

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION**



**AGENDA
HARRISBURG, PENNSYLVANIA
January 25, 2020**

Bryan Burhans

Bryan Burhans
Executive Director

Table of Contents

Call to Order	1
Pledge of Allegiance	1
Roll Call of Commissioners.....	1
Approval of Minutes of Meeting held July 23, 2019.....	1

BUREAU OF WILDLIFE MANAGEMENT

PROPOSED RULE MAKING

A. Amend 58 Pa. Code § 139.4	2
B. Amend 58 Pa. Code § 141.62	11

BUREAU OF WILDLIFE PROTECTION

PROPOSED RULE MAKING

A. Amend 58 Pa. Code § 141.4	12
B. Amend 58 Pa. Code § 141.29	15
C. Amend 58 Pa. Code § 141.41	16
D. Amend 58 Pa. Code § 147.674	17
E. Amend 58 Pa. Code § 147.804	18
F. Amend 58 Pa. Code § 135.53	22
G. Amend 58 Pa. Code §§ 141.43, 141.44 and 141.47.....	23

BUREAU OF WILDLIFE HABITAT MANAGEMENT

PROPOSED RULE MAKING

A. Amend 58 Pa. Code §§ 131.2, 135.2 and 135.41.....	30
--	----

REAL ESTATE

B. Donation	
Contract No. L-3753, State Game Land No. 129, Monroe County	34
C. Acquisition	
Contract No. L-3754, State Game Land No. 151, Mercer County	36
Contract No. L-3755, State Game Land No. 282, Warren County.....	38
Contract No. L-3756, State Game Land No. 256, Perry County	40
Contract No. L-3757, State Game Land No. 91, Luzerne County.....	42
Contract No. L-3758, State Game Land No. 211, Schuylkill County	44
Contract No. L-3759, State Game Land No. 211, Schuylkill County	46
Contract No. L-3760, State Game Land No. 217, Schuylkill County	48
D. Exchange	
Contract No. L-3761, State Game Land Nos. 179 and 223, Greene County.....	50
E. Purchase of Property at Auction	
Contract No. L-3752, State Game Land No. 293, Cameron County	54

OIL/GAS & MINERALS

F. Non-Coal Surface Mining Agreement and Land Exchange
Tract 79A-20, State Game Land No. 79, Cambria County.....56

Other New Business.....61

Executive Session, if necessary, will be held immediately following the close of the Commission Meeting61

Adjournment61

DRAFT

Commonwealth of Pennsylvania
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Saturday, January 25, 2020, 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
Charlie E. Fox, Vice President
Stanley I. Knick, Jr., Secretary
Scott H. Foradora
Dennis R. Fredericks
Brian H. Hoover
Michael F. Mitrick
Kristen Schnepf-Giger

Approval of Minutes of Commission Meeting held July 23, 2019.

BUREAU OF WILDLIFE MANAGEMENT

PROPOSED RULE MAKING

A. Amend 58 Pa. Code § 139.4.

Commentary:

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2020-2021 license year. The 2020-2021 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.

For small game, earlier opening dates are proposed for youth and regular squirrel seasons to increase opportunity on this underutilized species at a time when most other hunting seasons are closed. Also, WMUs 4E and 5A are proposed to be opened to either-sex pheasant hunting (except within Wild Pheasant Recovery Areas) to maximize hunting opportunity for stocked pheasants.

A one-week decrease in the fall turkey season is recommended for WMUs 4D and 4E in response to declining turkey population trends in these units. Also, for those WMUs where turkey populations can support a Thanksgiving season, this season is proposed be increased from two to three days, in a Wednesday through Friday format.

For deer, a 14-day concurrent antlered and antlerless firearms season is recommended to provide increased opportunity, especially for younger hunters. As now authorized by statute, Sunday hunting for deer is proposed for one Sunday (Nov. 15) during the statewide archery season and one Sunday (Nov. 29) during the statewide firearms season.

Overall black bear season recommendations are similar to those in 2019, but with two changes in format. First, the two-week statewide archery season is proposed to be shifted one week earlier, with the first week of this season overlapping with muzzleloader and special firearms seasons to simplify regulations. Second, the statewide firearms season is proposed to include the newly authorized third Sunday (Nov. 22), but to close on Tuesday rather than Wednesday to accommodate a 1-day expansion in the Thanksgiving segment of the fall turkey season.

Expansions of bobcat hunting and trapping opportunity to WMU 2B, and of river otter trapping opportunity to WMUs 1A, 1B, and 2F, 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 40 to 60 is recommended for WMUs 1A and 1B in response to increasing nuisance complaints in these units.

No elk have ever been harvested in the extended elk season during the 9 years in which it has been in existence. To simplify regulations, elimination of this season is recommended for 2020.

Action:

DRAFT

“EXHIBIT A”

(SEASONS AND BAG LIMITS TABLE)

**2020-2021 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT,
FIELD POSSESSION LIMIT AND SEASON LIMIT
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Squirrel</i> – (Combined species) ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Sept. 12	Sept. 26	6	18
<i>Squirrel</i> – (Combined species) ¹	Sept. 26 and Dec. 14 and Dec. 26	Nov. 27 Dec. 24 Feb. 27, 2021	6	18
<i>Ruffed Grouse</i> ¹	Oct. 17 and Dec. 14	Nov. 27 Dec. 24	2	6
<i>Rabbit, Cottontail</i> – ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 3	Oct. 17	4	12
<i>Rabbit, Cottontail</i> ¹	Oct. 17 and Dec. 14 and Dec. 26	Nov. 27 Dec. 24 Feb. 27, 2021	4	12
<i>Ring-necked Pheasant</i> – There is no open season for the taking of pheasants in the Franklin County Wild Pheasant Recovery Area.				
<i>Ring-necked Pheasant – Male or Female</i> ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 10	Oct. 17	2	6
Central Susquehanna Wild Pheasant Recovery Area – <i>Male only</i> ¹	As authorized by the Executive Order			
<i>Ring-necked Pheasant – Male or Female</i> ¹	Oct. 24 and Dec. 14 and Dec. 26	Nov. 27 Dec. 24 Feb. 27, 2021	2	6

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Ring-necked Pheasant – Male or Female</i> ¹ <i>Eligible Junior Hunters only</i> , with or without the required junior license	Oct. 10	Oct. 17	2	6
Central Susquehanna Wild Pheasant Recovery Area – <i>Male only</i> ¹	As authorized by the Executive Order			

<i>Ring-necked Pheasant – Male or Female</i> ¹	Oct. 24	Nov. 27	2	6
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 27, 2021		

<i>Bobwhite Quail</i> ¹	Oct. 17	Nov. 27	8	24
	Dec. 14	Dec. 24		
	Dec. 26	Feb. 27, 2021		

<i>Hare (Snowshoe Rabbits) or Varying Hare</i> ¹	Dec. 26	Jan. 1, 2021	1	3
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<i>Woodchuck (Groundhog)</i> ¹	No closed season except during the regular firearms deer season(s).		Unlimited	
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Species	First Day	Last Day	Limit	Limit
<i>Turkey, Fall - Male or Female</i> ¹			1	1
WMU 2B (Shotgun, Bow & Arrow only)	Oct. 31	Nov. 20		
	Nov. 25	Nov. 27		
WMU 1B	Oct. 31	Nov. 7		
WMUs 1A, 2A, 4A, 4B, 4D, and 4E	Oct. 31	Nov. 7		
	Nov. 25	Nov. 27		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, and 4C	Oct. 31	Nov. 14		
	Nov. 25	Nov. 27		
WMU 2C	Oct. 31	Nov. 20		
	Nov. 25	Nov. 27		

TURKEY – (Continued)

Species	First Day	Last Day	Daily Limit	Season Limit
WMU 2C	Oct. 31 and Nov. 25	Nov. 20 Nov. 27		
WMU 5A	Nov. 5	Nov. 7		
WMU 5B	Nov. 3	Nov. 5		
WMUs 5C and 5D	Closed to fall turkey hunting			
<i>Turkey, Spring</i> ² <i>Bearded Bird only,</i> <i>Eligible Junior Hunters only,</i> with the required junior license	Apr. 24, 2021	Apr. 24, 2021	1	1
<i>Turkey, Spring</i> ^{1,2} <i>Bearded Bird only</i>	May 1, 2021 and May 17, 2021	May 15, 2021 May 31, 2021	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.
- (c) Hunting on Sunday not authorized.¹

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Crow</i> ³ (Hunting permitted on Friday, Saturday and Sunday only)	July 3	Apr. 11, 2021	Unlimited	
<i>Starling and English Sparrow</i> ³	No closed season except during the regular firearms deer seasons.		Unlimited	

FALCONRY

Species	First Day	Last Day	Daily Limit	Field Possession Limit After Second Day
<i>Squirrel</i> – (Combined species) ¹	Sept. 1	Mar. 31, 2021	6	18
<i>Quail</i> ¹	Sept. 1	Mar. 31, 2021	8	24
<i>Ruffed Grouse</i> ¹	Sept. 1	Mar. 31, 2021	2	6
<i>Cottontail Rabbits</i> ¹	Sept. 1	Mar. 31, 2021	4	12
<i>Snowshoe or Varying Hare</i> ¹	Sept. 1	Mar. 31, 2021	1	3
<i>Ring-necked Pheasant - Male</i> ¹ <i>and Female</i> - (Combined)	Sept. 1	Mar. 31, 2021	2	6
<i>Migratory Game Bird</i> ¹ - Seasons and bag limits shall be in accordance with Federal regulations.				

WHITE-TAILED DEER

Species	First Day	Last Day	Season Limit
<i>Deer, Archery (Antlered & Antlerless)</i> ^{4,5} With the required archery license WMUs 2B, 5C and 5D	Sept. 19	Nov. 14	One antlered deer, and an antlerless deer with each required antlerless license.
	Sun., Nov. 15	Sun., Nov. 15	
	Nov. 16	Nov. 27	
	Dec. 26	Jan. 23, 2021	
<i>Deer, Archery (Antlered & Antlerless)</i> ^{4,5} 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. 3	Nov. 14	One antlered deer, and an antlerless deer with each required antlerless license.
	Sun., Nov. 15	Sun., Nov. 15	
	Dec. 26	Jan. 18, 2021	
<i>Deer, Muzzleloading (Antlerless only)</i> ¹ With the required muzzleloading license	Oct. 17	Oct. 24	An antlerless deer with each required antlerless license.
<i>Deer, Special firearms (Antlerless only)</i> ⁶ Only Junior and Senior License Holders, 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. 22	Oct. 24	An antlerless deer with each required antlerless license.
<i>Deer, Regular Firearms (Antlered & Antlerless)</i> ^{4,5} Statewide	Nov. 28	Nov. 28	One antlered deer, and an antlerless deer with each required antlerless license.
	Sun., Nov. 29	Sun., Nov. 29	
	Nov. 30	Dec. 12	

WHITE-TAILED DEER – (Continued)

Species	First Day	Last Day	Season Limit
Deer, Flintlock (Antlered or Antlerless) ^{1,4} 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. 18, 2021	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ^{1,4} With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26	Jan. 23, 2021	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) ¹ Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 23, 2021	An antlerless deer with each required antlerless license.
Deer, Antlerless ¹ (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

Species	First Day	Last Day	Season Limit
Bear, Archery ^{1,7} WMUs 2B, 5C, and 5D	Sept. 19	Nov. 27	1
Bear, Archery ^{1,7} WMU 5B	Oct. 3	Nov. 14	1
Bear, Archery ^{1,7} WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 17	Oct. 31	1
Bear, Muzzleloader ^{1,7} (Statewide)	Oct. 17	Oct. 24	1
Bear, Special firearms ⁷ Only Junior and Senior License Holders ³ , 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. 22	Oct. 24	1

BEAR – (Continued)

Bear, Regular Firearms ^{5,7} (Statewide)	Nov. 21	Nov. 21	1
		and	
	Sun., Nov. 22	Sun., Nov. 22	
		and	
	Nov. 23	Nov. 24	

