

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION

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JANUARY 31, 2017 MEETING

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BEFORE: BRIAN H. HOOVER, PRESIDENT  
Timothy S. Layton, Vice President  
Charlie E. Fox, Secretary  
James R. Daley, Commissioner  
David J. Putnam, Commissioner  
Robert W. Schlemmer, Commissioner

HEARING: Tuesday, January 31, 2017  
8:30 a.m.

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

PRESENT: Bryan J. Burhans, Matthew Hough (Executive  
Director), Bradley Bechtel, Richard Palmer  
Wayne Laroche, Pete Sussenbach, Thomas Grohol

Reporter: Bernadette M. Black

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PRESIDENT HOOVER:

I'd like to call the January 31st Meeting of Commissioners to order. Please rise for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

PRESIDENT HOOVER:

Mr. Secretary, would you call the roll, please?

SECRETARY FOX:

Mr. Hoover?

MR. HOOVER:

Present.

SECRETARY FOX:

Mr. Layton?

MR. LAYTON:

Present.

SECRETARY FOX:

Mr. Putnam?

MR. PUTNAM:

Present.

SECRETARY FOX:

Mr. Schlemmer?

1                   MR. SCHLEMMER:

2                   Present.

3                   SECRETARY:

4                   Mr. Daley?

5                   MR. DALEY:

6                   Present.

7                   PRESIDENT HOOVER:

8                   I need a motion to approve the minutes  
9 of the Commission Meeting held September 19th, 2016.

10                  MR. SCHLEMMER:

11                  So moved.

12                  MR. LAYTON:

13                  Second.

14                  PRESIDENT HOOVER:

15                  We have a motion and a second.

16                  Secretary call the vote?

17                  SECRETARY FOX:

18                  All in favor say aye?

19                  AYES RESPOND

20                  SECRETARY FOX:

21                  Opposed?

22                  PRESIDENT HOOVER:

23                  At this time I will turn it over to the  
24 attorney.

25

1                                    ATTORNEY BECHTEL:

2                                    Thank you, Mr. President. The first  
3 item before the Commission today comes from the Bureau  
4 of Wildlife Management, concerns adopted rulemaking to  
5 amend 58 Pa. Code, Section 133.21. In accordance with  
6 the goals and objectives stated in the Management Plan  
7 for Osprey in Pennsylvania, 2015-2025 following this  
8 plan, the osprey (*Pandion haliaetus*) has achieved a  
9 population level, geographical distribution, and  
10 tolerance of human activity that no longer meets the  
11 definition of a threatened species.

12                                    As of the 2016 nesting season, osprey  
13 populations have met the objectives outlined: at least  
14 50 total nesting pairs with a steady or increasing  
15 population including at least ten nesting pairs in  
16 each of four watersheds for the second consecutive  
17 comprehensive survey. Delisting of the osprey can be  
18 accomplished by amending Pa. Code Section 133.21 as  
19 outlined on page three of your agenda.

20                                    Upon delisting, ospreys will continue to  
21 be a protected species under state statutes and will  
22 continue to be afforded protection under the Migratory  
23 Bird Treaty Act. Pennsylvania Game Commission staff  
24 will continue to implement the Plan and monitor osprey  
25 nests to ensure that this species does not regress

1 toward endangerment.

2 MR. LAYTON:

3 Motion to accept.

4 MR. DALEY:

5 Second.

6 PRESIDENT HOOVER:

7 We have a motion and a second. Any  
8 questions or comments? Mr. Secretary, call the roll  
9 --- call the vote?

10 SECRETARY FOX:

11 All those in favor say aye?

12 AYES RESPOND

13 SECRETARY FOX:

14 Opposed?

15 PRESIDENT HOOVER:

16 That motion carries.

17 ATTORNEY BECHTEL:

18 The next item concerns proposed  
19 rulemaking to create 58 Pa. Code, Sections 147.315  
20 through 147.318. Pheasant hunting in Pennsylvania has  
21 relied entirely upon stocking of farm raised pheasants  
22 during the past 20 to 30 years. Subsequent to  
23 disappearance of Pennsylvania's wild pheasant  
24 population. Four pheasant farms operated by the Game  
25 Commission have historically produced about 200,000

1 pheasants per year.

2                   This program is popular and has many  
3 values related to hunter recruitment, retention, and  
4 reactivation. As well as providing an upland game  
5 bird hunting opportunity at a time when wild upland  
6 game bird populations are in serious decline, but it  
7 has been costing PGC about \$4.7 million per year with  
8 no fee mechanism established to sustain the program.

9                   Recent budget pressures caused by  
10 increases in personnel benefit costs and declines in  
11 revenue have forced the Commission to initiate cost  
12 cutting measures including closure of two of the four  
13 pheasant farms. These closures are estimated to save  
14 \$1.7 million per year while changes in operations are  
15 being implemented to further reduce costs while  
16 minimizing adverse impacts on the bird quality and  
17 quantity.

18                   Adoption of the proposed pheasant  
19 hunting permit at cost of \$25 for adults and \$1 for  
20 junior hunters is projected to produce about \$1.5  
21 million of new revenue. Adoption of this pheasant  
22 permit would make the program more self-sufficient and  
23 help ensure the future of pheasant hunting within the  
24 Commonwealth. The proposed regulations are shown on  
25 page four and five of your agenda.

1                   PRESIDENT HOOVER:

2                   Thank you. Do I have a motion?

3                   MR. PUTMAN:

4                   Motion.

5                   MR. DALEY:

6                   Second.

7                   PRESIDENT HOOVER:

8                   Any questions or comments?

9                   MR. LAYTON:

10                   Mr. President, if I could I would like  
11 to make an amendment that would remove the one \$1 fee  
12 for the junior hunters. In essence it would remove  
13 paragraph 1 under (b) Eligibility. And it would amend  
14 Section 147.317 to read: A pheasant hunting permit is  
15 required for any adult hunter to participate in the  
16 hunt or take pheasants by any means or manner or  
17 device, including the use of dogs within that  
18 Commonwealth.

19                   That would ensure us that a junior  
20 hunter who is pheasant hunting would have to be  
21 accompanied by a permitted adult. In addition, I  
22 would like to remove all references to the \$1 permit  
23 in 147.315 through 147.318.

24                   PRESIDENT HOOVER:

25                   We have an amendment on the floor. May

1 I have a motion?

2 MR. PUTMAN:

3 Motion.

4 PRESIDENT HOOVER:

5 Do I have a second?

6 MR. SCHLEMMER:

7 Second.

8 PRESIDENT HOOVER:

9 At this point we will vote on the  
10 amendment. We have a motion and a second. Mr.  
11 Secretary, call the vote.

12 SECRETARY FOX:

13 All those in favor?

14 AYES RESPOND

15 SECRETARY FOX:

16 Any opposed?

17 PRESIDENT HOOVER:

18 That motion passes. And we will now  
19 vote on the --- we have a motion and a second on the  
20 original. And we will vote on it as amended.

21 MR. PUTMAN:

22 Mr. President, I would like to have a  
23 slight discussion on that.

24 PRESIDENT HOOVER:

25 Okay.

1                   MR. PUTMAN:

2                   These are proposed regulations.  
3                   Whatever we pass today will be under consideration  
4                   until the next meeting. So we will be taking  
5                   additional comments on whatever we pass.

6                   Personally, I would favor a lower price  
7                   for the adult pheasant hunting permit. I think we're  
8                   running a balance between how many people we have in  
9                   the program now and how many we'll have in the program  
10                  once we start charging a fee.

11                  Every pheasant hunter out there would be  
12                  happy to pay a \$25 fee for the pheasant hunting we  
13                  have today. For the pheasant hunting we have today,  
14                  \$25 is a tremendous bargain compared to the commercial  
15                  market. However, as we set a fee, as we charge  
16                  pheasant hunters to participate --- some hunters may  
17                  drop out. Likely some of them will drop out.

18                  The program will not sustain at the  
19                  current level unless we have the current number of  
20                  hunters. So I think that's something to consider. We  
21                  set the fee --- we set the fee too high, we're going  
22                  to force hunters out of the market. We set it too  
23                  low, we're not going to have funds to run the program.

24                  I don't think by any stretch of the  
25                  means we expected the fee to carry on the entire

1 program and the future thereof. This is something  
2 that we'll be taking comments on until the next  
3 meeting and I would encourage pheasant hunters out  
4 there to think about that and let us know your  
5 feelings.

6 PRESIDENT HOOVER:

7 Thank you. I would also like to say  
8 that even though we charge a fee and be it \$25 or  
9 whatever, the fee itself will not cover the cost of  
10 the existing program or the program as we anticipate  
11 that it will be. I think we'll still be short about  
12 \$1.1 million; something in that neighborhood. And  
13 we're not looking to fully fund the program at this  
14 time through the pheasant stamp program or pheasant  
15 permit program. That's all I have. Any other  
16 comments? Mr. Secretary, call the vote.

17 SECRETARY FOX:

18 All those in favor of the final say aye?

19 AYES RESPOND

20 SECRETARY FOX:

21 Opposed?

22 PRESIDENT HOOVER:

23 That motion carries.

24 ATTORNEY BECHTEL:

25 The next item concerning the amendment

1 of 58 Pa. Code, Section 141.28. Hunttable populations  
2 of wild pheasants have been successfully established  
3 in portions of the Central Susquehanna Wild Pheasant  
4 Recovery Area, while other portions of the Wild  
5 Pheasant Recovery Area contain very few or no  
6 pheasants.

7                   In keeping with the goals of the Wild  
8 Pheasant Recovery Area Program, a reduction in size of  
9 the Wild Pheasant Recovery Area is being proposed  
10 which will open unsuccessful portions to general  
11 pheasant hunting and to the stocking of pen-reared  
12 pheasants. Simultaneously, as a conservative approach  
13 in re-opening the successful portions of the Wild  
14 Pheasant Recovery Area to pheasant hunting, language  
15 is proposed that would enable the Executive Director  
16 to authorize permit based, youth-only pheasant hunting  
17 opportunities in the Central Susquehanna Wild Pheasant  
18 Recovery Area. Such a hunt could occur as early as  
19 2017 - 2018.

