APPARANCES

BRADLEY C. BECHTEL, ESQUIRE
Chief Counsel
Pennsylvania Game Commission
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ALSO PRESENT:
BRYAN J. BURHANS, EXECUTIVE DIRECTOR
MATTHEW SCHNUPP, DIRECTOR, BUREAU OF WILDLIFE MANAGEMENT
PETER SUSSENBACK, DIRECTOR, BUREAU OF WILDLIFE HABITAT MANAGEMENT
DEANA VANCE, DIRECTOR OF AUTOMATED TECHNOLOGY SERVICES
LORI NEELY MITCHELL
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-PRESIDENT FOX: At this time I'd like to call to order the January 2021 meeting of the Pennsylvania Board of Game Commissioners. Mr. Secretary, please call the roll.

COMMISSIONER MITRICK: I will.

Commissioner Fox?

PRESIDENT FOX: Yes.

COMMISSIONER MITRICK: Commissioner Knick?

COMMISSIONER KNICK: Present.

COMMISSIONER MITRICK: Commissioner Mitrick, present.

Commissioner Foradora?

COMMISSIONER FORADORA: Present.

COMMISSIONER MITRICK: Commissioner Fredericks?

COMMISSIONER FREDERICKS: Present.

COMMISSIONER MITRICK: Commissioner Layton?

COMMISSIONER LAYTON: Present.

COMMISSIONER MITRICK: Commissioner Schnep-Giger?
COMMISSIONER SCHNEPP-GIGER: Present.

COMMISSIONER MITRICK: All present.

PRESIDENT FOX: Okay.

Next on the agenda is approval of the minutes for the meeting held September 26. Do I have a motion?

COMMISSIONER FREDERICKS: Commissioner Fredericks, so moved.

COMMISSIONER LAYTON: Commissioner Layton, second.

PRESIDENT FOX: Mr. Secretary, please call the roll --- call the vote.

COMMISSIONER MITRICK: All in favor?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion passes.

PRESIDENT FOX: All right. We're going to take a minute to thank everyone who took the time to submit comments before this meeting. Last evening I had 88 emails. I've been averaging between 75 and 100 every day. Appreciate the time they take to respond to us. That's very important. At this point I'd like to turn the meeting over to Mr. Brad
Betchel for the formal agenda.

ATTORNEY BETCHEL: Thank you, Mr. President. The first item to come before the Commission today is from the Bureau of Administrative Services concerning proposed rulemaking to amend 58 Pa. Code Section 143.1 and create Section 143.5. The Commission currently issues various hunting and fur-taking license products to customers in physical form online on the familiar, durable yellow stock. New features in the PALS, or the HuntFishPA System, are expected to go live for the 2021 to 2022 license year and will have the capacity to provide hunters and trappers with a digital version of their license products by email and through the PALS system. However, current licensing regulations will need to be amended to authorize and define their use. The Commission is proposing to amend Section 143.1 and create Section 143.5, relating to definitions and digital licenses to define and authorize the use of hunting and fur-taking eLicenses. This authorization will also extend to certain permits also sold through the PALS system such as mentored permits, bobcat permits, range permits, et cetera.

An eLicense is generally defined as a digital or electronic copy of a hunting or fur-taking
license or permit provided to customers in the form of a PDF document. An eLicense will be issued to the hunter or trapper at the same --- or at the time of purchase and will be authorized for use in the same manner and as an alternative to traditional, physical license documents. When used the eLicense will be stored and displayed by the customer on a mobile device, such as a smartphone or tablet. The customer will also have the option of printing a copy of eLicense products on their own printer using appropriate paper stock.

Carcass harvest tags will continue to be provided to customers in physical form only on the familiar durable stock. No digital versions of these documents will be issued to customers or authorized for use. Customers that elect to purchase license products online will be provided with digital copies of their license products and thereafter mailed physical carcass harvest tags. Customers that elect to purchase licenses at an agent location will be issued physical carcass harvest tags at the time of purchase and will also have the opportunity to have digital licenses provided to them electronically when a valid email address is provided. There will be no additional fee for customers to retrieve eLicense
products from the Commission's PALS system. However, replacement license fees will still apply where replacement carcass harvest tags are requested or where the customer opts for a physical reprint of license products.

The text of these amendments are shown on page two through four of your agenda.

PRESIDENT FOX: Second?

COMMISSIONER FORADORA: This is Commissioner ---.

PRESIDENT FOX: Discussion?

COMMISSIONER FORADORA: --- Commissioner Foradora. I make the motion that we pass the amendment.

COMMISSIONER FREDERICKS: Commissioner Frederick. Second it.

PRESIDENT FOX: Now we'll have some discussion.

COMMISSIONER LAYTON: Mr. President, this is Commissioner Layton. If I can just have a minute please.

So I will let Commissioner Foradora say what he wants to to the staff, but I want to commend him for his forward thinking on this. Since he's become a Commissioner he's been pushing for the
eLicense, and he's kind of bulldogged this until we got it to a point where we can --- the new system's up and running. And we can get it done. So to Deana, thank you for all the work that you've done, and Commissioner Foradora, thank you for the work that you've done on this too.

**COMMISSIONER FORADORA:** Tim, thank you very much for your kind words, but, as you know, we were all talking about it. I was glad to be a part of it. And thank you, Tim, for the comments. Thank all the Commissioners and Deana, I know it was a lot of work, but thank you as well.

