

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

AGENDA

HARRISBURG, PENNSYLVANIA
October 5, 2010

A handwritten signature in black ink, appearing to read "Carl G. Roe". The signature is stylized with a large, looped "C" and a sharp, angular "R".

Carl G. Roe
Executive Director

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Commonwealth of Pennsylvania
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, October 5, 2010 at the Quality Inn, 880 Kidder Street, Wilkes-Barre, Luzerne County.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

James J. Delaney, Jr., President
Ronald A. Weaner, Vice President
David W. Schreffler, Secretary
Gregory J. Isabella
Thomas E. Boop
David J. Putnam
Robert W. Schlemmer
Ralph A. Martone

Approval of Minutes of Commission Meeting held June 29, 2010.

BUREAU OF WILDLIFE PROTECTION

ADOPTED RULE MAKING

A. Adoption of proposed amendments to §§ 147.101 and 147.103.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its June 29, 2010 meeting, proposed to amend §§ 147.101 and 147.103 (relating to definitions; and classes) to require that a sponsor for a new falconer be a general or master class falconer having at least 2 years experience as a general class falconer and expand the list of eligible species of eagles that a master class falconer may possess with additional written authorization to include eagles not covered by the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703-712).

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of these amendments to 58 Pa. Code as shown on EXHIBIT "A."

Action:

EXHIBIT "A"

CHAPTER 147. SPECIAL PERMITS

Subchapter F. FALCONRY

§147.101. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Sponsor – The holder of a general or master falconry permit with at least 2 years experience as a general class falconer, who has accepted the responsibility for the conduct and training of an apprentice falconer.

* * * * *

§147.103. Classes.

(a) *Apprentice*. Permittees of the apprentice class shall be subject to the following requirements and limitations:

* * * * *

(2) Permittees shall be sponsored, at all times, by a Pennsylvania general or master class falconry permit holder who has at least 2 years experience as a general class falconer. If a permittee's sponsorship is withdrawn or lost for any reason, the permittee shall provide written notification of the loss to the Commission within 5 days and shall be required to replace the sponsorship within 15 days.

* * * * *

(c) *Master*. Permittees of the master class shall be subject to the following requirements and limitations:

* * * * *

(5) Upon additional written authorization provided by the Commission, permittees may possess up to a maximum of three eagles, regardless of captive-bred or wild caught, limited to golden eagles, white-tailed eagles, Steller's sea-eagles or any other eagle not covered by the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703-712), as part of their total possession allowance. An application to possess eligible eagles shall be accompanied by two written letters of recommendation from persons with experience handling or flying large raptors, such as eagles, ferruginous hawks (*Buteo regalis*), goshawks (*Accipiter gentilis*) or great horned owls (*Bubo virginianus*). Each letter of reference must contain a concise history of the author's experience with large raptors and an explicit representation that the permittee possess the competency and skills necessary to possess eagles.

B. Adoption of proposed amendments to § 139.4.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its June 29, 2010 meeting, proposed to amend § 139.4 (relating to seasons and bag limits for the license year) to reinstate 2,761 coupons on private land that would otherwise be denied.

Recommendation: The Executive Director and staff recommend FINAL ADOPTION of this amendment to 58 Pa. Code as shown on EXHIBIT "B."

Action: On August 17, 2010, the Commission completed a notational vote to approve this amendment with unanimous approval.

EXHIBIT "B"

CHAPTER 139. SEASONS AND BAG LIMITS

(SEASONS AND BAG LIMITS TABLE)

**2010-2011 OPEN HUNTING AND FUR TAKING SEASONS, DAILY LIMIT,
FIELD POSSESSION LIMIT AND SEASON LIMIT
OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

* * * * *

The antlerless allocation as approved for each WMU for the 2010-2011 seasons shall be automatically reduced by the number of DMAP permits issued in that WMU for the 2009-2010 seasons and the DMAP permits issued for the 2010-2011 seasons shall not exceed the 2009-2010 totals in each said WMU without further action by this Board. Except that the Board reinstates 2,761 coupons on private land that would otherwise be denied.

PROPOSED RULE MAKING

C. Amend 58 Pa. Code § 135.41.

Commentary: The Commission has historically permitted the placement and use of portable hunting stands on State game lands and continued support for their allowance has not diminished. However, the Commission has identified that this allowance has, in certain instances, resulted in the unintended consequence of some portable hunting stands on State game lands seemingly becoming permanent fixtures due to long term placement by hunters. While the Commission continues to support the placement and use of portable hunting stands on State game lands, it is proposing to amend § 135.41 (relating to State game lands) to limit the overnight placement of portable hunting stands to two weeks before the opening of the first big game season to two weeks after the close of the last big game season within each respective wildlife management unit, excluding the spring turkey season.

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§135.41. State game lands.

* * * * *

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

* * * * *

(11) [~~Occupy, use or construct, place or maintain structures or other tangible property, except that portable hunting blinds or stands may be used, provided no visible damage is caused to trees.~~] Construct, place, maintain, occupy, use, leave or abandon any structures or other tangible property, except that portable hunting stands may be used subject to the following restrictions:

(i) Use may not cause any damage to trees.

(ii) Overnight placement may not occur sooner than two weeks prior to the opening of the first big game season nor later than two weeks after the close of the last big game season within each wildlife management unit, excluding the spring turkey season.

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

D. Amend 58 Pa. Code § 135.61.

Commentary: "State game farms" are the only lands and waters under Commission ownership that do not enjoy the wide range of enumerated protections from various conduct provided by §§ 135.2 and 135.41 (relating to unlawful acts; and State game lands) in addition to the protections provided by both. The Commission is proposing to amend § 135.61 (relating to State game farms) to make State game lands regulations equally applicable to State game farms.

CHAPTER 135. LANDS AND BUILDINGS

Subchapter D. STATE GAME FARMS

§135.61. State game farms.

