

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION

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FORMAL MEETING

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BEFORE: MEMBERS OF THE BOARD:

KRISTEN SCHNEPP-GIGER, PRESIDENT

Scott H. Foradora, Vice President

Dennis R. Fredericks, Secretary

Michael Mitrick, Commissioner

Allen J. DiMarco, Commissioner

Stanley I. Knick, Jr., Commissioner

Haley J. Sankey, Commissioner

Robert C. Schwalm, Commissioner

Todd A. Pride, Commissioner

MEETING: July 8, 2023 9:31 a.m.

LOCATION: Game Commission Headquarters

2001 Elmerton Avenue

Harrisburg, PA 17110

Reporter: Devin Nunemaker

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A P P E A R A N C E S

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W. CREIGH MARTSON, ESQUIRE

PA Game Commission

2001 Elmerton Avenue

Harrisburg, PA 17110

Counsel for Pennsylvania Game Commission

ALSO PRESENT:

DAVID GUSTAFSON

I N D E X

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DISCUSSION AMONG PARTIES

4 - 33

P R O C E E D I N G S

PRESIDENT SCHNEPP-GIGER: I would like to call this meeting to order. We can start with the Pledge of Allegiance. The flag's over here.

(Pledge of Allegiance)

PRESIDENT SCHNEPP-GIGER: Commissioner Knick will be standing in today acting as Secretary. So, Mr. Secretary, if you would please call role.

COMMISSIONER KNICK: Commissioner Schnepf-Giger.

PRESIDENT SCHNEPP-GIGER: Present.

COMMISSIONER KNICK: Commissioner Foradora.

COMMISSIONER FORADORA: Here.

COMMISSIONER KNICK: Commissioner Fredericks.

COMMISSIONER FREDERICKS: Here.

COMMISSIONER KNICK: Commissioner Mitrick?

COMMISSIONER MITRICK: Here.

COMMISSIONER KNICK: Commissioner DiMarco?

COMMISSIONER DIMARCO: Here.

COMMISSIONER KNICK: Commissioner

1 Sankey?

2 COMMISSIONER SANKEY: Here.

3 COMMISSIONER KNICK: Commissioner

4 Schwalm?

5 COMMISSIONER SCHWALM: Here.

6 COMMISSIONER KNICK: Commissioner

7 Pride?

8 COMMISSIONER PRIDE: Here.

9 COMMISSIONER KNICK: Myself,

10 Commissioner Knick. Here. All are present, Madam

11 Secretary.

12 PRESIDENT SCHNEPP-GIGER: Thank you,
13 Mr. Secretary. Next, I need a motion for approval of
14 the minutes of our meeting held on April 15th. Do I
15 have a second?

16 COMMISSIONER MITRICK: So moved.

17 PRESIDENT SCHNEPP-GIGER: Do I hear a
18 second?

19 COMMISSIONER KNICK: Second.

20 PRESIDENT SCHNEPP-GIGER: Mr.

21 Secretary, please call the vote.

22 COMMISSIONER KNICK: All in favor?

23 (AYES RESPOND)

24 COMMISSIONER KNICK: Opposed?

25 Opposed?

1 (NO RESPONSE)

2 COMMISSIONER KNICK: Ayes have it.

3 PRESIDENT SCHNEPP-GIGER: Thank you,
4 Mr. Secretary.

5 ATTORNEY MARTSON: The first item for
6 consideration before the Board is on page two of your
7 agenda.

8 The American Marten is a furbearer
9 once commonly found in portions of Pennsylvania, but
10 extirpated from the Commonwealth in the early 1900s
11 due to deforestation and unregulated harvest.

12 In accordance with Goal 1.3b of the
13 Pennsylvania Game Commission Strategic Plan 2020 to
14 2023 and as authorized by the Commission at its July
15 9, 2022 meeting, the Bureau of Wildlife Management
16 completed an American Marten Reintroduction and
17 Management Plan for Pennsylvania. The plan outlines
18 a long-term, ten-year strategy, to translocate the
19 species back to the state and then conduct long-term
20 monitoring to evaluate their reintroduction.

21 Important aspects of the plan include release
22 locations, source locations, as well as partnering
23 organizations to provide martens and reintroduction
24 locations. It also discusses methodology on capture,
25 transport, health evaluations, and release. Finally,

1 the plan provides a timeline and cost estimate for
2 the project.

3 The Bureau of Wildlife Management is
4 requesting that the Board of Game Commissioners
5 release the plan to the public for a 60-day comment
6 and review period, excuse me, as per guidance from
7 PGC SOP 40.7 *Species Management Plans*. Comments
8 received and any resulting revisions to the plan
9 would be presented at a future meeting of the
10 Commission to inform a final decision on acceptance
11 and implementation of the plan.

