

COMMONWEALTH OF PENNSYLVANIA

GAME COMMISSION

BOARD OF COMMISSIONERS

\* \* \* \* \*

MEETING

\* \* \* \* \*

BEFORE: MICHAEL F. MITRICK, President  
Kristen Schnepf-Giger, Vice President  
(phone)  
Dennis R. Fredericks, Secretary  
Allen J. DiMarco, Member  
Scott H. Foradora, Member  
Stanley I. Knick, Jr.  
Haley J. Sankey, Member

HEARING: Saturday, July 9, 2022  
8:40 a.m.

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

WITNESSES: None

Reporter: Derek Richmond

Any reproduction of this transcript  
is prohibited without authorization  
by the certifying agency

## A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BRADLEY C. BECHTEL, ESQUIRE

Chief Counsel

Pennsylvania Game Commission

2001 Elmerton Avenue

Harrisburg, PA 17110

Counsel for PA Game Commission

ALSO PRESENT:

David Mitchell, Deputy Director of Field Operations

Bryan J. Burhans, Executive Director

Thomas Grohol, Deputy Director of Administration

Jason L. DeCoskey, Director, Bureau of Wildlife  
Protection

David J. Gustafson, Director, Bureau of Wildlife  
Habitat Management

Matthew Schnupp, Director, Bureau of Wildlife  
Management

I N D E X

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PRESENTATIONS

By Attorney Bechtel

5 - 27

NEW BUSINESS

28 - 32

ADJOURNMENT

32

CERTIFICATE

33

E X H I B I T S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Number

Description

Page  
Offered

NONE OFFERED

## P R O C E E D I N G S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

-----

ATTORNEY BECHTEL: The first item today for the Commission is from the Bureau of Wildlife Management and concerns Adopted Rulemaking at 58 Pa. Code Section 141.30, relating to Bobwhite Quail Recovery Area to create a wild Bobwhite Quail Recovery Area surrounding the Letterkenny Army Depot in Greene Township, Franklin County.

To maximize the likelihood of successful reintroduction, it is important to avoid any harvest mortality on the reintroduced population, as well as potential negative genetic effects from interbreeding with captive-reared Bobwhites. Implementing of a Bobwhite Quail Recovery Area will provide important protections and facilitate dispersal and expansion of the reintroduced Bobwhite quail population. The text is shown on page three of your Agenda.

PRESIDENT MITRICK: Can I have a motion, please?

COMMISSIONER FREDERICKS: So moved.

PRESIDENT MITRICK: Second?

COMMISSIONER KNICK: Second.

PRESIDENT MITRICK: Discussion on the



1 may we have a vote, please?

2 COMMISSIONER FREDERICKS: All those in  
3 favor, say aye.

4 AYES RESPOND

5 COMMISSIONER FREDERICKS: All opposed?  
6 The ayes have it, Mr. President.

7 PRESIDENT MITRICK: Thank you.

8 ATTORNEY BECHTEL: The next item  
9 appearing on page six of your Agenda is for the  
10 Adoption to Amend 58 Pa. Code Section 141.45,  
11 relating to turkey seasons, to eliminate the use of  
12 shotguns and muzzleloaders that project single-  
13 projectile ammunition during the fall turkey seasons.  
14 The text is shown on page seven through eight of  
15 your Agenda.

16 PRESIDENT MITRICK: May I have a  
17 motion for approval?

18 COMMISSIONER FREDERICKS: So moved.

19 COMMISSIONER FORADORA: Second.

20 PRESIDENT MITRICK: Mr. Secretary -  
21 Any discussion?

22 I'd like to say one thing. This is  
23 just to make it very simple for people to understand  
24 that in the fall turkey season, we're only allowing  
25 shotguns and archery equipment. That's it.