~~[In addition to § 135.2 (relating to unlawful actions), the following pertain to lands and waters owned by the Commission, designated as State game farms.]~~ In addition to the following restrictions, §§ 135.2 and 135.41 (relating to unlawful actions; and State game lands) pertain to lands and waters owned by the Commission and designated as State game farms. It is unlawful to:

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

E. Amend 58 Pa. Code § 141.7.

Commentary: On July 3, 2007, House Bill 881 was signed into law that, inter alia, amended sections 2308 and 2310 (relating to unlawful devices and methods; and unlawful use of lights while hunting) to permit furbearer hunters or trappers to take furbearers with a firearm having a flashlight or spotlight mounted to it as long as the sole source of power for the flashlight or spotlight is contained within the light or possessed on their person. In an effort to enhance consistency of the Commission's regulations with the act, the Commission is proposing to amend § 141.7 (relating to use of artificial lights) to remove conflicting language purporting to continue to prevent the usage of gun-mounted lights by hunters.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter A. GENERAL

§141.7. Use of artificial lights.

(a) Coyotes are added to the list of animals in section 2310(b) of the act (relating to exceptions for unlawful use of lights while hunting) which may be hunted with a light [~~ordinarily carried on the person~~].

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

F. Amend 58 Pa. Code § 141.45.

Commentary: On January 26, 2010, the Commission adopted amendments to § 141.22 (relating to small game) that, inter alia, that expanded the types of non-toxic shot that could be used to hunt small game to include a wide variety of commercially available non-toxic shot in addition to steel and Bismuth/tin shot ammunition. The Commission is proposing to amend § 141.45 (relating to turkey) to expand the non-toxic shot authorization to both fall and spring turkey seasons as well.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§141.45. Turkey.

(a) *Fall turkey season.*

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

* * * * *

(ii) A manually operated or semiautomatic, centerfire shotgun or muzzleloading shotgun using shot ammunition no larger than #4 lead, ~~[#4 Bismuth/tin or]~~ #2 steel, or #4 of any other composition or alloy of nontoxic shot approved by the Director of the United States Fish and Wildlife Service or an authorized representative under 50 CFR 20.134 (relating to nontoxic shot).

* * * * *

(b) *Spring turkey season.*

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

(i) A manually operated or semiautomatic, centerfire shotgun or muzzleloading shotgun using shot ammunition no larger than #4 lead, ~~[#4 Bismuth/tin or]~~ #2 steel, or #4 of any other composition or alloy of nontoxic shot approved by the Director of the United States Fish and Wildlife Service or an authorized representative under 50 CFR 20.134 (relating to nontoxic shot).

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

G. Amend 58 Pa. Code Chapter 141, by creating § 141.68.

Commentary: The Commission has recently identified anecdotal evidence of the usage of fishing or snagging hooks in certain trapping activities. While this practice has never been accepted by the Commission or the broader trapping community as an acceptable device for the harvesting of furbearers, current applicable statutes and regulations do not expressly prohibit their usage. The Commission is proposing to fill this gap by creating § 141.68 (relating to prohibited devices) to specifically prohibit the usage of fishing hooks or snagging hooks or any other device that is not a lawful trap, firearm, bow or crossbow from being utilized during licensed trapping activities.

CHAPTER 141. HUNTING AND TRAPPING

Subchapter D. FURBEARERS

§141.68. Prohibited devices.

It is unlawful to take any furbearer through the use of any of the following devices:

- (1) Fish hooks, snagging hooks or any other hooks of similar design.
- (2) Implements that are not lawful traps, firearms, bows or crossbows.

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

BUREAU OF WILDLIFE MANAGEMENT

PROPOSED RULE MAKING

A. Amend 58 Pa. Code §§ 147.552 and 147.556.

Commentary: On March 31, 2010, the Commission's three year evaluation of the effectiveness of a broad scale and widely accessible authorization permitting the baiting of white-tailed deer across the southeast special regulations areas expired. The Commission's final review of the baiting authorization generally concluded that broad scale and widely accessible baiting did not establish viable increases in harvest rates to justify an extension of the experimental program. In furtherance of the Commission's continuing efforts to find effective tools to manage the population on agriculture lands in this area of the State, the Commission is proposing to amend §§ 147.552 and 147.556 (relating to application; and lawful devices) to create a focused, limited authorization permitting the baiting of white-tailed deer in WMUs 5C and 5D on approved properties enrolled in the "Red Tag" program.

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

AGRICULTURE

§147.552. Application.

* * * * *

(d) Applicants from wildlife management units 5C and 5D only may be eligible to obtain approval to engage in limited baiting activities to enhance deer control activities on their properties. Approval will be based solely upon an applicant's demonstrable need for a baiting authorization as evidenced by written justifications or other evidence submitted on or in addition to the application at the time of application or renewal.

§147.556. Lawful devices and methods.

~~[A permittee may restrict the type of firearm or bow used to take deer on lands under the permittee's ownership or control, or both. Devices used shall be in compliance with the act and this title as applicable.]~~

(a) Devices. Subpermittees are authorized to hunt and take deer with such firearms, bows and crossbows as may be authorized for hunting deer during the regular firearms deer season as provided in the act and § 141.43 (relating to deer).

(b) *Methods.* Subpermittees operating under the authority of a permit with an approved baiting authorization are authorized to hunt or take deer through the use of or by taking advantage of bait subject to the following limitations:

(1) This authorization applies to private lands in wildlife management units 5C and 5D only.

(2) Bait may be placed or distributed 2 weeks prior to the validity period of the deer control permit through the close of the validity period as established in § 147.553 (relating to permit).

(3) Bait accumulation in any one location may not exceed 5 gallons total volume at any given time.

(c) *Further restrictions.* A permittee may further restrict the use of devices and methods authorized by this section on lands under the permittee's ownership or control, or both.

Recommendation: The Executive Director and staff recommend the Commission approve these changes.