12 PRESIDENT SCHNEPP-GIGER: Do I have a
13 motion?

14 COMMISSIONER KNICK: So moved.

15 PRESIDENT SCHNEPP-GIGER: Second?

16 COMMISSIONER SANKEY: Second.

17 PRESIDENT SCHNEPP-GIGER: I would like
18 to make a motion to table this agenda item. Before -
19 actually, do I have - do I have a first or a second
20 for tabling this agenda item for future
21 consideration?

22 COMMISSIONER KNICK: So moved.

23 COMMISSIONER FREDERICKS: Second.

24 PRESIDENT SCHNEPP-GIGER: Okay.

25 And before we move on from here, I

1 just want to take a minute to recognize the
2 outstanding job the PGC staff has done in advancing
3 this issue. And in particular, furbearer biologist,
4 Tom Keller, who we heard from yesterday. Tom
5 traveled all over the state, attended, I think, 73
6 different public meetings, and really engaged with
7 the public in letting them know what the plan was and
8 how they could be involved.

9 He did a fantastic job, and he
10 represented the agency incredibly well. I understand
11 he's still working with an outside company to perform
12 an additional in-depth survey of public opinion
13 regarding possible marten introduction here in PA.
14 And that survey is expected to be completed in the
15 coming months.

16 I commend Tom for the importance of
17 conducting this additional survey work to help us
18 guide us in our decision-making process. So, given
19 that the survey is not yet completed, I believe it's
20 appropriate that we table this issue at this time to
21 allow for that survey to be completed and the results
22 to be made available to this Board and the public.
23 By doing so and tabling this agenda item for today,
24 the Board will continue our commitment to evidence
25 based decision-making to considers and values the

1 input of the public that we serve.

2 Mr. Secretary, will you please call a
3 vote on table?

4 COMMISSIONER KNICK: All in favor?

5 (AYES RESPOND)

6 COMMISSIONER KNICK: Opposed?

7 (NO RESPONSE)

8 COMMISSIONER KNICK: Ayes have it,
9 Madam Secretary.

10 PRESIDENT SCHNEPP-GIGER: Thank you.

11 ATTORNEY MARTSON: The next item for
12 consideration can be found on page three of your
13 agenda as it comes from the Bureau of Administration.
14 The Commission recently conducted an evaluation of
15 its issuing agent program looking for ways to
16 decrease costs and requirements applied to this
17 group. This effort is, in part, related to the
18 Commission's recognition of the significant impact
19 that changes to its licensed sales process have had
20 on issuing agents in the form of reduced license
21 sales opportunities and increased business costs.
22 For these reasons, the Commission is proposing to
23 amended Sections 143.21, 143.23, 143.24, 143.27 and
24 143.30 relating to appointment of agents, minimum
25 sales requirements, fee for reapplication, conditions

1 for appointment, and return of disapproved
2 applications and to remove sections 143.22, 143.25,
3 143.26 and 143.28 relating to rebate for first year
4 agents, rebate restrictions, time for rebate, and
5 application period to reduce issuing agent
6 application fees, minimum annual sales quotas and
7 annual bond rates.

8 Current regulations set the annual
9 issuing agent application fee at \$500. First year
10 issuing agents are eligible to apply for application
11 fee rebates of up to \$400 depending on the number of
12 licenses they sell throughout the license year.
13 However, few first year issuing agents recoup more
14 than \$100 to \$200 in rebates each year. Moreover,
15 the \$500 application fee figure was set at a time
16 that predated the availability of internet license
17 sales and on-site license printing for in-person
18 sales that are now current standards. Due to the
19 updates and advances in the licensing system, process
20 and infrastructure over the past decade, the
21 Commission determined that it can safely lower cost
22 to issuing agents by reducing the annual issuing
23 agent application fee from \$500 to \$200 without
24 creating an unreasonable risk to the Commission.
25 Furthermore, this change mitigates the need for the

1 Commission to maintain the existing rebate program,
2 thus allowing the applicable regulations to be
3 simplified by elimination of regulatory text.

4 Current regulations require an issuing
5 agent applicant to acquire and maintain an \$18,000
6 bond. This bonding rate was set at a time when paper
7 licenses were sent to all issuing agents to cover the
8 value of the Commission's expenses for the value of
9 the paper license stock, as well as all license and
10 permit fees collected by a given issuing agent.
11 After the Commission's migration to the current
12 onsite printable licenses, its investment in licensed
13 paper stock is significantly reduced. Furthermore,
14 the Commission's migration to weekly electronic funds
15 transfers has also reduced the Commission's financial
16 risk associated with collection of the revenues
17 generated by license and permit sales. Lastly, of
18 the few instances in the past two years where a
19 Commission collected against an agent's bond, the
20 claims fell well below the \$18,000 figure. Due to
21 all of the updates and advances in the licensing
22 system process and infrastructure over the past
23 decade, the Commission determined that it can safely
24 lower costs to issuing agents by reducing the annual
25 bonding rate from \$18,000 to \$11,000 without creating

1 any unreasonable risk to the Commission.

