

COMMONWEALTH OF PENNSYLVANIA

Game Commission

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QUARTERLY MEETING

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BEFORE: ROBERT W. SCHLEMMER, President
David J. Putnam, Vice President
Brian H. Hoover, Secretary
Ronald A. Weaner, Commissioner
Timothy S. Layton, Commissioner
Charles E. Fox, Commissioner
James J. Delaney, Commissioner
R. Matthew Hough, Executive Director
Bryan J. Burhans, Deputy Exec. Director
Richard R. Palmer, Deputy Exec. Director

HEARING: Tuesday, January 27, 2015
8:29 a.m.

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

Reporter: Daniel Kubach

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DISCUSSION AMONG PARTIES

4 - 67

P R O C E E D I N G S

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PRESIDENT SCHLEMMER:

I call the meeting to order. Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

PRESIDENT SCHLEMMER:

Mr. Secretary, call the roll, please.

SECRETARY HOOVER:

President Schlemmer?

PRESIDENT SCHLEMMER:

Present.

SECRETARY HOOVER:

Vice President Putnam?

VICE PRESIDENT PUTNAM:

Present.

SECRETARY HOOVER:

Commissioner Delaney?

COMMISSIONER DELANEY:

Present.

SECRETARY HOOVER:

Commissioner Weaner?

COMMISSIONER WEANER:

Present.

SECRETARY HOOVER:

1 Commissioner Fox?

2 COMMISSIONER FOX:

3 Present.

4 SECRETARY HOOVER:

5 Commissioner Layton?

6 COMMISSIONER LAYTON:

7 Present.

8 SECRETARY HOOVER:

9 And Commissioner Hoover is here.

10 PRESIDENT SCHLEMMER:

11 Thank you, sir. Mr. Delaney?

12 COMMISSIONER DELANEY:

13 I would just like to make sure --- or
14 acknowledge Representative Mike Peifer from
15 Northeastern Pennsylvania, Wayne County area, also a
16 member of the House Game and Fisheries Committee. Mr.
17 Representative, will you stand for a minute, please,
18 so we can acknowledge your presence?

19 PRESIDENT SCHLEMMER:

20 Thank you, Commissioner. Approval of
21 minutes, meeting held September the 23rd, 2014. Is
22 there a motion?

23 COMMISSIONER DELANEY:

24 So moved.

25 COMMISSIONER LAYTON:

1 Second.

2 PRESIDENT SCHLEMMER:

3 Discussion? Mr. Secretary?

4 SECRETARY HOOVER:

5 Motion on the floor has been moved and
6 seconded. All those in favor, signify by saying aye.

7 AYES RESPOND

8 SECRETARY HOOVER:

9 Those opposed, no. Motion carries.

10 ATTORNEY BECHTEL:

11 The first item to come before the
12 Commission today is from the Bureau of Information and
13 Education concerning adopted rulemaking to amend 58
14 Pa. Code Section 143.12. Hunter education delivery
15 methods continue to evolve across the nation. The use
16 of independent study is one delivery method which had
17 been in use for nearly a decade in Pennsylvania.
18 Students study the majority of the course on their
19 own, then attend an abbreviated two-hour class to meet
20 their local WCO, who leads a lesson on hunting laws
21 and regulations. At the conclusion of this lesson,
22 students complete the certification exam and receive a
23 training certificate.

24 Recently, online training programs have
25 been developed to not only provide the training

1 component, but also enable online testing and
2 certification of students as well. Upon successful
3 completion of the course of study, students can print
4 a certificate of training and purchase a hunting
5 license. Vendors who develop and manage online hunter
6 education training certification courses typically
7 charge a user fee to recover ongoing development and
8 maintenance costs of the program. The proposed
9 regulation enables the agency to offer a completely
10 online HTE training and certification course while
11 providing for a convenience fee to be paid by those
12 students who choose this option.

13 The Pennsylvania Game Commission will
14 continue to offer nearly 1,000 instructor led Hunter-
15 Trapper Education classes each year. These classes
16 will continue to meet the legislative mandate for HTE
17 instruction to be free of charge.

18 The text of this Amendment is on page
19 three of your agenda.

20 PRESIDENT SCHLEMMER:

21 Do I hear a motion?

22 COMMISSIONER LAYTON:

23 So moved.

24 COMMISSIONER WEANER:

25 Second.

1 PRESIDENT SCHLEMMER:

2 Seconded. Discussion?

3 COMMISSIONER LAYTON:

4 Steve, I have one question. It talks
5 about the two hour classes a week to meet with the
6 local WCO as a requirement of the course. Is there a
7 cutoff on age or is that everybody who participates in
8 the program?

9 MR. SMITH:

10 That two hour is for the existing
11 independent sub portion of the course.

12 COMMISSIONER LAYTON:

13 All right.

14 MR. SMITH:

15 If you move to the online program or the
16 Board allows us to go in that direction, it'll no
17 longer need to be that extra component of going to an
18 actual class. So this will take the place of that.

19 COMMISSIONER LAYTON:

20 Thank you.

21 PRESIDENT SCHLEMMER:

22 Further discussion? Mr. Secretary.

23 SECRETARY HOOVER:

24 There's a motion on the floor that's
25 been moved and seconded. All those in favor, signify

1 by saying aye.

2 AYES RESPOND

3 SECRETARY HOOVER:

4 Opposed, no. Motion carries.

5 ATTORNEY BECHTEL:

6 The next item for the Commission
7 concerns adopted rulemaking, creation of 58 Pa. Code
8 131.10. On July 2nd, 2014, the Act of July 2nd, 2014,
9 P.L. 988, Number 109, Section 6, became effective.

10 This final legislation created 75
11 Pa.C.S. Section 1355.1 to establish the Department of
12 Transportation's authority, in consultation with the
13 Commission, to issue Pennsylvania Hunting Heritage
14 registration plates for eligible classes of vehicles.
15 The legislation requires the Commission to charge a
16 fee for the authorization to request the registration
17 plate, but does not itself establish the fee amount.

18 The Commission created Section 131.10 to
19 require applicants seeking authorization to request a
20 Pennsylvania Hunting Heritage registration plate to
21 pay a fee of \$25. This rulemaking was proposed by the
22 Commission at its September 23rd, 2014 meeting and
23 thereafter finally adopted by notational vote on
24 December 9th, 2014.

25 The text of this is shown on page five

1 of your agenda. This is an information item and no
2 action is required.

3 COMMISSIONER WEANER:

4 Can I ask a question, though? What is
5 the final cost of this? It seems to be more than \$25.

6 MR. SMITH:

7 Right. The fee that we establish is \$25
8 and that all goes to the Game Commission, where it can
9 be then split up, where according to the legislation,
10 one third going to an agency that provides venison to
11 those in need and two thirds to the Conservation
12 Organization. That's with the Game Commission Fee.

13 PennDOT still charges a \$25 fee as well
14 for the end of processing the application. And
15 Department of Corrections charges a \$6 fee for
16 actually making the plates. So at the end of the day
17 it's going to be a total of a \$56 fee that the
18 consumer will pay with PennDOT getting \$25, Game
19 Commission getting \$25, Corrections getting \$6.

20 COMMISSIONER WEANER:

21 Thank you.

22 PRESIDENT SCHLEMMER:

23 I would like to add one thing. This is
24 Senator Brewster's initiative and he's now minority
25 chair of the Senate. Thank you.

1 ATTORNEY BECHTEL:

2 The next item before the Commission
3 comes from the Bureau of Wildlife Management. This
4 concerns proposed rulemaking. To effectively manage
5 the wildlife resources and provide hunting and
6 trapping opportunities in this Commonwealth during the
7 upcoming license year, the Commission is proposing to
8 amend Section 139.4 of the 58 Pa. Code, relating to
9 seasons and bag limits for the license year, to
10 provide updated seasons and bag limits for the
11 2015/2016 license year. The text of these amendments
12 are shown on pages 8 to 15 of your agenda.

