

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION**



**AGENDA  
HARRISBURG, PENNSYLVANIA  
January 29, 2019**

*Bryan Burhans*

Bryan Burhans  
Executive Director

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Commonwealth of Pennsylvania  
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, January 29, 2019, at 2001 Elmerton Ave., Harrisburg, PA 17110 beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Timothy S. Layton, President  
James R. Daley, Vice President  
Stanley I. Knick, Jr., Secretary  
Scott H. Foradora  
Charlie E. Fox  
Dennis R. Fredericks  
Brian H. Hoover  
Michael F. Mitrick

Approval of Minutes of Commission Meeting held September 25, 2018.

## BUREAU OF WILDLIFE MANAGEMENT

### ADOPTED RULE MAKING

A. Amend 58 Pa. Code §§ 133.21 and 133.41.

Commentary:

The Commission has a fiduciary duty to manage our wildlife and their habitat for present and future generations. With this trust comes tough decisions. Enhanced protection through listing of these species is the right decision for Pennsylvania's wildlife and the public we serve. Listing engages the Commission in decisions that help avoid, minimize, or mitigate impacts compounded by the primary causes of decline. The endangered/threatened classification recognizes the inherent value of each surviving member of the species. The Commission is proposing to amend §§ 133.21 and 133.41 to adjust the Commonwealth's threatened and endangered species list for the following species:

Peregrine falcon: Upgrading from 'Endangered' to 'Threatened' reflects steady statewide population recovery as specified in the Board-approved Peregrine Falcon Management Plan. The recovery metrics for upgrading species status to Threatened have been achieved.

Piping plover: Upgrading from 'Extirpated' to 'Endangered' recognizes the return of a breeding bird to Pennsylvania and follows the regulatory process in § 133.4. We are celebrating the return of a native bird species to our state after more than 60 years absence, in which pairs have successfully nested at Presque Isle State Park in 2017 and 2018, with reasonable expectation that they will return in the future. Presque Isle is the only regular location in which this species occurs in PA.

Red knot: Red knot subspecies *rufa* was classified as federally Threatened in 2014, with Pennsylvania listed in the historic migratory range. It was designated a Species of Greatest Conservation Need in the Pennsylvania Wildlife Action Plan because it is a rare migrant (found only at Presque Isle State Park and Conejohela Flats), due to its federally protected status, and because the population is highly vulnerable to further declines (PGC-PFBC 2015). Averting adverse impacts to the species during migration contributes to the range-wide conservation of this species. State listing follows Title 58 in response to federal listing in § 133.4.

Bats: All hibernating bat species are Species of Greatest Conservation Need in the Pennsylvania Wildlife Action Plan due to their catastrophic declines caused by White Nose Syndrome (PGC-PFBC 2015). State listing provides the best tool to protect the remaining maternity sites and hibernacula to thwart further declines and, hopefully, prevent federal listing through the environmental review process. Tri-colored bat was recently petitioned to be protected under the U.S. Endangered Species Act, with a 90-finding of "warranted." The U.S. Fish and Wildlife Service will evaluate all

information as part of the status review process. State listing of the northern long-eared bat follows federal listing in 2016 by regulation. Declines in the little brown bat and tri-colored bat are more severe in Pennsylvania than that of the long-eared bat, and therefore call for state listing. Protection of the few remaining populations of these bats is critical to their potential recovery. State listing triggers protections, through environmental review, and proactive measures to encourage recovery. Only recent occurrence sites will be regulated.

Action:

DRAFT

ANNEX: A  
TITLE 58. RECREATION  
PART III. GAME COMMISSION  
CHAPTER 133. WILDLIFE CLASSIFICATION  
Subchapter B. BIRDS

§ 133.21. Classification of birds.

The following birds are classified:

- (1) *Endangered.*
  - (i) King Rail (*Rallus elegans*)
  - (ii) Short-eared Owl (*Asio flammeus*)
  - (iii) Black Tern (*Chlidonias niger*)
  - (iv) Least Bittern (*Ixobrychus exilis*)
  - (v) Piping Plover (*Charadrius melodus*)
  - (vi) Loggerhead Shrike (*Lanius ludovicianus*)
  - (vii) American Bittern (*Botaurus lentiginosus*)
  - (viii) Great Egret (*Ardea alba*)
  - (ix) Yellow-crowned Night Heron (*Nycticorax violaceus*)
  - (x) Common Tern (*Sterna hirundo*)
  - (xi) Blackpoll Warbler (*Setophaga striata*)
  - (xii) Black-crowned Night-Heron (*Nycticorax nycti-corax*)
  - (xiii) Dickcissel (*Spiza americana*)
  - (xiv) Sedge Wren (*Cistothorus platensis*)
  - (xv) Yellow-bellied Flycatcher (*Empidonax flavi-ventris*)
  - (xvi) Upland Sandpiper (*Batramia longicauda*)

- (2) *Threatened.*
  - (i) Northern Harrier (*Circus cyaneus*)
  - (ii) Long-eared Owl (*Asio otus*)
  - (iii) Peregrine Falcon (*Falco peregrinus anatum*)
  - (iv) Red Knot (*Calidris canutus rufa*)

#### SUBCHAPTER C. MAMMALS

§ 133.41. Classification of mammals.

The following mammals are classified:

- (1) *Endangered.*
  - (i) Indiana Bat (*Myotis sodalis*)
  - (ii) Least Shrew (*Cryptotis parva*)
  - (iii) Northern flying squirrel (*Glaucomys sabrinus macrotis*)
  - (iv) Northern long-eared bat (*Myotis septentrionalis*)
  - (v) Little brown bat (*Myotis lucifungus*)
  - (vi) Tri-colored bat (*Perimyotis subflavus*)
- (2) *Threatened.*
  - (i) Small-footed Myotis (*Myotis leibii*)
  - (ii) Allegheny Woodrat (*Neotoma magister*)
  - (iii) West Virginia Water Shrew (*Sorex palustris punctulatus*)

## PROPOSED RULE MAKING

### B. Amend 58 Pa. Code § 139.4

Commentary:

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2019-2020 license year. The 2019-2020 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

To provide an overall increase in black bear hunting opportunity and harvest, and to better align open seasons with dates when agricultural producers are experiencing bear damage, staff are proposing shifting the archery bear season to mid-October, and expanding the October muzzleloader and special firearms seasons (previously limited to WMUs on the periphery of the bear range) statewide. Also, to increase bear harvest and reduce regulations complexity, the length of extended firearms bear seasons is proposed to increase from 4 to 6 days in several WMUs.

For elk, addition of a September archery season and a January antlerless season are proposed to address hunter crowding issues during the regular season while simultaneously reducing elk habituation toward humans and residential areas, and improving the agency's ability to respond to elk-human conflicts and to potential future CWD infection.

Expansions of bobcat hunting and trapping opportunity to WMU 4B, and of fisher trapping opportunity to WMU 4A, are recommended in light of population indices in these units that are comparable to those in other WMUs where harvest is occurring sustainably. For beaver, an increase in the season bag limit from 20 to 40 is recommended for WMUs 2A and 2B in response to increasing nuisance complaints in these units. For porcupine, a reduction in season length is proposed to ensure population sustainability given significant uncertainty about the impacts of harvest on this species.

No changes are proposed for small game, turkey, or deer seasons.

Action:

**“EXHIBIT A”**

**(SEASONS AND BAG LIMITS TABLE)**

**2019-2020 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,  
FIELD POSSESSION LIMIT AND SEASON LIMIT  
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After Second Day</b>
<i>Squirrel</i> – (Combined species) <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 5	Oct. 19	6	18
<i>Squirrel</i> – (Combined species)	Oct. 19 and Dec. 16 and Dec. 26	Nov. 29 Dec. 24 Feb. 29, 2020	6	18
<i>Ruffed Grouse</i>	Oct. 19 and Dec. 16	Nov. 29 Dec. 24	2	6
<i>Rabbit, Cottontail</i> – <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 5	Oct. 19	4	12
<i>Rabbit, Cottontail</i>	Oct. 19 and Dec. 16 and Dec. 26	Nov. 29 Dec. 24 Feb. 29, 2020	4	12
<i>Ring-necked Pheasant</i> – There is no open season for the taking of pheasants in the Hegins-Gratz or Franklin County wild pheasant recovery areas.				

