COMMONWEALTH OF PENNSYLVANIA

GAME COMMISSION

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IN RE: PENNSYLVANIA GAME COMMISSION BOARD MEETING

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BEFORE: James J. Delaney, President
Ronald A. Weaner, Vice-President
David Schreffler, Secretary
Thomas E. Boop, Commissioner
Gregory J. Isabella, Commissioner
Ralph A. Martone, Commissioner
David J. Putnam, Commissioner
Robert W. Schlemmer, Commissioner
Carl G. Roe, Executive Director
R. Matthew Hough, Deputy Exec. Director
Bradley C. Bechtel, Esquire, Counsel

HEARING: Tuesday, October 5, 2010
8:30 a.m.

Reporter: Kenneth D. O’Hearn

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PROCEDINGS

PRESIDENT DELANEY:
Good morning and welcome to the business day of the October Pennsylvania Game Commission Board of Commissioners meeting. Please stand and join me in the Pledge of Allegiance.

ALL RECITE PLEDGE OF ALLEGIANCE

PRESIDENT DELANEY:
Before we start, just a quick reminder.

If you would be so kind to put your cell phones on vibrate or turn them off. We had an excellent day yesterday with public comment and some very excellent staff reports. Today we will be moving forward with the business agenda. Mr. Secretary, would you be kind enough to do the roll call of the Commissioners, please?

SECRETARY SCHREFFLER:
Yes. Ralph Martone?
COMMISSIONER MARTONE:
Here.

SECRETARY SCHREFFLER:
Robert Schlemmer?
COMMISSIONER SCHLEMMER:
Here.

SECRETARY SCHREFFLER:
David Putnam?

COMMISSIONER PUTNAM:
Present.

SECRETARY SCHREFFLER:
Thomas Boop?

COMMISSIONER BOOP:
Present.

SECRETARY SCHREFFLER:
Gregory Isabella?

COMMISSIONER ISABELLA:
Present.

SECRETARY SCHREFFLER:
David Schreffler, present. Ron Weaner?

COMMISSIONER WEANER:
Here.

SECRETARY SCHREFFLER:
James Delaney?

PRESIDENT DELANEY:
Present.

SECRETARY SCHREFFLER:
Mr. President, all present and accounted for.

PRESIDENT DELANEY:
Thank you, Mr. Secretary. The first order of business I’d like is the approval of the minutes of the meeting held June 29th, 2010.

COMMISSIONER BOOP:
So moved.

COMMISSIONER ISABELLA:
Second.

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

ALL SAY AYE

SECRETARY SCHREFFLER:
Mr. President, it’s unanimous; accept the minutes.

PRESIDENT DELANEY:
Thank you, Mr. Secretary. Now if we could start with our legal counsel, Brad, if you would be kind enough to start with Wildlife Protection Adopted Rule Making.

MR. BECHTEL:
Thank you. The first item to come before the Board is the adoption of proposed amendments to Sections 147.101 and 147.103. To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its June 29th, 2010 meeting, proposed...
to amend Sections 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 two 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 authorization to include eagles not covered by the Migratory Bird Treaty Act.

The Executive Director and staff recommend final adoption of these amendments to 58 Pa. Code as shown on Exhibit A on page three of your agenda.

PRESIDENT DELANEY:
Is there a motion from the floor?

COMMISSIONER MARTONE:
So moved.

PRESIDENT DELANEY:
Second.

COMMISSIONER WEANER:
Second.

PRESIDENT DELANEY:
Commissioners, any discussion? All those in favor signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion has passed unanimously.

PRESIDENT DELANEY:
Thank you, Commissioner Schreffler.

MR. BECHTEL:
The next thing to come before the Commission concerns a document proposed amendments to Section 139.4. To effectively manage the wildlife resources of this Commonwealth, the Game Commission, at its June 29th, 2010 meeting, proposed to amend Section 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. The Executive Director and staff recommend final adoption of this amendment to 58 Pa. Code as shown on Exhibit B on page six of your agenda.