2 As an added measure to reduce
3 requirements on issuing agents, the Commission
4 determined it is appropriate to reduce the annual
5 minimum sales requirement from 50 to 25 licensed
6 products per year. The changes will also allow
7 mentor hunting permits to be included in an issuing
8 agent's sales figures.

9 Lastly, the Commission determined that
10 it is no longer necessary to maintain the limited
11 November 1 through March 31st application window for
12 issuing agent applications due to the advances in
13 technology and license issuing processes. Allowing
14 applications year round will give issuing agent
15 applicants greater access without creating any
16 unreasonable burdens on the Commission.

17 And the text of the revisions can be
18 found on pages four through six of your agenda.

19 PRESIDENT SCHNEPP-GIGER: Do I have a
20 motion to move?

21 COMMISSIONER KNICK: So moved.

22 PRESIDENT SCHNEPP-GIGER: Do I have a
23 second?

24 COMMISSIONER MITRICK: Second.

25 PRESIDENT SCHNEPP-GIGER: Any

1 discussion? Mr. Secretary, please call the vote.

2 COMMISSIONER KNICK: All in favor?

3 (AYES RESPOND)

4 COMMISSIONER KNICK: Opposed?

5 (NO RESPONSE)

6 PRESIDENT SCHNEPP-GIGER: Ayes have
7 it, Madam Secretary.

8 PRESIDENT SCHNEPP-GIGER: Thank you.

9 ATTORNEY MARTSON: The next matter for
10 consideration can be found on page eight of your
11 agendas and comes from the Bureau of Wildlife Habitat
12 Management. Canoe Place Fish and Game Club is
13 offering 67 more or less acres of land in Liberty
14 Township McKean County near State Game Land Number
15 61, Exhibit RED 1. The option price is \$4,000 lump
16 sum to be paid from the Game Fund. This property
17 includes an existing range facility and clubhouse.
18 The PGC will agree to hold the land in perpetuity as
19 a state game land and ensure that the property will
20 remain open to public hunting and fishing. Access is
21 from Pleasant Drive.

22 PRESIDENT SCHNEPP-GIGER: Do I have a
23 motion?

24 COMMISSIONER DIMARCO: So moved.

25 PRESIDENT SCHNEPP-GIGER: Second?

1 COMMISSIONER MITRICK: Second.

2 PRESIDENT SCHNEPP-GIGER: Any
3 discussion?

4 COMMISSIONER MITRICK: Dave, will you
5 talk about this, please?

6 MR. GUSTAFSON: Yeah. So this is one
7 that came to us, give credit to the new game warden
8 assigned to that area in McKean County, Helen Karp,
9 went to a club meeting. The club was meeting some
10 financial hardships, and they talked through a
11 process about how to get this land to the Game
12 Commission. It has an existing rifle range on it.
13 It has an old area that used to be used as a trap
14 shooting range. So there's opportunities there for
15 us to expand those facilities.

16 We don't have another public shooting
17 range within an hour in any direction of that
18 location. So it gives us an opportunity to expand
19 some shooting opportunities there. It does have
20 huntable property there. There's grouse, turkeys,
21 deer, bear on the property. It's close enough to the
22 existing game lands that it wouldn't be a hardship
23 for our folks to manage it.

24 COMMISSIONER MITRICK: Thanks, Dave.

25 PRESIDENT SCHNEPP-GIGER: Any other

1 questions from the Board or discussion? Mr.
2 Secretary, please call vote.

3 COMMISSIONER KNICK: All in favor?
4 (AYES RESPOND)

5 COMMISSIONER KNICK: Opposed? Anyone
6 opposed?
7 (NO RESPONSE)

8 COMMISSIONER KNICK: Ayes have it.

9 PRESIDENT SCHNEPP-GIGER: Thank you.

10 ATTORNEY MARTSON: The next item for
11 consideration can be found on page ten of your
12 agendas. John G. and Melissa L. Sabella and Timothy
13 E. and Judy A. Sabella are offering 13 more or less
14 acres of land in Troy and Steuben Townships, Crawford
15 County, adjoining State Game Land Number 122, Exhibit
16 RED 2. The option price is \$13,000 lump sum to be
17 paid from the Commission's restricted account
18 representing funds from third party commitments for
19 compensation of habitat and recreational losses which
20 occurred on State Game Lands from a previously
21 approved project. Acquisitions using this account
22 may exceed \$400 per acre. Access is through existing
23 State Game Land Number 122.

