INDEX

DISCUSSION AMONG PARTIES

3 - 96
PRESIDENT ISABELLA:
Good morning, ladies and gentlemen.
Welcome to our quarterly meeting here at the Pennsylvania Game Commission. At this time please rise for the Pledge of Allegiance.
PLEDGE OF ALLEGIANCE RECITED
PRESIDENT ISABELLA:
Just a reminder, ladies and gentlemen, if you have cell phones, please, either turn them off or put them on vibrate. If you have to make a phone call, please go in the outer lobby. And with that, Mr. Secretary, the roll call of Commissioners?
COMMISSIONER WEANER:
Mr. President, all Commissioners are here and accounted for.
PRESIDENT ISABELLA:
Thank you, Mr. Secretary. At this time I would like a motion for the approval of the minutes of the meeting held on October 6th, 2009.
COMMISSIONER BOOP:
So moved.
PRESIDENT ISABELLA:
We have a motion from Commissioner Boop.
Second?

COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Second from Commissioner Weaner. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the motion passes unanimously.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. At this time I'd like to call on Executive Director Carl Roe.

EXECUTIVE DIRECTOR ROE:
Thank you, Mr. President. As I mentioned yesterday, I wanted to take some time this morning to thank Deputy Executive Director Mike Schmit. This will be his last Commission Meeting. As a result of a schedule change on the April meeting, this will be his last one. And I just want to, again, publicly thank you and make it as a matter of record forever that Mike's over 35 years of dedicated service to the Game Commission is duly recognized. And from my personal
point of view, I couldn't ask for a better right-hand person. His great advice and his counsel on many, many occasions probably kept me from doing something really stupid. And his wealth of knowledge about the Game Commission is truly remarkable. I mean, those 35 years, he's got a mind like a steel trap. He can tell you what he did the first day, when he was commissioned as a WCO. And he's held every rank from WCO to Regional Supervisor, Regional Director, Bureau Director, and now, as the Deputy. I can tell you there's nobody more dedicated, and in the parlance of our WCO, he truly bleeds green. So Mike, thank you very much for your service and dedicated service not only to the Game Commission but also to the Commonwealth of Pennsylvania.

APPLAUSE

PRESIDENT ISABELLA:

I just want to add one comment to Carl's. Ladies and gentlemen, Mike is literally a walking PGC historian. One time we were having lunch and a conversation came up, I don't know, it was a joke, and Mike turned around and said, well, if you go to the March issue of Game News, page 14, Volume 22, you'll see an article there about it. I turned and I looked at him, and I said, Mike, that's like 20 years ago.
You remember that?

And I was involved one day with doing some work with the Wildlife For Everyone Endowment Foundation, and I saw a slide. And here's a slide of a WCO with darker hair at the time, a lot thinner, and he's handling, like it was Bald Eagles. And I'm looking and I'm going, wait a minute, that's Mike Schmit. You know, that was like over 25 years ago. So Mike, congratulations in your retirement, and I'll be seeing you on golf nights.

**DEPUTY EXECUTIVE DIRECTOR:**

Thank you.

**PRESIDENT ISABELLA:**

Do you have anything to say?

**DEPUTY EXECUTIVE DIRECTOR:**

Certainly no speeches, just 35 years goes by so quickly, and it's been said by many, many people before me when a Game Commissioner's career comes to an end, you just can't believe how quickly that time flies. I'm looking forward to retirement. I've always treated retirees as if that's just the last classification they hold as an authority for the Game Commission. I don't truly believe people retire from the Game Commission. You just move into a different area where you just volunteer your time. You never
truly leave this agency. And so I'll still be around. The Wildlife For Everyone Endowment Foundation was mentioned by John Dunn yesterday. It's been mentioned a few times at this meeting. It's certainly a foundation I believe wholeheartedly in and intend to spend an awful lot of time volunteering my efforts for that foundation because the mission of that foundation is to support the mission of the Pennsylvania Gaming Commission. And so I think the Wildlife Forever Endowment Foundation is worthy of all of our attention. It's certainly going to get a lot of my attention in the years to come. And thank you very much for your comments, fellows, both of you.

PRESIDENT ISABELLA:
Mike, thank you. And again, we'll see you on the links. All right. At this time I'd like to turn to our Agency Counsel, Brad Bechtel. Brad?

ATTORNEY BECHTEL:
The first item to come before the Commission today involves the State Wildlife Grants Program, The Pennsylvania Breeding Bird Atlas. Congress has appropriated funds under the State Wildlife Grants Program, directing exclusively to State wildlife agencies for wildlife species with the greatest conservation concern. And Pennsylvania is
eligible to receive these funds for fish & wildlife projects under the State Wildlife Grant or SWG Program. After six years and 92,000 hours of fieldwork, Pennsylvania's birders have completed the most detailed and comprehensive survey of breeding bird distribution and abundance ever completed in the Commonwealth.

This data updates the status of endangered and threatened birds and documents changes of all the State's 190-plus breeding birds since the first atlas in the 1980s. The fieldwork for this project was funded predominantly with federal funds through the State Wildlife Grants or SWG Program. An analysis and interpretation of this dataset is ongoing under the guidance of two researchers, but pursuit of outside funds to produce the efforts and publish their results has been unsuccessful to date. Up to $100,000 of additional SWG Funds are needed to support the work of these researchers through 2010 to complete the analysis and interpretation of the data to be used in management and conservation and prepare the final report.

The project will not require any net reduction in the Game Fund. The Game Fund will be reimbursed by the U.S. Fish & Wildlife Service Federal
Aid Program, using SWIG funds. The Executive Director and staff recommended approval of $100,000 of State wildlife grant money for the Carnegie Museum of Natural History in support of the Pennsylvania Breeding Bird Atlas Analysis Project.

PRESIDENT ISABELLA:

Thank you, Brad. Commissioners, you've heard the commentary. Do I have a motion?

COMMISSIONER SCHREFFLER:

So moved.

PRESIDENT ISABELLA:

Commissioner Schreffler. Do I have a second?

COMMISSIONER WEANER:

Second.

PRESIDENT ISABELLA:

Commissioner Weaner. Any discussion?

All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:

Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:

The next item is a policy update concerning the use of fertility control agents in wildlife management. The national registration process for mammalian gonadotropin-releasing hormone, GnRH, which is a fertility control agent intended for use in controlling whitetail deer in urban and suburban settings, has been completed. The project has been registered by the U.S. EPA as a restricted-use pesticide. Restrictions limit use to USDA-APHIS Wildlife Services and State Wildlife Agency personnel. Use in any state jurisdiction will require an advanced state registration of GonaCon for use in the State, which will be done in Pennsylvania through the Department of Agriculture. EPA has issued a Human Health Effect Statement for this product that essentially states there is no human health concern.

Given the number of deer-to-human conflict in many communities across the Commonwealth and the public interest in improved urban deer control, many citizens and public officials and managers likely will view this new product as a viable option for their deer management issues. The Commission staff has reviewed the existing Agency
Policy Manual and found it silent with respect to these products. To promote a clear public expectation is the Commission policy relative to the use of fertility control agents in the Commonwealth with respect to wildlife population control. The following policy statement was formulated and was presented for adoption. This statement is found on pages three and four of your agenda. The Executive Director and staff recommend the Commission approve this policy statement.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT ISABELLA:
Commissioner Weaner. Second?

COMMISSIONER SCHREFFLER:
Second.

PRESIDENT ISABELLA:
Commissioner Schreffler. Discussion?

COMMISSIONER DELANEY:
Mr. President, I'm still troubled by some of the language that we have and when we continue to say we're going to use a pesticide on our whitetail
deer. It troubles me that we would say we would use a pesticide on that majestic animal. But with that said, I just wanted to offer that commentary about that word, pesticide.

PRESIDENT ISABELLA:
Thank you, Commissioner. I'm really disturbed by this also. It's like we're treating the whitetail deer as a rodent. But then, again, it's my responsibility as a Commissioner --- I know what we're trying to do here. Cal, just walk us through this.

If someone applies to use this drug, what is our position? What is the process?

MR. DUBROCK:
Well, first of all, in order for them to apply to use the drug, it needs to be registered in the State, and that hasn't occurred yet. And so someone --- either USDA or the Game Commission needs to submit basically an application to the Department of Agriculture to license this particular product in the Commonwealth. That hasn't occurred yet. But assuming someone does and that process goes forward, then an organization would have to submit an application and basically a permit application to the Pennsylvania Game Commission. And there are going to be a number of conditions, and those are going to be
spelled out in our operating procedures as to what
they've done to control deer that would lead them to
the point where they're requesting the use of this
particular agent to facilitate further control.
They're going to have to demonstrate that they have a
hunting program in place. They're going to have to
demonstrate just a variety of things that they've done
to control deer, both lethal and nonlethal means, and
that this would be an added element. None of those
other things go away. They would continue those, but
this would be an additional element.

And then there are going to be a variety
of --- basically to be conducted almost like a
research study, so they're going to have to submit
annual reports, and they're going to have to monitor
and have certain accountabilities throughout that
process if they get to that point. They're also going
to have to find a way to fund it because the Game
Commission is not going to fund it. And this is a
fairly extensive proposition.

