

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

IN RE: PENNSYLVANIA GAME COMMISSION
BOARD MEETING
APRIL 18, 2007

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A verbatim transcript
of meeting held at
2001 Elmerton Avenue,
Harrisburg, Pennsylvania,
on Wednesday,

April 18, 2007
8:30 A.M.

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BEFORE:

THOMAS E. BOOP, ESQUIRE, PRESIDENT
ROXANE S. PALONE, VICE PRESIDENT
GREGORY J. ISABELLA, SECRETARY
RUSSELL E. SCHLEIDEN, COMMISSIONER
DAVID W. SCHREFFLER, COMMISSIONER
H. DANIEL HILL, III, COMMISSIONER

ALSO PRESENT:

CARL G. ROE, EXECUTIVE DIRECTOR
M. W. SCHMIT, DEPUTY EXECUTIVE DIRECTOR
WILLIAM R. POUSS, ESQUIRE, CHIEF COUNSEL

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1 PRESIDENT BOOP: I'd like to call to order
2 the April business meeting for the Pennsylvania Game
3 Commission. I'd like to welcome all of you here this
4 morning and I'd ask you to join us in the Pledge of
5 Allegiance to the flag.

6 (Pledge of Allegiance said.)

7 PRESIDENT BOOP: I'd like to make a couple
8 brief remarks before we start. For those of you who
9 have been here in the past you know and for those of
10 you who are joining us possibly for the first time,
11 we're going to be following the preprinted agenda,
12 which is the green booklet. There are additional
13 copies up here if you don't have one and want to come
14 and get one before we get started. Please feel free
15 to do so.

16 The other thing that I would ask is that if
17 you do have a cell phone please turn it off. It is
18 very distracting to other people participating in the
19 meeting if your cell phone goes off and we have to
20 listen to your music or whatever you have programmed.

21 At this time I'll call on Secretary Isabella
22 to read the roll.

23 MR. ISABELLA: Commissioner Boop.

24 PRESIDENT BOOP: Present.

25 MR. ISABELLA: Commissioner Palone.

1 MRS. PALONE: Present.

2 MR. ISABELLA: Commissioner Isabella.

3 Present.

4 Commissioner Schleiden.

5 MR. SCHLEIDEN: Present.

6 MR. ISABELLA: Commissioner Hill.

7 MR. HILL: Here.

8 MR. ISABELLA: Commissioner Schreffler.

9 MR. SCHREFFLER: Present.

10 MR. ISABELLA: All present and accounted
11 for, Mr. President.

12 PRESIDENT BOOP: Thank you, Mr. Secretary.

13 We have available to all the Commissioners
14 for some time now the meetings of our January 23,
15 2007 meeting. Is there a motion to approve those
16 minutes?

17 MR. ISABELLA: Motion.

18 PRESIDENT BOOP: Commissioner Isabella.

19 Is there a second?

20 MR. SCHLEIDEN: Second.

21 PRESIDENT BOOP: Commissioner Schleiden.

22 All in favor indicate by saying aye.

23 (Signified aye.)

24 PRESIDENT BOOP: Opposed same sign.

25 (No response.)

1 MR. ISABELLA: Unanimous, Mr. President.

2 PRESIDENT BOOP: At this point I'd like to
3 call on Executive Director Roe to make some brief
4 remarks concerning a subject of which I think you'll
5 have some interest.

6 EXECUTIVE DIRECTOR ROE: I usually, as you
7 know, make my comments, I did make comments here for
8 the afternoon, but I felt it was important for me to
9 get this on the record. That is this is the last
10 meeting for one of our members of the team here at
11 the Pennsylvania Game Commission and that's Barry
12 Warner our Director of the Northeast Region.

13 Barry has given us 35 years plus other
14 military service, probably total of pretty close to
15 40 years of public service. He's done a great job.
16 He's been a director of a region for almost 15 years
17 or more I guess. Hasn't it been, Barry, I guess? I
18 just want to publicly say thank you to Barry. It's
19 going to be a great loss to the region for sure and
20 to the Game Commission.

21 I know of nobody else in the Pennsylvania
22 Game Commission who puts his heart and soul into the
23 work that Barry does. I just want to publicly say
24 and for the record, thank you very much, Barry, and
25 we surely will miss you.

1 (Applause.)

2 PRESIDENT BOOP: Thank you, Barry, and I
3 think we as Commissioners all echo Executive Director
4 Roe's thoughts. Knowing you, I'm sure you don't want
5 to make a speech, so we'll defer that.

6 If we could move now to our business for the
7 morning, we'll go first to the Bureau of Wildlife
8 Management, and I think we have Bureau Director, Mr.
9 DuBrock, present, and we'll turn to page 2 of the
10 agenda.

11 I'll call on Mr. Pouss to read the action
12 item that's before us.

13 MR. POUSS: Thank you, Mr. President.

14 The first item relates to Congress having
15 appropriated funds under the State Wildlife Grants
16 Program directly and exclusively to state wildlife
17 agencies for "wildlife species of greatest
18 conservation concern."

19 Pennsylvania is eligible to receive these
20 funds for fish and wildlife projects under the SWG
21 program. We are recommending approval of two
22 projects listed in Exhibit A.

23 Projects listed in Exhibit A will not
24 require any net reduction in the Game Fund since both
25 are cooperator projects. The Game Commission will

1 simply function as a conduit for these federal funds.
2 If approved, the Game Commission will contract with
3 the organizations and investigators of these
4 projects, and pay SWG-eligible costs from the Game
5 Fund. The Game Fund will be reimbursed by the U.S.
6 Fish and Wildlife Service, Federal Aid program using
7 SWG funds. The Game Commission will receive up to 3
8 percent of all SWG funds to administer the program.

9 The Executive Director and staff recommend
10 approval of the two State Wildlife Grant projects
11 listed in Exhibit A, which is on page 3 of your
12 agenda, and relates to "Migration Telemetry for the
13 Eastern Red Bat" and "Northern Goshawk Status and
14 Response to Forest Management."

15 PRESIDENT BOOP: Thank you, Mr. Pouss.
16 These are \$27,000 and \$10,000 grants.

17 Mr. DuBrock, do you want to offer additional
18 comments?

19 MR. DUBROCK: I have no comments,
20 Commissioner, but I'll certainly entertain questions
21 if any members of the Board have any.

22 PRESIDENT BOOP: Questions by Commissioners?
23 (No response.)

24 PRESIDENT BOOP: Seeing none, is there a
25 motion to approve?

1 MR. SCHREFFLER: So moved.

2 PRESIDENT BOOP: Commissioner Schreffler.

3 Is there a second?

4 MR. ISABELLA: Second.

5 PRESIDENT BOOP: Commissioner Isabella.

6 Is there any further discussion?

7 (No response.)

8 PRESIDENT BOOP: Hearing none, all in favor
9 indicate by saying aye.

10 (Signified aye.)

11 PRESIDENT BOOP: Opposed same sign.

12 (No response.)

13 MR. ISABELLA: Unanimous, Mr. President.

14 PRESIDENT BOOP: Thank you, Mr. Secretary.

15 Moving to page 4, Mr. Pouss. We're now to
16 the Bureau of Wildlife Protection and the Chair would
17 recognize Director Palmer.

18 MR. POUSS: The next item relates to
19 adoption of proposed amendment to §131.6 of Title 58
20 of the Pennsylvania Code.

21 To effectively manage the wildlife resources
22 of this Commonwealth, the Game Commission, at its
23 January 23, 2007 meeting, proposed the following
24 change:

25 Amend §131.6 (relating to administration of

1 police powers by wildlife conservation officers) to
2 redirect the extent and manner in which the
3 Commission authorizes salaried wildlife conservation
4 officers to engage in the administration of police
5 powers.

6 The Executive Director and staff recommend
7 final adoption of this amendment to Title 58 of the
8 Pennsylvania Code, as shown on Exhibit A, which
9 starts on page 5 of your agenda.

10 PRESIDENT BOOP: Thank you, Mr. Pouss.

11 Do the Commissioners have any questions of
12 Mr. Palmer?

13 MR. PALMER: I believe, Mr. President, there
14 is a floor amendment to make?

15 PRESIDENT BOOP: Yes, thank you. We do have
16 a floor amendment, which the Commissioners received
17 and I believe we all have in our packets.

18 Do you want to explain the floor amendment,
19 Director Palmer?

20 MR. PALMER: Yes. In §131.6(a)(1) the last
21 sentence as added clarifying language that says,
22 "and, in addition, to serve and execute warrants and
23 subpoenas for these offenses." This clarification
24 essentially makes §131.6 mirror the statute in
25 901(a)(17) so that they're concurrent.

1 The only other changes to the page are under
2 Section (b)(1) "Procedures". There was five words
3 added in the last sentence there that states, "only
4 to the degree to protect life and property" and the
5 underlined language is "in any one or more of the
6 following circumstances."

7 Again, that's just clarifying language to
8 show that the following four sections are
9 interdependent, that they are not all have to be
10 there at the same time.

11 Under (b)(1)(ii) we have an amendment that
12 says if "The offense occurs on lands or waters owned,
13 leased or otherwise controlled by the Commission."
14 That amendment is meant to clarify the fact that the
15 Commission owns several properties, such as,
16 administrative buildings, such as the Harrisburg
17 Headquarters that may not meet the technical
18 classification of State Game Lands and we want to
19 ensure that it's clear the officers have these
20 authorities on those leased properties or
21 administrative buildings as well.

22 PRESIDENT BOOP: Thank you, Director Palmer.

23 Now, if we could go back to the original
24 item as it appears, is there a motion for the
25 original action item?

1 MRS. PALONE: So moved.

2 PRESIDENT BOOP: Commissioner Palone.

3 Is there a second?

4 MR. ISABELLA: Second.

5 PRESIDENT BOOP: Commissioner Isabella.

6 The item is now on the table having been
7 properly moved and seconded.

8 Is there any discussion on the original
9 motion and, if not, then we move to the matter of the
10 amendment?

11 (No response.)

12 PRESIDENT BOOP: Is there a motion to amend
13 as presented?

14 MRS. PALONE: So moved.

15 PRESIDENT BOOP: Commissioner Palone.

16 Is there a second to the motion to amend?

17 MR. ISABELLA: Second.

18 PRESIDENT BOOP: Commissioner Isabella.

19 All those in favor of the amendment, unless
20 there's discussion, indicate by saying aye.

21 (Signified aye.)

22 PRESIDENT BOOP: The action item has been
23 properly amended.

24 That was unanimous vote, Mr. Secretary?

25 MR. ISABELLA: Unanimous, Mr. President.

1 PRESIDENT BOOP: The original motion as now
2 amended is what we're voting on.

3 All those in favor indicate by saying aye.
4 (Signified aye.)

5 PRESIDENT BOOP: Any opposed?
6 (No response.)

7 MR. ISABELLA: Unanimous, Mr. President.

8 PRESIDENT BOOP: Moving to the third action
9 item which appears on page 6, Mr. Pouss.

10 MR. POUSS: Mr. President, that item
11 involves the adoption of proposed amendments to
12 §§141.63 and 141.66 of Title 58 of the Pennsylvania
13 Code.

