

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION**



**AGENDA  
HARRISBURG, PENNSYLVANIA  
April 5, 2016**

*R. Matthew Hough*

---

R. Matthew Hough  
Executive Director

**Table of Contents**

Call to Order ..... 1

Pledge of Allegiance..... 1

Roll Call of Commissioners..... 1

Approval of Minutes of Meeting held February 2, 2016..... 1

**BUREAU OF WILDLIFE MANAGEMENT**

**ADOPTED RULE MAKING**

A. Amend 58 Pa. Code § 139.4 .....2-10

B. Amend 58 Pa. Code § 139.17 ..... 11-13

C. Release of Information for Nationwide Waterfowl Hunter Survey ..... 14

**PROPOSED RULE MAKING**

D. Amend 58 Pa. Code § 133.5 ..... 15

**BUREAU OF WILDLIFE PROTECTION**

**ADOPTED RULE MAKING**

A. Amend 58 Pa. Code § 141.4 ..... 16-19

B. Amend 58 Pa. Code § 131.6 ..... 20-21

C. Amend 58 Pa. Code § 141.18 ..... 22-23

D. Amend 58 Pa. Code § 141.41 ..... 24-25

E. Amend 58 Pa. Code §§ 143.43, 143.45 and 143.50..... 26-27

**PROPOSED RULE MAKING**

F. Amend 58 Pa. Code § 135.41 ..... 28

G. Amend 58 Pa. Code § 147.322 ..... 29-30

H. Amend 58 Pa. Code § 135.103 ..... 31

**BUREAU OF WILDLIFE HABITAT MANAGEMENT**

**REAL ESTATE**

A. Acquisition

    Contract No. L-3694, State Game Land No. 313, Tioga County .....32-33

    Contract No. L-3695, State Game Land No. 313, Tioga County .....34-35

    Contract No. L-3696, State Game Land No. 88, Perry County .....36-37

Other New Business..... 38

Executive Session, if necessary, will be held immediately following the close of the  
Commission Meeting..... 38

Adjournment ..... 38

DRAFT

Commonwealth of Pennsylvania  
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, April 5, 2016, at 2001 Elmerton Avenue, Harrisburg, Pennsylvania beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Brian H. Hoover, President  
Timothy S. Layton, Vice President  
Charlie E. Fox, Secretary  
Ronald A. Weaner  
David J. Putnam  
Robert W. Schlemmer  
James R. Daley

Approval of Minutes of Commission Meeting held February 2, 2016.

## BUREAU OF WILDLIFE MANAGEMENT

### ADOPTED RULE MAKING

A. Amend 58 Pa. Code § 139.4.

Commentary:

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2016-2017 license year. The 2016-2017 seasons and bag limits have been amended to reflect currently available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Proposed changes to small game seasons include: making youth and regular seasons for squirrels and rabbits concurrent to simplify regulations and to expand rabbit hunting opportunity; and making snowshoe hare season dates consistent statewide to simplify regulations, facilitate species monitoring programs, and reflect the fact that harvest mortality is not a major driver of population trends for this species.

In regards to wild turkey seasons, in accordance with Wild Turkey Management Plan guidelines, the Commission is recommending fall season reductions in 4 WMUs that have exhibited declining trends in turkey population indices. Specifically, seasons would decrease from 2 weeks + 3 days to 1 week + 3 days in WMUs 1A and 2A; from 1 week + 3 days to 1 week in WMU 1B; and from 3 weeks + 3 days to 2 weeks + 3 days in WMU 4C.

The only change proposed for black bear seasons is the addition of a 4-day extended firearms season (concurrent with the Wednesday-Saturday of the first week of firearms deer season) in WMU 1B. This season is intended to prevent further expansion of bears into the western portion of this WMU where potential for bear-human conflicts is high.

Concerning furbearer seasons, the Commission is proposing to increase the length of the fisher trapping season from the current 6 days to 12 days in the 13 WMUs with open fisher seasons.

Action:

“EXHIBIT A”

(SEASONS AND BAG LIMITS TABLE)

2016-2017 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED

Species	First Day	Last Day	Daily Limit	Field Possession Limit After First Day
<i>Squirrels</i> – (Combined species) <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 1	Oct. 15	6	18
<i>Squirrels</i> – (Combined species)	Oct. 15 and Dec. 12 and Dec. 26	Nov. 26 Dec. 24 Feb. 28, 2017	6	18
<i>Ruffed Grouse</i>	Oct. 15 and Dec. 12 and Dec. 26	Nov. 26 Dec. 24 Jan. 21, 2017	2	6
<i>Rabbits, Cottontail</i> – <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 1	Oct. 15	4	12
<i>Rabbits, Cottontail</i>	Oct. 15 and Dec. 12 and Dec. 26	Nov. 26 Dec. 24 Feb. 28, 2017	4	12

*Ring-necked Pheasant* – There is no open season for the taking of pheasants in any area designated as a wild pheasant recovery area within any wildlife management unit.

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<p><b><i>Ring-necked Pheasant</i></b>  <b><i>Eligible Junior Hunters only</i></b>, with or without the required junior license</p> <p>WMUs 2A, 2C, 4C, 4E, 5A and 5B - <b><i>Male only</i></b></p> <p>WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C, and 5D - <b><i>Male or female</i></b></p>	Oct. 8	Oct. 15	2	6
<p><b><i>Ring-necked Pheasant</i></b></p> <p>WMUs 2A, 2C, 4C, 4E, 5A and 5B - <b><i>Male only</i></b></p> <p>WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C, and 5D - <b><i>Male or female</i></b></p>	Oct. 22 and Dec. 12 and Dec. 26	Nov. 26 Dec. 24 Feb. 28, 2017	2	6
<p><b><i>Bobwhite Quail</i></b> - The hunting and taking of bobwhite quail is permitted in all WMUs except in WMU 5A where the season is closed.</p>	Oct. 22	Nov. 26	4	12
<p><b><i>Hares (Snowshoe Rabbits) or Varying Hares</i></b></p>	Dec. 26	Dec. 31	1	3
<p><b><i>Woodchucks (Groundhog)</i></b></p>	No closed season except during the regular firearms deer seasons. Hunting on Sundays is prohibited.		Unlimited	
<p><b><i>Porcupines</i></b></p>	Sept. 1	Mar. 31, 2017	3	Season limit 10