The labeling requirements require that
every animal be individually captured, handled, hand
injected, marked and so forth. And every one that
they spend hundreds of dollars capturing and marking
and it gets hit by a car, you know, there's a lost
animal. It's out of the population, but they've made a huge investment. So we want to proceed with communities, giving them a heads up as to what this really means and what it's going to really cost them as we proceed. But we'll treat it as a research project and require monitoring and annual reports and assessments as to whether or not they're accomplishing their objectives in the community.

PRESIDENT ISABELLA:

Thank you, Cal. Any other discussion? All right. With that, all in favor, signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER DELANEY:

Opposed.

PRESIDENT ISABELLA:

Let's have a show of hands. All in favor of this proposal please raise your right hand.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

NAYS RESPOND

COMMISSIONER WEANER:
Mr. President, the vote is seven to one in favor, Commissioner Delaney voting no.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. Brad?

ATTORNEY BECHTEL:
The next item today is proposed rulemaking, to amend 58 Pa. Code, Section 139.4, 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 Section 139.4 relating to seasons and bag limits for the license year, to provide updated seasons and bag limits for the 2010-2011 license year. The 2010-2011 seasons and bag limits have been amended to conform to 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 wildlife resources of this Commonwealth.

The reasons for these proposals and recommendations are in your agenda on pages five through seven and were detailed yesterday in the public meeting. The text of the actual proposals
appears on pages 8 through 15 of your agenda. The Executive Director and staff recommend the Commission approve the proposed 2010-2011 seasons and bag limits amendments to Section 139.4 as described in your agenda.

PRESIDENT ISABELLA:
Thank you, Brad. Is there a motion?

COMMISSIONER DELANEY:
Mr. President, I don't know how you want to proceed with this, but I would make a motion to get started, that I think we have many amendments that will come under the season and bag limits.

PRESIDENT ISABELLA:
Okay. We have to do discussion first.

COMMISSIONER WEANER:
I second his motion.

PRESIDENT ISABELLA:
Okay. So we have a motion, and we have a second. Discussion? What we'll do is we'll go page-by-page. I'll start with page eight, the top item. Any amendment there?

COMMISSIONER WEANER:
Mr. President, ---

PRESIDENT ISABELLA:
Yes.
COMMISSIONER WEANER:
--- you're taking amendments on the whole page or what?

PRESIDENT ISABELLA:
No. I'm going to go section-by-section.

COMMISSIONER BOOP:
Which section are you starting with, sir?

PRESIDENT ISABELLA:
Right at the top.

COMMISSIONER BOOP:
Squirrels?

PRESIDENT ISABELLA:

Second item, squirrels again? The third item, Ruffed Grouse? Fourth item, rabbits, Cottontail?

COMMISSIONER SCHLEMMER:
Mr. President?

PRESIDENT ISABELLA:
Commissioner Schlemmer?

COMMISSIONER SCHLEMMER:
In regard to the Cottontail portion of that, after consulting with the staff and also finding out it would not affect the resource and will benefit our customers, the hunters, I would like to move the closing date for rabbits from February the 5th to
February the 26th.

PRESIDENT ISABELLA:
So it's February --- we're eliminating February 5th, and we're adding February 26th, 2011?

COMMISSIONER SCHLEMMER:
That's right, sir.

PRESIDENT ISABELLA:
Thank you. Do we have a second?

COMMISSIONER DELANEY:
Second.

PRESIDENT ISABELLA:
All those in favor of that amendment signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote on the amendment is eight to nothing in favor.

PRESIDENT ISABELLA:
All right. Thank you, Mr. Secretary. I now go to page nine. Any amendments for the complete page nine, on that full page? Now we'll go to page ten, turkey, male and female.

COMMISSIONER WEANER:
Mr. President?

PRESIDENT ISABELLA:
Commissioner Weaner?

COMMISSIONER WEANER:
Contemplating a possible change to a Saturday open for bear season that I'm also going to propose, I move that we strike out the 20th of November for the ending date where it shows as the 20th of November and inserting the 19th of November. So the season would end on a Friday.

PRESIDENT ISABELLA:
That's in WMU 2B?

COMMISSIONER WEANER:
Yes.

PRESIDENT ISABELLA:
And we go two down and the WMUs 2F, 2G, 3A and 3B, 3C, 3D, 4C, 4E, that will be November 19th also. Do we have a second?

COMMISSIONER BOOP:
Second.

PRESIDENT ISABELLA:
Second by Commissioner Boop. Discussion?

COMMISSIONER SCHREFFLER:
Yes.

PRESIDENT ISABELLA:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:

I think that although this has merits to it, I think it will interfere with the integrity of important fall turkey season that was reported on by staff yesterday. That particular study is important to the management of turkeys and management of population because what we do in the fall season really affects our --- really has a great effect on the population of turkey. And the purpose of that is to study these seasons and the effect that seasons have on this as an important management tool. So I would tend to encourage everyone not to vote for this. This is a day when youth are off school, and they go turkey hunting. It's right before Thanksgiving. And turkey hunting is sort of popular I think, to a certain extent, in the fall. So I would oppose that action. This is in conjunction with a change in bear season, which I have additional comments and will talk further on. Thank you.

PRESIDENT ISABELLA:

Thank you, Commissioner. Commissioner Weaner?

COMMISSIONER WEANER:

To clarify the point of my motion, it
directly relates with what Commissioner Schreffler said. And that's why I suggested moving it to the 19th, to maintain the integrity of the turkey study because I would propose then or I would think that logically we would continue this for the next four years, throughout the life of that study. That's why it was made, to maintain the integrity of that study.

PRESIDENT ISABELLA:
Thank you, Commissioner. Any other discussion? Commissioner Boop?

COMMISSIONER BOOP:
I would just like to echo what Commissioner Weaner said. And as far as the youth, I mean, this is the last day of the turkey season. And assuming we do make the change to bear season, I think the benefit to the youth there on the first day outweighs the benefit on the last day for another species.

PRESIDENT ISABELLA:
Any other discussion? Well, I have some. I'm concerned because we do have that turkey study. The integrity of that turkey study is going to be questioned now. We're going to test the traditional turkey season by that one day. That last day is going to be --- is a big day for youth coming out and
engaging --- you know, coming out turkey hunting, and there is going to be a conflict with bear hunters on that Saturday because probably those bear hunters are going to have a turkey tag. Quite honestly, I believe we're going to get a lot of comment from the NWTF members and be that where it may. Any other discussion? With that, all in favor please raise your right hand.

AYES RESPOND

PRESIDENT ISABELLA:
Okay. Opposed?

NAYS RESPOND

COMMISSIONER WEANER:
Mr. President, the vote is six to two in favor, Commissioners Isabella and Schreffler voting no.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. Okay. Any change on page 11? Okay. Page 12, we're going to go item-by-item. Page 12, the first item I have an amendment. The first item, I've had a request from archery hunters in a special regulation area that they'd like to be able during that extended season --- they want to go into flintlock season and be able to harvest an antlered deer. So what I am going to offer
as an amendment is that first item where it has deer, archery, antlerless, I want to add antlered. We're going to add it as a separate section underneath. So it's going to say, deer, archery, antlerless and antlered, and the dates are going to be January 17th to January 29th. Is there a second?

COMMISSIONER SCHREFFLER:
I'll second that, but I want to --- I just want to ---.

COMMISSIONER SCHLEMMER:
Mr. President, maybe you'd like to check the dates on that.

PRESIDENT ISABELLA:
It's not January 17th. It's December 27th.

MR. DUBROCK:
If I understand what you're trying to do, Commissioner, if you refer back to page 11, you'll see that we already have a statewide archery season for antlered and antlerless deer that runs from October through November, then from December 27th until January 15th. And that's in all management units. So in order to accomplish what you want, which is to allow the taking of antlered deer for the remaining two weeks in January, I believe you're correct,
deer --- if you say, deer, archery, antlered, in Management Units 2B, 5C and 5D from January 17th to January 29th, you will be able to accomplish your intended purpose.

PRESIDENT ISABELLA:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
May I verify what we're doing here now? I think what you were proposing is right after deer, archery, antlerless, WMUs 2B, 5C and 5D, you are going to put the next category which says deer, archery, antlered, Wildlife Management Unit 2B, 5C and 5D, and we're adding the dates for those from December 27th to January 29th?

PRESIDENT ISABELLA:
That is correct.

COMMISSIONER SCHREFFLER:
Okay. Then I will second that motion.

PRESIDENT ISABELLA:
Thank you, Commissioner. Discussion? No discussion. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Okay. Thank you, Mr. Secretary. Okay. The next item, deer, regular firearms, any amendments?

COMMISSIONER BOOP:
Mr. President?

PRESIDENT ISABELLA:
Commissioner Boop?

COMMISSIONER BOOP:
I have an amendment with respect to deer, regular firearms, antlered and antlerless. My motion for amendment is to move Management Units 2C, 2E, 4D and 4E from a concurrent season that starts on November 29th and ends on December 11th, to move them down in the third and fourth items, that the concurrent season is started in those four management units on Saturday and ends on Saturday, December 4th through December 11th.

PRESIDENT ISABELLA:
Thank you, Commissioner. I just want to make sure I get that straight. It is 2C, 2E, 4D and 4E, is that your amendment?

COMMISSIONER BOOP:
Correct.
PRESIDENT ISABELLA:
Thank you. Is there a second?