20                   When Wild Pheasant Recovery Areas were  
21 established, restrictions on small game hunting and  
22 dog training were included to avoid potential negative  
23 impacts to reintroduced pheasant populations.  
24 Research and monitoring results for all Wild Pheasant  
25 Recovery Areas have demonstrated that outside the

1 nesting season, effects of these activities on  
2 pheasants are negligible.

3           Therefore, it is proposed that all small  
4 game hunting restrictions (except for those related to  
5 pheasants) be removed from Wild Pheasant Recovery  
6 Areas, and that the restricted period for dog training  
7 be shortened. As the Wild Pheasant Recovery Area  
8 program transitions to an operational phase, these  
9 changes will provide additional recreational  
10 opportunities for hunters and dog handlers, without  
11 jeopardizing wild pheasant populations. The text of  
12 this amendment is shown on pages six through eight of  
13 your agenda.

14           PRESIDENT HOOVER:

15           Do we have a motion?

16           MR. LAYTON:

17           So moved.

18           PRESIDENT HOOVER:

19           Need a second?

20           MR. SCHLEMMER:

21           Second.

22           SECRETARY FOX:

23           All those in favor, please respond  
24 saying aye.

25

1                   PRESIDENT HOOVER:

2                   One second. Do we have any discussion?

3 Mr. Secretary, call the vote.

4                   SECRETARY FOX:

5                   All those in favor respond by saying

6 aye.

7 AYES RESPOND

8                   SECRETARY FOX:

9                   Opposed? The motion carries.

10                  ATTORNEY BECHTEL:

11                  The next item concerns an amendment to

12 Section 139.17. A uniform system of wildlife

13 management units was implemented in 2003 to replace

14 the system of multiple, species-specific management

15 units. Wildlife management unit boundaries were

16 defined using readily recognizable features on the

17 landscape rather than hard to identify political

18 boundaries.

19                  In 2008, the Commission conducted a five

20 year evaluation of the structure of the wildlife

21 management unit system which resulted in the

22 development and implementation of four wildlife

23 management unit map revisions. The Commission has

24 again conducted an evaluation of the structure of the

25 wildlife management unit system and has developed the

1 following Wildlife Management Unit Map revision:  
2 Expand wildlife management unit 2E southward into  
3 wildlife management unit 2C, to realign the southeast  
4 boundary line of unit 2E from Route 422 to Route 22.  
5 The proposed change to the wildlife management unit  
6 boundary line is shown on the attached map. The text  
7 of the change is on page 9 and the map is on page 10  
8 and 11 of your agenda.

9 PRESIDENT HOOVER:

10 Can I have a motion?

11 MR. LAYTON:

12 So moved.

13 PRESIDENT HOOVER:

14 Do I have a second?

15 MR. DALEY:

16 Second.

17 PRESIDENT HOOVER:

18 I have a motion and a second. Any  
19 discussion? No discussion. Mr. Secretary, call the  
20 vote.

21 SECRETARY FOX:

22 All those favor signify by saying aye?

23 AYES RESPOND

24 SECRETARY FOX:

25 Opposed?

1                   PRESIDENT HOOVER:

2                   That motion carries.

3                   ATTORNEY BECHTEL:

4                   The next item before the Commission is  
5 to amend 58 Pa. Code, Section 139.4 relating to  
6 seasons and bag limits for the license year to provide  
7 updated seasons and bag limits for the 2017 - 2018  
8 license year. The 2017 - 2018 seasons and bag limits  
9 have been amended to reflect current available  
10 scientific data, population and harvest records, field  
11 surveys and professional staff observations, as well  
12 as recommendations received from staff, organized  
13 sporting groups, members of the agricultural community  
14 and others interested in the management of the  
15 wildlife resources of this Commonwealth.

16                   Proposed changes to small game seasons  
17 include: eliminating the post-Christmas segment of the  
18 ruffed grouse season, opening the Central Susquehanna  
19 Wild Pheasant Recovery Area to a youth-only pheasant  
20 hunting season, and opening wildlife management unit  
21 5A to put-and-take bobwhite quail hunting.

22                   Closures can be enacted at wildlife  
23 management unit or smaller scales as needed, if and  
24 when restoration activities occur. In regards to wild  
25 turkey seasons, in accordance with guidelines in the

1 species management plan, we are recommending opening a  
2 conservative, midweek fall season in wildlife  
3 management unit 5B, while reducing fall season length  
4 in three wildlife management units that have exhibited  
5 declining trends in turkey population indices.

6           Specifically, the seasons would decrease  
7 from two weeks plus three days to one week plus three  
8 days in wildlife management units 4A and 4B, and from  
9 three weeks plus three days to two weeks plus three  
10 days in wildlife management unit 4E. No changes are  
11 recommended for the white-tailed deer seasons.

12           While not a seasons and bag limits issue  
13 per se it should be noted that the use of large DMAP  
14 areas surrounding locations of CWD-positive deer is  
15 being recommended in lieu of Disease Management Area  
16 permits to provide a simpler mechanism for hunters to  
17 reduce deer populations around known disease hotspots.  
18 For black bear, we are recommending an earlier and one  
19 day longer statewide archery season, concurrent with  
20 the Monday through Saturday of the next to last week  
21 of the statewide archery deer season.

22           This change would address requests from  
23 staff and constituents and would likely provide for a  
24 moderate increase in overall bear harvest. There are  
25 no proposed changes in furbearer seasons. The text of

1 these amendments is shown on pages 13 through 20 of  
2 your agenda.

3 PRESIDENT HOOVER:

4 Can I have a motion?

5 MR. PUTMAN:

6 So moved.

7 PRESIDENT HOOVER:

8 Can I have a second?

9 MR. LAYTON:

10 Second.

11 PRESIDENT HOOVER:

12 What we'll do is go page-by-page over

13 this. Any changes to page 13? Fourteen (14)?

14 Fifteen (15)? Sixteen (16)? Seventeen (17)? I make

15 a motion to amend page 17 to remove WMUs 5A and 5B

16 under the heading deer, regular firearms, antlered and

17 antlerless, November 27 - December 9. And add 5A and

18 5B to the deer, regular firearms antlered only

19 December 27th to --- or I'm sorry. November 27th to

20 December 1st.

21 And then add as well units 5A and 5B to

22 the deer, regular firearms antler and antlerless

23 season from December 2nd to December 9th. I made that

24 as a motion. Can I have a second?

25

1                   SECRETARY FOX:

2                   Second.

3                   PRESIDENT HOOVER:

4                   Any changes on 18?

5                   MR. PUTMAN:

6                   Mr. President?

7                   PRESIDENT HOOVER:

8                   Yes.

9                   MR. PUTMAN:

10                   I would like to add under the bear,  
11 extended firearms WMU 3A to units 1B, 2C, 4B, 4C, and  
12 4D, and 4E. That's the period from November 29th to  
13 December 2nd.

14                   PRESIDENT HOOVER:

15                   All right. We have a change to the  
16 bear, extended firearms season adding 3A. I'll take  
17 that as a motion, Dave. Do we have a second?

18                   MR. LAYTON:

19                   Second.

20                   PRESIDENT HOOVER:

21                   All right. Moving along. Nineteen  
22 (19)? Twenty (20)? I'd like a motion to accept the  
23 amended seasons and bag limits?

24                   MR. LAYTON:

25                   So moved.

1                   SECRETARY FOX:

2                   I second that.

3                   PRESIDENT HOOVER:

4                   All right. We have a motion and a  
5 second. Any questions or comments?

6                   ATTORNEY BECHTEL:

7                   On the amended?

8                   PRESIDENT HOOVER:

9                   On the amended.

10                  MR. LAYTON:

11                  I believe we talked about this. And of  
12 course we needed to have some people from Potter  
13 County come down. And we know that the region has  
14 some concerns too. Which is why we moved this to that  
15 November 29th date as opposed to the first Monday of  
16 the extended season. So maybe that will satisfy both  
17 sides. And that was kind of the thinking behind the  
18 extended bear season to keep the bear population down  
19 up there, but not forcing those hunters over to 3A on  
20 the first day of deer season.

21                  PRESIDENT HOOVER:

22                  Any other comments?

23                  MR. PUTMAN:

24                  The changes to the antlerless seasons,  
25 the 5A and 5B were done just for the sake of

1 consistency to make that consistent with the adjoining  
2 unit.

3 PRESIDENT HOOVER:

4 Thank you. Jim?

5 MR. DALEY:

6 Mr. President, I think we'll also need  
7 to change the commentary on page 12 to reflect that  
8 there were active changes to the whitetail deer  
9 season. In the fourth paragraph down.

10 PRESIDENT HOOVER:

11 So we'll make that motion when we make  
12 the final adoption. All right, so we have a motion  
13 and second on the amendments. Mr. Secretary, call a  
14 vote.

15 SECRETARY FOX:

16 All those in favor respond saying aye?

17 AYES RESPOND

18 SECRETARY FOX:

19 Opposed? Motion carries.

20 PRESIDENT HOOVER:

21 At this time we will now vote on the  
22 entire seasons and bag limits.

23 MR. LAYTON:

24 Maybe we can get Director Laroche to  
25 talk a little bit about the change in the DMAP permits

1 and what we're trying to do there. Kind of  
2 eliminating those DMA wide permits.

3 MR. LAROCHE:

4 What we're trying to do here is trying  
5 to focus on the hotspots within the DMA area. You  
6 know we were having a lot of positive deer show up.  
7 And instead of having a broad culling approach across  
8 the DMA and trying to reduce the deer population over  
9 the whole area, we'd like to focus on the hotspot  
10 areas because it seems some research that's going on  
11 in other states that that's probably a better approach  
12 to controlling the disease, while at the same time  
13 providing hunting opportunity for the people in that  
14 area.