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After Second Day</b>
<b><i>Ring-necked Pheasant</i></b> <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 12	Oct. 19	2	6
WMUs 4E and 5A – <i>Male only</i>				
WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 5B, 5C, and 5D - <i>Male or female</i>				
Central Susquehanna Wild Pheasant Recovery Area – <i>Male only</i>	As authorized by the Executive Order			
<b><i>Ring-necked Pheasant</i></b>	Oct. 26	Nov. 29	2	6
WMUs 4E and 5A – <i>Male only</i>	Dec. 16	Dec. 24		
WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 5B, 5C, and 5D - <i>Male or female</i>	Dec. 26	Feb. 29, 2020		
<b><i>Bobwhite Quail</i></b>	Oct. 19	Nov. 29	8	24
	Dec. 16	Dec. 24		
	Dec. 26	Feb. 29, 2020		
<b><i>Hare (Snowshoe Rabbits) or Varying Hare</i></b>	Dec. 26	Jan. 1, 2020	1	3
<b><i>Woodchuck (Groundhog)</i></b>	No closed season except during the regular firearms deer season(s). Hunting on Sundays is prohibited.		Unlimited	

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Turkey, Fall - Male or Female</i>			1	1
WMU 2B (Shotgun, Bow & Arrow only)	Nov. 2 and Nov. 28	Nov. 22 and Nov. 29		
WMU 1B	Nov. 2	Nov. 9		
WMUs 1A, 2A, 4A and 4B	Nov. 2 and Nov. 28	Nov. 9 and Nov. 29		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4C, 4D and 4E	Nov. 2 and Nov. 28	Nov. 16 and Nov. 29		
WMU 2C	Nov. 2 and Nov. 28	Nov. 22 and Nov. 29		
WMU 5A	Nov. 7	Nov. 9		
WMU 5B	Nov. 5	Nov. 7		
WMUs 5C and 5D	Closed to fall turkey hunting			
<i>Turkey, Spring</i> <sup>1</sup> <i>Bearded Bird only,</i> <i>Eligible Junior Hunters only,</i> with the required junior license	Apr. 25, 2020	Apr. 25, 2020	1	1
<i>Turkey, Spring</i> <sup>1</sup> <i>Bearded Bird only</i>	May 2, 2020 and May 18, 2020	May 16, 2020 and May 30, 2020	1	2
			May be hunted ½ hour before sunrise to 12 noon	
			May be hunted ½ hour before sunrise to ½ hour after sunset	

**MIGRATORY GAME BIRDS**

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

Exceptions:

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

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

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After Second Day</b>
<i>Crow</i> (Hunting permitted on Friday, Saturday and Sunday only)	July 5	Apr. 12, 2020		Unlimited
<i>Starling and English Sparrow</i>	No closed season except during the regular firearms deer seasons.			Unlimited

**FALCONRY**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Field Possession Limit After Second Day</b>
<i>Squirrel</i> – (Combined species)	Sept. 2	Mar. 31, 2020	6	18
<i>Quail</i>	Sept. 2	Mar. 31, 2020	8	24
<i>Ruffed Grouse</i>	Sept. 2	Mar. 31, 2020	2	6
<i>Cottontail Rabbits</i>	Sept. 2	Mar. 31, 2020	4	12
<i>Snowshoe or Varying Hare</i>	Sept. 2	Mar. 31, 2020	1	3
<i>Ring-necked Pheasant - Male and Female</i> - (Combined)	Sept. 2	Mar. 31, 2020	2	6

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

**WHITE-TAILED DEER**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<b>Deer, Archery (Antlered &amp; Antlerless)</b> <sup>2</sup> With the required archery license WMUs 2B, 5C and 5D	Sept. 21 and Dec. 26	Nov. 29  Jan. 25, 2020	One antlered deer, and an antlerless deer with each required antlerless license.
<b>Deer, Archery (Antlered &amp; Antlerless)</b> <sup>2</sup> With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Oct. 5 and Dec. 26	Nov. 16  Jan. 11, 2020	One antlered deer, and an antlerless deer with each required antlerless license.
<b>Deer, Muzzleloading (Antlerless only)</b> With the required muzzleloading license	Oct. 19	Oct. 26	An antlerless deer with each required antlerless license.
<b>Deer, Special firearms (Antlerless only)</b> Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or U.S. Coast Guard	Oct. 24	Oct. 26	An antlerless deer with each required antlerless license.
<b>Deer, Regular firearms (Antlered &amp; Antlerless)</b> <sup>2</sup> WMUs 2B, 5C and 5D	Nov 30	Dec. 14	One antlered deer, and an antlerless deer with each required antlerless license.
<b>Deer, Regular firearms (Antlered only)</b> <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Nov 30	Dec. 6	One antlered deer.
<b>Deer, Regular firearms (Antlered &amp; Antlerless)</b> <sup>2</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 7	Dec. 14	One antlered deer, and an antlerless deer with each required antlerless license.
<b>Deer, Flintlock (Antlered or Antlerless)</b> <sup>2</sup> With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26	Jan. 11, 2020	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<b>Deer, Flintlock (Antlered or Antlerless)</b> <sup>2</sup> With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26	Jan. 25, 2020	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.

**WHITE-TAILED DEER – (Continued)**

<b>Season Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Limit</b>
<b>Deer, Extended Regular firearms (Antlerless)</b> Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 25, 2020	An antlerless deer with each required antlerless license.
<b>Deer, Antlerless</b> (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

**BLACK BEAR**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<b>Bear, Archery</b> <sup>4</sup> WMUs 2B, 5C and 5D	Sept. 21	Nov. 29	1
<b>Bear, Archery</b> <sup>4</sup> WMU 5B	Oct. 5	Nov. 16	1
<b>Bear, Archery</b> <sup>4</sup> WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 19	Oct. 26	1
<b>Bear, Muzzleloader</b> <sup>4</sup> (Statewide)	Oct. 19	Oct. 26	1
<b>Bear, Special firearms</b> <sup>4</sup> Only Junior and Senior License Holders <sup>3</sup> , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the U.S. Armed Forces, or in the United States Coast Guard, with required antlerless license (Statewide)	Oct. 24	Oct. 26	1
<b>Bear, Regular Firearms</b> <sup>4</sup> (Statewide)	Nov. 23	Nov. 27	1
<b>Bear, Extended firearms</b> <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Nov 30	Dec. 14	1
<b>Bear, Extended firearms</b> <sup>4</sup> WMUs 1B, 2C, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Nov 30	Dec. 7	1

**ELK**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Season Limit</b>
<i>Elk, Special Conservation Tag<sup>5</sup> and Special-License Tag<sup>5</sup> (Antlered and Antlerless)</i>	Sept. 2	Nov. 9	1
<i>Elk, Archery<sup>5</sup></i>	Sept. 14	Sept. 28	1
<i>Elk, Regular<sup>5</sup> (Antlered and Antlerless)</i>	Nov. 4	Nov. 9	1
<i>Elk, Extended<sup>5</sup> (Antlered and Antlerless)</i>	Nov. 11	Nov. 16	1
<i>Elk, Late<sup>5</sup> (Antlerless only)</i>	Jan. 4, 2020	Jan. 11, 2020	1

**FUR TAKING - TRAPPING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Mink and Muskrat</i>	Nov. 23	Jan. 12, 2020	Unlimited	
<i>Beaver</i>	Dec. 26	Mar. 31, 2020		
WMUs 1A, 1B, 2A, 2B and 3C (Combined)			20	40
WMUs 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
<i>Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel</i>	Oct. 27	Feb. 23, 2020	Unlimited	
<i>Coyote and Fox</i> Use of cable restraint devices authorized with required certification	Dec. 26	Feb. 23, 2020	Unlimited	
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 21	Jan. 12, 2020	1	1
<i>Fisher, with required fisher permit</i> WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 21	Jan. 2, 2020	1	1

<i>River Otter, with required otter permit</i> WMUs 3C & 3D	Feb. 15, 2020	Feb. 22, 2020	1	1
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**FUR TAKING - HUNTING**

<b>Species</b>	<b>First Day</b>	<b>Last Day</b>	<b>Daily Limit</b>	<b>Season Limit</b>
<i>Coyote - (Outside of any big game season)</i>	May be taken with a hunting license or a furtaker's license.		Unlimited	
<i>Coyote - (During any big game season)</i>	May be taken while lawfully hunting big game or with a furtaker's license.		Unlimited	
<i>Opossum, Striped Skunk, Weasel</i>	No closed season.			
<i>Raccoon and Fox</i>	Oct. 26	Feb. 22, 2020	Unlimited	
<i>Bobcat, with required bobcat permit</i> WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 11, 2020	Feb. 5, 2020	1	1
<i>Porcupine</i>	Oct. 12	Feb. 1, 2020	3	10

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

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

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

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

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

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

**BUREAU OF WILDLIFE PROTECTION**

**ADOPTED RULE MAKING**

A. Amend 58 Pa. Code § 135.103.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 25, 2018, meeting to amend § 135.103 (relating to registration for controlled goose hunting areas) to authorize persons who possess a senior lifetime resident hunting license or senior lifetime resident combination hunting license and who can provide documentation evidencing their eligibility for the resident disabled veteran license or a reduced fee resident disabled veteran license to apply to participate in the Veterans with disabilities only day.

Action:

DRAFT

ANNEX: A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter F. SPECIAL WILDLIFE MANAGEMENT AREAS

§ 135.103. Registration for controlled goose hunting areas.

The following apply to reservations for controlled goose hunting areas:

\* \* \* \* \*

(4) The Director will establish the number of applications to be drawn no later than 20 days prior to the respective drawing of reservations for the Middle Creek and Pymatuning Wildlife Management Areas. Reservations will be awarded by the Commission to individuals selected during random public drawings from all eligible applications submitted for each management area. The drawings for each management area will occur on the date, time and at the location set by the Director or a designee. The Commission will hold separate drawings for the disabled access blinds for persons in possession of a disabled person permit issued under section 2923(a) of the act (relating to disabled person permits).

(i) *Youth only day.* The Director may designate 1 shooting day at the Middle Creek and Pymatuning Wildlife Management Areas as a youth-only day. Adults who accompany a junior hunter on this day may participate in the hunt by calling only. Applications received from junior hunters will be separated and drawn prior to the other applications on the established drawing date for the management area. Unsuccessful applicants for the youth shooting day will then be placed with all other applications and the drawing will proceed until all shooting days are filled.