COMMISSIONER WEANER:
I'll second it.

PRESIDENT ISABELLA:
Thank you, Commissioner Weaner.

Discussion?

COMMISSIONER BOOP:
Mr. President?

PRESIDENT ISABELLA:
Commissioner Boop?

COMMISSIONER BOOP:
The purpose of my amendment with respect to these four management units, I am very familiar and spend a lot of time in 4D and 4E, and I also have had a fair amount of contact in 2B and 2C. Those of us that go back a while can certainly remember that we harvested a lot of antlerless deer back in the days when we had a three-day season. I'm certainly not proposing today that we go back to a three-day season. This will still be a seven-day season for antlerless deer. It's going to include two Saturdays. I think there's a lot of benefit to doing this.

These are the core areas where we have the most discomfort, I guess for lack of a better
word, among our outdoor community, and I think that any questions that we have concerning harvest can be addressed by allocations in April. I think there's a great benefit and that the deer that would typically be harvested, antlerless deer, on Monday and Tuesday and throughout the week will be out there through Friday. I think it will increase sightings of deer by people who are hunting, which is a key component of hunter satisfaction. And I think that it will be also very beneficial for our youth, who will be seeing more deer when they're out there hunting.

I'm certainly aware of the fact that there will be some concern that youth cannot take deer on Monday and Tuesday, but you still have two Saturdays that they will be able to be out there and partake in this great tradition.

PRESIDENT ISABELLA:
Thank you, Commissioner. Any more discussion? Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
Yes. I encourage my fellow Commissioners to oppose this proposal at this time. Changing the season lengths for does will have a detrimental effect on deer management in those areas affected. We currently have a study in progress to evaluate the
season changes in this manner and how they should be utilized to be an effective tool in deer management. The Board of Commissioners committed to a four-year study to be completed before the additional units are modified. And this is found in footnote number three on page 15.

I encourage my fellow Commissioners to continue that policy that was committed to by the Board in the past. Using this tool now, before knowing the results of the study and how to effectively utilize this strategy is putting the cart before the horse. This moves us from science-based deer management and jeopardizes the sound basis of our deer management model that attempts to keep each Wildlife Management Unit deer herd within the bounds of self-sustainability. I urge you to vote against this proposal until we receive the harvest figures and the allocation proposals from our deer team.

For some of my fellow members on the Board, this will be your first experience in this process. I think it will be very meaningful and will give you additional opportunity to increase or change deer allocations and herds at that time. I urge you to keep your eye on the big picture for the long-term and not get into a position where we're trying to get
short-term fixes here that may not be effective in the end. Thank you.

PRESIDENT ISABELLA:
Thank you, Commissioner. Commissioner Weaner?

COMMISSIONER WEANER:
I think that Commissioner Schreffler offered some very legitimate concerns. And I also have the same concerns, but I'm going to support this motion simply to move the process ahead. I may well --- the deer numbers come out in March. I may well change my mind and vote no when it comes up the next time. But I think that at this point I'm going to urge us to support this to move it ahead until we get those figures. And that way if we decide that, yes, it's still a good idea, we can vote yes the next time and move it ahead. Thank you.

PRESIDENT ISABELLA:
Thank you, Commissioner Weaner. Any more discussion?

COMMISSIONER DELANEY:
Yes.

PRESIDENT ISABELLA:
Commissioner Delaney?

COMMISSIONER DELANEY:
Commissioner Schreffler, I respectfully disagree with your opinion that we're moving away from science when we try to do deer management. I'm going to support this for the same reason my fellow---well, the other commentary has been to this date. This isn't a final decision-making process. It's the start of the process. And we'll have some good debate over the next several months. We'll hear some commentary back from our sportsmen and sportswomen across the state. We'll also hear additional commentary from our staff. So that would be my opinion.

PRESIDENT ISABELLA:

Thank you, Commissioner. Any more discussion? I have some. I concur with Commissioner Schreffler's assessment. I also want to add that much has been said that we hear the sportsmen, and they're dissatisfied. I believe in the next three months we are going to hear the other group of sportsmen that support our management program. And we're also going to hear from the non-hunters about our program, and that should be interesting. Any further discussion? With that, all in favor of this proposal please raise your right hand.

AYES RESPOND
PRESIDENT ISABELLA:
And opposed?

NAYS RESPOND

COMMISSIONER WEANER:
Mr. President, the vote is six to two in favor, Commissioners Isabella and Schreffler voting no.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. The next item, deer, regular firearms, parentheses, antlered only. Nothing. Any more amendments on page 12? Page 13?

COMMISSIONER DELANEY:
Mr. President, I have an amendment that I'd like to make. In light of our discussions yesterday with our bear biologist and my concerns of having no WMUs open for bear archery in northeastern Pennsylvania and further consultation with fellow Board members, I move to open up bear archery statewide from November 15th to 19th, after concurrence with our bear biologist that there would be no significant biological concerns if we do that. That would be my motion.

COMMISSIONER WEANER:
I second the motion.

PRESIDENT ISABELLA:
Second from Commissioner Weaner.

Discussion? All in favor please raise your right hand.

AYES Respond

PRESIDENT ISABELLA:

Opposed?

NAYS Respond

COMMISSIONER WEANER:

Mr. President, the vote is seven to one in favor, Commissioner Isabella voting no.

PRESIDENT ISABELLA:

The next item, bear, any age, statewide.

COMMISSIONER BOOP:

Mr. President?

PRESIDENT ISABELLA:

Commissioner Boop?

COMMISSIONER BOOP:

My amendment with respect to the bear statewide, and I'll amplify the reasons during discussion, but I would like to change the start date of the three-day bear season from Monday, November 22nd, to Saturday, November 20th, and the end date from Wednesday, November 24th, to Tuesday, the 23rd, statewide.

PRESIDENT ISABELLA:
Is there a second?

COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Commissioner Weaner seconds it.

Discussion?

COMMISSIONER BOOP:
Mr. President?

PRESIDENT ISABELLA:
Commissioner Boop?

COMMISSIONER BOOP:
This amendment is one which I do not make lightly, and it's after an awful lot of thought and discussion with a lot of people that I respect and who are knowledgeable in this field. I'm very hesitant to propose a change to a system that's worked quite well. And I certainly want to compliment Mark Ternent and his leadership and the type of report that we had yesterday. It is a system that is working well. And I am certainly aware that there are logistic problems for him and staff and with check stations and overtime and all the other issues that are going to be involved.

But having weighed all that, I think that there are tremendous benefits to our outdoor community
if you have a Saturday opener for the same species.
Children do not have an opportunity normally to hunt bear unless they get an excused absence. I think it will be a benefit for youth. It will also be a benefit for many people who don't have that day off.
I also think it will enhance the collateral benefit of targeting nuisance bears when we'll get more people out on Saturdays. So that is the reason that I'm going to support it.

I'm well aware of the fact that there's going to be some logistics issues that need to be involved, and that's why I think that my motion is that if we do this, that we not have the extended seasons this first year until we see what the kill is --- or the harvest I should say. I am concerned about weather because we have a Saturday, Monday, Tuesday.
If we get a snowstorm or bad weather for a couple days, like we have in the past, we've had the ability to extend the season.

We certainly hope the Executive Director will consider looking into the fact that if we do get bad weather Saturday, Sunday, Monday, that we can extend the season if necessary. I certainly think with the reporting season we have in effect with the check stations, we'll have a pretty good idea by
Monday evening as to what the harvest is. So that's the reason for my motion.

PRESIDENT ISABELLA:
Thank you, Commissioner. Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
Yes. I have some comments about this. And Mr. Boop has actually touched on a number of my concerns, but the Saturday opening for bear may have its advantages, especially as a day when many are off work and school. But I see it also competing with our turkey season. And although we changed that, I still think that the turkey season --- impact on turkey is not a good one, especially in light of the fall turkey season study that we were initiating.

I'd like to point out another point here, and of course, Mr. Boop has already touched on it, that this will add some new expenses and logistics. And at this time, with our fiscal needs, I'd like us all to be cognizant of the fact that this action will require additional staff workers and expenses, a lot of overtime operating the check stations. Also, I had that concern about solving some of the area's problems with human/bear conflicts by not having the extended season. And I understand, you know, Mr. Boop has
thought of this, and the fact that the Executive Director is willing to extend the season by keeping a close eye on this. But I still have those concerns.

    Our biologist also indicated yesterday that the most effective method to reduce bear in these targeted areas is through the extended season. The other thing, of course, is weather. And that Mr. Boop has touched on also. So those are my concerns. And again, I would like to express those to the rest of the Board that you think very carefully about this motion. Thank you.

    PRESIDENT ISABELLA:

    Thank you, Commissioner. Any further discussion? All in favor please raise your right hand.

    AYES RESPOND

    PRESIDENT ISABELLA:

    Opposed?

    NAYS RESPOND

    COMMISSIONER WEANER:

    Mr. President, the vote is six to two in favor, Commissioners Isabella and Schreffler voting no.

    PRESIDENT ISABELLA:

    Anything else on page 13?
COMMISSIONER WEANER:

Mr. President, did you include within the motion the deletion of the extended season or do you want a separate motion to delete the extended season?

PRESIDENT ISABELLA:

Yes.

COMMISSIONER WEANER:

I therefore move that we delete everything else on bear, bear any age and bear any age below here.