Bear, Extended firearms ^{1,7} WMUs 2B, 5B, 5C, and 5D	Nov. 28	Dec. 12	1
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Bear, Extended firearms ^{1,7} WMUs 1B, 2C, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Nov. 28	Dec. 5	1
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ELK

Species	First Day	Last Day	Season Limit
Elk, Special Conservation Tag ^{1,8} and Special-License Tag ^{5,6} (Antlered and Antlerless)	Sept. 1	Nov. 7	1
Elk, Archery ^{1,8}	Sept. 12	Sept. 26	1
Elk, Regular ⁸ (Antlered and Antlerless)	Nov. 2	Nov. 7	1
Elk, Late ^{1,8} (Antlerless only)	Jan. 2, 2021	Jan. 9, 2021	1

FUR TAKING - TRAPPING

Species	First Day	Last Day	Daily Limit	Season Limit
Mink and Muskrat	Nov. 21	Jan. 10, 2021		Unlimited
Beaver	Dec. 19	Mar. 31, 2021		
WMUs 1A and 1B (Combined)			20	60
WMUs 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
Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel	Oct. 25	Feb. 21, 2021		Unlimited
Coyote and Fox Use of cable restraint devices authorized with required certification	Dec. 26	Feb. 21, 2021		Unlimited
Bobcat, with required bobcat permit WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Dec. 19	Jan. 10, 2021	1	1

FUR TAKING - TRAPPING – (Continued)

Species	First Day	Last Day	Daily Limit	Season Limit
<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. 19	Jan. 3, 2021	1	1

<i>River Otter, with required otter permit</i> WMUs 1A, 1B, 2F, 3C and 3D	Feb. 13, 2021	Feb. 20, 2021	1	1
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FUR TAKING - HUNTING

Species	First Day	Last Day	Daily Limit	Season Limit
<i>Coyote - (Outside of any big game season)</i> ³	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> ¹	No closed season.			
<i>Fox</i> ³	Oct. 24	Feb. 20, 2021	Unlimited	
<i>Raccoon</i> ¹	Oct. 24	Feb. 20, 2021	Unlimited	
<i>Bobcat, with required bobcat permit</i> ¹ WMUs 2A, 2B, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D and 4E	Jan. 9, 2021	Feb. 3, 2021	1	1
<i>Porcupine</i> ¹	Oct. 10	Jan. 30, 2021	3	10

No open seasons on other wild birds or wild mammals.

¹ No hunting on Sunday authorized. See 34 Pa.C.S. § 2303.

² 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.

³ Hunting on Sunday is authorized. See 34 Pa.C.S. § 2303.

⁴ Only one antlered deer (buck) may be taken during the hunting license year.

⁵ Hunting on Sunday authorized on separately delineated Sunday date only. See 34 Pa.C.S. § 2303.

⁶ 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).

⁷ Only one bear may be taken during the hunting license year with the required bear license.

⁸ Only one elk may be taken during the hunting license year with the required elk license.

B. Amend 58 Pa. Code § 141.62.

Commentary:

The Commission has recently observed a notable increase in beaver populations and beaver-related complaints in Wildlife Management Units (WMUs) 1A and 1B. As a result, the Commission is seeking to increase harvest success rates in these WMUs in an effort to better control the beaver population and resulting beaver-human conflicts. The Commission has previously proposed an amendment to § 139.4 to increase the beaver bag limit in these WMUs from 40 to 60. The Commission is also proposing to amend § 141.62 to increase the number of authorized body gripping traps to 20 in any WMU where beaver bag limits are 60 per season. Beaver trappers will still be limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any WMU with an open otter trapping season during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.62. Beaver and otter trapping.

(b) *Unlawful acts.* It is unlawful to:

(4) Set, tend or operate any number of traps or snares for beaver trapping in excess of the limits established by this paragraph.

(i) Beaver trappers are generally limited to a combined Statewide total of 20 traps or snares, no more than 10 of which may be traps. No more than 2 of the 10 traps may be body gripping traps, except:

(A) ~~in~~ In Wildlife Management Units where beaver bag limits are 40 ~~or more~~ per season, ~~where~~ all 10 traps may be body gripping traps.

(B) In Wildlife Management Units where beaver bag limits are 60 per season, all 20 traps or snares may be body gripping traps.

(ii) Beaver trappers are limited to using no more than five traps or snares, no more than two of which may be body-gripping traps, in any Wildlife Management Unit with an open otter trapping season. This limitation is inclusive of any otter traps or snares set under paragraph (7). This limitation is applicable during periods when the open beaver trapping season overlaps by calendar date with the open otter trapping season and shall extend for 5 additional consecutive days after the close of the otter season.

Action:

BUREAU OF WILDLIFE PROTECTION

PROPOSED RULE MAKING

A. 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 2020-2021 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.

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

ANNEX "A"

**HUNTING HOURS TABLE
FOR JUNE 28, 2020 THROUGH JULY 3, 2021**

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
June 28 - July 4	5:08	9:03	Jan. 3 - 9	6:53	5:24
July 5 - 11	5:12	9:00	Jan. 10 - 16	6:52	5:25
July 12 - 18	5:17	8:56	Jan. 17 - 23	6:49	5:33
July 19 - 25	5:23	8:50	Jan. 24 - 30	6:45	5:41
July 26 - Aug. 1	5:30	8:44	Jan.31 - Feb. 6	6:40	5:49
Aug. 2 - 8	5:38	8:36	Feb. 7 - 13	6:33	5:57
Aug. 9 - 15	5:43	8:26	Feb. 14 - 20	6:24	6:06
Aug. 16 - 22	5:49	8:16	Feb. 21 - 27	6:15	6:14
Aug. 23 - 29	5:56	8:06	Feb. 28 - March 6	6:06	6:22
Aug. 30 -Sept. 5	6:03	7:55	March 7 - 13	5:54	7:29
Sept. 6 - 12	6:09	7:43	March 14 - 20* Begins	6:43	7:37
Sept. 13 - 19	6:16	7:32	March 21 - 27	6:32	7:44
Sept. 20 - 26	6:23	7:20	March 28 - Apr. 3	6:21	7:51
Sept. 27 - Oct. 3	6:29	7:09	April 4 - 10	6:09	7:58
Oct. 4 - 10	6:36	6:58	April 11 - 17	5:58	8:05
Oct. 11 - 17	6:44	6:47	April 18 - 24	5:48	8:12
Oct. 18 - 24	6:51	6:38	April 25 - May 1	5:38	8:19
Oct. 25 - 31	6:59	6:29	May 2 - May 8	5:29	8:27
Nov. 1 - 7 ** Ends	6:07	5:21	May 9 - 15	5:21	8:33
Nov. 8 - 14	6:15	5:15	May 16 - 22	5:14	8:40
Nov. 15 - 21	6:23	5:10	May 23 - 29	5:09	8:46
Nov. 22 - 28	6:31	5:07	May 30 - June 5	5:05	8:52
Nov. 29 - Dec. 5	6:37	5:05	June 6 - 12	5:02	8:57
Dec.6 - 12	6:43	5:06	June 13 - 19	5:02	9:00
Dec. 13 - 19	6:48	5:08	June 20 - 26	5:04	9:03
Dec. 20 - 26	6:51	5:09	June 27 - July 3	5:07	9:03
Dec. 27 - Jan. 2	6:52	5:17	Daylight Saving Time Begins* - Ends**		

**MIGRATORY GAME BIRD HUNTING HOURS TABLE
2020-2021**

Dates	Begin A.M.	End P.M.	Dates	Begin A.M.	End P.M.
June 28 - July 4	5:08	8:33	Jan. 3 - 9	6:53	4:54
July 5 - 11	5:12	8:30	Jan. 10 - 16	6:52	4:55
July 12 - 18	5:17	8:26	Jan. 17 - 23	6:49	5:03
July 19 - 25	5:23	8:20	Jan. 24 - 30	6:45	5:11
July 26 - Aug. 1	5:30	8:14	Jan. 31 - Feb. 6	6:40	5:19
Aug. 2 - 8	5:38	8:06	Feb. 7 - 13	6:33	5:27
Aug. 9 - 15	5:43	7:56	Feb. 14 - 20	6:24	5:36
Aug. 16 - 22	5:49	7:46	Feb. 21 - 27	6:15	5:44
Aug. 23 - 29	5:56	7:36	Feb. 28 - March 6	6:06	5:52
Aug. 30 - Sept. 5	6:03	7:25	March 7 - 13	6:54	6:59
Sept. 6 - 12	6:09	7:13	March 14 - 20 * Begins	6:43	7:07
Sept. 13 - 19	6:16	7:02	March 21 - 27	6:32	7:14
Sept. 20 - 26	6:23	6:50	March 28 - April 3	6:21	7:21
Sept. 27 - Oct. 3	6:29	6:39	April 4 - 10	6:09	7:28
Oct. 4 - 10	6:36	6:28	April 11 - 17	5:58	7:35
Oct. 11 - 17	6:44	6:17	April 18 - 24	5:48	7:42
Oct. 18 - 24	6:51	6:08	April 25 - May 1	5:38	7:49
Oct. 25 - 31	6:59	5:59	May 2 - 8	5:29	7:57
Nov. 1 - 7 ** Ends	6:07	4:51	May 9 - 15	5:21	8:03
Nov. 8 - 14	6:15	4:45	May 16 - 22	5:14	8:10
Nov. 15 - 21	6:23	4:40	May 23 - 29	5:09	8:16
Nov. 22 - 28	6:31	4:37	May 30 - June 5	5:05	8:22
Nov. 29 - Dec. 5	6:37	4:35	June 6 - 12	5:02	8:27
Dec. 6 - 12	6:43	4:36	June 13 - 19	5:02	8:30
Dec. 13 - 19	6:48	4:38	June 20 - 26	5:04	8:33
Dec. 20 - 26	6:51	4:39	June 27 - July 3	5:07	8:33
Dec. 27 - Jan. 2	6:52	4:47	Daylight Saving Time Begins* Ends**		

Action:

B. Amend 58 Pa. Code § 141.29.

Commentary:

It is currently unlawful to hunt mourning doves on or over lands or areas where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed *after* September 15 each license year. This restriction was intended to minimize baiting conflicts for hunters pursuing species other than doves, which remain unlawful to hunt in lands or areas affected by such manipulation. For example, hunting waterfowl over a manipulated crop field remains prohibited by both state and federal law notwithstanding the authorization for the hunting of mourning doves. However, the Commission has also observed that the September 15 cutoff date disallows a significant degree of flexibility for weather and planting related delays in the maturation and proper drying of the vegetation planting in the crop fields. This has resulted in instances of lost hunting opportunities and wasted investments in these areas prepared and intended for mourning dove hunting. The Commission is proposing to amend § 141.29 to eliminate the September 15 cutoff date.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.29. Hunting mourning doves over managed fields.

(a) *Limited hunting authorized.* In accordance with the authorization in 50 CFR 20.21 (relating to what hunting methods are illegal), it is lawful to hunt mourning doves on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation. [~~This authorization does not apply to any other species of wildlife or to the hunting of mourning doves where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed after September 15 each license year.~~]

(b) *Nonapplication.* This section shall not be construed to authorize the hunting of any other species of wildlife in an area where grain or other feed has been distributed or scattered as the result of manipulation of an agricultural crop or other feed.

(c) *Definition.* For the purposes of this section, “manipulation” means the alteration of natural vegetation or agricultural crops by activities that include mowing, shredding, discing, rolling, chopping, trampling, flattening, burning or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed or other feed after removal from or storage on the field where grown.