15 DMA boundaries would not be affected  
16 because that DMA boundary is what we put in place to  
17 try to keep people from taking deer from the positive  
18 area into areas that are not infected with disease and  
19 spreading the disease. So that's what we need to do.

20 MR. LAYTON:

21 Thank you.

22 PRESIDENT HOOVER:

23 Any other comments? Questions? We have  
24 a motion and a second to accept the amended seasons  
25 and bag limits. Mr. Secretary, call a vote.

1                   SECRETARY FOX:

2                   All those in favor respond saying aye?

3 AYES RESPOND

4                   SECRETARY FOX:

5                   Opposed. The motion carries.

6                   ATTORNEY BECHTEL:

7                   The next item before the Commission is  
8 to amend 58 Pa. Code, Section 147.673. The Commission  
9 is statutorily charged with managing the  
10 Commonwealth's white-tailed deer herds on behalf of  
11 all of its citizens.

12                   To accomplish this responsibility, the  
13 Commission allocates antlerless deer licenses across  
14 the state amongst its various wildlife management  
15 units to utilize hunter harvest as the primary  
16 management tool of white-tailed deer. These  
17 allocations are adjusted each year to allow the deer  
18 herd to grow, stabilize or decrease, and are based on  
19 the best available science and in consideration of the  
20 broad and disparate interests of the Commonwealth's  
21 various stakeholders. This system addresses deer  
22 management statewide.

23                   In 2003, the Deer Management Assistance  
24 Program or DMAP was first established to provide both  
25 public and private landowners with an additional tool

1 for the management of local white-tailed deer herds on  
2 lands where excessive deer numbers have compromised  
3 the landowners' land uses and other interests. Some  
4 communities in more urbanized areas have documented  
5 evidence that requiring individual landowners to  
6 individually submit DMAP applications has not been an  
7 effective method towards resolving localized deer  
8 management concerns.

9           Subsequently, the Commission has  
10 recognized the need to increase deer harvests in local  
11 areas in response to growing concerns related to  
12 disease outbreaks. The Commission is proposing to  
13 amend Section 147.673 relating to eligibility and  
14 application for DMAP, to allow the Commission to  
15 accept DMAP applications from political subdivisions  
16 and government agencies to enable them to manage deer  
17 harvest within a conglomeration of distinct,  
18 privately-owned and publically-owned lands under their  
19 jurisdiction.

20           By expanding a political subdivision's  
21 and government agencies' ability to apply for permits  
22 on behalf of property owners, the Commission hopes to  
23 improve efforts to control deer populations using  
24 regulated DMAP hunting. Political subdivisions and  
25 government agencies making application in this manner

1 will be required to submit a management plan.

2           The Commission will allocate DMAP  
3 harvest permits based on current conditions relative  
4 to goals and objectives outlined in the Commission  
5 approved management plan. These changes are found on  
6 pages 21 and 22 of your agenda.

7           PRESIDENT HOOVER:

8           Do we have a motion?

9           MR. PUTMAN:

10          Motion.

11          PRESIDENT HOOVER:

12          Second?

13          SECRETARY FOX:

14          Second.

15          PRESIDENT HOOVER:

16          Any discussion? No discussions. Mr.  
17 Secretary, call the vote.

18          SECRETARY FOX:

19          All those in favor respond saying aye?

20 AYES RESPOND

21          SECRETARY FOX:

22          Opposed? Motion carries.

23          ATTORNEY BECHTEL:

24          The next item concerns adopted amendment  
25 from the Bureau of Wildlife Protection. This adopted

1 rulemaking is to amend 58 Pa. Code, Section 131.8  
2 relating to the replacement cost for wildlife killed,  
3 to increase replacement costs for osprey from \$200 to  
4 \$2,500. The text of this can be found on page 24 of  
5 your agenda.

6 PRESIDENT HOOVER:

7 Do we have a motion?

8 MR. LAYTON:

9 So moved.

10 PRESIDENT HOOVER:

11 Second?

12 SECRETARY FOX:

13 Second.

14 PRESIDENT HOOVER:

15 Any discussion? We have a motion and a  
16 second. Secretary call the vote.

17 SECRETARY FOX:

18 All in favor respond saying aye?

19 AYES RESPOND

20 SECRETARY FOX:

21 Opposed? The motion carries.

22 ATTORNEY BECHTEL:

23 The next item before the Commission is  
24 the proposed rulemaking to amend 58 Pa. Code, Section  
25 141.4 to replace the current hunting hours table and

1 migratory bird hunting hours table to accurately  
2 reflect the dates and hours of legal hunting for the  
3 2017 - 2018 hunting/trapping license year. The text  
4 of this change is shown on page 25 and the charts on  
5 page 26 and 27 of your agenda.

6 PRESIDENT HOOVER:

7 Do I have a motion?

8 MR. DALEY:

9 So moved.

10 PRESIDENT HOOVER:

11 Second?

12 SECRETARY FOX:

13 Second.

14 PRESIDENT HOOVER:

15 Any discussion? No discussion. Mr.

16 Secretary, call the vote.

17 SECRETARY FOX:

18 All those in favor signify by saying

19 aye?

20 AYES RESPOND

21 SECRETARY FOX:

22 Opposed? The motion carries.

23 ATTORNEY BECHTEL:

24 The next proposal before the Commission

25 is to amend 58 Pa. Code, Section 135.181. State game

1 land range users, Commission staff and other  
2 interested parties have identified a number of areas  
3 in need of improvement in the Commission's shooting  
4 range use regulations. The Commission is proposing to  
5 amend Section 135.181 to address the following  
6 substantive and housekeeping concerns:

7           One, expand the 8:00 a.m. to sunset  
8 operational hours on Sunday's preceding regular  
9 firearms deer and bear seasons to also include Sundays  
10 occurring throughout the duration of these seasons to  
11 improve hunter access to its ranges when they are most  
12 needed.

13           Two, to prohibit range users from  
14 intentionally shooting at or damaging the target  
15 frames or stands in an effort to reduce waste and  
16 improve operational availability of ranges.

17           Three, provide clarity that use of  
18 automatic firearms, not to include semi-automatic  
19 firearms, is prohibited at Commission ranges.

20           Four, to expand the six-round loading  
21 and discharge limitation to both rifle and handgun  
22 ranges.

23           Five, to prohibit range users from  
24 operating, manipulating or discharging a loaded  
25 firearm in negligent disregard for the safety of other

1 persons present at or nearby the range to improve  
2 safety.

3                   Six, to provide greater clarity in the  
4 regulations concerning range reservation, range  
5 closure, range designation and general range usage  
6 violations.

7                   And seven, to remove firearms possession  
8 related violations from this section to more closely  
9 conform to the limitations set forth in 18 Pa.C.S.,  
10 Section 6109(m.3)(2). The text is shown on pages 28  
11 through 30 of your agenda.

12                   PRESIDENT HOOVER:

13                   Do we have a motion?

14                   MR. LAYTON:

15                   So moved.

16                   SECRETARY FOX:

17                   Second.

18                   PRESIDENT HOOVER:

19                   Any discussion? Hearing no discussion,  
20 Mr. Secretary, call the vote.

21                   SECRETARY FOX:

22                   All those in favor respond saying aye?

23 AYES RESPOND

24                   SECRETARY FOX:

25                   Opposed? The motion carries.

1                   ATTORNEY BECHTEL:

2                   The next item before the Commission is a  
3 proposal to amend 58 Pa. Code, Sections 147.552n and  
4 147.553. You should all have in front of you a blue  
5 replacement page for page 31 with respect to this  
6 proposal.

7                   Current regulations limit sub-permittees  
8 exercising the privileges of a Red Tag Permit to  
9 hunting and taking white-tailed deer from dusk to  
10 dawn. Most participants in this program understand  
11 this ambiguous time frame to coincide with the legal  
12 hunting hours, but this point is not clear in the  
13 established regulations.

14                  The Commission is proposing to amend  
15 Section 147.553 to replace the dawn to dusk  
16 terminology with a reference to legal hunting hours as  
17 set forth in Section 141.4 and Appendix G relating to  
18 hunting hours; and hunting hours. These amendments  
19 will more effectively guide and instruct sub-  
20 permittees on the lawful periods during which they may  
21 exercise the privileges of this program.

22                  The Commission is also proposing to  
23 amend Section 147.552 to eliminate the requirement  
24 that an applicant be enrolled in one of the  
25 Commission's public access programs for two years in

1 order to be eligible for the Red Tag permit. This  
2 amendment will alleviate constraints on farmers  
3 wishing to participate in the Red Tag Program who  
4 cannot wait the two-year public access program  
5 enrollment period due to current deer damage problems.  
6 Again, this text is shown on the replacement page 31.

7 PRESIDENT HOOVER:

8 Can I have a motion?

9 MR. DALEY:

10 So moved.

11 PRESIDENT HOOVER:

12 Can I have a second?

13 MR. SCHLEMMER:

14 Second.

15 PRESIDENT HOOVER:

16 Any discussion?

17 MR. PUTMAN:

18 Mr. President, I would like to comment  
19 on the change to the Red Tag Program for allowing late  
20 notice to enroll on the spot as opposed to being in  
21 the program for two prior years. This is in response  
22 to testimony from the Farm Bureau and testimony at the  
23 last two meetings. Farmers have come in here and  
24 talked to us about that program.

25 It really --- in my opinion, it's going

1 to allow people to get into this program much easier.  
2 We're more likely to have farmers enroll in the  
3 program I think by imposing this limit than they would  
4 having to open the property to Public hunting to two  
5 years before they can get enrolled. We've opened up  
6 the property to public hunting today, we can them  
7 sign-up today, and that will eliminate that period of  
8 them getting into program.

9 PRESIDENT HOOVER:

10 Thank you. Any other discussion? We  
11 have a second and we have a motion and a second. Mr.  
12 Secretary, call the vote.