1                   Mr. Secretary, would you like to call  
2 for a vote, please?

3                   COMMISSIONER FREDERICKS: All those in  
4 favor, say aye.

5 AYES RESPOND

6                   COMMISSIONER FREDERICKS: All opposed?  
7 The ayes have it, Mr. President.

8                   PRESIDENT MITRICK: Thank you.

9                   ATTORNEY BECHTEL: And the next item  
10 appears on page nine of your Agenda, related to  
11 management plans. This is for the American Marten  
12 Reintroduction. The American Marten, *Martes*  
13 *americana*, is a furbearer once commonly found in  
14 portions of Pennsylvania, but extirpated from the  
15 Commonwealth in the early 1900s due to deforestation  
16 and unregulated harvest.

17                   In accordance with Goal 1.3(a) of the  
18 Pennsylvania Game Commission Strategic Plan for 2020  
19 through 2023, the Bureau of Wildlife Management has  
20 completed an assessment of the feasibility of  
21 reintroducing this native species. The feasibility  
22 assessment considered current habitat suitability,  
23 future climatic impacts, interactions with other  
24 species, and public opinion, and concluded that  
25 marten reintroduction would likely be successful and

1 would be an appropriate next step in the Commission's  
2 history of species restoration efforts within the  
3 Commonwealth.

4                   The Bureau of Wildlife Management is  
5 requesting that the Board of Game Commissioners  
6 approve the concept of reintroducing the American  
7 marten to Pennsylvania, and authorize staff to  
8 proceed with the development of a Reintroduction and  
9 Management Plan to guide this process.

10                   PRESIDENT MITRICK: May I have a  
11 motion for approval?

12                   COMMISSIONER KNICK: So moved.

13                   COMMISSIONER FREDERICKS: Second.

14                   PRESIDENT MITRICK: Thank you.

15 Discussion?

16                   COMMISSIONER SANKEY: I'd like to just  
17 point out that this is not implantation of the  
18 reintroduction at this point. It's just further  
19 research and public outreach on the matter, just for  
20 clarification.

21                   PRESIDENT MITRICK: Right. In other  
22 words, it's not a vote to actually reintroduce  
23 martens to Pennsylvania, but rather just to have the  
24 staff take a look at the next steps and develop a  
25 reintroduction and management plan. This plan would

1 include specific details on reintroduction locations,  
2 reintroduction partners, research and evaluation  
3 plans, communications, and importantly, a period of  
4 public comment, prior to the Board of Commissioner's  
5 vote in June of 2023. In other words, an entire year  
6 from now.

7 May we call for a vote, Mr. Secretary?

8 COMMISSIONER FREDERICKS: Mr.  
9 President, I have something I'd like to add to your  
10 statement. I'd like to caution the general public.  
11 It seems as though social media has picked up on the  
12 publication of our agenda and has spun this issue as  
13 a finally-adopted thing. Right before I left the  
14 house in Pittsburgh at 5:00 a.m., it was on the  
15 Channel 11 five o'clock news in the morning. And it  
16 was portrayed on the news as this was a final deal  
17 and already done.

18 So you know, they had video and  
19 everything. So I'd just like to caution everybody  
20 that that is, indeed, not the case, as Mike Mitrick  
21 said. This is simply an approval to the Bureau of  
22 Wildlife Management to bring forth a plan. That's  
23 it. And so be careful of what you see and hear on the  
24 news media. Thank you very much.

25 PRESIDENT MITRICK: Thank you. Any

1 other comments before we call for a vote?

2 All right.

3 Mr. Secretary?

4 COMMISSIONER FREDERICKS: Okay.

5 All those in favor?

6 AYES RESPOND

7 COMMISSIONER FREDERICKS: All opposed?

8 The ayes have it, Mr. President.

9 PRESIDENT MITRICK: Thank you.

10 ATTORNEY BECHTEL: The next item,  
11 appearing on page ten of your Agenda is from the  
12 Bureau of Wildlife Protection. This item concerns  
13 Proposed Rulemaking to Amend 58 Pa. Code Section  
14 131.2.

15 As the nature of its name implies, a  
16 muzzleloading firearm is, by definition, a firearm  
17 designed to have its loose ammunition components  
18 loaded from the muzzle. In this instance, the  
19 ammunition components refer to the combination of the  
20 loose or pelletized black powder or black powder  
21 substitute and the projectile or projectiles.