Action:

C. Amend 58 Pa. Code § 141.41.

Commentary: Outside of Special regulations areas, current regulations prohibit hunters from harvesting a subsequent deer before they have lawfully tagged each successive deer they have harvested. This restriction is intended to prevent waste of the Commonwealth's wildlife resources by causing hunters to follow up on shots and promote recovery of mortally wounded deer before an attempting to harvest subsequent animals. However, this restriction has also been observed to force hunters to pass up additional harvest opportunities that occur contemporaneous to the first as they are fleeing and certainly diminish with the noise and movement associated with tagging activities for the previous harvest. Special regulations areas are currently exempt from this requirement and the Commission is not aware that any significant problems have resulted from its absence. The Commission is proposing to amend § 141.41 to eliminate the requirement that hunters lawfully tag each successive deer that they have harvested before lawfully harvesting a subsequent deer within their season limits.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.41. General.

It is unlawful to:

(1) Fail, within 10 days of the kill, to complete the report card supplied with the hunting license for reporting big game killed and mail the report card to the Commission in Harrisburg or by any other method designated by the Director.

(2) Receive a DMAP permit without reporting in the manner prescribed on the permit.

(3) ~~[Harvest more than one deer at a time before lawfully tagging a deer previously harvested when multiple harvests of deer per day are authorized, except as otherwise provided in § 141.1 (relating to special regulations areas).]~~ **"(Reserved)"**

(4) Possess an expired, fulfilled, revoked, suspended or invalid big game harvest tag or hunting license while engaged in hunting or trapping activities.

Action:

D. Amend 58 Pa. Code § 147.674.

Commentary:

A longstanding provision of the Deer Management Assistance Program (DMAP) regulations has limited individual hunters to receiving no more than two DMAP permits for each unit or area enrolled in the program. The Commission has reviewed this limitation and determined that it may be unreasonably limiting private landowners from effectively using the program to harvest enough deer on their lands to meet their deer management goals. This issue has been raised by both DMAP users and Commission staff as part of an ongoing broad review of the DMAP and Red Tag programs. However, the Commission is also equally cautious against moving too far towards privatizing access to antlerless deer harvest under the DMAP program and outside of the standard antlerless deer license allocations. Both external users and Commission staff agree that an increase in the number of DMAP permits per unit is warranted, except in certain areas designated by the Commission. The Commission is proposing to amend § 147.674 to increase the number of DMAP harvest permits that a person may receive for each DMAP unit or area from two to four, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

§ 147.674. Issuance of DMAP harvest permits.

(a) DMAP harvest permits will be made available without regard to quota limitations and will be issued through the Commission's PALS.

(b) ~~Two~~ Four harvest permits for the DMAP area may be issued each license year to persons who possess a valid Pennsylvania hunting license, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

(c) Coupon holders shall submit the completed coupons and remittance as determined by the Director. The fee for the harvest permit is \$10 for residents and \$35 for nonresidents. A fee of \$6 will be assessed for the replacement of any DMAP harvest permit.

(d) While hunting deer, the DMAP harvest permit shall be possessed by the hunter at all times.

(e) In DMAP areas designated by the Director, applicants may apply for DMAP harvest permits without possessing a coupon as long as harvest permits remain available for that area.

Action:

E. Amend 58 Pa. Code § 147.804.

Commentary:

Since the mentored hunting program's initial inception in 2006, the program has gradually grown and expanded to allow the hunting of many additional species of game and wildlife. The program has also incrementally expanded eligibility standards to now allow participation by all age groups. However, with this progressive linear expansion, the mentored hunting program has built up a complex and inconsistent web of eligibility standards and limitations for each of the three program age groups. Couple this complexity with its differences to the traditional hunting license structures and the Commonwealth's sporting men and women have understandably been challenged in fully understanding and consistently operating within the program's multifaceted standards. Furthermore, the Commission recognizes that the current complexity of these regulations themselves may in fact be undermining the recruitment and retention of the participants the program was intended to improve. With this in mind, the Commission has determined that the mentored hunting program is due for a significant streamlining of its standards.

The first improvement involves combining the species eligibility list for mentored youth and mentored adults to one list. This change alone will expand species eligibility for all age groups. The second change involves issuing all applicable harvest tags to mentored adults and mentored youth 7 years of age or older in a manner consistent with the purchase of a hunting license. This change primarily affects mentored adults and does not change standards for mentored youth who are under 7 years of age at the time of application. This change eliminates the transfer of any harvest tags to mentored adults and mentored youth 7 years of age or older.

The third change builds off of the second by expanding the ability to make direct application for antlerless deer licenses and Deer Management Assistance Program (DMAP) harvest permits for mentored adults and mentored youth 7 years of age or older. The fourth change allows all mentored hunter age classes to make direct application for migratory bird licenses and pheasant permits within the eligibility standards and limitations of these programs. Each of these improvements brings a greater degree of simplicity to the mentored hunting program and also brings it into closer alignment to the Commission's traditional hunting license structures.

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

§ 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.

(c) *Species limitation.* A mentored youth's or mentored adult's hunting eligibility is restricted to the following species: rabbit, hare, ruffed grouse, mourning dove, bobwhite quail, pheasant, crow, squirrel, porcupine, woodchuck, coyote, deer and wild turkey.

~~[(1) — A mentored youth's hunting eligibility is restricted to the following species: cottontail rabbit, mourning dove, squirrel, woodchuck, coyote, deer and wild turkey. Except as provided in this paragraph, mentored youth hunting permits will be issued with an antlered deer harvest tag and a spring turkey harvest tag. Harvest tags will not be issued to mentored youth applicants who are under 7 years of age at the time of application.]~~

~~(2) A mentored adult's hunting eligibility is restricted to the following species: squirrel, ruffed grouse, rabbit, pheasant, bobwhite quail, hares, porcupine, woodchuck, crow, coyote, antlerless deer and wild turkey. Mentored adult hunting permits will be issued with a spring turkey harvest tag.]~~

(d) *Seasons and bag limits.* A mentored youth's and mentored adult's hunting eligibility is further constrained by applicable hunting seasons, daily limits, field possession limits and season limits provided in § 139.4 (relating to seasons and bag limits for the license year).

(e) *Applicability of junior seasons and antler restrictions.* A mentored youth is eligible to hunt during any special youth hunting seasons that apply to any species specified in subsection (c) and are subject to the same antler restrictions that apply to junior license holders in § 131.2 (relating to definitions).

(f) *Tagging requirements.* Mentored youth and mentored adults shall tag and report all big game harvested in the manner provided in section 2323 of the act (relating to tagging and reporting big game kills).

(g) *Transfer of an antlerless license.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act (relating to unlawful acts concerning licenses), mentors are authorized to transfer antlerless licenses issued to them to an eligible mentored youth ~~[or mentored adult]~~ who was under 7 years of age at the time of application. The antlerless license shall be valid

and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the antlerless license may not occur until after the mentored youth ~~[or mentored adult]~~ has harvested the antlerless deer, but before tagging the carcass. A mentored youth ~~[or mentored adult]~~ may receive by transfer no more than one antlerless deer license each license year. Mentored youth ~~[and mentored adults]~~ who are under 7 years of age at the time of application are ineligible to make direct application for an antlerless license.

(h) *Transfer of a fall turkey tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer fall turkey tags issued to them to an eligible mentored youth ~~[or mentored adult]~~ who was under 7 years of age at the time of application. The fall turkey tag shall be valid and in the possession of the mentor at all times while hunting fall turkey. The transfer of the fall turkey tag may not occur until after the mentored youth ~~[or mentored adult]~~ has harvested the fall turkey, but before tagging the carcass. A mentored youth ~~[or mentored adult]~~ may not receive by transfer more than one fall turkey tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(i) *Transfer of a Deer Management Assistance Program harvest permit.* Notwithstanding the prohibitions in § 147.676(2) and (3) (relating to unlawful acts), mentors are authorized to transfer Deer Management Assistance Program (DMAP) harvest permits issued to them to an eligible mentored youth ~~[or mentored adult]~~ who was under 7 years of age at the time of application. The DMAP harvest permit must be valid and in the possession of the mentor at all times while hunting antlerless deer. The transfer of the DMAP harvest permit may not occur until after the mentored youth ~~[or mentored adult]~~ has harvested the antlerless deer, but before tagging the carcass. A mentored youth ~~[or mentored adult]~~ may not receive by transfer more than one DMAP harvest permit each license year. Mentored youth ~~[and mentored adults]~~ who are under 7 years of age at the time of application are ineligible to make direct application for a DMAP harvest permit. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(j) *Transfer of an antlered deer harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer antlered deer harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The antlered deer harvest tag shall be valid and in the possession of the mentor at all times while hunting antlered deer. The transfer of the antlered deer harvest tag may not occur until after the mentored youth has harvested the antlered deer, but before tagging the carcass. A mentored youth may not receive by transfer more than one antlered deer harvest tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(k) *Transfer of a spring turkey harvest tag.* Notwithstanding the prohibitions in section 2711(a)(3) and (5) of the act, mentors are authorized to transfer spring turkey harvest tags issued to them to a mentored youth who was under 7 years of age at the time of application. The spring turkey harvest tag shall be valid and in the possession of the mentor at all times while hunting spring turkey. The transfer of the spring turkey harvest tag may not occur until after the mentored youth has harvested the spring turkey, but before tagging the carcass. A mentored youth

may not receive by transfer more than one spring turkey harvest tag each license year. This provision shall not be construed to authorize the transfer of a harvest tag to a mentored adult or a mentored youth that was 7 years of age or older at the time of application for the mentored permit.

(l) Application for and issuance of big game harvest tags. Except as provided below, mentored youth and mentored adult hunting permits will be issued with an antlered deer, fall turkey and spring turkey harvest tag. No harvest tags will be issued with a mentored youth permit where the applicant is under 7 years of age at the time of application. Mentored youth over 7 years of age at the time of application and mentored adults are additionally eligible to make application for one antlerless deer license and as many Deer Management Assistance Program (DMAP) harvest permits that are within the eligibility standards and limitations of these programs.

(m) Application for and issuance of add-on licenses and permits. Mentored youth and mentored adults are exempt from requirements to obtain archery and muzzleloader add-on licenses or stamps applicable to hunting archery or muzzleloader seasons for any species listed in subsection (c). Unless otherwise exempted by existing program standards, all mentored youth and mentored adults are required to obtain migratory bird licenses and pheasant permits to participate in hunting during applicable seasons for any associated species listed in subsection (c).

Action:

F. Amend 58 Pa. Code § 135.53.

Commentary: Current regulations require that any ATV used as a mobility device must be registered with the Department of Conservation and Natural Resources. The Commission has learned that certain ATVs that are additionally defined as “neighborhood electric vehicles” and registered with the Department of Transportation cannot be dual registered with the Department of Conservation and Natural Resources. This restriction has the unfortunate effect of excluding otherwise eligible ATVs from being utilized as mobility devices by the mere fact that the device is properly registered with another Commonwealth agency. The Commission is proposing to amend § 135.53 to expand ATV eligibility for use as mobility devices by including ATVs registered with the Department of Transportation as neighborhood electric vehicles that properly display the valid registration plate and the required “25 MPH Vehicle” decal.

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§ 135.53. Operation of mobility devices and motor vehicles on designated routes.

Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may operate mobility devices and motor vehicles on designated routes subject to all of the following conditions:

* * * * *

(3) *ATVs and snowmobiles as mobility devices.* An ATV or snowmobile used as a mobility device on a designated route must be registered with either:

(i) The [the] Department of Conservation and Natural Resources and display the valid registration plate or registration decal as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV); or

(ii) The Department of Transportation as a neighborhood electric vehicle and display the valid registration plate and “25 MPH Vehicle” decal as required under 75 Pa.C.S. §§ 3592 and 3594 (relating to required equipment; and same treatment as passenger cars. Vehicles registered with the Department of Transportation as neighborhood electric vehicles or NEVs.