13 PRESIDENT SCHLEMMER:

14 Is there a motion?

15 COMMISSIONER WEANER:

16 So moved.

17 PRESIDENT SCHLEMMER:

18 Second?

19 COMMISSIONER LAYTON:

20 Second.

21 PRESIDENT SCHLEMMER:

22 Discussion? Mr. Secretary.

23 SECRETARY HOOVER:

24 What we'll do is go through the agenda
25 page by page. If there are any changes, please note

1 the changes. Are there any discussions on page eight?
2 Page nine? Page ten? Page 11? Page 12?

3 COMMISSIONER DELANEY:

4 Yes, Mr. Secretary and Mr. President. I
5 will move to make an amendment on page 12 with regard
6 to Wildlife Management Unit 3D as in dog, to take it
7 from the current concurred season and move it into the
8 split season.

9 Currently, it's listed with Wildlife
10 Management Unit 1A, 1B, 2B, 3A, 3D, 5A, 5B, 5C, 5D.
11 And I want to take that, and I want to move that into
12 the split season where --- from November 30th to
13 December the 4th and December the 5th to the 12th
14 antlered and antlerless. So that's my motion to move
15 --- add an amendment to remove 3D from the current to
16 the split season. The split deer season.

17 PRESIDENT SCHLEMMER:

18 Is there a second?

19 SECRETARY HOOVER:

20 I'll second that.

21 PRESIDENT SCHLEMMER:

22 Discussion?

23 COMMISSIONER DELANEY:

24 Yeah, I will offer a discussion on that
25 just to put at least some justification into this.

1 Wildlife Management Unit 3D has the second lowest deer
2 per square mile in the entire state. And I feel that
3 there's some merit to at least our sportsmen to be
4 able to see a few more deer there in the first five
5 days of that season. So that's why I'm moving it from
6 --- asking for consideration to move it from current
7 to split.

8 PRESIDENT SCHLEMMER:

9 Further discussion? Here none.

10 Secretary?

11 SECRETARY HOOVER:

12 There's an amendment on the floor to
13 move Wildlife Management Unit 3D from concurrent to
14 split season. All those in favor, signify by saying
15 aye.

16 AYES RESPOND

17 SECRETARY HOOVER:

18 Opposed, no. That motion carries. I
19 have some discussions as well. We would like to see
20 Wildlife Management Unit 1A, 1B and 3A to follow
21 Commissioner Delaney into the split season from
22 concurrent format. I'm making a motion to do so.

23 COMMISSIONER LAYTON:

24 I second, Mr. President.

25 PRESIDENT SCHLEMMER:

1 Discussion?

2 SECRETARY HOOVER:

3 Mr. President? I'll comment
4 specifically on 3A. Currently 3A is completely
5 surrounded by units that have the split season. And
6 this would make it more consistent with the boundaries
7 of it. 3A does have a fairly good deer population and
8 one where the habitat conditions warrant possibly
9 increasing the herd there. And we'll be watching that
10 pretty close.

11 But I would expect with the split
12 season, we'll be issuing at least as many permits as
13 we did last year in three years or possible more so.
14 This is not necessary just to cut down the deer
15 population or increase the population. We have to
16 make it more consistent with the properties
17 surrounding it.

18 PRESIDENT SCHLEMMER:

19 Further discussion? Mr. Weaner?

20 COMMISSIONER WEANER:

21 One thing I'd like to point out is that
22 historically we understand that it doesn't matter how
23 long the archery --- or the antlerless season is. We
24 could kill a number of deer that we wish to by
25 regulating the number of licenses. And, therefore, it

1 didn't matter what the season length was.

2 And some people would think, well, we're
3 doing this --- we're switching this now because it's
4 going to save more deer. We're acknowledging that
5 what we said before wasn't true. I don't think that's
6 the case. I think we all still believe that we can
7 harvest the same number of deer no matter how long the
8 season is.

9 I personally think we'd be better off to
10 have the concurrent season in the whole state. But
11 that's my opinion, so I'm just saying that we haven't
12 changed our mind on the sciences of our decision
13 making, more or less.

14 PRESIDENT SCHLEMMER:

15 Any further discussion? Mr. Secretary.

16 SECRETARY HOOVER:

17 We have a motion on the floor. All
18 those in favor, signify by saying aye.

19 AYES RESPOND

20 SECRETARY HOOVER:

21 Opposed, no. That motion carries.

22 COMMISSIONER LAYTON:

23 Mr. President, there's one more issue on
24 page 12. WMU 4A is already listed in the November
25 30th to the December 4th antlered only season. That

1 is not listed on the December 5th through December
2 12th antlered and antlerless season. And I would move
3 to amend to move --- or to add 4A to that second week.

4 PRESIDENT SCHLEMMER:

5 Second?

6 SECRETARY HOOVER:

7 I'll second.

8 PRESIDENT SCHLEMMER:

9 Discussion?

10 COMMISSIONER WEANER:

11 Mr. President, so basically this is just
12 an oversight here we're not actually changing it?

13 PRESIDENT SCHLEMMER:

14 That's correct.

15 COMMISSIONER LAYTON:

16 That's correct. There's no change being
17 made. Just making sure it gets into the second
18 season.

19 PRESIDENT SCHLEMMER:

20 Mr. Secretary?

21 SECRETARY HOOVER:

22 There's a motion on the floor. All
23 those in favor, signify by saying aye.

24 AYES RESPOND

25 SECRETARY HOOVER:

1 Opposed, no. That motion carries. Page
2 13? Page 14?

3 COMMISSIONER WEANER:

4 Mr. President? On page 14, this was
5 another clerical error that we just discovered, but
6 now next to the bottom where it says fisher, the
7 intent was that 3B be added to the fisher category.
8 And it somehow escaped here. So I move that we add 3B
9 to fisher at the bottom of the page.

10 COMMISSIONER LAYTON:

11 Second.

12 PRESIDENT SCHLEMMER:

13 Discussion on that? Mr. Secretary?

14 SECRETARY HOOVER:

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

17 AYES RESPOND

18 SECRETARY HOOVER:

19 Opposed, no. That motion carries. Page
20 15?

21 COMMISSIONER DELANEY:

22 Mr. Secretary, if I could just go back
23 to page 14 for one second? I won't be putting this in
24 the form of a motion, it's just a point of
25 clarification. Since we're having our very first

1 river otter season, it's in Northeastern Pennsylvania.
2 And it covers the Wildlife Management Units 3C and 3D,
3 February 21st to 23rd.

4 I think we need to make a good effort,
5 especially with our INE Department, to look at the
6 asterisk number six on page 15, to note that there may
7 be an additional five days extension to that season.
8 So I just wanted to put that clarification out there
9 for our sportsmen trappers that may have some type of
10 an interest in this. Thank you.

11 COMMISSIONER LAYTON:

12 Mr. Secretary? And just to clarify
13 that, that extension can be done in a block in either
14 a block of three days or a day at a time; is that
15 correct?

16 MR. DUNN:

17 That's correct.

18 SECRETARY HOOVER:

19 Page 15? Page 16?

20 COMMISSIONER DELANEY:

21 Yes. You went to page 16?

22 PRESIDENT SCHLEMMER:

23 Any further discussion?

24 COMMISSIONER DELANEY:

25 Are we at page 16?

1 SECRETARY HOOVER:

2 Not yet, no.

3 PRESIDENT SCHLEMMER:

4 Mr. Secretary?

5 SECRETARY HOOVER:

6 Okay. We're going to take a vote on the
7 proceedings of bag limits as amended. I need a motion
8 --- or I'll make a motion ---

9 COMMISSIONER WEANER:

10 I will.

11 SECRETARY HOOVER:

12 Okay. I need a second.

13 COMMISSIONER LAYTON:

14 Second.

15 SECRETARY:

16 The motion on the floor has been moved
17 and seconded. All those in favor, signify by saying
18 aye.

19 AYES RESPOND

20 SECRETARY HOOVER:

21 Opposed, say no. That motion carries.

22 ATTORNEY BECHTEL:

23 Yes, before the Commission now is a
24 document proposed rulemaking to amend Section 141.62
25 and 147.701. To effectively manage the wildlife

1 resources of the Commonwealth and to provide trapping
2 opportunities for river otter during the upcoming
3 license year, the Commission is proposing to amend
4 Sections 141.62 and 147.701. Changes to regulations
5 restricting types and number of devices for beaver and
6 otter trappers in those WMUs with an open otter
7 trapping season are proposed in Section 141.62.
8 Amendments to Section 147.701 are required to
9 implement an otter trapping permit, tagging and
10 reporting requirements for this new season. Those
11 changes are shown on pages 16 and 17 of your agenda.

