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DISCUSSION AMONG PARTIES 3 - 68
P R O C E E D I N G S

PRESIDENT HOOVER:
I call the meeting of the Pennsylvania
Game Commission, March 28th to order.
Pledge of Allegiance, please.
---
(WHEREUPON, THE PLEDGE OF ALLEGIANCE WAS RECITED.)
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PRESIDENT HOOVER:
Mr. Secretary, call the roll.

MR. DALEY:

PRESIDENT HOOVER Hoover?

PRESIDENT HOOVER:

Present.

MR. DALEY:

Vice PRESIDENT HOOVER Layton?

MR. LAYTON:

Present.

MR. DALEY:

Secretary Daley?

Here.

Commissioner Putnam?

MR. PUTNAM:

Present.
MR. DALEY:
Commissioner Schlemmer?

MR. SCHLEMMER:
Present.

MR. DALEY:
Commissioner Fox?

MR. FOX:
Present.

PRESIDENT HOOVER:
Turn your mic on.
I need a motion to approve the minutes of the Commission Meeting held on January 31st, 2017.

MR. LAYTON:
So moved.

MR. FOX:
Second.

PRESIDENT HOOVER:
We have a motion and second. Mr. Secretary call the vote.

MR. DALEY:
All in favor, say aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed?

No.

The motion passes.

ATTORNEY BECHTEL:

The first item to come before the Commission this morning is from the Bureau of Wildlife Management. It concerns adopted rulemaking to Act 58, PA Code Sections 147.315 to 147.318 (relating to purpose, applications, permits and violations) to define and implement the Pheasant Hunting Permit Program in this Commonwealth and provide the issuance of Hunting Permits authorizing eligible individuals to hunt pheasants during any applicable pheasant hunting seasons.

The text of these changes is found on page three of your agenda.

PRESIDENT HOOVER:
Can I get a motion?

MR. PUTNAM:
So moved.

PRESIDENT HOOVER:
Second?

MR. FOX:
Second.

PRESIDENT HOOVER:
Any discussion?

Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, say aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.

The motion passes.

ATTORNEY BECHTEL:
The next item is the amendment of 58 PA Code Section 141.28 (relating to wild pheasant recovery areas) to reduce the size of the Central Susquehanna WPRA, open the Central Susquehanna WPRA to limited youth pheasant hunting opportunities authorized by Executive Order, eliminate all small game hunting restrictions within WPRAs and shorten the dog training restricted period within WPRAs.

The text of this is shown on pages five through six of your agenda.

PRESIDENT HOOVER:
Could I have a motion?

MR. LAYTON:
So moved.

PRESIDENT HOOVER:
Second?

MR. FOX:
Second.

PRESIDENT HOOVER:
Any discussion?

MR. LAYTON:
Yeah.

PRESIDENT HOOVER, I'd like to make an amendment. Trying to find where it is.

The description of the first WPRA should read beginning in the Southwestern extent of the WPRA at the intersection of 80 and intersection 180 proceed North on the interstate. Instead of 80, it should read 180, for approximately 7.2 miles.

I'd like to make that a motion to amend.

PRESIDENT HOOVER:
We have a motion to amend.
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
All in favor?
---
(WHEREUPON, AYES RESPOND.)

---

PRESIDENT HOOVER:
Anyone opposed?
Mr. Secretary, call a vote on the amended Chapter 141.

MR. DALEY:
All those in favor of the amendment, say aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
All opposed?
ATTORNEY BECHTEL:
The next item before the Commission concerns the amendment of 58 PA Code Section 139.17 related to wildlife management units to expand WMU 2E southward into WMU 2C to realign the southwest boundary line of 2E from Route 422 to Route 22.
The text of these changes is shown on pages eight through ten of your agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. LAYTON:
So moved.

PRESIDENT HOOVER:

Do I have a second?

MR. FOX:

Second.

PRESIDENT HOOVER:

Any discussion?

MR. LAYTON:

Just quickly if I may?

Again, this is something that has been requested by the region for some time. It does a couple things. It puts the area that’s being taken out of 2C into a more common habitat with 2E.

And the second thing it does is the Northern Boundary --- the whole Northern Boundary of 422 never intersected with 22 to really end the boundary. So there was that gap there that was always problematic.

So this just does a couple things to make that whole WMU --- those two WMUs more efficient.

PRESIDENT HOOVER:

Thank you.

Any other discussion?

Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

(WHEREUPON, AYES RESPOND.)

MR. DALEY:
All opposed, no.
The motion carries.

ATTORNEY BECHTEL:
The next item is on page 11 of your agenda. It's the amendment of 58 PA Code Section 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2017 through 2018 hunting/trapping license year.

The text of this amendment is shown on pages 12 through 19 of your Agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. LAYTON:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.
PRESIDENT HOOVER:
Any discussion?
Hearing no discussion ---.

MR. PUTNAM:

PRESIDENT HOOVER, usually we discuss this page-by-page and go through this.
I do have an amendment I'd like to propose for page 13, under Bobwhite Quail. Change the first day to October 14th. The last day to February 28th, 2018. The daily limit of eight. And a field possession limit to 16.

This is in response to comments that we received yesterday suggesting that the Bobwhite Quail could be hunted on a put and take basis by hunters buying and stocking these birds individually.

We reviewed it. We didn’t see any real significant drawbacks to it. And when we received the comment, less than 24 hours later we were putting it in the regulations.

MR. LAYTON:

PRESIDENT HOOVER, Commissioner Putnam, if I could get --- if I could just add, the field limits have traditionally been three days. And you're making this one two?