**MS. VANCE:** Thank you. We're excited to get this one approved and get it rolled out to the hunters.

**PRESIDENT FOX:** Any further discussion?

Mr. Secretary, call the vote.

**COMMISSIONER MITRICK:** All in favor?

**AYES RESPOND**

**COMMISSIONER MITRICK:** Opposed?

**NO RESPONSE**

**COMMISSIONER MITRICK:** Hearing none, the motion passes.

**ATTORNEY BETCHEL:** Thank you. The
next item is on page five of your agenda. It comes from the Bureau of Administrative Services. It is to amend 58 Pa. Code Sections 143.45 and 143.52. The term personal limit refers to the number of antlerless deer licenses a hunter may possess at any given time. Current rules differ between wildlife management units, or WMUs, that are generally within and those that are outside areas defined as special regulation areas, such as WMUs 2B, 5C and 5D.

Persons hunting outside of WMUs 2B, 5C and 5D are currently restricted to requiring a maximum personal limit of up to three antlerless licenses. Persons hunting within WMUs 2B, 5C and 5D currently have no personal limit on the number of antlerless licenses they may acquire from WMUs with a remaining antlerless license allocation. The allowance of the unlimited personal limit in WMUs 2B and 5D was originally intended to ensure that the quota of antlerless licenses set by the Commission for WMUs 2B, 5C and 5D was issued to the fullest extent possible in an effort to achieve deer management goals. The unlimited personal limit does not permit a person to obtain antlerless licenses beyond a given WMU’s annual allocation of antlerless license. The Commission recently observed that as of mid-November,
there were still well over 16,000 antlerless deer licenses available in WMUs 2A and 4A. Persons hunting in these areas where significant numbers of antlerless deer licenses have remained unsold late into the deer hunting seasons have questioned whether the current personal limit continues to make sense. More to the point, these hunters have inquired whether it makes more sense for the Commission to ensure that the quota of antlerless licenses allocated to the various WMUs across the state are issued to the fullest extent possible to achieve the goals behind the original allocations in the same manner as in WMUs 2B, 5C and 5D. The Commission agrees with this approach. The Commission is proposing to amend sections 143.45 and 143.52 relating to completing and submitting applications and procedure for unlimited antlerless licenses to authorize unlimited over-the-counter sales of antlerless licenses in any open or unexhausted WMU on the second Monday in September until such quotas are exhausted.

The proposed amendments will maintain the current conventional preseason application, three-round structure for mailed antlerless deer license applications. This unchanged process will
continue to ensure equitable and fair distribution of antlerless licenses for hunters in the WMUs of their choice, assuming quotas remain available within these WMUs at each round of distribution. However, the proposed amendments will expand the availability of unlimited over-the-counter sales of antlerless licenses to any and all WMUs that have an available quota remaining on the second Monday in September, not just WMUs 2B, 5C and 5D. For most hunters this means that they would be authorized to purchase their fourth antlerless license over the counter starting on the second Monday in September as long as a quota remains available. For other hunters late to the antlerless license purchase process a maximum of four antlerless licenses would be authorized for purchase over the counter starting on the second Monday in September again, assuming that a quota remains available.

One important facet to this new structure will be a restriction limiting all hunters to possessing no more than four active, antlerless licenses at any given time. Purchase of a fifth or subsequent antlerless deer license will require a hunter to exhaust and report online the harvest of one or more of their previously-issued antlerless
deer licenses before becoming eligible to purchase additional antlerless deer licenses. Over the counter sales of antlerless deer licenses will continue in this manner within each WMU until the quota assigned to each WMU is exhausted. This new method maintains equitable and fair distribution of antlerless licenses and, importantly, also helps ensure that the quota of antlerless licenses set by the Commission for each WMU is issued to the fullest extent possible, thus supporting its deer management goals. This new process will simplify the antlerless deer license regulations by applying the same distribution rules to all WMUs across the board. The Commission also expects to see the collateral benefit of increased harvest reporting rates with this new process due to the harvest reporting requirements applied to the issuance of subsequent antlerless deer licenses.

Lastly, the Commission also sees the potential for antlerless deer license sales to stretch into regular firearms deer seasons for some WMUs, thus making some antlerless deer licenses available to hunters purchasing their hunting license later in the hunting season.

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

COMMISSIONER LAYTON: Commissioner Layton ---.

PRESIDENT FOX: Do I have a motion?

COMMISSIONER FREDERICKS: Commissioner Fredericks. I move to accept the amendment.

COMMISSIONER KNICK: Second.

COMMISSIONER KNICK: Commissioner Knick. I second it.

PRESIDENT FOX: Okay. Any discussion?

COMMISSIONER MITRICK: This is Commissioner Mitrick. In 143.52 it states procedure for unlimited antler licenses. I have a problem using the term unlimited due to the fact that I believe it creates some confusion with our hunters. I saw in our Sunday paper the term unlimited, and it really was a cause for concern. That it made it sound as if we're out to slaughter the deer herd. I would propose that instead of using the term unlimited that in the future we use the term unsold antlerless licenses. That's all I have.