MR. BECHTEL:
On August 17th, 2010, the Commission completed the notational vote to approve this amendment with unanimous approval.
The next item then concerns proposed rule making to amend 58 Pa. Code Section 135.41.
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 placement and use of portable hunting stands on State game lands, it is proposing to amend Section 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.

The amendments are shown on page seven. There’s a replacement page for that. The Executive Director and staff recommend the Commission approve this change.

PRESIDENT DELANEY:

Commissioners, is there a motion from the floor?

COMMISSIONER WEANER:
So moved.

PRESIDENT DELANEY:
Commissioner Weaner. Second?

COMMISSIONER MARTONE:
Second.

PRESIDENT DELANEY:
Commissioner Martone. Any discussion?

Commissioner Weaner.

COMMISSIONER WEANER:
Yesterday in the public testimony, at least one person alluded to the fact that it might be a good idea to have ID --- ID names or numbers on tree stands. And something that I know a number of us have talked about from time to time, I would be interested in --- I mean, I’m going to support this amendment --- or this motion as made here. But until we vote on it the second time if it passes, I’d be interested in seeing some language from our staff. Maybe about how we could go about requiring ID numbers or names on these tree stands that apply to --- that are used on State game lands always. So that’s something I think I’d like to see for January but I urge us to vote yes on this motion as it is. Thank you.

PRESIDENT DELANEY:
Thank you, Commissioner Weaner. Any
other Commissioners?

COMMISSIONER ISABELLA:
Mr. President.

PRESIDENT DELANEY:
Commissioner Isabella.

COMMISSIONER ISABELLA:
I concur with my colleague. This was a topic that did come up at the Pennsylvania Federation of Sportsmen’s Convention. I received subsequent e-mails regarding that but I think this is an issue that needs to be supported.

PRESIDENT DELANEY:
Thank you, Commissioner Isabella. Any other discussion on the issue? All those in favor of the motion, signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:
Thank you, Mr. Secretary.

MR. BECHTEL:
The next item concerns an amendment
58 Pa. Code Section 135.61. 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 Sections 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 Section 135.61 (relating to State game farms) to make State game lands regulations equally applicable to State game farms.

This change is shown on page nine of your agenda.

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

PRESIDENT DELANEY:
Commissioners, is there a motion?

COMMISSIONER ISABELLA:
So moved.

PRESIDENT DELANEY:
Commissioner Isabella.

COMMISSIONER SCHLEMMER:
Second.

PRESIDENT DELANEY:
Second, Commissioner Schlemmer. Is there any discussion on the item? If not, all those in favor signify by saying aye.
ALL SAY AYE

PRESIDENT DELANEY:

Opposed?

SECRETARY SCHREFFLER:

Mr. President, the motion carries unanimously.

MR. BECHTEL:

The next item concerns the amendment of 58 Pa. Code Section 141.7. On July 3rd, 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 Section 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.

This change is shown on page ten of your agenda. The Executive Director and staff recommend
the Commission approve this change.

PRESIDENT DELANEY:
Commissioners, is there a motion?

COMMISSIONER MARTONE:
So moved.

PRESIDENT DELANEY:
Commissioner Martone. Is there a second?

COMMISSIONER WEANER:
Second.

PRESIDENT DELANEY:
Commissioner Weaner. Any discussion on the item? If not, all those in favor signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion carries unanimously.

PRESIDENT DELANEY:
Thank you, Mr. Secretary.

MR. BECHTEL:
The next item is to amend 58 Pa. Code Section 141.45. On January 26th, 2010, the Commission adopted amendments to Section 141.22 (relating to
small game) 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 Section 141.45 (relating to turkey) to expand the non-toxic shot authorization to both fall and spring turkey seasons as well.

This change is shown on page 11 of your agenda. The Executive Director and staff recommend the Commission approve this change.

PRESIDENT DELANEY:
Commissioners, is there a motion from the floor?