* * * * *

Action:

G. Amend 58 Pa. Code §§ 141.43, 141.44 and 141.47.

Commentary:

During the 2019 fall hunting seasons, the Commission received a significant number of inquiries from the public concerning what arms and ammunition was lawful for users during the overlap of the archery deer season and its overlap with the muzzleloader bear season. Current regulations generally prohibit the possession of firearms during the deer archery season and archery tackle is not listed as a lawful device for muzzleloader bear seasons. In an effort to clarify these issues and provide greater opportunity during these overlap seasons, the Commission is proposing to amend §§ 141.43, 141.44 and 141.47 to expand the list of lawful devices authorized for applicable deer, bear and elk seasons during periods of overlap. The proposal also amends § 141.47 to provide specific arms and ammunition listings for the archery elk season and the elk seasons established for the Special Conservation License and the Special License established under 34 Pa.C.S. § 2706.2 (relating to elk hunting licenses).

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.43. Deer seasons.

(a) *Archery deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the archery deer season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting deer during the archery deer season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery deer season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the early archery and muzzleloader deer seasons and the late archery and flintlock muzzleloading deer seasons if that person is in possession of both a valid archery deer license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the early archery deer season and muzzleloader bear season if that person is in possession of both a valid archery deer license and a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(b) *Flintlock muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the flintlock muzzleloading deer season with [a] any of the following devices:

(i) A flintlock muzzleloading firearm. The firearm must be an original or similar reproduction of muzzleloading firearm manufactured prior to 1800. The firearm's ignition mechanism must consist of a hammer containing a naturally occurring stone that is spring propelled onto an iron or steel frizzen which, in turn, creates sparks to ignite a priming powder. The firearm must have open or aperture sights and be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting deer during the flintlock muzzleloading deer season, it is unlawful to:

(i) Use manmade materials attached to the hammer or frizzen to create sparks.

(ii) Use telescopic sights.

(iii) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(iv) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(c) *Muzzleloading deer season.*

(1) *Permitted devices.* It is lawful to hunt deer during the muzzleloading deer season with ~~[a]~~ any of the following devices:

(i) A muzzleloading firearm. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting deer during the muzzleloading deer season, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act, except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

* * * * *

§ 141.44. Bear.

(a) *Archery bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the archery bear season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 35 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 7/8 inch and may not exceed 3.25 inches in length.

(2) *Prohibitions.* While hunting bear during the archery bear season, it is unlawful to:

(i) Use or possess a firearm ~~[or while in possession of a firearm, except as otherwise authorized by section 2525 of the act (relating to possession of firearm for protection of self or others)].~~ Exceptions:

(A) A person may possess certain firearms during the archery bear season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery and muzzleloader bear seasons if that person is in possession of a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery bear season and muzzleloader deer season if that person is in possession of both a valid bear license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Disturb, wound or kill a bear in a den.

(iv) Assist, conspire or use a device to locate a bear to which a transmitter has been attached.

(b) *Muzzleloading bear season.*

(1) *Permitted devices.* It is lawful to hunt bear during the muzzleloading bear season with [a] any of the following devices:

(i) A muzzleloading firearm. The firearm must be a .44 caliber or larger single-barrel long gun or a .50 caliber or larger single-barrel handgun that propels single-projectile ammunition.

(ii) A bow and arrow as permitted under subsection (a)(1)(i).

(iii) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) *Prohibitions.* While hunting bear during the muzzleloading bear season, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Disturb, wound or kill a bear in a den.

(iv) Assist, conspire or use a device to locate a bear to which a transmitter has been attached.

* * * * *

§ 141.47. Elk.

~~[(a) *Permitted devices.* It is lawful to hunt elk during the elk season with any of the following devices:~~

~~(1) — A manually operated, centerfire rifle or handgun. The firearm must be a .26 caliber or larger firearm that propels single projectile ammunition 120 grains or larger.~~

~~(2) — A manually operated or semiautomatic, centerfire shotgun. The firearm must be a 12 gauge or larger firearm that propels single projectile ammunition.~~

~~(3) — A muzzleloading firearm. The firearm must be .50 caliber or larger single barrel firearm that propels single projectile ammunition 210 grains or larger.~~

~~(4) — A bow and arrow. A bow must have a peak draw weight of at least 45 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.~~

~~(5) — A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.~~

~~(b) *Prohibitions.* While hunting elk during the elk season, it is unlawful to:~~

~~(1) — Use or possess multiple projectile ammunition or ammunition other than that required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act (relating to possession of firearm for protection of self or others).~~

~~(2) — Use or possess a device or ammunition not provided for in the act or in this section, except as authorized under section 2525 of the act.~~

~~(3) — Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.~~

~~(4) — Drive or herd elk.~~

~~(5) — Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.]~~

(a) *Archery elk season.*

(1) Permitted devices. It is lawful to hunt elk during the archery elk season with any of the following devices:

(i) A bow and arrow. A bow must have a peak draw weight of at least 45 pounds. An arrow must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.

(ii) A crossbow and bolt. A crossbow must have a peak draw weight of at least 125 pounds. A bolt must be equipped with a broadhead that has an outside diameter or width of at least 1 inch and may not exceed 3.25 inches in length.

(2) Prohibitions. While hunting elk during the archery elk season, it is unlawful to:

(i) Use or possess a firearm. Exceptions:

(A) A person may possess certain firearms during the archery elk season under the authorizations of section 2525 of the act (relating to possession of firearm for protection of self or others).

(B) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery elk season and muzzleloader deer season if that person is in possession of both a valid elk license and a valid muzzleloader deer license and meets the greater protective material requirements for the muzzleloader deer season, if applicable.

(C) A person may possess and use both a bow or crossbow and a muzzleloading firearm during the overlaps of the archery elk season and muzzleloader bear season if that person is in possession of both a valid elk license and a valid bear license and meets the greater protective material requirements for the muzzleloader bear season, if applicable.

(ii) Use or possess a device or ammunition not provided for in the act or in this subsection, except as authorized under section 2525 of the act.

(iii) Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.

(iv) Drive or herd elk.

(v) Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.

(a) Regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License.

(1) Permitted devices. It is lawful to hunt elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License with any of the following devices:

(i) A manually operated, centerfire rifle or handgun. The firearm must be a .26 caliber or larger firearm that propels single-projectile ammunition 120 grains or larger.

(ii) A manually operated or semiautomatic, centerfire shotgun. The firearm must be a 12 gauge or larger firearm that propels single-projectile ammunition.

(iii) A muzzleloading firearm. The firearm must be .50 caliber or larger single-barrel firearm that propels single-projectile ammunition 210 grains or larger.

(iv) A bow and arrow as permitted under subsection (a)(1)(i).

(v) A crossbow and bolt as permitted under subsection (a)(1)(ii).

(2) Prohibitions. While hunting elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License, it is unlawful to:

(i) Use or possess multiple projectile ammunition or ammunition other than that required under section 2322(a)(4) of the act (relating to prohibited devices and methods), except as authorized under section 2525 of the act (relating to possession of firearm for protection of self or others).

(ii) Use or possess a device or ammunition not provided for in the act or in this section, except as authorized under section 2525 of the act.

(iii) Fail to mark the kill site after lawful harvest in accordance with Commission instructions provided during the elk season orientation.

(iv) Drive or herd elk.

(v) Hunt within the Hick's Run no hunt zone, the area immediately adjacent to and north of Route 555, between Hick's Run Road and Huston Hill Road and within 0.3 mile of Route 555.

Action:

BUREAU OF WILDLIFE HABITAT MANAGEMENT

PROPOSED RULE MAKING

A. Amend 58 Pa. Code §§ 131.2, 135.2 and 135.41.

Commentary:

The Commission has observed that electric bicycles (e-bikes) are gaining popularity within the Commonwealth and many hunters are exploring use of E-bikes to assist them in reaching their hunting and trapping locations. Under current regulation, it is unlawful to use or operate any type of e-bike on State game lands, unless used by individuals with mobility disabilities. The Commission also recognizes that there are many areas within its State game lands system that are difficult to access often due to a lack of a comprehensive road system that could sustain routine road vehicle traffic. In many cases, it is simply impractical to build new and/or maintain comprehensive road system in these areas.

As a result, the Commission has determined that permitted use of certain e-bikes could greatly improve State game lands access and the hunting and trapping experience for many of our hunters, including those that do not suffer from a mobility disability. The Commission believes that allowing responsible use of certain e-bikes can be accommodated without significant damage to existing State game lands road and trail systems, wildlife populations or the peace and tranquility of the Commission's wilderness areas.

The Commission is proposing to amend §§ 131.2, 135.2 and 135.41 to define and allow use of Class I e-bikes on State game lands in the same manner as traditional bicycles. These devices will be limited to two-wheeled bicycle equipped with fully operable pedals and an electric motor of 750 watts (1 h.p.) or less that provide assistance only when the rider is actively pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. The changes will not authorize use of any device that is equipped with a throttle or that provides any degree of assistance from an electric motor when the rider is not actively pedaling. It is important to note that these amendments do not eliminate current statutory restrictions prohibiting the possession of loaded firearms in, on or against vehicles propelled by mechanical power under section 2503 of the act.

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.2. Definitions.

In addition to the definitions contained in section 102 of the act (relating to definitions), the following words and terms, when used in this part or in the act, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Class I electric bicycle—A two-wheeled bicycle equipped with fully operable pedals and an electric motor of 750 watts (1 h.p.) or less that provides assistance only when the rider is actively pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. This term does not include any device that is equipped with a throttle or that provides any degree of assistance from an electric motor when the rider is not actively pedaling.

* * * * *

CHAPTER 135. HUNTING AND TRAPPING

Subchapter A. GENERAL PROVISIONS

§ 135.2. Unlawful actions.

In addition to the prohibitions in the act on lands, waters or buildings under Commission ownership, lease, agreement, control or jurisdiction, it is unlawful, except with the permission of the person in charge of the lands, or the written permission of the Director to:

* * * * *

(3) Travel on lands by means of vehicle or conveyance propelled by motorized power. This provision is not intended to restrict travel by Class I electric bicycles and certain devices used for persons with mobility disabilities as specifically authorized under Subchapter C (relating to State game lands).

* * * * *

Subchapter C. STATE GAME LANDS

§ 135.41. State game lands.

* * * * *

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

* * * * *

(4) Ride a nonmotorized vehicle, conveyance, Class I electric bicycle or animal, except on roads normally open to public travel, or designated routes as posted, or while lawfully engaged in hunting, trapping or fishing.

(5) Ride a nonmotorized vehicle, conveyance, Class I electric bicycle or animal from the last Saturday in September until the third Saturday in January, and before 1 p.m. from the second Saturday in April through the last Saturday in May inclusive, except on Sundays or while lawfully engaged in hunting, trapping or fishing.

(6) Ride a nonmotorized vehicle, conveyance, Class I electric bicycle or animal on roads open to foot travel only.

Action:

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REAL ESTATE

B. Donation

Contract No. L-3753, State Game Land No. 129, Monroe County

Commentary: Blakeslee DG, LLC is offering to donate 9.39+/- acres of land in Tunkhannock Township, Monroe County, adjoining State Game Land No. 129 (Exhibit RED 1). Access is through existing State Game Land No. 129.

Action:

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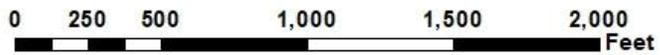


Exhibit RED 1
State Game Land No. 129
L-3753
Donation
Blakeslee DG, LLC Tract
9.39+/- Acres

Tunkhannock Township
Monroe County
Northeast Region

C. Acquisition

Contract No. L-3754, State Game Land No. 151, Mercer County

Commentary:

Wetlands America Trust, Inc. (a supporting organization of Ducks Unlimited, Inc.) is offering 130.37+/- acres of land in Liberty Township, Mercer County, near State Game Land No. 151, referred to as the Hohmann tract (Exhibit RED 2). The option price is \$400 per acre to be paid with funds from the Game Fund. Ducks Unlimited, Inc. was successful in receiving funding through partnership grants provided by the Department of Conservation and Natural Resources, North American Wetlands Conservation Act and Waterfowl USA. Covenants, conditions, and restrictions associated with these funding sources will be required to accept the property. The property is located within the Celery Swamp Important Bird Area and within Northwest Pennsylvania Waterfowl Focus Areas of the Atlantic Coast Joint Venture. The tract consists of ten acres of forest, four acres of grassland, and 92 acres of wetlands, mostly comprised of a system of 65 ponds/dikes. Black Run provides inflow and outflow. Access is from T-768 (Black Run Road) and T-327 (West Valcourt Road).