12 PRESIDENT SCHLEMMER:

13 Do I hear a motion? We can go to page
14 17 in replacement.

15 COMMISSIONER DELANEY:

16 Okay. I'll make that motion. I have
17 something to say under discussion.

18 PRESIDENT SCHLEMMER:

19 Okay. Second?

20 COMMISSIONER WEANER:

21 Second.

22 PRESIDENT SCHLEMMER:

23 Discussion?

24 COMMISSIONER WEANER:

25 Mr. President?

1 PRESIDENT SCHLEMMER:

2 Yes.

3 COMMISSIONER WEANER:

4 The motion that was seconded deals with
5 this replacement page; is that correct?

6 PRESIDENT SCHLEMMER:

7 Yes.

8 COMMISSIONER WEANER:

9 I just wanted to point that out. The
10 page that we're --- the motion is referring to the
11 blue page, replacement page 16 and 17.

12 COMMISSIONER DELANEY:

13 Under discussion, I'll clarify it
14 further.

15 PRESIDENT SCHLEMMER:

16 We're in discussion.

17 COMMISSIONER DELANEY:

18 And just to clarify that just a bit
19 further, the Pennsylvania Trappers Association came
20 here to testify on Sunday afternoon, and in their
21 testimony, they had a concern. And it says does the
22 word trap include all devices including snares if
23 you're not trapping otters?

24 Perhaps Director Tom Grohol might be
25 able to better identify this for us. At least why we

1 have two replacement pages and what they mean
2 pertaining to the request from the Pennsylvania
3 Trappers Association.

4 DIRECTOR GROHOL:

5 Okay. The Board is considering approval
6 of a river otter trapping season in Wildlife
7 Management Units 3C and 3D, on the dates of February
8 22nd --- or 21st, 22nd and 23rd, with the possibility
9 of extending that season for up to five days.

10 During that same time frame, beaver
11 trapping season is also open in Wildlife Management
12 Units 3C and 3D. In Wildlife Management Unit 3D, the
13 season limit is 20 beavers. And trappers would be
14 permitted to use a total of 20 combined traps and
15 snares in that season. Out of that 20 combined traps
16 and snares, ten may be traps, and out of that ten
17 traps, two may be body-gripping traps.

18 In Wildlife Management Unit 3C, there's
19 a 40 limit on beavers for the season. Trappers can
20 also use 20 combined traps or snares in that season.
21 Again, ten of which may be traps. But in that area,
22 ten of the traps may be body-gripping traps.

23 Since these two seasons run
24 concurrently, the regulation is going to state that
25 beaver trappers and otter trappers during that three

1 day season and any extensions and five days after that
2 season will be limited to a total of five traps or
3 snares. Two of which may be body-gripping traps.

4 COMMISSIONER DELANEY:

5 Thank you for the clarification.

6 PRESIDENT SCHLEMMER:

7 Further discussion of the amendment?

8 Mr. Secretary?

9 SECRETARY HOOVER:

10 There's a motion on the floor that has
11 been moved and seconded. All those in favor, signify
12 by saying aye.

13 AYES RESPOND

14 SECRETARY HOOVER:

15 Opposed, no. That motion carries.

16 PRESIDENT SCHLEMMER:

17 Now may I have a motion for the proposed
18 rulemaking as amended? Do I hear a motion?

19 COMMISSIONER WEANER:

20 Point of order. I don't think we need
21 to vote on anything else. I think we voted on
22 everything.

23 PRESIDENT SCHLEMMER:

24 Counsel?

25 ATTORNEY BECHTEL:

1 Well, I would agree with you, but you're
2 only making a second motion for the amendment.

3 COMMISSIONER WEANER:

4 But I didn't second the motion. Did I?

5 ATTORNEY BECHTEL:

6 I thought you did.

7 SECRETARY HOOVER:

8 I thought that that covers it, so if you
9 feel there's a need to vote again, go vote again.
10 What are we voting on?

11 PRESIDENT SCHLEMMER:

12 The blue replacement pages that we just
13 reviewed.

14 COMMISSIONER DELANEY:

15 If you need a motion, I'll make that
16 motion.

17 PRESIDENT SCHLEMMER:

18 I have a motion. I need a second.

19 SECRETARY HOOVER:

20 I'll second.

21 PRESIDENT SCHLEMMER:

22 Discussion? Mr. Secretary?

23 SECRETARY HOOVER:

24 There's a motion on the floor that has
25 been moved and seconded. All in favor, signify by

1 saying aye.

2 AYES RESPOND

3 SECRETARY HOOVER:

4 Those opposed, no. That motion carries.

5 ATTORNEY BECHTEL:

6 The next item is the Proposed Rulemaking
7 to amend Section 139.17. The Commission has conducted
8 an evaluation of the structure of the Wildlife
9 Management Unit System and has developed the following
10 WMU Map revision. Expand WMU 5D north and west into
11 WMU 5C to cover more developed urban areas. The
12 proposed change to the WMU boundary line is shown on
13 the attached map, which is on page 19 of your agenda.
14 The text of this change is set forth on page 18 of
15 your agenda.

16 PRESIDENT SCHLEMMER:

17 Motion?

18 SECRETARY HOOVER:

19 So moved.

20 PRESIDENT SCHLEMMER:

21 Second?

22 COMMISSIONER WEANER:

23 Second.

24 PRESIDENT SCHLEMMER:

25 Discussion?

1 SECRETARY HOOVER:

2 I have. One of the reasons that we did
3 that we were noticing that 5C --- some of the areas of
4 5C were becoming more urbanized. We wanted to get
5 that into one unit so we could control and follow the
6 same motive and leave the sections of 5C that were
7 still suburban or, you know, basically wild or were
8 farmland. I think we've done that. I think we've
9 covered that.

10 Is it a perfect fix? I don't know that
11 anything's a perfect fix. But I think at this point
12 in the game, and for the foreseeable future, I think
13 this change will help those areas of 5C where there's
14 not enough deer. We can do that in all different
15 allocations, so I think it's a good fix. And thanks,
16 Deputy Director Bryan Burhans, for stepping up.

17 PRESIDENT SCHLEMMER:

18 Further discussion? Mr. Secretary?

19 SECRETARY HOOVER:

20 The motion on the floor has been moved
21 and seconded. And all those in favor, signify by
22 saying aye.

23 AYES RESPOND

24 SECRETARY HOOVER:

25 Opposed, no. That motion carries.

1 ATTORNEY BECHTEL:

2 The next item before the Commission is
3 from the Bureau of Wildlife Protection to adopted
4 rulemaking and the adoption of proposed amendment to
5 58 Pa. Code Section 147.726. To authorize the use of
6 raptors for nuisance wildlife abatement by persons in
7 possession of a Nuisance Wildlife Control Operator
8 Permit and a Special Purpose-Abatement Using Raptors
9 Permit. The text of this change is shown on page 21
10 of your agenda.

11 PRESIDENT SCHLEMMER:

12 Do I hear a motion?

13 SECRETARY HOOVER:

14 So moved.

15 PRESIDENT SCHLEMMER:

16 Second?

17 COMMISSIONER LAYTON:

18 Second.

19 PRESIDENT SCHLEMMER:

20 Discussion? Hearing none, Mr.

21 Secretary.

22 SECRETARY HOOVER:

23 There's a motion on the floor that has
24 been moved and seconded. And all of those in favor,
25 signify by saying aye.

1 AYES RESPOND

2 SECRETARY HOOVER:

3 Opposed, no. That motion carries.

4 ATTORNEY BECHTEL:

5 The next item also considers adopted
6 rulemaking, the adoption of proposed amendment 58 Pa.
7 Code Sections 133.21 and 147.101 and the creation of
8 Section 147.111b. To amend Sections 133.21, relating
9 to the classification of birds and 147.101 relating to
10 definitions and to create 147.111b relating to arctic
11 peregrine limited take special permit, to authorize
12 the limited take of Peregrine Falcons, Falco
13 peregrinus tundrius, within this Commonwealth by
14 qualified falconers. The text of this change is shown
15 on pages 23 though 25 of your agenda.