MR. PUTNAM:
That’s negative.

MR. LAYTON:
Okay.

MR. PUTNAM:
That was a mistake.

MR. LAYTON:
All right.

MR. PUTNAM:
Twenty-four (24).

PRESIDENT HOOVER:
We have an amendment. I need a second?

MR. FOX:
Second.

MR. DALEY:
All those in favor, aye?

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, no?
That motion carries.

PRESIDENT HOOVER:
I want to call a vote on the amended
seasons and bag limits.

Mr. Secretary, call the vote.
MR. DALEY:
All those in favor, say aye.

(WHEREUPON, AYES RESPOND.)

MR. DALEY:
Anyone opposed, no.

PRESIDENT HOOVER:
That motion carried.

ATTORNEY BECHTEL:
The next item is on page 20 of your agenda. It’s the amendment of 58 PA Code Section 147.673 (related to eligibility and application for DMAP) to allow the Commission to accept DMAP applications from political subdivisions and government agencies to enable them to manage deer harvest within a conglomerate of distinct, privately-owned and public game lands under their jurisdiction.

The text of this amendment is shown on page 21 of your agenda.

PRESIDENT HOOVER:
May I have a motion?

MR. PUTNAM:
So moved.
PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
We have a motion and a second.
Any discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, say aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, no.
The motion carries.

ATTORNEY BECHTEL:
The next item is also from the Bureau of Wildlife Protection. It concerns proposed rulemaking to amend 58 PA Code Sections 135.103, 135.104 and 143.42. In order to efficiently use the Commonwealth's resources, at the beginning of 2017, the Commission will no longer provide hard copies of the entire Hunting and Trapping Digest to all licensed
buyers free of charge. Rather, the Commission will provide it an abbreviated version for seasons and bag limits and directing license buyers to the website that’s marked on the application to read the entire version of the digest.

This cost saving measure is made necessary by the fact the Commission has not had a license increase since 1999. As a consequence of moving away from paper digests, the Commission has identified regulatory text that will need to be updated to provide for alternative registration and the license application processes.

To this end, the Commission is proposing to amend Sections 135.103 and 143.42 (related to registration for controlled goose hunting areas) and definitions to require that registration for controlled goose hunting areas and antlerless licenses be submitted on a form and in a manner designated by the Commission.

These amendments will allow the Commission and public greater access to electronic sources and methods of application.

The Commission is also proposing to amend Sections 135.103 and 135.104 relating to Registration for Controlled Goose Hunting areas and
restrictions on Controlled Goose Hunting areas to 
update the parameters for establishing and managing 
the controlled hunting in Wildlife Management areas. 

These updates allow for greater 
flexibility, consistency and clarity with regulations. 
The text of these changes is shown on pages 22 through 
24 of your agenda.

PRESIDENT HOOVER: 
Do I have a motion?

MR. LAYTON: 
So moved.

PRESIDENT HOOVER: 
Do I have a second?

MR. FOX: 
Second.

PRESIDENT HOOVER: 
I have a motion and a second. 
Do I have any discussion? 
Hearing none, Mr. Secretary, call the 
vote.

MR. DALEY: 
All in favor, indicate by saying aye. 
---

(WHEREUPON, AYES RESPOND.)

---
MR. DALEY:
Anyone opposed, no. Carries.
ATTORNEY BECHTEL:
The next item is to amend 58 PA Code Section 141.15. In relevant part, the Act of November 21st, 2016, amended Sections 2308 of the Act relating to Unlawful Devices and Methods to eliminate the Commonwealth's historic prohibition against the use of air guns for hunting.

On January 31st, 2017, the Commission proposed to amend Sections 131.2, 141.22 and 141.67 to authorize the use of air guns for designated species of wildlife in hunting seasons.

With the proposed approval of air gun use, the Commission has identified a need to highlight the applicability of Section 2503 of the Act (relating to loaded firearms in vehicles) and this section's longstanding prohibition against loaded firearms in, on, or against motor vehicles, to these new devices.

The Commission is proposing to amend Section 141.15 to clarify that any air gun with a pellet or bullet ammunition in either the chamber or magazine will be considered loaded for the purposes of Section 2503 of the Act.

The text of this change is shown on page
25 of your agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. PUTNAM:
Motion.

PRESIDENT HOOVER:
Do I have a second?

MR. LAYTON:
Second.

PRESIDENT HOOVER:
Any discussion?

Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Any opposed, say no. Carries.

ATTORNEY BECHTEL:
The next item is on page 26 of your agenda to remove 58 PA Code Section 147.687.

On March 31st, 2010, the Commission's
three-year evaluation of the effectiveness of a broad scale and widely accessible authorization permitting the baiting of whitetail deer across the southeast special regulations area expired.

The Commission's final review of the baiting operation generally completed the broad scale and widely accessible baiting did not establish viable increases in harvest rates to justify and extension of the experimental program.

On February 1st, 2011, the Commission amended Sections 147.552 and 147.556 (relating to application, lawful devices and methods) to create a focused limited authorization permitting the baiting of whitetail deer in Wildlife Management Units, WMUs, 5C and 5D on approved properties enrolled in the Red Tag Program.

On April 8th, 2014, the Commission amended Section 141.1 and added Sections 147.681 through 147.687 to create and implement a deer attractant permit to authorize focused and limited baiting activities on private property in the southeast special regulations area.

As per the text of Section 147.687 (relating to sunset clause) the Deer Attractant Permit Program regulatory authorization is set to expire on
June 30th, 2017.