13 SECRETARY FOX:

14 All those in favor signify by saying  
15 aye?

16 AYES RESPOND

17 SECRETARY FOX:

18 Opposed. Motion carries.

19 ATTORNEY BECHTEL:

20 The next item before the Commission is  
21 to amend 58 Pa. Code, Sections 131.12, 141.22, 141.43,  
22 141.44, 141.45, 141.47, and 141.67. In relevant part,  
23 the Act of November 21, 2016, Public Law 1317, Number  
24 168 made two significant changes to Section 2308;  
25 relating to unlawful devices and methods.

1                   First, the legislation eliminated the  
2 Commonwealth's historic prohibition against the use of  
3 air guns for hunting. Second, the legislation  
4 effectively eliminated the Commonwealth's historic  
5 prohibition against the use of semi-automatic rifles  
6 for hunting.

7                   It is important to note that this  
8 legislation was not extended to authorize the  
9 Commission to allow any use of semi-automatic  
10 handguns. In an effort to expand hunting  
11 opportunities within the Commonwealth, the Commission  
12 is proposing to amend the Sections named above to  
13 authorize the use of air guns and semiautomatic rifles  
14 for designated species of wildlife and hunting  
15 seasons.

16                   These amendments will also expand  
17 muzzleloader hunting opportunities to include breech-  
18 loading black powder firearms for designated species  
19 of wildlife and hunting seasons and aperture sights  
20 for flintlock muzzle loading deer season. These  
21 changes are shown on pages 32-43 of your agenda. I  
22 should also note that there are replacement pages.  
23 Page 37, 39, 40, and 42.

24                   PRESIDENT HOOVER:

25                   Can I have a motion?

1                   SECRETARY FOX:

2                   So moved.

3                   PRESIDENT HOOVER:

4                   Second?

5                   MR. LAYTON:

6                   Second.

7                   PRESIDENT HOOVER:

8                   Any discussion?

9                   MR. LAYTON:

10                  Mr. President.

11                  PRESIDENT HOOVER:

12                  Mr. Layton.

13                  MR. LAYTON:

14                  There have been concerns as we've been  
15 moving along through this process from some of our  
16 hunting communities about safety issues when using a  
17 semi-automatic weapons for big game seasons. We  
18 instructed the Bureau of Wildlife Protection to do  
19 some research with adjoining states that allow semi-  
20 automatic weapons at this time. And we found no  
21 correlation between the use of the way the weapons  
22 loaded and hunting accidents.

23                  However, because there are concerns from  
24 the hunting community, we did in the blue pages that  
25 have been placed in the adoption, put a sunset

1 provision. And that's what the blue page reflects.  
2 So that this change will become effective July 1, 2017  
3 and will expire on June 30th, 2020. At which time the  
4 Commission will reexamine the changes that we've made  
5 and determine at that point whether we should keep  
6 them in as regulation or make changes. Thank you.

7 PRESIDENT HOOVER:

8 Thank you. Any other discussions? Mr.  
9 Daley. Commissioner Daley.

10 MR. DALEY:

11 At the present, this is something that I  
12 think that everyone would know. We got an awful lot  
13 of public comments on it, individually and as groups.  
14 And I think what we found is essentially everyone was  
15 very supportive of small game. Very supportive in  
16 terms of varmints and getting a more diverse opinion  
17 in this in terms of big game. You know what we have  
18 to think about there is --- but as Mr. Layton said,  
19 you know some of that dealt with it's going to be, you  
20 know, unsafe. And I think we looked at that and we  
21 put in the sunset revision.

22 The other was, there were a group of  
23 people that said well, we don't need it so let's not  
24 do it. You know, it's kind of like I drove a car down  
25 here today, whatever. It's a 250 horsepower. I

1 probably didn't need that, but there's no reason for  
2 you to prohibit it; right? And that's at least my my  
3 way of looking at this is it's just another way of  
4 putting the next round into the chamber. And because  
5 you don't absolutely need it. We've hunted with  
6 repeating arms forever. It's not a reason for not  
7 doing it.

8 PRESIDENT HOOVER:

9 Thank you. Any other discussion?

10 SECRETARY FOX:

11 Mr. President, semi-automatics have been  
12 around for 100 years. And over this period of time  
13 it's become wide use. Most recently they've become  
14 popular. Moving forward with cautious regulations  
15 create an opportunity for us to to examine how this is  
16 going to be accepted by the public and the hunting  
17 community.

18 There are many understandings and  
19 misunderstandings and opportunities to implement this  
20 in a slow way that would give us a chance to emphasize  
21 the importance of one shot kills, ethical kills.  
22 These regulations will affectively concern me, it will  
23 apply not only to youth, and to adults, but to you.  
24 And that's the reason for some of our cautious  
25 thoughts as we move forward.

1                   PRESIDENT HOOVER:

2                   Any other discussion? We have a motion  
3 and a second. Mr. Secretary, will you call the vote.

4                   SECRETARY FOX:

5                   All those in favor signify by saying  
6 aye?

7 AYES RESPOND

8                   SECRETARY FOX:

9                   Opposed? Motion carries.

10                  ATTORNEY BECHTEL:

11                  The next item before the Commission  
12 concerns an amendment to 58 Pa. Code, Section 135.106.  
13 Controlled deer hunts have been held at the Pymatuning  
14 Wildlife Management Area (State Game Lands 214) since  
15 at least the 1970s. Over the years various formats  
16 have been used to manage the controlled deer hunts.

17                  The Commission has observed that the  
18 very limited time frame and extent of this hunting  
19 pressure within the PWMA or Pymatuning Wildlife  
20 Management Area, coupled with the higher hunting  
21 pressure on surrounding areas outside of the PWMA has  
22 resulted in dramatic increases in deer populations  
23 during the fall. This increase in population, albeit  
24 temporary, has had a significant negative impact on  
25 the PWMA's existing habitat.

1           The PWMA controlled deer hunts have  
2 proven quite popular with hunters, with over 1,000  
3 applications received every year. The pre-hunt influx  
4 and retention of higher deer populations is expected  
5 to be the cause of this popularity as hunters have  
6 regularly described abundant deer sightings. The  
7 Commission has observed that typical hunts in the PWMA  
8 result in low harvest, but high wounding loss, likely  
9 the result of the high hunting pressure in the area  
10 during the controlled deer hunt.

11           The Commission is proposing to amend  
12 Section 135.106 relating to Pymatuning Wildlife  
13 Management Area to establish new parameters for  
14 establishing and managing the PWMA controlled deer  
15 hunt. The goals of these changes is to provide a  
16 higher quality hunt for the participants of this  
17 limited program primarily by spreading the same number  
18 of hunters across a few weeks of the regularly  
19 established fall deer seasons rather than a few days.  
20 Hunting opportunities within the PWMA will be managed  
21 by a lottery process that is intended to more  
22 predictably and logically distribute hunting access to  
23 participants. These changes are shown on pages 44  
24 through 47 of your agenda.

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PRESIDENT HOOVER:

Do I have a motion?

MR. DALEY:

So moved.

PRESIDENT HOOVER:

Second?

MR. SCHLEMMER:

Second.

PRESIDENT HOOVER:

Any discussion or comments?

MR. DALEY:

Mr. President.

PRESIDENT HOOVER:

Commissioner Daley.

MR. DALEY:

I just wanted to actually thank the regional staff. We have the regional director here and we have Jerry Bish to thank. And if you really look at the hunting opportunity at Pymatuning and almost the calamitous way in which some of the past hunts have been done where deer are accessed and driven out to the lake. This is a much improved method. I think they've thought outside the box and I just wanted to thank them for their efforts.

1                   PRESIDENT HOOVER:

2                   Any other discussion or comments?

3                   Hearing none, Mr. Secretary, call the vote.

4                   SECRETARY FOX:

5                   All those in favor signify by saying  
6                   aye?

7                   AYES RESPOND

8                   SECRETARY FOX:

9                   Opposed? Motion carries.

10                  ATTORNEY BECHTEL:

11                  The item before the Commission is to add  
12                  58 Pa. Code, Section 137.35. Chronic wasting disease,  
13                  or CWD, is an infectious and progressive neurological  
14                  disease that is found in, and always proves fatal to,  
15                  members of the family Cervidae. (Deer, elk or moose,  
16                  and other susceptible species, collectively called  
17                  cervids.)

18                  CWD is caused by prions, abnormal  
19                  infectious protein particles that are known to be  
20                  concentrated in the nervous system, and lymphoid  
21                  tissues of infected cervids. There are no known  
22                  treatments for CWD infection, no vaccines to protect  
23                  against CWD infection, and no approved tests that can  
24                  detect the presence of CWD in live cervids. CWD is  
25                  designated as a dangerous transmissible disease of

1 animals by order of the Secretary of Agriculture under  
2 the provisions of the Domestic Animal Law.

3 CWD is known to be transmissible from  
4 infected to uninfected cervids by contact with or  
5 ingestion of CWD-infected or contaminated cervid parts  
6 or materials. CWD is of particular concern to the  
7 Commonwealth of Pennsylvania because it has potential  
8 to have a catastrophic detrimental impact on both  
9 Pennsylvania's wild and captive cervid populations.

10 The Pennsylvania Department of  
11 Agriculture has detected CWD in captive deer in Adams,  
12 Franklin, Jefferson and York Counties. The Commission  
13 has also detected CWD in free-ranging deer in Bedford,  
14 Blair, Cambria, and Fulton Counties. The Maryland  
15 Department of Natural Resources has detected CWD in  
16 free-ranging deer in Allegany County within ten miles  
17 of the Pennsylvania border.

18 The Commission is proposing to add  
19 Section 137.35 relating to chronic wasting disease  
20 restrictions to give more permanent status and  
21 structure to the requirements and restrictions  
22 previously established and maintained by executive  
23 order during the past decade. These amendments are  
24 shown on pages 48 through 51 of your agenda.