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

\* \* \* \* \*

B. Amend 58 Pa. Code §§ 147.802 – 147.804.

Commentary:

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 25, 2018, meeting to amend §§ 147.802 – 147.804 (relating to definitions; application; and general) to: 1) expand the mentored youth program to include youth up to 16 years of age; 2) expand the mentored adult program to include persons 17 years of age or older; 3) limit participation in the mentored junior and mentored adult program to 3 years total; and 4) set mentored junior permit fees at \$5 for resident applicants and \$40 for nonresident applicants, plus any applicable transactional and issuing agent fees.

Action:

DRAFT

ANNEX: A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter X. MENTORED HUNTING PROGRAM PERMIT

§ 147.802. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*Lawful hunting device*--Any firearm or implement that is lawful to be possessed during the current season and used to harvest the particular species hunted.

*Mentor*--A licensed person, 21 years of age or older who is serving as a guide to a mentored youth or mentored adult while engaged in hunting or related activities.

*Mentored adult*--An unlicensed person, 17 years of age or older, who is accompanied by a mentor while engaged in hunting or related activities.

*Mentored youth*--An unlicensed person, under 17 years of age who is accompanied by a mentor while engaged in hunting or related activities.

*Stationary*--The state or condition where a person is still, fixed in place or static, indicated by a cessation of all forward, backward or lateral movement, whether in the standing, kneeling, sitting or prone position.

§ 147.803. Application.

(a) *Form and content.* Applications for mentored hunting permits issued under this subchapter shall be made through the Commission or any of its authorized license-issuing agents on the appropriate form designated by the Commission for this purpose. Each application must include the name, address, telephone number, date of birth, Social Security number of the applicant and any other information required by the Commission.

(b) *Eligibility.*

(1) Mentored youth hunting permits are available to youth applicants under 12 years of age or 12 years of age or older, but under 17 years of age, who have never held a prior hunting license within this Commonwealth or another state or nation. Mentored youth hunting permits are available to eligible youth applicants under 12 years of age for an unrestricted number of license years. Mentored youth hunting permits are available to eligible junior applicants

12 years of age or older, but under 17 years of age, except when the applicant has previously held a mentored youth permit for a total of 3 license years, including years when under 12 years of age. In these circumstances, an applicable junior hunting license is required.

(2) Mentored adult hunting permits are available to adult applicants 17 years of age or older who have never held a prior hunting license within this Commonwealth or another state or nation. Mentored adult hunting permits are available to eligible adult applicants for a total of 3 license years, including years when under 17 years of age. In these circumstances, an applicable adult hunting license is required.

(c) *Minors.* Applications may be submitted on behalf of an eligible mentored youth upon presentation of a written request executed by a parent or legally constituted guardian.

(d) *Fee.*

(1) The fee for a mentored youth hunting permit will be:

(i) \$1, plus any applicable transactional and issuing agent fees, for resident and nonresident applicants under 12 years of age.

(ii) \$5, plus any applicable transactional and issuing agent fees, for resident applicants 12 years of age or older, but under 17 years of age.

(iii) \$40, plus any applicable transactional and issuing agent fees, for nonresident applicants 12 years of age or older, but under 17 years of age.

(2) The fee for a mentored adult hunting permit will be:

(i) For residents, \$19, plus any applicable transactional and issuing agent fees.

(ii) For nonresidents, \$100, plus any applicable transactional and issuing agent fees.

§ 147.804. General.

(a) *License required.* A mentor shall possess a valid Pennsylvania hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) prior to engaging in any mentored hunting activities.

(b) *Permit required.* A mentored youth or mentored adult shall possess a valid applicable mentored hunting permit prior to engaging in any mentored hunting activities. Purchase of a hunting license by an eligible mentored youth or mentored adult shall automatically invalidate any mentored permit and associated harvest tags held by same.

\*\*\*\*\*

**PROPOSED RULE MAKING**

C. Amend 58 Pa. Code § 141.4

Commentary: The Commission is proposing to amend § 141.4 to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2019-2020 hunting/trapping license year.

**CHAPTER 141. HUNTING AND TRAPPING**

**Appendix G. Hunting Hours**

§ 141.4. Hunting hours.

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

\* \* \* \* \*

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

**HUNTING HOURS TABLE  
FOR JUNE 30, 2019 THROUGH JULY 4, 2020**

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
June 30 - July 6	5:08	9:02	Jan. 5 - 11	6:53	5:25
July 7 - 13	5:13	8:59	Jan. 12 - 18	6:52	5:26
July 14 - 20	5:18	8:55	Jan. 19 - 25	6:49	5:34
July 21 - 27	5:24	8:49	Jan. 26 - Feb. 1	6:44	5:42
July 28 - Aug. 3	5:31	8:42	Feb. 2 - 8	6:38	5:51
Aug. 4 - 10	5:37	8:34	Feb. 9 - 15	6:31	5:59
Aug. 11 - 17	5:44	8:25	Feb. 16 - 22	6:23	6:07
Aug. 18 - 24	5:51	8:15	Feb. 23 - 29	6:13	6:15
Aug. 25 - 31	5:57	8:04	Mar. 1 - Mar. 7	6:03	6:23
Sept. 1 - 7	6:04	7:53	Mar. 8 - 14 * Begins	6:52	7:31
Sept. 8 - 14	6:10	7:41	Mar. 15 - 21	6:41	7:38
Sept. 15 - 21	6:17	7:30	Mar. 22 - 28	6:30	7:45
Sept. 22 - 28	6:24	7:18	Mar. 29 - Apr. 4	6:19	7:52
Sept. 29 - Oct. 5	6:31	7:07	Apr. 5 - 11	6:07	7:59
Oct. 6 - 12	6:38	6:56	Apr. 12 - 18	5:57	8:07
Oct. 13 - 19	6:45	6:46	Apr. 19 - 25	5:46	8:14
Oct. 20 - 26	6:53	6:36	Apr. 26 - May 2	5:37	8:21
Oct. 27 - Nov. 2	7:00	6:27	May 3 - May 9	5:28	8:28
Nov. 3 - 9 ** Ends	6:08	5:20	May 10 - 16	5:20	8:35
Nov. 10 - 16	6:16	5:14	May 17 - 23	5:13	8:41
Nov. 17 - 23	6:24	5:09	May 24 - 30	5:08	8:47
Nov. 24 - 30	6:32	5:06	May 31 - June 6	5:04	8:53
Dec. 1 - 7	6:39	5:05	June 7 - 13	5:02	8:57
Dec. 8 - 14	6:44	5:05	June 14 - 20	5:02	9:01
Dec. 15 - 21	6:49	5:06	June 21 - 27	5:04	9:03
Dec. 22 - 28	6:51	5:09	June 28 - July 4	5:08	9:03
Dec. 29 - Jan. 4	6:53	5:19	*Daylight Saving Time Begins * -Ends**		

**MIGRATORY GAME BIRD HUNTING HOURS TABLE  
2019-2020**

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
Sept. 1 – 7	6:04	7:23	Dec. 29 – Jan. 4	6:53	4:49
Sept. 8 – 14	6:10	7:11	Jan. 5 – Jan. 11	6:53	4:55
Sept. 15 – 21	6:17	7:00	Jan. 12 – 18	6:52	4:56
Sept. 22 – 28	6:24	6:48	Jan. 19 – 25	6:49	5:04
Sept. 29 – Oct. 5	6:31	6:37	Jan. 26 – Feb. 1	6:44	5:12
Oct. 6 – 12	6:38	6:26	Feb. 2 - 8	6:38	5:21
Oct. 13 - 19	6:45	6:16	Feb. 9 – 15	6:31	5:29
Oct. 20 – 26	6:53	6:06	Feb. 16 – 22	6:23	5:37
Oct. 27 – Nov. 2	7:00	5:57	Feb. 23 – 29	6:13	5:45
Nov. 3 – 9 <b>** Ends</b>	6:08	4:50	Mar. 1 - 7	6:03	5:53
Nov. 10 – 16	6:16	4:44	Mar. 8 – 14 <b>* Begins</b>	6:52	7:01
Nov. 17 – 23	6:24	4:39	Mar. 15 – 21	6:41	7:08
Nov. 24 – 30	6:32	4:36	Mar. 22 – 28	6:30	7:15
Dec. 1 - 7	6:39	4:35	Mar. 29 – April 4	6:19	7:22
Dec. 8 – 14	6:44	4:35	Apr. 5-11	6:07	7:29
Dec. 15 - 21	6:49	4:36	Apr. 12– 18	5:57	7:37
Dec. 22 - 28	6:51	4:39	<b>*Daylight Saving Time Begins * Ends **</b>		

Action:

D. Amend 58 Pa. Code § 141.20.

Commentary:

Requirements for the wearing of fluorescent orange protective material within Pennsylvania are complex and make up a significant number of violations detected each year by State Game Wardens. On a national scale, the requirements for fluorescent orange protective material varies from state-to-state. Those regulations include 11 states, such as Texas and New York, which do not require any fluorescent orange protective material to be worn; 10 states only requiring it to be worn while hunting big game; 20 states only requiring it to be worn when hunting big game with a firearm; and 9 states, including Pennsylvania, having a mixture of instances in which it is required.

The Commission is proposing to amend § 141.20 (relating to protective material required) to reduce the requirements for the wearing of fluorescent orange protective material. While representing a significant reduction to the current requirements for fluorescent orange protective material requirements, the proposed changes will still maintain Pennsylvania's position as one of the more restrictive states in the nation.

## CHAPTER 141. HUNTING AND TRAPPING

### Subchapter A. GENERAL

§141.20. Protective material required.