14

15 To effectively manage the wildlife resources
16 of this Commonwealth, the Game Commission, at its
17 January 23, 2007 meeting, proposed the following
18 changes:

19 Amend §141.63 (relating to definitions) to
20 improve the definition of "cable restraint" by
21 permitting the use of 1x19 cable, extending the cable
22 length limit to seven feet, more clearly defining
23 "relaxing-type lock" and finally, increasing the
24 weight rating of the breakaway device to 375 pounds.

25 Also, amend §141.66 (relating to cable

1 restraints) to permit individuals meeting certain
2 statutory license exemptions to participate in cable
3 restraint training courses.

4 The Executive Director and staff recommend
5 final adoption of these amendments to Title 58 of
6 Pennsylvania Code, as shown on Exhibit B, which is
7 page 7 of your agenda.

8 PRESIDENT BOOP: Commissioners, you've heard
9 the reading of the item that is before us. The Chair
10 would just note that Dr. Lovallo is present in the
11 audience and he has provided input to the Board,
12 along with others, on this issue.

13 Is there a motion?

14 MR. ISABELLA: Motion.

15 PRESIDENT BOOP: Commissioner Isabella.

16 Is there a second?

17 MRS. PALONE: Second.

18 PRESIDENT BOOP: Commissioner Palone.

19 I note that the item has been properly moved
20 and seconded.

21 Is there discussion on the item?

22 (No response.)

23 PRESIDENT BOOP: Hearing none, all those in
24 favor indicate by saying aye.

25 (Signified aye.)

1 PRESIDENT BOOP: Opposed same sign.

2 (No response.)

3 MR. ISABELLA: Unanimous, Mr. President.

4 PRESIDENT BOOP: Thank you, Mr. Secretary.

5 We could then move to page 8 for the fourth
6 action item this morning.

7 MR. POUSS: And that relates to adoption of
8 proposed amendments to §141.4 of Pennsylvania Code,
9 Title 58.

10 To effectively manage the wildlife resources
11 of this Commonwealth, the Game Commission, at its
12 January 23, 2007 meeting, proposed the following
13 change:

14 Amend §141.4 (relating to hunting hours) to
15 expand legal hunting hours to include the half-hour
16 period after sunset for certain species and also
17 replace the table of hunting hours with a
18 sunrise/sunset table for the 2007-2008 license year.

19 The Executive Director and staff recommend
20 final adoption of this amendment to 58 Pa. Code, as
21 shown on Exhibit C, which is page 9 of your agenda.

22 PRESIDENT BOOP: Commissioners, you've heard
23 the reading of the item.

24 Is there a motion?

25 MR. ISABELLA: Motion.

1 PRESIDENT BOOP: Commissioner Isabella.

2 Is there a second?

3 MRS. PALONE: Second.

4 PRESIDENT BOOP: Commissioner Palone.

5 Is there discussion on the item?

6 MR. SCHREFFLER: Mr. President.

7 PRESIDENT BOOP: The Chair would recognize
8 Commissioner Schreffler.

9 MR. SCHREFFLER: My fellow Commissioners,
10 although I would like to have more hunting time, I
11 urge you not to vote for this motion, and I have some
12 reasons for that, which I'd like to express.

13 Safety must be our paramount concern and
14 this change will substantially increase safety habits
15 in my opinion.

16 Wounded animals is another concern as it is
17 near impossible to track and retrieve wounded or dead
18 animals when it is dark. And I've had this
19 experience, even with artificial light. In early
20 seasons, it would be too warm to wait until first
21 light to find these animals.

22 I would like to quote from Volume 3, No. 24,
23 of Applied Optics, a professional magazine. There's
24 an article called "Can Normal Outdoor Activities be
25 Carried Out During Civil Twilight," and this was done

1 by Dr. Leibowitz and Owens, Professors at Penn State
2 University and Franklin and Marshall College, in
3 Lancaster.

4 And one of the things that it says in there
5 is that "At sunset ambient illumination is 30-foot-
6 candle. A medium gray object has a 20 percent
7 reflectance and have luminance of only six foot-
8 lambert, which is 10.76 times foot-candle.

9 "Most visual functions depend upon contrast
10 sensitivity and are near maximum values at this time.
11 Any further reduction and luminance would be expected
12 to be gray performance. During the half-hour after
13 sunset, which is civil twilight, a small reduction of
14 luminance will be gray in acuity, contrast
15 sensitivity, accommodation and reaction time as well
16 as other aspects of visual recognition.

17 "Performance will be impaired more readily
18 for darker objects." And I refer to game, which is
19 a darker object. Going over the quotes, "In
20 addition, absence of shadows during civil twilight
21 eliminate an important source of information for
22 object recognition and localization."

23 This actually refers to a study, two other
24 studies done by J. J. Gibson and G. Locklear.
25 "Reductions in luminance selectively degrade visual

1 recognition and visual guidance functions. Fourfold
2 increase in traffic accidents at night during this
3 period of time on a mileage basis, a test to the
4 special hazard under low luminance level." That's
5 the end of the quotes from there.

6 There's a second article in Psychology Today
7 also where it mentioned that "Selective impairment of
8 recognition vision at night to also produce a
9 dangerous discrepancy between self-confidence and
10 ability." And I end that quote from that article.

11 There are some other quotes, other facts
12 that I'd like to quote. One is that "The eyes of a
13 67-year-old will transmit 67 percent less light than
14 the eyes of a 20-year-old." I think this is
15 pertinent in the fact that many of our hunters are
16 getting up into that age bracket.

17 I want to mention to you that there are at
18 least 14 other supportive and related studies by
19 scientists for this thing. This, I believe, is
20 another case. From yesterday, we heard that
21 sometimes popular opinion is not supported by
22 scientific data. I think this is another case where
23 we think we can see well at that time of day. We can
24 count the number of antlers on the buck. We know
25 what's happening, where it's going.

1 Referring back to the Psychology Today
2 article, I think our self-confidence exudes our
3 ability in that situation. So, therefore, I hope
4 that you will take this under consideration in your
5 vote.

6 Thank you.

7 PRESIDENT BOOP: Thank you, Commissioner
8 Schreffler.

9 Are there other Commissioners who want to
10 comment on the matter?

11 (No response.)

12 PRESIDENT BOOP: I also have some safety
13 concerns with respect to the issue, which I'm not
14 going to address any further, because I think Mr.
15 Schreffler has covered those. I also do have some
16 concern about the ability to recover animals at this
17 time of the day.

18 I think I'm also, the additional concerns
19 that haven't been mentioned, we're putting a lot of
20 hunting pressure on many of our game animals already.
21 Half-an-hour extension of time throughout the season
22 is a significant amount of additional hunting
23 opportunity.

24 I know there's quite a bit of concern about
25 the, at least in some quarters, about the pressure

1 that we're putting on our mature breeding bucks
2 during the rut, which are hunted during that period.
3 I just think for a lot of reasons that this is not a
4 decision that we should make.

5 Anyone else want to comment?

6 (No response.)

7 PRESIDENT BOOP: If not, all in favor
8 indicate by saying aye.

9 (Signified aye.)

10 PRESIDENT BOOP: Opposed same sign.

11 (Commissioners Schreffler and Boop oppose.)

12 MR. ISABELLA: Four-two. Ayes for it, nays
13 two.

14 PRESIDENT BOOP: So the matter passes on a
15 four to two vote.

16 Moving to the next item, the fifth item for
17 the today, which begins on page 11.

18 MR. POUSS: That item, Mr. President,
19 relates to adoption of proposed amendments to
20 §§141.41, 141.43 and 141.47 of Title 58 of the
21 Pennsylvania Code.

22 To effectively manage the wildlife resources
23 of this Commonwealth, the Game Commission, at its
24 January 23, 2007 meeting, proposed the following
25 changes:

1 Amend §§141.41, 141.43 and 141.47 (relating
2 to general, deer, elk) to permit the lawful use of
3 .50 caliber or larger muzzleloading handguns while
4 hunting deer, bear and elk. Also amend §141.43 to
5 permit the lawful use of aperture or peep sights
6 during the flintlock muzzleloading season.

7 Additionally, amend the lawful use and
8 possession of both a bow and arrow or crossbow and a
9 muzzleloading firearm during the overlaps of the
10 early archery and muzzleloader seasons and the late
11 archery and flintlock muzzleloading seasons.

12 The Executive Director and staff recommend
13 final adoption of these amendments to Title 58 of the
14 Pennsylvania Code, as shown on Exhibit D, which is on
15 pages 12 and 13, of your agenda.

16 PRESIDENT BOOP: Commissioners, you've heard
17 the reading of the item that is before us. Is there
18 a motion to approve?

19 MRS. PALONE: So moved.

20 PRESIDENT BOOP: Commissioner Palone.

21 Is there a second?

22 MR. ISABELLA: Second.

23 PRESIDENT BOOP: Commissioner Isabella.

24 Is there discussion on the action item?

25 MR. SCHREFFLER: Mr. President.

1 PRESIDENT BOOP: The Chair would recognize
2 Commissioner Schreffler.

3 MR. SCHREFFLER: I would like to offer an
4 amendment to this motion to remove all reference to
5 muzzleloading handguns in this proposal.

6 In reviewing Gun Digest Blackpowder Loading
7 Manual, the third edition, I find the key to killing
8 power in this phase is, in the blackpowder firearms
9 is in a high mass projectile. Even .50 caliber and
10 larger appear to be marginal, especially in the light
11 of many other variables. Some of these being hunting
12 ability, but also the powder propellant types and
13 load, the bullet designs and the way it performs.

14 It's mentioned in there that there's
15 marginal in range and in stocking powder. A quote
16 from this book is "The blackpowder revolver is not
17 truly a big game proposition. Fifties and up require
18 a good shot to where careful hunter to be big game
19 worthy."

20 The only one that I saw out of there that
21 says the Thompson Scout .50 caliber had to use its
22 maximum load, about a hundred FFG's grain load to be
23 effective as a big game gun, as to be rated as an
24 effective big game handgun.

25 So I would like you, everyone to consider

1 this amendment. I'm making the amendment.

2 PRESIDENT BOOP: Thank you, Commissioner
3 Schreffler.

4 We've heard Commissioner Schreffler's motion
5 to amend. Is there a second to the motion to amend?

6 (No response.)

7 PRESIDENT BOOP: Hearing none, the motion
8 fails.

9 That takes us back to the original motion.
10 Is there further discussion on the original motion?

11 (No response.)

12 PRESIDENT BOOP: Hearing none, I assume
13 we're prepared to vote on the original action item as
14 stated.

15 All those in favor indicate by saying aye.

16 (Signified aye.)

17 PRESIDENT BOOP: Opposed same sign.

18 (Commissioner Schreffler opposes.)

19 MR. ISABELLA: Ayes, five. Nays, one.

20 PRESIDENT BOOP: Thank you, Mr. Secretary.

21 Moving now to page 14 of the agenda I
22 believe our fifth action item for the morning and I'd
23 call on Mr. Pouss for the reading.