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Turkey, Fall - Male or Female</i>			1	1
WMU 2B (Shotgun, Bow & Arrow only)	Oct. 29 and Nov. 24	Nov. 18 and Nov. 26		
WMU 1B	Oct. 29	Nov. 5		
WMUs 1A and 2A	Oct. 29 and Nov. 24	Nov. 5 and Nov. 26		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C and 4D	Oct. 29 and Nov. 24	Nov. 12 and Nov. 26		
WMUs 2C and 4E	Oct. 29 and Nov. 24	Nov. 18 and Nov. 26		
WMU 5A	Nov. 3	Nov. 5		
WMUs 5B, 5C and 5D	Closed to fall turkey hunting			
<i>Turkey, Spring</i> <sup>1</sup> <i>Bearded Bird only,</i> <i>Eligible Junior Hunters only,</i> with the required junior license	Apr. 22, 2017	Apr. 22, 2017	1	1
<i>Turkey, Spring</i> <sup>1</sup> <i>Bearded Bird only</i>	Apr. 29, 2017 and May 15, 2017	May 13, 2017 and May 31, 2017	1	2
			May be hunted ½ hour before sunrise to 12 noon	
			May be hunted ½ hour before sunrise to ½ hour after sunset	

**MIGRATORY GAME BIRDS**

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703-712) as published in the *Federal Register* on or about February 28 of each year.

Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use statewide in hunting and taking of migratory waterfowl.

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<i>Crow</i> (Hunting permitted on Friday, Saturday and Sunday only)	July 1	Apr. 9, 2017		Unlimited
<i>Starling and English Sparrow</i>	No closed season except during the regular firearms deer seasons.			Unlimited

**FALCONRY**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After First Day</b>
<i>Squirrels</i> – (Combined species)	Sept. 1	Mar. 31, 2017	6	18
<i>Quail</i>	Sept. 1	Mar. 31, 2017	4	12
<i>Ruffed Grouse</i>	Sept. 1	Mar. 31, 2017	2	6
<i>Cottontail Rabbits</i>	Sept. 1	Mar. 31, 2017	4	12
<i>Snowshoe or Varying Hare</i>	Sept. 1	Mar. 31, 2017	1	3
<i>Ring-necked Pheasant - Male and Female</i> - (Combined)	Sept. 1	Mar. 31, 2017	2	6

*Migratory Game Birds* - Seasons and bag limits shall be in accordance with Federal regulations.

**WHITE-TAILED DEER**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<i>Deer, Archery (Antlered &amp; Antlerless)</i> <sup>2</sup> With the required archery license WMUs 2B, 5C and 5D,	Sept. 17 and Dec. 26	Nov. 26  Jan. 28, 2017	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Archery (Antlered &amp; Antlerless)</i> <sup>2</sup> With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 1 and Dec. 26	Nov. 12  Jan. 14, 2017	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Muzzleloading (Antlerless only)</i> With the required muzzleloading license	Oct. 15	Oct. 22	An antlerless deer with each required antlerless license.
<i>Deer, Special firearms (Antlerless only)</i> Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the U.S. Armed Forces or U.S. Coast Guard	Oct. 20	Oct. 22	An antlerless deer with each required antlerless license.
<i>Deer, Regular firearms (Antlered &amp; Antlerless)</i> <sup>2</sup> WMUs 2B, 5A, 5B, 5C and 5D	Nov. 28	Dec. 10	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Regular firearms (Antlered only)</i> <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Nov. 28	Dec. 2	One antlered deer.
<i>Deer, Regular firearms (Antlered &amp; Antlerless)</i> <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 3	Dec. 10	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>2</sup> With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26	Jan. 14, 2017	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Flintlock (Antlered or Antlerless)</i> <sup>2</sup> With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26	Jan. 28, 2017	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.

**WHITE-TAILED DEER – (Continued)**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<b>Deer, Extended Regular firearms (Antlerless)</b> Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 28, 2017	An antlerless deer with each required antlerless license.
<b>Deer, Antlerless</b> (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

**BLACK BEAR**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<b>Bear, Archery</b> <sup>4</sup> WMUs 2B, 5C and 5D	Sept. 17	Nov. 18	1
<b>Bear, Archery</b> <sup>4</sup> WMU 5B	Oct. 1	Nov. 18	1
<b>Bear, Archery</b> <sup>4</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Nov. 14	Nov. 18	1
<b>Bear, Muzzleloader</b> <sup>4</sup> WMUs 2B, 5B, 5C & 5D	Oct. 15	Oct. 22	1
<b>Bear, Special firearms</b> <sup>4</sup> Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the U.S. Armed Forces, or in the U.S. Coast Guard, with required antlerless license WMUs 2B, 5B, 5C & 5D	Oct. 20	Oct. 22	1
<b>Bear, Regular Firearms</b> <sup>4</sup> (Statewide)	Nov. 19	Nov. 23	1
<b>Bear, Extended firearms</b> <sup>4</sup> WMUs 3B, 3C, and 3D	Nov. 28	Dec. 3	1
<b>Bear, Extended firearms</b> <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Nov. 28	Dec. 10	1
<b>Bear, Extended firearms</b> <sup>4</sup> WMUs 1B, 2C, 4B, 4C, 4D and 4E	Nov. 30	Dec. 3	1

**ELK**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<i>Elk, Special Conservation Tag</i> <sup>5</sup> <i>(Antlered and Antlerless)</i>	Sept. 1	Nov. 5	1
<i>Elk, Regular firearms</i> <sup>5</sup> <i>(Antlered and Antlerless)</i>	Oct. 31	Nov. 5	1
<i>Elk, Extended firearms</i> <sup>5</sup> <i>(Antlered and Antlerless)</i>	Nov. 7	Nov. 12	1

**FUR TAKING - TRAPPING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Minks and Muskrats</i>	Nov. 19	Jan. 8, 2017	Unlimited	
<i>Beaver</i>	Dec. 26	Mar. 31, 2017		
WMUs 1A, 1B and 3C (Combined)			20	40
WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
<i>Coyotes, Foxes, Opossums, Raccoons, Skunks and Weasels</i>	Oct. 23	Feb. 19, 2017	Unlimited	
<i>Coyotes and Foxes</i> Use of cable restraint devices authorized with required certification	Dec. 26	Feb. 19, 2017	Unlimited	
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 17	Jan. 8, 2017	1	1
<i>Fisher, with required fisher permit</i> WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3C, 3D, 4D and 4E	Dec. 17	Dec. 28	1	1
<i>River Otter, with required otter permit</i> WMUs 3C & 3D	Feb. 20, 2017	Feb. 22, 2017 (or until harvest quota is reached)	1	1

**FUR TAKING - HUNTING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Coyotes - (Outside of any big game season)</i>			May be taken with a hunting license or a furtaker's license.	Unlimited
<i>Coyotes - (During any big game season)</i>			May be taken while lawfully hunting big game or with a furtaker's license.	Unlimited
<i>Opossums, Striped Skunks, Weasels</i>			No closed season.	
<i>Raccoons and Foxes</i>	Oct. 22	Feb. 18, 2017		Unlimited
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 14	Feb. 8, 2017	1	1

***No open seasons on other wild birds or wild mammals.***

<sup>1</sup> Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of 2 spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>2</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>3</sup> Includes residents and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>4</sup> Only one bear may be taken during the hunting license year with the required bear license.