22 Recent developments in the firearms  
23 industry have generated muzzleloading firearms that  
24 can accommodate the loading of a captured powder  
25 charge similar to a cartridge, casing, or shell that

1 is loaded from the breech, with the projectile or  
2 projectiles remaining to be loaded from the muzzle.

3                   Current regulations specifically  
4 prohibit muzzleloaders that accept cartridge  
5 ammunition. However, this restriction was originally  
6 intended to restrict modern firearms that are loaded  
7 by a cartridge or casing that contains both the  
8 powder and the projectile. The Commission does not  
9 intend or desire for this restriction to apply to the  
10 above described muzzleloaders.

11                   The Commission is proposing to amend  
12 Section 131.2, relating to definitions, to permit  
13 muzzleloading firearms that allow a cartridge of  
14 loose or pelletized black powder or black powder  
15 substitute to be loaded from the breech, while the  
16 projectile remains loaded from the muzzle to be used  
17 as a muzzleloading firearm. The text is shown on  
18 page 10 through 11 of your Agenda.

19                   PRESIDENT MITRICK: Call for a motion.

20                   COMMISSIONER DIMARCO: So moved.

21                   COMMISSIONER FREDERICKS: Second.

22                   PRESIDENT MITRICK: Discussion?

23                   COMMISSIONER FREDERICKS: Mr.

24 President, I'd like to point out again to caution the  
25 general public and our consumptive supporters that

1 this is a Proposed Rulemaking. So it's - you know,  
2 should the Commission approve this at this point,  
3 it's still subject to discussion and public input and  
4 I would encourage everybody to let us know how you  
5 feel on this issue.

6 PRESIDENT MITRICK: Thank you. Any  
7 other comments?

8 All right.

9 Mr. Secretary, would you call for a  
10 vote, please?

11 COMMISSIONER FREDERICKS: All those in  
12 favor, say aye.

13 AYES RESPOND

14 COMMISSIONER FREDERICKS: All those  
15 opposed?

16 The ayes have it, Mr. President.

17 PRESIDENT MITRICK: Thank you.

18 ATTORNEY BECHTEL: The next item  
19 appears on page 12 of your Agenda and concerns  
20 Adopted Rulemaking to Amend 58 Pa. Code Section 141.4  
21 and Appendix G, relating to hunting hours to replace  
22 the current hunting hours and migratory bird hunting  
23 hours tables to accurately reflect the dates and  
24 hours of legal hunting for the 2022 through 2023  
25 hunting/trapping license year. The Commission also

1 amended Section 141.4 to delete the closure of open  
2 hunting hours for all other wild birds and wild  
3 mammals during the overlap with the regular firearms  
4 deer seasons.

5                   The remainder of the proposed changes  
6 to Section 141.4 are nonsubstantive housekeeping  
7 edits to improve the organization and clarity of the  
8 text. The text is shown on pages 13 through 15 of  
9 your Agenda.

10                   PRESIDENT MITRICK: May I have a  
11 motion for approval, please?

12                   COMMISSIONER KNICK: So moved.

13                   COMMISSIONER FREDERICKS: Second.

14                   PRESIDENT MITRICK: Discussion?

15                   Hearing none, Mr. Secretary, could you  
16 call for a vote, please?

17                   COMMISSIONER FREDERICKS: All those in  
18 favor, say aye.

19 AYES RESPOND

20                   COMMISSIONER FREDERICKS: All opposed?  
21 The ayes have it, Mr. President.

22                   PRESIDENT MITRICK: Thank you.

23                   ATTORNEY BECHTEL: And moving to page  
24 16, there's an amendment to 58 Pa. Code Section  
25 147.305 relating to wild capture and transportation

1 permits to require that a permit holder submit a  
2 monthly report to the Commission documenting the  
3 species and quantity of all wildlife captured or  
4 transported, the location where the wildlife is  
5 captured, the location where the wildlife is  
6 transported to and the disposition of deceased  
7 wildlife. The text is shown on page 17 of your  
8 Agenda.

