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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

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IN RE: Game Commission Board Meeting
PUBLIC MEETING

* * * * *

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

HEARING: Thursday, July 9, 2009
8:28 a.m.

LOCATION: Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110

WITNESSES: NONE

Reporter: R. Bradley Peiffer
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A P P E A R A N C E S

BRADLEY C. BECHTEL, ESQUIRE

Pennsylvania Game Commission

2001 Elmerton Avenue

Harrisburg, PA 17110

Counsel for Pennsylvania Game Commission

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I N D E X

DISCUSSION AMONG PARTIES

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E X H I B I T S

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P R O C E E D I N G S

MR. ISABELLA:

Welcome to the quarterly meeting of the Pennsylvania Game Commission. And at this time, if you have cell phones, please turn them off or put them on vibrate. And at this time, I'd like to stand for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

MR. ISABELLA:

Mr. Secretary, roll call of Commissioners.

MR. WEANER:

Mr. President, all Commissioners are here and accounted for.

MR. ISABELLA:

Thank you, Mr. Secretary. Now, can I have a motion for the approval of the minutes of the meeting held April 21st, 2009?

VOTE TAKEN

SHORT BREAK TAKEN

MR. ISABELLA:

I have a motion by Commissioner Boop.

1 Second?

2 MR. SCHREFFLER:

3 Second.

4 MR. ISABELLA:

5 Seconded by Commissioner Schreffler. All
6 in favor of the minutes, please reply by saying aye.

7 AYES TAKEN

8 MR. ISABELLA:

9 Opposed?

10 MR. WEANER:

11 The vote is seven to nothing, all in
12 favor.

13 MR. ISABELLA:

14 Thank you, Mr. Secretary. At this time,
15 I'd like to bring in Agency Counsel, Brad Bechtel, to
16 read the commentary.

17 ATTORNEY BECHTEL:

18 Thank you. The first five items relate
19 to document regulations proposed at the April 21st,
20 2009 meeting. The adoptions proposed amendments to
21 Section 135.41 relating to state game land,
22 specifically prohibit the use or possession of drug
23 paraphernalia on State game lands. The Executive
24 Director and staff recommend final adoption of this
25 amendment to 58 PA Code as shown on Exhibit A on page

1 three of your Agenda.

2 MR. ISABELLA:

3 You've heard the reading of the
4 commentary, any motion?

5 MR. SCHREFFLER:

6 I'll move.

7 MR. ISABELLA:

8 Commissioner Schreffler. Second?

9 MR. SCHLEMMER:

10 Second.

11 MR. ISABELLA:

12 Commissioner Schlemmer. Any discussion?

13 No more discussion. All in favor signify by saying
14 Aye.

15 AYES TAKEN

16 MR. ISABELLA:

17 Opposed?

18 MR. WEANER:

19 Mr. President, the vote unanimously is a
20 yes.

21 MR. ISABELLA:

22 Thank you, Mr. Secretary.

23 ATTORNEY BECHTEL:

24 The next item concerns the adoption of
25 proposed amendments to section 135.48 relating to

1 State game lands roads open to the vehicular traffic
2 for disabled persons, to remove the one-way travel
3 limitation affecting the limited travel permitted on
4 designated State game lands roads and replace it with
5 an open-travel allowance that is subject to further
6 limitation based upon existing weather or road
7 conditions as indicated by conspicuous signage or
8 postings. The Executive Director and Staff recommend
9 the final adoption of this amendment to 58 PA Code as
10 shown on Exhibit B of page five of your Agenda.