<sup>5</sup> Only one elk may be taken during the hunting license year with the required elk license.

B. Amend 58 Pa. Code § 139.17.

Commentary:

A uniform system of wildlife management units (WMUs) was implemented in 2003 to replace the system of multiple, species-specific management units. The primary objective of this new wildlife management unit system was to develop and implement wildlife management decisions on a system of more homogenous units based on physiographic, land cover and use, human population density and land ownership. Wildlife management unit boundaries were defined using readily recognizable features on the landscape rather than hard-to-identify political boundaries. In 2008, the Commission conducted a five-year evaluation of the structure of the wildlife management unit system which resulted in the development and implementation of four WMU map revisions. The Commission has again conducted an evaluation of the structure of the wildlife management unit system and has developed the following WMU map revision: Expand 5D in the northeast corner to provide a more logical boundary. This proposed change represents a 24,826 acre increase in the size of WMU 5D and the area proposed is shown in magenta on the map.

CHAPTER 139. SEASONS AND BAG LIMITS

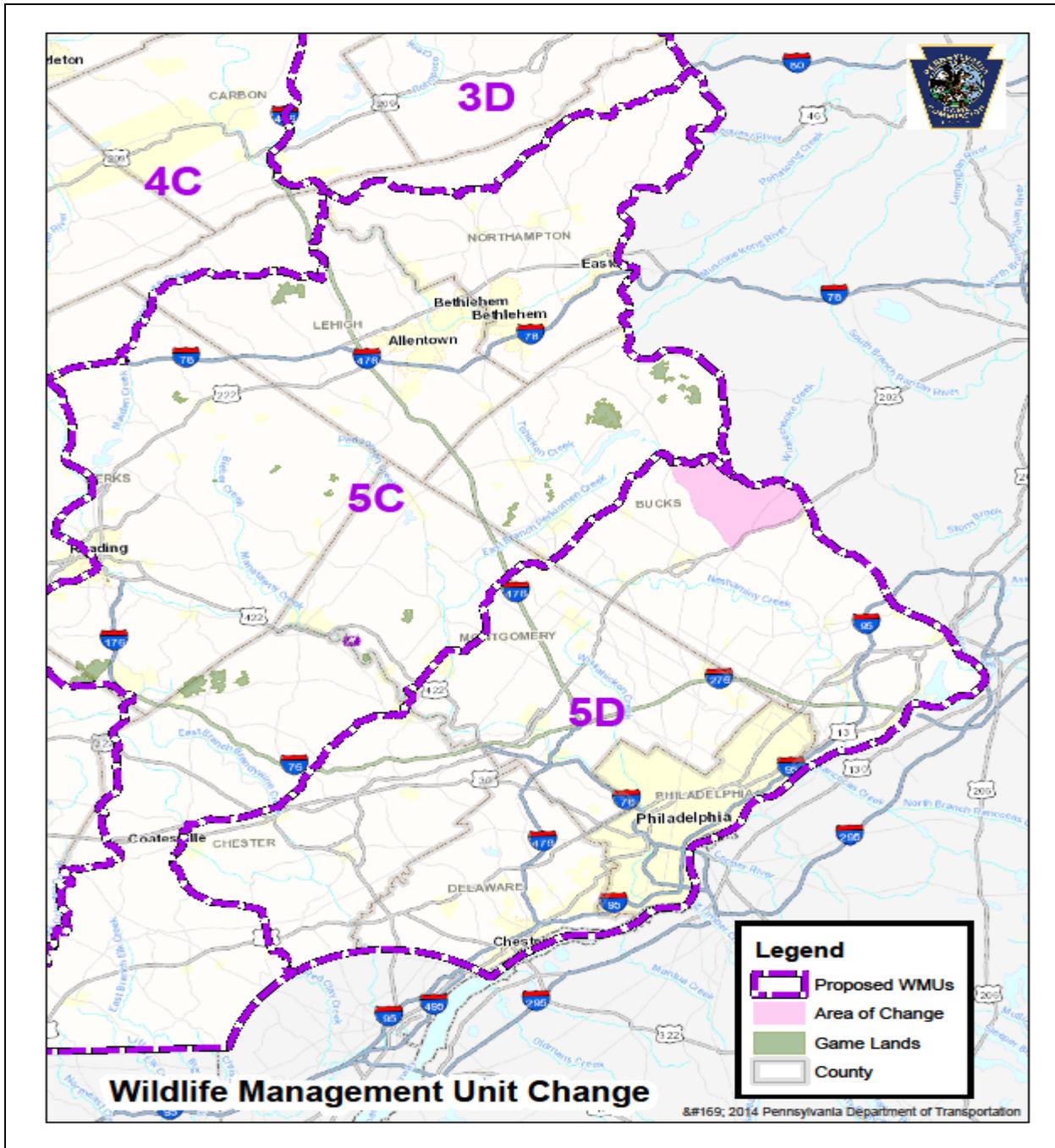
§ 139.17. Wildlife management units.

\* \* \* \* \*

- (b) The outline map of Pennsylvania sets forth wildlife management units.

(See map of Pennsylvania Wildlife Management Units)

Action:



**WMU 5C**

From Maryland/PA state line, north along the Octoraro Creek to Rt. 372. Rt. 372 east to PA Rt. 10 north to Interstate 76. I-76 west to US Rt. 222. Rt. 222 north to PA Rt. 61 west of Reading. Rt. 61 north to I-78 near Hamburg. I-78 east to Rt. 143. Rt. 143 north to Rt. 309. Rt. 309 south to PA Rt. 873 northwest of Allentown. Rt. 873 north to Rt. 248. Rt. 248 east to PA Rt. 946. Rt. 946 east to PA Rt. 512. Rt. 512 to PA Rt., 611 near Mount Bethel. Rt. 611 north to Portland Toll Bridge at Portland. Portland Toll Bridge east to New Jersey/PA state line. New Jersey/PA state line south to the Tohickon Creek. Tohickon Creek west to PA Rt. 611. PA Rt. 611 north to PA Rt. 113. PA Rt. 113 south to US Rt. 30. US Rt. 30 west to PA Rt. 82. PA Rt. 82 east to the Delaware/ PA state line near Yorklyn.

