be
held immediately. And we're going to have an
executive session immediately afterwards, followed by a short press conference. Thank you all for coming. That concludes our meeting. And we'll see you next trip to Harrisburg.

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MEETING CONCLUDED AT 9:36 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before President Schlemmer was reported by me on 9/23/2014 and I Susan M. Harshell read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

[Signature]

Court Reporter