16 PRESIDENT SCHLEMMER:

17 Do I hear a motion?

18 SECRETARY HOOVER:

19 So moved.

20 PRESIDENT SCHLEMMER:

21 Second?

22 COMMISSIONER LAYTON:

23 Second.

24 PRESIDENT SCHLEMMER:

25 Discussion?

1 SECRETARY HOOVER:

2 I'd like to thank everyone that was
3 involved in trying to get this done. For those of you
4 that don't understand what we've done, we've now given
5 our falconers the opportunity to trap a single bird
6 if, in fact, they're able to get the permit which is
7 issued by the U.S. Fish and Wildlife Service.

8 There are limited permits issued to
9 Eastern Fly away. Pennsylvania had not been able to
10 work towards getting one of those permits for our
11 hunters. And this, in fact, now breaks the ice. It
12 gets everyone involved. It will level the playing
13 field. So thank you. Thank you to everybody that was
14 involved.

15 PRESIDENT SCHLEMMER:

16 Further discussion? Mr. Secretary.

17 SECRETARY HOOVER:

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

21 AYES RESPOND

22 SECRETARY HOOVER:

23 Opposed, no. That motion's granted.

24 ATTORNEY BECHTEL:

25 The next item concerns proposed

1 rulemaking to amend Sections 141.1, 147.681 and
2 147.682. The Commission is proposing to expand this
3 authorization for Deer Attractant Permits by
4 authorizing use of the Deer Attractant Permit on
5 township and municipal authority property as well.
6 The text of this change is shown on pages 26 through
7 27 of your agenda.

8 PRESIDENT SCHLEMMER:

9 Do I have a motion?

10 SECRETARY HOOVER:

11 So moved.

12 PRESIDENT SCHLEMMER:

13 Second?

14 COMMISSIONER WEANER:

15 Second.

16 PRESIDENT SCHLEMMER:

17 Discussion?

18 SECRETARY HOOVER:

19 I'd like to make an amendment to the
20 motion. In paragraph seven, I'd like to propose a
21 motion and an amendment under paragraph seven,
22 eliminating, after the word permit, and written
23 consent of the owner to engage in baiting activities
24 on their person at all times while exercising the
25 permit privileges and while maintaining the bait site

1 and shall produce the permit upon demand.

2 Now, you're still required to carry a
3 copy of the permit. What we're asking --- what we're
4 removing is having to carry a copy of a written
5 consent letter from the landowner in that statement.

6 COMMISSIONER WEANER:

7 Second.

8 PRESIDENT SCHLEMMER:

9 Seconded. Further discussion? Mr.
10 Secretary?

11 SECRETARY HOOVER:

12 We have a motion on the floor to amend
13 141.1, 147.681, and 147.682 paragraph seven, and
14 147.683 paragraph seven. All those in favor, signify
15 by saying aye.

16 AYES RESPOND

17 SECRETARY HOOVER:

18 Opposed, no. That motion carries.

19 PRESIDENT SCHLEMMER:

20 I'll revert back to the original motion.
21 Further discussion? Mr. Secretary?

22 SECRETARY HOOVER:

23 The motion on the floor has been moved
24 and seconded. All those in favor, signify with aye.

25 AYES RESPOND

1 SECRETARY HOOVER:

2 Opposed, no. That motion carries.

3 ATTORNEY BECHTEL:

4 The next item appears on page 28 of your
5 agenda is proposed rulemaking to Amend 58 Pa. Code
6 Sections 141.63 and 141.66. The proposed regulation
7 changes to Sections 141.63 and 141.66 are designed to
8 clarify the legal definition and use of cable
9 restraints in the Commonwealth.

10 The National Trap Testing Program,
11 administered by the Association of Fish and Wildlife
12 Agencies, has been conducting field testing on cable
13 restraints and has currently identified six lock
14 designs that have performed at acceptable levels in
15 terms of efficiency, selectivity and animal welfare
16 criteria.

17 By maintaining a list of approved lock
18 designs, the PGC will be able to regularly incorporate
19 results from ongoing cable restraint research.
20 Additionally, the revision to Section 141.66 would
21 specify that furtakers who possess a valid bobcat
22 permit could only utilize an incidentally caught
23 bobcat during the established bobcat trapping season.
24 The text to these changes is shown on pages 28 and 29
25 in your agenda.

1 COMMISSIONER LAYTON:

2 Motion to accept.

3 PRESIDENT SCHLEMMER:

4 Second?

5 SECRETARY HOOVER:

6 Second.

7 PRESIDENT SCHLEMMER:

8 Discussion? Mr. Secretary?

9 SECRETARY HOOVER:

10 The motion on the floor has been moved
11 and seconded. All those in favor, signify by saying
12 aye.

13 AYES RESPOND

14 SECRETARY HOOVER:

15 Opposed, no. That motion carries.

16 ATTORNEY BECHTEL:

17 The next item concerns proposed
18 rulemaking to amend 58 Pa. Code Sections 135.2 and
19 135.41. Historically, the Commission has permitted
20 the placement and use of the portable hunting blinds
21 and stands on State game lands and continued support
22 for their allowance has not diminished.

23 However, the Commission has identified
24 that this allowance has, in certain instances,
25 resulted in the unintended consequence of some

1 portable hunting blinds and stands on State game lands
2 becoming seemingly permanent fixtures due to long-term
3 placement by hunters.

4 While the Commission continues to
5 support the placement and use of portable hunting
6 blinds and stands on State game lands, it is proposing
7 to amend Section 135.41 relating to state game lands
8 to require that persons using portable hunting blinds
9 or stands must mark their blinds or stands with a tag
10 bearing their name and address or a number issued by
11 the Commission.

12 The Commission is also proposing to
13 extend the application of these requirements to
14 portable hunting blinds or stands on Cooperative
15 Access properties that are open to public hunting.
16 The text of this amendment is shown on pages 30 and 31
17 of the agenda.

18 PRESIDENT SCHLEMMER:

19 Do I hear a motion?

20 SECRETARY HOOVER:

21 So moved.

22 PRESIDENT SCHLEMMER:

23 Second?

24 COMMISSIONER LAYTON:

25 Second.

1 PRESIDENT SCHLEMMER:

2 Further discussion?

3 COMMISSIONER DELANEY:

4 Mr. President, I'd like to direct a
5 question to Director Grohol. With regard to this
6 proposed rulemaking, can you give some feedback from
7 the regional PGC offices across the state, please?

8 DIRECTOR GROHOL:

9 Yes. We looked at this proposal for two
10 reasons. First is, after consulting with regional
11 staff, they identified the problem with tree stands
12 being left on State game lands past the time frame.
13 And when we removed the stands, we have no idea who
14 owns these stands and how to get them to remove them.
15 So we're required to do it and it's a burden. And we
16 would like to hold those people who leave the stands
17 on the game lands responsible.

18 And we received complaints from
19 cooperators on this issue as well. They complained to
20 us that tree stands are found on their property. They
21 don't know who owns them and many times they're left
22 there after the end of the season is over.

23 COMMISSIONER DELANEY:

24 Based on that report, I'm certainly a
25 supporter of this, but when our hunter access

1 cooperators, those folks that have their private
2 property open to public hunting in Pennsylvania, tell
3 us they have an issue with this, I'll be supporting
4 it. Thanks for your commentary.

5 PRESIDENT SCHLEMMER:

6 Mr. Putnam?

7 VICE PRESIDENT PUTNAM:

8 Tom, they talk about a number issued by
9 the Commission. Could you expand on that?

10 DIRECTOR GROHOL:

11 Sure. We considered a couple of ways we
12 could identify the tree stands. Name and address, we
13 considered CID numbers, there were some issues with
14 the CID number. How I envision this to work is that
15 we will come up with a registration online that
16 hunters will be able to go on our website, put their
17 information in, and they will be issued a number that
18 they can utilize to identify their tree stands.