**WMU 5D**

From the Delaware/ PA state line near Yorklyn, PA Rt. 82 west to US Rt. 30. US Rt. 30 east to PA Rt. 113 at Downingtown. PA Rt. 113 north to PA Rt. 611. PA Rt. 611 south to the intersection of Tohickon Creek. Tohickon Creek east to the PA/ New Jersey state line.



C. Release of Information of Nationwide Waterfowl Hunter Survey

Commentary:

In cooperation with the National Flyway Council and Association of Fish and Wildlife Agencies, the Pennsylvania Game Commission will be participating in a nationwide waterfowl hunter survey. The USFWS requested permission to release contact information for Pennsylvania waterfowl hunters (previously provided by PGC as part of annual Harvest information Program) for use in a nationwide waterfowl hunter survey. The Commission has been actively involved in the development of the survey and has determined that it will help future waterfowl harvest and habitat management efforts in the Atlantic Flyway. The survey will be conducted by the University of Minnesota using a sample of waterfowl hunters derived, in part, from the 2015 Harvest Information Program (HIP). The Board of Commissioners of the Commission has authorized the release of name and address information for a portion of the Commonwealth's HIP-certified hunters to the University of Minnesota. Specifically, contact information for a random sample of up to 3,000 resident, HIP-certified hunters drawn proportionally from those who reported that they hunted for ducks and/or geese during the 2014 hunting season.

Action:

**BY NOTATIONAL VOTE**

## PROPOSED RULE MAKING

D. Amend 58 Pa. Code § 133.5.

Commentary: The Commission is proposing to amend § 133.4 to reclassify porcupines as furbearers and also permit porcupines to be hunted with a hunting license or hunted and trapped with a furtakers license.

### CHAPTER 133. WILDLIFE CLASSIFICATION

#### Subchapter A. GENERAL

§ 133.5. Furbearers

~~[The coyote is classified as a furbearing animal. For the purpose of licensing, coyotes may be hunted with a hunting license or hunted and trapped with a furtakers license as described in section 2705 of the act (relating to classes of licenses).]~~ The following species of wildlife are reclassified as furbearers:

(1) Coyote (*Canis latrans*). For the purpose of licensing, coyotes may be hunted with a hunting license or hunted and trapped with a furtakers license as described in section 2705 of the act (relating to classes of licenses).

(2) Porcupine (*Erethizon dorsatum*). For the purpose of licensing, porcupines may be hunted with a hunting license or hunted and trapped with a furtakers license as described in section 2705 of the act (relating to classes of licenses).

Action:

**BUREAU OF WILDLIFE PROTECTION**

**ADOPTED RULE MAKING**

A. Adoption of proposed amendment to 58 Pa. Code § 141.4.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), proposed at its February 2, 2016, meeting to amend § 141, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2016-2017 hunting/trapping license year.

Action:

DRAFT

EXHIBIT "A"

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.4. Hunting hours.

Except as otherwise provided, wild birds and animals may be hunted 1/2 hour before sunrise to 1/2 hour after sunset.

\* \* \* \* \*

*(See Pennsylvania Meridian Map, Hunting Hours and  
Migratory Game Bird Hunting Hours Tables)*

DRAFT

**HUNTING HOURS TABLE  
FOR JULY 1, 2016 THROUGH JUNE 30, 2017**

<b>Dates</b>	<b>Begin A.M.</b>	<b>End P.M.</b>	<b>Dates</b>	<b>Begin A.M.</b>	<b>End P.M.</b>
July 1 - 2	5:06	9:03	Jan. 1 - 7	6:52	5:17
July 3 - 9	5:11	9:00	Jan. 8 - 14	6:52	5:23
July 10 - 16	5:16	8:57	Jan. 15 - 21	6:50	5:30
July 17 - 23	5:21	8:52	Jan. 22 - 28	6:47	5:38
July 24 - 30	5:28	8:46	Jan. 29 - Feb. 4	6:41	5:47
July 31 - Aug. 6	5:34	8:38	Feb. 5 - 11	6:35	5:55
Aug. 7 - 13	5:41	8:29	Feb. 12 - 18	6:27	6:03
Aug. 14 - 20	5:48	8:19	Feb. 19 - 25	6:18	6:12
Aug. 21 - 27	5:54	8:06	Feb. 26 - Mar. 4	6:08	6:19
Aug. 28 - Sept. 3	6:01	7:58	Mar. 5 - 11	5:57	6:27
Sept. 4 - 10	6:07	7:47	Mar. 12 - 18 <b>*Begins</b>	6:46	7:35
Sept. 11 - 17	6:14	7:35	Mar. 19 - 25	6:35	7:42
Sept. 18 - 24	6:21	7:24	Mar. 26 - Apr. 1	6:24	7:49
Sept. 25 - Oct. 1	6:27	7:12	Apr. 2 - 8	6:13	7:56
Oct. 2 - 8	6:34	7:00	Apr. 9 - 15	6:02	8:03
Oct. 9 - 15	6:42	6:50	Apr. 16 - 22	5:51	8:10
Oct. 16 - 22	6:49	6:40	Apr. 23 - 29	5:41	8:17
Oct. 23 - 29	6:57	6:31	Apr. 30 - May 6	5:32	8:24
Oct. 30 - Nov. 5	7:05	6:23	May 7 - 13	5:23	8:31
Nov. 6 - 12 <b>**Ends</b>	6:13	5:16	May 14 - 20	5:16	8:38
Nov. 13 - 19	6:21	5:11	May 21 - 27	5:10	8:45
Nov. 20 - 26	6:28	5:07	May 28 - June 3	5:06	8:50
Nov. 27 - Dec. 3	6:36	5:06	June 4 - 10	5:03	8:55
Dec. 4 - 10	6:42	5:05	June 11 - 17	5:02	9:02
Dec. 11 - 17	6:47	5:06	June 18 - 24	5:03	9:02
Dec. 18 - 24	6:50	5:08	June 25 - July 1	5:06	9:03
Dec. 25 - 31	6:52	5:11	<b>*Daylight Saving Time</b>		