COMMISSIONER DELANEY:

I'll second that motion.

COMMISSIONER BOOP:

Just a point of clarification. That was my intent, and I concur with the amendment.

PRESIDENT ISABELLA:

We have a motion, and we have a second. All those in favor signify by raising your right hand.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed.

NAYS RESPOND

COMMISSIONER WEANER:

Mr. President, the vote is six to two in favor. Commissioners Isabella and Schreffler voting
no.

PRESIDENT ISABELLA:

Anything else on page 13? Anything on page 14?

COMMISSIONER DELANEY:

Yes, Mr. President. I have one on page 14. Yesterday we had the Pennsylvania Trappers Association here to testify about the bobcat season, and their request was to add one additional day onto the bobcat season. It would start on December 18th and rather than ending on January 8th, we would change that date to January the 9th. So it would be increased by one additional day.

PRESIDENT ISABELLA:

Thank you, Commissioner. Is there a second?

COMMISSIONER BOOP:

Second.

PRESIDENT ISABELLA:

Discussion? All those in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. Anything else on page 15?

EXECUTIVE DIRECTOR ROE:
A point of order, Mr. President. The deer --- making seasons and bag limits change, I would offer that's something we need to change. Footnote number three, where you have the regulation, is in conflict with itself.

COMMISSIONER BOOP:
I make a motion to eliminate Footnote Three.

PRESIDENT ISABELLA:
Okay. We have a motion. Second?

COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Discussion?

COMMISSIONER SCHREFFLER:
Yes.

PRESIDENT ISABELLA:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
I'd just point out that this was a commitment by the Board not to make other modifications to other units, and I mentioned that in my previous discussion until the four-year study was completed to determine the effectiveness of that. And I still would like everyone to seriously consider that when the Board makes a commitment that they stick to it until it's completed. So I disagree with getting rid of this one. We did this in good faith.

COMMISSIONER BOOP:
I'd like to respond to that. I'd like to respond to that in the strongest terms possible. As I argued when that footnote was put in, one board cannot bind a future board based on changing conditions. So I would hotly disagree with that characterization. Boards have to have the ability to respond to changing positions. That was my argument when that footnote was put in over objection by me, and it's my position today.

PRESIDENT ISABELLA:
Thank you, Commissioner. Commissioner Putnam?

COMMISSIONER PUTNAM:
One thing I would like to add to that is, is that we're not recommending any changes to the
units that are involved in the study. I don't believe the staff has had any --- Cal, you comment on that, if that will affect the study or not, but it will not affect those areas of study?

**MR. DUBROCK:**

That is correct.

**PRESIDENT ISABELLA:**

Thank you, Commissioner. Any further discussion?

**COMMISSIONER DELANEY:**

Yes, Mr. President. Just one thing I'd like to add.

**PRESIDENT ISABELLA:**

Commissioner Delaney?

**COMMISSIONER DELANEY:**

In reference to Commissioner Putnam, I certainly don't want to do anything to diminish the results of this study. And at the end of four years I'll be very interested in what the deer team has to say about this. So if we vote --- we continue to have these additional units, I don't want it to tarnish the signs that we'll get back from what we originally talked about last year or the year before.

**PRESIDENT ISABELLA:**

Thank you, Commissioner. Any further
discussion? All those in favor please raise your right hand.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

NAYS RESPOND

COMMISSIONER WEANER:
Mr. President, the vote is six to two in favor. Those opposed or voting no, Commissioners Schreffler and Commissioner Isabella.

PRESIDENT ISABELLA:
We're now going to vote for the amended proposal. All those in favor please raise your right hand.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

NAYS RESPOND

COMMISSIONER WEANER:
Mr. President, the vote is six to two in favor. Voting no are Commissioners Schreffler and Isabella.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. Brad?

ATTORNEY BECHTEL:
The next item coming before the Commission is an amendment to 58 Pa. Code, Section 141.1. In 2006 the Commission adopted a change in 58 Pa. Code, Section 141.1, to allow the use of bait to hunt and take deer in the southeastern special regulations area of Pennsylvania. The Board further stipulated that this authorization would expire on March 31st of 2010, unless the Commission authorizes its continuation. Commission staff has worked throughout this trial period to assess whether the use of bait actually increased deer harvest, opportunity harvest and hunter success. We will conclude this review following this year's hunting season and issue a report this winter, prior to the April Commission meeting.

In order to finalize the regulations in April 2010 pertaining to baiting in the southeastern special regulations area, which is necessary to accurately update the 2010-2011 hunting and trapping document before it goes to press in late April, the Commission must vote on amendments at this meeting to finalize changes in April. This can best be accomplished by deleting the sunset provision, 58 Pa. Code, Section 141.1, so that the use of bait as described may continue.
A report and final recommendation will be provided to the Board of Commissioners at the April Commission Meeting concerning this regulation change. The text of the change is shown on page 16. The Executive Director and staff recommends the Commission approve this change.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

COMMISSIONER SCHLEMMER:
Motion.

COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Mr. Schlemmer, seconded by Commissioner Weaner. Any discussion? Commissioner Weaner?

COMMISSIONER WEANER:
I'd like to vote to support this motion simply because of the fact that we've got the sunset provision. As was mentioned in the commentary, we are going to have a report prior to the April meeting, and at that time I may feel completely different. But again, I urge us to move this along so that we can do what needs to be done pending that report.

PRESIDENT ISABELLA:
Thank you, Commissioner. Any more discussion? With that, all in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:

Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:

Thank you, Mr. Secretary.

ATTORNEY BECHTEL:

Moving on to page 18 of your agenda, it's an amendment to 58 Pa. Code, Section 141.48 and 143.206. Work is ongoing to update and implement the Commission's elk management plan. A somewhat confusing aspect of elk management policy for agency staff and the public has been references to terms such as elk range, elk management area, elk hunt zones and how we describe places in the Commonwealth where we do not want elk established on the landscape.

Clarification is being incorporated into the management plan and supporting, complementary regulations are needed to implement the plan's goals and objectives, including how hunters and hunting will
be used in the management of elk both in and outside the recognized elk management area. 2010 elk seasons and bag limit changes are proposed in 58 Pa. Code, Section 139.4. To fully implement in 2010 the proposed program changes requires additional amendments in 58 Pa. Code, Sections 141.48 and 143.206 as detailed on pages 18 and 19 of your agenda. The Executive Director and staff recommend the Commission approve these changes.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT ISABELLA:

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

ATTORNEY BECHTEL:
The next item concerns amendments to 58 Pa. Code, Section 141.62. Beaver nuisance complaints within Wildlife Management Unit 1B normally range between 50 to 100 complaints each year. Currently, 1B has the greatest number of beaver damage complaints in the entire state. Last year, 23 percent of all Pennsylvania beaver complaints occurred in WMU 1B, and the beaver harvest was greater in this WMU than in any other during the past 20 years.

Beaver populations in this WMU have grown to the point where they are no longer in balance with their habitat. Non-preferred foods are being utilized, and all suitable beaver range is occupied. A long-term increase in the beaver harvest is needed within this WMU. Currently, there is a limit of two body-gripping traps per trapper within WMU 1B. Increasing the number of body-gripping traps allowed for each trapper would greatly improve beaver trapping efficiency and success, thus measurably increasing harvest. The daily bag limit of 20 beavers and season bag limit of 40 in this WMU are rarely reached by trappers in this unit.

The increased use of body-gripping traps as outlined can be accomplished through the regulations proposal for 58 Pa. Code, Section 141.62,
shown on page 20 of your agenda. The Executive Director and staff recommend the Commission approve this change.

PRESIDENT ISABELLA:

Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

COMMISSIONER MARTONE:

So moved.

COMMISSIONER WEANER:

Second.

PRESIDENT ISABELLA:

Commissioner Martone. Second by Commissioner Weaner. Any discussion? No discussion. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:

Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:

Thank you, Mr. Secretary.

ATTORNEY BECHTEL:

The next item is on page 21 of your agenda, concerning the amendment to 58 Pa. Code,
Section 141.66. Based on comments from the cable restraint users survey conducted by the Commission, as well as input from the Pennsylvania Trappers Association, it is clear that trappers are interested in using cable restraint devices earlier in the taking season. We believe that opening the season after Christmas will provide a small amount of additional opportunity without significantly impacting the other user groups and their hunting opportunities. This change can be accomplished through the regulation amendment proposed below in 58 Pa. Code, Section 141.66, that being on page 21 of your agenda. The Executive Director and staff recommend the Commission approve this change.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT ISABELLA:
Commissioner Schreffler. Is there a second?

COMMISSIONER SCHLEMMER:
Second.

PRESIDENT ISABELLA:
Commissioner Schlemmer. Any discussion?

No discussion. All those in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:

Mr. President, the vote is unanimously yes.

ATTORNEY BECHTEL:

The next item concerns the amendment to 58 Pa. Code, Section 147.701. Following careful review of recent seasons and in consideration of hunter and trapper input received, we are recommending beginning with the 2010 and 2011 hunting and furtaking seasons that season length be used to regulate bobcat taking in specified wildlife management units in the Commonwealth. All indices suggest that bobcat populations have increased significantly during previous years. In order to continue to assess interest, participation, effort and harvest during a bobcat taking season, we believe it prudent to retain a permitting regulation. However, we recommend unlimited permits for the 2010-2011 season and mandatory harvest reporting.
Additionally, a fisher season in select wildlife management units has been proposed to allow us to estimate harvest success and trapper interest and effort and provide additional biological samples for demographic and genetic analyses. Mandatory reporting along with fisher permits are needed to better assess participation, effort and harvest for this proposed new season.