19 They'll take this number, put it on a
20 tag, attach it to their tree stand, and we will
21 maintain the database of the people that are issued
22 those numbers here in Harrisburg. And our officers
23 will have access to it via our internet site, similar
24 to the deer tracking permit that we've been handing
25 out.

1 VICE PRESIDENT PUTNAM:

2 That's what I was going to ask you, if
3 we have a similar thing. So people have three
4 options? They can get a unique number that is
5 proposed through us, use their CID number, or use
6 their name and address?

7 DIRECTOR GROHOL:

8 Correct.

9 PRESIDENT SCHLEMMER:

10 Further discussion? Mr. Secretary.

11 SECRETARY HOOVER:

12 There's a motion on the floor that has
13 been moved and seconded. All those in favor, signify
14 by saying aye.

15 AYES RESPOND

16 SECRETARY HOOVER:

17 Opposed, no. That motion carries.

18 ATTORNEY BECHTEL:

19 The next item before the Commission is
20 on page 32 of your agenda. It's a proposed rulemaking
21 to amend 58 Pa. Code Section 141.45. The Commission's
22 2015/2016 seasons and bag limits proposal identifies
23 only Wildlife Management Unit 2B as a shotgun and
24 archery only area. Furthermore WMUs 5B, 5C and 5D,
25 remain closed to fall turkey hunting. All remaining

1 WMUs are currently organized to permit use of operated
2 centerfire, rimfire or muzzleloading firearms using
3 single projectile ammunition.

4 The Commission is proposing to amend
5 Section 141.45 relating to turkey by removing
6 reference to WMUs 1A, 1B and 2A in the provision
7 prohibiting use of operated centerfire, rimfire or
8 muzzleloading firearms using single projectile
9 ammunition in order to maintain continuity between
10 these regulatory provisions. The text is shown on
11 page 32 of your agenda.

12 PRESIDENT SCHLEMMER:

13 Is there a motion?

14 COMMISSIONER WEANER:

15 So moved.

16 PRESIDENT SCHLEMMER:

17 Second?

18 COMMISSIONER LAYTON:

19 Second.

20 PRESIDENT SCHLEMMER:

21 Further discussion? Hearing none, Mr.
22 Secretary?

23 SECRETARY HOOVER:

24 The motion on the floor has been moved
25 and seconded. All those in favor, signify by saying

1 aye.

2 AYES RESPOND

3 SECRETARY HOOVER:

4 Opposed, no. That motion carries.

5 ATTORNEY BECHTEL:

6 Mr. President, the next item concerns an
7 amendment and it's on page 33. With the Commission's
8 indulgence, there is a replacement page that is
9 different. I elect to work from the replacement page.
10 This is the proposed rulemaking to Amend 58 Pa. Code
11 Section 147.804.

12 The Commission has received extensive
13 public comment regarding concern over the
14 appropriateness of young children's abilities to
15 utilize high-powered firearms to harvest big game as
16 well as allegations of adults utilizing the harvest
17 tags of mentored youth unlawfully.

18 Wildlife Conservation Officers have
19 encountered evidence of the allegations in several
20 enforcement operations this past hunting season.

21 The Commission is proposing to amend
22 Section 147.804 by eliminating additions to the
23 antlered deer and spring turkey harvest tags to
24 mentored youth under the age of seven with a mentored
25 permit, but allowing mentors to transfer antlered deer

1 and spring turkey harvest tags issued to them to these
2 younger youth.

3 The text of this proposed rulemaking is
4 shown on the replacement page 33.

5 PRESIDENT SCHLEMMER:

6 Do I have a motion?

7 COMMISSIONER WEANER:

8 So moved.

9 PRESIDENT SCHLEMMER:

10 Second?

11 COMMISSIONER LAYTON:

12 Second.

13 PRESIDENT SCHLEMMER:

14 Discussion?

15 COMMISSIONER WEANER:

16 Mr. President? The proposal we have in
17 front of us, just for the motion here, it says at the
18 top, will maintain the integrity of the mentored youth
19 program exactly like it is right now with one change.

20 The change here would be that prior to
21 the seventh birthday you would not have a separate tag
22 for turkey, for deer. A mentor could still transfer
23 the tag to a person that was three or four years old
24 if these choose to do that. All of the options ---
25 the mentor hunter can still hunt. We just have this

1 one change. That's all there is.

2 PRESIDENT SCHLEMMER:

3 Further discussion?

4 VICE PRESIDENT PUTNAM:

5 Mr. President, to add to Commissioner
6 Weaner's comments, those tags that he referred to are
7 for antlered deer and spring gobbler. Currently, the
8 mentors can take an antlered deer with their own tag.
9 If they take an antlerless deer, it would be a
10 transferred tag. If they took a turkey in the fall,
11 it's with a transferred tag. So we're only talking
12 about antlered deer and spring gobblers as far as the
13 tags go.

14 PRESIDENT SCHLEMMER:

15 Thank you. Further discussion?
16 Commissioner Delaney? Commissioner, go ahead.

17 COMMISSIONER DELANEY:

18 I just turned my microphone on for the
19 vote.

20 PRESIDENT SCHLEMMER:

21 Mr. Secretary?

22 SECRETARY HOOVER:

23 There's a motion on the floor that has
24 been moved and seconded. All those in favor, signify
25 by saying aye.

1 AYES RESPOND

2 SECRETARY HOOVER:

3 Opposed, no. That motion carries.

4 ATTORNEY BECHTEL:

5 The next item before the Commission is
6 on page 34 of your agenda. The Commission is
7 proposing to amend Section 141.4 of 58 Pa. Code to
8 replace the current hunting hours table and migratory
9 bird hunting hours table to accurately reflect the
10 dates and hours of legal hunting for the 2015/2016
11 hunting license year. The text in this change is
12 shown on page 34 through page 36 of your agenda.

13 PRESIDENT SCHLEMMER:

14 Is there a motion?

15 COMMISSIONER WEANER:

16 So moved.

17 PRESIDENT SCHLEMMER:

18 Second?

19 SECRETARY HOOVER:

20 Second.

21 PRESIDENT SCHLEMMER:

22 Discussion? Hearing none, Mr.

23 Secretary?

24 SECRETARY HOOVER:

25 The motion on the floor has been moved

1 and seconded. All those in favor, signify by saying
2 aye.

3 AYES RESPOND

4 SECRETARY HOOVER:

5 Opposed, no. That motion carries.

6 ATTORNEY BECHTEL:

7 The next item on the agenda comes from
8 the Bureau of Wildlife Habitat Management. It
9 concerns a real estate donation, Contract Number 3673,
10 State Game Land Number 217 in Lehigh County.

11 Nancy F. Becker is offering a donation
12 of 3.35 more or less acres of land in Washington
13 Township, Lehigh County which adjoins State Game Land
14 Number 217 shown on Exhibit RED 1 on page 38 of your
15 agenda. The property is forested with mixed oaks and
16 has a spring seep located on the northwest edge of the
17 property. The tract is accessed from State Game Land
18 Number 217.

19 PRESIDENT SCHLEMMER:

20 Do I hear a motion?

21 SECRETARY HOOVER:

22 So moved.

23 PRESIDENT SCHLEMMER:

24 Second?

25 COMMISSIONER LAYTON:

1 Second.

2 PRESIDENT SCHLEMMER:

3 Discussion? Mr. Secretary?

4 SECRETARY HOOVER:

5 The motion on the floor has been moved
6 and seconded. All those in favor, signify by saying
7 aye.

8 AYES RESPOND

9 SECRETARY HOOVER:

10 Opposed, no? That motion carries.

11 ATTORNEY BECHTEL:

12 The next item concerns two acquisitions.
13 The first is Contract Number L-3674, State Game Lands
14 Number 311 in Elk County. Anthony Gelotti is offering
15 for sale one fourth more or less acres in Benezette
16 Township, Elk County adjacent to State Game Land
17 Number 311 shown on Exhibit RED 2 on page 40 of your
18 agenda.

19 The option price is \$1,500 lump sum to
20 be paid with funds from third party commitments for
21 compensation of habitat and recreational losses which
22 occurred on State game lands from previously approved
23 projects. The tract is planted in cool season grasses
24 and mowed periodically. The property is accessed from
25 Winslow Hill.