**MIGRATORY GAME BIRD HUNTING HOURS TABLE  
FOR JULY 1, 2016 THROUGH JUNE 30, 2017**

<b>Dates</b>	<b>Begin A.M.</b>	<b>End P.M.</b>	<b>Dates</b>	<b>Begin A.M.</b>	<b>End P.M.</b>
Aug. 28 – Sept. 3	6:01	7:28	Dec. 25 – 31	6:52	4:41
Sept. 4 – 10	6:07	7:17	Jan. 1 – 7	6:52	4:47
Sept. 11 – 17	6:14	7:05	Jan. 8 – 14	6:52	4:53
Sept. 18 – 24	6:21	6:54	Jan. 15 – 21	6:50	5:00
Sept. 25 – Oct. 1	6:27	6:42	Jan. 22 – 28	6:47	5:08
Oct. 2 – 8	6:34	6:30	Jan. 29 – Feb. 4	6:41	5:17
Oct. 9 – 15	6:42	6:20	Feb. 5 – 11	6:35	5:25
Oct. 16 – 22	6:49	6:10	Feb. 12 – 18	6:27	5:33
Oct. 23 – 29	6:57	6:01	Feb. 19 – 25	6:18	5:42
Oct. 30 – Nov. 5	7:05	5:53	Feb. 26 – Mar. 4	6:08	5:49
Nov. 6 – 12 * <b>Ends</b>	6:13	4:46	Mar. 5 – 11	5:57	5:57
Nov. 13 – 19	6:21	4:41	Mar. 12 – 18 * <b>Begins</b>	6:46	7:05
Nov. 20 – 26	6:28	4:37	Mar. 19 – 25	6:35	7:12
Nov. 27 – Dec. 3	6:36	4:36	Mar. 26 – Apr. 1	6:24	7:19
Dec. 4 – 10	6:42	4:35	Apr. 2 – 8	6:13	7:26
Dec. 11 – 17	6:47	4:38	Apr. 9 – 15	6:02	7:33
Dec. 18-24	6:50	4:38	* <b>Daylight Saving Time</b>		

B. Adoption of proposed amendment to 58 Pa. Code § 131.6.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), proposed at its February 2, 2016, meeting to amend § 131.6 to redirect the extent and manner in which it authorizes wildlife conservation officers to engage in the administration of police powers.

Action:

DRAFT

EXHIBIT "A"

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.6. Administration of police powers by Wildlife Conservation Officers.

(a) *General.*

(1) Section 901(a)(17) of the act (relating to powers and duties of enforcement officers) authorizes wildlife conservation officers, when acting within the scope of their employment, to pursue, apprehend or arrest any individual suspected of violating any provision of 18 Pa.C.S. (relating to Crimes Code) or any other offense classified as a misdemeanor or felony and, in addition, to serve and execute warrants and subpoenas for these offenses.

(2) For the purposes of enforcement of the authority granted by section 901(a)(17) of the act, "when acting within the scope of their employment" means that period of time that a wildlife conservation officer is currently engaged in any activity the officer is employed to perform at the time and places the officer is authorized to perform the activity.

(b) *Limitation.*

A wildlife conservation officer shall arrest or take other appropriate enforcement action pursuant to the authority vested by section 901(a)(17) of the act only in one or more of the following circumstances:

- (1) The offense occurs in the officer's presence.
- (2) The offense occurs on lands or waters owned, leased or otherwise controlled by the Commission.
- (3) The offense arises out of Commission operations.
- (4) Another law enforcement agency has reasonably requested the assistance.

C. Adoption of proposed amendment to 58 Pa. Code § 141.18.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), proposed at its February 2, 2016, meeting to amend § 141.18 to add both hand-held rangefinders and those contained within a scope or archery sight to the list of approved devices that may be used to hunt or take wildlife.

Action:

DRAFT

EXHIBIT "A"

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§ 141.18. Permitted devices.

The following devices may be used to hunt or take wildlife:

\* \* \* \* \*

(5) Electronic crow decoys used solely for harvesting crows.

(6) Electronic rangefinders, including hand-held devices and those contained within a scope or archery sight. This authorization may not be construed to permit a device that emits any light beam, infrared beam, ultraviolet light beam, radio beam, thermal beam, ultrasonic beam, particle beam or other beam that is visible outside of the device or on the target.

D. Adoption of proposed amendment to 58 Pa. Code § 141.41.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), proposed at its February 2, 2016, meeting to amend § 141.41 to prohibit the possession of an expired, revoked, suspended or invalid hunting license or big game harvest tag while engaged in hunting or trapping activities or while in the fields, forests or on the waters or highways within or bordering the Commonwealth.

Action:

DRAFT

EXHIBIT "A"

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.41. General.

It is unlawful to:

\* \* \* \* \*

(4) Possess an expired, fulfilled, revoked, suspended or invalid big game harvest tag or hunting license while in engaged in hunting or trapping activities or while in the fields, forests or on the waters or highways within or bordering the Commonwealth.

DRAFT

E. Adoption of proposed amendment to 58 Pa. Code § 143.50

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), proposed at its February 2, 2016, meeting to amend § 143.50 to allow nonresidents to submit applications for antlerless deer licenses on the third Monday in July one week after resident applicants.

Action:

DRAFT

EXHIBIT "A"

CHAPTER 143. HUNTING AND FURTAKEER LICENSES

Subchapter C. ANTLERLESS DEER LICENSES

§ 143.50. Procedure for nonresidents of this Commonwealth.

Nonresidents may apply for unsold licenses on the third Monday in July and thereafter in compliance with § 143.45 (relating to completing and submitting applications).

DRAFT

**PROPOSED RULE MAKING**

F. Amend 58 Pa. Code § 135.41.

Commentary: The Commission has observed a dramatic, if not explosive, increase in the popularity and use of unmanned aerial vehicles (commonly referred to as drones) all across the Commonwealth during the past year. This increase has unfortunately resulted in unintended uses on lands designated as State game lands that compromise the purposes for which these lands were acquired. These activities range from degradation of the natural and scenic values of these lands up to actual wildlife disturbance and harassment activities. The Commission is also concerned that use of these devices on State game lands may expand to interference with lawful hunting and trapping activities in the future. The Commission is proposing to amend § 135.41 to prohibit the operation of drones on or over lands and waters designated as State game lands.

**CHAPTER 135. LANDS AND BUILDINGS**

**Subchapter C. STATE GAME LANDS**

§ 135.41. State game lands.

\* \* \* \* \*

(c) Additional prohibitions. In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

\* \* \* \* \*

(23) Operate an unmanned aerial vehicle of any size, design or specification for any purpose whatsoever over lands or waters designated as State game lands.