24 MR. POUSS: This item relates to adoption of
25 proposed amendment to §141.20.

1 To effectively manage the wildlife resources
2 of this Commonwealth, the Game Commission, at its
3 January 23, 2007 meeting, proposed the following
4 change:

5 Amend §141.20 (relating to protective
6 material required) to permit the posting of 100
7 square inches of daylight fluorescent orange-colored
8 material within 15 feet of any blind meeting the
9 requirements set forth in Section 2308(b)(3) of the
10 Game and Wildlife Code in lieu of wearing the
11 required 250 square inches of daylight fluorescent
12 orange-colored material on the heard, chest and back
13 combined.

14 The Executive Director and staff recommend
15 final adoption of this amendment to Title 58 of the
16 Pennsylvania Code, as shown on Exhibit E, which is on
17 page 15, of the agenda.

18 PRESIDENT BOOP: Thank you, Mr. Pouss.

19 Commissioners, you've heard the reading.

20 The item does appear on page 15. Is there a motion?

21 MR. SCHREFFLER: So moved.

22 PRESIDENT BOOP: Commissioner Schreffler.

23 Is there a second?

24 MR. ISABELLA: Second.

25 PRESIDENT BOOP: Commissioner Isabella.

1 Is there discussion on the action item?

2 (No response.)

3 PRESIDENT BOOP: Hearing none, we'll vote.

4 All those in favor indicate by saying aye.

5 (Signified aye.)

6 PRESIDENT BOOP: Opposed, same sign.

7 (No response.)

8 MR. ISABELLA: Unanimous, Mr. President.

9 PRESIDENT BOOP: Thank you, Mr. Secretary.

10 Now moving to page 16, Mr. Pouss.

11 MR. POUSS: The item on page 16 involves the
12 adoption of proposed amendment to §147.674 of Title
13 58 of the Pennsylvania Code.

14 To effectively manage the wildlife resources
15 of this Commonwealth, the Game Commission, at its
16 January 23, 2007 meeting, proposed the following
17 change:

18 Amend §147.674 (relating to issuance of DMAP
19 harvest permits) to increase DMAP harvest permit fees
20 from \$6.00 to \$10.00 for residents and \$26.00 to
21 \$35.00 for nonresidents.

22 The Executive Director and staff recommend
23 final adoption of this amendment to Title 58 of the
24 Pennsylvania Code, as shown on Exhibit F, which is on
25 page 17 of your agenda.

1 PRESIDENT BOOP: Commissioners, you've heard
2 the reading. The item is before us. Is there a
3 motion?

4 MR. SCHREFFLER: So moved.

5 PRESIDENT BOOP: Commissioner Schleiden.

6 PRESIDENT BOOP: Is there a second?

7 MR. ISABELLA: Second.

8 PRESIDENT BOOP: Commissioner Isabella.

9 Is there discussion on the action item?

10 (No response.)

11 PRESIDENT BOOP: Hearing none, all those in
12 favor indicate by saying aye.

13 (Signified aye.)

14 PRESIDENT BOOP: Opposed, same sign.

15 (No response.)

16 MR. ISABELLA: Unanimous, Mr. President.

17 PRESIDENT BOOP: Thank you, Mr. Secretary.

18 Now moving to page 18, can we have a
19 reading, Mr. Pouss?

20 MR. POUSS: Yes.

21 The item on page 18 relates to adoption of
22 proposed amendment to §137.2 of Title 58, of the
23 Pennsylvania Code.

24 To effectively manage the wildlife resources
25 of this Commonwealth, the Game Commission, at its

1 January 23, 2007 meeting, proposed the following
2 change:

3 Amend §137.2 (relating to release of
4 animals) to prohibit the release of any members of
5 the suidae family into the wild.

6 The Executive Director and staff recommend
7 final adoption of this amendment to 58 Pa. Code, as
8 shown on Exhibit G, which is on page 19, of your
9 agenda.

10 PRESIDENT BOOP: Director Palmer, I believe
11 that there is a proposed clerical change to the
12 action item?

13 MR. PALMER: Yes, Mr. President.

14 PRESIDENT BOOP: And that's as a floor
15 amendment to page 19. Before we take up the matter,
16 could you just explain that, please?

17 MR. PALMER: Yes. What we wanted to do,
18 Director DuBrock brought it to our attention that the
19 more appropriate terminology and taxonomy would be
20 similar in the commentary. The original had porcine
21 family. Director DuBrock brought it to my attention
22 the most appropriate would be suidae family, as
23 matches the commentary, and that would be the floor
24 amendment.

25 PRESIDENT BOOP: It's simply a clerical and

1 not a substantive amendment?

2 MR. PALMER: That's correct, Mr. President.

3 PRESIDENT BOOP: Commissioners, the original
4 item as read by Mr. Pouss is before us.

5 Is there a motion?

6 MR. ISABELLA: So moved.

7 PRESIDENT BOOP: Commissioner Isabella.

8 Would you second that, Commissioner Palone?

9 MRS. PALONE: Yes.

10 PRESIDENT BOOP: You were both together.

11 So it's properly moved and seconded, so the
12 item is on the floor. Is there discussion and/or a
13 motion to amend?

14 MRS. PALONE: I'd like to move.

15 MR. ISABELLA: Yes.

16 PRESIDENT BOOP: Commissioner Palone. I
17 recognize Commissioner Palone first. You're both
18 together again.

19 MRS. PALONE: Did you have something
20 special?

21 MR. ISABELLA: Yes.

22 MRS. PALONE: I wanted to make a motion off
23 of the amendment. We want to discuss it.

24 PRESIDENT BOOP: Do you want to discuss it
25 before it's amended, Commissioner Palone?

1 MR. ISABELLA: We can wait until it gets
2 amended.

3 PRESIDENT BOOP: Let's have your amendment,
4 Commissioner Palone.

5 So we have a motion to amend in the form
6 presented by Director Palmer.

7 Is there a second to the motion to amend?

8 MR. ISABELLA: Second.

9 PRESIDENT BOOP: Commissioner Isabella.
10 So the motion is now on the floor as
11 amended. Do we have discussion?

12 MR. SCHLEIDEN: Mr. President?

13 PRESIDENT BOOP: Commissioner Schleiden.

14 MR. SCHLEIDEN: While I see that it's more
15 clerical as the information is given, I see the
16 change being greater than that, because it avoids
17 some misleading wording to the public and to our
18 farming community because if you have the word
19 domestic or feral hogs in there. While I've always
20 supported controlling that problem, I was concerned.
21 Some of you may recall at the last meeting about the
22 word domestic hogs in there.

23 Seeing that change as it is, to me it means
24 more than just a clerical change. It's misleading,
25 understanding that it gives our people the necessary

1 tool, although I think, like once again, PDA is
2 really the driving factor and should be, but they
3 have no means in which to enforce this on public
4 lands.

5 So I will not be abstaining and I will be in
6 favor of this vote.

7 PRESIDENT BOOP: Your point is well taken,
8 Commissioner Schleiden. I think we all did have some
9 concern about the domestic hogs.

10 Is there any other discussion?

11 Yes, Mr. Schreffler?

12 MR. SCHREFFLER: I would just like to
13 encourage the other Commissioners to support this. I
14 live where these hogs are running wild through the
15 habitat and I can see the damage they're doing. I
16 want to emphasize the seriousness of this and the
17 danger to our game habitat. It's just really
18 disconcerting to me, so I encourage the other
19 Commissioners to vote for this as amended.

20 PRESIDENT BOOP: Is there any other
21 discussion?

22 Commissioner Isabella.

23 MR. ISABELLA: I was just very, very
24 concerned that we are going to be enforcing private
25 property, private landowners and that's why I raised

1 the initial concern with you and I voted against it
2 at the last meeting. I understand the intent of this
3 and we do have a major problem that could be getting
4 much larger than we know in our game lands. I just
5 hope that the spirit of enforcement is going to be
6 not focused on the private landowner.

7 I intend to support it, also.

8 That's it, Mr. President.

9 PRESIDENT BOOP: Do other Commissioners want
10 to comment on the item before us?

11 (No response.)

12 PRESIDENT BOOP: If not, the action item as
13 amended is now before us.

14 I don't believe we voted on the amendment.
15 We were discussing the amendment. So the first vote
16 would be on the amendment. All Commissioners in
17 favor of the amendment indicate by saying aye.

18 (Signified aye.)

19 PRESIDENT BOOP: Opposed same sign.

20 (No response.)

21 MR. ISABELLA: Unanimous, Mr. President.

22 PRESIDENT BOOP: Then on the original item
23 as now properly amended, all in favor indicate by
24 saying aye.

25 (Signified aye.)

1 PRESIDENT BOOP: Opposed same sign.

2 (No response.)

3 MR. ISABELLA: Unanimous, Mr. President.

4 PRESIDENT BOOP: Thank you, Mr. Secretary.

5 We now move to the last item for final
6 adoption of the original set, which begins on page
7 20.

8 Mr. Pouss, if you would read the item?

9 MR. POUSS: Mr. President, that items
10 relates to the adoption of proposed amendment to
11 §139.4 of 58 of the Pennsylvania Code.

12 To effectively manage the wildlife resources
13 of this Commonwealth, the Game Commission, at its
14 January 23, 2007 meeting, proposed the following
15 change:

16 Amend §139.4 (relating to seasons and bag
17 limits for the license year) to provide updated
18 seasons and bag limits for the 2007-2008 hunting
19 license year.

20 The Executive Director and staff recommend
21 final adoption of this amendment to 58 Pa. Code, as
22 shown on Exhibit H, which starts on page 21 and goes
23 to page 28 of your agenda.

24 PRESIDENT BOOP: You've heard the reading by
25 Mr. Pouss. What I would like to propose as the Chair

1 as we do this, as we've done in the past, we'll have
2 a motion and a second and then we'll take each page
3 to the extent that we can, and then there would be
4 any amendments offered on a page by page basis.
5 We'll consider all of the amendments collectively
6 when we're finished and then we'll vote on the
7 original motion.

8 Is that acceptable as we've done in the
9 past? Indicating we're not voting, but I indicate
10 there appears to be a concurrence in that.

11 So if we could start, do we have a motion to
12 adopt the season and bag limits item?

13 MRS. PALONE: Motion.

14 PRESIDENT BOOP: Commissioner Palone.

15 Will you second, Commissioner Isabella?

16 MR. ISABELLA: Second.

17 PRESIDENT BOOP: You two are confusing me
18 here this morning, because you're both together.

19 So it's properly moved and seconded. We
20 turn first to page 21. I guess the reality is that
21 page 21 continues onto page 22. Twenty-one at the
22 bottom we're having pheasants and it goes over to the
23 second page pheasants continuing. Can we do 21 and
24 22 together? Are there any amendments to be offered
25 with respect to pages 21 and 22?

1 (No response.)

2 PRESIDENT BOOP: Hearing none, we'll move to
3 page 23, which generally covers turkeys and then goes
4 down to migratory game birds.

5 Do we have any amendments with respect to
6 page 23?

7 (No response.)