(a) The following requirements apply:

(1) General rule. Except as otherwise provided in subsection (b), it is unlawful to hunt or assist to hunt game or wildlife or move to or from a hunting location, from 1 hour before legal hunting hours to 1 hour after legal hunting hours outside of a motorized vehicle, at any time without wearing a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined so that it is visible in a 360° arc. This shall include going to or from a hunting location before or after legal shooting hours. Except as provided in subsection (b)(2) and (3), camouflage orange clothing is lawful provided it contains the minimum amount of fluorescent orange-colored material.

(2) Additional requirements. It is unlawful to hunt during any firearms season for deer, elk or bear from any blind meeting the requirements in section 2308(b)(3) of the act (relating to unlawful devices and methods) without placing a minimum of 100 square inches of daylight fluorescent orange-colored material within 15 feet from the blind so it is visible in a 360° arc.

(b) Permitted acts. It is lawful to:

(1) Hunt without wearing daylight fluorescent orange-colored material for applicable wildlife during the following seasons:

- (i) All crow seasons.
  - (ii) All dove seasons.
  - (iii) All waterfowl seasons.
  - (iv) All falconry small game seasons.
  - (v) All flintlock muzzleloading deer seasons.
  - (vi) All archery deer seasons~~[, except as otherwise provided in paragraphs (3)(ii) and (4)(ii)].~~
  - (vii) All archery bear seasons~~[, except as otherwise provided in paragraph (3)(iii)].~~
  - (viii) All furbearer seasons, except coyote seasons.
  - (ix) All coyote seasons, except during the respective portion of any coyote season that runs concurrent with the legal hunting hours of any ~~[special firearms deer season, regular firearms deer season, regular firearms bear season or extended firearms bear season]~~ special firearms or regular firearms seasons for deer, bear or elk within each wildlife management unit, when the requirements of subsection (a) remain applicable.
  - (x) All spring turkey seasons.
- (2) Hunt for woodchucks during any woodchuck season while wearing a hat made of solid daylight fluorescent orange-colored material on the head only.
- (3) Move about or relocate while wearing a hat containing a minimum of 100 square inches of a solid daylight fluorescent orange-colored material on the head only and be stationary without wearing the required orange-colored material ~~[when hunting for applicable game or wildlife during the following seasons:~~
- ~~(i) AH] during all fall turkey seasons [in wildlife management units 2B, 5B, 5C and 5D.~~
  - ~~(ii) The respective portions of any archery deer season that runs concurrent with any fall turkey season within each wildlife management unit.~~
  - ~~(iii) The respective portions of any archery bear season that runs concurrent with any fall turkey season within each wildlife management unit.~~
- ~~(4) Move about or relocate while in compliance with subsection (a) and while stationary place a minimum of 100 square inches of daylight fluorescent orange-colored material within 15 feet of the hunter's location so it is visible in a 360° arc when hunting for applicable game or wildlife during the following seasons:~~

~~(i) All fall turkey seasons in wildlife management units 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A.~~

~~(ii) The respective portions of any archery deer season that runs concurrent with any early muzzleloading deer season or any special firearms deer season within each wildlife management unit.]~~

(c) A person who violates this section shall be subject to the penalties as provided in the act.

Action:

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## **BUREAU OF WILDLIFE HABITAT MANAGEMENT**

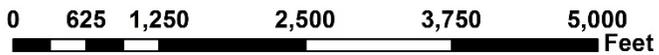
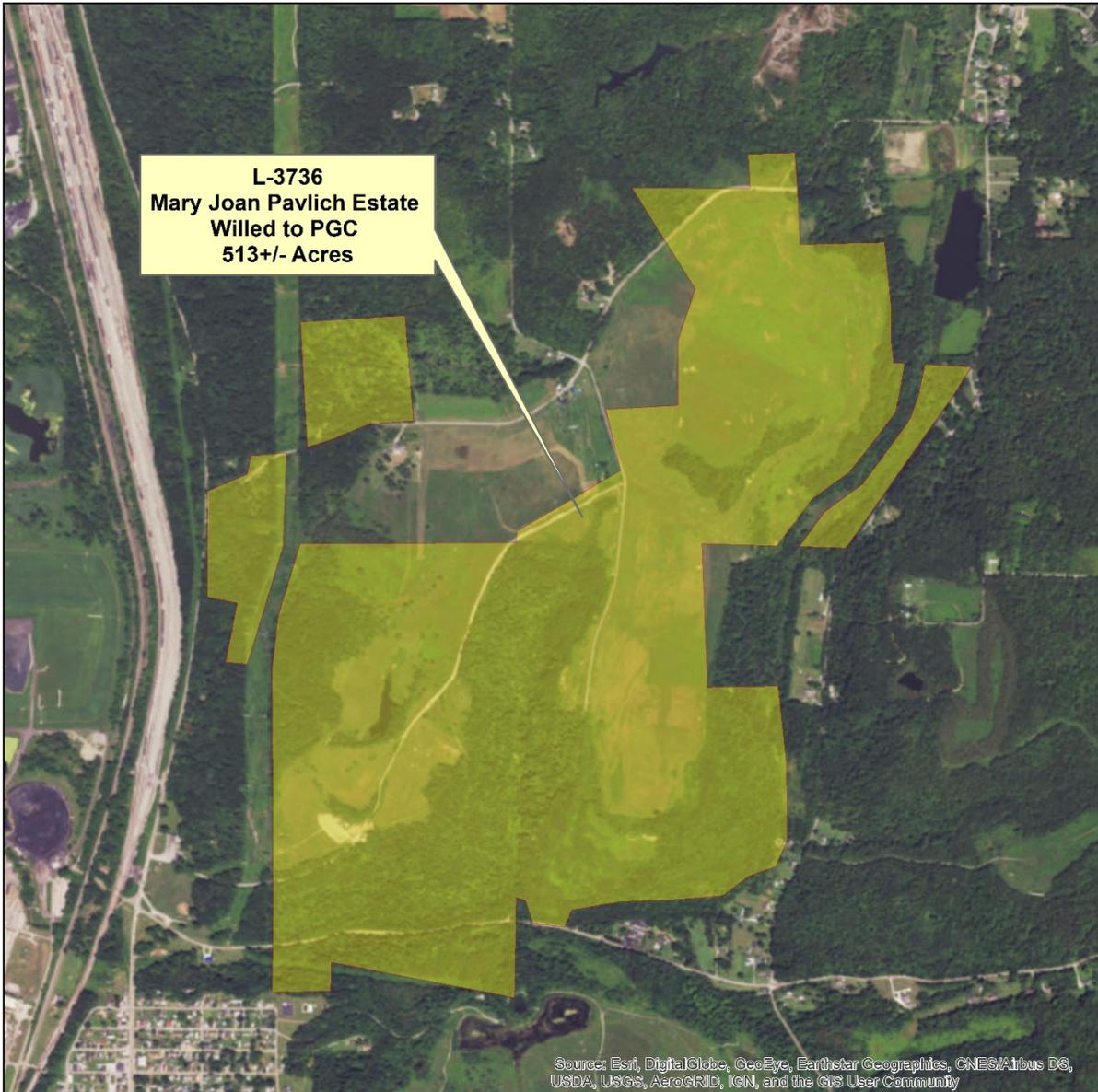
### **REAL ESTATE**

#### **A. Donation**

Contract No. L-3736, State Game Land No. 148, Lawrence County

Commentary: The Estate of Mary Joan Pavlich is offering to donate 513+/- acres of land in Taylor and Shenango Townships, Lawrence County. The property is located approximately 4.6 miles north of existing State Game Land No. 148 (Exhibit RED 1). The oil, gas, and minerals have been bequeathed to other entities. The Game Commission will be responsible to pay any outstanding unpaid property taxes and most likely will need to pay inheritance tax on the property. Approximately 330 acres of the property is in mixed northern hardwoods, interspersed with 182 acres in shrub land and reverting old fields, plus a one-acre pond creating a diversity of transitional habitats. McKee Run and two unnamed tributaries traverse the property. Access is via multiple public roadways including S.R. 168 (West Pittsburgh Road), S.R. 2001 (Savanna Road), S.R. 2012 (Union Valley Road) and T-429 (Denny Drive).

Action:



**Exhibit RED 1  
State Game Land No. 148**

**L-3736  
Mary Joan Pavlich Estate  
Willed to PGC  
513+/- Acres**

**Taylor & Shenango Townships  
Lawrence County  
Northwest Region**

Contract No. L-3737, State Game Land No. 43, Chester County

Commentary:

Natural Lands Trust, Inc. (Natural Lands) is offering to donate 28+/- acres of land in West Nantmeal Township, Chester County, adjoining State Game Land No. 43 (Exhibit RED 2). Natural Lands was successful in securing funding through numerous partnership grants provided by the Department of Conservation and Natural Resources, the Highlands Conservation Act administered through the U.S. Fish and Wildlife Service, Chester County, the Open Space Institute, and the William Penn Foundation. Covenants, conditions, and restrictions associated with the different funding sources will be required to accept the property. The tract has 18 acres of red oak mixed hardwoods with seven acres in agricultural fields. An unnamed tributary to South Branch French Creek flows through the property. The property lies within an Important Bird Area referenced as the Hay-Creek-French Creek Forest Block and a federally listed endangered species is within close proximity. Access is from S.R. 23, locally known as Ridge Road.