The Commission is proposing to remove Section 147.687 to establish the continued effectiveness of the Deer Attractant Permit Program. This text is shown on page 26 of your agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. FOX:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. LAYTON:
Second.

PRESIDENT HOOVER:
Any discussion?

Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---
(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, signify by saying no.

Carries.

ATTORNEY BECHTEL:

The next item is to amend 58 PA Code Sections 147.106a and 147.111b.

The United States Fish and Wildlife Service has the authority to grant states within the Atlantic Flyway the ability to permit certain qualified Falconers the opportunity to take passage Arctic Peregrine Falcons, Falco peregrinus tundrius, for falconry purposes.

Various states within the Atlantic Flyway including Pennsylvania participate in the limited allowable take of passage Arctic Peregrine Falcons.

The Commission expects the U.S. Fish and Wildlife Service to issue a moderate increase to the Commonwealth's annual application of Arctic Peregrine Falcon take authorization.

The Commission has determined that an increase in the take allowances justifies expansion of this program's eligibility class to include a greater range of eligible participants.

The Commission is proposing to amend Sections 147.106b and 147.111b (relating to Non-
Resident Falconers; and Arctic Peregrine Falcon limited take special permit) to authorize the limited take of Arctic Peregrine Falcons (Falco peregrinus tundrius) within this Commonwealth by general class and non-resident falconry permit holders.

The text of these changes is shown on pages 27 through 28 of your agenda.

PRESIDENT HOOVER:
Do we have a motion?

MR. SCHLEMMER:
Motion.

PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
We have a motion and a second. Any discussion?

Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)
MR. DALEY:
Anyone opposed, say no. Passes.

ATTORNEY BECHTEL:
The next item concerns adopted rulemaking amendment to 58 PA Code Section 141.4 relating to hunting hours to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting in the 2017 through 2018 Hunting and Trapping License Year.

This text is shown on pages 30 through 32 of your agenda.

PRESIDENT HOOVER:
May I have a motion?

MR. LAYTON:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
We have a motion and a second.

Any discussion?

Hearing none, Mr. Secretary, call the
vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
All opposed, no. That carries.

ATTORNEY BECHTEL:
The next item is to amend 58 PA Code Section 135.181 (relating to rifle and handgun ranges) to address various substantive and housekeeping concerns within the state game lands firearms range usage requirements.

The text is shown on page 34 and 35 of your agenda.

PRESIDENT HOOVER:
Do we have a motion?

MR. LAYTON:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. PUTMAM:
Second.
PRESIDENT HOOVER:
We have motion and a second.
Any discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
All opposed, no. Carries.

ATTORNEY BECHTEL:
The next item is to amend 58 PA Code Sections 147.552 and 147.553 (relating to application; permit) to replace the dawn to dusk terminology in reference to legal hunting hours as set forth in Section 141.4, Appendix G and to eliminate the requirements that an applicant be enrolled in one of the Commission's public access programs for two years in order to be eligible for the Red Tag Permit.
The text of this is shown on page 37 of your agenda.

PRESIDENT HOOVER:
Do we have a motion?

MR. PUTNAM: Motion.

PRESIDENT HOOVER: Do I have a second?

MR. SCHLEMMER: Second.

PRESIDENT HOOVER: Any discussions or comments?

MR. LAYTON: Mr. PRESIDENT HOOVER.

PRESIDENT HOOVER: Yes.

MR. LAYTON: I would like to make an amendment to the text in paragraph B so that it reads except in Wildlife Management Units 5C and 5B, applications will only be accepted from persons who are currently enrolled in one of the Commission's Public Access Programs; Farm Game Project or Safety Zone P.1-2-3. I'd like to make that in the form of a motion, please.

PRESIDENT HOOVER: I have a motion.

Do I have a second?
MR. SCHLEMMER:
Second.

PRESIDENT HOOVER:
Any discussion on the motion --- on the amendment?
Hearing none, Mr. Secretary, call the amendment.

MR. DALEY:
All those in favor, signify by saying aye.

(WHEREUPON, AYES RESPOND.)

MR. DALEY:
Any opposed, say no.

PRESIDENT HOOVER:
We have a motion and a second on the original and the amended version.
Do we have any more future discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.
(WHEREUPON, AYES RESPOND.)

---

MR. DAELY:
Anyone opposed, say no.

ATTORNEY BECHTEL:
The next item concerns the amendment of
58 PA Code Sections 131.2, 141.22, 141.43, 141.44,
141.45, 141.47 and 141.67, (relating to definitions,
small game seasons deer, bear, turkey, elk and
furbearer seasons) to authorize the use of air guns
and semi-automatic rifles for designated species of
wildlife and hunting seasons and also to expand
muzzleloader hunting opportunities to include breech-
loading, black powder firearms for designated species
of wildlife and hunting seasons and aperture sights
for flintlock muzzleloading deer season.

The text of these changes is shown on
pages 39 through 50 of your agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. LAYTON:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. PUTNAM:
Second.

PRESIDENT HOOVER:

Any discussion?

I have some discussion.

When we originally came out with this, we decided to go slowly to figure out exactly what the hunters wanted. And when legislation passed giving us our opportunity to act, we went to the Staff and asked the Staff to write full blown regulations to allow them to use semi-automatics in all of our seasons, including small game, varmint and big game.

We listened to the public. We received thousands of e-mails and telephone calls. We've done surveys. We listened to the outdoor writers. And in doing so, I'm offering an amendment to the code to allow semi-automatics --- to not allow semi-automatic rifles for big game including deer, bear and turkey.