8 PRESIDENT BOOP: None are indicated.

9 We go to page 24. If we could go down to
10 the end of falconry and then consider deer as part of
11 the next several pages?

12 Are there any amendments down to the end of
13 falconry on page 24?

14 (No response.)

15 PRESIDENT BOOP: Seeing none, we would move
16 then to consider the bottom of 24 and page 25, which
17 are generally all the seasons and bag limits with
18 respect to deer. Of course, I would note that we'll
19 be discussing allocations later in the meeting and
20 we're not really discussing allocations at this
21 point. We're just discussing the seasons and bag
22 limits.

23 With respect to page 24 and 25, are there
24 any amendments?

25 MR. SCHREFFLER: Mr. President.

1 PRESIDENT BOOP: Yes, the Chair would
2 recognize Commissioner Schreffler.

3 MR. SCHREFFLER: I'd like to amend the
4 regular statewide antler/anterless season, commonly
5 known as the rifle season, as it applies to Wildlife
6 Management Units 2C, 2G, 3C and 4E. I would like it
7 to read, "Deer antlered in Wildlife Management Units
8 2C, 2G, 3C and 4E to be from November 26 to December
9 1" and "Deer antlered and anterless in Wildlife
10 Management Units 2C, 2G, 3C and 4E to be from
11 December 3 to December 8."

12 PRESIDENT BOOP: You've heard Commissioner
13 Schreffler's amendment. Is there a second to his
14 amendment?

15 I will second the amendment.

16 So the amendment has been made and properly
17 seconded. Is there discussion on the amendment,
18 which as I understand it would have a one week buck
19 and a second week of buck and then a week of
20 concurrent in Management Units 2C, 2G, 3C and 4E.

21 Have I properly stated that, Commissioner
22 Schreffler?

23 MR. SCHREFFLER: That's right. The second
24 week would be concurrent. The first week antlered
25 only and it would be 2C, 2G, 3C and 4E.

1 PRESIDENT BOOP: Is there discussion on the
2 amendment? Any discussion by anyone?

3 (No response.)

4 PRESIDENT BOOP: On the item I just would
5 like to note that I think that the amendment has
6 merit for several reasons. Number one, the primary
7 concern that we hear from most people who have
8 expressed reservations about our current deer
9 management program is that they're not seeing deer
10 when they're out hunting, particularly with their
11 children and grandchildren.

12 I think we have the ability, as was
13 indicated yesterday by the deer team, through
14 allocations to control the harvest. I think this
15 would be beneficial in that it would allow in some
16 Management Units, if we would take a look, of giving
17 people an opportunity to see the deer that are out
18 there for that week period when they're out hunting
19 for antlered deer.

20 I know when I started taking my children
21 hunting in the nineties, many times that first day
22 and the second day you'd see the same doe or the same
23 group of doe. Sometimes all the children would see
24 the same animals during the course of the day two or
25 three times.

1 The deer is dead the last day of the season.
2 It's just dead as if it were shot at 7:30 the first
3 morning of the rifle season. So I think that it
4 would give an opportunity for more people to enjoy
5 the resource. I think since our only real way of
6 controlling the herd is through the allocations, if
7 we ever do get to the point where we start to allow
8 the herd to expand, we're going to have a problem
9 with our allocations, unless we can shorten the
10 seasons.

11 So I think this would give us a good
12 opportunity, just for the 22 Management Units, to try
13 this. I certainly think that we've achieved our
14 goals of herd reduction in many parts of the state,
15 so I would encourage other Commissioners to support
16 the amendment.

17 Other discussion?

18 MR. SCHREFFLER: I'll just make one comment.
19 I've carefully reviewed the many prescriptions for
20 the Wildlife Management Units and I believe that
21 these particular units deserve a particular
22 prescription in what they and the management of deer
23 there for numerous reasons.

24 But I think that it only serves to
25 demonstrate that we are looking at each Wildlife

1 Management Unit individually, looking at it
2 carefully. If we see things like the deer herd
3 health would be good and the habitat health is good
4 and the deer-human conflict might be low, such as
5 found in 4E, that we should seriously consider other
6 prescriptions in the management of deer in those
7 particular units.

8 PRESIDENT BOOP: If there's no other
9 discussion -- I'm sorry, Commissioner Schleiden.

10 MR. SCHLEIDEN: Of course, I read my
11 comments in January, and I've listened to both you
12 gentlemen and I appreciate your comments.

13 But, Dave, you just said something in 2G
14 deer health is fair, habitat is poor due to conflict.
15 I don't see where doing this is treating. Gentlemen,
16 we're not going to hunt these doe the first week
17 because the people had the chance to see them.

18 But I think that most dedicated hunters and
19 people who take their children out are usually
20 spotlighting well before the season. So they see
21 those deer. They know those deer there. Just so
22 happens that they probably weren't in the right place
23 at the right time when they got harvested, so they
24 didn't see none of them run.

25 Unless you forget, we still have the October

1 hunt, which is for antlerless. It's also for
2 muzzleloader the first couple of days and rifle the
3 last three days for what I believe seems moot.

4 So the opportunity is there. We do see
5 them. We do make the deer smarter in October. I see
6 no merit at this point in time, at this point in
7 time, which leaves the door open down the road in the
8 amendment.

9 Those are my remarks.

10 PRESIDENT BOOP: Are there other comments or
11 remarks by Commissioners before we vote?

12 MRS. PALONE: Mr. President.

13 PRESIDENT BOOP: Yes, Commissioner Palone.

14 MRS. PALONE: First of all, I don't agree
15 with Commissioner Schleiden that I'm not sure why he
16 picked these particular units to do this, but I'm
17 afraid if we just change some of it that extra people
18 will come to harvest buck during that first week. We
19 might get back to the same dilemma that we used to
20 have, in that we harvest too many buck and not enough
21 does.

22 As far as opportunities for children, my
23 husband and I take our three nephews hunting with us.
24 In the past, when the seasons were separated, they
25 had the first day off of buck season to hunt. If

1 they did not get a deer, then they didn't have any
2 other opportunities. Now with the concurrent season,
3 they can harvest either a buck or a doe, plus have
4 some extra Saturdays.

5 So I feel that the concurrent season is very
6 good for taking the children hunting.

7 PRESIDENT BOOP: Other comments or remarks?

8 (No response.)

9 PRESIDENT BOOP: We're voting now on the
10 amendment which would in effect Management Units 2C,
11 2G, 3C and 4E.

12 All in favor of the amendment as presented
13 indicate by saying aye.

14 (Commissioners Schreffler & Boop signified
15 aye.)

16 PRESIDENT BOOP: Opposed same sign.

17 (Commissioners Isabella, Palone, Schleiden
18 and Hill signified nay.)

19 MR. ISABELLA: Four/two, Mr. President.

20 PRESIDENT BOOP: Four/two?

21 MR. ISABELLA: Ayes four, nays two.

22 MR. SCHREFFLER: You got it backwards. You
23 got the vote backwards.

24 PRESIDENT BOOP: We're voting on the
25 amendment. Two to four or four--

1 MR. ISABELLA: Two to four.

2 PRESIDENT BOOP: So the amendment as
3 presented by Commissioner Schreffler fails.

4 Are there other amendments with respect to
5 the matter before us, which we're looking at season
6 and bag limits for deer?

7 I would offer a second amendment, as I did
8 in January, and that has to do with the October
9 season, which is the muzzleloader and the rifle
10 season for antlerless deer in October. Just very
11 briefly I would reiterate the remarks I made in
12 January.

13 These were temporary seasons designed to
14 reduce the deer herd. They were never intended to
15 become permanent seasons as I've read the literature
16 and the minutes from the various meetings. With the
17 deer herd at the levels that they're at in many parts
18 of the state, it's belief that these seasons are not
19 necessary to achieve our harvest objectives. We got
20 plenty of allocation numbers in the two-week season
21 later, so my amendment is to eliminate the October
22 muzzleloader and the rifle season, which is a total
23 of a week in October.

24 Is there a second to the amendment?

25 (No response.)

1 PRESIDENT BOOP: Hearing none, the amendment
2 fails.

3 I was also going to make another amendment
4 to eliminate the first week of the concurrent season,
5 but being a realist and seeing what happened to
6 Commissioner Schreffler's amendment, I'm not going to
7 do that at this time.

8 So we'll move to page 26 and if we could,
9 again, I realize we're not doing complete pages, but
10 if we could do bear and elk together, and then we'll
11 take up furtaking after we do bear and elk.

12 So we're looking at bear and elk, the
13 proposed season and bag limits on page 26. Are there
14 any amendments with respect to the proposed seasons
15 for bear and elk?

16 (No response.)

17 PRESIDENT BOOP: Hearing none, if we could
18 then take up furtaking and trapping, which starts on
19 the bottom of page 26 and runs through page 28?

20 The Chair would recognize Bureau Director
21 DuBrock, who is now at the podium. Again, the way
22 we've done this before with Director Palmer, I
23 believe that we do have an amendment. Again, maybe
24 my choice of term's not the best, but I believe again
25 is just merely a correction rather than a substantive

1 change?

2 MR. DUBROCK: That's correct, Mr. President.

3 Under "Furtaking - Trapping" for the season,
4 and this is referring to page 27, for coyotes, foxes,
5 opossums, raccoons, skunks and weasels (statewide),
6 the dates should be October 21, rather than the
7 twenty-second, and a like change for bobcat in the
8 Management Units specified. Again, that's under
9 trapping, October 21.

10 Under "Furtaking - Hunting" on page 28, for
11 raccoons and foxes (statewide), October 20. For
12 bobcat in the Management Units specified, October 20.

13 PRESIDENT BOOP: Thank you, Director
14 DuBrock.

15 If we could then, again, we have our
16 original motion back at the beginning so I believe
17 the proper procedural issue at this point, is there
18 an amendment to furtaking and trapping to reflect the
19 amendment to change the date correction as indicated
20 by Director DuBrock?

21 MRS. PALONE: So moved.

22 PRESIDENT BOOP: Commissioner Palone.

23 Is there a second?

24 MR. ISABELLA: Second.

25 PRESIDENT BOOP: Commissioner Isabella.

1 If there's any discussion, let me know, if
2 not all in favor signify aye.

3 (Signified aye.)

4 PRESIDENT BOOP: Opposed same sign.

5 (No response.)

6 PRESIDENT BOOP: Unanimous, Mr. Secretary?

7 MR. ISABELLA: Unanimous, Mr. President.

8 PRESIDENT BOOP: It is amended as indicated.

9 That I believe, ladies and gentlemen, takes
10 us to the end of season and bag limits, so if we
11 could just go back and refer briefly. We have one
12 amendment that passed, which was simply under
13 furtaking and trapping for a date correction. I
14 believe that's the only amendment with respect to
15 this action item that passed.

16 That takes us back to the original motion,
17 which was made and properly seconded. Before we
18 vote, is there any general discussion with respect to
19 season and bag limits?

20 Of course, for the audience, please remember
21 this does not include the allocations, which are
22 going to be handled later.

23 (No response.)