Action:

DRAFT



**Exhibit RED 2**

**State Game Land No. 43**

L-3737  
Natural Lands Trust, Inc.  
(Piccoli) Tract  
28+/- Acres

West Nantmeal Township  
Chester County  
Southeast Region

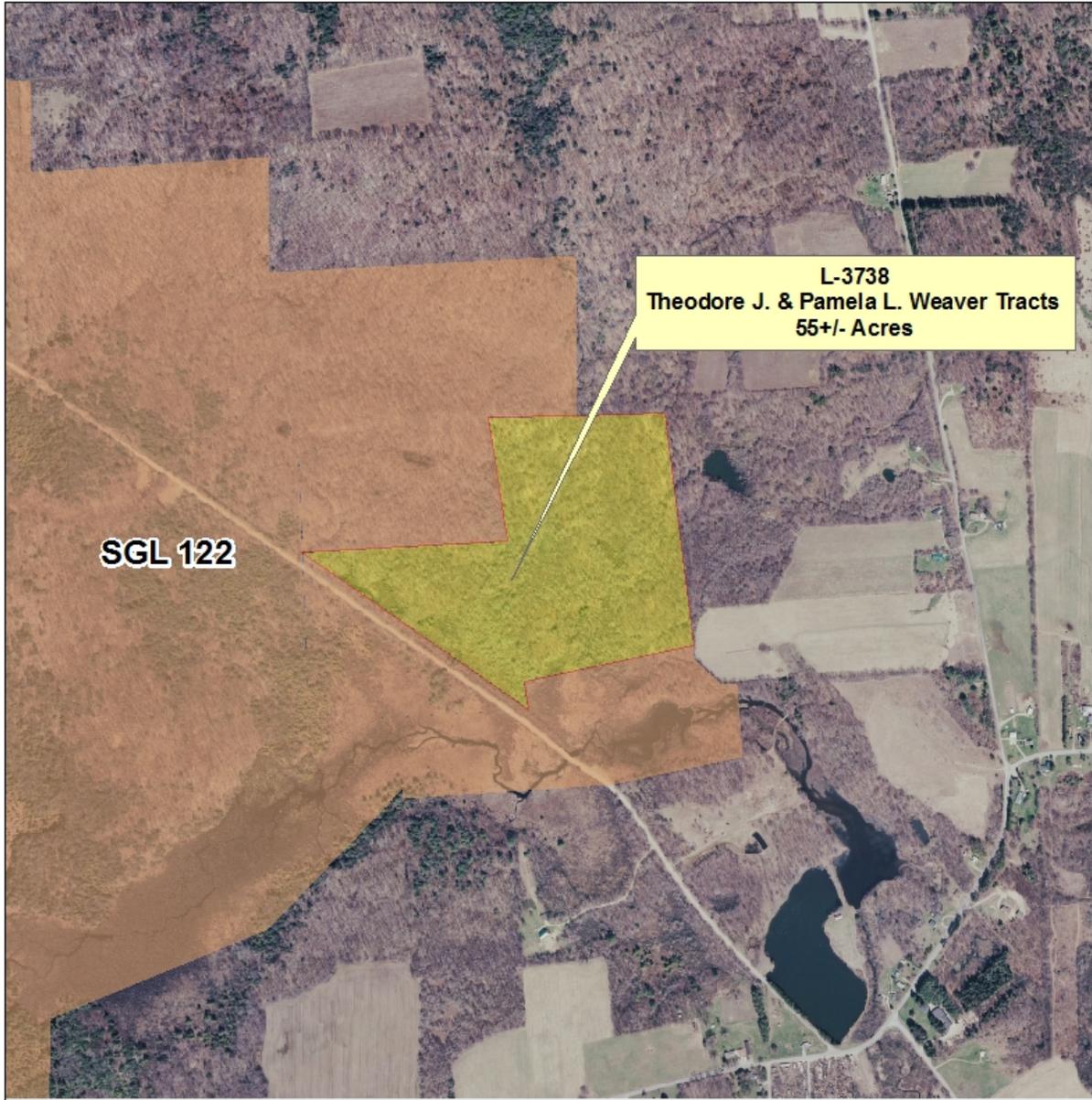
B. Acquisition

Contract No. L-3738, State Game Land No. 122, Crawford County

Commentary: Theodore J. and Pamela L. Weaver are offering 55+/- acres of land in Steuben Township, Crawford County, an indenture into State Game Land No. 122 (Exhibit RED 3). The option price is \$134,000 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. The property is mostly mixed hardwood forest with black cherry and maple dominate. Marsh Run bisects the property. Access is from existing State Game Land No. 122.

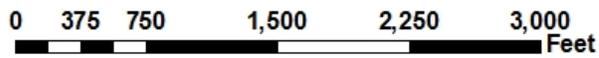
Action:

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**Exhibit RED 3**

**State Game Land No. 122**  
**L-3738**  
**Theodore J. & Pamela L. Weaver Tracts**  
**55+/- Acres**



Steuben Township  
Crawford County  
Northwest Region

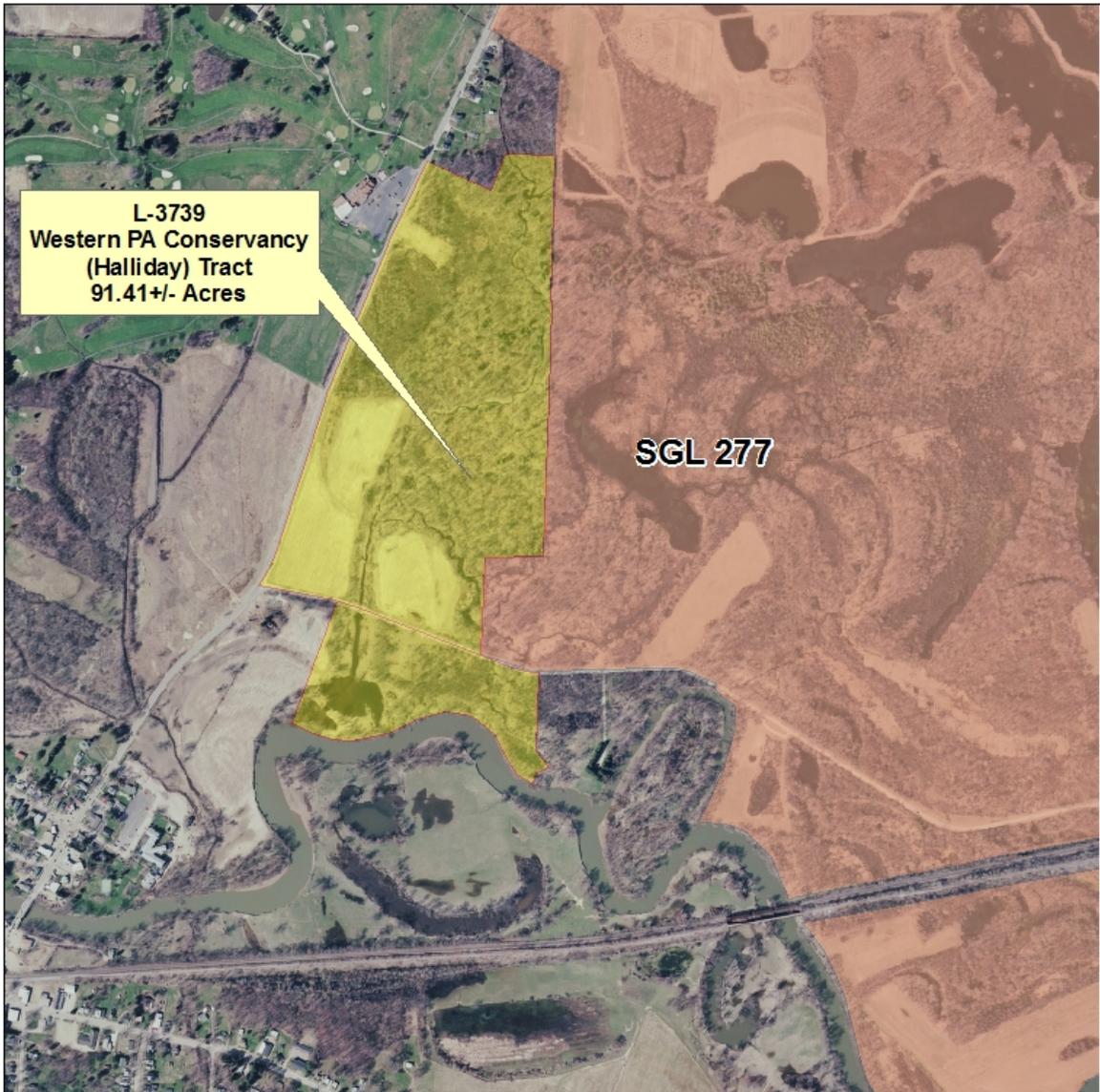
Contract No. L-3739, State Game Land No. 277, Crawford County

Commentary:

Western Pennsylvania Conservancy (WPC) is offering 91.41+/- acres of land in Cambridge Township, Crawford County, adjoining State Game Land No. 277, referred to as the Halliday tract (Exhibit RED 4). The option price is \$400 per acre plus \$27,512.11 from the Estate of Margaret Metcalfe, totaling \$64,076.11. The funding is currently being held by WPC. At the June 28, 2011, Commission Meeting, the Board approved contract L-3586 comprising 195+/- acres of land in Cool Spring Township, Mercer County, adjoining State Game Land No. 294 offered by WPC for \$90,000. Included in the \$90,000 was \$27,512.11 from the Estate of Margaret Metcalfe which was bequeathed to the Game Commission for the exclusive purpose to acquire public hunting lands. WPC was unsuccessful in acquiring the 195+/- acres associated with L-3586 and has held the funds until suitable replacement lands became available. Therefore, WPC will apply \$64,076.11 of the original \$90,000 towards the cost of acquiring the Halliday tract, leaving a remaining balance of \$25,923.89 for future land acquisition. To cover the difference between the appraised value for the Halliday tract and the Game Commission's \$64,076.11 applied to its purchase, WPC utilized a special funding source designated to acquire "natural areas". WPC also partnered with Ducks Unlimited to apply for grant funding through the North American Wetlands Conservation Act.