Bobcat and fisher seasons and bag limit changes are proposed in 58 Pa. Code, Section 139.4. To fully implement in 2010 the proposed program changes outlined above requires additional amendments in 58 Pa. Code, Section 147.701 as detailed on pages 22 through 24 of your agenda. The Executive Director and staff recommend the Commission approve these changes.

PRESIDENT ISABELLA:
Commissioners, you heard the commentary from Brad. Is there a motion?

COMMISSIONER WEANER:
So moved.

PRESIDENT ISABELLA:

Discussion? Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
I'd like to make an amendment to the motion found on page 24, the parentheses number two, where it says permits will be made available without regard to quota limitations and will be issued through the Commission's PALS. The fee for the permit is five dollars. And what I would like to do there is strike the words without regard to quota limitations and will be issued through so that the final amended reading will be permits will be made available through the Commission's PALS. The fee for the permit is five dollars.

PRESIDENT ISABELLA:
Okay, Commissioner. Is there a second?
COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Commissioner Weaner. Discussion? No discussion. All those in favor of the amendment signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?
COMMISSIONER WEANER:
Mr. President, the motion is unanimously yes.
Okay. Now, we vote on the amendment proposal. All those in favor signify by saying aye.

AYES RESPOND

Opposed?

Mr. President, the vote is unanimously yes.

Thank you, Mr. Secretary.

The next item is from the Bureau of Wildlife Protection concerning adopted rule making and proposed amendments in Chapter 137, Section 137.1. To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 6, 2009 meeting, proposed the following change: to amend section 137.1, relating to importation, possession, sale and release of certain wildlife, to exempt menagerie permit holders who possess a USDA Class C Exhibitor permit and who operate their menagerie facilities as their primary means of gaining a livelihood from possession and importation prohibitions of this section. The Executive Director
and staff recommend final adoption of this amendment to 58 Pa. Code as shown on page 26 of your agenda.

**PRESIDENT ISABELLA:**
Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

**COMMISSIONER MARTONE:**
So moved.

**PRESIDENT ISABELLA:**
Commissioner Martone. Second?

**COMMISSIONER SCHLEMMER:**
Second.

**PRESIDENT ISABELLA:**
Commissioner Schlemmer. Discussion?

**COMMISSIONER DELANEY:**
President Isabella, there is something I need our court stenographer here to add to the record here under our proposed rule making. Would you like me to address that now or ---?

**PRESIDENT ISABELLA:**
Yes, why don't you do that.

**COMMISSIONER DELANEY:**
Okay. We started the very first season here, our junior cottontail season. I wanted to make sure it didn't fly under the radar screen under proposed rulemaking for seasons and bag limits that we
voted on and passed our very first junior cottontail season October 9th to the 16th. So, just so we make sure that that's in the record. That's something we just didn't directly put in, talking to you. We all knew about it.

PRESIDENT ISABELLA:
Thank you.

COMMISSIONER DELANEY:
Thank you, Mr. President.

PRESIDENT ISABELLA:
Any discussion on this item? No discussion. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed? Thank you, Mr. Secretary.

COMMISSIONER WEANER:
Unanimously yes for the vote. Sorry about that.

ATTORNEY BECHTEL:
The next item concerns an adoption of proposed amendments to Chapter 141, section 141.22. To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 6, 2009 meeting, proposed the following changes: to amend Section 141.22, relating to small game, to
restructure the regulatory provisions relating to small game hunting and to promote consistency and clarity in the regulations and also permit the full inclusion of crossbows during the various small game seasons to expand opportunity and increase participation in small game hunting within this Commonwealth. I believe you were just furnished --- no. I'm sorry. These are shown on pages 28 and 29 of your agenda. The Executive Director and staff recommend final adoption of these amendments to 58 Pa. Code.

PRESIDENT ISABELLA:
Thank you, Brad.

COMMISSIONER WEANER:
Mr. President, I move that we adopt this blue page as a substitute for pages 28 and 29. Let me clarify my motion. I move that we adopt this.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary. Is there a second?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT ISABELLA:
Thank you, Commissioner Schreffler. Any discussion?
COMMISSIONER WEANER:

Mr. President, now I've got my act together. I move to amend by striking out the two published pages in the booklet and inserting the two new blue pages that we were just given to clean the language up a little bit. The intent is still the same.

PRESIDENT ISABELLA:

Good job, Mr. Secretary. Thank you. Is there a second to the amendment?

COMMISSIONER MARTONE:

I'll second it.

PRESIDENT ISABELLA:

Second by Commissioner Martone. Any discussion? No discussion. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:

Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:

Thank you, Mr. Secretary. Now, we're going to vote on the amended items. All those in
favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:
The next item is the adoption of proposed amendments to Chapter 147, Section 147.902 and 147.904, to effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its October 6, 2009 meeting, proposed the following changes: to amend Sections 147.902 and 147.904, relating to definitions and permit, to specifically authorize properly permitted individuals to engage in commercial coyote guiding activities on State game lands. The Executive Director and staff recommend final adoption of these amendments to 58 Pa. Code as shown on page 31 of your agenda.

PRESIDENT ISABELLA:
Thank you, Brad. You heard the commentary. Is there a motion?
COMMISSIONER DELANEY:  
So moved. 

PRESIDENT ISABELLA:  
Commissioner Delaney. Second?  

COMMISSIONER SCHLEMMER:  
Second.  

PRESIDENT ISABELLA:  
Commissioner Schlemmer. Any discussion?  

No discussion. All in favor signify by saying aye.  

AYES RESPOND  

PRESIDENT ISABELLA:  
Opposed? Mr. President, the vote is unanimously yes.  

PRESIDENT ISABELLA:  
Thank you, Mr. Secretary.  

ATTORNEY BECHTEL:  
The next item is the proposed rule making amendment to 58 Pa. Code, Section 141.4. Each year there is a shift in the calendar year for each month. As a result of this occurrence the timetable found in Section 141.4 must be amended and updated on an annual basis to accurately reflect the upcoming year's dates and hours for legal hunting. The Commission proposed to amend Section 141.4 by replacing the current hunting hours table and migratory game bird hunting
hours table to accurately reflect the dates and hours of legal hunting for the 2010-2011 hunting license year. The text is shown on pages 32 through 34 of your agenda. The Executive Director and staff recommend the Commission approve these changes.

PRESIDENT ISABELLA:

Thank you, Brad. Commissioners, you have heard the commentary. Is there a motion?

COMMISSIONER SCHREFFLER:

So moved.

PRESIDENT ISABELLA:

Commissioner Schreffler. Second?

COMMISSIONER MARTONE:

I'll second it.

PRESIDENT ISABELLA:

Commissioner Martone. Any discussion?

COMMISSIONER SCHREFFLER:

Yes.

PRESIDENT ISABELLA:

Commissioner Schreffler? 

COMMISSIONER SCHREFFLER:

I just want to comment and compliment the staff for separating migratory birds and game bird hunting hours. And I think that includes our conservation season also; is that correct?
MR. PALMER:
Yes, it does.

COMMISSIONER SCHREFFLER:
So that's clear to our hunters out there. I think that's a good move.

PRESIDENT ISABELLA:
Thank you, Commissioner. Any other discussion? No more discussion. All those in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:
The next item concerns administrative hearings concerning the revocation of hunting and furtaking privileges. Administrative Hearings are held to review the Hunting and Furtaking Revocations for those persons who file a petition requesting a review, in accordance with Administrative Agency Law, 2 Pa. C.S.A., Section 501 et seq.
The Commission was furnished a copy of the Findings of Fact, the Conclusions of Law, and the Recommendations of the Hearing Officer concerning the Administrative Hearing held at the request of each individual. The Findings of Fact set forth the circumstances surrounding this matter.

The Executive Director recommends that the Commission approve the Findings of Fact, Conclusions of Law, and Recommendations of the Hearing officer, Ashley Nichols, as is more fully set forth in the supplement pages supplied by the Bureau of Wildlife Protection.

PRESIDENT ISABELLA:

Thank you, Brad. Commissioners, you were given a supplement here, and there are two items, Item A and Item B. I believe we can vote on those together. So is there any motion?

COMMISSIONER WEANER:

So moved.

PRESIDENT ISABELLA:

Thank you, Commissioner Weaner. Is there a second?

COMMISSIONER DELANEY:

Second it.

PRESIDENT ISABELLA:
Thank you, Commissioner Delaney. Any discussion? No discussion. All those in favor signify by saying aye.

AYES Respond

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:
The next item comes from the Bureau of Wildlife Habitat Management.

PRESIDENT ISABELLA:
Thank you, Director Palmer. And now I’m going to have Director Capouillez.

ATTORNEY BECHTEL:
The next item concerns proposed rulemaking to amend 58 Pa. Code, Section 135.1, and by adding Subchapter M to Chapter 135. As authorized in 34 Pa. Code --- or the Game and Wildlife Code, the Commission may acquire property by purchase, gift, lease, eminent domain, or otherwise, including but not limited to auction purchases. The commission is
further authorized to purchase tax delinquent lands, 
waters, oil, gas and minerals as provided by law, 
including but not limited to tax sales. 