24 PRESIDENT BOOP: No discussion indicated.

25 We're going to vote on the overall package for season

1 and bag limits.

2 All those in favor indicate by saying aye.

3 (Signified aye.)

4 PRESIDENT BOOP: Opposed same sign.

5 (Commissioners Schreffler and Boop oppose.)

6 PRESIDENT BOOP: Four to two.

7 For the record, Commissioner Schreffler and
8 I voted no.

9 Ladies and gentlemen, that concludes the
10 final rule making adoptions for today, I believe.
11 With respect to the agenda we have some proposed rule
12 making.

13 Again, the Chair appreciates the help of
14 Director DuBrock, who's just been at the podium.
15 Director Palmer is now back from wildlife protection.

16 We have three items of proposed rule making
17 beginning on page 29. Again, this is proposed rule
18 making. We'll go to the first item there.

19 MR. POUSS: Thank you, Mr. President.

20 The first item involves an amendment to
21 Title 58 of the Pennsylvania Code, §147.553.

22 Agricultural deer control permits (red tag)
23 are generally valid from February 1 through September
24 28, each year. However, during the peak fawning
25 season, agricultural deer control permits are

1 invalidated for a brief period of time. The permits
2 have traditionally been invalidated from May 16 to
3 July 31, for general crop farming and from May 16 to
4 June 30, for vegetable farming.

5 Upon further review of the closure dates,
6 the Commission has determined that making the shorter
7 closure period applicable to general crop farmers
8 would provide additional deer control opportunities
9 without putting an unjustified demand on deer during
10 fawning season.

11 You can see the text of the changes on page
12 29.

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

15 PRESIDENT BOOP: You've heard the reading,
16 Commissioners.

17 Is there a motion on this item?

18 MR. ISABELLA: So moved.

19 PRESIDENT BOOP: Commissioner Isabella.

20 Is there a second?

21 MR. SCHLEIDEN: Second.

22 PRESIDENT BOOP: Commissioner Schleiden.

23 Is there discussion on the item?

24 I just under discussion would like to
25 comment briefly on this proposed item. Under our red

1 tag program, as I understand, this would allow those
2 participating in the program, whether they're
3 vegetable farmers or general crop farmers, to shoot
4 antlerless deer on July 1, where crop farmers in the
5 past could not shoot them until August 1.

6 Having grown up on a farm, and having
7 operated a farm and currently operating a farm, it's
8 been my experience that some fawns are certainly
9 dropped later than this, but many fawns are on the
10 ground the second week of June. The third week of
11 June, the mothers leave the babies for a period of
12 time when they're out feeding. Having had some
13 experience with the red tag farm at my area, even in
14 August with twin fawns running around without a
15 mother the second week in August, is a bit of a
16 public relations problem.

17 I just think that this is a public relations
18 dilemma that we don't need. Certainly, the farmer
19 has the ability year-round except for a limited
20 period from May 16 to August 1. This is a
21 significant change, because in my opinion and I
22 believe that I'm correct on this, there are many more
23 crop farmers across Pennsylvania than there are
24 vegetable farmers.

25 I really question even if it makes sense

1 biologically whether this is a policy decision we
2 want to make. The incident from Lancaster County
3 just recently demonstrated a policy issue,
4 significance of some of the things we do here at the
5 agency.

6 So I'm sympathetic as a farmer to crop
7 damage losses, but I, for one, really don't want to
8 see those fawns running around in July, when someone
9 shot their mother a day or two before. So I'm just
10 going to oppose it for that reason.

11 Any other discussion?

12 (No response.)

13 PRESIDENT BOOP: If not, all in favor of the
14 proposed rule making indicate by saying aye.

15 (Signified aye.)

16 PRESIDENT BOOP: Opposed.

17 (Commissioners Boop and Schreffler oppose.)

18 MR. ISABELLA: Ayes four, nays two, Mr.
19 President.

20 PRESIDENT BOOP: Thank you, Mr. Secretary.

21 Moving to the next proposed rule making, the
22 second of these items, which begins on page 30.

23 MR. POUSS: That items relates to a proposed
24 amendment to Title 58, §141.15.

25 Section 2503 of the act (relating to loaded

1 firearms in vehicles) generally prohibits any person,
2 not otherwise authorized, from having a loaded
3 firearm of any kind in, on or against any conveyance
4 propelled by mechanical power. This prohibition is
5 intended primarily to protect the safety of persons
6 traveling in such conveyances as well as others who
7 may be in the vicinity of the same.

8 Similar to the hazards associated with
9 having more traditional firearms loaded in a vehicle,
10 loaded crossbows or muzzleloaders also have the
11 potential of causing serious injury or death to
12 persons in a vehicle as well as others who may be in
13 the vicinity of the same if an intended or unintended
14 discharge occurs.

15 The Commission has determined that it is
16 necessary to limit the various and potential harms
17 associated with this type of conduct. Therefore, the
18 Commission is proposing to amend §141.15 in the
19 manner set forth below in an effort to extend the
20 application of Section 2503 to prohibit "loaded"
21 crossbows or muzzleloaders in, on or against any
22 conveyance propelled by mechanical power.

23 You then can see the text of the proposed
24 changes.

25 The Executive Director and staff recommend

1 the Commission approve these changes.

2 PRESIDENT BOOP: You've heard the reading by
3 Mr. Pouss. The matter is before us.

4 Is there a motion?

5 MR. ISABELLA: Motion.

6 PRESIDENT BOOP: Commissioner Isabella.

7 Is there a second?

8 MR. SCHREFFLER: Second.

9 PRESIDENT BOOP: Commissioner Schreffler.

10 Is there discussion on the item?

11 (No response.)

12 PRESIDENT BOOP: Hearing none, all those in
13 favor indicate by saying aye.

14 (Signified aye.)

15 PRESIDENT BOOP: Opposed, same sign.

16 (No response.)

17 MR. ISABELLA: Unanimous, Mr. President.

18 PRESIDENT BOOP: Thank you, Mr. Secretary.

19 Mr. Pouss, moving to page 31, the last item
20 of proposed rule making.

21 MR. POUSS: Yes, Mr. President, that relates
22 to an amendment of §141.18 of Title 58 of the
23 Pennsylvania Code.

24 Each year the Commission is asked to review
25 the potential permissive use of certain devices for

1 hunting or trapping purposes that are otherwise
2 prohibited by statute or regulation. As part of the
3 review process, the Commission generally considers to
4 what degree the use of a given device might
5 negatively impact principles of resource
6 conservation, equal opportunity, fair chase or public
7 safety.

8 Two devices have recently been presented to
9 the Commission for consideration: muzzleloading
10 firearms using an electronic impulse to trigger
11 discharge; and illuminated nocks for arrows and
12 bolts. After thoughtful review of these
13 aforementioned devices, the Commission has determined
14 the use of these devices for hunting purposes would
15 be acceptable due to their negligible impacts to the
16 abovementioned principles.

17 You can then see the text of the proposed
18 changes.

19 The Executive Director and staff recommend
20 the Commission approve these changes.

21 PRESIDENT BOOP: Thank you, Mr. Pouss.

22 Commissioners, you've heard the reading. Is
23 there a motion?

24 MR. ISABELLA: Motion.

25 PRESIDENT BOOP: Commissioner Isabella.

1 Is there a second?

2 MR. HILL: I'll second it.

3 PRESIDENT BOOP: Commissioner Hill.

4 Is there discussion on the action item?

5 (No response.)

6 PRESIDENT BOOP: Hearing none, all in favor
7 indicate by saying aye.

8 (Signified aye.)

9 PRESIDENT BOOP: Opposed same sign.

10 (No response.)

11 MR. ISABELLA: Unanimous, Mr. President.

12 PRESIDENT BOOP: Thank you, Mr. Secretary.

13 That completes the second of the agenda
14 dealing with proposed rule making.

15 We would now move to page 32, where before
16 us we have the matter of hunting license revocations
17 and convictions.

18 The Chair would recognize Director Palmer.

19 MR. PALMER: Thank you, Mr. President.

20 We have one change to the revocation list
21 that the Commissioners were provided. Revocation No.
22 135, Joel Dulla, (ph) and Revocation No. 274, Joseph
23 Rugawitz, (ph) we're requesting be removed from the
24 revocation list for consideration.

25 PRESIDENT BOOP: I think if the Bureau is

1 requesting the removal from consideration by the
2 Board, I don't think we need to vote on that if
3 you're asking that they be removed.

4 So the list that remains with those two
5 names removed will be what we'll be voting on?

6 MR. PALMER: That's correct, Mr. President.

7 PRESIDENT BOOP: The Commissioners did
8 receive this packet in advance of the meeting.
9 Presumably, we've all had a chance to look over the
10 list.

11 Is there a Commissioner prepared to make a
12 motion to approve these revocations and convictions
13 as listed?

14 MR. ISABELLA: Motion, Mr. President.

15 PRESIDENT BOOP: Mr. Isabella.

16 Is there a second?

17 MR. SCHREFFLER: Second.

18 PRESIDENT BOOP: Commissioner Schreffler.

19 Is there any discussion on this item of
20 business?

21 (No response.)

22 PRESIDENT BOOP: Hearing none, we will vote.
23 All in favor indicate by saying aye.

24 (Signified aye.)

25 PRESIDENT BOOP: Opposed, same sign.

1 (No response.)

2 MR. ISABELLA: Unanimous, Mr. President.

3 PRESIDENT BOOP: Thank you.

4 Thank you, Director Palmer and Director
5 DuBrock. I guess we'll be hearing from Director
6 DuBrock later in the morning.

7 We now recognize Mr. Capouillez, from our
8 Bureau of Habitat Management, and we're going to move
9 now to the Bureau of Wildlife Habitat Management.

10 MR. PALMER: Mr. President, we have one
11 additional for the administrative hearings.

12 PRESIDENT BOOP: Okay, that was not part of
13 our packet or was it?

14 MR. PALMER: Does that need a separate
15 motion, a separate vote?

16 PRESIDENT BOOP: Were the Commissioners
17 provided?

18 MR. PALMER: We can revisit that. We'll
19 provide those on the break.

20 PRESIDENT BOOP: Thank you.

21 Again, I understand the reason we wanted to
22 do these now is so that the people affected would
23 know where they stood before the new license year
24 started, so I know your department was under some
25 pressure to get those to us.

1 Bill, good morning.

2 MR. CAPOUILLEZ: Good morning, sir.

3 PRESIDENT BOOP: We're going to now turn to
4 page 33 of the agenda.

5 Mr. Pouss, would you tell us about the next
6 item of business?

7 MR. POUSS: The first item is a land
8 acquisition, Option No. 50005.

9 Fifty more or less acres of land in Haycock
10 Township, Bucks County, adjoining State Game Lands
11 No. 157, which is Exhibit RED 1. There are no
12 reservations. The option price is \$82,000 lump sum.

13 The money is to be paid from funds escrowed
14 by Ladnar, Inc., with respect to mining operations on
15 State Game Lands No. 264. The acquisition of this
16 property is being made possible through partnerships
17 with the Natural Lands Trust and Bucks County.