24 PRESIDENT SCHNEPP-GIGER: Do I have a
25 motion?

1 COMMISSIONER KNICK: So moved.

2 COMMISSIONER DIMARCO: Second

3 PRESIDENT SCHNEPP-GIGER: Discussion?

4 Mr. Secretary, please call the vote.

5 COMMISSIONER KNICK: All in favor?

6 (AYES RESPOND)

7 COMMISSIONER KNICK: Opposed?

8 Opposed?

9 (NO RESPONSE)

10 COMMISSIONER KNICK: Not hearing any
11 opposed, the motion passes.

12 ATTORNEY MARTSON: The next item for
13 consideration can be done on page 12 of your agendas.
14 David L. and Ronna L. Aikins are offering one more or
15 less acres of land in Burrell Township, Indiana
16 County an interior to State Game Land Number 276,
17 Exhibit RED 3. The option price is \$1,000 lump sum
18 to be paid from the Game Fund. The parcel is an
19 interior to the State Game Land, and therefore the
20 Commission may exceed \$400 per acre under Section
21 705(b) of the Game and Wildlife Code. The oil, gas
22 and mineral rights have been excepted and reserved by
23 prior owners. Access is through existing State Game
24 Land Number 276.

25 PRESIDENT SCHNEPP-GIGER: Do I have a

1 motion?

2 COMMISSIONER MITRICK: So moved.

3 PRESIDENT SCHNEPP-GIGER: Do I have a
4 second?

5 COMMISSIONER SANKEY: Second.

6 PRESIDENT SCHNEPP-GIGER: Any
7 discussion? Mr. Gustafson, how do we come up with
8 one acre in the middle of the game lands? Can you
9 give us a history there?

10 MR. GUSTAFSON: So, quite often as we
11 acquire game lands we put them together with multiple
12 parcels over periods of time. Some of those parcels
13 have existing indentures within them, and when we
14 acquire the larger piece, we end up with those
15 indentures. So we've got a pretty ambitious staff
16 out there seeking out these key pieces of property
17 within game lands to try to protect the integrity of
18 those game lands from further development and things
19 like that. So whenever an opportunity comes up,
20 whether we see, you know, properties being marketed
21 by our field staff that we want to try to tackle
22 these types of properties as fast as we can to
23 protect the game lands.

24 PRESIDENT SCHNEPP-GIGER: Thank you.
25 Any other questions from the Board? Mr. Secretary,

1 will you please call the vote?

2 COMMISSIONER KNICK: All in favor?

3 (AYES RESPOND)

4 COMMISSIONER KNICK: Opposed?

5 (NO RESPONSE)

6 COMMISSIONER KNICK: Ayes have it,
7 Madam Secretary.

8 ATTORNEY MARTSON: The next item for
9 consideration can be found on page 14 of your
10 agendas. The Rocky Mountain Elk Foundation is
11 offering 649 more or less acres of land in the City
12 of St. Mary's, Elk County adjoining State Game Land
13 Number 14, Exhibit RED 4. The option price is
14 \$767,307 lump sum to be paid from the Commission's
15 restricted account representing funds from third
16 party commitments for compensation of habitat and
17 recreational losses which occurred on State Game
18 Lands from previously approved projects.
19 Acquisitions using this account may exceed \$400 per
20 year. Access is from State Route 120.

21 PRESIDENT SCHNEPP-GIGER: Do I have a
22 motion?

23 COMMISSIONER SANKEY: So moved.

24 COMMISSIONER KNICK: Second.

25 PRESIDENT SCHNEPP-GIGER: Do I have a

1 second?

2 COMMISSIONER KNICK: Second.

3 PRESIDENT SCHNEPP-GIGER: So on this
4 one, Mr. Gustafson, I understand there's a pretty
5 good story behind this as far as collaboration
6 between our NGO partners and staff. But if you could
7 just elaborate on that for the record?

8 MR. GUSTAFSON: I'll try to be brief,
9 but yes. So a Pennsylvania based forest products
10 company acquired this tract, and in doing so had the
11 intent not to hold the land in perpetuity. They
12 wanted to see the land come to the Game Commission,
13 and they wanted it to go through the Rocky Mountain
14 Elk Foundation.

15 So there is, Rocky Mountain Elk
16 Foundation stepped up, was able to help out, bringing
17 some money to the table as a partner to make this
18 deal happen for us. So it's a very, we love these
19 kinds of deals when we have people reach out to us,
20 you know. And they say, hey, we want it to come to
21 you. We want to work with a partner. Rocky Mountain
22 Elk Foundation has been a great partner of ours
23 through our entire elk management program for years,
24 auctioning off tags for us and things like that. So
25 it made really good sense. This is in the core of

1 the elk range. Game Lands 14 heavily used by our elk
2 herd. So expanding that property is crucial for us
3 to maintain great elk habitat, try to keep them out
4 of the town of St. Mary's where they cause problems.