Due to this special funding source, the following restrictive covenants will be placed on the property and be held by WPC: 1) No timber harvesting or tree cutting unless (i) approved by WPC; or (ii) for habitat management for native species; 2) Unless it is done with native species, no farm crops or food plots shall be conducted or permitted on the property; 3) The creation of impoundments is prohibited; 4) No depositing, dumping or abandoning of any solid waste, rubbish, debris or liquid waste or effluent, shall occur on the property; 5) Except for parking and reasonable access improvements, no building, structure, or facility of a permanent nature, shall be constructed or installed on the property; 6) Except for invasive species control, the use of herbicides, pesticides, fungicides, fertilizers and other agents are prohibited unless approved by WPC; 7) WPC will have the right to enter and inspect the property for compliance with the requirements of these restrictive covenants upon reasonable notice, in a reasonable manner, and at reasonable times. The property is mostly flat with hardwood forest, reverting old fields, and wetlands associated with floodplain habitat. French Creek borders the southern boundary and several tributaries to French Creek flowing through the property. Access is from U.S. 6 and 19 known as Perry Highway and S.R. 1016 known as Miller Station Road.

Action:



0 250 500 1,000 1,500 2,000 Feet

### Exhibit RED 4

### State Game Land No. 277

L-3739  
Western PA Conservancy  
(Halliday) Tract  
91.41+/- Acres

CambridgeTownship  
Crawford County  
Northwest Region

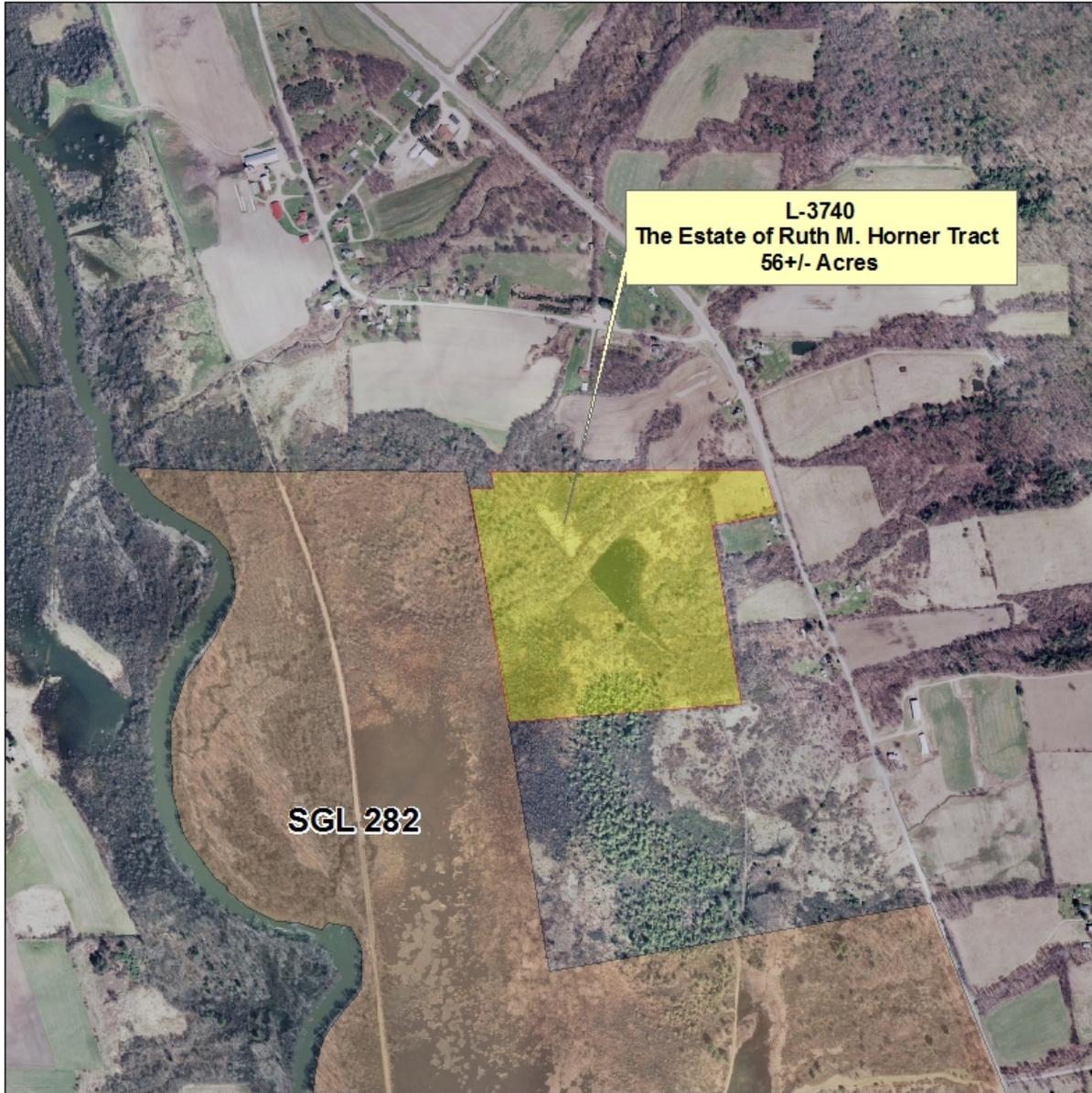
Contract No. L-3740, State Game Land No. 282, Warren County

Commentary:

The Estate of Ruth M. Horner is offering 56+/- acres of land in Pine Grove Township, Warren County, adjoining State Game Land No. 282 (Exhibit RED 5). The option price is \$53,000 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. Approximately 46 acres are in reverting old fields with the remaining 10 acres in mixed hardwoods. Some apple trees and three varieties of Special Concern plant species are located on the tract. The property is located within the Akeley Swamp Important Bird Area. Access is from Akeley Road.

Action:

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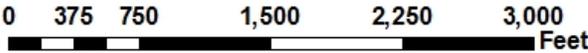
**L-3740**  
**The Estate of Ruth M. Horner Tract**  
**56+/- Acres**

**SGL 282**



**Exhibit RED 5**  
**State Game Land No. 282**

**L-3740**  
**The Estate of Ruth M. Horner Tract**  
**56+/- Acres**



Pine Grove Township  
Warren County  
Northwest Region

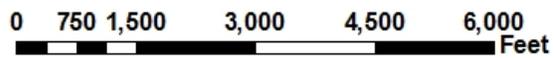
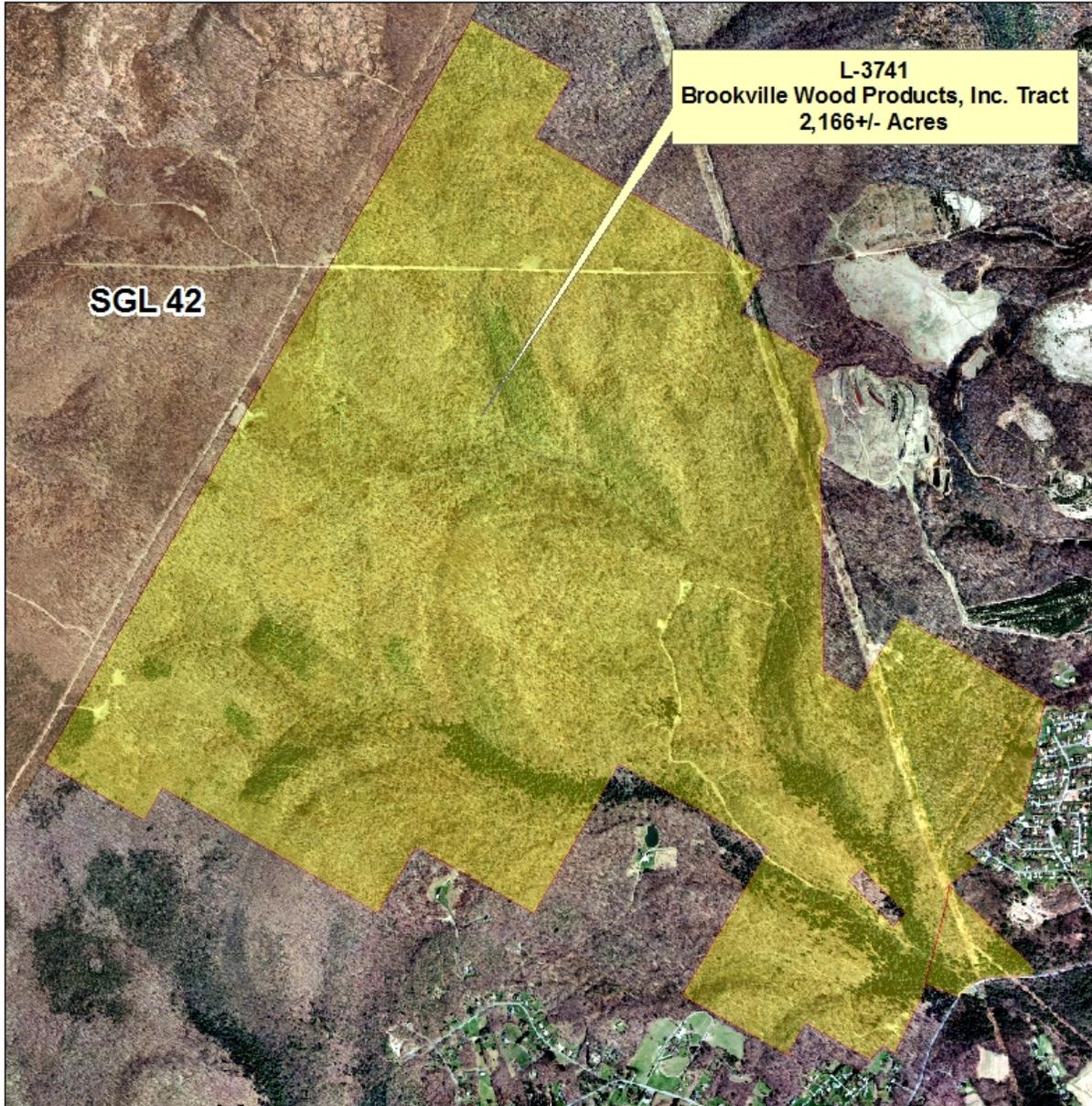
Contract No. L-3741, State Game Land No. 42, Cambria County