COMMISSIONER WEANER:
So moved.

PRESIDENT DELANEY:
Commissioner Weaner. Second?

COMMISSIONER ISABELLA:
Second.

PRESIDENT DELANEY:
Commissioner Isabella. Is there discussion on the item? If not, all those in favor signify by saying aye.

ALL SAY AYE
PRESIDENT DELANEY:

Opposed?

SECRETARY SCHREFFLER:

Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:

Thank you, Commissioner Schreffler.

MR. BECHTEL:

The next item is to amend 58 Pa. Code Chapter 141 by creating Section 141.68. 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 this usage.

The Commission is proposing to fill this gap by creating Section 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.

This change is shown on page ten —— or 13 of your agenda. The Executive Director and staff
recommend the Commission approve this change.

PRESIDENT DELANEY:
Thank you, Brad. Commissioners, is there a motion from the floor?

COMMISSIONER SCHLEMMER:
Motion.

PRESIDENT DELANEY:
Commissioner Schlemmer. Second?

COMMISSIONER MARTONE:
Second.

PRESIDENT DELANEY:
Commissioner Martone. Is there any discussion on the item? If not, all those in favor signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:
Thank you, Commissioner.

MR. BECHTEL:
The next item is from the Bureau of Wildlife Management concerning proposed rule making 58
Pa. Code Section 147.552 and 147.556. On March 31st, 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 area 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 agricultural lands in this area of the State, the Commission is proposing to amend Sections 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.

These changes are shown on pages 14 and 15 of your agenda. Executive Director and staff recommend the Commission approve these changes.

PRESIDENT DELANEY:
Commissioners, is there a motion?

COMMISSIONER ISABELLA:
Motion.

PRESIDENT DELANEY:
Commissioner Isabella. Second?

COMMISSIONER WEANER:
Second.

PRESIDENT DELANEY:
Commissioner Weaner. Any discussion on the item?

COMMISSIONER ISABELLA:
Mr. President.

PRESIDENT DELANEY:
Commissioner Isabella has the floor.

COMMISSIONER ISABELLA:
Thank you. This proposal I think is desperately needed in the southeast. Although we can find wide-scaled baiting, but the hunters really did not increase the harvest. There were groups that used baiting successfully to harvest deer in these problem areas. And now if this passes, you know, some of these groups will be able to but in conjunction with the Red Tag farms that are involved in the Red Tag programs. I believe that this is necessary so we can keep peace with what’s going on down there. Thank you.

PRESIDENT DELANEY:
Thank you, Commissioner Isabella. Any new discussion on the item? If not, all those in favor signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:
Thank you, Mr. Secretary.

MR. BECHTEL:
The next item concerns amendment to 58 Pa. Code Section 147.673. 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 Section 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 matter as well as notify applicants about permit availability prior to the issuance of regular antlerless licenses.

These changes appear on pages 16 and 17 of your agenda. The Executive Director and staff recommend the Commission approve this change.

PRESIDENT DELANEY: Commissioners, is there a motion from the floor?

COMMISSIONER WEANER: So moved.

PRESIDENT DELANEY: Commissioner Weaner. Is there a second?

COMMISSIONER BOOP: Second.

PRESIDENT DELANEY: Commissioner Boop. Is there any discussion? I will just add one thing under discussion. We had some folks here yesterday to testify with regards to this amendment and we had a brief discussion with our staff with regards to the time elements listed in here. And we think that we need the time listed in this amendment to be effective with our DMAP program.

Is there any other --- Commissioner
Martone.

COMMISSIONER MARTONE:

I agree with this and I wanted to let those that testified yesterday about the date being kind of early, that we did take it into consideration, but the timeline is very tight to get DMAP authorized in time for licenses to be distributed. I would ask that the Executive Director and the Bureau of I&E, make sure we publicize the date heavily and let the landowners and the public landowners know that the date is now June 1st. Thank you.