11 MR. ISABELLA:

12 You've heard the reading of the
13 commentary; is there a motion?

14 MR. DELANEY:

15 So moved.

16 MR. ISABELLA:

17 Commissioner Delaney. Second?

18 MR. SCHREFFLER:

19 Second.

20 MR. ISABELLA:

21 Commissioner Schreffler. Any discussion?

22 No discussion. All in favor signify by saying Aye.

23 AYES TAKEN

24 MR. ISABELLA:

25 Opposed?

1 MR. WEANER:

2 Mr. President, the vote is unanimously
3 yes.

4 MR. ISABELLA:

5 Thank you, Mr. Secretary. Next?

6 ATTORNEY BECHTEL:

7 The next item is the adoption of proposed
8 amendments to section 135.103 relating to registration
9 for controlled goose hunting areas to permit persons
10 who have previously hunted a controlled goose hunting
11 area to make application for unclaimed blinds on the
12 morning of the designated shooting day, but only where
13 there exists an absence of applications for the
14 unclaimed blinds from persons who have not previously
15 hunted a controlled goose hunting area. The Executive
16 Director and Staff recommend final adoption of this
17 amendment to 58 PA Code as shown on Exhibit C on page
18 seven of your Agenda.

19 MR. ISABELLA:

20 Thank you, Brad. You heard the reading
21 of the commentary; is there a motion?

22 MR. SCHLEMMER:

23 So moved.

24 MR. ISABELLA:

25 Commissioner Schlemmer. Second?

1 MR. SCHREFFLER:

2 Second.

3 MR. ISABELLA:

4 Commissioner Schreffler. Any discussion?

5 With no discussion, all in favor signify by saying

6 Aye.

7 AYES TAKEN

8 MR. ISABELLA:

9 Opposed?

10 MR. WEANER:

11 Mr. President, the vote is unanimous,

12 yes.

13 MR. ISABELLA:

14 Thank you, Mr. Secretary.

15 ATTORNEY BECHTEL:

16 The next item also concerns the adoption
17 of proposed amendments amending sections 141.47 and
18 147.701, relating to elk and general, removing section
19 141.49 relating to elk guide permits and adding
20 Chapter 147 subchapter Y relating to guiding permit to
21 relocate, consolidate and more clearly define the
22 permitting process for persons interesting in guiding
23 other hunters or trappers for certain designated
24 species. The Executive Director and Staff recommend
25 final adoption of these amendments to 58 PA Code as

1 shown on Exhibit D on page 11 of your Agenda.

2 MR. ISABELLA:

3 Thank you, Brad. Commissioners, you have
4 heard the reading of the commentary; is there a
5 motion?

6 MR. DELANEY:

7 So moved.

8 MR. ISABELLA:

9 Motion by Commissioner Delaney. Second?

10 MR. WEANER:

11 Second.

12 MR. ISABELLA:

13 Second by Commissioner Weaner. Any
14 discussion? I have just something to say, Rich, the
15 way I understand, it's just house cleaning?

16 MR. PALMER:

17 Yes, Mr. President. Primarily, what this
18 does is part of our overall effort to streamline the
19 regulations. This takes separate categories of guide
20 permits that were in separate locations to go and
21 consolidates them into one section as part of our
22 overall streamlining process. In addition to that, it
23 more clearly defines what activities actually
24 constitute guiding.

25 MR. ISABELLA:

1 Thank you, Rich. Any other discussion?
2 All in favor signify by saying Aye.

3 AYES TAKEN

4 MR. ISABELLA:

5 Opposed?

6 MR. WEANER:

7 Mr. President, the vote's unanimously,
8 yes.

9 MR. ISABELLA:

10 Thank you, Mr. Secretary.

11 ATTORNEY BECHTEL:

12 The next item concerns adoption of
13 proposed amendments section 147.142 relating to
14 possession of wildlife accidentally killed by a motor
15 vehicle to expand the section's coverage to apply to
16 wildlife disposition generally pursuant to a
17 consumption permit. The Executive Director and Staff
18 recommend final adoption of this amendment to 58 PA
19 Code as shown on Exhibit E on pages 13 and 14 of your
20 Agenda.

21 MR. ISABELLA:

22 Thank you, Brad. Commissioners, you've
23 heard the reading of the commentary; is there a
24 motion?

25 MR. WEANER:

1 So moved.

2 MR. ISABELLA:

3 Mr. Weaner motion. Second?

4 MR. SCHLEMMER:

5 Second.

6 MR. ISABELLA:

7 Mr. Schlemmer, second. Any discussion?

8 MR. SCHLEMMER:

9 Yes.

10 MR. ISABELLA:

11 Commissioner Schreffler.

12 MR. SCHREFFLER:

13 My understanding is that this is
14 basically adds turkeys to the accidental road kills to
15 be picked up as well as deer; is that right?

