COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION

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IN RE: QUARTERLY MEETING

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BEFORE: BRIAN H. HOOVER, PRESIDENT

Timothy S. Layton, Vice-President

Charles E. Fox, Secretary

David J. Putnam, Commissioner

Robert W. Schlemmer, Commissioner

James R. Daley, Commissioner

R. Matthew Hough, Executive Director

MEETING: Monday, September 19, 2016

1:00 p.m.

LOCATION: Pennsylvania Game Commission

2001 Elmerton Avenue

Harrisburg, PA 17110

Reporter: Corey Elizabeth Summers

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APPEARANCES
BRADLEY C. BECHTEL, ESQUIRE
Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110
Counsel for the Commission

ALSO PRESENT:
HAL KORBER, Wildlife Conservation Education Specialist, PA Game Commission
DISCUSSION AMONG PARTIES

BUREAU OF WILDLIFE MANAGEMENT

BUREAU OF WILDLIFE PROTECTION

BUREAU OF WILDLIFE HABITAT MANAGEMENT

OTHER NEW BUSINESS

DISCUSSION AMONG PARTIES

ADJOURNMENT

PROCEEDINGS
PRESIDENT HOOVER:

I would like to reconvene the meeting that was started this morning. And at this point, prior to going on with the agenda, I would like to give Hal the opportunity to redeem himself from this morning. You're on.

MR. KORBER:

Well, I appreciate the second chance and Tracy is back there. She spent quite a bit of time last week editing this, and Brian and Steve. There’s a lot of people involved in this, and we just didn’t like the way it went off this morning. We ended up being a bad recorder, so we can show it. It’s only two and a half minutes, so ---.

VIDEO PLAYED

MR. KORBER:

I’d just like to thank you for the opportunity. Randy Shoup in law enforcement did the narration for that, by the way.

PRESIDENT HOOVER:

Thank you, Hal.

Just for a point of information for everyone, for our viewing public, this morning Commissioner Weaner was able to join us for a short
period of time. Commissioner Weaner is dealing with some serious health issues. We were able to hear from him. This was his last official meeting as a Commissioner, and going forward, I want to thank him for his time and for what he’s done for this Commission, and for all the help that he’s provided us as we’ve come up. Saying that, I’m sure the rest of the Commissioners will have the opportunity at the end of the meeting to say anything that they’d like to say.

At this point, we will go into the advertised agenda, but I'd like a motion to approve the minutes of the meeting held on July 19, 2016.

COMMISSIONER DALEY:
So moved.

COMMISSIONER LAYTON:
So moved.

PRESIDENT HOOVER:
So, we have a motion and a second. Mr. Secretary, call the votes.

SECRETARY FOX:
Motion on the floor made and seconded.

All those in favor signify by saying aye.

AYES Respond

SECRETARY FOX:
Opposed? The motion carries.

PRESIDENT HOOVER:

Commissioner Bechtel?

ATTORNEY BECHTEL:

Thank you, Mr. President. The first item that comes before the Commission today comes from the Bureau of Wildlife Management. It concerns proposal rule making to amend 58 Pa. Code Section 133.21.

In accordance with the goals and objectives stated in the Management Plan for Osprey in Pennsylvania for 2015 to 2025 hereinafter the plan, the osprey, Pandion haliaetus, has achieved a population level, geographical distribution and tolerance of human activity that no longer meets the definition of a threatened species.

As of the 2016 nesting season, osprey populations have met the objectives outlined. At least 50 total nesting pairs with a steady or increasing population including at least ten nesting pairs in each of four watersheds for the second consecutive comprehensive survey. Delisting of the osprey can be accomplished by amending Pa. Code Section 133.21, as outlined below on page two of your agenda. Upon delisting ospreys will continue to be a
protected species under state statutes and will continue to be afforded protection under the Migratory Bird Treaty Act.

Pennsylvania Game Commission staff will continue to implement the plan and monitor osprey nests to ensure that this species does not regress towards endangerment.

PRESIDENT HOOVER:
We have a proposed rulemaking on the table. Do I have a motion?

COMMISSIONER PUTNAM:
So move.

COMMISSIONER LAYTON:
Second.

PRESIDENT HOOVER:
Any comments or questions?

SECRETARY FOX:
We have a motion on the floor made and seconded. All those in favor, signify by saying aye.

AYES RESPOND

SECRETARY FOX:
Opposed? The motion carries.