9 PRESIDENT MITRICK: May I have a  
10 motion for approval, please?

11 COMMISSIONER SANKEY: I move.

12 COMMISSIONER FREDERICKS: Second.

13 PRESIDENT MITRICK: Any discussion on  
14 the motion?

15 Call for a vote, please?

16 COMMISSIONER FREDERICKS: All those in  
17 favor say aye.

18 AYES RESPOND

19 COMMISSIONER FREDERICKS: All opposed?  
20 The ayes have it, Mr. President.

21 PRESIDENT MITRICK: Thank you.

22 ATTORNEY BECHTEL: And turning to page  
23 18 of your Agenda, an Amendment to 58 Pa. Code  
24 Sections 147.726 and 147.728 relating to operation  
25 and unlawful acts; to authorize nuisance wildlife

1 control operators to collect and properly dispose of  
2 deer carcasses from roadways and private property  
3 with or without a fee. The text is shown on page 19  
4 of your Agenda.

5 PRESIDENT MITRICK: Call for a motion  
6 for approval, please?

7 COMMISSIONER KNICK: So moved.

8 COMMISSIONER FREDERICKS: Second.

9 PRESIDENT MITRICK: Discussion on the  
10 motion?

11 Hearing none, would you call for a  
12 vote, please?

13 COMMISSIONER FREDERICKS: All those in  
14 favor, say aye.

15 AYES RESPOND

16 COMMISSIONER FREDERICKS: All opposed?  
17 The ayes have it, Mr. President.

18 PRESIDENT MITRICK: Thank you.

19 ATTORNEY BECHTEL: Turning to page 20  
20 of your Agenda, there's a proposal from the Bureau of  
21 Wildlife Habitat Management. This is for a Proposed  
22 Rulemaking to Amend 58 Pa. Code Sections 131.2,  
23 135.181 and 135.182. The Commission manages the use  
24 and operation of the shooting ranges located on State  
25 Game Land Number 176, in part, under the provisions

1 of Section 135.182, relating to ranges, State Game  
2 Land Number 176.

3                   The Commission manages the use and  
4 operation of the remainder of its 33 shooting ranges  
5 located on state game lands across the Commonwealth  
6 under the various provisions of Section 135.181  
7 relating to rifle and handgun ranges.

8                   The Commission has reviewed this split  
9 regulatory structure and determined that the days and  
10 hours of operation and range reservation periods  
11 unique to the shooting ranges at State Game Land 176  
12 are no longer necessary.

13                   The elimination of the text in Section  
14 135.182 that is unique to State Game Land 176 will  
15 revert the management of the use and operation of the  
16 shooting ranges at this location entirely to their  
17 general provisions of Section 135.181, which have  
18 been statewide application. This will result in a  
19 number of changes that are largely beneficial to  
20 users of the State Game Land 176 shooting ranges.

21                   As it relates to eliminated paragraph  
22 one, users will see an expansion in open shooting  
23 days to now include Mondays and Tuesdays, but will  
24 also see hours of operation on Sundays restricted to  
25 12 noon to sunset, except those specifically

1 designated as being open from 8:00 a.m. to sunset.

2                   While certainly a change to the  
3 regulatory text, the Commission does not believe that  
4 a change will be observed by users of the shooting  
5 ranges at State Game Land 176, as the Commission  
6 itself has not followed these unique days and hours  
7 of operation language for approximately eight years.

8                   As it relates to the eliminated  
9 paragraph two, users will see the calendar window of  
10 opportunity for groups or organizations to reserve a  
11 range reduced from year-round to January 1st through  
12 October 1st.

13                   In replacement of the eliminated texts  
14 addressed above, the Commission is proposing to  
15 insert new shotgun range regulations that will be  
16 specific to the unique needs of these types of ranges  
17 not properly addressed by other existing regulations.

18                   The Commission currently only has a few ranges  
19 designated specifically as shotgun ranges. However,  
20 the Commission intends to establish more ranges soon,  
21 due to their increase in popularity and use.