25

1                   PRESIDENT HOOVER:

2                   Do I have a motion?

3                   MR. LAYTON:

4                   So moved.

5                   PRESIDENT HOOVER:

6                   Second?

7                   SECRETARY FOX:

8                   Second.

9                   PRESIDENT HOOVER:

10                  Any discussion or comments?

11                  MR. LAYTON:

12                  Yeah, Mr. President. Just to highlight  
13 this. We've been governing CWD by way of Executive  
14 Order for years at the Commission. And all this is  
15 doing --- correct me if I'm wrong --- is making that  
16 Executive Order Regulation. Want to comment?

17                  ATTORNEY BECHTEL:

18                  No. You're absolutely right. You know  
19 there is nothing new in these regulations that hasn't  
20 already existed in the Executive Order of the  
21 Commonwealth.

22                  PRESIDENT HOOVER:

23                  Thank you. Any other discussion or  
24 comments? Hearing none, Mr. Secretary, please call  
25 the vote.

1                   SECRETARY FOX:

2                   All those in favor signify by saying  
3 aye?

4 AYES RESPON

5                   SECRETARY FOX:

6                   Opposed? Motion carries.

7                   ATTORNEY BECHTEL:

8                   And the next item before the Commission  
9 is to amend 58 Pa. Code, Section 135.41. The  
10 Commission is routinely tasked with addressing  
11 unlicensed drivers operating motor vehicles on State  
12 game land roads, parking lots and other areas.  
13 Wildlife Conservation Officers and Deputy Wildlife  
14 Conservation Officers do not directly possess the  
15 authority to enforce the Vehicle Code under Section  
16 901 of the Game and Wildlife Code.

17                   As a result, the Commission must attempt  
18 to transfer those matters to Pennsylvania State Police  
19 or other appropriate local police jurisdiction. Often  
20 the Commission's attempt to transfer these matters has  
21 been unsuccessful. In an effort to rectify this lack  
22 of enforcement, the Commission is proposing to amend  
23 Section 135.41 relating to State game lands to  
24 prohibit a person from operating or controlling a  
25 motor vehicle requiring registration on lands or

1 waters designated as State game lands if the operator  
2 is not properly licensed under the Vehicle Code. This  
3 change is shown on page 52 of your agenda.

4 PRESIDENT HOOVER:

5 Do I have a motion?

6 MR. LAYTON:

7 So moved.

8 PRESIDENT HOOVER:

9 Second?

10 MR. SCHLEMMER:

11 Second.

12 PRESIDENT HOOVER:

13 Any discussion or comments?

14 MR. LAYTON:

15 Yeah, Mr. President.

16 PRESIDENT HOOVER:

17 Commissioner Layton.

18 MR. LAYTON:

19 You're probably going to have to talk up

20 just a little bit, but our WCO's under the current

21 laws have no authority other than misdemeanor and

22 felony arrest under Title 75. They had no

23 jurisdiction. So you want to touch on that?

24 MR. GROHOL:

25 As you pointed out, currently our

1 officers only have the authority to enforce felony or  
2 misdemeanor charges under Title 75, which is the  
3 Vehicle Code. So driving without a license is a  
4 summary offense, so they cannot prosecute someone  
5 driving on the game lands if they have a suspended  
6 driver's license, if they don't have a driver's  
7 license, or whatever reason.

8           We already have a regulation in our game  
9 land rules that says it's unlawful to drive a motor  
10 vehicle that's not registered with the State. It just  
11 makes sense that they also have the authority to cite  
12 someone if they're driving there without a driver's  
13 license.

14           MR. LAYTON:

15           The history has always been that they'll  
16 --- when they come across that situation they notify  
17 the State Police, the State Police say they're too  
18 busy.

19           MR. GROHOL:

20           Right. I mean, we're going to call  
21 State Police. They're busy.

22           MR. LAYTON:

23           Right.

24           MR. GROHOL:

25           For such a minor offense, they don't

1 want to come out and handle that. So most of the time  
2 it doesn't get handled.

3 MR. LAYTON:

4 Thank you.

5 PRESIDENT HOOVER:

6 Any other discussion or comments?

7 Hearing none, Mr. Secretary, call the vote.

8 SECRETARY FOX:

9 All those in favor signify by saying  
10 aye?

11 AYES RESPOND

12 SECRETARY FOX:

13 Opposed? Motion carries.

14 ATTORNEY BECHTEL:

15 The next item before the Commission is  
16 to amend 58 Pa. Code, Section 135.41. The Commission  
17 traditionally conducts the majority of its annual  
18 pheasant stocking operations on State game lands to  
19 provide adequate pheasant hunting opportunities across  
20 the Commonwealth. The Commonwealth's pheasant hunting  
21 opportunities are directly linked to and limited by  
22 the existence and availability of pheasants stocked by  
23 the Commission each year.

24 The Commission has become increasingly  
25 aware that dog training activities occurring on State

1 game lands during the periods just prior to and  
2 concurrent with the youth pheasant season, and prior  
3 to the opening of the regular pheasant season, are  
4 consistently causing pheasants recently stocked by the  
5 Commission to scatter and disperse far away from  
6 designated release sites where they are intended to  
7 temporarily remain for the duration of the pheasant  
8 seasons.

9           The Commission is proposing to amend  
10 Section 135.41 relating to State game lands, to  
11 prohibit a person from engaging in any dog training  
12 activities from the Monday prior to the start of the  
13 youth pheasant season until the opening of the regular  
14 pheasant season. These amendments will not limit dog  
15 training activities on private lands. The text of  
16 this change is shown on page 53 of your agenda.

17           PRESIDENT HOOVER:

18           Do we have a motion?

19           MR. DALEY:

20           So moved.

21           MR. PUTMAN:

22           I second.

23           PRESIDENT HOOVER:

24           Any discussion or comments? Hearing  
25 none, Mr. Secretary, call the vote.

1                   SECRETARY FOX:

2                   All those in favor signify by saying  
3 aye?

4 AYES RESPOND

5                   SECRETARY FOX:

6                   Opposed? Motion carries.

7                   ATTORNEY BECHTEL:

8                   The next item before the Commission is  
9 to amend 58 Pa. Code, Section 139.6. The Commission  
10 first established triple possession limits in Section  
11 139.4 relating to seasons and bag limits for the  
12 license year for the 2014/2015 license year.

13                   Unfortunately, the Commission did not  
14 contemporaneously amend Section 139.6 relating to  
15 field possession and transportation limits with these  
16 same amendments. The Commission is proposing to amend  
17 Section 139.6 to increase the daily possession limit  
18 from double to triple the daily limit. This change is  
19 shown on page 54 of your agenda.

20                   PRESIDENT HOOVER:

21                   Do we have a motion?

22                   SECRETARY FOX:

23                   So moved.

24                   PRESIDENT HOOVER:

25                   Do we have a second?

1                   MR. LAYTON:

2                   Second.

3                   PRESIDENT HOOVER:

4                   Any discussion or comments?   Hearing  
5 none, Mr. Secretary, call the vote.

6                   SECRETARY FOX:

7                   All those in favor signify by saying  
8 aye?

9 AYES RESPOND

10                  SECRETARY FOX:

11                  Opposed?   Motion carries.

12                  ATTORNEY BECHTEL:

13                  I would note page 55 is blank on your  
14 agenda.   So moving to the Bureau of Wildlife Habitat  
15 Management and Real Estate, a donation comes before  
16 the agenda.   Contract Number L-3705.   State Game Land  
17 Number 245, Washington County.   David A. Celko, M.D.  
18 is offering a donation of 29.4 more or less acres of  
19 land in West Finley Township, Washington County, which  
20 is located near State Game Land Number 245.   As shown  
21 on Exhibit RED 1 on page 57 of your agenda.

22                  Dr. Celko will retain the oil, gas and  
23 mineral rights.   The property is mostly forested with  
24 a mix of hardwoods, is traversed by Blockhouse Run and  
25 has a five-acre scrub/shrub wetland complex.   A

1 natural gas pipeline bisects the tract. Access is  
2 from Blockhouse Run Road.

3 PRESIDENT HOOVER:

4 Do we have a motion?

5 MR. DALEY:

6 So moved.

7 PRESIDENT HOOVER:

8 Second?

9 MR. LAYTON:

10 Second.

11 PRESIDENT HOOVER:

12 Any discussion or comments. Hearing  
13 none, Mr. Secretary, call the vote.

14 SECRETARY FOX:

15 All those in favor signify by saying  
16 aye?

17 AYES RESPOND

18 SECRETARY FOX:

19 Opposed? Motion carries.

20 ATTORNEY BECHTEL:

21 The next item is an acquisition Contract  
22 Number L-3706. State Game Land Number 43, Chester  
23 County. Natural Lands Trust is offering to donate two  
24 parcels of land totaling 34 more or less acres located  
25 in Warwick Township, Chester County. Adjoining State

1 Game Land Number 43 as show on Exhibit RED 2 on page  
2 59 of your agenda.

3 Tract 1 is 16 more or less acres, and  
4 Tract 2 is 18 more or less acres. Both tracts are  
5 forested with an oak/hickory mix along the small  
6 ridgetop, which transitions to tulip poplar, birch,  
7 and maple down slope to a shallow drainage with  
8 intermittent flow. The parcels lie within the  
9 Hopewell Big Woods Important Mammal Area and the Hay  
10 Creek French Creek Forest Block Important Bird Area.  
11 Access is from the east and it's from a private drive  
12 off Pine Swamp Road; SR 0345. And from Laurel  
13 Road; T-519 to the west.

14 PRESIDENT HOOVER:

15 Do I have a motion?

16 MR. LAYTON:

17 So moved.

18 PRESIDENT HOOVER:

19 Do I have a second?

20 SECRETARY FOX:

21 Second.

22 PRESIDENT HOOVER:

23 Any discussion or comments?

24 MR. SUSSENBACH:

25 Mr. President, if I just may add

1 something? You know this is a direct result of a  
2 great relationship with the southeast region and some  
3 of my staff have with the National Lands Trust.  
4 They're an outstanding partner in conservation. As is  
5 the previous agenda item that Mr. Celko believes in  
6 our mission. Believes in the perseverance of the  
7 Pennsylvania Game Commission.