PRESIDENT DELANEY:

Thank you, Commissioner Martone. Any other discussion? Commissioner Boop.

COMMISSIONER BOOP:

Yes. I encourage all Commissioners to support this initiative. I think it will certainly enhance the accountability with respect to the DMAP coupons on public land. In my view, it really doesn’t go far enough but it’s certainly a step in the right direction.

PRESIDENT DELANEY:

Thank you, Commissioner Boop. Any other discussion on the issue? if not, all those in favor signify by saying aye.
ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion is passed unanimously.

PRESIDENT DELANEY:
Thank you, Mr. Secretary.

MR. BECHTEL:
The next item concerns amendments to 58 Pa. Code Section 147.783. 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 of 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 Section 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.

This change is shown on page 19 of your
agenda. The Executive Director and staff recommend
the Commission approve this change.

PRESIDENT DELANEY:
Commissioners, is there a motion from the
floor?

COMMISSIONER BOOP:
So moved.

PRESIDENT DELANEY:
Commissioner Boop. is there a second?

COMMISSIONER MARTONE:
Second.

PRESIDENT DELANEY:
Commissioner Martone. is there any
discussion on the item? All those in favor, signify
by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:
Thank you, Commissioner Schreffler.

(MR. BECHTEL:
The next item comes from the Bureau of Wildlife Habitat Management and concerns proposed rule making to amend 58 Pa. Code Sections 135.41, 135.181 and Chapter 147, by creating Subchapter Z.

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 towards 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 Section 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 Section 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. This change is shown on page 20 of your agenda. The Executive Director and staff recommend the Commission approve this change.

PRESIDENT DELANEY: Thank you, Brad.

COMMISSIONER WEANER: So moved.

PRESIDENT DELANEY: Okay. Commissioner Weaner, the motion. Is there a second?

BRIEF INTERRUPTION

PRESIDENT DELANEY: Okay. We will reconvene here. Under proposed rulemaking, Commissioner Weaner had the motion. We need a second.

COMMISSIONER ISABELLA: Second.

PRESIDENT DELANEY: Okay. Commissioner Isabella. Is there any discussion?

COMMISSIONER BOOP: Yes, Mr. President.

PRESIDENT DELANEY:
Commissioner Boop.

COMMISSIONER BOOP:

I’m pleased that we have reached this resolution with respect to the problems that we’ve encountered with the shooting ranges. Throughout most of my tenure on the Board, this has been an issue that has been ongoing. I think, you know, the simple solution would have been just to close some or all of these ranges but I’m always impressed with the resources that we have within the agency and the energy we can bring to bear on these problems.

I think this is a very good solution that’s been worked out. I hope it works as well as we intend it to and I’m glad we can keep these ranges open with some accountability. Hopefully, we’ll sell a few more licenses. If not, we’ll at least have some permits. So I encourage all Commissioners to support this action item.

PRESIDENT DELANEY:

Thank you, Commissioner Boop.

Commissioner Martone.

COMMISSIONER MARTONE:

Mr. Capouillez, could you explain the revision for the replacement page 21, please?

MR. CAPOUILLEZ:
Yes. The revision allows for one person to accompany anyone that would have a valid hunting license or actually have a range issued permit with them. So as long as that person is accompanied by someone who’s been granted a hunting license or just a permit, they can utilize the range.

COMMISSIONER MARTONE:

Thank you. I think it’s important to realize that even though we’re putting a permit or requiring a hunting license, the junior license of 16 years and younger are exempt from that and a guest is allowed to accompany a license holder or a permit holder. In addition, I would like to implore the sportsmen out there, the hunting license buyers, to use the shooting ranges in the same effort they use to do the sport program, as sportsmen policing our ranks together. I think it’s up to sportsmen to make sure these ranges aren’t abused and we don’t suffer the kind of damage we have in the past. I implore sportsmen to get involved as well. Thank you.

PRESIDENT DELANEY:

Other Commissioners on discussion?