18 The property is mostly forested with mature
19 tree species comprised of tulip poplar, mixed oaks,
20 ash, beech and maple. There is a small three-acre
21 wetland located along Stony Garden Road. An unnamed
22 tributary to Haycock Creek runs through the property.

23 The Executive Director and staff recommend
24 the option listed above be accepted and the
25 Commission authorize the Bureau of Wildlife Habitat

1 Management to proceed with the acquisition of this
2 tract.

3 PRESIDENT BOOP: Thank you, Mr. Pouss.

4 There is a map attached. It's page 34,
5 which shows the action item that is before us. Mr.
6 Capouillez is available to answer any questions.

7 Is a Commissioner prepared to make a motion?

8 MR. ISABELLA: Motion.

9 PRESIDENT BOOP: Commissioner Isabella.

10 Is there a second?

11 MR. SCHLEIDEN: Second.

12 PRESIDENT BOOP: Commissioner Schleiden.

13 Is there discussion on this item?

14 MR. ISABELLA: I'd like to make a comment,
15 Mr. President.

16 PRESIDENT BOOP: Yes. The Chair recognizes
17 Commissioner Isabella.

18 MR. ISABELLA: Yeah, this property here, as
19 the description states, was well worth over \$1
20 million. A developer could have acquired this land,
21 but this acquisition prevents encroachment on our
22 State Game Lands and our range there. Our team did a
23 good job.

24 Thanks, Bill.

25 PRESIDENT BOOP: Any other Commissioner wish

1 to comment?

2 Commissioner Schreffler?

3 MR. SCHREFFLER: I just want to say this is
4 great. I think the more land that we can acquire
5 near population centers to provide the opportunity
6 for many of those families in that area to experience
7 hunting and so on is wonderful. I think it's a real
8 need that we have to expand our land holdings near
9 population centers.

10 PRESIDENT BOOP: Thank you for those
11 comments.

12 Any other Commissioner wish to comment?

13 (No response.)

14 PRESIDENT BOOP: If not, we'll vote. All in
15 favor of this first item of business from the Bureau
16 of Wildlife Habitat Management indicate by saying
17 aye.

18 (Signified aye.)

19 PRESIDENT BOOP: Opposed, same sign.

20 (No response.)

21 MR. ISABELLA: Unanimous, Mr. President.

22 PRESIDENT BOOP: Thank you, Mr. Secretary.

23 Moving to page 35.

24 MR. POUSS: Mr. President, the next item is
25 Option No. 50008. Thirty acres more or less of land

1 in Shade Township, Somerset County, near State Game
2 Land No. 93, Exhibit RED 2, which is page 36 of your
3 agenda, from Waste Management, Inc. This donation is
4 made possible through the Wildlife for Everyone
5 Endowment Foundation and will provide additional
6 protection of the Flight 93 flight path from
7 development.

8 The detached tract is a man-made wetland
9 designed and constructed as mitigation for
10 replacement wetlands impacted by a nearby landfill.
11 Presently, the wetland is functioning very well and
12 provides waterfowl habitat opportunities.

13 The Executive Director and staff recommend
14 the donation listed above be accepted and the
15 Commission authorize the Bureau of Wildlife Habitat
16 Management to proceed with the acquisition of this
17 tract.

18 PRESIDENT BOOP: Thank you, Mr. Pouss.

19 Again, we have a map on page 36 depicting
20 the tract in question.

21 Is there a motion?

22 MR. SCHLEIDEN: So moved.

23 PRESIDENT BOOP: Commissioner Schleiden.

24 Is there a second?

25 MR. SCHREFFLER: Second.

1 PRESIDENT BOOP: Commissioner Schreffler.

2 Is there discussion?

3 MR. SCHLEIDEN: Mr. President.

4 PRESIDENT BOOP: The Chair recognizes
5 Commissioner Schleiden.

6 MR. SCHLEIDEN: Serving on the Board of the
7 Wildlife For Everyone Foundation, I want to
8 acknowledge, I saw that Mr. Jim Gebicki, from Waste
9 Management is here. Jim, would you stand up? I want
10 to thank you and your company for stepping forward
11 and making this donation.

12 Waste Management provides a very important
13 and sometimes unpopular service to the public
14 nationwide. They've work very hard. We've seen
15 their ads, but they've worked very, very hard to do
16 it in a conservation-minded way. They work hard to
17 be a good neighbor.

18 A number of us went down to this particular
19 area, toured the properties that were given to us as
20 a conduit to the Game Commission. I came away very
21 impressed. They're very good neighbors down there.
22 They work very hard to being good neighbors. We're
23 just happy to be a conduit for this donation.

24 I think, Bill, did you mention Ducks
25 Unlimited was working on this as well?

1 MR. CAPOUILLEZ: Yes, sir. It's my
2 understanding they've allocated about \$18,000 towards
3 improving the waterfowl habitat in the area on that
4 tract as well.

5 MR. SCHLEIDEN: This property there's a lot
6 of money spent on it, literally millions of dollars
7 to make it a good wetlands. Again, we want to
8 recognize Waste Management for that effort and the
9 effort of all these partners that are coming
10 together. It's just wonderful.

11 I think the foundation is excited about
12 working with you more in the future, of working to
13 help the public have more land as to enjoy. We thank
14 you for the service you also give.

15 (Applause.)

16 PRESIDENT BOOP: I would want to echo on
17 behalf of the Board Commissioner Schleiden's
18 comments, but I also would like to note Commissioner
19 Schleiden is very modest. We'd like to publicly
20 acknowledge the Wildlife For Everyone Endowment
21 Foundation and all that they do. I know at least one
22 other Board member is here. If it were not for
23 Commissioner Schleiden and some of the other people
24 that have been involved with that, this opportunity
25 probably would not have been possible. So I think we

1 ought to thank them as well.

2 For those of you who don't know about the
3 Wildlife For Everyone Endowment Foundation, please
4 there's a Web site. There's a lot of information.
5 You can certainly talk to Commissioner Schleiden
6 about it.

7 Thank you again, sir.

8 MR. SCHLEIDEN: Wildlifeforeveryone.org.

9 (Applause.)

10 PRESIDENT BOOP: Okay, we have the item
11 before us. We've had some discussion. If there's no
12 other discussion, we're going to vote on this second
13 action item from the Bureau of Wildlife Habitat
14 Management.

15 All those in favor indicate by saying aye.

16 (Signified aye.)

17 PRESIDENT BOOP: Opposed, same sign.

18 (No response.)

19 MR. ISABELLA: Unanimous, Mr. President.

20 PRESIDENT BOOP: Thank you, Mr. Secretary.

21 Now moving to page 37, Mr. Pouss.

22 MR. POUSS: Yes, Mr. President.

23 The next item involves a land exchange with
24 Arcadia Industrial Corporation, which has agreed to
25 an exchange involving two lots totaling 1.67 acres,

1 being part of Sate Game Land No. 262, situate in
2 Montgomery Township, Indiana County, shown on Exhibit
3 RED 3, which is I believe page 38 of your agenda.

4 Arcadia Industrial Corporation desires to
5 expand its current manufacturing facilities. The
6 Commission already has limited use of the property
7 because of safety zones from the current facilities.

8 In exchange, Arcadia Industrial Corporation
9 will transfer 6.68 acres in Grant Township, Indiana
10 County, which is shown on Exhibit RED 4, which is
11 page 39 of your agenda. The 6.68 acres adjoining
12 State Games Lands No. 262 is forested riparian
13 habitat and will provide additional road frontage
14 along a state highway locally known as Pine Vale Road
15 and protects a portion of Little Mahoning Creek, a
16 trout stream.

17 The staff has reviewed this proposal and has
18 determined it to be of equal or greater value for the
19 benefit of wildlife.

20 The Executive Director and staff recommend
21 this land exchange be approved and the Commission
22 authorize the Bureau of Wildlife Habitat Management
23 to proceed with the exchanges indicated above.

24 PRESIDENT BOOP: Thank you, Mr. Pouss.

25 From the reading you'll note that this

1 involves two land exchanges, one in Indiana County
2 and one in Westmoreland County.

3 Is there a motion?

4 MR. ISABELLA: Motion.

5 PRESIDENT BOOP: Commissioner Isabella.

6 Is there a second?

7 MR. SCHLEIDEN: Second.

8 PRESIDENT BOOP: Commissioner Schleiden.

9 Is there discussion on the item?

10 (No response.)

11 PRESIDENT BOOP: Hearing none, we'll vote.

12 All in favor indicate by saying aye.

13 (Signified aye.)

14 PRESIDENT BOOP: Opposed, same sign.

15 (No response.)

16 MR. ISABELLA: Unanimous, Mr. President.

17 PRESIDENT BOOP: Thank you, Mr. Secretary.

18 Turning to page 41.

19 MR. POUSS: The next item involves a
20 resolution endorsing cooperative wind energy
21 agreements.

22 WHEREAS, the Pennsylvania Game Commission
23 seeks to coordinate wind energy projects with wind
24 energy developers in order to work collaboratively to
25 ensure that wind energy development project sites are

1 developed in both an environmentally conscientious
2 manner and with best regard for the conservation of
3 the Commonwealth's wildlife resources; and

4 WHEREAS, pursuant to the jurisdiction
5 granted by 34 Pennsylvania Consolidated Statute §101
6 et seq. the Game and Wildlife Code, the Commission
7 has the authority to protect, propagate, manage and
8 preserve the game or wildlife of this Commonwealth
9 and to enforce, by proper actions and proceedings,
10 the laws of the Commonwealth relating thereto; and

11 WHEREAS, both the Commission and Cooperators
12 support renewable energy initiatives and are
13 dedicated to arriving at uniform guidance, in the
14 absence of comprehensive state regulations, on how
15 best to avoid, minimize, and/or potentially mitigate
16 adverse impacts to wildlife resources; and

17 WHEREAS, the Commission and Cooperators, in
18 an effort to best avoid, minimize and/or mitigate
19 potential adverse impacts with specific intent to
20 birds and mammals, have entered into Cooperative
21 Agreements in an effort to standardize wildlife
22 monitoring protocols and wildlife impact review
23 methods associated with wind energy development
24 projects in a mutually beneficial and flexible manner
25 and with high regard to both parties' goals,

1 objectives and purviews.

2 Now, therefore, be it resolved that the
3 Commission endorses the Cooperative Wind Energy
4 Agreements which are currently pending final
5 execution by the Commission and Cooperators, as well
6 as those Agreements which may be executed in the
7 future.

8 The Executive Director and staff recommend
9 the resolution shown above be accepted.

10 PRESIDENT BOOP: You've heard the reading of
11 the item as presented. We, as a Board, are being
12 asked to endorse by resolution these wind energy
13 agreements.

14 I believe, although I'm sure the
15 Commissioners all understand, maybe for the benefit
16 of those in the audience, Bill, could you just
17 comment briefly on this for us, please?

18 MR. CAPOUILLEZ: Yes, sir.

19 This is a collaborative effort that came out
20 of some statewide initiatives for which the Game
21 Commission was the lead with regard to the bats and
22 birds impacts. It's a voluntary agreement in that
23 there's really no regulations or permitting mechanism
24 that exist within the state which are encompassing
25 actual reviews and monitoring from wind energy

1 development.