COMMISSIONER SCHNEPP-GIGER: This is Commissioner Schnepp-Giger. I agree with that observation. I saw some headlines that definitely raised some eyebrows and were, in my opinion,
intentionally misleading for the overall objective of what we're trying to accomplish. I think it's important to highlight in here that a lot of hunters are not going to see a change to our current, conventional preseason application, which is when most people get their doe tags. The unlimited or unsold only applies to those areas that still have antlerless allocations available, so unlimited can be a very misleading term. So I would encourage hunters to take a few moments to reread this language in here, realize that it's a forward-thinking, earn-one burn-one process rather than unlimited and should also increase the rate of reporting that we're getting as far as hunter participation. Because without hunters this agency's in a world of hurt, and we need your cooperation in reporting your deer harvests and moving forward with elicensing and better antlerless allocation in the future.

PRESIDENT FOX: Any further discussion?

Mr. Secretary, call the vote.

COMMISSIONER MITRICK: All in favor?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE
COMMISSIONER MITRICK: Hearing none, the motion carries. Thank you.

ATTORNEY BETCHEL: The next item before the Commission appears on page eight of your agenda. It's from the Bureau of Wildlife Management and proposed rulemaking to amend 58 Pa. Code Section 139.4 relating to seasons and bag limits for the license year to provide updated seasons and bag limits for the 2021-2022 license year. The 2021-2022 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, yield surveys and professional staff observations as well as recommendations received from staff, organized supporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth. Proposed Sunday hunting dates are similar to those used in 2021---2020 through 2021. However, expansions of Sunday hunting opportunity are proposed in that the Sundays during the archery deer and firearm bear seasons would also be open for other species, except for migratory game birds and wild turkey, with seasons encompassing those dates. These expansions of Sunday opportunity are the only changes proposed for small game and furbearer
seasons.

With wild turkey population trends declining in many wildlife management units. Closure of the fall season in WMU 5A and reductions in season length for 14 other WMUs are recommended in accordance with wild turkey management plan guidelines to increase hen survival.

For deer, a statewide 14-day concurrent antlered and antlerless firearm season is recommended to simplify regulations and provide increased opportunity, especially for younger hunters. Also, the extended post-Christmas firearm season is proposed to be set at the WMU level 2B, 5C and 5D rather than at the county level to simplify regulations, given that the antlerless harvests are evenly distributed throughout these WMUs regardless of firearms restrictions.

Minor expansions of archery bear hunting opportunity are proposed in WMUs 2B, 5B, 5C and 5D. Other black bear season recommendations are similar to those in 2020. The antlerless designation is proposed to be removed from the late elk season to provide the Commission the flexibility to issue antlered elk licenses for this season, if and when appropriate. Specific license allocation
recommendations for all elk seasons will be provided in April. The text of seasons and bags limits are shown on pages 9 through 18 of your agenda.

PRESIDENT FOX: Do we have a motion?

COMMISSIONER LAYTON: Motion to accept, Commissioner Layton.

PRESIDENT FOX: Second?

COMMISSIONER FORADORÁ: Second, Commissioner Foradora.

PRESIDENT FOX: Any discussion?

COMMISSIONER LAYTON: Yeah. I just want Matthew, if you're hearing me, so I want you to touch base very quickly on the migratory game bird issue. Because we've been getting some comments about allowing hunters to hunt even waterfowl during those Sundays. And you can just touch on why we're not using or not allowing migratory game birds on those Sundays?

MR. SCHNUPP: Yeah. Sure. So the waterfowl issue is that a lot of that comes the federal level, and so we, by adding those in we would actually be taking days. Though that's the whole premise of that.

COMMISSIONER LAYTON: Thank you.

COMMISSIONER SCHNEPP-GIGER: This is
Commissioner Schnepp-Giger, I just want to comment that I'm very pleased to see the addition of small game including squirrel, grouse, pheasant et cetera included in Sunday hunting this year. I think that's a step in the right direction as far as Sunday hunting in this State is concerned with the regulatory authority that we have been granted to us by the state legislature. And I'm excited to see the opportunities and the pictures posted on Facebook of smiling people out there enjoying the resource on a Sunday.

PRESIDENT FOX: Any further discussion?
Mr. Secretary, call the vote.

COMMISSIONER MITRICK: All in favor?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion passes.

ATTORNEY BETCHEL: And the next item for the Commission is on page 19 of your agenda. This item is to amend 58 Pa. Code Section 147.673, relating to eligibility and application for DMAP. This section currently provides a DMAP application
deadline of May 1st. Reviews by external users and Commission staff identified a deadline of May 1st as too early. For many users of DMAP the May 1st deadline does not allow adequate time to collect post-winter data, analyze the data and incorporate those results into DMAP applications. In addition, a later deadline will allow more time for landowners to prepare and submit an application. The Commission is proposing to amend Section 147.673 to make July 1st the deadline for DMAP applications. The text is shown on page 19 of your agenda.

PRESIDENT FOX: Do we have a motion?  
COMMISSIONER KNICK: Motion, Commissioner Knick.

PRESIDENT FOX: Second?  
COMMISSIONER LAYTON: Second, Commissioner Layton.

PRESIDENT FOX: Any discussion?  
COMMISSIONER LAYTON: I have a question, Mr. President. This is Commissioner Layton. Matthew, is this you again?  
MR. SCHNUPP: Yes, sir.  
COMMISSIONER LAYTON: So, as I recall, it wasn't long ago that we changed this date to the May deadline, and if I'm not correct with that just
we'll stop here. But did we find out that it was just too fast, too quick for those DMAP applicants to get their information in, and we're just kind of helping them out by going to July?