Tax sales or auctions often are announced 
between regular Commission meetings and are to be held 
sooner than is practicable to hold a special meeting 
or notational vote. An amendment to Chapter 135 by 
adding Subchapter M would allow the Executive Director 
to bid on real estate, oil, gas or mineral rights at 
auction or tax sales. The text appears on pages 36 
through 37 of your agenda. The Executive Director and 
staff recommend the Commission approve these 
amendments. 

PRESIDENT ISABELLA: 
Thank you, Brad. Commissioners, you've 
heard the commentary. Is there a motion? 

COMMISSIONER BOOP: 
So moved. 

PRESIDENT ISABELLA: 
Commissioner Boop. Is there a second? 

Second. 

COMMISSIONER SCHREFFLER: 
Second. 

PRESIDENT ISABELLA: 
Is there any discussion?
COMMISSIONER BOOP:  
Mr. President?

PRESIDENT ISABELLA:  
Commissioner Boop?

COMMISSIONER BOOP:  
In my other life I have quite a bit of opportunity to work in this area, and I think that many times opportunities become available on relatively short notice that the agency needs to have the ability to take advantage of. And I think this is a very good proposal. It certainly can be changed in the future if it doesn't work out as intended, but I would encourage my fellow commissioners to give the agency this additional tool to deal with these opportunities that come up in the future.

PRESIDENT ISABELLA:  
Thank you, Commissioner. Any further discussion? No further discussion. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:  
Opposed?

COMMISSIONER WEANER:  
Mr. President, the vote is unanimously yes.
PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:
The next item is concerning donation of real estate, Contract Number 3560, State Game Land Number 292, in Luzerne County. Albert K. and Amelia K. Fazzi have offered a donation of five acres of land in Laurel Run Borough, Luzerne County, adjoining state Game Land Number 292, as shown in Exhibit RED 1, on page 39 of your agenda. The property is wooded and is a portion of an 8.05-acre tract owned by Mr. and Mrs. Fazzi. The Fazzi’s shall retain a portion of the tract which includes a house, several outbuildings and a yard. The Executive Director and staff recommend the donation listed above be accepted, and the Commission authorizes the Bureau of Wildlife Habitat Management to proceed with the acquisition of this tract.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you've heard the commentary. Is there a motion?

COMMISSIONER DELANEY:
So moved.

PRESIDENT ISABELLA:
Commissioner Delaney. Is there a second?
COMMISSIONER SCHLEMMER:
Second.

PRESIDENT ISABELLA:
Commissioner Schlemmer. Any discussion?

COMMISSIONER DELANEY:
Yes, Mr. President. I would like to say something.

PRESIDENT ISABELLA:
Go ahead, Commissioner.

COMMISSIONER DELANEY:
I think when people do this it shows them how much they feel about the stewardship of the Pennsylvania Game Commission. I know personally exactly where this property is. There's significant value to it, yet these folks chose to donate it to the Pennsylvania Game Commission because I believe they feel we can be the best stewards of this property. I think that's just a good example of many --- since I've been a Commissioner, I've seen many things done like this. These folks who go ahead and sell this property and they choose to give it to the people who will be the best stewardships of that property. Thank you, Mr. President.

PRESIDENT ISABELLA:
Thank you, Commissioner. Any further
discussion? Yes, Commissioner Schreffler?

COMMISSIONER SCHREFFLER:

My comment is simple, a simple thank you, a much heartfelt thank you to Albert and Amelia Fazzi for this donation. We very much appreciate it.

PRESIDENT ISABELLA:

Thank you, Commissioner. No more discussion? All those in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:

Opposed?

COMMISSIONER WEANER:

Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:

Thank you, Mr. Secretary.

ATTORNEY BECHTEL:

The next item concerns a land exchange, Contract Number 3561, State Game Land Number 284, in Mercer County. John and Beverly Rossi have proposed a land exchange of 1.216 acres of State Game Land Number 284 in Springfield Township, Mercer County, as shown on Exhibit RED 2, on page 41 of your agenda. The 1.216 acres are part of an abandoned railroad grade extending out from the main portion of State Game Land
Number 284 (sic), which has historically been used for access into Rossi's property.

In exchange for the 1.216 acres, Mr. and Mrs. Rossi have agreed to transfer two tracts containing .62 acres and .416 acres located in Springfield Township, Mercer County, adjoining State Game Land Number 284. The Game Commission shall retain an administrative right-of-way across the acres being conveyed to the Rossis. In consideration of the Game Commission conveying slightly more acreage to the Rossis than the Game Commission is receiving, Mr. and Mrs. Rossi have agreed to place $1,000 into an interest-bearing escrow account that is to be used solely for replacement of land and habitat. This land exchange will protect the right of access into the Rossi's property, consolidate disjointed acreage and straighten boundary lines between both landowners.

The next land exchange is also at Number 3562, State Game Land Number 232, Washington County. Pete Zappi is the current owner of property adjoining Game Land Number 232 in Blaine and Donegal Townships, Washington County, and has agreed to a land exchange involving portions of State Game Land Number 232 shown on Exhibit RED 3, on page 42 of your agenda. Mr. Zappi will convey three tracts of land totaling 9.981
acres which will eliminate an indenture into State Game Land Number 232, protect riparian habitat and improve public access. The two parcels being conveyed to Mr. Zappi total 5.158 acres. This land exchange will eliminate an encroachment on Game Land Number 232 and straighten boundary lines between both landowners. The Executive Director and staff recommend that the land exchanges listed be accepted and the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the exchange of these tracts.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you have heard two commentaries. Is there a motion?

COMMISSIONER MARTONE:
So moved.

PRESIDENT ISABELLA:
Commissioner Martone. Is there a second?

COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Commissioner Weaner. Any discussion? No discussion. All in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?
COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:
The next item is an oil and gas lease/land exchange, State Game Land Number 179, Greene County. CNX Gas Company of Canonsburg, Pennsylvania requests the Commission offer its oil and gas ownership under a portion of State Game Land Number 179 for lease. The proposed lease tract contains approximately 2,175.5 acres and is located in Alleppo, Jackson and Gilmore Townships, Greene County, and is more clearly shown on Exhibits OGM 1, on page 45 of your agenda.

CNX Gas currently owns oil and gas rights on portions of State Game Land 179 and also controls a strong oil/gas lease position on private lands adjacent to State Game Land Number 179 and when developed will effectively withdraw portions of the Commission's oil and gas reserve. The staff has negotiated with CNX Gas in an effort to safeguard the prudent development of the Commission's oil/gas reserve and simultaneously protect the wildlife
resources and recreational use of State Game Land Number 179.

In exchange for an oil/gas lease, CNX Gas will cause to convey to the Commission a 2,297-acre tract of land known as the Jacksonville Property in Young Township, Indiana County, as shown on Exhibit OGM 2, on page 46 of your agenda. Upon transfer of this tract of land, the Commission will establish a new state game lands complex, State Game Land Number 332. The land has been assessed a value of $1,666,500.

The Commission has agreed to a seven-year lease with a three-year drill or drop clause. CNX Gas has also agreed to pay rental for undeveloped acreage in years four through seven. The Commission and CNX Gas have agreed to a tiered royalty ranging from 16 percent to 21 percent based on the well head price per MCF of gas produced and sold from each well. CNX Gas will also pay the Commission a well location or spud fee of $5,000 for each shallow well and $10,000 for each well targeting the Marcellus or deeper formations.

The proposed lease agreement also provides CNX Gas with the right to utilize the surface of State Game Land Number 179 for pipelines to
transport commission-owned gas reserves. Further, CNX Gas will provide 350,000 cubic feet of free gas annually for the Commission's use with a payback clause for nonuse. CNX Gas will adhere to the reclamation and revegetation requirements as specified by the Commission's Land Management Group Supervisor.

Oil and gas development will be regulated by the Commonwealth's oil and gas regulations and the commission's standard oil/gas lease agreement and $25,000 performance bond. The lease will include the commission's standard wildlife and protection measures. The Executive Director and staff recommend the proposed lease be approved and the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the leasing arrangement as listed above.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you've heard the commentary. Is there a motion?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT ISABELLA:
Commissioner Schreffler. Is there a second?

COMMISSIONER SCHLEMMER:
Second.
PRESIDENT ISABELLA:
Commissioner Schlemmer. Discussion?
COMMISSIONER MARTONE:
Yes.
PRESIDENT ISABELLA:
Commissioner Martone?
COMMISSIONER MARTONE:
I would like to thank the Bureau Chief of Staff. I don't think there's a better team out there to do justice to these types of deals. And you know, gaining that kind of land for new game lands has to be looked at as a huge asset. And I think that the Bureau is doing an exemplary job, and I want to say thank you.
PRESIDENT ISABELLA:
Thank you, Commissioner. Any further discussion?
COMMISSIONER SCHREFFLER:
Yes.
PRESIDENT ISABELLA:
Commissioner Schlemmer --- Schreffler.
COMMISSIONER SCHREFFLER:
Mr. Capouillez, would you explain what it means by tiered royalty?
MR. CAPOUILLEZ:
Yes, sir. This particular lease was a very complex lease to do, and there was a lot of overhead cost associated with development. Because of the gas market prices, there was a profit margin there that we had to take into account. So the tiered royalty aspect allows for us to recruit more money as the market prices improve. As gas goes up, there's an increased royalty associated with the Commission as far as revenues.