ATTORNEY BECHTEL:
The second item before the Commission comes from the Bureau of Wildlife Protection. It's an
adopted rule making to amend 58 Pa. Code, Section 135.181 related to rifle and handgun ranges to address the substantive and housekeeping concerns. The text is shown on pages four through five of your agenda.

PRESIDENT HOOVER:
We have an adopted rule making on the table. Do I have a motion?

COMMISSIONER LAYTON:
So moved.

PRESIDENT HOOVER:
Second?

COMMISSIONER PUTNAM:
Second.

PRESIDENT HOOVER:
Any discussions?

COMMISSIONER LAYTON:
Yes. Mr. President, I would like to make a motion to table this adoption.

PRESIDENT HOOVER:
Okay. We have a motion on the floor as table. Do we have a second?

COMMISSIONER DALEY:
Second.

SECRETARY FOX:
The motion was made and seconded.
PRESIDENT HOOVER:
We'll take a vote on the motion to table. Do you want to call that motion?

SECRETARY FOX:
There's a motion to table.

PRESIDENT HOOVER:
All those in favor signify by saying aye.

AYES RESPOND

PRESIDENT HOOVER:
Opposed? The motion carries.

ATTORNEY BECHTEL:
The next item from the Bureau of Wildlife Protection concerns proposed rule making to amend 58 Pa. Code, Section 131.8.

In accordance with the goals and objectives stated in the Management Plan for Osprey in Pennsylvania in 2015 to 2025, hereinafter the plan, the osprey, Pandion haliaetus, has achieved a population level, geographical distribution and tolerance of human activity that no longer meets the definition of a threatened species.

As a result, the Commission has proposed to removal of the osprey from the Commonwealth's threatened species list. Current replacement costs
for osprey as a listed threatened species is $5,000. Upon delisting, the replacement costs for osprey will reduce to $200. Notwithstanding its proposal to delist, the Commission has determined that the osprey necessitates further protection from unlawful takings in the form of increased replacement costs upon its effective delisting date. The Commission is proposing to amend Section 131.8 to increase replacement costs for ospreys from $200 to $2,500. The text of this amendment is shown on page six of your agenda.

PRESIDENT HOOVER:

We have proposed rulemaking on the table. Do I have a motion?

COMMISSIONER LAYTON:
So moved.

PRESIDENT HOOVER:
Second?

COMMISSIONER DALEY:
Second.

PRESIDENT HOOVER:
Any questions or comments? No questions or comments. Mr. Secretary, call the vote.

SECRETARY FOX:
We have a motion on the floor, moved and seconded. All those in favor signify by saying aye.
AYES RESPOND

SECRETARY FOX:
Opposed?

PRESIDENT HOOVER:
That motion carries.

ATTORNEY BECHTEL:
The next item on the agenda comes from the Bureau of Wildlife Habitat Management for real estate, an acquisition, Contract Number L-3703, State Game Land Number 323 in Centre County.

Joshua and Vivian First are offering for sale 18 more or less acres in Howard Township, Centre County, which is an indenture into State Game Lands Number 323, as shown on Exhibit RED 1 on page eight in your agenda.

The option price is $36,000 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on State Game Lands from previously approved projects.

This transaction is contingent upon transfer of an easement currently held by the Pennsylvania Department of Conservation and Natural Resources on the property to the Pennsylvania Game Commission for no consideration.
The tract is forested with mixed northern hardwoods. Access to this property is through State Game Land Number 323, and a 15-foot and a 50-foot right-of-way which leads to Township Route 663, also known as Old Route 220.

PRESIDENT HOOVER:
We have an acquisition being laid before us. Do we have a motion?

COMMISSIONER PUTNAM:
Motion.

COMMISSIONER LAYTON:
Second.

PRESIDENT HOOVER:
Any questions or comments? Mr. Secretary, call the vote.

SECRETARY FOX:
There's a motion on the floor. It's made and seconded. All those in favor signify by saying aye.

AYES RESPOND

SECRETARY FOX:
Opposed?

PRESIDENT HOOVER:
That motion carries.

ATTORNEY BECHTEL:
Mr. President, we have one further item for the Commission on the agenda. It concerns a resolution of the Board of Commissioners. Whereas on March 30, 2016, the Pennsylvania Fish and Boat Commission celebrated the 150th anniversary of its founding in 1866. And whereas in 1866, the Commonwealth of Pennsylvania organized a convention in Harrisburg to investigate water pollution caused by the wholesale logging of Pennsylvania's forests having an impact caused by sedimentation of our mountain lakes and streams.