MR. SCHNUPP: Yeah. It's actually two parts. One is folks were out there collecting data, trying to figure out what the best path moving forward is. And they just didn't have enough time to get that in. As well as our staff meets, you know, we get a lot of them based on, in some regions get a whole bunch and some regions don't. And so as this is building, this program is building, providing more staff time to give them that flexibility to work with. These guys, these landowners and so on, it's important that they have that so we can get this done right.

COMMISSIONER LAYTON: I appreciate that. And I appreciate the Bureau looking out for our constituents and making this whole process easier for them. Thank you for that, Matthew.

MR. SCHNUPP: Thank you.

PRESIDENT FOX: Any further discussion?

Mr. Secretary, call the vote.

COMMISSIONER MITRICK: All in favor of
the motion?
AYES RESPOND

COMMISSIONER MITRICK: Opposed?
NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion passes.

ATTORNEY BETCHEL: Next item before the Commission is also from the Bureau of Wildlife Management. It appears on page 20 of your agenda.
The item is to amend 58 Pa. Code Section 141.45. The manually operated rifles, including both center fire and rim fire, are listed as permitted devices for use by hunters during the fall turkey seasons in all WMUs with an open fall turkey season, excluding those portions found within the special regulations areas designated in 58 Pa. Code Section 141.1 Notwithstanding their permitted use, the Commission has observed that very few hunters hunt during the fall turkey season with a rifle, and the 2020 general turkey hunters survey showed 14 percent of respondents primarily used rifles to hunt fall turkey, whereas 33 percent of the statewide harvest was with a rifle. But this varied by WMU. Most fall turkey hunters, 70 percent, primarily used shotguns, which accounted for 53 percent of the harvest. Nine
percent used crossbows, accounting for 10 percent of the harvest. Eight percent used vertical bows, accounting for four percent of the harvest. And a few used muzzle loaders or handguns, which accounted for less than one percent of the harvest. Were it assumed that all rifle hunters in 2020 used a shotgun and had the same efficiency as other shotgun hunters, fall harvest could decrease statewide by approximately 20 percent. Of course, that figure would vary by WMU.

The Commission's turkey management plan provides guidance to adjust fall season lengths by one week at a time to manage turkey population trends. For example, when populations are declining the plan calls for fall season length to be reduced by one week. The Commission has observed evidence of declining turkey populations in 15 of 23 WMUs, and has therefore proposed season length reductions in those areas. However, the Commission is also investigating alternative methods of stabilizing fall turkey harvest numbers without focusing solely on further reductions in hunting opportunity as measured by season length. The Commission has determined that the elimination of rifles during fall turkey season may aid in this goal. Based on the results from the 2020 turkey hunter
survey, the Commission observed that the elimination of rifles during the fall turkey season could reduce fall harvest by as much as 20 percent. Depending on the actual impact of removing rifles from fall turkey seasons, the Commission anticipates that recent fall turkey season length reductions could eventually be reversed and more hunting opportunities added. The Commission is proposing the amend Section 141.45 relating to turkey to eliminate the use of rifles during the fall turkey season. The text is shown on pages 20 through 21 of your agenda.

PRESIDENT FOX: Do I have a motion?

COMMISSIONER FORADORA: Commissioner Foradora, I'll make that motion. And I'd like to come back under discussion and comment.

PRESIDENT FOX: Okay. Do we have a second?

COMMISSIONER FREDERICKS: Commissioner Fredericks, second.

PRESIDENT FOX: Okay. Discussion, Scott.

COMMISSIONER FORADORA: Yes. So just wanted to add appreciate Mary Jo's input. This is strictly, in my opinion, a biological motion. Myself, I'm a proud member of the NRA and second
amendment supporter as well as, I think, all the Commissioners. This is strictly biological. I'm a proud turkey hunter for years, my family. So if this helps us keep some semblance of the season in the fall, I'm all for that, rather than closing seasons completely. I know it's a change. But we, my opinion is Mary Jo and the turkey team will evaluate it in the future and come back with a recommendation if it is working. So I just wanted to explain my reason for supporting it. Thank you, Charlie.

PRESIDENT FOX: Thank you.

Any further discussion?

COMMISSIONER SCHNEPP-GIGER: This is Commissioner Schniepp-Giger, I'll echo some of what Commissioner Foradora just said. It's great to be part of an agency that puts the resource first and that's looking at declining turkey populations. There are a lot of people on this webinar that hunt in Pennsylvania that really enjoy fall turkey hunting. And the last thing we want to do is see that season closed. So this may be a little bit more conservative approach than what a lot of people would like to happen, but let's hope we're airing on the side of caution right now and that pays dividends for us. Thank you.
PRESIDENT FOX: Any further discussion?
Mr. Secretary, call the vote.
COMMISSIONER MITRICK: All in favor of the motion?
AYES RESPOND
COMMISSIONER MITRICK: Opposed?
NO RESPONSE
COMMISSIONER MITRICK: Hearing no opposition, the motion passes.
ATTORNEY BETCHEL: The next item on your agenda appears on page 22. It's adopted rulemaking, also from the Bureau of Wildlife Management. It's to amend 58 Pa. Code Sections 137.34 and 137.35 (relating to Chronic Wasting Disease and emergency authority of Director) and (relating to Chronic Wasting Disease restrictions) to expand the authority of the Executive Director to issue executive orders to address additional diseases in species of wildlife other than only chronic wasting disease as it relates to only cervids. The Commission also proposed to amend section 137.35 to define the term ‘Establish Area’, restrict the movement of high-risk parts outside from established areas and further expand the ban on importation of
high-risk parts to all areas outside the Commonwealth. The text is shown on pages 23 through 26 of your agenda.