COMMISSIONER ISABELLA:

Mr. President.

PRESIDENT DELANEY:
Commissioner Isabella.

COMMISSIONER ISABELLA:

Thank you. I think that this is a good proposal. I took my son when he was eight-years old to a game range. I intend to take my other members of my family, when they get of age, to the range. My only concern is I’ve seen the element that uses the range and they’re not hunters. And my only concern is about getting the word out. I know Bill’s on the other end; I can’t see him. Bill, what are we prepared to do about getting the word out?

MR. CAPOUILLEZ:

We’re going to develop a sign that will be placed on each one of the benches, which will speak of the new regulations and make sure that everybody utilizing the range knows that there’s been a change in place.

PRESIDENT DELANEY:

Other Commissioners’ discussion? I want to talk for a few points about it. First of all, I’m very supportive of it but in the northeast region, we have eight ranges and we’ve had significant damage to these ranges over the years, especially after we’ve rebuilt a few of them. So I think it does a few things. It offers our WCOs better law enforcement to
police the ranges. Secondly, it offers us additional finances for the upgrade of the ranges and probably the most important thing to me is the way that it’s been drafted by our Executive Director and staff. We don’t penalize our youth; our youth can still use these ranges without having the permits. So those are my reasons for supporting it and I thank my fellow Commissioners for your discussion.

Commissioner Isabella, one more point?

COMMISSIONER ISABELLA:

Thank you, Mr. President. I spoke to a lot of people that use game land ranges and a lot of them are under the impression that your tax dollars pay for the range, and that is not true. You know, it is the hunting license fees and whatever the Game Commission generates in revenue, that keeps those open so we need to get that message out also, possibly on those signs or any advertising that we’re doing. On this, those ranges are not tax dollars; they are generally from the Game Commission revenues.

PRESIDENT DELANEY:

Thank you, Commissioner Isabella. Any more discussion? If not, all those in favor signify by saying aye.

ALL SAY AYE
PRESIDENT DELANEY:

Opposed?

SECRETARY SCHREFFLER:

Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:

Thank you, Mr. Secretary.

MR. BECHTEL:

The next item concerns a donation to Contract number 3574 on State Game Land number 243 in York County. Sofia Pearlman has offered to donate 10.4, more or less, acres in Franklin Township, York County adjoining State Game Land number 243 as shown on Exhibit RED 1 on page 24 of your agenda.

The tract is forested with mixed hardwoods containing yellow poplar, maple and beech as the predominant species. The understory is mostly spice bush and multiflora rose. The property lies south of Cabin Hollow Road.

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 DELANEY:
Thank you, Brad. Commissioners, is there a motion from the floor?

**COMMISSIONER WEANER:**
So moved.

**PRESIDENT DELANEY:**
Commissioner Weaner. Is there a second?

**COMMISSIONER ISABELLA:**
Second.

**PRESIDENT DELANEY:**
Commissioner Isabella. Is there any discussion on the item? if not, all those in favor signify by saying aye.

ALL SAY AYE

**PRESIDENT DELANEY:**
Opposed?

**SECRETARY SCHREFFLER:**
Mr. President, the motion is carried unanimously.

**PRESIDENT DELANEY:**
Thank you, Commissioner Schreffler.

**MR. BECHTEL:**
The next item concerns an acquisition, Contract number 3575, State Game Land number 314 in Erie County. The Western Pennsylvania Conservancy has offered 115.66, more or less, acres of land located in
Springfield Township, Erie County, adjoining State Game Land number 314, as shown on Exhibit RED-2 on page 26 of your agenda.

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 to 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 field reverting back to a natural condition. The tributary to Raccoon Creek flows through the southern portion of the property.

The Executive Director and staff recommend the option above be accepted and the Commission authorize the Bureau of Wildlife Habitat Management to proceed with the acquisition of the tract.

PRESIDENT DELANEY:
Commissioners, is there a motion?

COMMISSIONER ISABELLA:
Motion.