COMMISSIONER SCHREFFLER:
Thank you.

PRESIDENT ISABELLA:
Any further discussion? All those in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Thank you, Mr. Secretary.

ATTORNEY BECHTEL:
The next item concerns surface mining coal lease offering land exchange, State Game Land
Number 79, Cambria County. Laurel Sand & Stone, Inc., of Ligonier, PA has requested a lease to surface mine and remove all of the available and economically recoverable coal within a 165-acre tract of land being part of State Game Land Number 79, Jackson Township, Cambria County, as shown on Exhibit OGM 3, on page 49 of your agenda.

Laurel Sand & Stone, Inc. owns the coal under the proposed surface mine area and the Game Commission controls the surface rights. The proposed six-year lease will remove an estimated 460,200 tons of coal from a portion of State game Land Number 79 and will utilize approximately 143 acres for actual mining and an additional 22 acres for erosion and sedimentation controls, mine reclamation, and operational support.

In exchange for the surface mining lease, Laurel Sand & Stone will pay the Commission a royalty rate of six percent, FOB pit price for each ton of coal mined and removed from the leased premises or $2 per ton, whichever the greater. The lease will also include a provision to remove sandstone from the site for which Laurel Sand & Stone will pay the Commission a royalty rate of $0.18 per ton or six percent FOB pit price, whichever the greater. Laurel Sand & Stone has
also agreed to pay an initial advanced surface damage royalty fee of $110,200 to be deposited into an interest-bearing escrow account and to be used for the future purchase of lands acceptable to the Commission or direct deposit into the Game Fund.

Such payment shall be due upon the final execution of the lease and the issuance of a mining permit from the Department of Environmental Protection. Laurel Sand & Stone has agreed to convey to the Commission a 64.8 acre tract of land valued at 1,000 acres at $1,000/acre to the Commission as shown on Exhibit OGM 3. This tract of land will provide public access to this portion of the game lands. The total value of the land and advanced royalty payment totals $175,000.

Laurel Sand & Stone will also make annual advance royalty payments of $75,000 to be deposited into an interest-bearing escrow account to be used for the future purchase of lands acceptable to the Commission. All remaining coal royalty revenues generated from the proposed operation will be deposited directly into the Game Fund. The accumulated coal royalty value for the proposed mining acreage has been estimated to be $1,132,200.

Mining will be regulated by the
Commonwealth's Surface Mining Regulations and the Commission's Standard Surface Mine Lease Agreement. The six-year lease will also include a $25,000 performance bond. All merchantable timber within the proposed lease area will be assessed by the southwest Regional Office's forestry staff at a double stumpage value. As part of the mine reclamation plan, Laurel Sand & Stone will reclaim approximately 8,500 linear feet of abandoned highwall. A wildlife habitat reclamation and revegetation enhancement plan for all disturbed areas of the lease tract will be developed in coordination with the local Land Management Group Supervisor and incorporated into the lease provisions.

The staff has reviewed this proposal and has determined that the proposed wildlife habitat enhancement projects, in conjunction with the advanced coal royalty schedule and timber value, to be equal to or greater than the accumulated coal lease value. The Executive Director and staff recommend that this Coal Mining Lease with Laurel Sand & Stone be approved and that the Commission authorizes the Bureau of Wildlife Habitat Management to proceed with the leasing arrangement as outlined above.

PRESIDENT ISABELLA:

Thank you, Brad. Commissioners, you've
heard the commentary. Is there a motion?

COMMISSIONER SCHLEMMER:
So moved.

PRESIDENT ISABELLA:
Commissioner Schlemmer. Is there a second?

COMMISSIONER WEANER:
Second.

PRESIDENT ISABELLA:
Commissioner Weaner. Is there any discussion?

COMMISSIONER SCHREFFLER:
Yes.

PRESIDENT ISABELLA:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
I'd just like to point out to the general public the fact that there will be a reclamation made of about a mile-and-a-half of highwall here and also some vegetative enhancements on the disturbed area. The reason I point this out is that so many times the Game Commission does so much good work beyond just wildlife, and this is not the exception where we have actually improved the site, stopped the acid mine drainage, removed highwalls and had an impact on the
groundwater in the area. And it's --- I commend Mr. Capouillez and his bureau for trying --- for following up on this. Many times it's areas that even our DEP and DCNR have not been able to reclaim and improve, and the Game Commission has been successful in doing that. So thanks for your efforts in those areas. I want to give you the public recognition for what you're doing there.

PRESIDENT ISABELLA:
Thank you, Commissioner. Any further discussion? No further discussion. With that, all in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

ATTORNEY BECHTEL:
The next item is from the Bureau of Administration. It concerns proposed rule making to amend 58 Pa. Code, Section 143.45. Commission staff recently met with the County Treasurer's Association to discuss outcomes and concerns related to the first year of antlerless deer license issuance through PALS.
The Association suggested that a change be made to the regulations to help them process applications more efficiently. The Association asked that statewide over-the-counter sales begin earlier so hunters will not have to apply by mail. This amendment will accomplish the change that the Association has requested. The Executive Director and staff recommend the Commission approve the change as shown on page 50 of your agenda to 58 Pa. Code, Section 143.45.

PRESIDENT ISABELLA:
Thank you, Brad. Commissioners, you heard the commentary. Is there a motion?

COMMISSIONER SCHREFFLER:
So moved.

PRESIDENT ISABELLA:
Commissioner Schreffler. Is there a second? Second. Is there any discussion? I understand we had a major problem with the distribution of antlerless licenses. Not our fault. And I understand we had a discussion with the County Treasurers. I think everybody is on the same page for this upcoming hunting year?

MS. DERR:
I believe so. I wouldn't say it was a major problem, but certainly there were some County
Treasurers that were ready to go and did an excellent job. Others, because they weren't sure where the hunter was going to be sending their licenses, they just weren't prepared. I believe that we have the first year under our belt. I'm sure that the County Treasurers will do a much better job this year.

PRESIDENT ISABELLA:
Thank you, Dot.

MS. DERR:
You're welcome.

PRESIDENT ISABELLA:
Commissioners, any further discussion?

With that, all in favor signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed? Thank you, Mr. Secretary.

COMMISSIONER WEANER:
The vote was unanimously yes.

PRESIDENT ISABELLA:
Thank you, Dot. All right.

Commissioners, is there any new business?

COMMISSIONER BOOP:
Mr. President?

PRESIDENT ISABELLA:
Commissioner Boop?
COMMISSIONER BOOP:
Under new business, I would like to present a motion and an opportunity to speak to that motion if I receive a second. My motion is that the agency suspend the issuance of Deer Management Assistance Permits, commonly referred to as DMAP Permits, on all public land in this Commonwealth, pending further review and action by this Board.

COMMISSIONER WEANER:
Second.

COMMISSIONER BOOP:
I'd like to speak to the motion then.

PRESIDENT ISABELLA:
Discussion? Go ahead.

COMMISSIONER BOOP:
My motion today will not in any way affect private landowners in this Commonwealth. Private landowners should have the ability to manage their properties within reason, with oversight from the agency. Our public lands, however, belong to all the citizens of the Commonwealth, and I don't think it's unreasonable to expect that the stewards of those lands should justify the programs that affect all citizens. Certainly if the stewards of those lands propose timber cuts and habitat improvement projects
and other things in the management of those properties, then certainly this tool should be available.

However, if this program is simply being used as additive allocation over and above the allocations that are set by our deer management team and approved by the agency when there's not anything being done to either cut those cords, it just doesn't seem fair to the license buyers of this agency, many of whom only have the opportunity to hunt public lands, that the stewards of those lands should be able to continually continue to produce deer numbers through DMAP permits without management plans and justification for what they're doing on those lands.

Certainly if they can do that, then I don't see any problems continuing with the program. But the way the program is working now, I just don't think that it's in the best interest of this agency for the citizens of this Commonwealth.

PRESIDENT ISABELLA:

Thank you, Commissioner. Your commentary is duly noted, but you know, we do not vote on new business.

COMMISSIONER BOOP:

I would ask for a vote on the motion.
COMMISSIONER SCHREFFLER:
I would like to have some discussion.

PRESIDENT ISABELLA:
Commissioner Schreffler?

COMMISSIONER SCHREFFLER:
I have a question. You're suspending DMAP on public lands, and then you're talking about they should justify the use with management plans and how they're --- what the problem is, identify the problem and identify what they're going to do about it and carry that out. If they do that, do you --- should you agree that they should then be provided DMAPs that are --- permits that are justified?

COMMISSIONER BOOP:
I certainly do. I think that the agency has a right to expect in circumstances that they do. If they're simply using them as additive, with no plans, that's my concern.

COMMISSIONER SCHREFFLER:
Okay. So in other words, you're just suspending it for those public lands that do not have a management plan or has not identified a problem, presented a management plan, begun the practice?

COMMISSIONER BOOP:
Well, and again, I think that we need
some oversight by staff as to what that plan is and whether those plans are adequate. Just because they may have a plan there, I have some concern about those plans.