Action:

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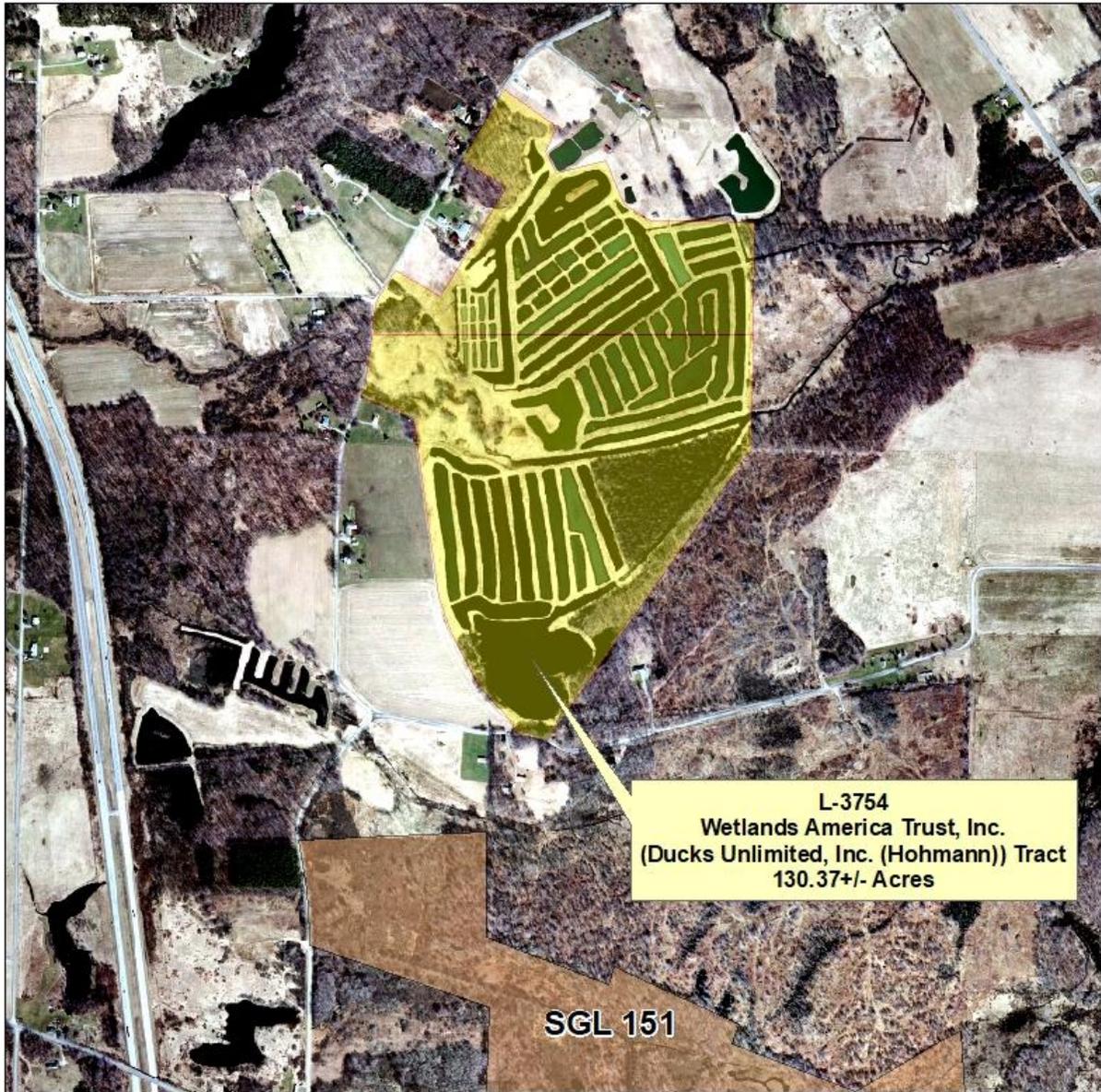


Exhibit RED 2

State Game land No. 151

L-3754
Wetlands America Trust, Inc.
(Ducks Unlimited, Inc. (Hohmann)) Tract
130.37+/- Acres

Liberty Township
Mercer County
Northwest Region



Contract No. L-3755, State Game Land No. 282, Warren County

Commentary: Karen A. Beardsley is offering 0.34+/- acres of land in Pine Grove Township, Warren County, an interior within State Game Land No. 282 (Exhibit RED 3). The option price is \$1,100 lump sum to be paid with funds from the Game Fund. The parcel is located within an existing State Game Land and therefore the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. The tract lies within the Akeley Swamp Important Bird Area.

Action:

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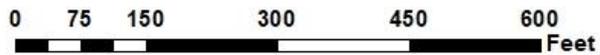


Exhibit RED 3
State Game Land No. 282
L-3755
Karen A. Beardsley Tract
0.34+/- Acres

Pine Grove Township
Warren County
Northwest Region

Contract No. L-3756, State Game Land No. 256, Perry County

Commentary: The Estate of Regina L. Rice is offering 33.58+/- acres of land in Wheatfield Township, Perry County, an interior within State Game Land No. 256 (Exhibit RED 4). The option price is \$95,000 lump sum to be paid with funds from the Game Fund. The parcel is located within an existing State Game Land and therefore the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. Access is through existing State Game Land No. 256.

Action:

DRAFT



0 750 1,500 3,000 4,500 6,000
Feet

Exhibit RED 4
State Game Land No. 256
L-3756
The Estate of Regina L. Rice Tract
33.58+/- Acres

Wheatfield Township
Perry County
Southcentral Region

Contract No. L-3757, State Game Land No. 91, Luzerne County

Commentary:

North Branch Land Trust is offering 182+/- acres of land in Bear Creek Township, Luzerne County, adjoining State Game Land No. 91, referred to as the Alexanderian tract (Exhibit RED 5). The option price is \$400 per acre to be paid with funds from the Game Fund. North Branch Land Trust was successful in receiving funding through partnership grants provided by the Department of Conservation and Natural Resources and Open Space Institute. Covenants, conditions, and restrictions associated with these funding sources will be required to accept the property. Access is from S.R. 115 on the south and from Bear Creek Camp Road on the north.

Action:

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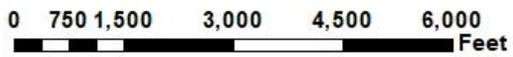
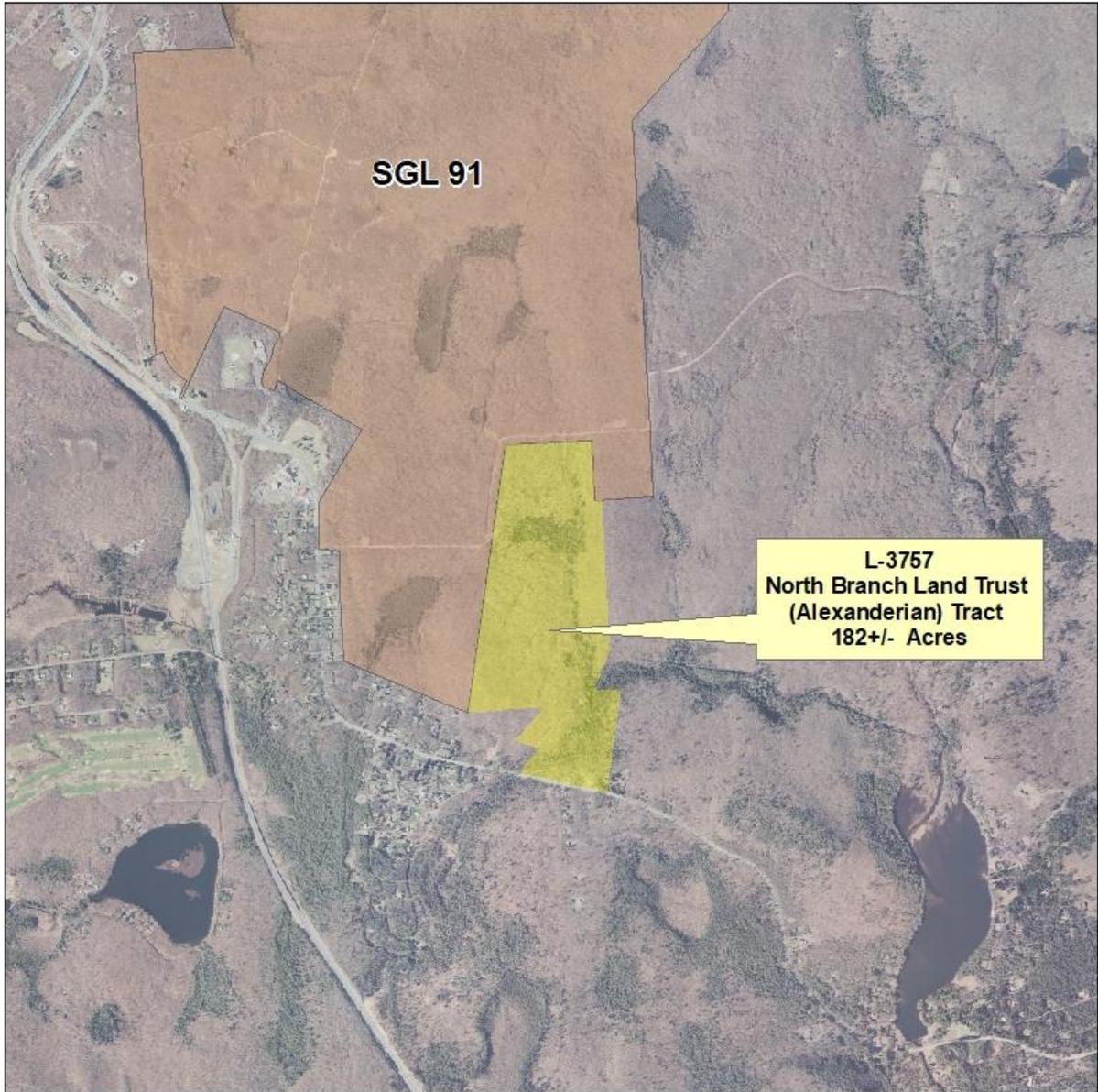