5 So this will give us even more opportunity to do
6 that.

7 PRESIDENT SCHNEPP-GIGER: It's a great
8 testament to RMEF stepping up to the plate again and
9 continuing to be a great partner of the Agency. So
10 I'm looking forward, hopefully getting this through
11 and adding to public access to that area. Mr.
12 Secretary, will you please call a vote?

13 COMMISSIONER KNICK: All in favor?
14 (AYES RESPOND)

15 COMMISSIONER KNICK: Opposed?
16 (NO RESPONSE)

17 COMMISSIONER KNICK: Ayes have it,
18 Madam Secretary.

19 PRESIDENT SCHNEPP-GIGER: Thank you.

20 ATTORNEY MARTSON: The next item can
21 be found on page 16 of your agendas. The
22 Northcentral Pennsylvania Conservancy is offering 102
23 more or less acres of land in Plunketts Creek
24 Township, Lycoming County adjoining State Game Land
25 Number 134, Exhibit RED 5. The option price is

1 \$520,000 lump sum to be paid from the Commission's
2 restricted account representing funds from third
3 party commitments for compensation of habitat and
4 recreational losses which occurred on State Game
5 Lands on previously approved projects. Acquisitions
6 using this account may exceed \$400 per acre. The oil
7 and gas rates have been excepted and reserved by
8 prior owners. Access is from Cabbage Hollow Road.

9 PRESIDENT SCHNEPP-GIGER: Do I have a
10 motion?

11 COMMISSIONER DIMARCO: So moved.

12 PRESIDENT SCHNEPP-GIGER: And a
13 second?

14 COMMISSIONER SANKEY: Second.

15 PRESIDENT SCHNEPP-GIGER: Any
16 discussion? Mr. Secretary, will you please call the
17 vote?

18 COMMISSIONER KNICK: All in favor?

19 (AYES RESPOND)

20 COMMISSIONER KNICK: Opposed?

21 (NO RESPONSE)

22 COMMISSIONER KNICK: Ayes have it,
23 Madam Secretary.

24 ATTORNEY MARTSON: The next item for
25 consideration can be found on page 18 of your

1 agendas. Leslie R. and Tracy L. Vangorder and Todd R.
2 Weaver are offering 73 more or less acres of land in
3 Hamlin Township, McKean County, adjoining State Game
4 Land Number 62, Exhibit RED 6. The option price is
5 \$150,000 lump sum to be paid from the Game Fund. The
6 parcel provides critical access to State Game Land
7 Number 62, and therefore the commission may exceed
8 \$400 per acre under Section 705(b) of the Game and
9 Wildlife Code. Access is from Township Road 321.

10 PRESIDENT SCHNEPP-GIGER: Do I have a
11 motion?

12 COMMISSIONER KNICK: So moved.

13 PRESIDENT SCHNEPP-GIGER: Second?

14 COMMISSIONER MITRICK: Second.

15 PRESIDENT SCHNEPP-GIGER: Any
16 discussion? Mr. Secretary, please call the vote.

17 COMMISSIONER KNICK: All in favor?

18 (AYES RESPOND)

19 COMMISSIONER KNICK: Opposed?

20 (NO RESPONSE)

21 COMMISSIONER KNICK: Ayes have it,
22 Madam Secretary.

23 PRESIDENT SCHNEPP-GIGER: Thank you.

24 ATTORNEY MARTSON: The next item for
25 consideration can be found on page 20 of your

1 agendas. The Dorothy G. Pagano 2005 Trust is offering
2 15.7 more or less acres of land in Walker Township,
3 Schuylkill County, adjoining State Game Land Number
4 257, Exhibit RED 16. The option price is \$31,400
5 lump sum to be paid from the Game Fund. The parcel
6 is an indenture to the State Game Land, and therefore
7 the Commission may exceed \$400 per acre under Section
8 705(b) of the Game and Wildlife Code. Access is
9 through existing State Game Land Number 257.