22                   The proposed changes will set forth  
23 the types of firearms, ammunition and targets that  
24 may be used on shotgun ranges. The proposed changes  
25 will also establish the standards for use of these

1 shotgun ranges to help ensure the users of the  
2 ranges, as well as other persons and property in the  
3 vicinity of these ranges, are protected from harm or  
4 injury.

5                   These changes will also protect the  
6 significant investment the Commission has put in to  
7 constructing the current and future facilities. The  
8 Commission is proposing to amend Sections 131.2,  
9 131.181 and 135.182 to eliminate the outdated and  
10 unnecessary text unique to State Game Land 176 and  
11 replace it with new statewide shotgun range  
12 regulations for both clay bird and shotgun patterning  
13 ranges. The text is shown on pages 21 through 24 of  
14 your Agenda.

15                   PRESIDENT MITRICK: May I have a  
16 motion, please, for approval?

17                   COMMISSIONER DIMARCO: So moved.

18                   COMMISSIONER FREDERICKS: Second.

19                   PRESIDENT MITRICK: Any discussion on  
20 the motion?

21                   COMMISSIONER SANKEY: Can I get  
22 clarification on number eight on page 23, the last  
23 sentence?

24                   MR. GUSTAFSON: So I think what that  
25 is intended to do is for you consider accompanying a

1 licensed adult. It doesn't prohibit them from  
2 utilizing it.

3 Did I say that correctly, JASON?

4 MR. DECOSKEY: Yeah.

5 And it's the same language that's  
6 found with our other range requirements, except for  
7 archery?

8 COMMISSIONER SANKEY: Okay.

9 It was a little - the way that's it  
10 worded there, the - to one person accompanying  
11 another person.

12 MR. GUSTAFSON Yeah, with our range  
13 permits, it's only some person who has a range  
14 permit, they have a guest that can accompany them.

15 MS. SANKEY: Gotcha. Thank you.

16 COMMISSIONER FREDERICKS: Mr.  
17 President, if I may, I'd like to point out a couple  
18 things on this. You know, several years ago, we  
19 charged staff with regulation simplification and, you  
20 know, this is just another example of how the staff  
21 is working hard to eliminate redundant regulations  
22 and simplify the language and everything. And at the  
23 same time, find ways to accommodate our shooting  
24 constituents and I'm really pleased that we're making  
25 these accommodations for people who are shotgun

1 enthusiasts. And you know, it's an extremely  
2 important part of the process to be able to pattern  
3 your shotgun somewhere to become proficient with it  
4 to the point where you can be an effective taker of  
5 game.

6 So I commend the staff, the Executive  
7 Office. Thank you very much. It's another move  
8 toward regulation simplification and providing  
9 additional opportunities for our public. Thank you.

10 PRESIDENT MITRICK: Okay.

11 Thank you. Would you call for a vote,  
12 please?

13 COMMISSIONER FREDERICKS: Yes, sir.

14 All those in favor, say aye.

15 AYES RESPOND

16 COMMISSIONER FREDERICKS: All opposed?

17 The ayes have it, Mr. President.

18 PRESIDENT MITRICK: Thank you.

19 ATTORNEY BECHTEL: The next item for  
20 the Commission is shown on page 25 of your Agenda.

21 It's from the Bureau of Wildlife Habitat Management  
22 concerning a real estate exchange. Contract Number  
23 L-3796 State Game Land Number 91, Luzerne County.

24 And State Game Land Number 40, Carbon County.

25 Raceway Holdings, LLC,, is offering to

1 participate in an exchange of 240 more or less acres  
2 of land in Bear Creek Township, Luzerne County,  
3 adjoining State Game Land Number 91 and Pinchot State  
4 Forest, as shown on Exhibit RED 1, on page 26 of your  
5 agenda, in exchange for a 2.63 more-or-less acre  
6 portion of State Game Land Number 40 in East Side  
7 Borough, Carbon County, as shown on Exhibit RED 2 on  
8 page 27 of your Agenda.