2 Wind energy development has taken a
3 forefront on a lot of the landscape across
4 Pennsylvania in the recent two years. So this effort
5 sets in place in absence of those regulations a
6 better means of monitoring, as well as accessing
7 potential impacts to bats and birds and minimizing
8 and mitigating those impacts.

9 There's going to be a press release with
10 regard to the Cooperators that have signed in.
11 That's going to occur at 2 o'clock this afternoon.
12 Again, this is something that these Cooperators not
13 having to do, but voluntarily stepped forward to do
14 the right thing, the higher and better use of the
15 energy resource, as well as the cooperation with the
16 Game Commission.

17 So it's been a long effort and it's been
18 very rewarding based on the amount of Cooperators I
19 have there listed.

20 PRESIDENT BOOP: Is this going to be a
21 public press conference, Bill?

22 MR. CAPOUILLEZ: Yes, sir, at 2 o'clock.

23 PRESIDENT BOOP: Where will that be at 2
24 o'clock?

25 MR. CAPOUILLEZ: That will be right here in

1 this room, sir.

2 PRESIDENT BOOP: In this room, so anyone who
3 is interested would be able to attend?

4 MR. CAPOUILLEZ: Yes, sir.

5 PRESIDENT BOOP: Okay, I hope that that
6 explanation was further helpful, at least for the
7 people in the audience, but for the Commissioners who
8 are being asked to endorse, you have the item before
9 you.

10 Is there a motion?

11 MR. ISABELLA: Motion.

12 PRESIDENT BOOP: Commissioner Isabella.

13 Is there a second?

14 MRS. PALONE: Second.

15 PRESIDENT BOOP: Commissioner Palone.

16 The matter has been properly moved and
17 seconded.

18 Is there any discussion?

19 MR. SCHREFFLER: Yes.

20 PRESIDENT BOOP: Yes, Commissioner
21 Schreffler.

22 MR. SCHREFFLER: I would just like to
23 commend the efforts of our Bureau Director Capouillez
24 in taking the lead in this matter and recognizing for
25 that. He's been primarily the person responsible for

1 it.

2 Thank you.

3 PRESIDENT BOOP: Yes, sir, your comments are
4 well noted and I'm sure we all concur.

5 Any other comments?

6 (No response.)

7 PRESIDENT BOOP: All in favor indicate by
8 saying aye.

9 (Signified aye.)

10 PRESIDENT BOOP: Opposed, same sign.

11 (No response.)

12 MR. ISABELLA: Unanimous, Mr. President.

13 PRESIDENT BOOP: That takes us to page 42 of
14 the agenda. The item that remains are the allocation
15 matters. We do have a lot of handouts.

16 I think probably now would be the
17 appropriate time to take a morning break. So I have
18 about ten of. Let's try to meet back at five after
19 and we'll take up the allocations.

20 (Recess 9:50 A.M.)

21 (Reconvened 10:07 A.M.)

22 PRESIDENT BOOP: As we mentioned earlier in
23 the meeting, we're now going to turn to the matter of
24 the allocations. We did have a presentation
25 yesterday afternoon that was open to the public.

1 Many of you were here for that, but what we plan to
2 do is with the 22 Management Units we're going to
3 entertain a motion and a second and then we're going
4 to go through each Management Unit individually to
5 see if there are any amendments. When we complete
6 that process, we're going to vote on the overall
7 package involving all 22.

8 So first of all, the Chair would recognize
9 Bureau Director DuBrock, and Dr. Rosenberry is here.
10 Chris, maybe if you'd be willing to share the podium
11 or be over there in that area so if there's specific
12 questions directed to you from the Board you can help
13 us?

14 To get started, I'll ask first of the Board,
15 is there a motion to approve the allocations for
16 2007-2008 as presented yesterday afternoon and as set
17 forth in the packets that we all have before us?

18 MR. ISABELLA: Motion.

19 MRS. PALONE: So moved.

20 PRESIDENT BOOP: Again, I'm going to give it
21 to Commissioner Isabella with a second to
22 Commissioner Palone, if that's agreeable.

23 So it's properly moved and seconded. I
24 believe now we'll turn to 1A, which is the first of
25 the Management Units. We do have our Wildlife

1 Management Unit map up here for those in the
2 audience. Hopefully, you can see it. I think many
3 people are now familiar from the Digest because we've
4 been working with this system for some time.

5 One(A), the recommended allocation is 42,000
6 for 2007-2008. Are there any amendments with respect
7 to 1A?

8 (No response.)

9 PRESIDENT BOOP: Hearing none, we move to
10 1B, where the recommended allocation is 30,000.
11 Again, as with 1A, this is the same allocation as was
12 recommended and approved for last year.

13 Any amendments with respect to 1B?

14 (No response.)

15 PRESIDENT BOOP: Moving to 2A, recommended
16 allocation is 60,000. The allocation for the
17 previous '06/07 was 55,000. Is there any discussion
18 for the proposed amendment?

19 (No response.)

20 PRESIDENT BOOP: No amendment with respect
21 to 2A.

22 Moving to 2B, the recommended allocation is
23 68,000, which is the same for the previous season.

24 Any amendment with respect to 2B?

25 (No response.)

1 PRESIDENT BOOP: Moving to 2C, recommended
2 allocation is 49,000, the same as for '06/07. Is
3 there an amendment with respect to 2C?

4 (No response.)

5 PRESIDENT BOOP: Moving to 2D, recommended
6 allocation is 56,000, the same as '06/07. Are there
7 any amendments with respect to 2D?

8 (No response.)

9 PRESIDENT BOOP: Two(E), 21,000 recommended,
10 the same as '06/07. Any amendment with respect to
11 2E?

12 (No response.)

13 PRESIDENT BOOP: Two(F), recommended
14 allocation is 28,000, the same as previously set.
15 Any amendment with respect to 2F?

16 (No response.)

17 PRESIDENT BOOP: Two(G), recommended
18 allocation is 26,000. Previous allocation was
19 19,000. I think this was discussed yesterday.
20 That's a 37 percent increase. Is there an amendment
21 with respect to 2G?

22 (No response.)

23 PRESIDENT BOOP: Going to 3A, recommended
24 allocation of 29,000, which was the same as '06/07.
25 Amendment with respect to 3A?

1 (No response.)

2 PRESIDENT BOOP: Three(B), 43,000, the same
3 as previous. Amendment with respect to 3B?

4 (No response.)

5 PRESIDENT BOOP: Three(C), 27,000, the same
6 as previous. Amendment with respect to 3C?

7 (No response.)

8 PRESIDENT BOOP: Three(D), 38,000, the same
9 as previous. Amendment with respect to 3D?

10 (No response.)

11 PRESIDENT BOOP: Four(A), 29,000, the same
12 as previous. Amendment with respect to 4A?

13 (No response.)

14 PRESIDENT BOOP: Four(B), 23,000. The
15 previous allocation was 31,000. So this is a
16 percentage decrease in 4B. Any amendment with
17 respect to 4B?

18 (No response.)

19 PRESIDENT BOOP: Four(C), 39,000
20 recommended. Thirty-nine thousand for the previous
21 year. Any amendment with respect to 4C?

22 (No response.)

23 PRESIDENT BOOP: Four(D), 40,000, the same as
24 previous. Any amendment with respect to 4D?

25 (No response.)

1 PRESIDENT BOOP: Moving to 4E,
2 recommendation 38,000. Previous it was 38,000. If
3 there's no one else I would like to offer an
4 amendment with respect to 4E. Four(E) is the only
5 Management Unit that we have in the state where the
6 deer health is good.

7 Of course, habitat is good and our deer-
8 human conflicts are above, so we have positives in
9 all three areas of the deer health. Reproduction for
10 one-year-olds is fair, but as we heard yesterday,
11 although this includes all or a part of eight
12 counties in the central or the eastern center of the
13 state, that was based on a sample size of 13 animals.

14 It takes now the full period to sell out the
15 allocations. We had no red tag harvest at all in
16 '06, and DMAP utilization was low. It is decreasing.
17 If there's any Management Unit that would seem
18 appropriate to allow the herd to increase, all the
19 factors would seem favorable from the criteria that
20 we're using.

21 This is also my home county area, which I'm
22 very familiar, and my amendment would be to reduce
23 the allocation to 30,000, which is a modest
24 reduction, in my opinion, and my amendment would be
25 to reduce the allocation to 30,000.

1 I understand we've not had a Citizen
2 Advisory Committee and that's the only thing that was
3 indicated we're waiting for, but I think we, as a
4 Board, can make the political and the social decision
5 before the CAC would meet.

6 So that's my amendment.

7 Is there a second to the amendment?

8 MR. SCHREFFLER: Second it.

9 PRESIDENT BOOP: Seconded.

10 Is there discussion on the amendment?

11 MRS. PALONE: Mr. President.

12 PRESIDENT BOOP: Commissioner Palone.

13 MRS. PALONE: Thank you.

14 Our objective in this Wildlife Management
15 Unit is to stabilize the population. I feel if we
16 decrease the doe allocation that our population may,
17 in fact, increase. I also feel that right now the
18 deer herd health and, of course, habitat health is
19 good. If we increase the population of the deer
20 there, that those two things will not remain good.
21 That they could be degraded sometime in the future.

22 PRESIDENT BOOP: Commissioner Schleiden?

23 MR. SCHLEIDEN: Yes, sir.

24 I'm kind of interested in knowing how you
25 came up with 30,000, since I know how staff came up

1 with 38,000? Is that just a number that you feel
2 comfortable with?

3 PRESIDENT BOOP: Well, my understanding,
4 and, again, I could be corrected by Dr. Rosenberry,
5 that it takes three to four tags to kill an
6 antlerless deer in that area. Correct me if I'm
7 wrong, and I think that that would allow a modest
8 increase of about 2,000 animals, spread over an
9 eight-county area, which I don't really consider to
10 be a significant impact.

11 MR. SCHLEIDEN: Well, that's what I was
12 looking at as well, because the 38,000 over an eight-
13 county area is only roughly about 4,500 permits on
14 average, although it may be that some people hunt
15 more in one area in that unit than others.

16 So that's why I was asking.

17 PRESIDENT BOOP: That was the rationale.

18 MR. HILL: I'd like to make a few comments.

19 PRESIDENT BOOP: Sure, Mr. Hill.

20 MR. HILL: I'm looking at these numbers as
21 well and I take it from your comment that the
22 recommendation is based on political and social
23 factors, not biological ones.

24 PRESIDENT BOOP: I think it can also be
25 based on biological as well, because we have all of

1 the factors pointing to the positive. The only
2 thing, as Dr. Rosenberry, if I understood him
3 yesterday that we're waiting on that would make a
4 recommendation increase, would be a Citizens Advisory
5 Committee, which has simply not been scheduled in
6 that Management Unit.