10 PRESIDENT SCHNEPP-GIGER: Do I have a
11 motion?

12 COMMISSIONER SANKEY: So moved.

13 PRESIDENT SCHNEPP-GIGER: A second?

14 COMMISSIONER MITRICK: Second.

15 PRESIDENT SCHNEPP-GIGER: Discussion?

16 Mr. Secretary, please call the vote.

17 COMMISSIONER KNICK: All in favor?

18 (AYES RESPOND)

19 COMMISSIONER KNICK: Opposed?

20 (NO RESPONSE)

21 COMMISSIONER KNICK: The ayes have it,
22 Madam Secretary.

23 ATTORNEY MARTSON: The next item for
24 consideration can be done on page 22 of your agendas.
25 Johnny R. and Linda L. Merschat are offering 69 more

1 or less acres of land in Lower Turkeyfoot Township,
 2 Somerset County, adjoining State Game Land Number
 3 111, Exhibit RED 17. The option price is \$122,500
 4 lump sum to be paid in the Game Fund. The parcel
 5 provides critical access to the State Game Land and
 6 therefore the Commission may exceed \$400 per acre
 7 under section 70705(b) of the Game and Wildlife Code.
 8 Access is from Jersey Hollow Road.

9 PRESIDENT SCHNEPP-GIGER: So I have a
 10 motion?

11 COMMISSIONER SCHWALM: So moved.

12 PRESIDENT SCHNEPP-GIGER: Second?

13 COMMISSIONER MITRICK: Second.

14 PRESIDENT SCHNEPP-GIGER: Any
 15 discussion? Mr. Secretary, please call the vote.

16 COMMISSIONER KNICK: All in favor?

17 (AYES RESPOND)

18 COMMISSIONER KNICK: Opposed?

19 (NO RESPONSE)

20 COMMISSIONER KNICK: Ayes have it.

21 ATTORNEY MARTSON: The next item can
 22 be found on page 24 of your agendas. John David
 23 Malone is offering 27 more or less acres of land in
 24 Montgomery Township, Indiana County, adjoining State
 25 Game Land Number 262 to the Commission in exchange

1 for nine more or less acres, State Game Land Number
2 262, in Montgomery Township, Indiana County, Exhibit
3 RED 7. The Commission determined that the 27 more or
4 less acres to be conveyed to the Commission is of
5 greater value than the land to be conveyed to Malone,
6 and the proposed exchange is in the best interest of
7 the Commission. Access to the 27 acre parcel is
8 through existing State Game Land 262,

9 PRESIDENT SCHNEPP-GIGER: Do I have a
10 motion?

11 COMMISSIONER SANKEY: So moved.

12 PRESIDENT SCHNEPP-GIGER: Second?

13 COMMISSIONER MITRICK: Second.

14 PRESIDENT SCHNEPP-GIGER: Mr.
15 Gustafson, can you expand on this one a little bit as
16 well, just for the record?

17 MR. GUSTAFSON: Yeah. So sometimes,
18 you know, we have neighbors taking loans that, you
19 know, through this one, through an expansion of a
20 business opportunity, they need more space. When we
21 look at these, we want to make sure that any exchange
22 that we would enter into would have an overwhelming
23 benefit to the agency, not just a simple one to one
24 exchange.

25 If you notice on the map here, the

1 land we're going to be receiving is three acres for
2 every acre we're giving up. And it also connects the
3 disconnected parcel of Game Lands 262. The land that
4 we will be exchanging to Mr. Malone, it's already in
5 a safety zone. It's steep hillsides. You know, so
6 the land we would be getting, we feel, is an
7 overwhelming benefit based on what we've given up.

8 PRESIDENT SCHNEPP-GIGER: Thank you.
9 Any further discussion? Mr. Secretary, please call
10 the vote.

11 COMMISSIONER KNICK: All in favor?
12 (AYES RESPOND)

13 COMMISSIONER KNICK: Opposed?
14 (NO RESPONSE)

15 COMMISSIONER KNICK: Ayes have it,
16 Madam Secretary.

17 PRESIDENT SCHNEPP-GIGER: Thank you.

18 ATTORNEY MARTSON: The next item can
19 be found on page 26 of your agendas. Charles D.
20 Gerlach III, Barbara J. Gerlach, Charles D. Gerlach
21 IV, Charles D. Gerlach V, and Stephen E. Gerlach are
22 offering three more or less acres of land in Overton
23 Township, Bradford County, adjoining State Game Land
24 Number 36 to the Commission in exchange for one more
25 or less acre of State Game Land Number 36 in Overton

1 Township, Bradford County, Exhibit RED 8. The
2 Commission determined that the three more or less
3 acres to be conveyed to the Commission is of greater
4 value than the land to be conveyed to the Gerlachs,
5 and the proposed exchange is in the best interest of
6 the Commission. Access to the three-acre parcel is
7 through existing State Game Land 36.