Whereas the convention also addressed serious concerns about reduction in American shad runs in the Susquehanna River. And whereas on March 30, 1866, Governor Andrew Curtin, as a direct result of discussions that occurred at the convention, signed into law Act 366 PL 370, that named James Worrall Pennsylvania's first Commissioner of Fisheries.

And whereas in 1925, Act 263 established the Commonwealth's first Board of Fish Commissioners.

And whereas in 1949, Act 180 officially established the Pennsylvania Fish Commission as an Agency and described its powers and duties.

And whereas in 1991, Act 39 renamed the Pennsylvania Fish Commission as Pennsylvania Fish and
Boat Commission.

And whereas, over the last 150 years, the Commission has grown from a one-man operation funded solely by the General Fund into a Commonwealth agency with a complement of 432 staff members funded by anglers and boaters through license and registration fees and federal excise tax on fishing and boating equipment.

And whereas, the Commission's mission is broader than the original one, but the Agency still has its focus on protecting, conserving and enhancing the Commonwealth's aquatic resources and providing fishing and boating opportunities.

Now, therefore be it resolved, that the Board of Commissioners of the Pennsylvania Game Commission does hereby commend and celebrate the Pennsylvania Fish and Boat Commission on their significant achievement marking 150 years of protection, conservation and enhancement of the Commonwealth's aquatic resources and providing fishing and boating opportunities. Given the hand and the seal of the Board of Commissioners of the Pennsylvania Game Commission on this 19th day of September, 2016.

PRESIDENT HOOVER:

Okay. Thank you, Brad. Any other new
business? Let's back up on that. I need a motion on the resolution.

COMMISSIONER PUTNAM:
So moved.

PRESIDENT HOOVER:
We have a motion. Seconded?

COMMISSIONER LAYTON:
I'll second.

PRESIDENT HOOVER:
Mr. Secretary, would you call the vote?

SECRETARY FOX:
We have a motion on the floor and a second. All those in favor, abide by saying aye.

AYES RESPOND

SECRETARY FOX:
Opposed?

PRESIDENT HOOVER:
That motion carries. Okay. Do we have any other new business to come before the Commissioner?

Seeing none, the next working group meeting will be December 5, 2016. The January Commission meeting will be held on January 29th through the 31st, 2017 at the Harrisburg headquarters.

At this time, I'd like to take any
comments or questions or anything from the Commissioners?

COMMISSIONER PUTNAM:
Mr. President?

PRESIDENT HOOVER:
Yes?

COMMISSIONER PUTNAM:
I would like to congratulate Commissioner Weaner on completing his term and his six-month extension as a Commissioner. I learned a lot from Ron. I really appreciated his hard work and dedication. He was really a stand-up guy and I will miss seeing him at the meetings here.

PRESIDENT HOOVER:
Any other comments from the Commissioners?

COMMISSIONER LAYTON:
Yes. Mr. President, I just want to echo Commissioner Putnam's comment. Commissioner Weaner has been a true joy to work with here on Board and I've learned a lot from Ron. He was truly a good Commissioner. His heart was always in the right place. His mind was always in the right place. And certainly if there was a time that he needed to defend his position or descend on something that we were
trying to work on, he spoke up. And he spoke for the
hunters in his area. He was a true friend and I'm
going to miss his time together with us, both with the
Wild Turkey --- I guess it wasn't Wild Turkey --- the
Bird Dog Whiskey club and certainly in the meetings.
Thank you.

PRESIDENT HOOVER:

Thank you. Commissioner Schlemmer?

MR. SCHLEMMER:

Thank you very much. Again, I met Ron
ten years ago and he gave a reasoning for that
position on the Governor's Advisory Council. A fine
gentleman. We are certainly going to miss him. I
know the kids will. Ron worked with the kids. He
builds bear traps for the Pennsylvania Game
Commission. He did a fine job, a fine example, and he
was always, as you hear people saying now, fair and
balanced. Thank you.

PRESIDENT HOOVER:

Any other comments? Hearing none, we do
not have an executive discussion scheduled after the
meeting. We will have a press --- meeting of the
press in the back as soon as we complete this.

At this time, I will adjourn the
meeting. Thank you all for attending.
HEARING CONCLUDED AT 1:16 P.M.

CERTIFICATE
I hereby certify that the foregoing proceedings, meeting held before President Hoover was reported by me on 9/19/16 and that I, Corey Elizabeth Summers, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

[Signature]

Corey Elizabeth Summers

Court Reporter