7 So I think it's on all three. It's
8 biological, political and social.

9 MR. HILL: But qualitative biological, not
10 quantitative; right?

11 PRESIDENT BOOP: Well, I guess we can get
12 into that esoteric debate, but I'll let you have the
13 word on that.

14 MR. HILL: Well, I think that it was brought
15 up yesterday. I guess I don't understand the
16 distinction as well either, because if you look at
17 deer health by WMU, we're barely, the fawns were
18 barely in that category above this line. I can't
19 with my bifocals see the difference, but I think
20 that's an important distinction.

21 If we're going to mix political and social
22 factors with science, at some point where do we mix
23 so much we lose the science? That's hard.

24 PRESIDENT BOOP: I guess my response to that
25 is that in my humble opinion we've lost the political

1 and social for the last five years and science has
2 trumped us for five years. Can't political and
3 social play a small percentage in the equation?

4 MR. SCHLEIDEN: Well, it did for 70 years.

5 PRESIDENT BOOP: Well, that may be and
6 pendulums swing and sometimes they swing too far.

7 MR. HILL: I'm just confused over the
8 quantitative and qualitative, I guess.

9 PRESIDENT BOOP: I'll leave that for the
10 scientists.

11 MR. HILL: I have.

12 PRESIDENT BOOP: Anyone else have comments
13 on the amendment?

14 (No response.)

15 PRESIDENT BOOP: So we have the amendment on
16 the floor. We have the comment. All those in favor
17 of the amendment which would reduce the allocation in
18 4E to 30,000 indicate by saying aye.

19 (Commissioners Schreffler and Boop signified
20 aye.)

21 PRESIDENT BOOP: Opposed same sign.

22 (Commissioners Isabella, Hill, Schleiden and
23 Palone indicate nay.)

24 MR. ISABELLA: The ayes two, nays four.

25 PRESIDENT BOOP: Thank you, Mr. Secretary.

1 Moving to 5A, the recommended allocation
2 there is 22,000. The '06/07 was 25,000. There's a
3 3,000 reduction there. Is there any amendment with
4 respect to 5A?

5 (No response.)

6 PRESIDENT BOOP: Hearing none, moving to 5B,
7 recommended allocation is 53,000, the same as '06/07.
8 Is there any amendment with respect to 5B?

9 (No response.)

10 PRESIDENT BOOP: Five(C) recommended
11 allocation is 84,000. The '06/07 allocation was
12 79,000. Any amendment there?

13 (No response.)

14 PRESIDENT BOOP: Five(D), recommended
15 allocation is 20,000, '06/07 was twenty. Any
16 amendment with respect to that Management Unit?

17 (No response.)

18 PRESIDENT BOOP: Hearing none, we have the
19 allocation numbers before us for all 22 units. No
20 amendments that have passed, so we would be I guess
21 at this point entertaining any additional discussion
22 or comments on the overall motion, which would be to
23 approve the recommended allocation numbers for the 22
24 Management Units.

25 Is there any additional discussion?

1 I just would like to note as discussion and,
2 again, I guess it gets us back into the political,
3 social, biological. On March 5, some of us as
4 Commissioners attended the House Budget Legislative
5 Committee. I may not have the correct title there.
6 We heard from about 20 Representatives on a
7 bipartisan basis, who all, I believe represent about
8 50,000 constituents, really pleading for this Board
9 to make some adjustment to our Deer Management
10 Program.

11 These allocation numbers, if we approve them
12 as stated, again, I may not be exactly correct, but I
13 think about 6,000 more than we had in '06/07. Living
14 in the political environment professionally I just
15 wonder how wise that is when the legislature which
16 controls the budgetary process that affects
17 everything we do here at this agency, not just deer,
18 which enables us to function, whether it's really
19 wise in light of almost the pleading that we had from
20 the legislators to make some modest changes? Do we
21 really want to approve an allocation package that not
22 only does not do that, but increases the allocations
23 over last year?

24 I just am concerned that that's politically
25 not wise.

1 If there's no other discussion, all those in
2 favor of the motion to approve the allocations as
3 recommended by the Bureau of Wildlife Management
4 indicate by saying aye.

5 (Commissioners Isabella, Palone, Schleiden
6 and Hill indicate aye.)

7 PRESIDENT BOOP: Opposed same sign.

8 (Commissioners Boop and Schreffler oppose.)

9 MR. ISABELLA: Ayes four, nays two, Mr.
10 President.

11 PRESIDENT BOOP: That completes the
12 allocation as part of the business. Thank you.

13 Again, Dr. Rosenberry and Mr. DuBrock, I
14 expected there would be more questions. I appreciate
15 your willingness to be here to answer them.

16 I'm now going to go back to Director Palmer,
17 the Bureau of Wildlife Protection. We do have
18 remaining on our agenda there are some Administrative
19 Hearing matters that we need to take up yet. I know
20 that Mr. Palmer's bureau has worked very hard to get
21 this to us for the April meeting and we really
22 pressed them, but, again, in fairness to the people
23 affected, we wanted to have these determinations
24 before the new license season begins.

25 So before us we have a blue packet of

1 material that probably the people in the audience do
2 not have, but we have, one is for revocations to
3 remain, some are to be reduced and some are to be
4 rescinded.

5 Without reading the individuals' names, Mr.
6 Pouss, we're going to do this one by one, so would
7 you start with those that remain?

8 MR. POUSS: The first one, which is labeled
9 A, do you need the explanation, the commentary?

10 PRESIDENT BOOP: Just give us a summary.

11 PRESIDENT BOOP: Administrative hearings are
12 held to review hunting and furtaking revocations for
13 those persons who file a petition requesting a
14 review, in accordance with the Administrative Agency
15 Law.

16 The Commission was furnished a copy of the
17 Findings of Fact, Conclusions of Law, and
18 Recommendations of the Hearing Officer. The Findings
19 of Fact set forth the circumstances surrounding this
20 matter.

21 The Executive Director recommends that the
22 Commission approve the Findings of Fact, Conclusions
23 of Law, and Recommendation of the Hearing Officer
24 Lehman, allowing the revocation period to remain as
25 originally ordered for each of the individuals

1 listed.

2 There are nine individuals listed to have
3 the revocation period remain the same.

4 PRESIDENT BOOP: Commissioners, the matter
5 is before you.

6 Is there a motion?

7 MR. ISABELLA: Motion.

8 PRESIDENT BOOP: Commissioner Isabella.

9 Is there a second?

10 MR. SCHREFFLER: So moved.

11 PRESIDENT BOOP: Commissioner Schreffler.

12 All in favor indicate by saying aye.

13 (Signified aye.)

14 PRESIDENT BOOP: Those opposed.

15 (No response.)

16 MR. ISABELLA: Unanimous, Mr. President.

17 PRESIDENT BOOP: I believe with respect to
18 page two, the summary would be the same. It's just
19 reduced for the three individuals indicated?

20 MR. POUSS: Yes. The recommendation is, and
21 each one has a different reduction. One it would be
22 reduced from three years to one year. The second one
23 would be reduced from three years to one year and the
24 third one would be reduced from six years to four
25 years.

1 PRESIDENT BOOP: The matter is before you,
2 Commissioners. Is there a motion?

3 MR. ISABELLA: Motion.

4 PRESIDENT BOOP: Commissioner Isabella.
5 Is there a second?

6 MRS. PALONE: Second.

7 PRESIDENT BOOP: Any discussion?

8 (No response.)

9 PRESIDENT BOOP: If not, all in favor
10 indicate by saying aye.

11 (Signified aye.)

12 PRESIDENT BOOP: Opposed, same sign.

13 (No response.)

14 MR. ISABELLA: Unanimous, Mr. President.

15 PRESIDENT BOOP: Thank you, Mr. Secretary.

16 And the last of these items would be for
17 five individuals, which the revocation period would
18 be rescinded, Mr. Pouss?

19 MR. POUSS: Yes. That is the recommendation
20 of the Hearing Officer that all five individuals have
21 their revocations rescinded.

22 PRESIDENT BOOP: Motion?

23 MR. ISABELLA: Motion.

24 PRESIDENT BOOP: Second?

25 MR. SCHREFFLER: Second.

1 PRESIDENT BOOP: Commissioner Isabella made
2 the motion. Commissioner Schreffler seconded it.

3 Is there any discussion?

4 (No response.)

5 PRESIDENT BOOP: If not, all in favor
6 indicate by saying aye.

7 (Signified aye.)

8 PRESIDENT BOOP: Opposed same sign.

9 (No response.)

10 MR. ISABELLA: Unanimous, Mr. President.

11 PRESIDENT BOOP: We've now completed the
12 formal agenda for today. We are under new business.

13 Does any Commissioner have any item of new
14 business that he or she wishes to bring before the
15 Board?

16 Yes, Commissioner Isabella?

17 MR. ISABELLA: Under new business, I would
18 like the Wildlife Management Committee and the deer
19 people to consider one experimental Wildlife
20 Management Unit to further allocate the basic
21 managerial concept of our existing Deer Management
22 Program and report back with possible recommendations
23 in October of 2007.

24 PRESIDENT BOOP: As I understand it,
25 Commissioner Isabella, this would then be for the

1 '08/09 hunting season?

2 MR. ISABELLA: Yes, Mr. President.

3 PRESIDENT BOOP: You've heard Commissioner
4 Isabella's request. I don't believe that requires
5 formal action in terms of the vote, unless you're
6 requesting a vote.

7 Other Commissioners have comment or remarks?

8 Yes, Mr. Schleiden.

9 MR. SCHLEIDEN: I don't believe we vote on
10 new business. I think it was just a request.

11 PRESIDENT BOOP: Right. I just wondered if
12 anyone else wanted to comment on it.

13 MR. SCHLEIDEN: As I understand,
14 Commissioner Isabella, you're asking staff to take a
15 look at this with the Wildlife Committee
16 Commissioners to take a look at the possibility of
17 that next season that may or may not come about, but
18 they'll have an opportunity to report back to us in
19 October and give us our suggestions as they see and
20 meet your requirements as well?

21 MR. ISABELLA: That's correct, Commissioner.

22 PRESIDENT BOOP: Anyone else want to comment
23 on Commissioner Isabella's matter?

24 I would certainly support any effort in this
25 area. I just hope there's time.

1 Anyone else have any other matters of new
2 business?

3 (No response.)

4 PRESIDENT BOOP: Hearing none--

5 MR. ISABELLA: I'm sorry, Mr. President,
6 just the dates of next meeting.

7 PRESIDENT BOOP: I'm going to do that. The
8 dates for the next meeting are already previously
9 established as June 25 and June 26, at 8:30 A.M.
10 We'll be here for our June meeting.

11 If there's no other business, we're going to
12 adjourn.

13 There will be a press conference in this
14 room because of the training class being active so
15 the members of the media that want to stay, I will be
16 having a press conference immediately after the
17 meeting.

18 If there's nothing else, we're adjourned.

19 (Meeting adjourned 10:31 A.M.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings taken by me in the within matter are fully and accurately indicated in my notes and that this is a true and correct transcript of same.

A handwritten signature in cursive script, reading "Frances Peck". The signature is written in dark ink and is positioned above a horizontal line.

Frances Peck, Reporter
Notary Public