Action:

G. Amend 58 Pa. Code § 147.322.

Commentary: Section 103 of the Game and Wildlife Code mandates that the Commission utilize hunting and trapping as the primary method of effecting necessary management of game, furbearer and wildlife populations. The Commission is proposing to amend § 147.322 to provide greater emphasis on the importance on the use of public hunting as a prerequisite consideration in the deer control permit application and approval process.

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

§ 147.322. Application for deer control permit.

(a) An application for a deer control permit shall be completed ~~in conjunction with the Commission~~ and submitted by an authorized officer or employee of the political subdivision, homeowners association or nonprofit land-holding organization in the form and manner required by the Director ~~and contain the information requested by the Director~~.

(b) An application for a deer control permit ~~must~~ shall contain the following information:

(1) ~~[A complete map showing the boundaries of the area being considered and indicating the land use within the area, cover types, huntable areas, damage areas, deer concentration areas, all safety zones and proposed control areas within the proposed boundaries]~~ A comprehensive description of the background and scope of the white-tailed deer population and/or damage problem. This description shall include a report of all alternative solutions or other steps taken by the applicant to mitigate the white-tailed deer population and/or damage problem prior to application for this permit and shall specifically define how licensed public hunting for white-tailed deer has been utilized in the problem area and what results such hunting activities have had on the population and/or damage problem.

(2) ~~[A deer management plan shall be submitted with each application which provides deer management goals and requesting the number of animals to be removed]~~ A comprehensive deer management plan which sets forth the applicant's white-tailed deer management goals, recommended implementation plan and a reference to the specific number of animals sought to be removed. The applicant shall specifically define how licensed public hunting for white-tailed deer will be utilized in the problem area during the term of the requested deer control permit.

(3) ~~[Each application shall substantiate the background and scope of the deer problem and include alternative approaches to the problem and propose what action is recommended to be taken under the permit.]~~ A map or set of maps showing the proposed project area and its boundaries and clearly illustrating all of the following distinct features and areas

within the proposed project area. The map(s) shall indicate the individual acreage values for each of the listed features/areas.

- (i) Land uses;
- (ii) Cover types;
- (iii) Areas open to public hunting for white-tailed deer;
- (iv) Areas damaged by white-tailed deer;
- (v) Areas of white-tailed deer congregation;
- (vi) Applicable safety zones; and
- (vii) Proposed white-tailed deer control areas.

(c) Public land within the proposed boundaries shall be open to lawful public hunting unless otherwise prohibited under this title or as otherwise authorized or waived by the Director. Private land within the proposed boundaries may be closed to public hunting at the landowner's discretion. However, if closed, deer control activities may not occur thereon.

Action:

H. Amend 58 Pa. Code § 135.103.

Commentary: The Commission is proposing to amend § 135.103 to permit the Director to designate 1 shooting day at the Middle Creek and Pymatuning Wildlife Management Areas as a veterans with disabilities only day.

## CHAPTER 135. LANDS AND BUILDINGS

### Subchapter F. SPECIAL WILDLIFE MANAGEMENT AREAS

§ 135.103. Registration for controlled goose hunting areas.

The following apply to reservations for controlled goose hunting areas:

\* \* \* \* \*

(4) Selections of mailed application forms will be made by random drawing from all eligible applications submitted. The Director will establish, no later than 20 days prior to the drawing, the number of applications to be drawn.

\* \* \* \* \*

(iv) Veterans with disabilities only day. The Director may designate 1 shooting day at the Middle Creek and Pymatuning Wildlife Management Areas as a veterans with disabilities only day. Only persons who possess a resident disabled veteran license or a reduced fee resident disabled veteran license are eligible to apply. Successful applicants may be accompanied by up to 3 properly licensed guests of any general or base hunting license classification. Applications received from veterans with disabilities will be separated and drawn prior to all other applications on the established drawing date for each wildlife management area.

Action:

## BUREAU OF WILDLIFE HABITAT MANAGEMENT

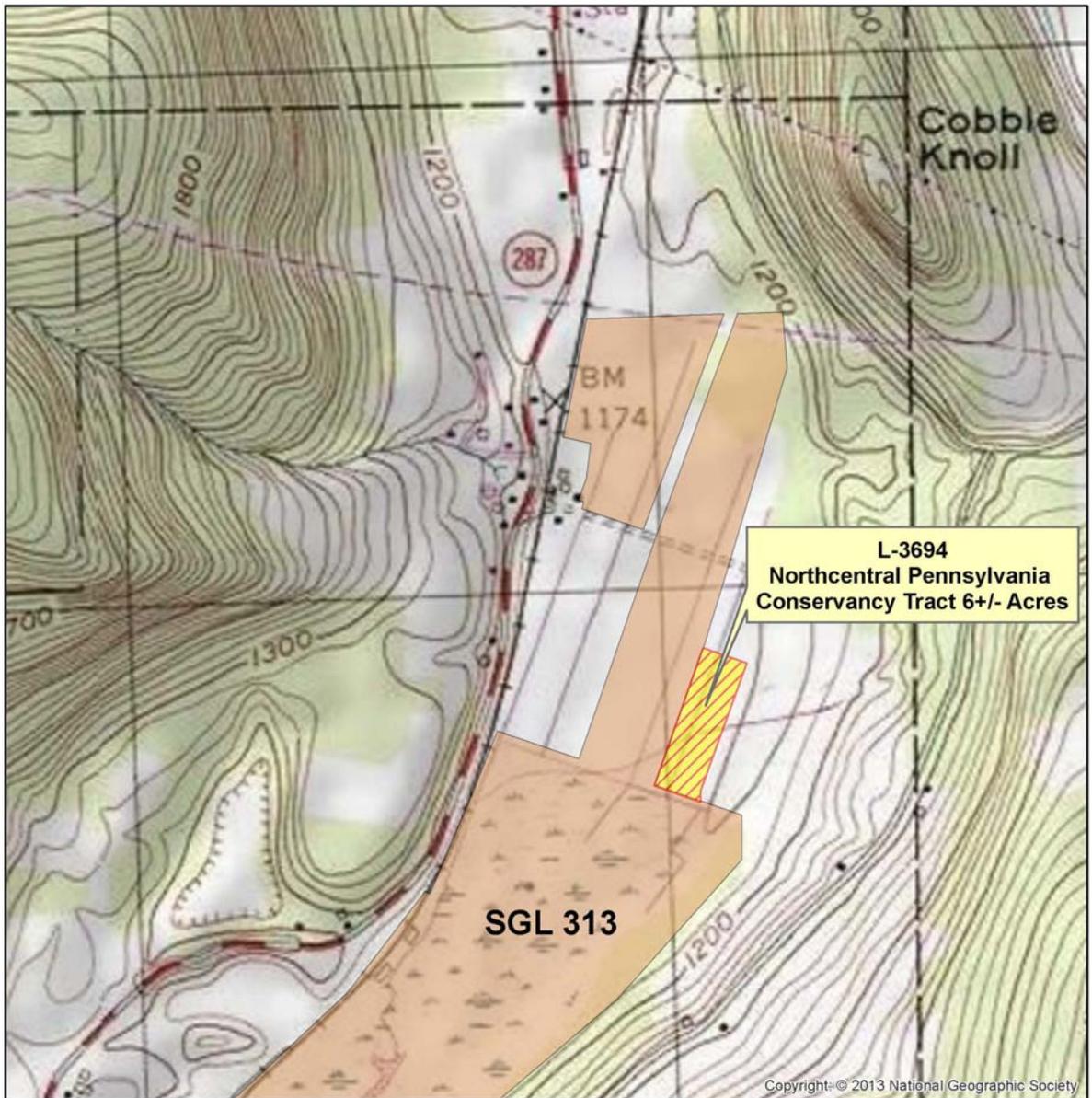
### REAL ESTATE

#### A. Acquisition

Contract No. L-3694, State Game Land No. 313, Tioga County

Commentary: Northcentral Pennsylvania Conservancy is offering for sale 6 +/- acres in Delmar Township, Tioga County adjoining State Game Land No. 313 (Exhibit RED 1). The option price is \$400 per acre to be paid with funds from the Game Fund. The tract is mostly a palustrine, emergent wetland with a minimal shrub-scrub component. State Game Land No. 313, also known as “The Muck,” occurs in the Marsh Creek drainage of the Pine Creek watershed and is a designated Important Bird Area. “The Muck” is home to several bird species listed in the Wildlife Action Plan, specifically a breeding location for American Bittern (PA Endangered), Least Bittern (PA Endangered), Virginia Rail, Sora, Marsh Wren and Wilson’s Snipe. An existing oil and gas lease is excepted and reserved for as long as said lease, or any extension, modification or amendment, remains in force and effect. Upon expiration, said lease shall cease and determine. A covenant and restriction shall run with this parcel to ensure the property shall be administered in accordance with state laws governing the conservation of fish and wildlife. Access is from existing State Game Land No. 313.

Action:

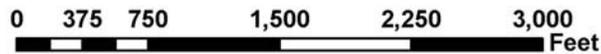


Copyright © 2013 National Geographic Society



**Exhibit RED 1**  
**State Game Land No. 313**

**L-3694**  
**Northcentral Pennsylvania**  
**Conservancy Tract 6+/- Acres**



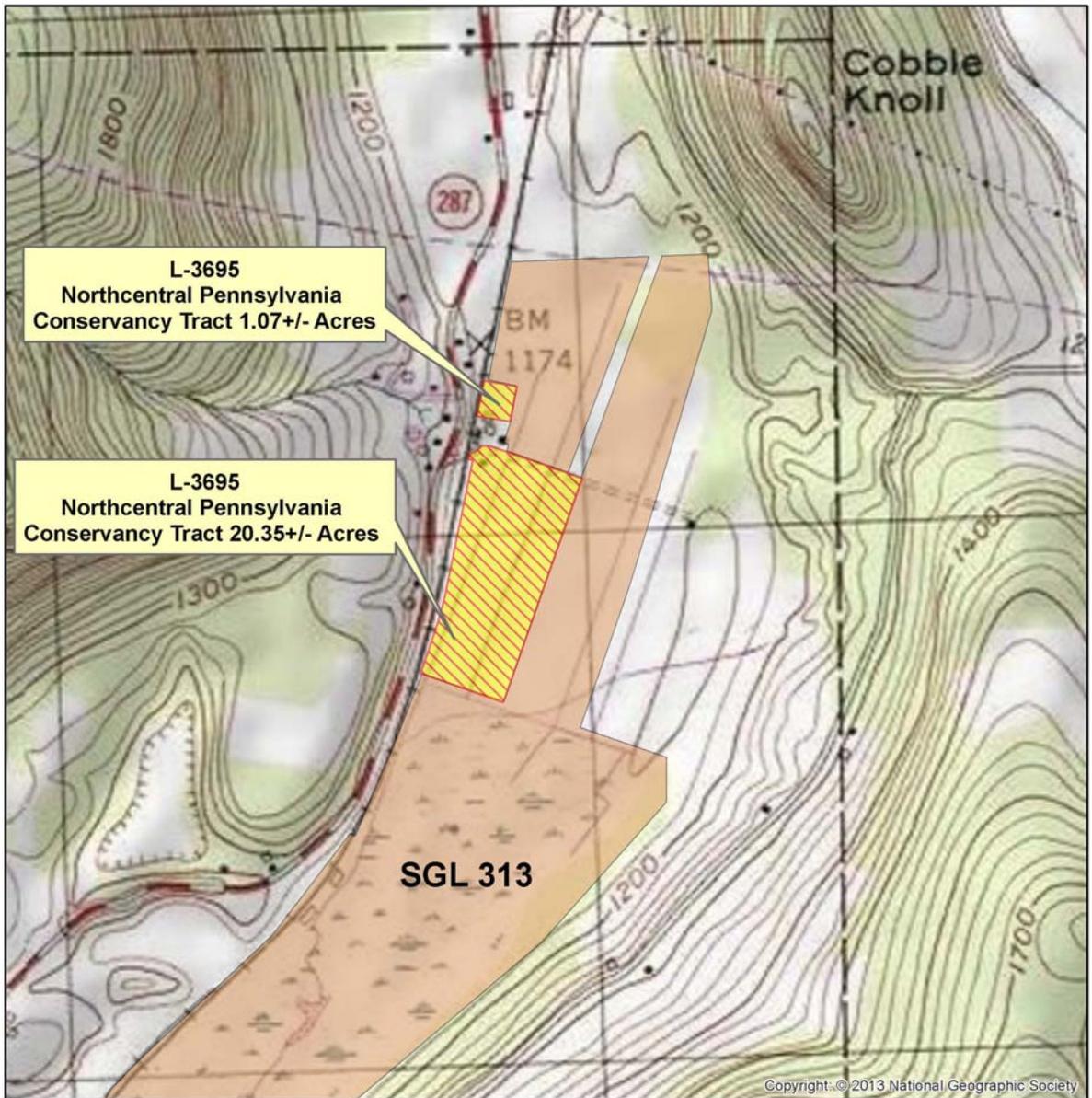
Delmar Township  
 Tioga County  
 Northcentral Region