9                   Based on an appraisal of the property,  
10 Raceway Holdings will provide \$85,000 toward the  
11 acquisition of the 240 more or less acres. The  
12 Commission will provide an additional \$169,000 lump  
13 sum from the Game Commission's restricted account,  
14 representing funds from third-party commitments for  
15 compensation of habitat and recreational losses,  
16 which occurred on state game lands from previously-  
17 approved projects.

18                   Acquisitions using this restricted  
19 account may exceed \$400 per acre. The acquisition of  
20 the 240 more or less acres is being made possible  
21 through the efforts of The Nature Conservancy, who  
22 has applied for supplementary funding from the Open  
23 Space Institute and the Pennsylvania Department of  
24 Conservation and Natural Resources C2P2 Grant  
25 Program. Covenants, conditions and restrictions

1 associated with these grants will be required to  
2 accept the property.

3                   Staff has determined that the portion  
4 of the 240 more-or-less acres to be conveyed to the  
5 Commission by Raceway Holdings, LLC,, is of greater  
6 value than the land to be conveyed to Raceway  
7 Holdings, LLC,, and that the proposed exchange is in  
8 the best interest of the Commission.

9                   PRESIDENT MITRICK: May I have a  
10 motion for approval, please?

11                   COMMISSIONER KNICK: So moved.

12                   COMMISSIONER DIMARCO: Second.

13                   PRESIDENT MITRICK: Discussion?

14                   I'd like to say that this is a huge,  
15 huge win for the Game Commission that the piece of  
16 property that we're transferring is basically land  
17 that is actually not of any value to the Commission.  
18 So we're gaining 240 acres in a very prime area and I  
19 really think it's a big win.

20                   Any other comments?

21                   Call for a vote, please.

22                   COMMISSIONER FREDERICKS: All those in  
23 favor say aye.

24 AYES RESPOND

25                   COMMISSIONER FREDERICKS: All opposed?

1                   The ayes have it, Mr. President.

2                   PRESIDENT MITRICK: Thank you.

3                   ATTORNEY BECHTEL: If you would move  
4 to page 28 of your Agenda. There's a Coalbed Methane  
5 Cooperative Agreement, Loyalhanna Estate,  
6 Westmoreland County.

7                   Kingston Gas, LLC,, of Wexford,  
8 Pennsylvania, requests that the Commission offer its  
9 coalbed methane gas ownership under the Commission's  
10 Loyalhanna Estate Mineral Reserve for development.  
11 The Loyalhanna Estate Mineral Reserve was a gift from  
12 the Loyalhanna Coal and Coke Company deeded to the  
13 Commission in December 1969. The mineral reserve  
14 area contains no surface land under Commission  
15 ownership. The proposed tract, containing  
16 approximately 1,500 acres, is located in Derry and  
17 Unity Townships and Latrobe Borough, Westmoreland  
18 County, and is more clearly shown on the attached  
19 Exhibit OGM-1 on page 29 of your Agenda.

20                   Kingston Gas, LLC, has acquired the  
21 majority of the privately held coal reserves  
22 contiguous to this area. It is the staff's  
23 conclusion that this arrangement, negotiated with  
24 Kingston Gas, LLC,, affords the only opportunity for  
25 the Commission to recover coalbed methane gas



1 The ayes have it, Mr. President.

2 PRESIDENT MITRICK: Thank you.

3 ATTORNEY BECHTEL: And moving to page  
4 30 of your Agenda, there's a Proposed Non-Surface Use  
5 Oil and Gas Cooperative Agreement, Tract 223A-22,  
6 State Game Land Number 224, in Greene County.

7 Greylock Production, LLC,, or  
8 Greylock, has requested the Commission offer its oil  
9 and gas rights under a portion of State Game Land  
10 Number 223 for non-surface use development. The  
11 proposed tract, containing approximately 140.11  
12 surface acres, or 140.11 oil-and-gas acres, is  
13 located in Greene Township, Greene County, as shown  
14 on Exhibit OGM-2 on page 31 of your Agenda.

15 Greylock has a strong privately owned  
16 oil/gas lease position surrounding this portion of  
17 State Game Land Number 223, has initiated  
18 unconventional well drilling and development in the  
19 vicinity of the proposed tract, and has the ability  
20 to unitize and develop the Commission's oil and gas  
21 reserves under the proposed tract by horizontal  
22 drilling with no surface use or disturbance to the  
23 Game Land.