8                   And I'm proud to be partners with him  
9 and we greatly appreciate the opportunity to be able  
10 to manage that additional acreage in an area of the  
11 state where, you know, it's always under pressure from  
12 development and other issues. Just another  
13 opportunity for hunters to be able to, you know,  
14 utilize an additional piece of ground down in the  
15 southeast region.

16                   PRESIDENT HOOVER:

17                   Thank you. Any other discussions or  
18 comments? Hearing none, Mr. Secretary, call the vote.

19                   SECRETARY FOX:

20                   All those in favor signify by saying  
21 aye?

22 AYES RESPOND

23                   SECRETARY FOX:

24                   Opposed? Motion carries.

25

1                                    ATTORNEY BECHTEL:

2                                    The next item before the Commission  
3 involves the interagency transfer. On May 15, 2008,  
4 the Game Commission entered into a Cooperative  
5 Interagency Agreement for Interdepartmental Land  
6 Transfer and Establishment of State Game Land Banks  
7 with the Pennsylvania Department of Transportation and  
8 the Federal Highway Administration.

9                                    The State Game Land Banking Agreement  
10 will streamline transportation development projects by  
11 allowing PennDOT Districts to establish State Game  
12 Land Banks in advance of highway projects impacting  
13 less than five acres of State game lands. This  
14 agreement will expedite the mitigation process where  
15 impacts can be debited from existing land banks instead  
16 of being addressed on a case-by-case basis.

17                                    The following tract has been identified  
18 as being an acceptable site for use as a State Game  
19 Land Bank in accordance with this agreement. The  
20 Tract is Contract Number L-3707, State Game Land  
21 Number 330, Clarion County. PennDOT is offering to  
22 transfer exclusive jurisdiction and control of 50 more  
23 or less acres of land located in Piney Township,  
24 Clarion County, which is an interior in State Game  
25 Land Number 330. As shown on Exhibit RED 3 on page 61

1 of your agenda.

2                   Approximately half the property is  
3 grassland with the remaining half planted in red and  
4 Scotch pine. The tract is located within a core area  
5 deemed as critical and unique habitat for the  
6 following species; Pennsylvania endangered short-eared  
7 owl, upland sandpiper and dickcissel. Pennsylvania  
8 threatened northern harrier and documented as breeding  
9 and nesting habitat for Henslowe's sparrow, a species  
10 of special concern. Access is from Mount Zion Road at  
11 T-841, which bisects the property to the north.

12                   PRESIDENT HOOVER:

13                   Any questions or comments?

14                   ATTORNEY BECHTEL:

15                   You need to make a motion.

16                   PRESIDENT HOOVER:

17                   I'm sorry. I need a motion.

18                   MR. LAYTON:

19                   So moved.

20                   SECRETARY FOX:

21                   Second.

22                   PRESIDENT HOOVER:

23                   Any questions or comments? Discussion?

24                   Hearing none, Mr. Secretary, call the vote.

25

1                   SECRETARY FOX:

2                   All those in favor signify by saying  
3 aye?

4 AYES RESPOND

5                   SECRETARY FOX:

6                   Opposed? Motion carries.

7                   ATTORNEY BECHTEL:

8                   The next item before the Commission  
9 concerns a coal refuse reclamation agreement on Tract  
10 332A-16. State Game Land Number 332, in Indiana  
11 County. Robindale Energy Services, Inc., or RES of  
12 Armagh, Pennsylvania has requested an agreement to  
13 mine and remove an estimated 1.8 million tons of  
14 economically recoverable coal refuse material beneath  
15 approximately 23 acres of State Game Land Number 332,  
16 and the right to occupy an additional 41 acres for a  
17 total of approximately 64 acres to include placement  
18 of alkaline coal ash material for beneficial use and  
19 reclamation of approximately 850 linear feet of  
20 abandoned high walls. The site is shown on Exhibit  
21 OGM 1 on page 63 of your agenda. The Game Commission  
22 owns the surface and surface support rights, and coal  
23 refuse conveyed with the property. Removal of  
24 potential acid forming coal refuse, improved water  
25 quality, along with wildlife habitat enhancements,

1 exists with this proposed project.

2           The terms are a six-year agreement, a  
3 royalty rate of 30 cents per ton of coal refuse  
4 removed from the premises and a royalty rate of 30  
5 cents per ton of coal ash produced by the combustion  
6 of coal, coal refuse, and limestone at the RES Seward  
7 waste coal-fired power plant that is deposited on the  
8 premises.

9           All coal refuse and coal ash royalty  
10 payments will be deposited into the Game Fund. Mining  
11 will be regulated by the Commonwealth's Mining  
12 regulations and the Commission's Standard Coal Refuse  
13 Reclamation Agreement.

14                   PRESIDENT FOX:

15                   Can we have a motion?

16                   MR. SCHLEMMER:

17                   Motion.

18                   PRESIDENT FOX:

19                   Can I get a second?

20                   SECRETARY FOX:

21                   Second.

22                   PRESIDENT HOOVER:

23                   Any questions or comments?

24                   MR. SUSSENBACH:

25                   Mr. President, if I just might add

1 something? Yeah, this is a great opportunity. We got  
2 coal sites all over the southwest region. There's  
3 areas in the northcentral region. This is one more  
4 opportunity for us to divert high wall mining coal  
5 sites that exist on game lands and just create some  
6 more outstanding habitat that I know our staff is  
7 capable of doing.

8                   You know, with the planting  
9 recommendations that they'll be providing input to,  
10 and their onsite, you know, innovative and creative  
11 opportunities that this would create, I really got a  
12 good feeling that this is going to turn into some  
13 incredible habitat on that game lands.

14                   PRESIDENT HOOVER:

15                   Thank you very much.

16                   MR. LAYTON:

17                   What kind of habitat are you looking at  
18 on this game land?

19                   MR. SUSSENBACH:

20                   We are going to be looking at mainly  
21 open grass land type habitat. Probably be a good  
22 place to hunt pheasants, other small games species in  
23 the future.

24                   MR. LAYTON:

25                   Thank you.

1                   PRESIDENT HOOVER:

2                   Is this in Commissioner Layton's  
3 district?

4                   MR. SUSSENBACH:

5                   No.

6  
7                   PRESIDENT HOOVER:

8                   Thank you.

9                   MR. SUSSENBACH:

10                  But it's close.

11                  PRESIDENT HOOVER:

12                  Any more discussion?

13                  MR. DALEY:

14                  I do. Mr. Sussenbach, a quick question.  
15 So there is acid or potential acid forming materials  
16 here. Once they come in and start mining, are we sure  
17 that we're not going to have an I-99 type issue? What  
18 kind of I guess measures are we taking to be sure  
19 we're not going to get acid produced during the  
20 operation, not afterwards? It would be better  
21 afterwards.

22                  MR. SUSSENBACH:

23                  Right. From what my experts have told  
24 me, removing the items from the site are the best  
25 thing that we could possibly do. They don't have any

1 fear that's going to create additional issues, but  
2 actually remove potential for issues down the road.

3 MR. DALEY:

4 And it will help; right?

5 PRESIDENT HOOVER:

6 Thank you. Any other discussions?

7 Hearing none, Mr. Secretary, call the vote.

8 SECRETARY FOX:

9 All those in favor signify by saying  
10 aye?

11 AYES RESPOND

12 SECRETARY FOX:

13 Opposed? Motion carries.

14 ATTORNEY BECHTEL:

15 The next item before the Commission is a  
16 non-surface use oil and gas cooperative agreement for  
17 the Mount Wheeler Tower Site in Washington County.  
18 Range Resources have requested the Commission offer  
19 its 0.36 acre oil and gas rights under the Mount  
20 Wheeler Tower Site located in Washington County for  
21 the non-surface use development agreement. This site  
22 is shown on Exhibit OGM 2 on page 65 of your agenda.

23 The Game Commission acquired the Mount  
24 Wheeler Tower site in 2008. Range has a strong  
25 privately owned oil and gas lease position surrounding

1 Mount Wheeler Tower, has initiated unconventional well  
2 drilling and development in the vicinity of the  
3 proposed tract and has the ability to unitize and  
4 develop in Commissions oil and gas reserves under the  
5 proposed tract by horizontal drilling with no surface  
6 use or disturbance to the site. The OGM staff has  
7 negotiated the proposed terms of the agreement with  
8 Range in an effort to prudently develop the  
9 Commissions oil and gas reserve.

10                   The terms of the agreement are a five-  
11 year paid up non-surface use oil and gas agreement. A  
12 \$2,000 bonus payment and 20 percent royalty for all  
13 oil and gas and other liquids or condensates produced  
14 and sold from the proposed tract. All royalties,  
15 rentals, and the bonus payment of \$2,000 shall be  
16 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 Non-Surface  
20 Use Oil and Gas Cooperative Agreement.

21                   PRESIDENT HOOVER:

22                   Do we have a motion?

23                   SECRETARY FOX:

24                   So moved.

25

1                   PRESIDENT HOOVER:

2                   Second?

3                   MR. LAYTON:

4                   Second.

5                   PRESIDENT HOOVER:

6                   Any discussion?   Hearing none, Mr.

7 Secretary, call the vote.

8                   SECRETARY FOX:

9                   All those in favor signify by saying  
10 aye?

11 AYES RESPOND

12                   SECRETARY FOX:

13                   Opposed?   Motion carries.

14                   ATTORNEY BECHTEL:

15                   The next item before the Commission in  
16 terms of Surface Coal Mining Agreement, State Game  
17 Land Number 75 in Lycoming County.   Fisher Mining  
18 Company of Montoursville, PA requests to add a 40 acre  
19 tract of lower and middle Kittanning coals for surface  
20 mining to a previously approved 66 acre tract to the  
21 Thomas Northeast II surface mine extension on State  
22 Game Land Number 75 located in Pine Township, Lycoming  
23 County as shown on Exhibit OGM 3 on page 67 of your  
24 agenda.