Exhibit RED 5
State Game Land No. 91

L-3757
North Branch Land Trust
(Alexanderian) Tract
182+/- Acres

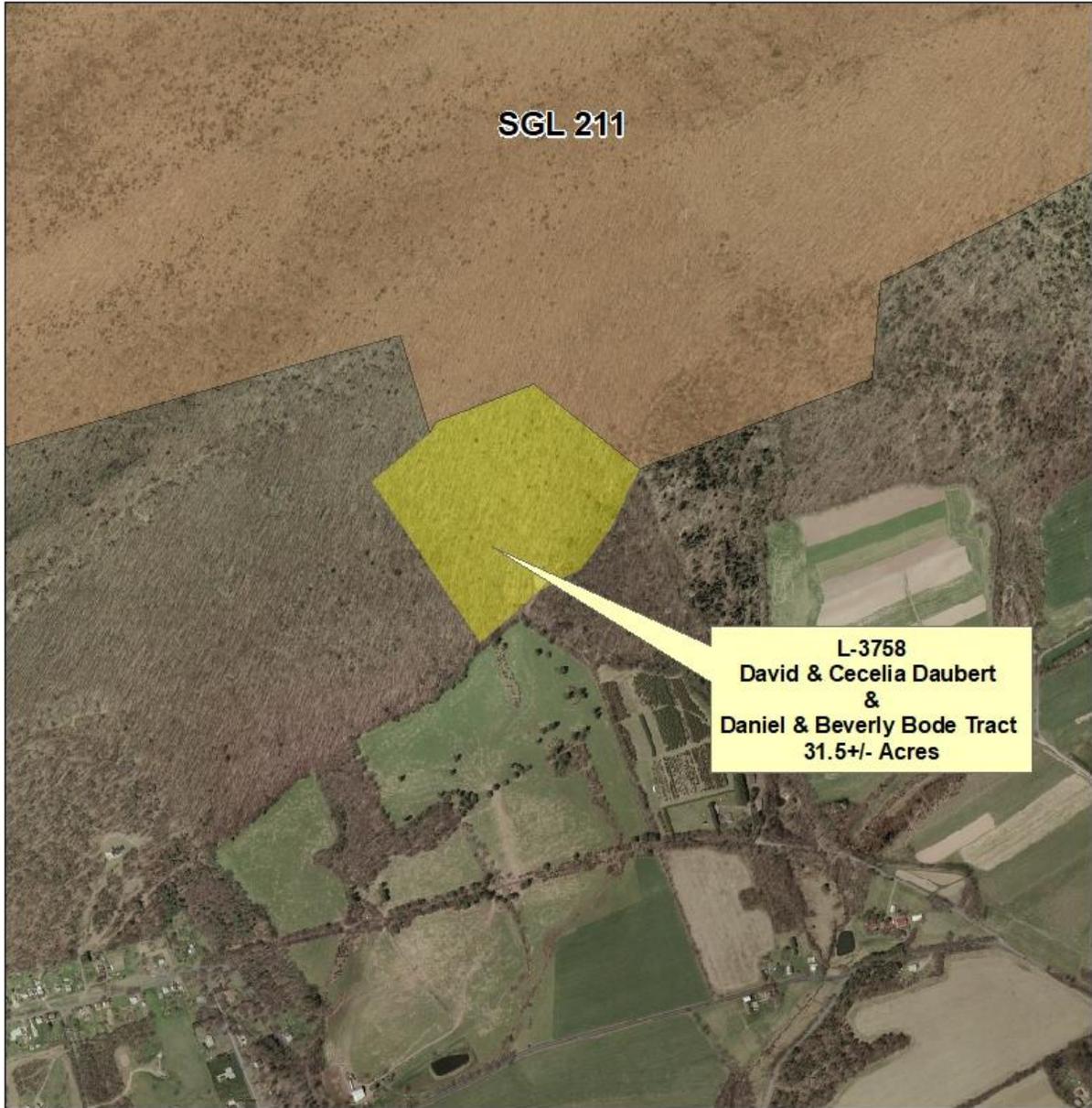
Bear Creek Township
Luzerne County
Northeast Region

Contract No. L-3758, State Game Land No. 211, Schuylkill County

Commentary: David and Cecelia Daubert and Daniel and Beverly Bode are offering 31.5+/- acres of land in Pine Grove Township, Schuylkill County, adjoining State Game Land No. 211 (Exhibit RED 6). The option price is \$44,100 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. Access is through existing State Game Land No. 211.

Action:

DRAFT



SGL 211

**L-3758
David & Cecelia Daubert
&
Daniel & Beverly Bode Tract
31.5+/- Acres**



0 375 750 1,500 2,250 3,000 Feet

Exhibit RED 6
State Game Land No. 211
L-3758
David & Cecelia Daubert
&
Daniel & Beverly Bode Tract
31.5+/- Acres
Pine Grove Township
Schuylkill County
Southeast Region

Contract No. L-3759, State Game Land No. 211, Schuylkill County

Commentary: Lela M. Forry is offering 19.2+/- acres of land in Pine Grove Township, Schuylkill County, adjoining State Game Land No. 211 (Exhibit RED 7). The option price is \$28,800 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. Access is through existing State Game Land No. 211.

Action:

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Exhibit RED 7
State Game Land No. 211

L-3759
Lela M. Forry Tract
19.2+/- Acres

Pine Grove Township
Schuylkill County
Southeast Region

Contract No. L-3760, State Game Land No. 217, Schuylkill County

Commentary:

The Nature Conservancy is offering 125+/- acres of land in West Penn Township, Schuylkill County, adjoining State Game Land No. 217 (Exhibit RED 8). The option price is \$34,215 lump sum to be paid with funds from the Game Fund. The Nature Conservancy was successful in receiving funding through partnership grants provided by the Department of Conservation and Appalachian Trail Conservancy. Covenants, conditions, and restrictions associated with these funding sources will be required to accept the property. There is a rock outcropping on the southern boundary along the top of Kittatinny Ridge which is designated as a Globally Important Bird Area. The property has been identified by both the Kittatinny Ridge Land Protection Partnership and Appalachian Trail Landscape Initiative as a high priority parcel for protection. The property shares a boundary with U.S.A. National Park Service property to the south across which the Appalachian Trail is located. Access is through existing State Game Land No. 217.

Action:

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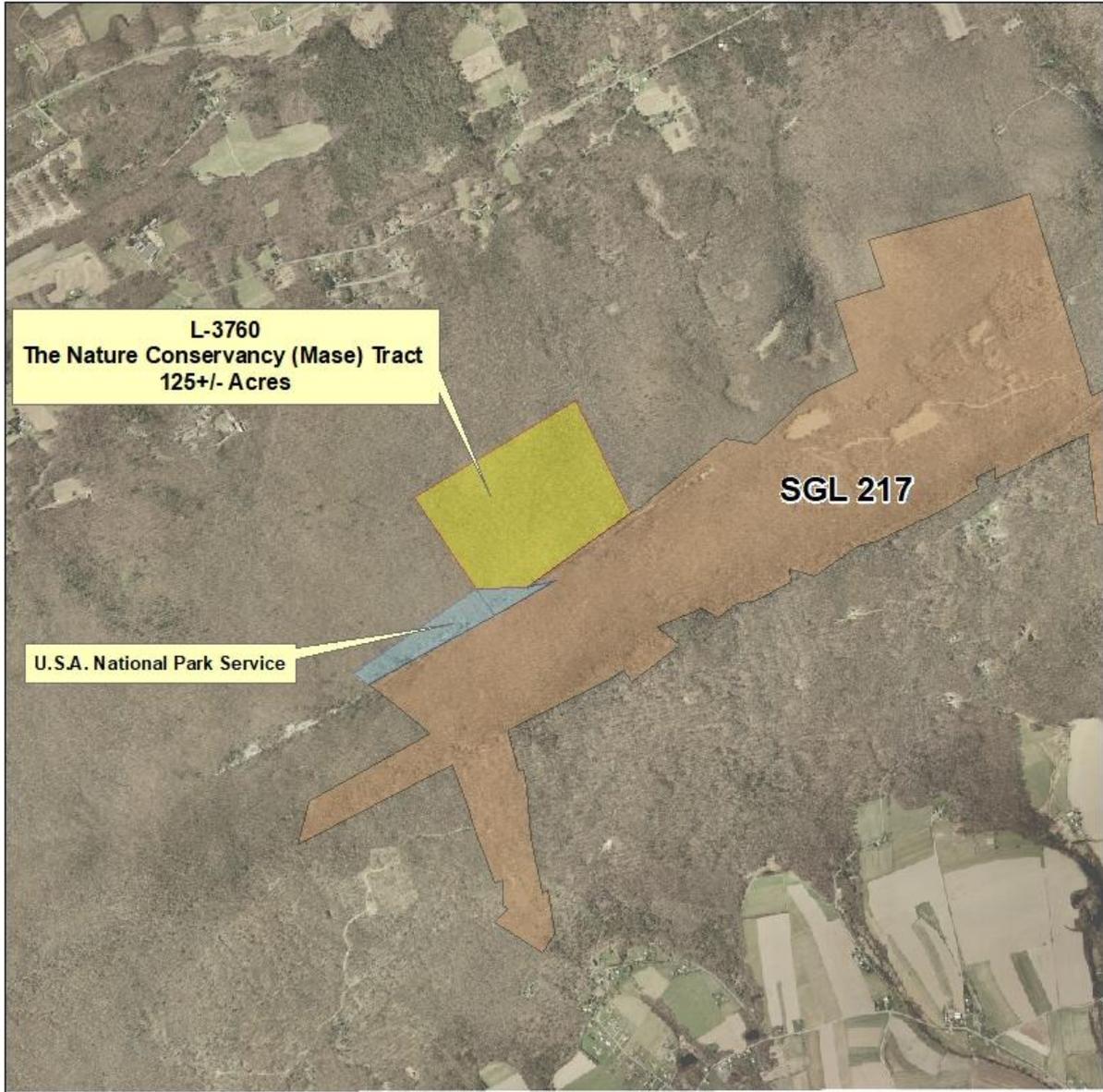


Exhibit RED 8

State Game Land No. 217

L-3760
The Nature Conservancy (Mase) Tract
125+/- Acres

West Penn Township
Schuykill County
Southeast Region



D. Exchange

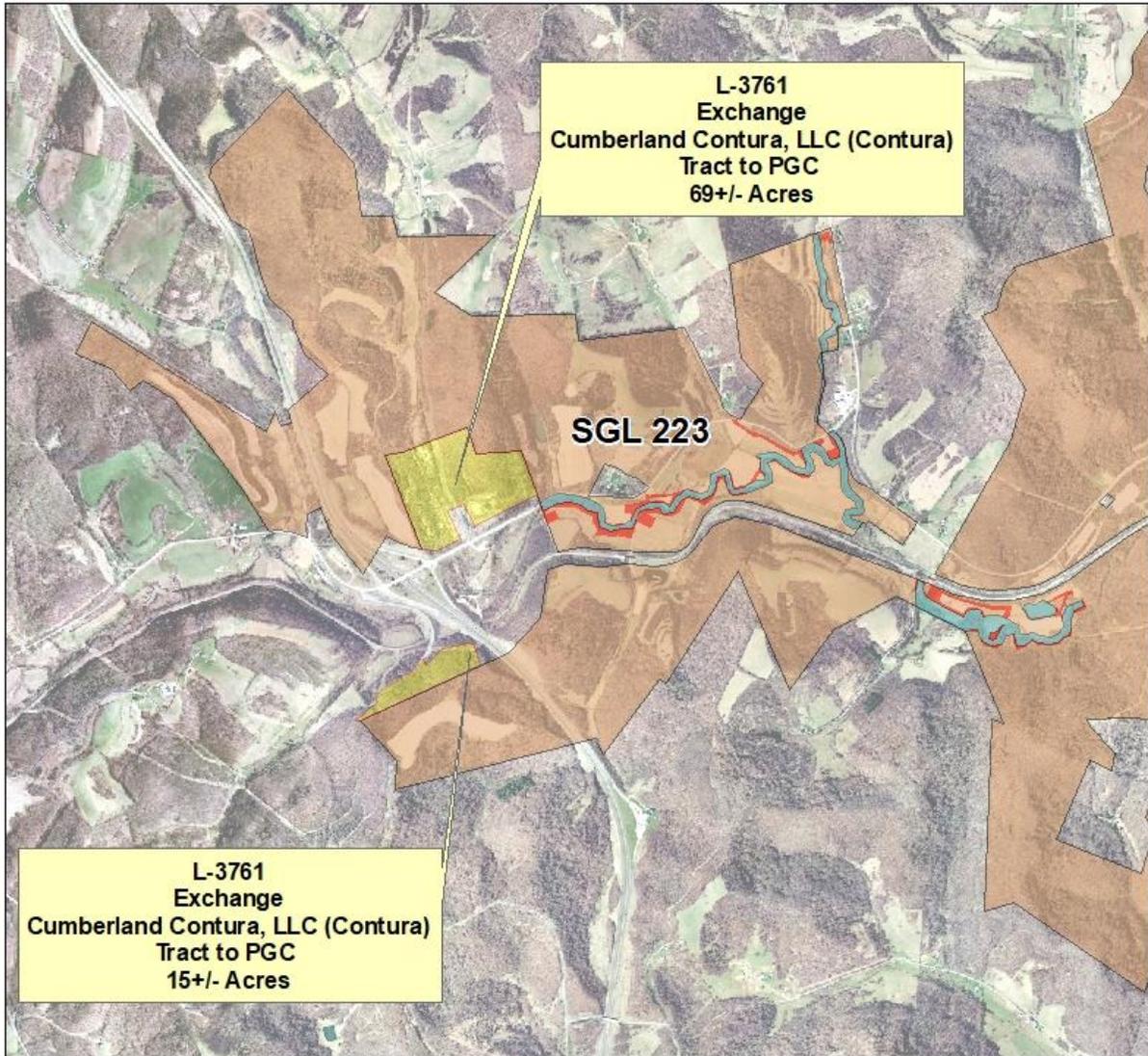
Contract No. L-3761, State Game Land Nos. 179 and 223 Greene County

Commentary:

Cumberland Contura, LLC (Contura) is offering to exchange 148.7+/- acres of land in Whiteley and Jackson Townships, Greene County, adjoining State Game Land Nos. 223 and 179 (Exhibits RED 9 and 10) to the Commission for allowing Contura to create and/or enhance certain stream and wetland resources located within State Game Land No. 223 in Whiteley Township, Greene County (Exhibit RED 9). Contura approached the Commission seeking approval to create and/or enhance stream and wetland resources as part of mitigation required by federal and state agencies to replace certain functions and values associated with impacts to streams and wetlands from Contura's proposal to construct a coal refuse facility on property owned by Contura situated in Whiteley Township, Greene County. In exchange for allowing Contura to use designated portions of State Game Land No. 223 for required stream and wetland mitigation associated with constructing a coal refuse facility, specific conditions will be placed upon these designated conservation areas to ensure compliance with governmental permitting requirements.