24 The OGM staff has negotiated the  
25 proposed terms of the agreement with Greylock to

1 prudently develop the Commission's oil-and-gas  
2 reserves and simultaneously protect the wildlife  
3 resources and recreational use of State Game Land  
4 Number 223. The terms of the Agreement are a five  
5 year paid-up non-surface-use oil-and-gas agreement, a  
6 \$4,000 per net oil-and-gas acre bonus payment and 18  
7 percent royalty for all oil/gas and other liquids or  
8 condensates produced and sold from the proposed  
9 tract. The bonus payment of approximately \$560,440  
10 may be deposited either into the Game Fund or into  
11 the Commissioner's restricted revenue account to be  
12 used for the future purchase of wildlife habitats,  
13 lands or other uses incidental to hunting, furtaking  
14 and wildlife resource management. Future rentals and  
15 royalties owed the Commission shall be deposited into  
16 the Game Fund. Oil-and-gas development will be  
17 regulated by the Commonwealth's oil-and-gas  
18 regulations and the Commission's non-surface use oil-  
19 and-gas cooperative agreement.

20 PRESIDENT MITRICK: May I have a  
21 motion for approval, please?

22 COMMISSIONER FREDERICKS: So moved.

23 COMMISSIONER FORADORA: Second.

24 PRESIDENT MITRICK: Any discussion on  
25 the motion?

1 Mr. Secretary, would you call for a  
2 vote, please.

3 COMMISSIONER FREDERICKS: All those in  
4 favor say aye.

5 AYES RESPOND

6 COMMISSIONER FREDERICKS: Opposed?

7 The ayes have it, Mr. President.

8 PRESIDENT MITRICK: Thank you.

9 ATTORNEY BECHTEL: And Mr. President,  
10 that completes the written portion of this Agenda for  
11 today.

12 PRESIDENT MITRICK: Okay.

13 The next Commission meeting will be on  
14 September 23rd and 24th in Harrisburg.

15 Is there any New Business?

16 COMMISSIONER FREDERICKS: Mr.  
17 President, I have a couple items under New Business,  
18 if I may?

19 PRESIDENT MITRICK: Yes, please.

20 COMMISSIONER FREDERICKS: I would like  
21 to request staff to develop language that eliminates  
22 the individual hunter purchase limit of antlerless  
23 licenses in all WMUs. Based on information provided  
24 by staff during yesterday's presentation, which by  
25 the way, was outstanding, as far as I'm concerned,

1 and from what I heard from the other Commissioners,  
2 they feel the same way. This change will have  
3 limited effect on most of the State, but it will  
4 allow dedicated and effective hunters in developed  
5 areas to take more antlerless deer.

6                   There's not enough time for this  
7 change to occur for this hunting season, but it could  
8 be changed prior to next year. So again, I'm  
9 requesting for staff to develop language that  
10 eliminates that individual hunter purchase limit of  
11 antlerless licenses statewide.

12                   And I'd like to thank the Bureau of  
13 Wildlife Management and the biologists for putting  
14 the time in to come up with that recommendation.  
15 Thank you very much.

16                   DR. SCHNUPP: Thank you, Commissioner  
17 Fredericks. We'll look into that.

18                   COMMISSIONER FREDERICKS: Okay.

19                   And another item that I have is the  
20 use of DMAP by our agency. One of the keys to  
21 maintaining healthy wildlife populations, are  
22 managing quality wildlife habitats. Pennsylvania's  
23 Deer Management Assistant Program, better known as,  
24 DMAP, has been successfully used to focus hunter  
25 effort and antlerless harvest to address local deer

1 browse impact concerns.

2                    DMAP allows additional means for land-  
3 owners to manage deer to meet their land-use goals  
4 and provides additional opportunities to the hunters  
5 who participate in the program. As the Pennsylvania  
6 Game Commission's policy is currently written, State  
7 Game Lands are not eligible for DMAP. As a result,  
8 localized browse impacts on our game lands can't be  
9 mitigated when habitat management activities are  
10 being implemented.