PRESIDENT FOX: Do we have a motion?

COMMISSIONER KNICK: Motion, Commissioner Knick. So moved.

PRESIDENT FOX: Second? Second?

COMMISSIONER FREDERICKS: Second, Commissioner Fredericks.

PRESIDENT FOX: Discussion?

Hearing no further discussion, Mr. Secretary, call the vote.

COMMISSIONER MITRICK: In favor of the motion?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion carries.

ATTORNEY BETCHEL: The next item on the Commission's agenda today, it appears on page 27 of your agenda. It is from the Bureau of Wildlife Protection concerning proposed rulemaking to amend 58 Pa. Code Section 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 2021 through 2022 hunting/trapping license year. The text is show on pages 27 through 29 of your agenda.

COMMISSIONER LAYTON: Commissioner Layton, motion to accept.

PRESIDENT FOX: Do we have a motion?

COMMISSIONER FREDERICKS: Commissioner Fredericks, second.

PRESIDENT FOX: Discussion?

There's no discussion. Mr. Secretary, call the vote.

COMMISSIONER MITRICK: All in favor of the motion?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion passes.

ATTORNEY BETCHEL: Moving to page 30 of your agenda, the next item on the agenda is to amend 58 Pa. Code Sections 143.203 through 143.203a and 143.206 and to create Section 139.18 and 143.2303b. The Commission has identified the current regulations concerning elk licenses do not adequately
describe the three available elk licenses and their authorized uses. Furthermore, current regulations do not even define the extent and location of the elk management area or elk hunt zones. The Commission is proposing to amend Sections 143.203 through 143.203a and 143.206 relating to random drawing elk licenses, special elk conservation license, auction elk license and the validity of elk licenses and to create sections 139.18 and 143.203b relating to elk management area and hunt zones and special license fundraiser elk license to define the elk management area and elk hunt zones, better delineate and describe the three available elk licenses and lastly close all elk hunting in any elk hunt zone that does not receive an allocation for a given hunting license year. The text is shown on pages 30 through 33 of your agenda.

PRESIDENT FOX: Okay. Do we have a motion?

COMMISSIONER FREDERICKS: Commissioner Fredericks, make a motion.

COMMISSIONER FORADORA: Second.

PRESIDENT FOX: Discussion?

If there's no discussion, Mr. Secretary, please call the vote.
COMMISSIONER MITRICK: All in favor of the motion?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion carries. Thank you.

ATTORNEY BETCHEL: And the next item on your agenda is on page 34. It comes from the Bureau of Wildlife Habitat Management. It concerns real estate and a donation, contract number L3776, State Game Land number 157, Bucks County. Natural Lands Trust, Inc., or Natural Lands, is offering to donate 15 plus or minus acres of land in Haycock Township, Bucks County, an indenture in State Game Land Number 157, as shown on Exhibit RED 1 on page 35 of your agenda. Natural Lands was successful in receiving funding through partnership grants provided by the Pennsylvania Department of Conservation and Natural Resources and the United States Fish and Wildlife Service through the Highlands Conservation Act. Covenants, conditions and restrictions associated with these funding sources will be required to accept the property. Access is through existing State Game Land Number 157.
COMMISSIONER LAYTON: Commissioner Layton, motion to accept.

COMMISSIONER KNICK: Second, Commissioner Knick.

PRESIDENT FOX: Any discussion?

MR. SUSSENBACH: Mr. President, this is Pete Sussenbach. If I may just have a few moments.

PRESIDENT FOX: Go ahead.

MR. SUSSENBACH: Okay. I just want to thank Jack Stefferud and the team over at Natural Lands Trust as well as our partners over at DCNR and the U.S. Fish and Wildlife Service. I'm amazed every time we deal with Jack and his team, and I've dealt with him personally for about the last ten years or so. I'm amazed that as soon as we complete a deal it's like another deal comes along that fits perfectly into our Game Lands system. And as this one shows in the accompanying map, I mean, we're closing out an indenture which has been a strategic objective of ours for quite some time. So I just wanted to throw that out there, that we've got great partnerships with other staff from other agencies and private organizations and that the team within the Game Commission is, in my opinion, second to none in
helping to aid and pull these things together. So I just wanted to throw that out there.

PRESIDENT FOX: Okay. Any further discussion?

COMMISSIONER LAYTON: Yeah, you know, Mr. President, this is Commissioner Layton. I just want to say, Pete, you know, it never ceases to amaze me that every meeting that we have we are adding land that's been donated by somebody or a conservancy or whatever the case may be. And I just, I can't thank you and your staff enough for the work that you do to continue to add game lands for the Pennsylvania hunter to use to, what a great resource. And thank you, thank you, thank you. Great job.

MR. SUSSENBACH: I appreciate the kind words, and, again, it's a team effort. And, you know, things just continue to get pulled together in a positive direction, and it's exciting to be a part of that.

COMMISSIONER MITRICK: I have a question. Approximately what did this land cost? I mean, I realize it was donated to us, but I'm just curious as to what kind of dollars the Natural Lands Trust had to put up to purchase this. Do you have any idea?
MR. SUSSENBACK: I don't have those numbers off the top of my head at this point, but I can certainly get them to you. I could tell you it's Bucks County. It was pretty significant.

COMMISSIONER KNICK: That's what I was going to say. It's Bucks County, yeah.

MR. SUSSENBACK: It was pretty significant.