1 The second acquisition is Contact Number
2 L-3675, State Game Land Numbers 91 and 207 in Luzerne
3 County. The Conservation Fund is offering for sale
4 1,980 more or less acres of land in Jenkins, Plains,
5 Bear Creek and Hanover Townships in Luzerne County.

6 Some of tracts adjoin State Game Land
7 Number 91 shown on Exhibit RED 3 on page 41 of your
8 agenda. And some of the tracts are located near State
9 Game Land Number 207 shown on Exhibit RED 4 on page 42
10 of your agenda. All timber assets have been
11 previously reserved by Deer Park Lumber, Inc. until
12 August 1st, 2028. All oil and gas will be reserved by
13 the Theta Land Corporation until August 1st, 2055.

14 The Commission has the option of paying
15 the full purchase price in one lump-sum payment of
16 \$2,574,000 or in a series of phased closings with an
17 initial payment of \$858,000, followed by a second
18 installment of \$909,480 and a third and final
19 installment of \$883,740. These installments may be
20 paid in cash or in lieu thereof the Commission, at its
21 sole discretion, may choose to exchange timber from
22 other State game land tracts.

23 If the installment option is selected,
24 the Agreement allows the transfer and sale of an
25 undivided one-third interest of the property per

1 annual payment until the entire property, 100 percent,
2 has been transferred to the Commission.

3 The property is mainly forested with
4 mixed oak, maple, ash and cherry, with minimal forest
5 openings. These are numerous streams classified as
6 cold water fisheries located on the property including
7 Gardner Creek, Warden Run and Mill Creek.

8 Access is through existing State Game
9 Land Number 91 and Bald Mountain Road. The two small
10 detached parcels are located west of State Game Land
11 Number 207 and west of I-81.

12 PRESIDENT SCHLEMMER:

13 Thank you. Is there a motion, please?

14 COMMISSIONER DELANEY:

15 So moved.

16 PRESIDENT SCHLEMMER:

17 Second?

18 COMMISSIONER WEANER:

19 Second.

20 PRESIDENT SCHLEMMER:

21 Discussion?

22 COMMISSIONER DELANEY:

23 Yes, Mr. President. I'd like to speak
24 specifically with regard to Contract Number 3675 and
25 the acquisition in Luzerne County.

1 I know that we have some written words
2 here that talks about the property, but it is
3 certainly high value. What's not written in here is
4 this is a former watershed property.

5 While it does direct that there's some
6 cold water fisheries, it is extremely --- there's so
7 much value to this property. Former watershed
8 property, ten minutes from Wilkes-Barre. And when you
9 add the other acquisition that the Northeast Regional
10 Office helped facilitate just last year in Luzerne and
11 Lackawanna County, it equates to almost over 5,000
12 acres of new property for the sportsmen.

13 But back to this property, it is quality
14 land. It's wrapped right around the reservoir, so my
15 compliments to the staff again for making this happen.
16 And I would urge my fellow commissioners to support
17 it.

18 PRESIDENT SCHLEMMER:

19 Thank you, Commissioner. Further
20 discussion? Mr. Secretary?

21 SECRETARY HOOVER:

22 There's a motion on the floor that has
23 been moved and seconded. All those in favor, signify
24 by saying aye.

25 AYES RESPOND

1 SECRETARY HOOVER:

2 Opposed, no. That motion carries.

3 ATTORNEY BECHTEL:

4 The next item also concerns two
5 acquisitions. The first is Contract Number L-3676,
6 State Game Land Number 168, Northampton County.

7 Betty Jane Bellas is offering for sale
8 3.06 more or less acres in Moore Township, Northampton
9 County, adjacent to State Game Land Number 168, shown
10 on Exhibit RED 5 on page 44 of your agenda.

11 The option price is \$8,000 lump sum to
12 be paid with funds from the Game Fund. The tract is
13 mostly forested with mixed oak, poplar, black gum,
14 birch and red maple. The property will connect two
15 parcels of State Game Land Number 168 by joining a
16 detached parcel to the main portion of State Game Land
17 Number 168. The property will provide critical access
18 into a portion of State Game Land Number 168 with
19 limited access. Access is through existing State Game
20 Land Number 168 from Smith Gap Road.

21 The second acquisition on page 43 is
22 Contract Number L-3677, State Game Land Number 168,
23 Northampton County. Kenneth S. Walter is offering for
24 sale 2.32 more or less acres in Lehigh Township,
25 Northampton County, adjacent to State Game Land Number

1 168 shown on Exhibit RED 6 on page 45 of your agenda.

2 The option price is \$5,000 lump sum to
3 be paid with funds from the Game Fund. The tract is
4 mostly forested with mixed oak, poplar, black gum,
5 birch and red maple.

6 The property will connect two parcels of
7 State Game Land Number 168 by joining a detached
8 parcel to the main portion of State Game Land Number
9 168. The property will provide critical access into a
10 portion of State Game Land Number 168 with limited
11 access. Access is through existing State Game Land
12 Number 168 from Timberline Road.

13 PRESIDENT SCHLEMMER:

14 Thank you. Motion?

15 COMMISSIONER WEANER:

16 So moved.

17 PRESIDENT SCHLEMMER:

18 Second?

19 COMMISSIONER LAYTON:

20 Second.

21 PRESIDENT SCHLEMMER:

22 Discussion? Hearing none, Mr.

23 Secretary?

24 SECRETARY HOOVER:

25 There is a motion on the floor that has

1 been moved and seconded. All those in favor, signify
2 by saying aye.

3 AYES RESPOND

4 SECRETARY HOOVER:

5 Opposed, no. That motion carries.

6 ATTORNEY BECHTEL:

7 The next item before the Commission is
8 on page 46 of your agenda and concerns Restricted Non-
9 surface Use Oil and Gas Agreement.

10 Tract 133A-15, State Game Land Number
11 133, in Lycoming County. Anadarko Onshore E&P, LLC,
12 Anadarko, of Williamsport, Pennsylvania, requested the
13 Commission offer its oil and gas rights under State
14 Game Land Number 133 for non-surface use development.
15 The proposed tract, containing approximately 10.7
16 acres, is located in Gamble Township, Lycoming County,
17 is shown on Exhibit OGM 1 on page 47 of your agenda.

18 Anadarko has a strong privately owned
19 oil/gas lease position surrounding the southeastern
20 portion of State Game Land Number 133 and has
21 initiated unconventional well drilling and development
22 activity in the vicinity of its tract. Anadarko also
23 has the ability to unitize and develop the
24 Commission's oil and gas reserves under the proposed
25 tract by horizontal drilling with no surface use or

1 disturbance to the game land.

2 PGC staff has negotiated the proposed
3 terms of the Agreement with Anadarko in an effort to
4 prudently develop the Commission's oil and gas reserve
5 as well as to simultaneously protect the wildlife
6 resources and recreational use of State Game Land
7 Number 133.

8 The terms of the Agreement are a five
9 year paid up non-surface use oil and gas agreement, a
10 \$2,000 per net oil and gas acre bonus payment, total
11 bonus of \$21,400, and 18 percent royalty for all oil,
12 gas and other liquids or condensates produced and sold
13 from the proposed tract. The bonus payment of
14 approximately \$21,400 shall be deposited into the Game
15 Fund. Future rentals and royalties owed the
16 Commission shall also be deposited into the Game Fund.

17 Oil and gas development will be
18 regulated by the Commonwealth's oil and gas
19 regulations and the Commission's standard restricted
20 surface use oil and gas cooperative agreement.

21 PRESIDENT SCHLEMMER:

22 Do I hear a motion?

23 SECRETARY HOOVER:

24 So moved.

25 PRESIDENT SCHLEMMER:

1 Second?

2 COMMISSIONER WEANER:

3 Second.

4 PRESIDENT SCHLEMMER:

5 Discussion? Mr. Secretary?

6 SECRETARY HOOVER:

7 The motion on the floor has been moved
8 and seconded. All those in favor, signify by saying
9 aye.

10 AYES RESPOND

11 SECRETARY HOOVER:

12 Opposed, no. That motion carries.

13 ATTORNEY BECHTEL:

14 The next item is in terms of Restricted
15 Non-Surface Use Oil and Gas Cooperative Agreement on
16 the Loyalsock Game Farm in Lycoming County.