Action:

B. Amend 58 Pa. Code § 147.673.

Commentary:

In April of 2010, the Commission directed staff to review the DMAP program as it related to public landowners to enhance accountability for the program on public lands. Based upon this review, the Commission is proposing to amend § 147.673 (relating to eligibility and application for DMAP) to require that all public landowners provide an approved management plan along with their application. The Commission is also proposing to advance the application date one month earlier to allow staff adequate time to review and process DMAP applications in a timely manner, as well as notify applicants about permit availability prior to the issuance of regular antlerless licenses.

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

§147.673. Eligibility and application for DMAP.

~~[(a) — Owners or lessees of private land, hunting clubs or authorized officers or employees of political subdivisions or governmental agencies shall apply for the DMAP in a manner and on a form required by the Director. Separate applications for DMAP areas will not be accepted for areas within 1 air mile of another area that is owned, leased or controlled by the same person, political subdivision or governmental agency without an approved management plan.~~

~~(1) — Where material destruction of cultivated crops, fruit trees or vegetables by deer has been or can be documented, one DMAP harvest permit may be allocated for every 5 acres of land enrolled in the DMAP. On other lands one DMAP harvest permit will be allocated for every 50 acres enrolled in the DMAP. Additional DMAP harvest permits may be allocated dependent on current conditions relative to goals and objectives outlined in a Commission approved management plan.~~

~~(b) — Applications shall be submitted to a regional office by July 1 immediately preceding the first fall deer season and shall include the name of the owner, lessee, political subdivision or government agency that is applying for the DMAP and the name and address of the person who will be the contact person for the DMAP as well as other information required on the application.~~

~~(1) — An application for approval of a management plan that will allow the use of additional DMAP harvest permits on a designated land area shall contain the following information:~~

~~(i) — A map showing the location and boundaries of the area and the county, township and Commission wildlife management unit the site is located in.~~

~~(ii) — A description of the management area delineated on the map in subparagraph (i) including the size in acres, cover types (forested, nonforested), principle land uses, huntable areas and safety zones.~~

~~(iii) An explanation of the deer management goals and objectives for the area.~~

~~(iv) An explanation to substantiate why the person in control of the land wants to increase the harvest of antlerless deer by allowing the use of DMAP in the area. Area specific information shall be provided that supports the deer management goals and objectives.]~~

(a) Application. Owners or lessees of private land, hunting clubs or authorized officers or employees of political subdivisions or governmental agencies shall apply for the DMAP on a form provided by the Commission.

(1) Applications shall be submitted to a regional office by June 1 immediately preceding the first fall deer season and shall include the name of the owner, lessee, political subdivision or government agency that is applying for the DMAP and the name and address of the contact person for the DMAP as well as other information required on the application.

(2) One DMAP harvest permit will be allocated for every 5 acres of land enrolled in the DMAP where material destruction of cultivated crops, fruit trees or vegetables by deer has been or can be documented. One DMAP harvest permit will be allocated for every 50 acres of land enrolled in the DMAP for all other lands. Additional DMAP harvest permits may be allocated dependent on current conditions relative to goals and objectives outlined in a Commission-approved management plan.

(3) Applications will not be accepted for the following areas without an approved management plan:

(i) Areas within 1 air mile of another DMAP area that is owned, leased or controlled by the same person, political subdivision or governmental agency.

(ii) Areas owned or leased by a Federal agency, State agency or any municipal political subdivision.

(iii) Areas with less than 5 acres of cultivated crops, fruit trees or vegetables, or less than 50 acres of other lands.

(b) Management plans. Management plans shall include at least the following information:

(1) A map showing the location and boundaries of the area and the county, township and Commission wildlife management unit the site is located in.

(2) A description of the management area delineated on the map in subparagraph (1) including the size in acres, cover types (forested, nonforested), principle land uses, huntable areas and safety zones.

(3) An explanation of the deer management goals and objectives for the area.

(4) An explanation to substantiate why the person in control of the land wants to increase the harvest of antlerless deer by allowing the use of DMAP in the area. Area specific information shall be provided that supports the deer management goals and objectives.

* * * * *

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

C. Amend 58 Pa. Code § 147.783.

Commentary: In recent years continental snow goose populations have experienced rapid growth in their numbers. This dramatic increase in population size has in turn resulted in extensive damage to arctic and subarctic breeding habitats of the continental snow goose, as well as other bird populations dependent on these habitats. In January 2008, the Commission, working in conjunction with the United States Fish and Wildlife Service, created Chapter 147, Subchapter W (relating to snow goose conservation hunt permit) to define and create the regulatory structure necessary to implement the new snow goose conservation hunt program within this Commonwealth. In January 2009, the Commission amended the program to authorize the limited use of electronic calls for all hunting and taking activities conducted under a snow goose conservation hunt permit. In light of the Commission's continued recognition of the need to dramatically increase the harvest of continental snow geese in this Commonwealth, the Commission is proposing to amend § 147.783 (relating to permit) to authorize the use of electronic decoys for all hunting and taking activities conducted under a snow goose conservation hunt permit.

CHAPTER 147. SPECIAL PERMITS

Subchapter W. SNOW GOOSE CONSERVATION HUNT PERMIT

§147.783. Permit.

* * * * *

(c) Except as otherwise provided in this subchapter, all State and Federal requirements and limitations relating to the hunting and taking of snow geese during regular open seasons apply to any activities conducted pursuant to the authorizations of a snow goose conservation hunt permit. The following specific exceptions apply:

* * * * *

(2) *Electronic [ealling] devices.* Notwithstanding the general prohibition against the use of electronic [ealls] devices found in section 2308 of the act (relating to unlawful devices and methods) and § 141.6 (relating to illegal devices), the limited use of electronic calls and electronic decoys shall be authorized for all hunting and taking activities conducted pursuant to the authorizations of a snow goose conservation hunt permit.