11                   Other state and federal agencies are  
12 currently using DMAP to achieve better habitat  
13 management results. It requires an intensive  
14 management plan be submitted along with their  
15 application that outlines the justification and the  
16 problem.

17                   It has been the Game Commission's  
18 policy to not allow game lands to be eligible for  
19 DMAP, with the exception of CWD DMAP units.

20                   No regulation change would be required  
21 to implement a policy change to allow the use of DMAP  
22 on State Game Lands. Therefore, I'm asking the  
23 Bureau of Wildlife Management to develop a white  
24 paper and recommended policy change language.

25                   DR. SCHNUPP: Yes, sir. We'd be happy

1 to do that. We'll work with Wildlife Habitat  
2 Management as well. They've done a lot of background  
3 on this already. So we appreciate that and we'll  
4 look into it and report back.

5 COMMISSIONER FREDERICKS: Okay,  
6 Matthew.

7 Thank you very much.

8 PRESIDENT MITRICK: I have one request  
9 as well, regarding urine attractants. Given the  
10 continued increase and the spread and prevalence of  
11 CWD in the Commonwealth and the information regarding  
12 risks of a tracking use that was presented yesterday,  
13 - and incidentally was a very excellent presentation  
14 - I feel that additional actions are needed. I would  
15 like to request the staff to develop language for a  
16 more comprehensive regulation on the use of deer  
17 attractants.

18 DR. SCHNUPP: Absolutely, Commissioner  
19 Mitrick. We appreciate you guys taking this disease  
20 seriously and we'll look into that and report back to  
21 you at the next Commission meeting.

22 PRESIDENT MITRICK: Okay.

23 Thank you. Any other New Business?

24 COMMISSIONER SANKEY: I would just  
25 like to go back to Denny's first item, the antlerless

1 deer license. Just to clarify for the public that's  
2 here today and anyone who might be listening, you're  
3 asking for them to revert to 2020? Not anything new  
4 or different? Just revert back to the way it was  
5 prior.

6 Correct?

7 COMMISSIONER FREDERICKS: Yeah, Haley,  
8 but, you know, I guess what needs to be mentioned is  
9 this was something that was asked for by some of our  
10 constituents to try because there were some people  
11 that felt that - some people were buying an  
12 exceptional number of tags. So when we went to the  
13 system, what happened was, because of the timing of  
14 the sale, some people who could use the tags because  
15 of timing, couldn't get them.

16 So basically, what it boils down to,  
17 is we tried a new system. It didn't work. The  
18 numbers weren't huge, but nevertheless, they're - you  
19 know, there were some people who wanted to get tags  
20 and use the tags and they couldn't get them, so  
21 people who had access to properties ended up -  
22 basically, the data that I looked at said, you know,  
23 some of those people that had access to property were  
24 only able to get about half of the tags that they  
25 normally got and, therefore, only harvested about

1 half of the deer that they normally did. Again, that  
2 number is small, but nevertheless -.

3 COMMISSIONER SANKEY: I just - I saw  
4 some looks of confusion in the crowd, so I just  
5 wanted to clarify that it was just reverting back to  
6 what we had prior.

7 COMMISSIONER FREDERICKS: Yes, ma'am.  
8 That's all it is. We're just reverting back, you  
9 know, to the way things were a few years ago.

10 COMMISSIONER SANKEY: Thank you.

11 COMMISSIONER FREDERICKS: Thank you.

12 PRESIDENT MITRICK: Any other New  
13 Business?

14 Hearing none, this meeting is  
15 concluded. Thank you.

16 \* \* \* \* \*

17 MEETING CONCLUDED AT 9:12 A.M.

18 \* \* \* \* \*

19

20

21

22

23

24

25

## CERTIFICATE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I hereby certify that the foregoing proceedings, hearing held before President Knick, Jr., was reported by me on July 9, 2022, and that I, Derek Richmond, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Date the 16 day of August, 2022



Derek Richmond,  
Court Reporter