So we would like to make an amendment to remove semi-automatics from the preliminary provisions of the statute.

MR. DALEY:

PRESIDENT HOOVER, would that also include elk?

PRESIDENT HOOVER:

That would include elk as well.
I need a second.

MR. LAYTON:
I'll second it.

PRESIDENT HOOVER:
Any discussion on the amendment?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

(WHEREUPON, AYES RESPOND.)

MR. DALEY:
Anyone opposed, no.

PRESIDENT HOOVER:
We have a motion and a second on the original and the amended version. Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

(WHEREUPON, AYES RESPOND.)
MR. DALEY:
Any opposed, say no.

MR. PUTNAM:
No. Sorry.

ATTORNEY BECHTEL:
The next item before the Commission is to amend 58 PA Code Section 135.106 (relating to Pymatuning Wildlife Management Area) to establish new parameters for establishing and managing the Pymatuning Wildlife Management Area controlled deer hunt.

The text of these changes is shown on pages 52 through 54 of your agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. DALEY:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. SCHLEMMER:
Second.

PRESIDENT HOOVER:
Any discussion?

Hearing none, Mr. Secretary, call the vote.
MR. DALEY:

All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:

Anyone opposed, say no. Carries.

ATTORNEY BECHTEL:

The next item is on page 55 of your Agenda. It's to add 58 PA Code Section 137.35 (relating to chronic wasting disease restrictions) to give more permanent status and structure to the requirements and restrictions previously established and maintained by Executive Order during the past decade.

The changes are shown on pages 56 through 58 of your agenda.

PRESIDENT HOOVER:

Do we have a motion?

MR. LAYTON:

So moved.

PRESIDENT HOOVER:

Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
Any discussion?

MR. LAYTON:
I do.
If you could just answer one question?
So we're taking the Executive Order and we're making it a regulation? Does our Executive Director still have authority to make directives moving forward in situations where we need to act?

ATTORNEY BECHTEL:
Absolutely.

MR. LAYTON:
Okay.

ATTORNEY BECHTEL:
He can still create Executive Orders as well.

MR. LAYTON:
Very good.

PRESIDENT HOOVER:
Any other discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying
aye.  
---  
(WHEREUPON, AYES RESPOND.)  
---  
MR. DALEY:  
Anyone opposed, say no. Carries  
ATTORNEY BECHTEL:  
The next item appears on page 60 of your Agenda. It’s the amendment of 58 PA Code Section 135.41 (relating to State Game Lands) would prohibit a person from engaging in any dog training activity from the Monday prior to the start of the youth pheasant season until the opening of the regular pheasant season on lands designated as state game lands.
The text of this amendment is shown on page 60 of your agenda.
PRESIDENT HOOVER:  
Do I have a motion?  
MR. PUTNAM:  
Motion.  
PRESIDENT HOOVER:  
Do I have a second?  
MR. LAYTON:  
Second.  
PRESIDENT HOOVER:
Any discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All in those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
All opposed, no.
The motion carries.

ATTORNEY BECHTEL:
Moving to page 61 of your agenda, there is an amendment to 58 PA Code Section 139.6 relating to field possession and transportation limits, to increase the daily possession limit following the second day of the season from double to triple the daily limit.

The text is shown on page 62 of your agenda.

PRESIDENT HOOVER:
Do we have a motion?

MR. LAYTON:
So moved.
PRESIDENT HOOVER:
Do I have a second?

MR. PUTNAM:
Second.

PRESIDENT HOOVER:
Any discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---
(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no. Carries.

ATTORNEY BECHTEL:
For clarity, page 63 is a blank page.
So the next item would come from the Bureau of Wildlife Habitat Management on page 64 of your agenda concerning real estate donations, Contract Number L-3708, State Game Land Number 307, Lackawanna County. George and Ann Brojack are offering to donate five more or less acres of land in Archbald Borough and Carbondale Township, Lackawanna County, which is an
indenture into State Game Land Number 307 as shown on Exhibit RED 1 on page 65 of your agenda.

The habitat is a dry oak-heath forest.

Acquiring the tract will straighten the existing boundary line and reduce future boundary line maintenance. Access is from existing State Game Land Number 307.

PRESIDENT HOOVER:
Do I have a motion?

MR. SCHLEMMER:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
Any questions or comments?

Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.

Carries.

ATTORNEY BECHTEL:

The next item is on page 66 of your Agenda. Its concerns an exchange, Contract Number L-3709, State Game Land Number 117 in Washington County.

Smith Township is offering 3.5 more or less acres of land located in Smith Township, Washington County adjacent to State Game Land Number 117 in exchange for a right-of-way agreement authorizing Smith Township to expand their existing 33-foot right of way for Harmon Creek Road, T-310, by a total of 0.14 acres from that State Game Land Number 117 as shown on Exhibit RED 2 on page 67 of your agenda.

The right-of-way agreement will allow the township to widen and stabilize the road and improve its curvature and improve stormwater conveyance under the road. The 3.5 more or less acres being offered is currently part of a larger tract owned by De Terra, LLC.

This larger tract will be subdivided in order to facilitate conveyance of the 3.5 more or less acres from De Terra to the Commission. The habitat is primarily a young hardwood forest with a small
reverting old field interspersed with conifers. Access will be from existing State Game Land Number 117.

PRESIDENT HOOVER:
Do I have a motion?

MR. PUTNAM:
Motion.

PRESIDENT HOOVER:
Do I have a second?

MR. SCHLEMMER:
Second.

PRESIDENT HOOVER:
Any discussion?

MR. DALEY:
I do.