COMMISSIONER SCHREFFLER:

So this isn't an overall broad-based suspension then? It's just for, what you're saying, suspend it and staff should review these carefully, with great diligence, before issuing any DMAPs on public land?

COMMISSIONER BOOP:

My motion today is to suspend on all public land pending further review and approval by this Board.

EXECUTIVE DIRECTOR ROE:

Mr. President, may I ask for a recess to research it because this may be a regulatory change, and we need to find out if we're changing the regulation or ---?

PRESIDENT ISABELLA:

Yes. Let's take about a 30-minute break.

SHORT BREAK TAKEN

PRESIDENT ISABELLA:

Commissioner Boop, do you have a clarification on your new business?
COMMISSIONER BOOP:

After a discussion, my intent remains the same. However, as we often say, there are multiple ways to get to the same objective. So in that light, for purposes of today's meeting, I'll withdraw the motion at this time. However, I am going to ask that staff be directed, with the approval of the Executive Director, to review this matter and come back to the Board in April with proposed regulatory change which will require for future issuance, including this year, that DMAP permits on public land have criteria for an approved deer management plan reviewed by and approved by staff before issuance.

PRESIDENT ISABELLA:

Commissioner, do you have that written down exactly ---?

COMMISSIONER BOOP:

No, but the court stenographer has it.

PRESIDENT ISABELLA:

All right. We got that settled. Any other new business?

COMMISSIONER DELANEY:

President, just one comment on President --- or I should say on Commissioner Boop's initiative here, and it should be for the record that
there is strong support from the Board on that issue relative to DMAP tags on public lands.

PRESIDENT ISABELLA:
Thank you, Commissioner.

COMMISSIONER PUTNAM:
Mr. President, I'd like to add one comment to that as well.

PRESIDENT ISABELLA:
Yes, Commissioner Putnam?

COMMISSIONER PUTNAM:
One of the concerns that we have that we're --- that the Board hears is the size of our management units. They're very large, and they're large for many good reasons. However, within the unit, the DMAP program is the most effective way to target people to the hot spots. And the DMAP is one of the very best parts of the changes that we've made in the deer program. It really addresses that issue of these larger management units allowing people to target them. It's a valuable tool for public and private landowners.

There is a perception out there that that tool has been applied pretty broadly on public lands, and I believe it was probably was in the early days. I think as we go through this review we may all be
pleasantly surprised that there's more targeting and more planning that's been done than we may be aware of. But I would really want to see the DMAP program continue just under the guidance of our field biologists out there.

PRESIDENT ISABELLA:

Thank you, Commissioner. With no more new business, let's go to the proposed commission meeting dates.

COMMISSIONER WEANER:

Mr. President?

PRESIDENT ISABELLA:

Yes, Commissioner.

COMMISSIONER WEANER:

I move that we adopt these meeting dates with the following change. The September date should be October 4th and 5th. The other dates remain the same.

PRESIDENT ISABELLA:

Just for the audience, the only change we made was the September meeting that was on the 27th and 28th has been cancelled, and the new date is October 4th and October 5th. All right.

The next item will be the election of officers.
COMMISSIONER WEANER:
Mr. President, on the order of dates, do we have to vote on the establishment of these dates? Yes, I think we do. That's why I put it in the form of a motion.

COMMISSIONER SCHREFFLER:
I'll second the motion.

PRESIDENT ISABELLA:
We have a motion and a second. All in favor of these dates, the new Commission dates, signify by saying aye.

AYES RESPOND

PRESIDENT ISABELLA:
Opposed?

COMMISSIONER WEANER:
Mr. President, the vote is unanimously yes.

PRESIDENT ISABELLA:
Now we will go to the election of officers. Just before that, I just want to say this was --- as President, this was the best year that I ever had, especially today, which was pretty good. I had --- it was the best experience that I had, coming from a big city, Philadelphia. And I just want to thank my fellow Commissioners for making my job easier.
when we had --- you know, there were some issues or
just a little controversy.

I would like to thank Carl, the Executive
Director, for assisting me. You really made my job a
lot easier. The Deputy Executive Director, Mike
Schmit, you know, made my job a lot easier. Brad ---
whenever I do something wrong, Brad will give me a
little shove here on stage. And the bureau directors,
whenever we had staff reports and I had questions, you
know, you answered them in the spirit that I
suggested. And all the regional directors tell me,
ladies and gentlemen, we got a good team up here.
Again, we may disagree, but you know, there's nothing
wrong with checks and balances. So again, I thank you
for my time as --- making my time as President a lot
easier. I got about two years --- or less than two
years left, and when I go back I want to go back to my
old seat, where Commissioner Martone is. I started
there, and I want to leave there. So with that, I
want to call the Nominating Committee. Commissioner
Schlemmer, do we have a slate?

COMMISSIONER SCHLEMMER:

Mr. President, we do have a new slate. I
would also like to thank you for showing me another
side of Philadelphia. We all enjoyed that very much.
The proposed new slate, with nobody in contention for either one, each position here, Commissioner Delaney is up for President this year; Commissioner Weaner, Vice President; and Commissioner Schreffler, for Secretary, sir.

PRESIDENT ISABELLA:

Thank you, Commissioner. So we have a slate of for President, Jay Delaney, for Vice President, Ron Weaner, and for Secretary, Dave Schreffler. Are there any nominations from the floor?

COMMISSIONER BOOP:

Mr. President, I move the nominations be closed.

COMMISSIONER WEANER:

Second.

PRESIDENT ISABELLA:

Second. We have a vote. All in favor of the slate, please raise your right hand.

AYES RESPOND

COMMISSIONER WEANER:

Mr. President, point of order. I think we were actually voting on closing nominations, and so therefore, hearing no dissension, the vote on closing nominations is unanimously yes.

PRESIDENT ISABELLA:
Okay. So then we'll have a vote on the slate. All in favor, please raise your right hand. 

AYES RESPOND

COMMISSIONER WEANER: 
Seeing no opposition, the vote is unanimously yes.

PRESIDENT ISABELLA: 
Thank you, Mr. Secretary. And with that, let's give a round of applause for the new officers.

APPLAUSE

PRESIDENT ISABELLA: 
And we'll take about a five-minute break to go around.

SHORT BREAK TAKEN

PRESIDENT DELANEY: 
Well, if I could, I would like to say that it's certainly an honor to serve as the president of the Game Commission Board of Commissioners. I certainly want to thank Commissioner Isabella for his leadership for the last year. And I would like to thank my fellow Commissioners here today for their vote of support and confidence in me.

As I look ahead to what we can do and what I would like to do in my term as president is continue our good work with the youth of Pennsylvania.
Over the last few years I think we've had some great youth initiatives. If you heard the entire Board talk today, the word youth came up many, many, many times in the discussion. And I think that's the direction that we need to go.

As Commissioners, you know, we keep hearing please stay with the science, you know, we don’t want to lose what we have, but I think the public has to understand our responsibilities and roles as Commissioners. And our Executive Director says it so well and has mentored us in many ways. The three-legged stool that there is. We have science, we have the political side, and we have the social side.

It becomes very, very difficult to balance that when you have 12.8 million residents in our state. We have 900,000 hunters and trappers, and we have 467 species of birds and mammals in Pennsylvania. We have some very liberal hunting seasons. And to try to find the balance in that, many times it becomes not a problem but a concern to try to get the job done and to try to make as many folks happy as possible. But since I became a Commissioner, every single vote that I voted on, I always put our wild resources of Pennsylvania first. I'll continue to try to do that.

We have a great agency. I look forward
to the partnerships with our Board of Commissioners, our agency staff and the many conservation groups that are here today. So thank you, and that's the direction we'll try to go in the future. And at this point I would like to turn the meeting over to our Executive Director, Carl Roe, for some final thoughts and comments. Oh, I'm sorry.

COMMISSIONER BOOP:

Just a minute. You know, one of the advantages of seniority, you know, I guess I'm --- other than Greg now at this point, welcome to the past presidents club. But just, you know, I just want you all to know, and Greg is a pretty modest fellow, but this is not an easy job. It's not an easy job being a Commissioner. It's not an easy job being the Board President.

Greg really did a good job this year. He and I don't agree on a lot of things, but I mean, he drives up here from Philadelphia, and a lot of you out in the audience know what's involved. When you're going to be President of the Board, you know, you're looking at 10, 15 hours a week, a lot of times more than that. And I just think Greg did a good job, and I think we ought to give him a round of applause.

APPLAUSE
EXECUTIVE DIRECTOR ROE:
We'll have a press conference in 15
minutes, 10 minutes. Ten minutes after we close the
meeting we'll have a press conference for the press in
the cafeteria.

PRESIDENT DELANEY:
Do we have a motion to adjourn the
meeting?

COMMISSIONER ISABELLA:
Motion.

COMMISSIONER WEANER:
Second.

PRESIDENT DELANEY:
Meeting adjourned.

* * * * * * *

MEETING CONCLUDED AT 11:00 A.M.

* * * * * * *

CERTIFICATE

I hereby certify that the foregoing
proceedings, meeting held before President Isabella,
was reported by me on 01/26/2010 and that I Cynthia
Piro Simpson read this transcript and that I attest
that this transcript is a true and accurate record of
the proceeding.

[Signature]

Court Reporter