COMMISSIONER KNICK: Yeah, well, that's unbelievable. But I was just curious. But thank you.

PRESIDENT FOX: Any further discussion?

Mr. Secretary, please call the vote?

COMMISSIONER MITRICK: All in favor of the motion?

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO REPSONSE

COMMISSIONER MITRICK: Hearing none, the motion carries.

PRESIDENT FOX: Okay.

ATTORNEY BETCHEL: And the next item concerns an acquisition shown on page 36 of your agenda, contract number L-3777, State Game Land
Number 147 in Blair County. May Brothers, L.P. and Ben L. May Excavating, Inc. are offering 635 more or less acres of land in Freedom and Greenfield Townships, Blair County, adjoining a detached portion of State Game Land Number 147 as shown on Exhibit RED 2 on page 37 of your agenda. The auction price is $1,040,000 lump sum to be paid with funding from the Indiana Bat Conservation Fund, IBCF, and will be subject to approval from the United States Fish and Wildlife Service. The IBCF was established by the Fish and Wildlife Service to fund projects important to the conservation and recovery of the Indiana bat within the Commonwealth of Pennsylvania. The Indiana bat is listed as a federal and state-listed endangered species. The property is to be managed for the primary benefit of the Indiana Bat in accordance with an Indiana bat management plan developed cooperatively with the Pennsylvania Game Commission and the United States Fish and Wildlife Service. Four tower sites are located on the property and are being conveyed with the property. Two of the tower sites provide additional revenues, which will be transferred to the Commission upon conveyance of the property. As per the agreement between the U.S. Fish and Wildlife Service and the
Commission, these annual revenues will be retained and kept by the Commission in the game fund. The property is forested with northern hardwoods. Access is from T-349 or Mountain Road.

**COMMISSIONER LAYTON:** Commissioner Layton, Motion to accept.

**PRESIDENT FOX:** Do we have a second?

**COMMISSIONER KNICK:** Commissioner Knick, second.

**PRESIDENT FOX:** Discussion.

**MR. SUSSENBACK:** Mr. President, this is Pete Sussenbach again. If I could just add a few comments.

**COMMISSIONER LAYTON:** Go ahead.

**MR. SUSSENBACK:** I just wanted to mention that, you know, this acquisition comes from a partnership with the U.S. Fish and Wildlife Service out of the State College office. They've been very supportive of us. It's exciting to acquire some lands not only for the Indiana bat and the conservation opportunities this property will provide, but this property also gives us access into an adjoining piece of State Game Lands that was previously inaccessible. So not only is it some additional land to hunt, but it was access into some
previously purchased land that we did not have. So it a pretty exciting acquisition from our team as well.

PRESIDENT FOX: Okay. Any further discussion?

Having none, Mr. Secretary, call the vote.

COMMISSIONER MITRICK: All in favor of the motion please signify by saying aye.

AYES RESPOND

COMMISSIONER MITRICK: Opposed.

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion carries.

ATTORNEY BETCHEL: And the next item is on page 38 of your agenda, concerning an exchange contract number L3778, State Game Land Number 249 in Adams County. The Pennsylvania Department of Transportation, PennDOT, is offering to exchange 0.043 more or less acres of land in Huntington Township, Adams County, near State Game Land Number 249, as shown on Exhibit RED 3 on page 39 of your agenda, to the Commission in exchange for 0.043 more or less acres of State Game Land Number 249. PennDOT is replacing a bridge over an unnamed tributary to
Bermudian Creek on State Route 1009, Section 012, commonly known as Wierman's Mill Road. The bridge replacement project is located on a parcel of land acquired with funding authorized by the Project 70 Land Acquisition and Borrowing Act. Using this land for purposes other than prescribed in the Act will require approval from the General Assembly of the Commonwealth of Pennsylvania which will be the responsibility of PennDOT. Access is from White Church Road. Staff has determined the proposed exchange is in the best interests of the Commission.

PRESIDENT FOX: Motion?
COMMISSIONER FREDERICKS: Commissioner Fredericks, move to accept.

PRESIDENT FOX: Second?
COMMISSIONER LAYTON: Commissioner Layton, second.

PRESIDENT FOX: Discussion?

Pete, do you want to comment?

MR. SUSSENBACH: No comments other than to say that, obviously, staff and PennDOT have agreed that this was, although a diminimus sort of a transaction, that it proves favorable for both sides at this point.

PRESIDENT FOX: Okay. Okay.
No further discussion. Mr. Secretary, please call the vote.

COMMISSIONER MITRICK: All in favor of the motion signify by saying aye.

AYES RESPOND.

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion carries.

ATTORNEY BETCHEL: For the next item on the agenda concerns oil, gas and minerals, a restricted surface use Oil and Gas Cooperative agreement, tract 36a-20, State Game Lands Numbers 12 and 36 in Bradford County. It appears on page 40 of your agenda. Chief Exploration and Development LLC, or Chief, of Dallas, Texas has requested the Commission offer its oil and gas rights under a portion of State Game Lands Numbers 12 and 36 for restricted surface use oil gas development. The proposed tract, containing approximately 1,440 more or less gross acres, is located in Barclay and Overton Townships, Bradford County, as shown on Exhibit OGM 1 on page 41 of your agenda.