Commentary:

Brookville Wood Products, Inc. is offering 2,166+/- acres of land in Lower Yoder and Upper Yoder Townships, Cambria County, adjoining State Game Land No. 42 (Exhibit RED 6). The option price is \$1,650,000 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. Northern hardwood forest dominates the moderately steep mountain slope with numerous small forest openings associated with old log landing scattered over the property. Witch hazel, serviceberry, and hornbeam are present in the understory. Headwaters of Mill Creek and Little Mill Creek flow down the side slopes. The Western Pennsylvania Conservancy holds a preexisting conservation easement on most of the acres which limits development, surface mining, outdoor advertising, disposal of solid and liquid wastes, and certain types of forest management. Access is from S.R. 271, Menoher Highway.

Action:

DRAFT



**Exhibit RED 6**

**State Game Land No. 42**  
**L-3741**  
**Brookville Wood Products, Inc. Tract**  
**2,166+/- Acres**

Lower Yoder & Upper Yoder Townships  
Cambria County  
Southwest Region

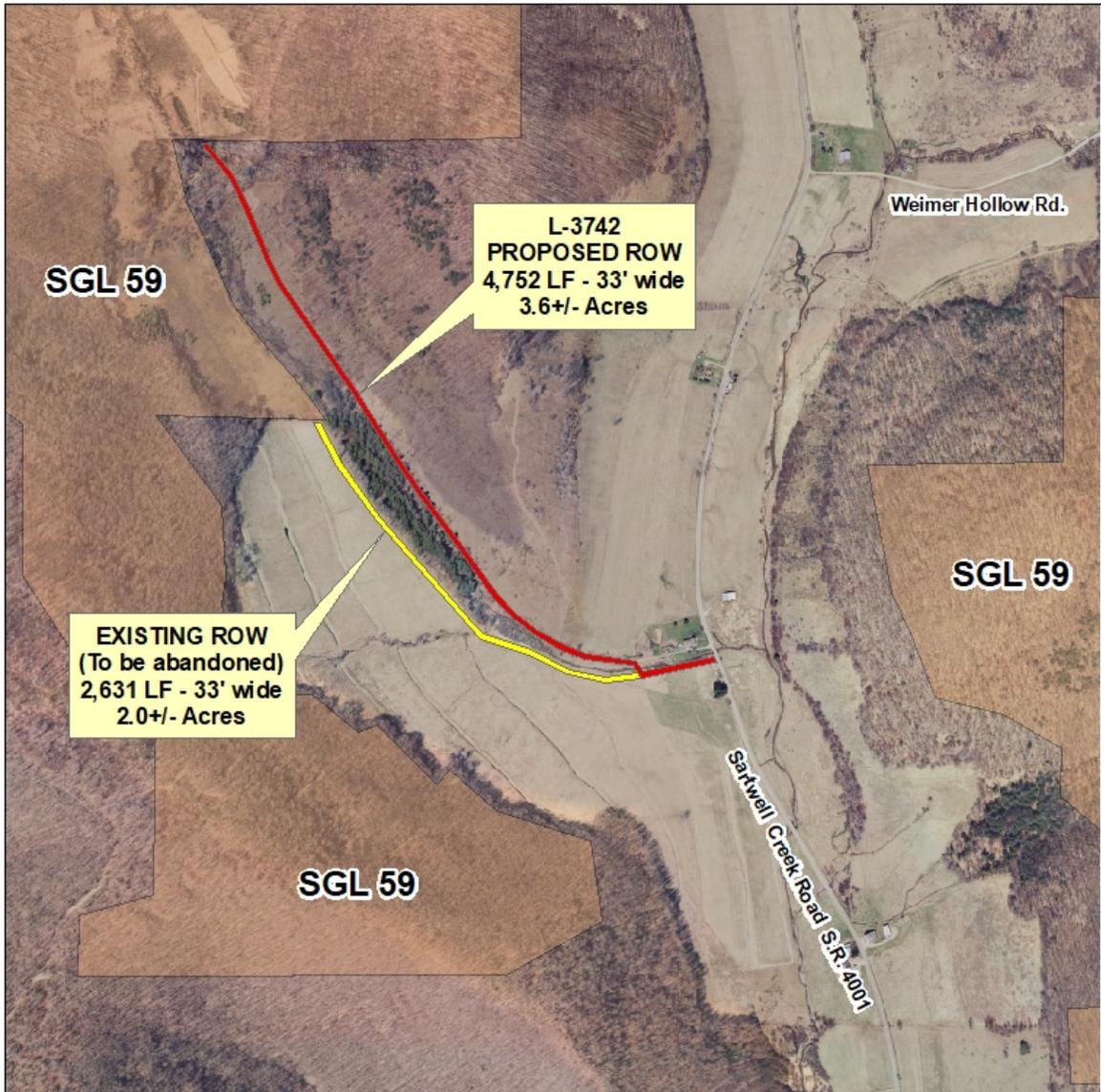
Contract No. L-3742, State Game Land No. 59, Potter County

Commentary:

Kenneth R. Comstock, Jr., and Janice G. Comstock are offering a road right-of-way 33 feet wide by 4,752 feet in length located across their property in Pleasant Valley Township, Potter County, for access into a detached parcel of State Game Land No. 59 (Exhibit RED 7). The option price is \$14,390 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses, which occurred on state game lands from previously approved projects. The Game Commission currently has an existing road right-of-way granted by the Comstocks by a prior deed that was never developed and will be abandoned by the Game Commission as part of this agreement. The new right-of-way is a fully developed gravel roadway, and by acquiring it, the Game Commission will avoid the cost and significant environmental disturbance of developing a new road where none currently exists. The new right-of-way will improve access into State Game Land No. 59 from S.R. 4001, Sartwell Creek Road. The right-of-way will be for administrative purposes only and the Comstocks reserve the right to use the right-of-way.

Action:

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**Exhibit RED 7**  
**State Game Land No. 59**