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

BUREAU OF WILDLIFE HABITAT MANAGEMENT

REAL ESTATE DIVISION

PROPOSED RULE MAKING

A. Amend 58 Pa. Code §§ 135.41, 135.181, and Chapter 147, by creating Subchapter Z.

Commentary: Over the past few years the Commission has made large investments into its various shooting ranges located on State game lands across this Commonwealth. These investments have taken the form of lead remediation, safety barrier reconstruction, shooting range redesign, and other related projects. These investments came at a high cost but kept many shooting ranges open and available to the public. Historically, hunters and furtakers have provided most if not all of the resources for keeping the Commission's shooting ranges open to the public through their license dollars. Additionally, the open use of game lands for shooting activities by those not licensed or otherwise permitted has resulted in situations where persons have used ranges and game lands for illicit activities. The Commission is proposing to regulate unlicensed recreational shooters to accomplish the twin goals of having those unlicensed persons contribute toward the cost of the program, and to better quantify and control use of game lands and game lands ranges. To this end, the Commission is proposing to amend § 135.181 (relating to rifle and handgun ranges) and Chapter 147, by creating Subchapter Z (relating to State game lands range permits) to require all users of shooting ranges on State game lands to possess either a valid Pennsylvania hunting or furtaker license or a commission-issued range permit. The Commission is also proposing to amend § 135.41 (relating to State game lands) to redirect target shooting activities of all unlicensed individuals to designated State game land ranges. These proposals will not result in any increased cost or change in privileges for licensed hunters and furtakers.

CHAPTER 135. LANDS AND BUILDINGS

Subchapter B. PROTECTION OF WILDLIFE HABITAT

§135.41. State game lands.

* * * * *

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

* * * * *

(15) ~~[Target shoot with firearms, bows and arrows or devices capable of launching projectiles in a manner that could cause injury to persons or property, or on areas posted closed to those activities.]~~ Target shoot with firearms, bows and arrows or devices capable of launching projectiles, unless the person is in possession of a valid hunting or furtaker license signed by its holder. Any exercise of such privileges shall be done in a manner as to not cause injury to persons or property, or on areas not otherwise posted closed to those activities.

* * * * *

Subchapter J. SHOOTING RANGES

§135.181. Rifle and handgun ranges.

* * * * *

(b) *Prohibited acts.* At a rifle and handgun range located on land under commission ownership, lease or jurisdiction, except when authorized by the appropriate regional director or a designee ~~[for military or law enforcement training]~~, it is unlawful to:

* * * * *

(8) Possess, load or discharge a firearm for any reason without first securing, personally signing a valid Pennsylvania hunting or furtaker license or a commission-issued range permit. This prohibition shall not apply to persons 15 years of age or younger.

CHAPTER 147. SPECIAL PERMITS

Subchapter Z. STATE GAME LANDS RANGE PERMITS

§147.1001. Purpose and scope.

The purpose of this subchapter is to provide for range permits to be issued to eligible persons to authorize its holders to utilize established rifle or handgun ranges or designated clay bird shooting areas located on State game lands.

§147.1002. Eligibility and application.

(a) Range permits will only be issued to persons 16 years of age or older who do not possess a valid Pennsylvania hunting or furtaker license.

(b) Applications for range permits issued under this subchapter shall be made on a form provided by the Commission.

(c) Applications must include the name and contact information of the permit applicant.

(d) The fee for a range permit will be \$30 for both residents and nonresidents.

§147.1003. Range permit.

(a) A range permit issued under this subchapter authorizes the permittee to utilize established rifle or handgun ranges or designated clay bird shooting areas located on State game lands.

(b) Permittees must utilize established rifle or handgun ranges or designated clay bird shooting areas located on State game lands in a manner consistent with applicable requirements, conditions and restrictions provided for in the act and in §§ 135.2, 135.41 and 135.181 (relating to unlawful actions; State game lands; and rifle and handgun ranges).

§147.1004. Violations.

The Director may deny, revoke or suspend any permit for any violation of this subchapter upon written notice to the permittee.

Recommendation: The Executive Director and staff recommend the Commission approve this change.

Action:

B. Donation

Contract No. 3574, State Game Land No. 243, York County

Commentary: Sofia Pearlman has offered to donate 10.4 +/- acres of land in Franklin Township, York County adjoining State Game Land No. 243 (Exhibit RED 1). The tract is forested with mixed hardwoods containing yellow poplar, maple and beech as the predominate species. The understory is mostly spice bush and multiflora rose. The property lies south of Cabin Hollow Road.

Recommendation: 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.

Action:

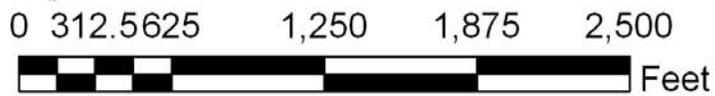
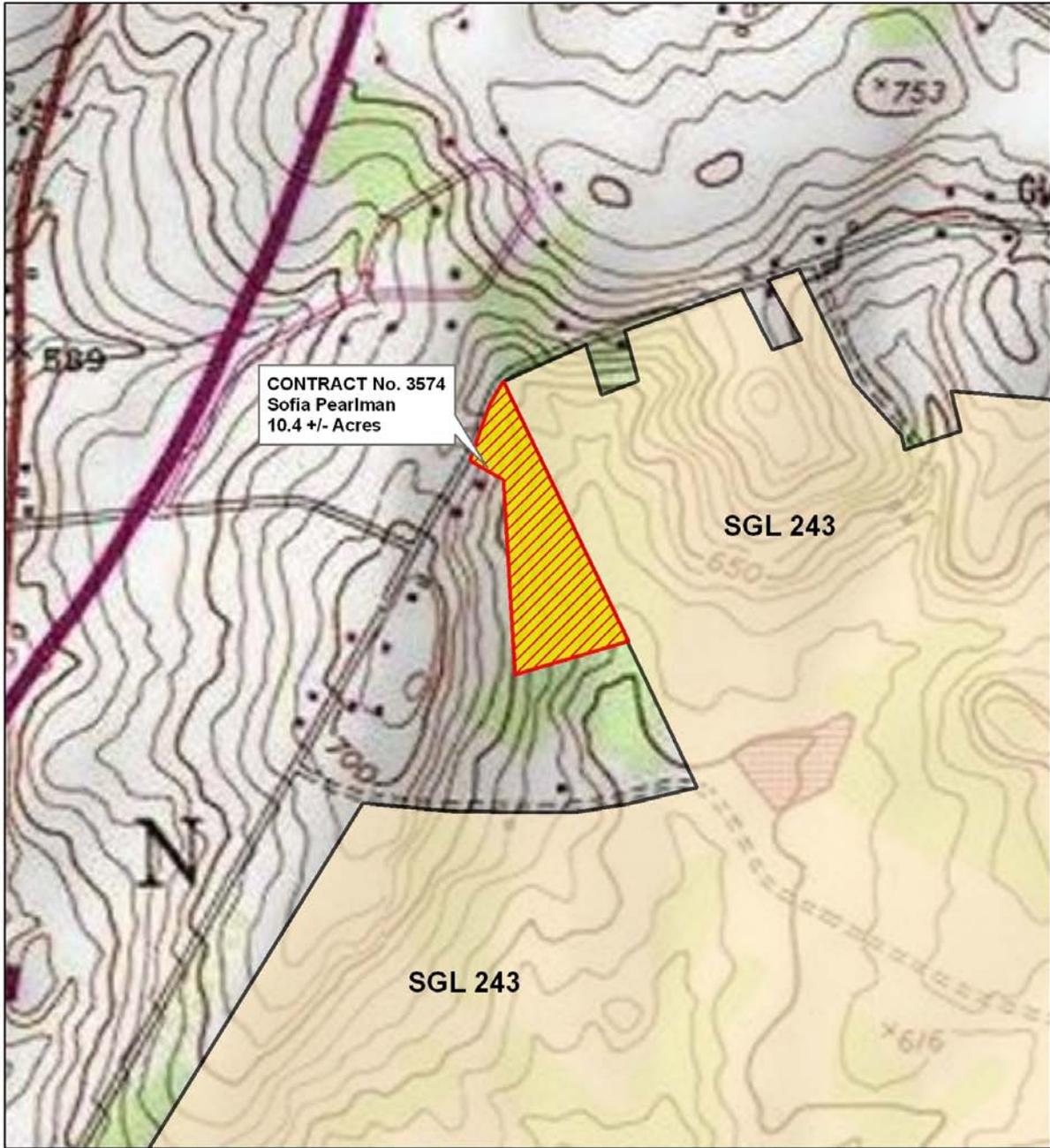


EXHIBIT RED 1
State Game Land No. 243
Sofia Pearlman
10.4 +/- Acres
Franklin Township
York County
Southeast Region

C. Acquisition

Contract No. 3575, State Game Land No. 314, Erie County

Commentary: Western Pennsylvania Conservancy has offered 115.66 +/- acres of land located in Springfield Township, Erie County adjoining State Game Land No. 314 (Exhibit RED 2). The option price is \$400 per acre. The property consists of seven parcels with a diversity of habitat types which include approximately 780 feet of frontage on Lake Erie with undeveloped natural bluffs 50-75 feet high, old reverting fields and woodland classified as Great Lakes Region Lake Plain Palustrine Forest, a critically imperiled plant community. The tracts are bisected by Old Lake Road which provides access into the property. Although the majority of the property south of Old Lake Road is forested with maple, ash, beech, white pine and black cherry there are small pockets of open wetlands and old fields reverting back to a natural condition. A tributary to Raccoon Creek flows through the southern portion of the property.

Recommendation: The Executive Director and staff recommend the option listed above be accepted and the Commission authorizes the Bureau of Wildlife Habitat Management to proceed with the acquisition of this tract.

Action:

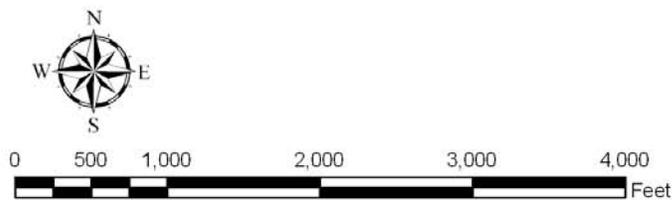
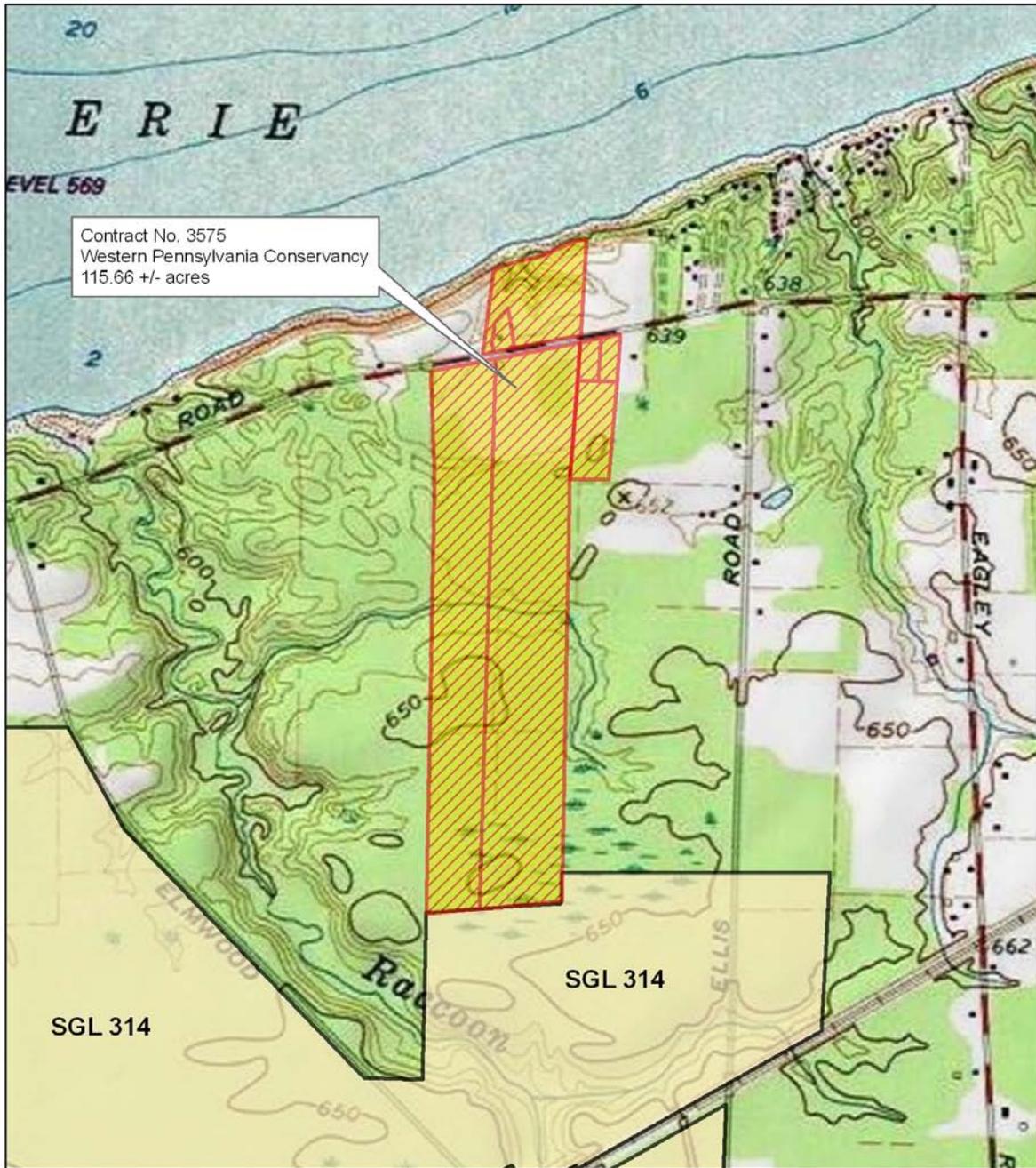


EXHIBIT RED 2
State Game Land No. 314
 Western Pennsylvania Conservancy
 7 Parcels Totaling
 115.66 +/- Acres
 Springfield Township
 Erie County
 Northwest Region

D. Land Exchanges

Contract No. 3576, State Game Land No. 120, Clearfield County

Commentary: Richard D. and Christie D. Youngkin have proposed a land exchange involving a right-of-way 25' by approximately 3,448' for 3 +/- acres of land, both located in Beccaria Township, Clearfield County within State Game Land No. 120 (Exhibit RED 3). The Youngkins own two interiors within State Game Land No. 120. The Commission has agreed to accept one of the interiors in exchange for legal access across an existing road into the second interior. The easement for right-of-way shall not be used for the purpose of subdivision and the Youngkins have agreed not to construct any buildings closer than 150 feet from the boundary with State Game Land No. 120. Two thirds of the property coming to the Commission is reverting grassland with the other third in mixed forest cover including an old apple orchard. Acquiring the three acres will remove an interior property lying within State Game Land No. 120 and reduce future boundary line maintenance.

Contract No. 3577, State Game Lands No. 111 and 93, Somerset County

Commentary: A number of adjacent property owners have been accessing their properties through State Game Land No. 111 in Lower Turkeyfoot Township, Somerset County (Exhibit RED 4). Some have been paying annual right-of-way licenses fees while others have questionable legal access. The landowners have agreed to exchange the right-of-way for replacement land. The landowners have agreed to cause to convey to the Commission a tract of land from the Wildlife for Everyone Endowment Foundation (WFEEF) comprised of 4 +/- acres adjacent to State Game Land No. 93 located in Shade Township, Somerset County (Exhibit RED 5), which WFEEF acquired with the generous assistance from the Laurel Mountain Midstream Operating, LLC/Williams Pipeline Company, The Conservation Fund and Waste Management Incorporated. The replacement land is located within the Flight 93 National Memorial boundary and along Johnson Bottom Road. The land is a mowed field. Acquiring this property will expand recently acquired State Game Land No. 93 which was named and dedicated in honor of the heroic passengers and crew of United Airlines Flight 93 that bravely sacrificed their lives on September 11, 2001.

Recommendation: The Executive Director and staff recommend the exchanges listed above be accepted and the Commission authorizes the Bureau of Wildlife Habitat Management to proceed with the exchange of these tracts.

Action:

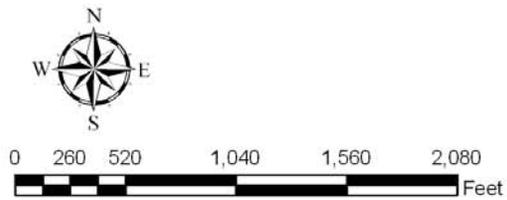
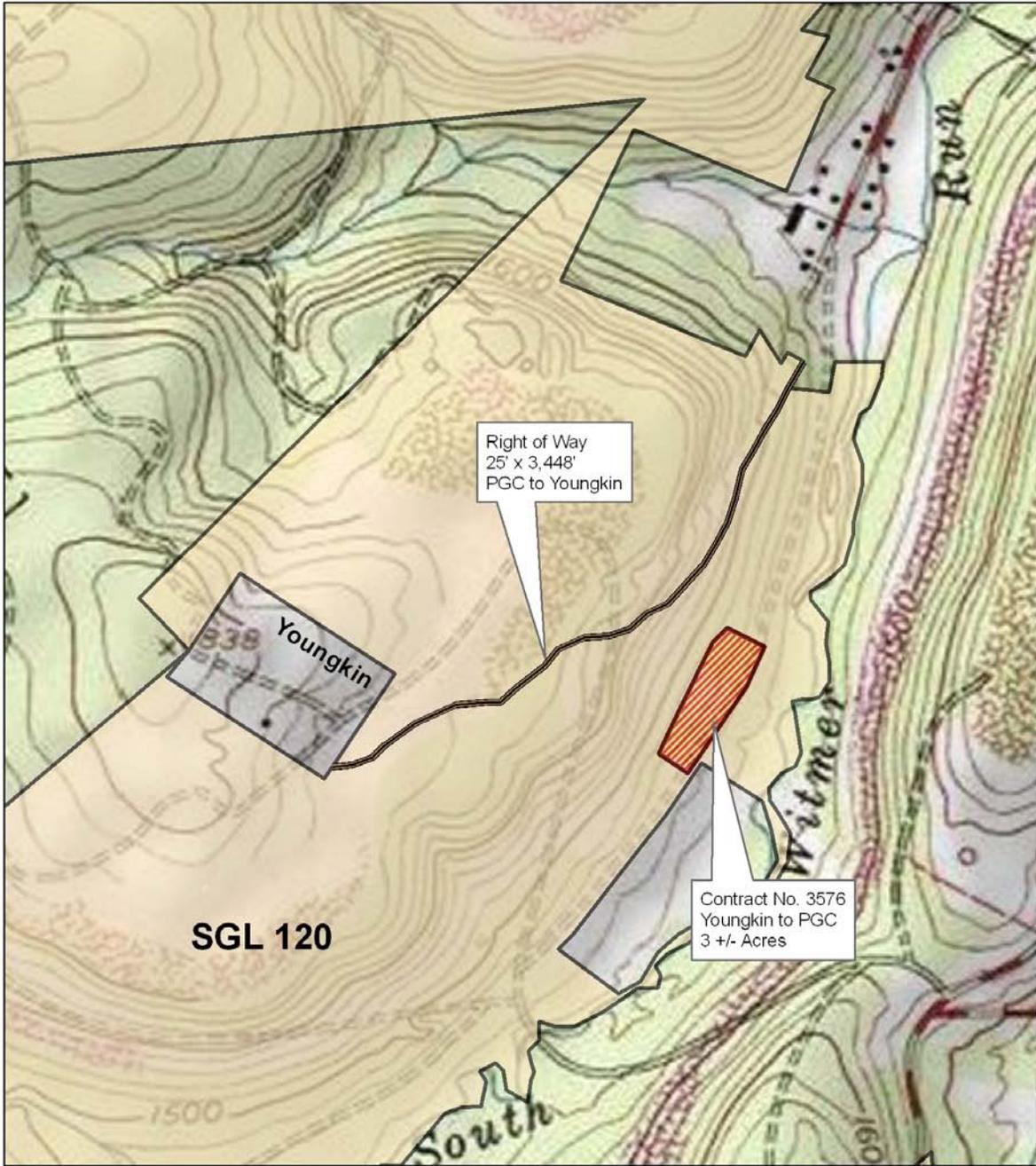


EXHIBIT 3
State Game Land No. 120
 R.O.W. Exchange for Land
 with
 Richard D. & Christie D. Youngkin
 Beccaria Township, Clearfield County
 Southwest Region

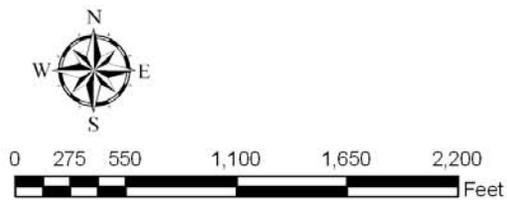
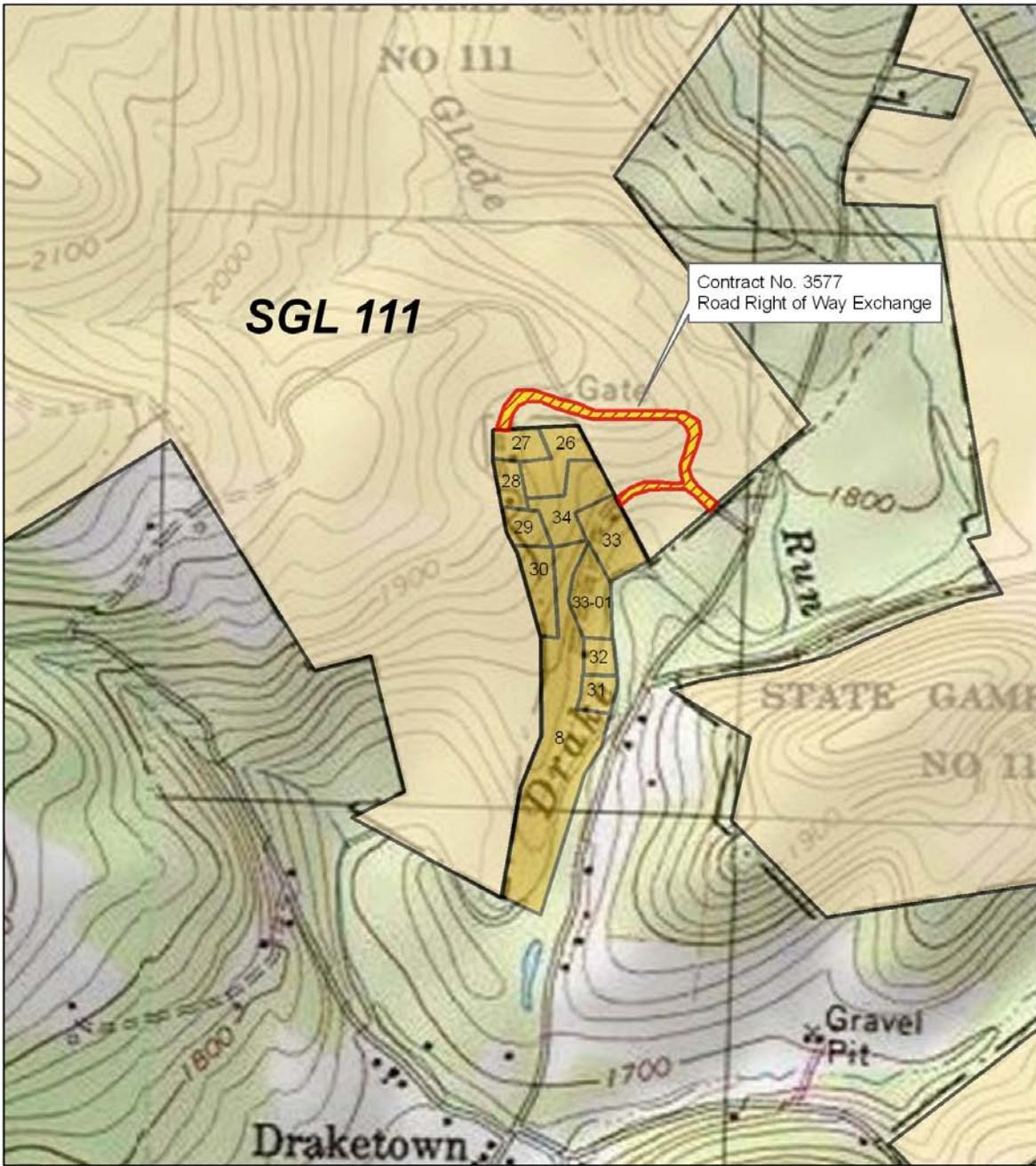