PRESIDENT HOOVER:
Okay.

MR. DALEY:
First of all, when I look at this USGS map and I look where the 3.5 acres is to be added, you can see that that’s old mines, mined areas.

Is that --- is it in good shape? Is it stable? I mean, do we want that land or will there be issues there?

MR. Sussenbach:
According to Staff, it’s a good acquisition. It makes sense in this case. You know, they reserve oil, gas, mineral rights obviously. If you look at where it's located in the heart of Washington County, but the site itself right now is in acceptable condition.

MR. DALEY:
Thank you.

PRESIDENT HOOVER:
Any other discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

(WHEREUPON, AYES RESPOND.)

MR. DALEY:
Anyone opposed, say no.
Carries.

ATTORNEY BECHTEL:
The next item concerns Contract Number L-3710, State Game Land Numbers 34 and 100, Elk and Cameron Counties.
New Line Networks, LLC is offering a total of 798 more or less acres of land comprised of two tracts located in Burnside Township, Centre County adjacent to State Game Land Number 100 as shown on Exhibit RED 3 on page 69 of your agenda in exchange for a license for right-of-way to New Line Networks authorizing construction, operation, maintenance and removal of a 435 self-supporting lattice tower and appurtenant equipment on State Game Land Number 34 in Benezette Township, Elk County.

New Line Networks has agreed to cause to convey this land to the Commission in addition to paying the Commission's standard habitat and surface damages as well as paying an annual license fee beginning in 2019 that is in excess of the Commission's standard tower license fees and includes a three percent annual inflation provision beginning in 2020 and continuing so as long as the license remains active.

New Line Networks has also agreed to allow the Commission or an agent designated by the Commission to co-locate on the tower and within the fenced tower site should the Commission determine that the site will enhance our radio system or otherwise benefit the Commission.
The license will authorize a chain link fenced tower site of up to 0.52 acres in size containing an equipment cabinet, an emergency generator, a propane tank, a utility meter rack and a solar panel array.

In addition, 4,553 more or less feet of underground electric service line will be authorized to serve the site, along with the use of 4,539 more or less feet of existing Commission roads as shown in Exhibit RED 4 on page 70 of your agenda.

Should the underground electric service line be installed, the solar panel array will be removed and the tower site will be reduced to 0.34 acre in size.

The tracts offered by New Line Networks includes 748 acres known as the Meeker Tract and 50 acres known as the Larson Tract. The Meeker Tract includes over a mile of frontage along the West Branch Susquehanna River as well as frontage along Redlick Run, and both tracts encompass all or portions of unnamed tributaries to the West Branch Susquehanna River, Redlick Run and Laurel Run.

The habitat is a mix of mature and regenerating oak forest, herbaceous openings and pine plantations from past mining and reclamation and/or
conventional oil/gas well development with a few reverting old fields.

Access is available by way of an existing State Game Land road near Pine Glen off of the SR-879, as well as three road right-of-ways northwest of Pine Glen that are also accessed by SR-879.

Both tracts will serve to increase the Commission's ability to manage habitat to benefit the growing elk herd in this area of Centre County and will further increase access opportunities for sportsmen along the West Branch Susquehanna River.

PRESIDENT HOOVER:
Do I have a motion?

MR. PUTNAM:
Motion.

PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
Any discussion?

MR. LAYTON:
Mr. Sussenbach, can you just in kind of in plain language tell us what's going on here? What
the benefit is? What are expenses that we need to
look at moving forward if there are any?

Mr. SUSSENBACH:

Right.

So this is a pretty unique situation,
you know, a company comes to us and says this is the
location that we really need to be at. We decide to
go out there, start some negotiating with them, and we
really have some extremely fair market rates that we
are assessing them for the actual right-of-way
licensing.

Then some of my staff as well as
regional staff reach out to them. They start to
discuss some of the impacts to the game lands. And
through negotiations there --- again, with us giving
up very, very little in the short term, we discussed
this property as well as some potential for some
additional acreage.

Once you start to change the complexion
of the discussion to wildlife and wildlife habitat
versus pure revenue, it seems like people are more
willing to work with you. And in this case, that’s
exactly the situation here.

So short term, you know, costs are
giving up that we’ve done for a very small period of
time is outlined here for just about a year and a half
to two years versus long-term gain, both on the
revenue side being fair and equitable with three
percent increase for inflation as well as habitat, you
know, our standard damages, and above and beyond that
having this much acreage that is available for us now
and into the future.

And we all know that the elk herd in
this area has really grown. This will further enhance
our ability to manage the elk herd on the southern
portion of the range.

MR. LAYTON:
Thank you.

MR. PUTNAM:
Mr. PRESIDENT HOOVER, we have a couple
questions over here.

PRESIDENT HOOVER:
Yeah.

MR. PUTNAM:
You can't see us.

I want to congratulate you on this. The
Game Commission does not give up land easily and we
have several examples here. And when the Game
Commission does make a trade or a deal, they're
fantastic throughout the history of the agency.
And I don’t think we’re able to appreciate how much work and how many man hours has been put on this evaluation of the tract. You've been doing this for a long time. We looked at, we wanted to buy it, we were supposed to buy it, but didn’t have the money. And we found another way to do it.

I just have to give the staff all the credit that this goes above and beyond what you're going to find in any other Agency. You won't find DCNR bringing deals like this before the table because our staff worked so hard for the resource. And it's something that we just --- we're very lucky to have you here.

And I don’t think you'll find any other state agencies that have the staff that will go out and go the extra mile and put these kinds of things together. And if you think outside the box a little bit, I really --- my hat’s off to you guys.