**L-3742**  
**Kenneth R. Comstock, Jr. &**  
**Janice G. Comstock**  
**Right-of-Way**  
**3.6+/- Acres**

Pleasant Valley Township  
 Potter County  
 Northcentral Region

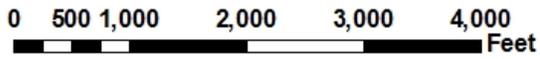
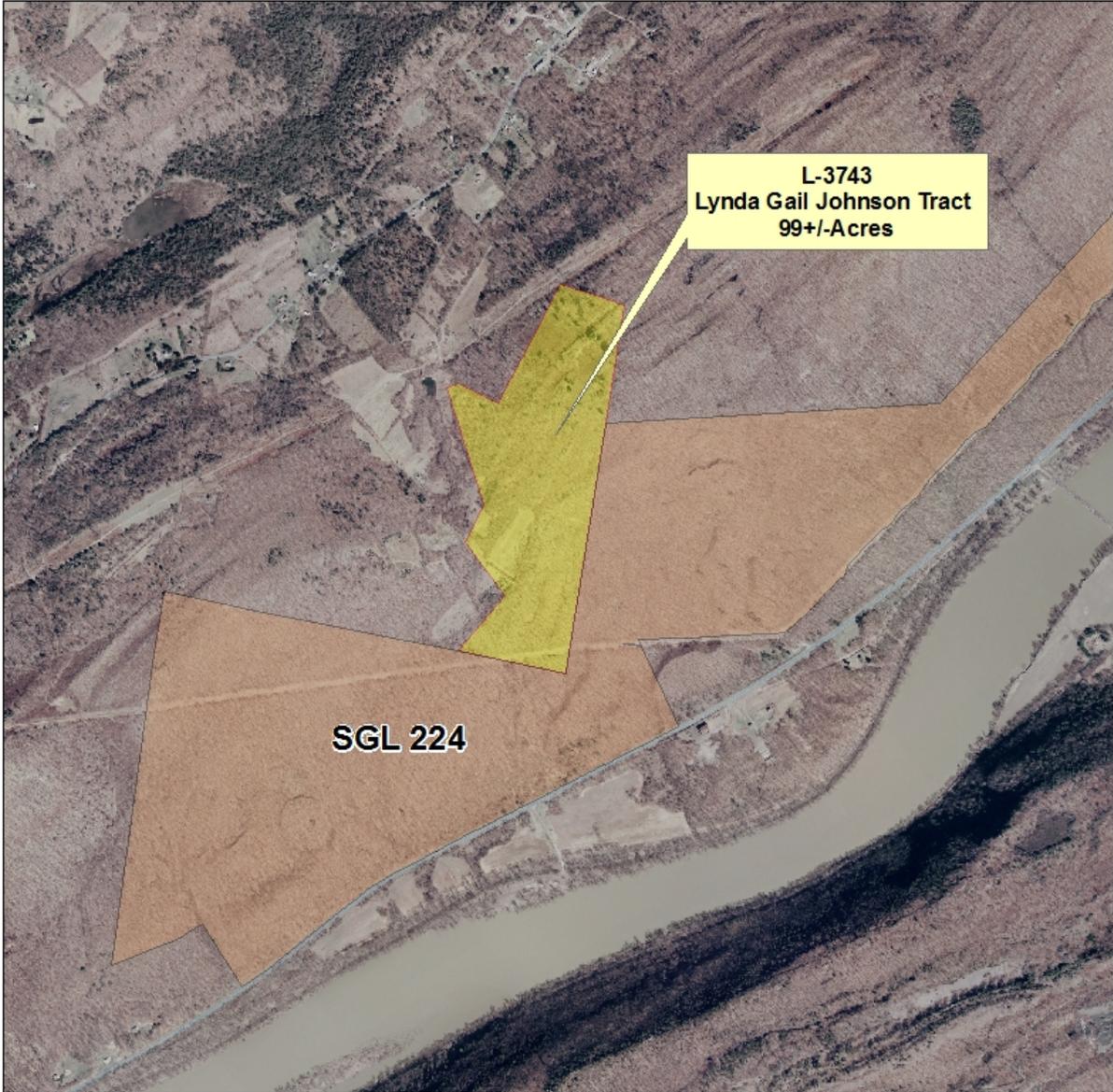
Contract No. L-3743, State Game Land No. 224, Luzerne County

Commentary:

Lynda Gail Johnson is offering 99+/- acres of land in Union and Hunlock Townships, Luzerne County, adjoining State Game Land No. 224 (Exhibit RED 8). The option price is \$400 per acre to be paid with funds from the Game Fund. The property is mostly forested with mixed hardwoods on a steep south facing slope with rock outcroppings along the ridge. There are two acres of forest openings and two acres of shrub land located on the tract. The property lies within Important Mammal Area #29 – Wyoming Valley created for critical need bat habitat. Access is from existing State Game Land No. 224.

Action:

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**Exhibit RED 8**  
**State Game Land No. 224**  
L-3743  
Lynda Gail Johnson Tract  
99+/-Acres

Union & Hunlock Townships  
Luzerne County  
Northeast Region

## OIL/GAS & MINERALS

### C. Amendment to Non-Surface Use Oil and Gas Cooperative Agreement Tract 223A-18, State Game Land No. 223, Greene County

Commentary:

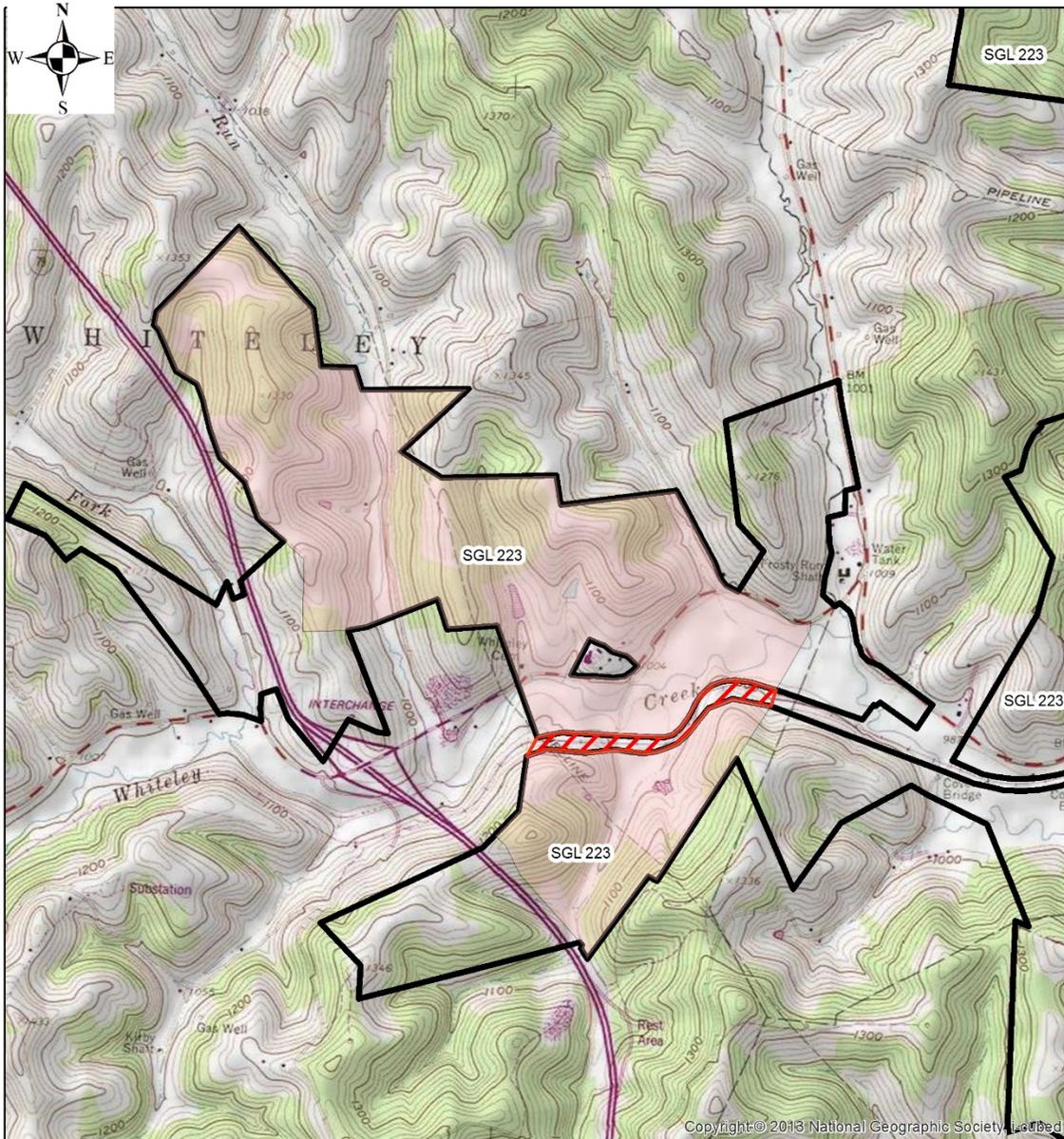
Greylock Production, LLC (Greylock) requested that the Commission offer its oil and gas rights under a 23.6398+/- acre tract which the Commission owns 75% of the oil and gas rights but does not own the surface. The proposed tract consists of 17.729 net oil and gas acres and will be amended to the Tract 223A-18 Agreement consisting of approximately 724+/- surface acres (537.61+/- Oil/Gas acres) located in Whiteley Township, Greene County (Exhibit OGM 1). The total oil/gas acres for this agreement will then be 561.2498+/- acres.

Greylock has a strong oil/gas lease position surrounding this portion of State Game Land No. 223. Greylock 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 current owners. The OGM staff has negotiated the proposed terms of the agreement with Greylock to prudently develop the Commission's oil and gas reserves and simultaneously protect the wildlife resources and recreational use of State Game Land No. 223.

The terms of the Agreement are a five year Non-Surface Use Oil and Gas Agreement, a \$4,000 per net oil and gas acre bonus payment and 18% royalty for all oil/gas and other liquids or condensates produced and sold from the proposed tract. The bonus payment of approximately \$70,916 may be deposited either into the Game Fund or into an interest bearing escrow account to be used for the future purchase of wildlife habitats, lands or other uses incidental to hunting, furtaking and wildlife resource management. Future rentals and royalties owed the Commission shall be directly deposited into the Game Fund.

Oil and gas development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's Standard Non-Surface Use Oil and Gas Cooperative Agreement.

Action:



**Legend**

 Non-Surface Use Agreement Area  
23.63 +/- Surface Acres  
(net 17.729 +/- Oil/Gas Acres)

 223A-18 Original Lease Area  
724 Surface Acres  
537 net Oil/Gas Acres

 State Game Land No. 223



**EXHIBIT OGM 1**  
**State Game Land No. 223**  
**Non-Surface Use**  
**Oil & Gas Cooperative Agreement**  
**Greylock Production, LLC**  
**Tract 223A-18 Amendment**  
**23.63 +/- Surface Acres**  
**17.729 Net Oil/Gas Acres**  
 Whiteley Twp., Greene County  
 Southwest Region

## **OTHER NEW BUSINESS**

Election of Officers –

Next Working Group Meeting –

Next Commission Meeting –

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

Adjournment

DRAFT