PRESIDENT DELANEY:
Commissioner Isabella. Second?

COMMISSIONER SCHLEMMER:
Second.

PRESIDENT DELANEY:
Commissioner Schlemmer. Is there any discussion on the item? Commissioner Martone.

COMMISSIONER MARTONE:
I just want to say this is an amazing acquisition and an amazing piece of property that has frontage on Lake Erie which they’re not making any more shorelines out there and that would be a great benefit to the Commission to pick up this piece of property. I know some of the bird watching that goes on there is remarkable. So I would encourage anybody once this is acquired to visit the piece of property. Thank you.

PRESIDENT DELANEY:
Thank you, Commissioner Martone. Any other discussion? If not, all those in favor signify by saying aye.

ALL SAY AYE
PRESIDENT DELANEY:

Opposed?

SECRETARY SCHREFFLER:

Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:

Thank you, Mr. Secretary.

MR. BECHTEL:

The next item concerns two land exchanges, the first of which is Contract number 3576, State Game Land number 120 in Clearfield County. Richard D. and Christie D. Youngkin have proposed a land exchange involving a right-of-way 25 foot by approximately 3,448 feet in exchange for three, more or less, acres of land, both located in Beccaria Township, Clearfield County, within State game Land number 120 as shown on Exhibit RED-3 on page 28 of your agenda.

The Youngkins own two interiors within State Game Land number 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 agreed not to construct any buildings closer than 150
feet from the boundary line of State Game Land number 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 the interior property lying within State Game Land number 120 and reduce future boundary line maintenance.

The second exchange involves Contract number 3577, State Game Lands number 111 and 93 in Somerset County. A number of adjacent property owners have been accessing their properties through State Game Lands number 111 in Lower Turkeyfoot Township, Somerset County, as shown on Exhibit RED-4 on page 29 of your agenda.

Some have been paying annual right-of-way license 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 comprised of four acres adjacent to State Game Land number 93 located in Shade Township, Somerset County, as shown in Exhibit RED-5 on page 30 of your agenda, which the Wildlife for Everyone Endowment Foundation acquired with the generous
assistance from the Laurel Mountain Midstream Operating, LLC and the 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 number 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 11th, 2001.

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

PRESIDENT DELANEY:
Commissioners, is there a motion on the floor?

COMMISSIONER BOOP:
So moved.

PRESIDENT DELANEY:
Commissioner Boop. Is there a second?

SECRETARY SCHREFFLER:
Second.
PRESIDENT DELANEY:
Commissioner Schreffler. Is there any discussion? If not, all those in favor signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion is carried unanimously.

PRESIDENT DELANEY:
Thank you, Mr. Secretary. We move forward. Is there any old business items from the Board? Is there any new business items from the Board?

COMMISSIONER PUTNAM:
Mr. President?

PRESIDENT DELANEY:
Commissioner Putnam.

COMMISSIONER PUTNAM:
During our testimony yesterday that we heard and over the past year, the Board of Commissioners has heard numerous discussions regarding porcupines. We’ve had discussions with staff and the public regarding the damage that these animals are
causing. I’m requesting the Executive Director and staff develop language to remove the protection from porcupines for our January 2011 meeting.

PRESIDENT DELANEY:

Thank you, Commissioner Putnam. Anything additional to offer on that?

COMMISSIONER PUTNAM:

I don’t have anything additional to offer.

PRESIDENT DELANEY:

Thank you, Commissioner Putnam. Any additional new business items? Commissioner Martone.

COMMISSIONER MARTONE:

I am submitting the following policy concerning species management plans and the strategic plan for inclusion on the agenda for the January 2011 meeting of the Board of Commissioners. I would ask the Executive Director if he wished to have the public give comments and concerns prior to the January meeting. The motion reads as follows:

Approval policy for species management plans and the strategic plan. To improve oversight and enhance the public input process for all species management plans and the strategic plan of the Pennsylvania Game Commission, the Board of
Commissioners is implementing the following policy:

Prior to implementation, all species management plans and a strategic plan shall be reviewed and approved by the following process:

The Executive Director will inform the Board of Commissioners prior to developing a species management plan or strategic plan. At the completion of a species management plan or strategic plan, a formal presentation would be made to the Board during the staff reporting segment of a public meeting.