MR. SUSSENBACH:

All right.

I agree, and I'll give credit to Dennis Snyder, Nick Haven, Barry Zaffuto and his team, what an exemplary picture of, you know, the perfect situation and getting the job done. They did an outstanding job.
MR. DALEY:

Mr. Sussenbach, I guess the question I have here is, you know, you have 798 acres, and some of it's actually got frontage on the West Branch, which is a nice added bonus.

Of course, in my mind I'm trying to picture a 400 foot tower. And then what else does it entail? Generators, guide wires, what is there? And how much of a safety zone or whatever is in the back of the forest? I'm sure there's a huge offset here, but just so I understand the picture.

MR. SUSSENBACH:

Yeah.

The impacts are just as it's outlined here. That chain link fenced area. It will be a freestanding tower. Approximately half an acre total impact to ---.

MR. DALEY:

Safety zone as well?

MR. SUSSENBACH:

There is no safety zone.

MR. DALEY:

Okay.

MR. SUSSENBACH:

So it will never have human habituation.
There won't be people living on site like we see on some of the larger well sites and things like that for a period of time.

MR. DALEY:
Fair enough. Thank you.

PRESIDENT HOOVER:
We have a motion and a second. Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.
Carries.

ATTORNEY BECHTEL:
The next item is regarding the legal settlement with the Beachey Settlement, Contract Number L-3711, State Game Land Number 55 in Columbia County.

A survey has been conducted on property adjoining State Game Land Number 55 in Columbia County, which has revealed a disagreement with respect
to the boundary line as maintained by the Commission. The Commission has investigated and determined there is a basis for an ongoing dispute, which cannot be resolved by survey information alone. In an attempt to avoid court costs and litigation, the Commission and the new owners of adjoining tract, Levi M. and Linda A. Beachey, husband and wife, and Perry M. Beachey, a married person, entered into negotiations.

As a result of the negotiations, Levi M. Beachey, Linda A. Beachey and Perry M. Beachey have agreed to transfer their interest in the whole of the parcel, which includes any interest in a disputed acreage, to the Commission in return for $66,500. The settlement will both protect the integrity and add acreage to State Game Land Number 55.

Staff has reviewed this proposal, finds it advantageous for the Commission and recommends the Commission approve the acquisition of the deed which would settle this dispute. A map outlining the proposed settlement is attached as Exhibit RED 5 shown on page 72 of your agenda.

PRESIDENT HOOVER:
Do I have a motion?

MR. DALEY:
So moved.

PRESIDENT HOOVER:
Do I have a second?

MR. LAYTON:
Second.

PRESIDENT HOOVER:
I have a motion and a second.

Any discussion?

Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.

Carries.

ATTORNEY BECHTEL:
The next item concerns the Bureau of Wildlife and Habitat Management. It's a Commercial Property Lease, Pennsylvania Game Commission Building in Brady Township, Huntingdon County.

Ken and Christa Boone, Huntingdon of
Alabaster House are offering to lease certain space within a Commission owned building located at 12045 Technology Drive, Mill Creek, Brady Township, Huntingdon County. The building was purchased by the Commission in 2014 with the anticipation of being renovated and becoming a replacement for the existing Southcentral Regional Office located at 8627 William Penn Highway in Huntingdon.

Unfortunately, due to budget cuts and fiscal constraints, the Commission was unable to renovate the building as initially proposed. Approximately 6,750 square feet within the building will be leased for the term of one year beginning on June 1, 2017 and ending on June 1, 2018 for the purpose of church services and religious activities.

Equal monthly installments of $1,000 shall be payable to the Commission on the first day of each month. The Boones will pay all charges for electric, heat, water, sewer, telephone, refuse, mowing and snow removal.

Upon expiration of the term of the lease, it shall automatically renew on a month-to-month basis upon the same terms and conditions as set forth, unless either party shall have given the other party a 30-day prior written notice of intent to
terminate the lease.

PRESIDENT HOOVER:
Do I have a motion?

MR. SCHLEMMER:
Motion.

PRESIDENT HOOVER:
Do I have a second?

MR. FOX:
Second.

PRESIDENT HOOVER:
Any discussions?

MR. SUSSENBACH:

PRESIDENT HOOVER, if I may add?

Yeah. This is a unique situation here. We've got a structure, building out there that's been uninhabited by anybody in years at this point. This is a perfect situation for us to get somebody in there, keep the heat running, the water, make sure that we're not having additional issues.

They've got an opportunity to enhance the heating and cooling system in there based in a portion of the building and make it functional. And we all know what it's like to have buildings sit vacant over a period of time. Just begins and continues to deteriorate at an ever alarming rate.
And that’s what we’re concerned about happening down there.

Hoping in the future we’ll have financial resources to do something either on this site or some additional site, whether it be here or somewhere else, but for now we need to keep this --- or we’re looking to keep this as a viable option to move our regional staff to it at some point in the future.

PRESIDENT HOOVER:

Thank you.

We have a motion and a second.

Mr. Secretary, please call the vote.

MR. DALEY:

All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:

Anyone opposed, say no.

Carries.

PRESIDENT HOOVER:

We’ll move to Elk allocations. And we’ll describe the Elk allocations and then I’ll ask
for any --- for a motion.

Elk Zone 2, 2017, antlered three, antlerless 22, total 25. Zone three, antlered two, antlerless four, total six.

Zone 4, antlered two, antlerless four, total six. Five, antlered three, antlerless nine, total 12. Six, two, six, total eight.