Chief has successfully developed approximately 27,426 acres of State Game Lands 12 and
36 under six Commission-approved agreements, which consist of both Commission-owned and severed, or privately-owned, gas rights. Chief desires to further develop this 1,440 acre unleased portion of the Game Lands, and will not utilize any PGC surface for drilling pad locations, as the proposed area will be developed from Chief's current and planned drilling operations located on adjacent private lands by horizontal drilling. The Commission also recognizes the potential future need to utilize portion of this proposed leasehold abutting of Falls Creek Road for an access road to future drilling operations located on adjoining State Game Lands. OGM staff negotiated the proposed terms of the agreement with Chief in an effort to prudently develop the Commission's oil gas reserve and simultaneously protect the wildlife resources and recreational use of State Game Land Numbers 12 and 36.

The terms of the agreement are a five-year period paid restricted surface use oil and gas agreement, a $1,500 per net oil and gas acre bonus payment and a stepped royalty structure that has an initial royalty of 12 percent for all oil, gas and other liquids or condensates produced and sold from
the proposed track for the first 24 months of production for each well then stepping up to 18 percent for the remaining life of each well. The bonus payment of approximately $2,160,000 will be deposited into the Game Fund. Chief will also make a $504,000 wildlife enhancement payment to be deposited into the Game Fund or into an interest bearing escrow account to be used for the future purchase of wildlife habitats, lands or other projects incidental to hunting, furtaking and wildlife resource management. The bonus and wildlife enhancement payment will be made in three equal payments of $888,000 with the first payment due in July 2021 and the second and third payments due in July 2022 and July 2023. 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 Restricted Surface Use Oil and Gas Cooperative Agreement.

**COMMISSIONER FREDERICKS:** Commissioner Fredericks, move to accept.

**COMMISSIONER KNICK:** Commissioner Knick, second.
PRESIDENT FOX: Discussion?

COMMISSIONER FREDERICKS: Pete, this is Commissioner Fredericks. I have a question. Is that surface area severed?

MR. SUSSENBACH: That surface area is not under any severed rights, if that's what you mean.

COMMISSIONER FREDERICKS: It's not, so the Agency has the gas, and the surface is included?

MR. SUSSENBACH: That is correct.

COMMISSIONER FREDERICKS: So Chief had, if they want to, they have the right to enter upon that surface to develop their resource. You folks have negotiated no surface disturbance in that area?

MR. SUSSENBACH: Correct. That was part of the negotiations, trying to protect as much of the integrity of that game lands as possible.

COMMISSIONER FREDERICKS: Good job.

MR. SUSSENBACH: Thank you.

COMMISSIONER FREDERICKS: I don't, I can't tell from where I sit if there's any more land agreements coming up. But Mr. President, if I might take a moment I'll probably continue to do this for as long as I occupy this chair, but, again, I would
like to point out for those listening, you know, these are significant land agreements, again, with no expenditure from the general fund, adding acres. And, you know, we continue to get communication from hunters who seem to misunderstand how much hunting license money goes to the purchase of these properties. And I'll continue to emphasize that until it seems as though the message is clear. Our folks do a tremendous job of running a sustainable program to continue to accumulate acres for recreation and wildlife with little or no expenditure from general fund and hunting license money. Pete, thank you again. I want to echo what Commissioner Layton said. You guys are doing an outstanding job, and I really want for the public to understand what you're doing in cooperation with energy partners, conservancies and other NGOs. Thank you.

MR. SUSSENBACH: I appreciate the kind words. We got great staff, Mike DiMatteo and his team. This is a great oil and gas deal protecting the surface and integrity of the game lands and prudently developing the you know, the gas resource underneath the game lands. You know, really excited about this partnership that we've got out there with Chief. Things seem to be going extremely well, so I
appreciate the kind words.

PRESIDENT FOX: Any further discussion?

The only thing I'd like to add, if you happen to have an opportunity to take a look at that. They're just doing some remarkable things on 12 and 36.

No further discussions. Secretary, call the vote.

COMMISSIONER MITRICK: All in favor of the motion signify by saying aye.

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motions carried. Thank you.

PRESIDENT FOX: Brad, I'd like to thank you.

ATTORNEY BETCHEL: Mr. President, this ends the formal part of the agenda that's printed. I'll turn it back over to you.

PRESIDENT FOX: Yeah. Thank you, Brad. I appreciate that.

Is there any new business to come before the Commission at this time?
Commissioner Fredericks, you have an item?

COMMISSIONER FREDERICKS: Mr. President.

COMMISSIONER FREDERICKS: I apologize. Yes. I do have some new business with the pleasure of my fellow Commissioners, I would like to ask the staff to develop language that would permit the use of straight wall cases statewide, which would include the special regulation areas where currently the only thing that we're allowed to use are shotguns and bows and arrows. And, you know, most other states, I think there's only two remaining that have special shotgun areas that do not allow straight wall cases. And if it's okay with everybody I'd like to ask staff to develop language to put before us in April for consideration to be able to use straight wall cases in statewide.

PRESIDENT FOX: Okay.

Another item I'd like to ask staff to take a look at would be adding a species opportunities for mentored program, mentored youth, mentored hunters period. Take that up at a later time.

At this time ---.
COMMISSIONER LAYTON: Mr. Commissioner or Mr. President, this is Commissioner Layton. Can I just have a quick minute, please?

PRESIDENT FOX: Yes.

COMMISSIONER LAYTON: Two things. One is if Director Burhans is listening, and I'm sure he is, every year I like to get an update, if we can, on our cave dwelling bats and our situation with White Nose Syndrome. So I was wondering if we could either, if either way doesn't matter to me. If we could get a written report and send it out to the Commissioners, or if we can have a presentation ready for April I would appreciate that. Just so we know where we're at and where we've come to this point.