This document will be known as a preliminary plan. The preliminary plan will be posted on the PGC website for public comment until the next official Board meeting.

All public comments will be distributed to the Board of Commissioners at least seven days prior to the next Board meeting. The Board will address concerns and potential changes to the preliminary plan with the Executive Director and his staff during the staff reporting segment of a public meeting. Commissioners will vote to accept the plan or return to the staff for revision.

The following exceptions of the plan, any subsequent changes to the plan’s goals and/or objectives, will be subject to Board approval. I’ll
be presenting this as an agenda item in January.

Thank you.

PRESIDENT DELANEY:

Thank you, Commissioner Martone. Is there any additional new business items?

I have two resolutions that I’ll be asking the Board to consider and to vote on. The first resolution is the Pennsylvania Game Commission Board of Commissioners Antlerless deer tag transferred to a Mentored Youth.

Whereas, increased youth hunting opportunities is the way to reverse the national trend of hunter recruitment.

Whereas, Pennsylvania’s Mentored Youth Hunting Program was launched in 2006 and it was an immediate success. During its first two years, nearly 103,000 mentored youths hunted with over 84,000 adult mentors.

Whereas, those youths harvested nearly 114,000 squirrels, over 88,000 woodchucks and nearly 3,500 spring gobblers.

Whereas, The program has been expanded since its inception, mentored youth are still limited in the species and/or sex of species they can hunt.

Whereas, Enhancing opportunities for
mentored youth can lead to additional time afield, rewarding experiences for youth and mentors and improved hunter replacement ratios.

Whereas, The Pennsylvania Game Commission Board of Commissioners wish to advocate and support legislation to allow the transfer of an antlerless deer tag to a mentored youth.

NOW, THEREFORE, BE IT RESOLVED THAT THE PENNSYLVANIA GAME COMMISSION, BOARD OF COMMISSIONERS, WHOLEHEARTEDLY SUPPORT THE TRANSFER OF AN ANTLERLESS DEER TAG TO A MENTORED YOUTH AND THE PGC EXECUTIVE DIRECTOR CONVEY THIS MESSAGE TO THE CHAIRMAN OF THE HOUSE GAME AND FISHERIES COMMITTEE AND THE SENATE GAME AND FISHERIES COMMITTEE.

I make the motion. Is there a second on the motion?

COMMISSIONER MARTONE: Second.

PRESIDENT DELANEY: Commissioner Martone. Is there any discussion of the resolution? If not, all those in favor signify by saying aye.

ALL SAY AYE

PRESIDENT DELANEY: Opposed?
SECRETARY SCHREFFLER:

Motion is carried unanimously, Mr. President.

PRESIDENT DELANEY:

Thank you, Mr. Secretary. The second resolution that I’m proposing reads Wildlife Management Unit Deer Population Characteristics and Trends. During the past year, the Pennsylvania Game Commission Board of Commissioners has had discussions with staff and the public regarding THE DEER MANAGEMENT PROGRAM OF THE PENNSYLVANIA GAME COMMISSION, A Comprehensive Review and Evaluation. The report, commonly called the DEER AUDIT, was issued by the Wildlife Management Institute in December 2009.

The Commission has made significant progress in addressing the 11 recommendations from WMI. One recommendation that we have not addressed to date is that deer population estimates be made available to the public. WMI reported that the PGC uses a scientifically valid method to calculate deer numbers. The Pennsylvania Sex-Age-Kill (PA SAK) model generates numerical estimates of population parameters for each Wildlife Management Unit.

The Board of Commissioners wish to enact a resolution that will increase the public trust in
deer management by providing annual deer population
estimates and associated measures of variation.