8 PRESIDENT SCHNEPP-GIGER: Do I have a
9 motion?

10 COMMISSIONER KNICK: So moved.

11 COMMISSIONER DIMARCO: Second.

12 PRESIDENT SCHNEPP-GIGER: So Mr.
13 Gustafson, looks like we've got another three to one
14 land exchange here?

15 MR. GUSTAFSON: We do. And this is
16 another instance where, you know, sometimes
17 neighboring properties, maybe if there's an
18 uncertainty about where a boundary line may be, you
19 end up with what we call encroachments. Whether they
20 have a shed that may be across the line or a fence or
21 they're mowing grass, or in this case, a driveway
22 that cuts across the game lands. Once we're aware of
23 those, we have an obligation to protect the integrity
24 of the game lands and clean those up.

25 Oftentimes one of the mechanisms we

1 use to clean those up is exchanges. In this case,
2 there wasn't another suitable alternative, because of
3 slope of the land, to get a new driveway access into
4 this property for this individual. So you know,
5 looking it's one acre and three acres. But the staff
6 time, the negotiation, the surveyors going out on the
7 ground to lay out this project, it's a lot more
8 involved than it may seem on a simple map. So I just
9 give a ton of credit to the field staff that work
10 with the landowners, the survey team, our real estate
11 team, our legal team, all of them that make these
12 things happen.

13 You'll see several more of these
14 coming up where we're trying to work towards cleaning
15 up encroachments. It's a big mission of ours in the
16 real estate program right now. So this is one of
17 those projects.

18 PRESIDENT SCHNEPP-GIGER: Thank you.

19 COMMISSIONER MITRICK: I have a
20 question. On the map here, it appears as though
21 there's a group of buildings right in the middle of
22 the State Game Land 36, there's a road going out
23 there. Are those our buildings or are they, do they
24 belong to somebody else?

25 MR. GUSTAFSON: I believe that is gas

1 well infrastructure.

2 COMMISSIONER MITRICK: Okay, thank
3 you.

4 PRESIDENT SCHNEPP-GIGER: Any more
5 discussion? Mr. Secretary, please call a vote.

6 COMMISSIONER KNICK: All in favor?
7 (AYES RESPOND)

8 COMMISSIONER KNICK: Opposed?
9 (NO RESPONSE)

10 COMMISSIONER KNICK: Ayes have it,
11 Madam Secretary.

12 PRESIDENT SCHNEPP-GIGER: Thank you.

13 ATTORNEY MARTSON: The next item for
14 consideration can be found on page 28 of your
15 agendas. Raymond J. Krise is offering ten more or
16 less acres of land in Ridgeway Township, Elk County,
17 adjoining State Game Land Number 44 to the Commission
18 in exchange for one more or less acre of State Game
19 Land Number 44 in Ridgeway Township, Elk County.
20 Exhibit RED 9. The Commission determined that the
21 ten more or less acres to be conveyed to the
22 Commission is of greater value than the land to be
23 conveyed to Krise, and that the proposed exchange is
24 in the best interest of the Commission. Access to
25 the ten-acre parcel is through existing State Game

1 Land 44.

2 PRESIDENT SCHNEPP-GIGER: Do I have a
3 motion?

4 COMMISSIONER DIMARCO: So moved.

5 COMMISSIONER KNICK: Second.

6 PRESIDENT SCHNEPP-GIGER: Discussion?

7 COMMISSIONER MITRICK: I love the ten
8 to one ratio there.

9 PRESIDENT SCHNEPP-GIGER: Mr.
10 Secretary, please call the vote.

11 COMMISSIONER KNICK: All in favor?

12 (AYES RESPOND)

13 COMMISSIONER KNICK: Opposed?

14 (NO RESPONSE)

15 COMMISSIONER KNICK: Ayes have it,
16 Madam Secretary.

17 ATTORNEY MARTSON: The next item for
18 consideration can be found on page 30 of your
19 agendas. Sally S. Reedy, Wesley F. and Mary Lou
20 McCutcheon, and Michael J. Rethi and Deborah M. Rethi
21 are offering to participate in an exchange of 4.55
22 more or less acres of land in Burrell Township,
23 Indiana County, adjoining State Game Land Number 153,
24 Exhibit RED 10, for .78 more or less acres in Smith
25 Township, Washington County part of State Game Land

1 Number 117, Exhibit RED 11, and 0.5 more or less
2 acres, .114 acres, and .094 acres in Young Township,
3 Indiana County, parts of State Game Land Number 332,
4 Exhibits RED 12, 13, and 14.

5 Sally S. Reedy will provide \$315, the
6 McCutcheons will provide \$365, Michael J. Rethi will
7 provide \$100, and Deborah M. Rethi will provide \$100
8 toward the acquisition of 4.55 acres being offered
9 for sale by David L. And Ronna L. Aikins with an
10 option price of \$2,100. The Commission will provide
11 an additional \$1,220 lump sum from the Game
12 Commission's restricted account representing funds
13 from third-party commitments for compensation of
14 habitat and recreational losses which occurred on
15 State Game Lands for previously approved projects.
16 Acquisitions using this may exceed \$400 per acre.