None in elk zone seven. Elk Zone 8 will be 2, 11, 13. Elk Zone 9 will be two, seven, and nine total. Ten will be three, nine, 12 total.

Elk Zone 11 will be two, two, with four total. Elk Zone 12 will be 2, 15, 17 total. And Elk Zone 13 will be two, six, and eight total. For a total of 25 antlered, 95 antlerless and 120 total.

Do I have a motion?

MR. LAYTON:

So moved.

PRESIDENT HOOVER:

Do I have a second?

MR. SCHLEMMER:

Second.

PRESIDENT HOOVER:

Any discussion?

MR. PUTNAM:

Mr. PRESIDENT HOOVER?
PRESIDENT HOOVER:
Yes, sir.

MR. PUTNAM:
I'd like to make amendment to Elk Hunt Zone 5, changing the number of antlerless permits from nine to seven.

PRESIDENT HOOVER:
We have a motion. Do I have a second?

MR. SCHLEMMER:
Second.

PRESIDENT HOOVER:
Mr. Secretary, would you call the ---

MR. PUTNAM:
Any discussion on this?

PRESIDENT HOOVER:
Any discussion?

MR. PUTNAM:
This meeting is normally held in April. The Commission has moved the meeting up. That put a significant effort --- strain on our staff, especially the Deer Team getting the deer numbers together and the elk numbers together.

We didn’t have the normal time that we would have to discuss some of these things. There's a
concern at Elk Hunt Zone 5 regarding the --- there had been a longstanding concern with the residents of that Elk Hunt Zone.

We had too many elk there. They were habituated down in the farming --- in the town. And so we addressed it. We addressed it a number of different ways. And the most effective way has been through hunting.

However, we're getting down to the bottom of the barrel in Elk Hunt Zone 5, which concerns the hunters are going to have a difficult time getting that last elk out of there. And so we don’t want to present a situation where the hunters are going to have an unsatisfactory hunt.

I'm going to ask Director Zaffuto to add to that.

MR. ZAFFUTO:

Your summation was pretty spot on. We received in the region the requested allocation just this week --- late this week. And we kind of take --- the region does the complaints and the problems and the social aspect of wildlife and the research unit pretty much does the biological study.

But we normally hash this out then. We just didn’t have the time. The numbers came in, we
were working the 11th hour on Friday.

Based on --- this was the Elk Zone that was a seven last year. They had an extremely hard time --- hunters did, finding animals. These animals are really wild now in that zone, the ones that are remaining. We've solved a major problem. Nobody will --- I would be the first one up here --- I was the first one up here saying we need to get more elk killed in that zone.

Concerning hunter satisfaction, which is a big thing, you get an elk tag drawn, that's a huge event. We only had 30 --- I believe it was 38 percent success after the first week of hunting on that zone. So we had to extend it. We reduced the herd in that area.

So we normally would hash that out with Wildlife Management, but we didn’t really have a lot of time --- we didn’t have time to be honest. So I peeled through e-mail over the weekend and that’s what Commissioner Putnam was responding to.

We also --- what's not known yet is we have three elk that are under investigation right now that were removed from that zone after the hunting season. All three of them --- one cow and two bulls. So those concerns are also there.
That’s less elk to draw upon in that area. And I can't really speak much more because they're under investigation. All three of them are being investigated.

So based on those I thought the social end of it is I would rather err on the side of caution. And if we need to step on the gas again in the future, we can. But to err on the side of caution is the way we've been routed.

PRESIDENT HOOVER:
Thank you.
Any other questions?
Hearing none, we have an amendment. Mr. Secretary, would you call the vote on the amendment?

MR. DALEY:
All those in favor, signify by saying aye.

---
(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.
That carries.

PRESIDENT HOOVER:
We have a motion and second on the bag
limits --- the amended bag limits.

Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

---

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.
Carries.

PRESIDENT HOOVER:
And we're going to Antlerless Allocation. I will call the WMU.
Will the Commissioner in charge of the WMU please read out the allocations? 1A?

MR. DALEY:
For 1A, I'm suggesting 52,000, which is an increase from last year's, somewhat less than what our biologists recommended. If you look at 1A as a unit and our information on it, the population, we wanted it to increase, was almost doubled from 2008. The fawn to doe ratio is just now beginning to drop. We can actually handle some increase there. So that's why I'm recommending that
we increase to the 52,000.

PRESIDENT HOOVER:

1B?

MR. DALEY:

That’s mine as well.

In 1B, last year, we had 29,000. I'm recommending 35,000. This one has also had a significant increase in deer population. We've gone from about 52,000 back in 2008 to 74,000.

Fawn to doe ratio is starting to drop. And with those two things, we do need to increase our allocation. And we are suggesting 35,000.

PRESIDENT HOOVER:

2A?

MR. SCHLEMMER:

2A?

PRESIDENT HOOVER:

2A, right.

MR. SCHLEMMER:

Last year, we were looking at approved 43,000. Biologists have recommended 55. Kicked this around, and listening to constituents from the area, ended up with a proposed allocation in here of 50,000.

Moving on to 2B. It's been rather consistent lately. Hasn’t been stable. And the
recommending by biologists --- we tend to agree with this --- at 60,000. So the allocation would be 60,000.

PRESIDENT HOOVER:

2C?

MR. SCHLEMMER:

2C is a shared, so Jim, do you want to discuss that?

MR. DALEY:

That's me.

I'm recommending 31,000 in 2C.

PRESIDENT HOOVER:

2D?

Bob, do you want to comment on 2D?

MR. SCHLEMMER:

2D. 55,000 is what we're looking at there.