EXHIBIT RED 4
State Game Land No. 111
 Road Right of Way Exchange
 Lower Turkeyfoot Township
 Somerset County
 Southwest Region

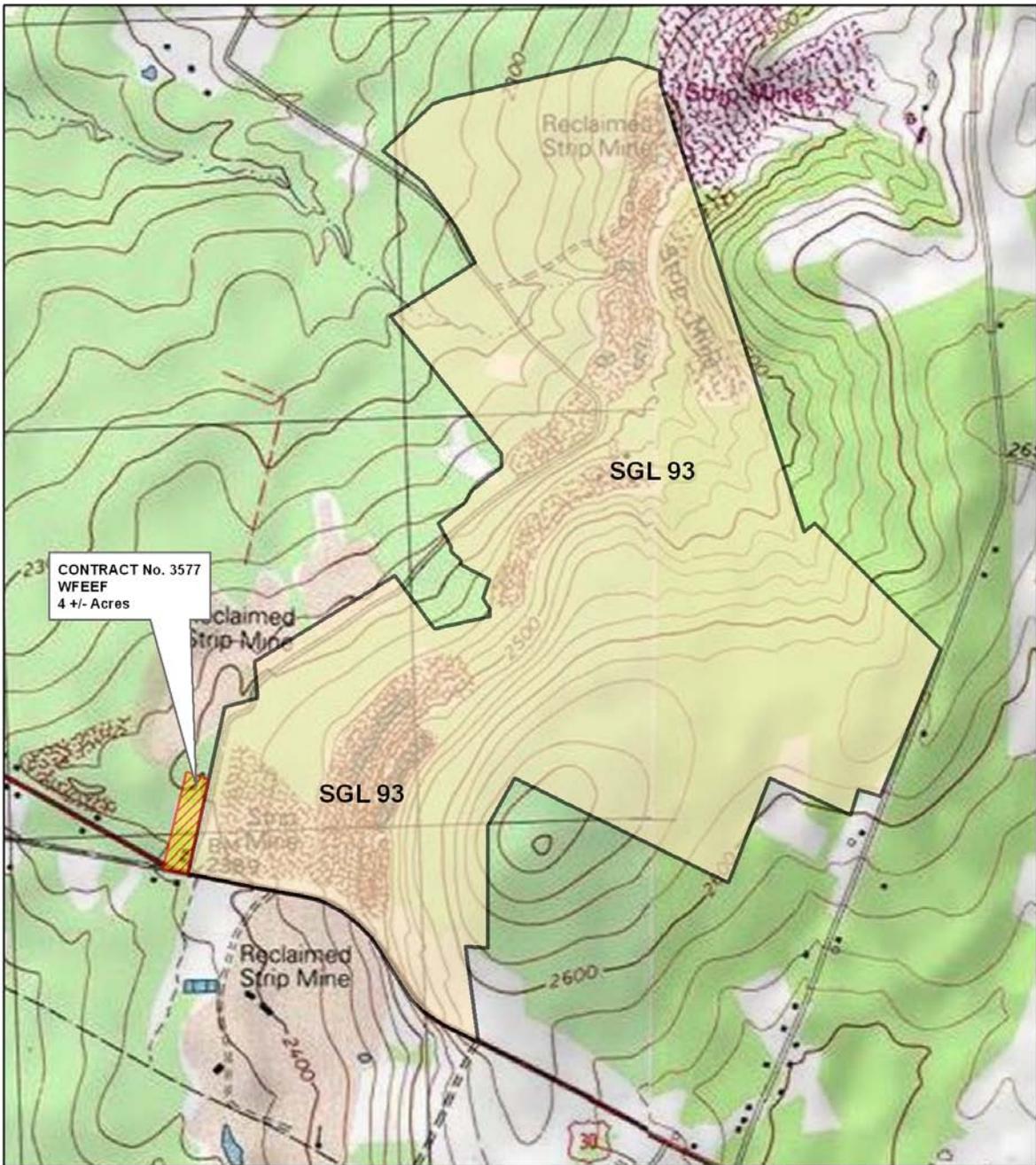


EXHIBIT RED 5
State Game Land No. 93

WFEEF 4 +/- Acres

Shade Township
Somerset County
Southwest Region

Other New Business

The January Commission Meeting will be held on January 30, 31 and February 1, 2011, in Harrisburg, Pennsylvania. Does the Commission wish to proceed with these dates?

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

Adjournment