The 148.7+/- acres of land are located in three tracts; 15+/- acres and 69+/- acres both adjoining State Game Land No. 223 in Whiteley Township, Greene County and 64.7+/- acres adjoining State Game Land No. 179 in Jackson Township, Greene County. The 15+/- acre parcel provides critical access into State Game Land No. 223 from Polecat Hollow Road. The 69+/- acre tract is an indenture into State Game Land No. 223 and provides access from Dutch Run Road. The 64+/- acre tract is accessed from Jones Road. Staff has determined the proposed exchange is in the best interests of the Commission.

Action:



Legend

- Conservation Boundary Area
- Temporary Workspace Area
- Cumberland Contura, LLC (Contura) Tracts to PGC



**Exhibit RED 9
State Game Land No. 223**

L-3761
Exchange
Cumberland Contura, LLC (Contura)
Tracts to PGC
15+/- Acres & 69+/- Acres
Conservation Boundary Area
47+/- Acres
Temporary Workspace Area
14+/- Acres
Whiteley Township
Greene County
Southwest Region

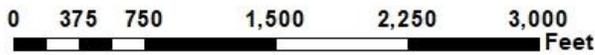
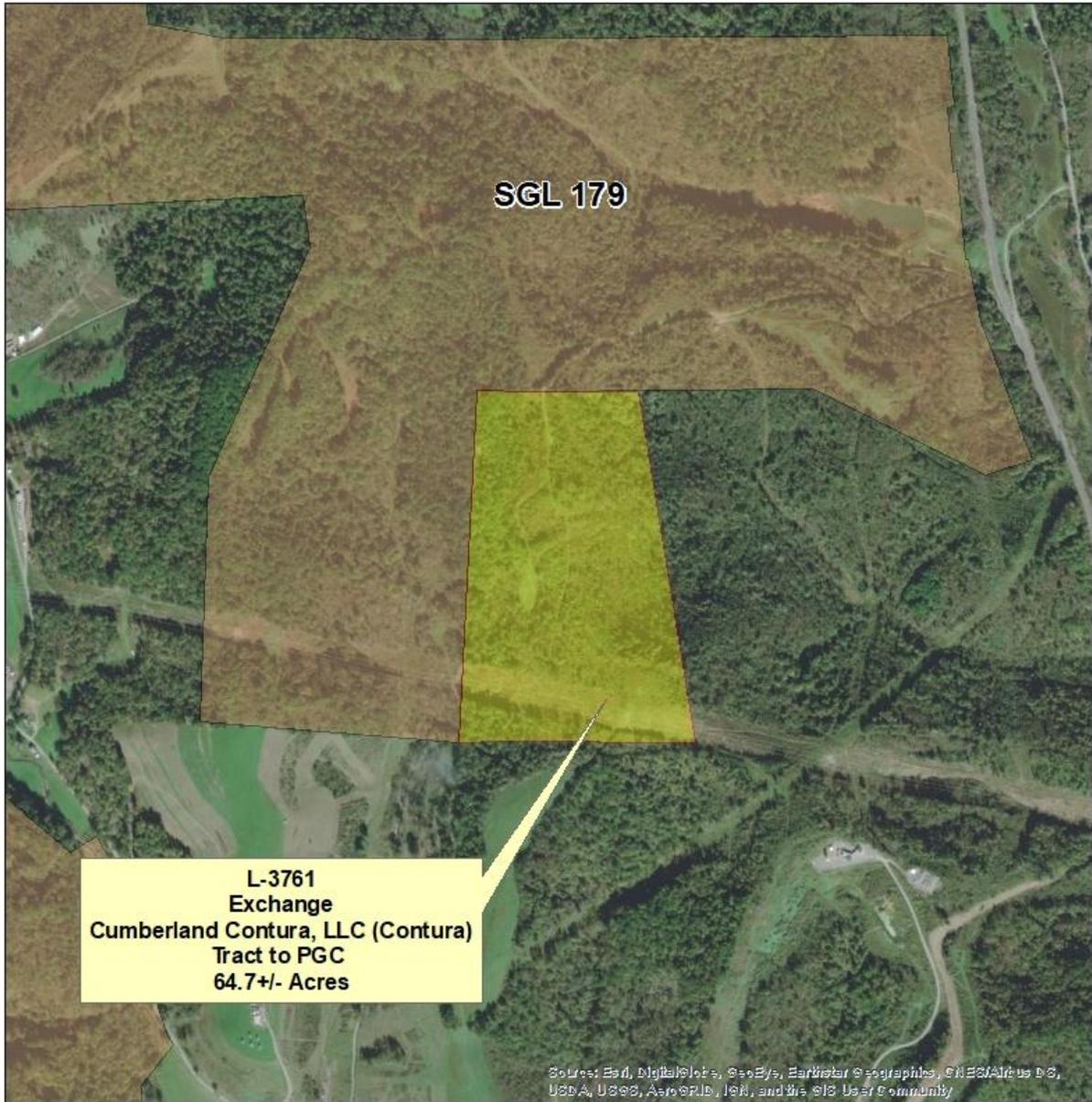


Exhibit RED 10
State Game Land No. 179
L-3761
Exchange
Cumberland Contura, LLC (Contura)
Tract to PGC
64.7+/- Acres
 Jacks on Township
 Greene County
 Southwest Region

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E. Purchase of Property at Auction

Subject to certain limitations, 58 Pa. Code § 135.241 authorizes the Director to bid on real estate, oil, gas or mineral rights at auction or tax sale and to request down payment checks to bid on property at auction. Successful bids must be made known to the general public at the next regularly scheduled meeting of the Board of Commissioners.

Contract No. L-3752, State Game Land No. 293, Cameron County

Commentary: On October 9, 2019, Executive Director Bryan Burhans notified the Board of Commissioners of the pending public auction sale date of October 17, 2019, and the urgent need to react to the sale of the 66+/- acre Charles S. Novosel property adjoining and providing critical access to State Game Land No. 293. On October 17, 2019, the Game Commission was the successful bidder on the Novosel property offered for sale at a public auction ordered by the United States Bankruptcy Court for the Western District of Pennsylvania and held in Bankruptcy Courtroom, U.S. Courthouse, Erie, PA. The property is located in Shippen Township, Cameron County and is adjacent to State Game Land No. 293 (Exhibit RED 11). The property was acquired with the successful bid of \$85,000. The lump sum amount was paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on State Game Lands from previously approved projects. Reed Hollow Road bisects the property running diagonally from northwest to southeast providing access through the property to an inaccessible 1,000-acre portion of existing State Game Land No. 293. Access is from SR 4002 (Beechwood Road) where it intersects with Reed Hollow Road.

Action: This is an informational item only; therefore, no action is required.



SGL 293



**L-3752
Charles S. Novosel Tract
66+/- Acres**



**Exhibit RED 11
State Game Land No. 293**

**L-3752
Charles S. Novosel Tract
66+/- Acres**

Shippen Township
Cameron County
Northcentral Region

OIL/GAS & MINERALS

F. Non-Coal Surface Mining Agreement and Land Exchange

Tract 79A-20, State Game Land No. 79, Cambria County

Commentary:

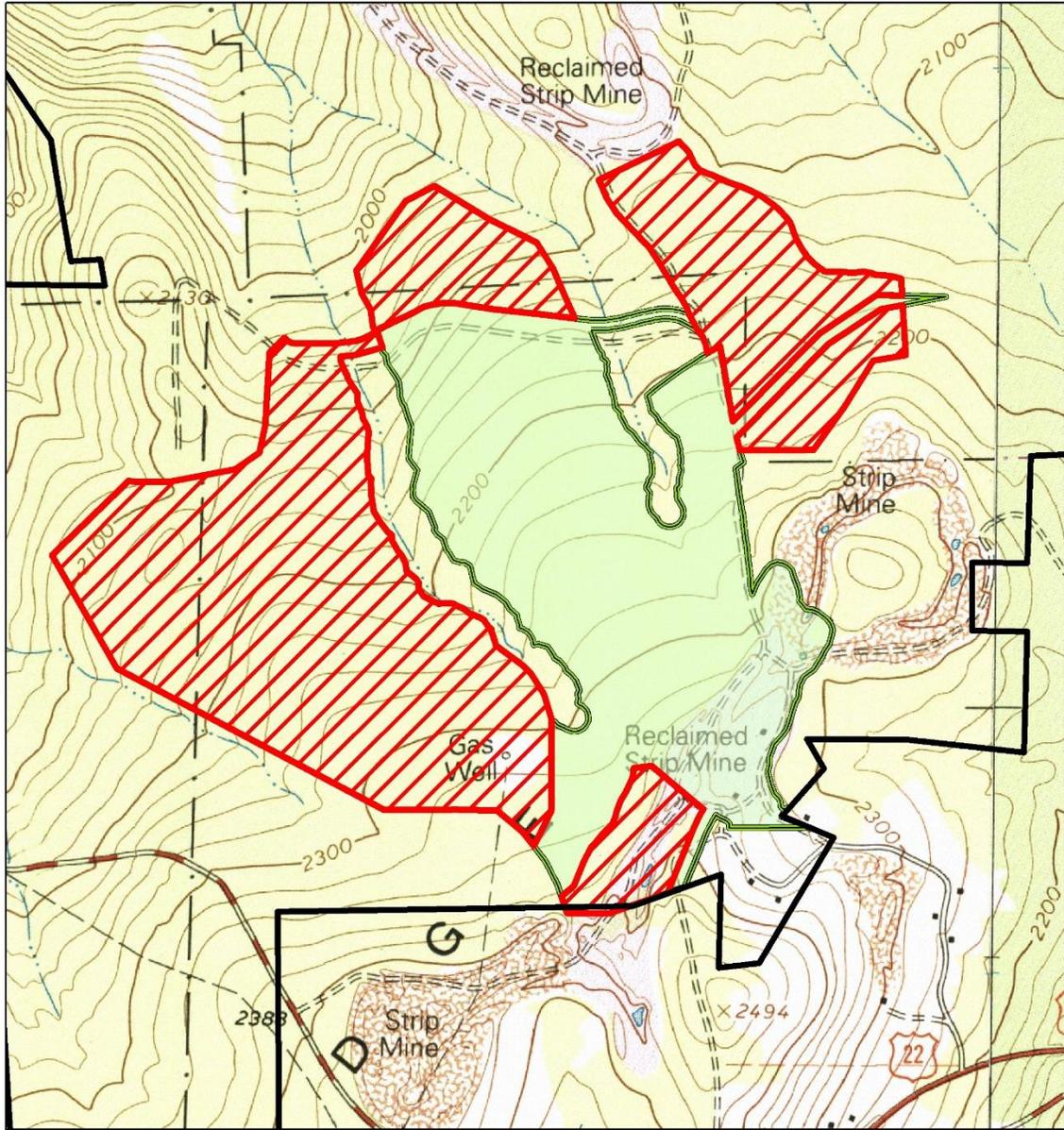
New Enterprise Stone & Lime Company, Inc. of New Enterprise, Pennsylvania has requested a 25-year Agreement and a 233.1-acre expansion of its existing 169-acre operation on State Game Lands No. 79. The Commission owns the stone on the proposed mining areas. The proposal entails surface mining and reclamation operations on the Kittanning and Clarion sandstones as well as removal of any coal incidental to the stone operation on four areas of SGL No. 79, (Exhibit 1 OGM). New Enterprise will relocate the stone crushing and processing plant operations from the State game lands to private lands. Concurrent reclamation will begin once mining is completed on the existing permitted area and the 21.9 acre and no more than 82 acres will be utilized for mining operations at any given time. As compensation to the Commission, New Enterprise will pay a royalty rate of \$0.25 per ton of stone, which is an increase from the current \$0.18 per ton. A yearly cost of living increase will also be applied to the royalty rate to ensure a consistent revenue stream to the Commission.