17 Inflection Energy, LLC, or Inflection,
18 of Denver, Colorado has requested the Commission offer
19 its oil and gas rights under Loyalsock Game Farm for
20 non-surface use development. The proposed tract
21 containing approximately 389.15 acres is located in
22 Loyalsock Township, Lycoming County as shown on
23 Exhibit OGM 2 on page 49 of your agenda.

24 Inflection has a strong privately owned
25 oil and gas lease position surrounding the Loyalsock

1 Game Farm and has initiated unconventional well
2 drilling and development in the vicinity of the
3 proposed tract.

4 Inflection has the ability to unitize
5 and develop the Commission's oil and gas reserve under
6 the proposed tract by horizontal drilling, with no
7 surface use or disturbance to PGC property.

8 Commission staff has negotiated those
9 terms of the Agreement with Inflection in an effort to
10 prudently develop the Commission's oil and gas
11 reserves, while simultaneously protecting the wildlife
12 resources and pheasant production at the Loyalsock
13 Game Farm.

14 The terms of the Agreement are a five
15 year paid up non-surface use oil and gas agreement, a
16 \$4,000 per net oil and gas acre bonus payment, and 20
17 percent royalty for all oil, gas and other liquids or
18 condensates produced and sold from the proposed tract.

19 The bonus payment of approximately
20 \$1,556,600 shall be deposited into the Game Fund.
21 Future rentals and royalties owed the Commission shall
22 also be deposited into the Game Fund.

23 Oil and gas development will be
24 regulated by the Commonwealth's oil and gas
25 regulations and the Commission's standard restricted

1 surface use oil and gas cooperative agreement.

2 PRESIDENT SCHLEMMER:

3 Thank you. Do I hear a motion?

4 COMMISSIONER WEANER:

5 So moved.

6 PRESIDENT SCHLEMMER:

7 Second?

8 SECRETARY HOOVER:

9 Second.

10 PRESIDENT SCHLEMMER:

11 Discussion? Mr. Secretary?

12 SECRETARY HOOVER:

13 This is on a motion on the floor that
14 was moved and seconded. All those in favor, signify
15 by saying aye.

16 AYES RESPOND

17 SECRETARY HOOVER:

18 Opposed, no. That motion carries.

19 PRESIDENT SCHLEMMER:

20 Okay. Now, moving on to new business,
21 and I'd like to call on Commissioner Layton.

22 COMMISSIONER LAYTON:

23 Thank you, Mr. President. At the
24 December work group meeting, a committee was
25 established to look into DMAP permits and how they're

1 handled on public land. That meeting consisted of
2 Commissioner Putnam, Commissioner Hoover and myself.

3 The majority of the complaints we get
4 about deer numbers is from public land. The DMAP
5 process is one of those goals that we have that we
6 have that we think is valuable to the deer management
7 program. And if you want to continue --- certainly,
8 we're not looking at doing anything on privately held
9 land. We just want to get together with our partners
10 at DCNR and look at the process that they've used to
11 establish DMAP permits on their land.

12 This past month we had a meeting with
13 DCNR. We met with the executive staff. Dr.
14 Rosenberry (phonetic) and members of the committee all
15 got to meet with DCNR. And I think we had a very good
16 first meeting with DCNR. They understand our
17 position, and of course, we understand theirs. They
18 have dual responsibility on --- DCNR has, while they
19 have --- their main responsibility obviously is
20 management of their habitat. They are conscious of
21 the fact that Pennsylvania hunters use their land and
22 they like people to come on there year round.

23 So after that first meeting and the
24 discussions that we had, we decided to get together
25 later on next month. It's February 16th, I believe is

1 our next meeting with DCNR. Does that sound right?

2 And in addition to that, we've agreed to
3 get to get together with them and ride around to kind
4 of tour some of the land that they're using DMAP
5 permits on to see what we can do cooperatively to kind
6 of make that process work better for both DCNR and the
7 Game Commission.

8 It's important again to mention that we
9 do recognize the importance of DMAP. And we like the
10 use of DMAP to help address those hot and cold spots
11 across the state when we get complaints there are too
12 many deer or not enough deer. And again, I think it's
13 important to say that we're not looking at changing
14 anything along the lines of our private landowners
15 that currently use the DMAP process.

16 So I'm encouraged by what's happened so
17 far between us and DCNR. I certainly want to thank
18 them for the cooperation they've shown at this point.
19 And if there's anybody else that needs to add anything
20 to these comments, please feel free.

21 PRESIDENT SCHLEMMER:

22 Thank you, Commissioner. Any other new
23 business?

24 SECRETARY HOOVER:

25 I'd like to point out that we removed

1 one item from the agenda, the permit issue, for the
2 state game land. And what we learned from this is
3 that we need to engage other interested parties in the
4 process in developing the permits.

5 We are going to bring this permit back.
6 And we are going to get it done for the sport in the
7 State of Pennsylvania. And it's going to be done with
8 the inclusion of the other partners that are currently
9 secondary users on the game land. And I think we got
10 more information off of what we did this time with the
11 permit than we've seen in years.

12 And I think the process will work. I
13 want everyone to know that, you know, probably 90
14 percent of the people out there don't understand who
15 owns the game lands. And it's the hunters. And it's
16 there for them. And we want them to know that we are
17 looking to make sure that their experience on the game
18 land is the best that they can be. So we will once
19 again continue the process until we get it right in
20 developing this permit. Thank you.

21 PRESIDENT SCHLEMMER:

22 Thank you. Any other new business?

23 COMMISSIONER DELANEY:

24 Mr. President, I have a combination of
25 old business item and new business item. If you

1 recall last year, the sportsman in northeastern
2 Pennsylvania had a problem with their antlerless deer
3 tags. At that point Representative Gerald Mullery
4 from Luzerne County entered some legislation to allow
5 the Pennsylvania Game Commission have the authority to
6 distribute those tags. Subsequently, this Board of
7 Commissioners by resolution supported our agency to be
8 involved in the distribution process of those tags.

9 Yesterday, in Harrisburg, Representative
10 Mullery introduced House Bill 231 that addresses the
11 issue as last year. And I would just ask that our
12 agency executive staff and others utilize the resource
13 --- or I should say the resolution from last year, to
14 help facilitate and move this legislation in the right
15 direction.

16 PRESIDENT SCHLEMMER:

17 Further discussion? Mr. Putnam?

18 VICE PRESIDENT PUTNAM:

19 Mr. President, I would like to request
20 that staff evaluate adding rabbits to the mentored
21 youth program. Possibly by the next working group
22 meeting, have something together, but --- because it's
23 not something that we're going to make in this current
24 season. I would ask the staff to work with the
25 Pennsylvania Beagle Club, the people that have been

1 testifying here regularly at our meeting to that.

2 PRESIDENT SCHLEMMER:

3 Thank you.

4 COMMISSIONER DELANEY:

5 Mr. President, if I could second that
6 motion, I would, but I know it's not a motion. But
7 anything that we can do to facilitate small game
8 hunting for our youth, we need to do.

9 PRESIDENT SCHLEMMER:

10 Thank you.

11 SECRETARY HOOVER:

12 I did miss one thing. I wanted to thank
13 the staff for working like you did on the permit
14 issue. And I would also asked that the executive
15 staff move forward with setting up a meeting with the
16 parties that are interested in proceeding with this
17 permit, so that we get their inclusion in the process.
18 Thank you.

19 PRESIDENT SCHLEMMER:

20 Further discussion? I'd like to note
21 that the upcoming meetings in April have changed to
22 April 9th and 10th. June meeting 29th and 30th. And
23 September meeting 28th and 29th.

24 COMMISSIONER WEANER:

25 Mr. President? I think we probably

1 ought to have that in a form of a motion since we're
2 changing here. Don't you think?