Contract No. L-3695, State Game Land No. 313, Tioga County

Commentary:

Northcentral Pennsylvania Conservancy is offering for sale two tracts of land totaling 21.42 +/- acres in Delmar Township, Tioga County, which are an indenture into State Game Land No. 313 (Exhibit RED 2). The option price is \$26,000 lump sum to be paid with funds from the Game Fund. Although both parcels contain a small upland component with mixed northern hardwoods, the remaining approximate 20 acres contain palustrine, emergent wetlands. State Game Land No. 313, also known as "The Muck," occurs in the Marsh Creek drainage of the Pine Creek watershed and is a designated Important Bird Area. "The Muck" is home to several bird species listed in the Wildlife Action Plan, specifically a breeding location for American Bittern (PA Endangered), Least Bittern (PA Endangered), Virginia Rail, Sora, Marsh Wren and Wilson's Snipe. A covenant and restriction shall run with these lands to ensure the property shall be administered in accordance with state laws governing the conservation of fish and wildlife. Access is from State Route 287 via a private right-of-way known as Cattail Lane.

Action:



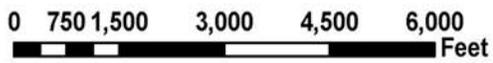
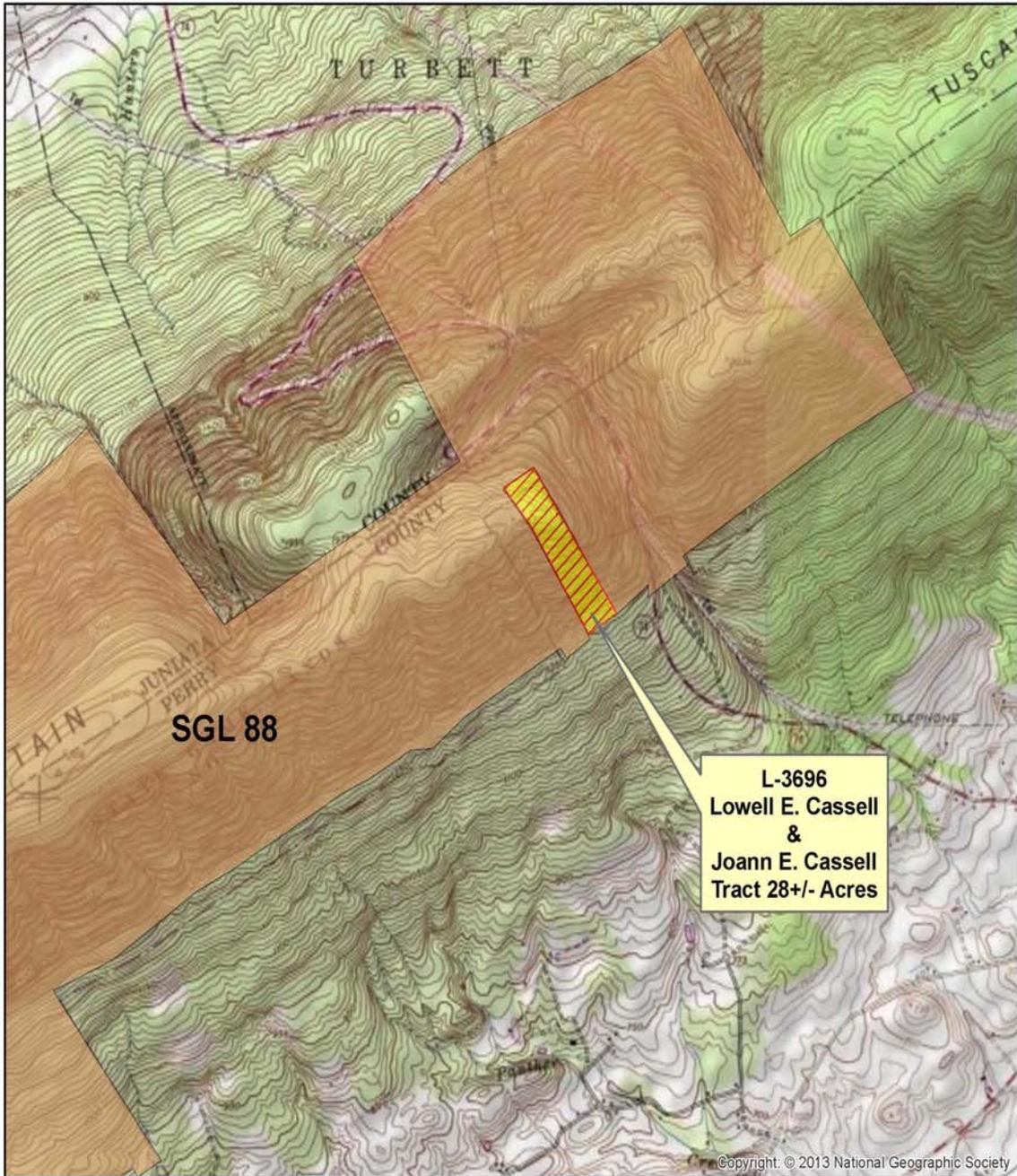
**Exhibit RED 2**  
**State Game Land No. 313**  
 L-3695  
 Northcentral Pennsylvania  
 Conservancy Tracts  
 20.35+/- Acres  
 1.07+/- Acres  
 Delmar Township  
 Tioga County  
 Northcentral Region

Contract No. L-3696, State Game Land No. 88, Perry County

Commentary: Lowell E. Cassell and Joann E. Cassell are offering for sale 28 +/- acres in Saville Township, Perry County, which is an indenture into State Game Land No. 88 (Exhibit RED 3). The option price is \$23,000 lump sum to be paid with funds from the Game Fund. The tract is wooded with a dry oak forest and the terrain is primarily steep and rocky. Access is provided from existing State Game Land No. 88.

Action:

DRAFT



**Exhibit RED 3**  
**State Game Land No. 88**

L-3696  
 Lowell E. Cassell  
 &  
 Joann E. Cassell  
 Tract 28+/- Acres  
 Saville Township  
 Perry County  
 Southcentral Region

## **OTHER NEW BUSINESS**

Next Working Group Meeting Date

Next Commission Meeting Dates  
July 11 and 12, 2016

Elk Allocation

Antlerless Allocation

Executive Session, if necessary, will be held immediately following the close of the Commission Meeting.

Adjournment

DRAFT