The reclamation plan will be developed in coordination with the Commission's Harrisburg and regional land management staff. The nature of the operation and availability of more than 50% of the volume of rock removed from the pit for reclamation provides flexibility in developing the reclamation plan to encompass wetlands, shallow ponds and impoundments, gentle slopes, grasslands and or forested areas.

As additional compensation and to offset the temporary habitat loss and recreational use of the State Game Land, New Enterprise will convey three separate tracts of land totaling approximately 1,620 acres to the Commission. The Judy Hollow property consists of approximately 1,370 acres in Broad Top Township, Bedford County and is near both SGL No. 261 and 73 (Exhibit OGM 2).

The 106-acre Union Furnace Tract is located in Warriors Mark Township, Huntingdon County and is adjacent to SGL No. 131 (Exhibit OGM 3). The Strides Mill property consists of 144 acres and is located adjacent to SGL No. 113 in Granville and Oliver Townships, Mifflin County (Exhibit OGM 4). Mining will be regulated by the Commonwealth's Mining Regulations and the Commission's Standard Surface Mining Agreement.

Action:



Legend

-  Quarry Expansion Areas 233.1 Acres
-  Existing Tract 79A-03 165 Acres
-  State Game Land

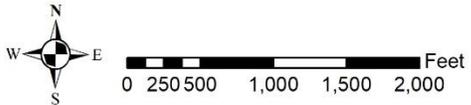
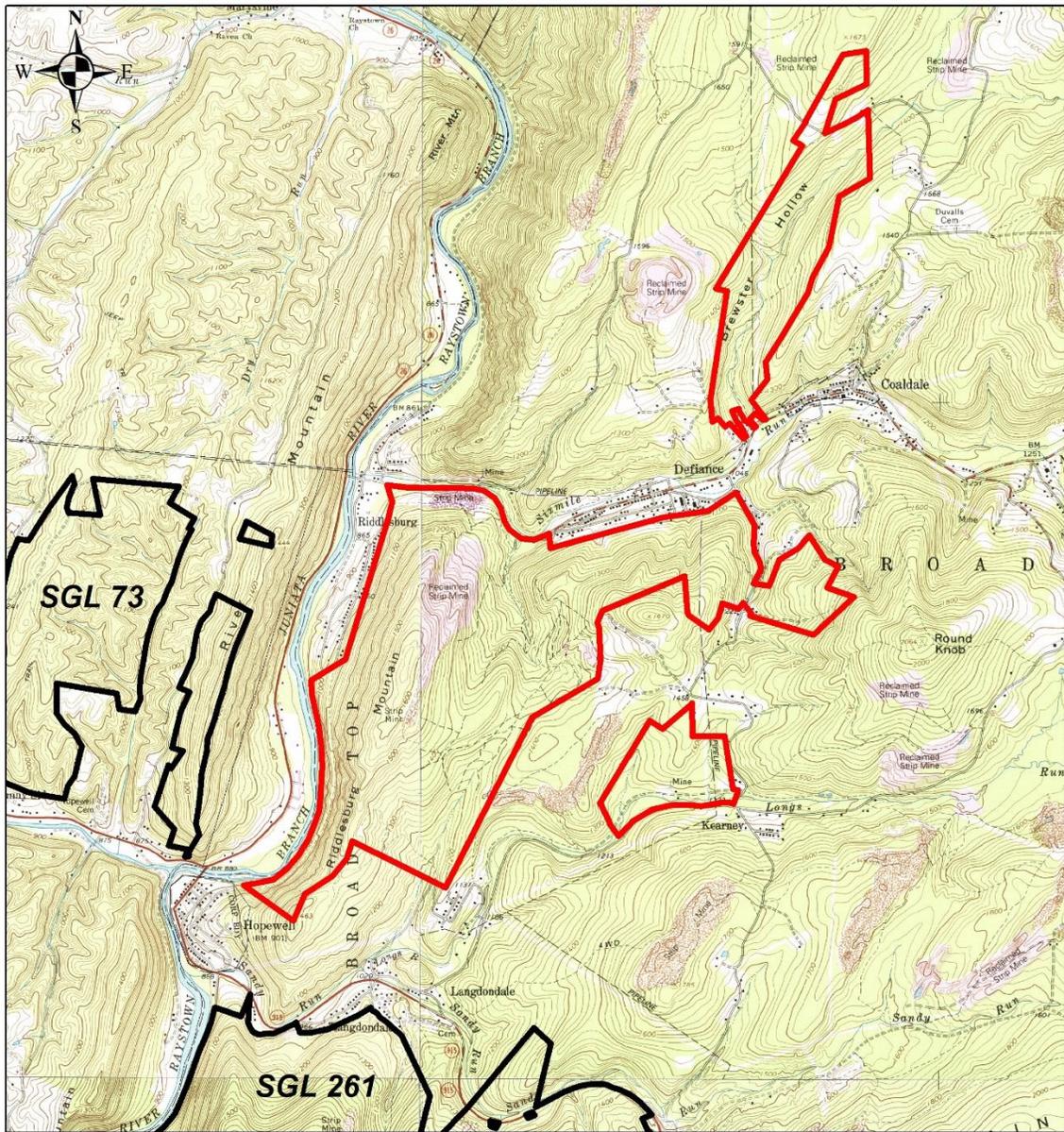


EXHIBIT OGM 1
New Enterprise Lime & Stone
Non Coal Surface Mining Agreement
Tract 79A-20
233.1 +/- Acres Expansion Area
 Jackson Twp., Cambria County
 Southwest Region



- Judy Hollow Tracts
- State Game Land

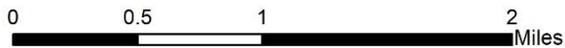
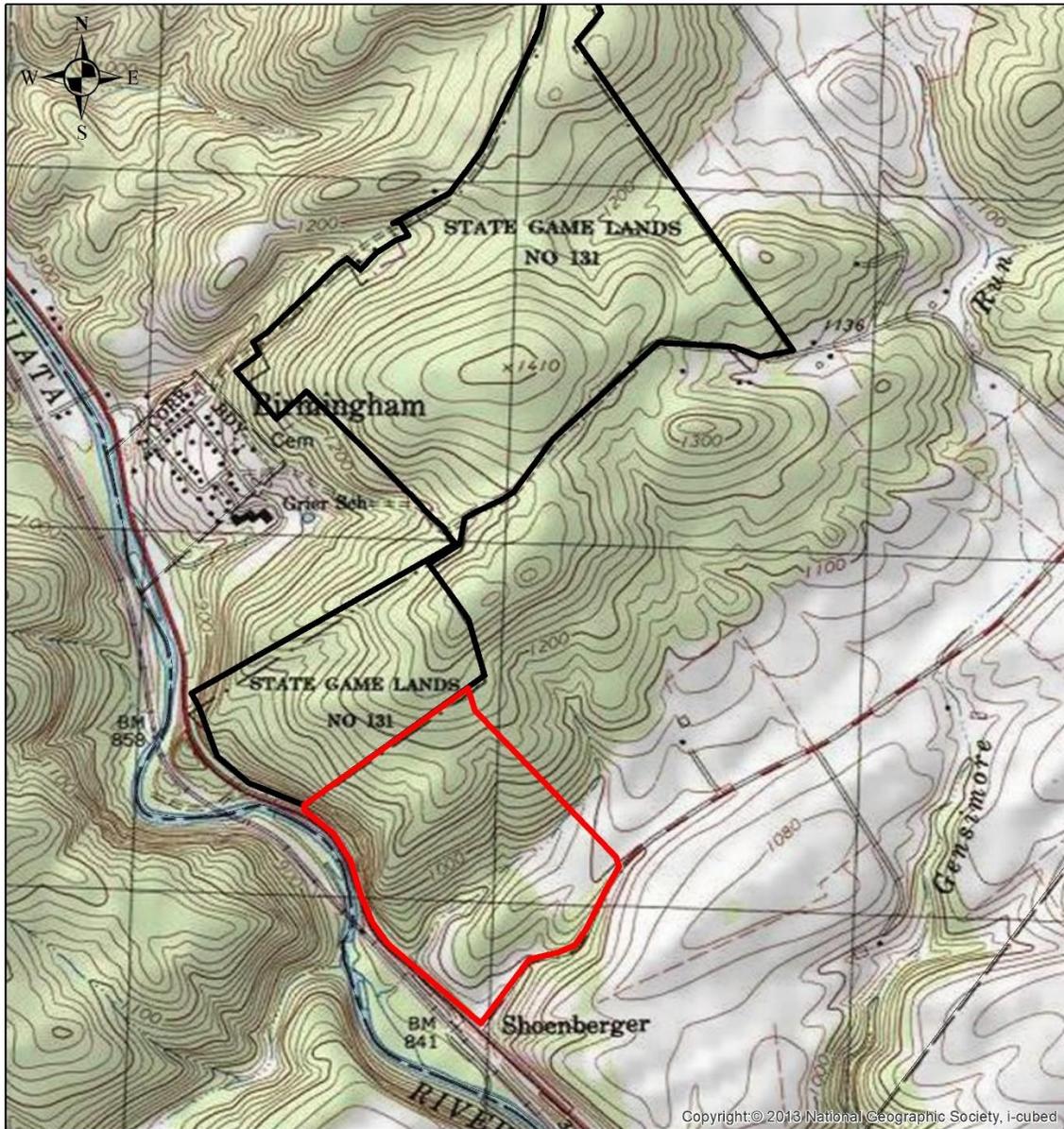


EXHIBIT OGM 2
Judy Hollow Tracts
New Enterprise Lime & Stone
to
PGC
1,370 +/- Acres

Broad Top Twp., Bedford County
 Southcentral Region



- Union Furnace Tract
- State Game Land

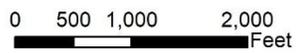


EXHIBIT OGM 3
Union Furnace Tract
New Enterprise Lime & Stone
to
PGC
144 +/- Acres

Warriors Mark Twp., Huntingdon County
 Southcentral Region



- Strodes Mill Tract to PGC
- State Game Land



EXHIBIT OGM 4
Strodes Mill Tract Tract
to PGC
144 +/- Acres
New Enterprise Lime & Stone
Non Coal Surface Mining Agreement
Land Conveyed to PGC

Granville & Oliver Twps., Mifflin County
 Southcentral Region

OTHER NEW BUSINESS

Next Commission Meeting – April 3-4, 2020 in Harrisburg, PA.

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

Adjournment

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