3 PRESIDENT SCHLEMMER:

4 Do we need a motion, Counsel?

5 COMMISSIONER WEANER:

6 I move that we adopt those dates of
7 April 9 and 10, June 29 and 30, September 28 and 29 as
8 our next three meetings.

9 PRESIDENT SCHLEMMER:

10 Motion on the floor. Second?

11 SECRETARY HOOVER:

12 Second.

13 PRESIDENT SCHLEMMER:

14 Discussion? Mr. Secretary?

15 SECRETARY HOOVER:

16 There's a motion on the floor that has
17 been moved and seconded. All those in favor, signify
18 by saying aye.

19 AYES RESPOND

20 SECRETARY HOOVER:

21 Those opposed, no. That motion carries.

22 PRESIDENT SCHLEMMER:

23 Thank you. At this point, I'd like to
24 say a few words. First of all, it's been an honor,
25 believe me, to serve as president for the past few

1 years for the Pennsylvania Game Commission. I get a
2 little choked up about that. I've been with the
3 Commission now, I guess, for 41 going on 42 years.
4 It's been a big part of my life.

5 And I'd like to just thank the staff
6 here in Harrisburg who has worked well. Everybody.
7 Regional directors who I've had good communications
8 with. Right down to their staff, WCOs executives.
9 I'd like to thank everybody. Thank you.

10 Moving on, we're going to have election
11 of officers, and I'm going to turn the meeting over to
12 Commissioner Jay Delaney. Thank you.

13 COMMISSIONER DELANEY:

14 Thank you, Mr. President. I think we
15 can do things just from our current seating
16 arrangement here. Current officers of the Board of
17 Commissioners are President Robert Schlemmer. The
18 Vice President currently is Dave Putnam. And the
19 current Secretary is Brian Hoover. And I will move
20 some nominations for each of the three offices. We'll
21 do them separately and we'll vote on each of the
22 separately.

23 From the Office of Secretary, the
24 nomination is Tim Layton. I will make that nomination
25 and we will need a second from the Board if that's how

1 we're moving forward.

2 SECRETARY HOOVER:

3 I'd like to second that nomination.

4 COMMISSIONER WEANER:

5 Point of order. Mr. President, whenever
6 you nominate someone, you don't need a second.

7 PRESIDENT SCHLEMMER:

8 Thank you.

9 COMMISSIONER DELANEY:

10 Okay. Well, we'll --- what I'll state
11 from this point then, is there any other nominations
12 from the floor for the Office of Secretary of the
13 Board of Commissioners? Is there any other
14 nominations from the floor from the Office of
15 Secretary of the Board of Commissioners? If not, I
16 will still move for a show of hands and a vote.

17 All those in favor of Tim Layton being
18 the Secretary for the Board of Commissioners for the
19 2015 to '16, please raise your right hands. Okay.
20 Are there any noes? If not unanimous.
21 Congratulations, Commissioner Layton.

22 For the office of Vice President, there
23 are two Commissioners that expressed interest in the
24 Office of Vice President. And I will offer two names
25 and then the Board will vote on those names. And the

1 nomination will be Commissioner Brian Hoover and the
2 second will be Commissioner Ron Weaner.

3 Are there any other considerations and
4 nominations from the floor for the Office of Vice
5 President? Are there any other nominations from the
6 floor for the Office of Vice President?

7 If not, Commissioners, those in favor of
8 Commissioner Hoover, please raise your right hand.
9 And for the sake of the court stenographer, let's say
10 the names. Delaney.

11 VICE PRESIDENT PUTNAM:

12 Putnam.

13 PRESIDENT SCHLEMMER:

14 Schlemmer.

15 SECRETARY HOOVER:

16 Hoover.

17 COMMISSIONER LAYTON:

18 Layton.

19 COMMISSIONER DELANEY:

20 All those in favor of Commissioner
21 Weaner, raise your right hand. Commissioners, say your
22 name for the stenographer.

23 COMMISSIONER WEANER:

24 Weaner.

25 COMMISSIONER FOX:

1 Fox.

2 COMMISSIONER DELANEY:

3 By order of the vote, six for Brian
4 Hoover, two for Ron Weaner, Congratulations ---

5 VICE PRESIDENT PUTNAM:

6 Five. Five and two.

7 COMMISSIONER DELANEY:

8 Yes, five to two. Commissioner Hoover
9 is now the new Board Vice President. The last
10 nomination will come from the Office of President.
11 And I will nominate Dave Putnam for the Office of
12 President. Are there any other nominations from the
13 floor for the Office of President? Any other
14 nominations from the floor for the Office of
15 President?

16 If not, we'll vote. All those in favor
17 of Commissioner Dave Putnam to be the President for
18 this coming year to the Board of Commissioners, please
19 raise your right hand. Any noes? If not, it's
20 unanimous. Congratulations, President Putnam.

21 VICE PRESIDENT PUTNAM:

22 Thank you.

23 COMMISSIONER DELANEY:

24 That will conclude the election of
25 officers. If Commissioner Putnam can take the

1 President's chair, and Commissioner Schlemmer take his
2 chair.

3 VICE PRESIDENT PUTNAM:

4 I have about 42 pages of prepared
5 remarks. Actually, it's an honor for me to assume
6 this position. Bob said that he had 44 years
7 associated with the Game Commission. I can top that
8 by about 23 years. I was affiliated with the Game
9 Commission before I was born because my father was in
10 the Game Commission training school, so I'm going to
11 top you on that one, Bob.

12 I took this job to be helpful and that's
13 helpful to our wildlife resources, to our hunters and
14 to the agency. That's the only reason I took this
15 job. And please throughout the next year, keep that
16 in mind. Because that's my whole goal here is to not
17 to fight with people, but to try and move things
18 forward for the betterment of the resources, the
19 hunters and the agency.

20 Specific things that I would like to do
21 would be to work with our conservation partners. I
22 believe the Game Commission does have a very good
23 director. We have many meetings throughout the year
24 with various conservation partners, but we still have
25 more to do and I would ask that the partners consider

1 that as well.

2 We talked during the last couple days
3 about give us a call, send me a personal email. Those
4 people in the audience here that do communicate with
5 me regularly. One guy sitting in the back there, way
6 in the back, he's sent me very thoughtful emails and
7 they carry great weight. One well written email
8 carries far more weight than 500 form letters. It
9 takes a long time to just delete 500 form letters.
10 But one well written email can be there.

11 Some of the items on our agenda today
12 were the product of a relatively small group. The
13 falcon program, two or three people contacted
14 Commissioner Hoover. Commissioner Hoover granted
15 meetings. We vetted back and forth. We spent a lot
16 of effort on it, but it wasn't 500 emails that got
17 that falconer permit. It was some people giving us
18 some well reasoned sound advice.

19 Another thing that I would like to work
20 on more --- and now that we have the new governor in
21 place, and the whole legislative session starting off
22 is to expand our work with the legislature.

23 As far as agency business, over the next
24 year we'll be working on our strategic plan. I think
25 that's probably going to be one of our highest

1 priorities and what the Commissioners will be spending
2 a lot of our time on, working on that strategic plan.

3 And the bottom thing would be the
4 budget. We are passing gas leases for the people that
5 are regularly attending our meetings. You're not
6 seeing \$20 million gas leases now. This one offered a
7 million, that's a pretty good. But our gas lease
8 revenue has gone down pretty substantially, so it's
9 been since 1995 when we got our last increase ---
10 1999.

11 We've only had seven license increases
12 in the last 120 years. We don't get license increases
13 very often, and so we have to stretch our budget. And
14 we are getting to the end of that point where we're
15 going to be stretching, stretching. The gas revenue
16 has been a great help stretching us for the last ten
17 years or so. But we're nearing the end of that as far
18 as the good days of the gas leases.

19 So that's really all I have to say. I
20 look forward to the next year and working with all of
21 you. Meeting adjourned.

22 * * * * *

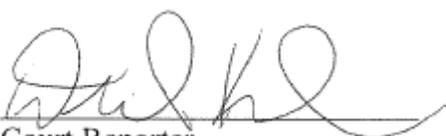
23 MEETING CONCLUDED AT 9:34 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before President Schlemmer was reported by me on 01/27/2015 and that I Daniel Kubach read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.


Court Reporter