MR. BURHANS: You bet, Tim. We'll take care of that, absolutely.

COMMISSIONER LAYTON: Thanks. I appreciate that.

And one more quick thing. I just wanted to recognize the retirement of our Southwest Region Director Tom Fazi. Tom has served the agency for 30 years and has been a great resource for me and I know the other Commissioners, and I just want to thank him for the service and his leadership over the past few years in the Southwest Region and just wish
him all the well, all the best in his future endeavors. So Tom, if you're listening, thank you and good luck, my friend.

PRESIDENT FOX: I'd like to echo that.

MR. BURHANS: Mr. President, if I could I'd like to echo comments about Tom Fazi. He's been a tremendous asset to the team. I can remember the first time I met Tom was probably 25 years ago. He checked me while I was turkey hunting in Western Pennsylvania. I liked him ever since, and it's been such an honor to be able to serve with Tom as part of the Pennsylvania Game Commission. And he's done an outstanding job. So thank you Tom for what you've done.

PRESIDENT FOX: All right. Any discussion on our dates that are proposed for next year?

If not I'd like to just go over them. April 17th, July 24th, October 1 and 2.

At this time I'd like to turn it over to Commissioner Layton, the election of officers.

COMMISSIONER LAYTON: Thank you, Mr. President. I would like to just thank you, President Fox, for your leadership over this difficult time. This past year has been really hard on everybody I
know. But on the Board, with the Board of Commissioners not being able to meet face-to-face has been very difficult. And your ability to keep us connected through phone calls and emails has just shown your leadership and your ability to get things done here with the agency. So thank you very much for your service and your time here as President.

So on behalf of the Pennsylvania Game Commission I would like to talk about nominees for the 2021 officers. At this time if I could have a motion to open the floor to nominees?

COMMISSIONER FREDERICKS: So moved, Commissioner Fredericks.

COMMISSIONER KNICK: Second.

COMMISSIONER LAYTON: With a motion and a second all those in favor of opening the floor say aye.

AYES RESPOND

COMMISSIONER LAYTON: Opposed?

NO RESPONSE

COMMISSIONER LAYTON: Thank you. So I have spoken to each of the Commissioners individually and talked to them about their desires for the 2021 officer slate, and with that I would like to offer up this slate of officers. For President, Commissioner
Stan Knick; for Vice President, Commissioner Michael Mitrick; and as Secretary, Commissioner Kristen Schnepp-Giger. At this time are there any other nominations from the floor?

NO RESPONSE

COMMISSIONER LAYTON: Hearing none, can I have a motion to close nominations?

COMMISSIONER FREDERICKS: So moved.

COMMISSIONER FORADORA: Second.

COMMISSIONER LAYTON: All in favor of closing nominations?

AYES RESPOND

COMMISSIONER LAYTON: Thank you. So for the slate of officers with President Knick, Vice President Mitrick and Secretary Schnepp-Giger, all those in favor say aye.

AYES RESPOND

COMMISSIONER LAYTON: Opposed?

NO RESPONSE

COMMISSIONER LAYTON: Congratulations President Knick, Vice President Mitrick and Secretary Schnepp-Giger.

And I'd like to turn the meeting over now to President Knick for closure.

PRESIDENT KNICK: At this time I'd
like to thank the Board for letting me serve as
President, and I'm looking further to working with
the Board to keep the Game Commission moving forward.
And from there do we have any public comment or
anything?

MR. BURHANS: Yes, President Knick,
could I, this is Bryan Burhans. If I could say a few
words?

First, congratulations, President
Knick. I want to take a moment to thank Commissioner
Fox for his service as President. As President, the
President works very closely with the Executive
Director almost on a daily basis. Charlie has always
been there to lend an ear, to talk things through,
has provided great counsel and advice, great
leadership to the Board. I just want to say,
Commissioner Fox, on behalf of all the staff at the
Pennsylvania Game Commission we are grateful for your
leadership and for what you've done to keep this
agency moving forward, so thank you very much.

PRESIDENT KNICK: I’d like to echo
Bryan and thank President Fox for his term serving as
President. It was a great pleasure working
underneath him.

And do we have anything else from the
Board?

COMMISSIONER FOX: I never in my wildest dream thought I'd wind up in this position. It's been an honor and a privilege. If I, the one thing that I have to say is I so much appreciate all the people that I've been able to work with here. Everyone from food and cover to the Executive Director. It's been a real pleasure for me and a real honor, and I thank you.

PRESIDENT KNICK: Thank you Charlie, do we have a motion to adjourn?

COMMISSIONER FREDERICKS: Commissioner Fredericks, move to adjourn.

COMMISSIONER LAYTON: Commissioner Layton, second.

COMMISSIONER MITRICK: All in favor of the motion signify by saying aye.

AYES RESPOND

COMMISSIONER MITRICK: Opposed?

NO RESPONSE

COMMISSIONER MITRICK: Hearing none, the motion carries.

* * * * * * *

MEETING CONCLUDED AT 10:38 A.M.
CERTIFICATE

I hereby certify that the foregoing proceeding was reported by me on 01/23/2021 and that I, Evan Bingaman, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding. This notarial act involved the use of communication technology.

Dated the 10th day of February, 2021

[Signature]

Evan Bingaman,
Court Reporter