17 The Commission determined that the
18 4.55 more or less acres to be conveyed to the
19 Commission is of greater value than the land to be
20 conveyed to Sally J. Reedy, the McCutcheons, Michael
21 J. Rethi, and Deborah M. Rethi and the proposed
22 exchange is in the best interest of the Commission.
23 Access to the 4.55 acre parcel is through existing
24 State Game Land 153.

25 PRESIDENT SCHNEPP-GIGER: Do I have a

1 motion?

2 COMMISSIONER DIMARCO: So moved.

3 PRESIDENT SCHNEPP-GIGER: And a
4 second?

5 COMMISSIONER SCHWALM: Second.

6 PRESIDENT SCHNEPP-GIGER: So this is a
7 whole ball of wax that looks like it's cleaning up a
8 whole bunch of encroachment issues.

9 Is that accurate?

10 MR. GUSTAFSON: Yeah, it is. So in
11 the previous few items that you saw, we were able to
12 do an exchange, just a discrete exchange with one
13 owner where they had land to give up that we could
14 acquire that made sense. Sometimes when we discover
15 multiple encroachments, there isn't that opportunity
16 to do a direct exchange at the site. So in this
17 case, there was an opportunity to acquire four and a
18 half acres and allow those folks with the
19 encroachments to contribute towards that exchange
20 essentially. They're contributing funds instead of
21 land, and therefore, we're cleaning up those
22 encroachments in that way.

23 So, you know, lots of different ways
24 to accomplish the same task. But yet again, you can
25 see the complexities of some of these maps, and we're

1 looking at small triangles of, you know. 04 and .011
2 acres. So it's a lot of work with the field staff,
3 the surveyors, the legal team. And it's a lot of
4 work just to draft up an agenda item to try to make
5 it make sense. But, yeah, essentially we're
6 acquiring four and a half acres to clean up several
7 encroachments.

8 PRESIDENT SCHNEPP-GIGER: Appreciate
9 the work from your team on this.

10 MR. GUSTAFSON: They do a great job.
11 Some of these have been lingering for years until we
12 can find an appropriate way to resolve them. So
13 they're not easy, they're not quick. But we work
14 hard. The staff works hard to clean them up.

15 PRESIDENT SCHNEPP-GIGER: Any further
16 discussion? Mr. Secretary, please call the vote.

17 COMMISSIONER KNICK: All in favor?

18 (AYES RESPOND)

19 COMMISSIONER KNICK: Opposed?

20 (NO RESPONSE)

21 COMMISSIONER KNICK: Pass, Madam
22 Secretary. Ayes have it.

23 PRESIDENT SCHNEPP-GIGER: Thank you.

24 ATTORNEY MARTSON: The next item for
25 consideration can be found on page 36 of the agendas,

1 and is notice of notational vote. On June 6th, 2023,
2 the Board of Commissioners approved, by notational
3 vote, the deposit of \$184,511 into the restricted
4 revenue account to be used for the future purchase of
5 lands to mitigate the temporary loss of wildlife
6 resources and or recreational values. Range
7 Resources-Appalachia LLC, Range, offered \$184,511 in
8 exchange for a Special Use Permit granting the
9 temporary privilege of constructing, operating,
10 maintaining, and removing a total of 7,660 feet of
11 above-ground water with four valves and or air vents
12 in a 25 foot right of way and one above ground
13 storage tank, AST, with the necessary pumps, valves
14 and fittings on an existing 3.05 acre pad along with
15 the temporary privilege of using and reclaiming 2,816
16 feet of existing access road and a total of 0.44
17 acres of additional workspace on State Game Land
18 Number 232 in Blaine Township, Washington County,
19 Exhibit RED 15. The waterline and AST will be used
20 to manage and transport freshwater for completion of
21 natural gas wells within the game lands while
22 reducing truck traffic on the game lands and in the
23 surrounding area. This is an informational item
24 only. Therefore, no action is required.

25 PRESIDENT SCHNEPP-GIGER: That brings

1 us to the end of our formal agenda under other new
2 business. Our next Commission meeting will be held
3 September 15th and 16th, 2023, in Erie, Pennsylvania.

4 We will not have a press conference following the
5 meeting, but the Commissioners will go into executive
6 session. So thank you all for your time and
7 attention today and for those who came to provide
8 public - public comment and testimony, we appreciate
9 that as well.

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MEETING CONCLUDED AT 11:01 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before President Schneppegiger, was reported by me on July 8, 2023 and that I, Devin Nunemaker, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 31 day of July, 2023.



Devin Nunemaker,
Court Reporter