PRESIDENT HOOVER:

Okay.

2E?

MR. LAYTON:

Going to recommend 22,000 in 2E.

PRESIDENT HOOVER:

2F?

MR. DALEY:
2F is again seeing some increase in the herd, a nice increase in the herd. I'm going from 21,000 last year to 22,000 this year.

PRESIDENT HOOVER:
Twenty-two (22) or 20 ---?

MR. DALEY:
Yes, 22,000.

PRESIDENT HOOVER:
2F? 2F was 22 last year. You're going with ---?

MR. DALEY:
24,000.

PRESIDENT HOOVER:
24,000?

MR. DALEY:
Yeah.
That's our biologist's recommendation for there.

PRESIDENT HOOVER:
2G.

MR. PUTNAM:
2G, the elephant. One of the things about our deer management is we're looking at the habitat, which is what we should have been looking at all along, instead of just looking at the total deer
numbers. And we have in our little deer --- the information supplied by the biologist has a map of all the units, which you've seen on the screen here.

And we're showing acceptable and nonacceptable deer impacts. And the unacceptable deer impacts are displayed in red. And so the Commissioners received recommendations from the biologists. And knowing that the biologists are normally conservative and not liking to go too fast, we felt comfortable moving beyond the --- allowing the heard to grow faster maybe than what the biologists would have recommended.

The one event we talked about is not letting those units turn red. Well, 2G has turned red. Even though we still have a few holdouts saying there's not enough deer in 2G, 2G is starting to show unacceptable habitat impact.

We definitely have to address the growth of the herd in 2G. The Staff has recommended 38,000 permits for 2G, which I concur with. However, we do have some concerns about going too fast, even though we're pretty much quicker to go one way or another than the biologists are, but ---.

So the bottom line is I'm going to recommend 25,500 in 2G. Something of a compromise
between what they are recommending and what other people may feel like we need to do. 2G has turned red and we definitely need to watch that. And in future years, those allocation numbers are going to have to come up.

PRESIDENT HOOVER:

2H?

MR. PUTNAM:

2H. My recommendation is 7,000 permits for 2H.

PRESIDENT HOOVER:

3A?

MR. PUTNAM:

3A. Yeah.

Charlie and I share 3A. So, Charlie, you want to ---?

MR. FOX:

3A is one of the best really wild deer in that end. We're recommending 20,000 in 3A.

PRESIDENT HOOVER:

3B?

MR. FOX:

3B. We're recommending 30,000 in 3B.

PRESIDENT HOOVER:

3C?
MR. FOX:

3C. 3C is kind of creeping up. We're holding it at what the recommended number was; 42,000 in 3C.

PRESIDENT HOOVER:

3D?

MR. FOX:

3D, 25,000 3D. That's where it was last year.

PRESIDENT HOOVER:

4A.

MR. LAYTON:

4A is the one that I'm concerned with most. That's the heart of the disease management area. We have consistently been 30,000 allocations across the board for 4A. It's been the recommendation of the biologists. We've accepted that.

I am concerned this year that we're taking the DMAP --- or not the DMAP tags, but the diseased management area tags away. That's reducing the allocation by almost 13,000. However, the biologists are satisfied that with the new program that we're putting into place, that WMU will be okay. If we need to, we can raise that allocation next year. So I'm going to go with the recommendation from the
biologists and go 30,000.

PRESIDENT HOOVER:

4B?
Someone want to take 4B?
We have an allocation of 26,000. That will remain. 4C? Showing an allocation of 25. A biologist recommendation of 34, going to set the application at 29.

4D, we're going to remain at 34 last year with allocation by the biologist for 34.

PRESIDENT HOOVER:

4E? Recommended allocations were 30. It was 25 last year. We're going to go 27,500.

5A? Allocation last year was 19,000. Biologist recommendation was 22. We're going to go to 22.

5B, the allocation was 50 last year. The recommendation is 57. These two units have both gone in the split season. That will go to 57 allocation recommendation.

5C, the recommended allocations were 79. Last years' were 70. We're going to remain at 70.
And 5D, we're going to remain at 30,000, which was last year's allocation. Total 804,000 versus 873,000 recommended.
PRESIDENT HOOVER:
Do I have a motion to accept the allocations?

Do I have a motion?

MR. PUTNAM:
Motion.

PRESIDENT HOOVER:
Do I have a second?

MR. LAYTON:
Second.

PRESIDENT HOOVER:
Any discussion?
Hearing none, Mr. Secretary, call the vote.

MR. DALEY:
All those in favor, signify by saying aye.

(WHEREUPON, AYES RESPOND.)

---

MR. DALEY:
Anyone opposed, say no.
That carries.

PRESIDENT HOOVER:
Do we have any other new business?
MR. LAYTON:

Yeah.

Mr. PRESIDENT HOOVER. If I may, I would like to direct Executive Director Burhans and the staff to look at --- look at and review the regulations currently on the books regarding electronic devices.

We've had a few people come to testify --- not just this last open testimony period, but previously about opportunities to use different types of electronic devices. Again, the regulation has been on the books --- been on the books for an awful long time.

So I think it's time that we just take a look at it, review it, see if there's any way that we can introduce some of these devices as long as, you know, ethics and the resource is kept in mind and just see where we can go.

PRESIDENT HOOVER:

Any other new business?

Hearing none, the meeting is adjourned.

* * * * * * *

HEARING CONCLUDED AT 9:29 A.M.

* * * * * * *
CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before PRESIDENT HOOVER Hoover was reported by me on 3/28/2017 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

Corey Elizabeth Summers