25                   The Board of Commissioners approved

1 Fisher Mining Company's request to mine a 66 acre  
2 tract at the September 2013 meeting. Since the 2013  
3 meeting, Fisher Mining Company has evaluated the  
4 viability of surface mining of the Lower and Middle  
5 Kittanning coals on the additional acreage, which has  
6 an estimated 183,141 ton reserve base, and an  
7 estimated minimum royalty value of \$503,637.

8 Fisher Mining Company and the Commission  
9 have mutually agreed to eliminate the \$1,500,000  
10 advance royalty payment provision that was approved in  
11 the September 2013 proposal. Fisher Mining Company  
12 will pay the Commission a royalty of 12 percent FOB  
13 pit price or a minimum of \$2.75 per ton, whichever the  
14 greater for each ton of coal mined and sold from the  
15 additional area.

16 Royalty payments will be made by Fisher  
17 Mining Company on a quarterly basis with all payments  
18 being deposited into the Game Fund. The proposed  
19 surface mining is an extension of and is immediately  
20 adjacent to Fisher Mining Company's Thomas Northeast  
21 Mine operation on State Game Land Number 75, also  
22 known as Tract 75A-09.

23 The reclamation plan will incorporate  
24 the Appalachian Reforestation Reclamation Initiative  
25 reclamation type plan. To the extent that adequate

1 soil material is available to achieve post mining land  
2 uses of wildlife habitat and forestland. The mining  
3 and reclamation plan includes adding a minimum of  
4 1,200 tons per acre of alkaline addition material on  
5 the pit floor and within the backfill to ensure  
6 alkaline post mining water quality.

7           The estimated coal royalty value of the  
8 proposed additional mining on the 40 acre tract has  
9 been estimated to be approximately \$503,637. The term  
10 of the agreement is seven years, which will commence  
11 upon the issuance of a valid surface mining permit to  
12 Fisher Mining Company by the Department of  
13 Environmental Protection, and can be extended on a  
14 year-to-year basis to facilitate removal of  
15 economically minable coal reserves.

16           All merchantable timber, which is cut  
17 and/or impacted by this mining operation, will be  
18 assessed by the Commission's Northcentral Regional  
19 forestry staff at a double stumpage rate. Mining will  
20 be regulated by the Commonwealth's Surface Mining  
21 Regulations and the Commission's Standard Surface  
22 Mining Agreement.

23                           PRESIDENT HOOVER:

24                           Can I have a motion?

25

1                   MR. LAYTON:

2                   So moved.

3                   PRESIDENT HOOVER:

4                   Can I have a second?

5                   SECRETARY FOX:

6                   Second.

7                   PRESIDENT HOOVER:

8                   Any discussion or comments?

9                   MR. PUTMAN:

10                  Mr. President. I am the Commissioner  
11 that represents the area where this mining is, and  
12 I've visited the mine several times. You start this  
13 mining of this operation when it was a large amount of  
14 previously mined area. We introduced the agreement  
15 that was beneficial to the Game Commission and to  
16 Wildlife.

17                  The Game Commission has a long history  
18 of really turning lemons into lemonade on mining  
19 projects. We got a great history of it. And this  
20 site has a lot of potential in that it can be  
21 converted to a grassland site. Something that we've  
22 done in many places in an area that's largely  
23 forested.

24                  Again, I understand there are issues  
25 with breaking up large tracts of forest, but this has

1 the ability to provide habitat for a lot of our  
2 grassland birds as you wouldn't find anywhere in the  
3 region. It has the potential truly to be a  
4 destination spot for hunters of the region.

5                   However, we have about five outstanding  
6 --- four outstanding leases and throughout the years  
7 as I visited and discussed it, there are a number of  
8 issues that are never going to be solved. And I think  
9 before the Commissioners move forward and approve  
10 this, I would recommend that we take a little time to  
11 resolve all the outstanding issues on this project.

12                   So I'm going recommend or make a motion  
13 that we table this until September. I'm asking the  
14 staff to work expeditiously with Fisher Mining  
15 Company. Fisher Mining would like to get this  
16 resolved. And I think working together, we should be  
17 able to come up with a good solution. If they require  
18 ammunition of some type, I think we need to get  
19 together and get all the outstanding issues resolved  
20 before we go forward with another lease. I don't know  
21 if you have any additional comments to make, Director?

22                   MR. SUSSENBACH:

23                   I would just say that there are some  
24 outstanding issues and this gives us an adequate  
25 timeframe to attempt to address as many of those as

1 possible.

2 PRESIDENT HOOVER:

3 I have a motion on the floor. Do I have  
4 a second?

5 MR. SCHLEMMER:

6 Second.

7 PRESIDENT HOOVER:

8 We have a motion to table this agreement  
9 until September meeting. Any further discussion?  
10 Hearing none.

11 MR. PUTMAN:

12 Mr. President, I would ask that the  
13 Commission entertain an earlier submission if all the  
14 details are worked out between Fisher Mining and  
15 Staff. We don't need to wait until September if we  
16 can get it done by July or whenever the next meeting  
17 is.

18 PRESIDENT HOOVER:

19 Any other further discussions? Hearing  
20 none, Mr. Secretary, call the motion to table.

21 SECRETARY FOX:

22 All those in favor signify by saying  
23 aye?

24 AYES RESPOND

25

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SECRETARY FOX:

Opposed? Motion carries.

ATTORNEY BECHTEL:

The next item before the Commission concerns the Non-Surface Use Oil and Gas Cooperative Agreement. Tract 223A-17, State Game Land Number 223 in Greene County. Energy Corporation of America, or ECA, requested the Commission offer its oil and gas rights under a portion of State Game Land Number 223 for non-surface use development. The proposed tract, containing approximately 370.6 acres is located in Greene and Cumberland Townships, Greene County. As shown on Exhibit OGM 4 on page 69 of your agenda.

ECA has a strong privately owned oil/gas lease position surrounding this portion of State Game Land Number 223, has initiated unconventional well drilling and development in the vicinity of the proposed tract, and has the ability to unitize and develop the Commission's oil and gas reserves under the proposed tract by horizontal drilling with no surface use or disturbance to the game land.

Additionally, ECA has no partnerships with other operators in relation to the proposed lease. The OGM staff has negotiated the proposed terms of the agreement with ECA in an effort to

1 prudently develop the Commission's oil and gas  
2 reserves and simultaneously protect the wildlife  
3 resources and recreational use of State Game Land  
4 Number 223. The terms of the Agreement are a five-  
5 year paid up non-surface use oil and gas agreement, a  
6 \$4,000 per net oil and gas acre bonus payment, and 18  
7 percent royalty for all oil/gas and other liquids or  
8 condensates produced and sold from the proposed tract.

9 All royalties, rentals and the bonus  
10 payment of approximately \$1,482,400 shall be deposited  
11 into the Game Fund. Oil and gas development will be  
12 regulated by the Commonwealth's oil and gas  
13 regulations and the Commission's Standard Non-Surface  
14 Use Oil and Gas Cooperative Agreement.

15 PRESIDENT HOOVER:

16 Can I have a motion?

17 MR. SCHLEMMER:

18 Motion.

19 PRESIDENT HOOVER:

20 Do I have a second?

21 MR. LAYTON:

22 Second.

23 PRESIDENT HOOVER:

24 Any discussion or comments? Hearing

25 none, Mr. Secretary, call the vote.

1                   SECRETARY FOX:

2                   All those in favor signify by saying  
3 aye?

4 AYES RESPOND

5                   SECRETARY FOX:

6                   Opposed? Motion carries.

7                   ATTORNEY BECHTEL:

8                   Mr. President, I understand under new  
9 business I've been provided with a resolution of the  
10 Commissioners. Would you like me to read that now?

11                   PRESIDENT HOOVER:

12                   That is correct.

13                   ATTORNEY BECHTEL:

14                   The Commonwealth of Pennsylvania,  
15 Pennsylvania Game Commission, and Resolution of the  
16 Board Commissions, whereas State Employees Retirement  
17 Code 71 Pa.C.S., Section 5101, et seq., governs the  
18 administration and operation of Pennsylvania State  
19 Employee's Retirement System, one of the nation's  
20 oldest and largest statewide retirement plans for  
21 public employees.

22                   And whereas, Section 5102 of the State  
23 Employee's Retirement Code 71 Pa.C.S., Section 5102  
24 relating to definitions defines the terms  
25 superannuation age, State Police Officer, Correction

1 Officer, and Enforcement Officer, in a manner to allow  
2 certain types of Commonwealth Law Enforcement  
3 Personnel to retire at ages 50 or 55, whichever may be  
4 applicable after 20 years of service, rather than the  
5 default at age 60 or after 35 years of service.

6           And whereas, the types of the  
7 Commonwealth Law Enforcement Personnel eligible for  
8 the early retirement allowances includes any Officer  
9 or Member of the Pennsylvania State Police, Correction  
10 Officers employed by the Department of Corrections, or  
11 the Department of Human Services, formerly the  
12 Department of Public Welfare, Delaware River Port  
13 Authority Policemen, Park Rangers employed by the  
14 Department of Conservation and Natural Resources,  
15 Capital Police Officers, certain Officers and  
16 Investigators with the Pennsylvania Liquor Control  
17 Board, certain Agents and Employees of the Office of  
18 Attorney General, certain Agents of the Pennsylvania  
19 Board of Probation and Parole, and also Waterways  
20 Conservation Officers and other Commission Law  
21 Enforcement Personnel employed by the Pennsylvania  
22 Fish and Boat Commission.