I am proposing that this information be
made available for the January 2011 Pennsylvania Game
Commission Board of Commissioners meeting. And I’ll
make that motion and is there a second?

COMMISSIONER PUTNAM:

Second.

PRESIDENT DELANEY:

Commissioner Putnam. Is there any
discussion on the resolution?

SECRETARY SCHREFFLER:

I have some, Mr. President.

PRESIDENT DELANEY:

Commissioner Schreffler.

SECRETARY SCHREFFLER:

I’ve only briefly reviewed that
resolution, but I have a question. Will we have those
numbers available for us by January?

PRESIDENT DELANEY:

I believe the Executive Director said
they’re available now and he just wants to formalize
it before we get it and the public gets it.

SECRETARY SCHREFFLER:

Okay.
PRESIDENT DELANEY:
Do you have any other discussion on the point?

SECRETARY SCHREFFLER:
Just a point of clarification. I assume if the resolution is adopted, this will be an ongoing process, not just in January.

PRESIDENT DELANEY:
I think we have some affirmation from the Executive Director to do that. Any other discussion? If not, all of those in favor signify by saying aye. ALL SAY AYE

PRESIDENT DELANEY:
Opposed?

SECRETARY SCHREFFLER:
Mr. President, the motion was carried unanimously.

PRESIDENT DELANEY:
Thank you, Mr. Secretary. For the record, our next meeting will be held January 30th, 31st and February 1st of 2011 in Harrisburg, Pennsylvania. Do the Commissioners wish to proceed with these dates for the next meeting? Are there any Commissioners that opposed those dates for the next
meeting? Okay.

SECRETARY SCHREFFLER:
Mr. President, it appears everyone is in agreement hearing no objections.

PRESIDENT DELANEY:
And if we could, Commissioners, just the tentative dates that we spoke about briefly for the April meeting, 11 and 12 and 17 and 18, and we’ll confirm that over the next week or two with our executive staff. In closing, I would like to thank the Northeast Regional Office for helping to make these two days’ meeting a huge success and our WCOs and land managers for being here and the Northeast Regional director, and thank our executive staff, Carl Roe and his staff, for coming here today and giving us two full days of really good information. And on that note --- Commissioner Boop.

COMMISSIONER BOOP:
I was hoping I’d get your attention before that comment, but nonetheless and not to have the last word, but as many of you know in this room, I’ve not been a real proponent of these traveling October meetings, given our financial situation. I know it is financially spent and I know it’s for staff, it does strain staff to do it. But I’d just
like to compliment Jay. He wanted to bring it here to the northeast. The people here at Wilkes-Barre have certainly been very supportive of the meeting and we had good attendance yesterday and good attendance here this morning.

And I know the Northeast Region has cooperated a lot in making this successful, Regional Director Schweitzer. But Jay, compliments on a good meeting and I know you’ve lost a little sleep and maybe a few hairs over this and the stress, that you’ve certainly done a good job and thank you.

PRESIDENT DELANEY:
Thank you, Commissioner Boop. Any other Commissioners want to say anything before we close the meeting? Commissioner Martone.

COMMISSIONER MARTONE:
I would also like to congratulate Board President Delaney. I think it’s been a great experience for me, travelling all the way across the state. I don’t get through this area very often; matter of fact, it’s been a long time since I’ve been in the northeast. I enjoyed it. It helped me see what another part of the state looks like and what issues they deal with. And I do think it’s been a great experience and the people of Wilkes-Barre are
very, very nice and I congratulate President Delaney for hosting us. He did a great job. Thank you.

PRESIDENT DELANEY:
Thank you, Commissioner Martone. If there’s no other comments, is there a motion to adjoin the meeting?

COMMISSIONER WEANER:
So moved.

PRESIDENT DELANEY:
Commissioner Weaner. Meeting adjourned.

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MEETING CONCLUDED AT 9:16 A.M.

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CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

[Signature]

Court Reporter