23           And whereas, types of Commonwealth  
24 Personnel eligible for the early retirement allowances  
25 does not currently include Wildlife Conservation

1 Officers, and other Commission Law Enforcement  
2 Personnel employed by the Pennsylvania Game  
3 Commission.

4           And whereas, since 2000, in both houses  
5 of the general assembly, together introduced no less  
6 than 16 legislative bills and amending the definition  
7 of Enforcement Officer to include Wildlife  
8 Conservation Officers, Game Commission Officers and  
9 other Commission Law Enforcement Personnel employed by  
10 the Pennsylvania Game Commission, to bring these  
11 officer's imperative with the other forms of Law  
12 Enforcement Officer's employed by the Commonwealth of  
13 Pennsylvania on matters related to retirement.

14           And whereas, despite steadfast and  
15 widespread support to parity, such legislation has not  
16 yet received successful passage into law. Now  
17 therefore, be it resolved that the Board of  
18 Commissioners of Pennsylvania Game Commission does  
19 hereby support the general assembly given further  
20 consideration of this matter through its future  
21 introduction of legislation aimed at amending the  
22 definition of Enforcement Officer in Section 5102 of  
23 the State Employee's Retirement Code, to include  
24 Wildlife Conservation Officers, Game Commission  
25 Officers, and other Commission Law Enforcement

1 Personnel employed by the Pennsylvania Game  
2 Commission. Given under the hand and seal of the  
3 Board of Commissioners of the Pennsylvania Game  
4 Commission on this 31st day of January 2017.

5 PRESIDENT HOOVER:

6 Thank you. I need a motion to accept  
7 the resolution.

8 MR. LAYTON:

9 So moved.

10 PRESIDENT HOOVER:

11 And a second?

12 MR. PUTMAN:

13 Second.

14 PRESIDENT HOOVER:

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

17 SECRETARY FOX:

18 All those in favor signify by saying  
19 aye?

20 AYES RESPOND

21 SECRETARY FOX:

22 Opposed?

23 PRESIDENT HOOVER:

24 That motion carries. At this time I'd  
25 like to turn the floor over to Executive Director Matt

1 Hough.

2 MR. HOUGH:

3 Good morning everyone. Commissioners,  
4 President Hoover, at this time I would like to  
5 officially announce my plans to retire from the  
6 Pennsylvania Game Commission on Friday, March 24th,  
7 2017. And I come here today to say that. I have  
8 mixed emotions from absolutely having the ability to  
9 have a great career working for this agency for 35  
10 years and 9 months.

11 It's been a dream come true. I actually  
12 remember when I was in sixth grade --- and I promise  
13 you I will not be long --- announcing to one of my  
14 friends that I wanted to work in a conservation field  
15 when I was in sixth grade. And it's absolutely ---  
16 I've been blessed.

17 I've been blessed to have the  
18 opportunity to be involved with this agency. I've  
19 been blessed to have a family that always supported  
20 me. To be able to do the job that I was able to do.  
21 And I guess I've been blessed with the fantastic  
22 employees that the Pennsylvania Game Commission has in  
23 the past and continues to employ. And I mean that  
24 from the bottom of my heart.

25 And that is probably the toughest thing

1 for me to do is to leave this group of employees. But  
2 it's truly been an honor to be Executive Director of  
3 the PGC. And I want to thank every member of this  
4 Board that is currently here and those that are no  
5 longer with us that are here for allowing me to have  
6 that honor. So thank you very much.

7 PRESIDENT HOOVER:

8 And I want to personally thank you for  
9 stepping up during a period of time when there was a  
10 lot of issues going on in the agency. And we went out  
11 on a search for an Executive Director. You stepped up  
12 into the position, you filled the position perfectly.  
13 We could not have asked for a better Executive  
14 Director.

15 I think you've brought the Commission  
16 together. We've solved a lot of problems during that  
17 period of time. And I think you'll hear that today  
18 from the rest of the Commissioners so. Are there any  
19 other Commissioners?

20 MR. SCHLEMMER:

21 Matt, we go back from the beginning, and  
22 I watched your career and we've worked together almost  
23 36 years. God bless you. You've done a great job.

24 MR. HOUGH:

25 Thank you very much.

1                   MR. LAYTON:

2                   I just want to add on President Hoover's  
3 comments. You know we were in a time when anybody  
4 that follows the Commission, we were going through  
5 some hard times. And I think you were the anchor that  
6 we needed to stabilize the Commission and get us  
7 moving in the right direction again. So I know there  
8 are no regrets from anybody sitting at this table  
9 right now. We moved you into that position, and all  
10 the work that you've done, we can't tell you how much  
11 you meant to the agency and to us. So thank you.

12                   MR. HOUGH:

13                   Thank you.

14                   SECRETARY FOX:

15                   You mentioned how you've been blessed.  
16 I think we were also blessed to have you in that  
17 position at this time.

18                   MR. HOUGH:

19                   Thank you, Charlie.

20                   MR. PUTMAN:

21                   I'll add to that, Matt. Things couldn't  
22 have worked out better. You brought a lot of  
23 leadership to the agency at a time when we needed.  
24 You provided --- you brought the team back together.  
25 I think there's some revisions that we were dealing

1 with and not only is the Board of Commissioners is  
2 functioning much better --- I think the whole agency  
3 is functioning much better because of your leadership.

4 MR. DALEY:

5 Matt, I wasn't here whenever you stepped  
6 up to what was supposed to be a two-week assignment.  
7 That's what Bob told me. Don't worry. Sometimes you  
8 don't get exactly what somebody offers, but you know  
9 I've been a hunter instructor for 38 years. I've  
10 hunted down southwest and all over. I can say that  
11 all of the comments I've ever heard about you were  
12 outstanding, excellent, and good. And that just  
13 proves to me as a Commissioner we're going to miss  
14 you. You've done a great job.

15 MR. HOUGH:

16 Thank you, Jim. You know, I just wanted  
17 to say that, you know, we've got some tough times  
18 ahead. I think this Board and the members of this  
19 staff are up to that task. And basically stay strong.  
20 You know, we're all in this for the right reason, and  
21 hopefully those that sometimes don't agree with us  
22 will realize why we're in this. And things will get  
23 better. So stay strong.

24 MR. SCHLEMMER:

25 I would like to add to that, I would

1 like to thank Jodie. That lovely lady that stuck by  
2 you all these years. And she's a good sweeper, but I  
3 congratulate her too. Thank you.

4 MR. HOUGH:

5 Thank you.

6 PRESIDENT HOOVER:

7 Congratulations, Matt. I think you've  
8 done a phenomenal job for us. Any other new business  
9 to come before the Commission?

10 MR. SCHLEMMER:

11 Mr. President.

12 PRESIDENT HOOVER:

13 Commissioner Schlemmer.

14 MR. SCHLEMMER:

15 At this time I would like to make a  
16 motion to move Deputy Director Bryan Burhans to the  
17 position of Executive Director of the Pennsylvania  
18 Game Commission, effective March the 25th, 2017.

19 PRESIDENT HOOVER:

20 We have a motion. Do I have a second?

21 MR. PUTMAN:

22 Second

23 PRESIDENT HOOVER:

24 Any discussion or comments? This is  
25 your chance. Hearing none, Mr. Secretary, call the

1 vote.

2 SECRETARY FOX:

3 All those in favor signify by saying  
4 aye?

5 AYES RESPOND

6 SECRETARY FOX:

7 Opposed?

8 PRESIDENT HOOVER:

9 I would also like to mention that during  
10 the process that we went through three years ago when  
11 we chose Director Matt Hough to become Executive  
12 Director we hired a very competent person in Deputy  
13 Director Bryan Burhan. It will be his opportunity to  
14 take this agency and move this agency forward so that  
15 in the future we can again continue what Matt has  
16 started. And tighten the agency up and bring us in to  
17 a more friendly agency where we get along with our  
18 legislative partners and try to this run organization.  
19 And I think we made tremendous strides over the last  
20 three years with our legislative partners and I think  
21 we will certainly continue to see that in Mr. Burhans.  
22 I think you've done a phenomenal job stepping into the  
23 position that you have and I hope that you've learned  
24 a lot from Director Hough. Any other questions or  
25 comments?

1                   MR. LAYTON:

2                   Again, I would like to echo your  
3 comments, but I don't want to let out Deputy Palmer as  
4 well. He's been a true boost to this agency. Moved  
5 into that position, you've done wonderful things. We  
6 expect you to be around for a real long time to help  
7 us move some of these issues, but certainly want to  
8 thank you for all the work that you've done too.  
9 Thanks.

10                   MR. PALMER:

11                   Thank you.

12                   PRESIDENT HOOVER:

13                   Any other comments? Hearing none --- no  
14 new business. I will announce the next Working Group  
15 meeting will be February 27. The proposed Commission  
16 meeting dates are March 27th and 28th. June 26th and  
17 27th. September 25th and 26th. At this time I will  
18 turn the meeting over to Commissioner Schlemmer for  
19 the proposal of Officers for the 2017 year.

20                   MR. SCHLEMMER:

21                   Mr. President, the names that have been  
22 submitted to me for Officers for 2017, include the  
23 following; President, Brian Hoover; Vice President,  
24 Tim Layton; Secretary, Jim Daley. That's all that's  
25 been submitted so far.

1                   PRESIDENT HOOVER:

2                   Thank you. Are there any other  
3 nominations from the floor? Hearing none, Mr.  
4 Secretary, can you call a vote on the Officers,  
5 please?

6                   SECRETARY FOX:

7                   All those in favor signify by saying  
8 aye?

9 AYES RESPOND

10                  SECRETARY FOX:

11                  Opposed?

12                  PRESIDENT HOOVER:

13                  Thank you. And that will end the  
14 session. We will have a short meeting afterwards with  
15 our press representatives from the meeting. Thank  
16 you.

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18                               \* \* \* \* \*

19                               MEETING CONCLUDED AT 9:50 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before President Hoover was reported by me on 1/31/2017 and that I, Bernadette M. Black, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

*Bernadette M. Black*

Bernadette M. Black,  
Court Reporter

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