16 MR. PALMER:

17 Yes, Commissioner Schreffler. What this
18 includes is an expansion of the allowance for
19 Pennsylvania residences to pick up turkeys that are
20 killed on the highway without first contacting the
21 Commission and they would have the same period of time
22 to contact the Commission to receive a permit or a
23 permit number to take possession of that for
24 consumption.

25 MR. SCHREFFLER:

1 And they can call in to get that number;
2 is that correct?

3 MR. PALMER:

4 That's correct.

5 MR. SCHLEFFLER:

6 And what about the animals, the other
7 animals that might be killed on the road, like for
8 instance, foxes and things of that sort?

9 MR. PALMER:

10 There is a another allowance under 2-B
11 that authorizes licensed Pennsylvania furtakers
12 license to take immediate possession and utilize the
13 edible/inedible portions of any furbearer, except,
14 river otters, bobcats and fishers that are obviously
15 killed by motor vehicles.

16 MR. SCHREFFLER:

17 In this consumption permit portion here,
18 a farmer who would kill deer for crop kill on his
19 farm, and he stocked at consumption for the last few
20 months if he wants to give back to, let's say, a needy
21 family or something like that?

22 MR. PALMER:

23 Well, a farmer can not give back
24 directly. Those deer have to be turned into the
25 Commission. And once they are turned into the

1 commission though, this would provide the
2 administrative vehicle or the paperwork for
3 consumption from it, would be given by the officer to
4 the people taking possession of that animal.

5 MR. SCHREFFLER:

6 Good. Thank you for the clarification.

7 MR. ISABELLA:

8 Any further discussion?

9 MR. DELANEY:

10 Yes, President Isabella.

11 MR. ISABELLA:

12 Commissioner Delaney.

13 MR. DELANEY:

14 Rich, I take it this is new policy that
15 we have here, I certainly support it. I think it's
16 worth the reviews of another resource that would
17 probably be just totally discarded in what we're
18 doing, but I'd also think if we amend this policy at
19 this meeting today, that's certain we need to do a
20 real good job to allow our sportsmen to know what
21 changes there are out there. So again, this resource
22 will be used in a proper fashion. Thank you.

23 MR. ISABELLA:

24 Any further discussion? All in favor
25 signify by saying Aye.

1 AYES TAKEN

2 MR. ISABELLA:

3 Opposed?

4 MR. WEANER:

5 Mr. President, the vote is unanimously,
6 yes.

7 MR. ISABELLA:

8 Thank you, Mr. Secretary.

9 ATTORNEY BECHTEL:

10 The next item related to proposal
11 amendments. Amendment 58 PA Code Sections 139.4,
12 141.43 and 141.44. The use of crossbows in the
13 archery seasons has been a difficult issue for the
14 Board of Commissioners to address. The crossbow was
15 included in all archery seasons by the Board of
16 Commissioners in January of 2009. Since that time,
17 the composition of the Board has changed and some
18 Commissioners believe the vote in January does not
19 reflect the views of the current Board.

20 As a result, the Agenda item below has
21 been introduced to change the season in which the
22 crossbow can be used. This will result in less time
23 available for the use of crossbows in the archery
24 season. The changes are listed in the text on pages
25 15 through 18 of your Agenda. This is the Commission

1 directed agenda item.

2 MR. ISABELLA:

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

5 MR. WEANER:

6 So moved.

7 MR. ISABELLA:

8 Commissioner Weaner. Second?

9 MR. DELANEY:

10 So moved.

11 MR. ISABELLA:

12 Commissioner Delaney. Any discussion?

13 MR. WEANER:

14 Mr. President?

15 MR. ISABELLA:

16 Mr. Secretary?

17 MR. WEANER:

18 I discovered since the book was printed
19 here that it didn't quite match the proposal that I
20 had attended. And so therefore, I'm offering an
21 amendment, which would change the language on page 15.
22 I would move to strike out the last day of the season
23 as being October 17th and insert the date October
24 16th.

25 MR. ISABELLA:

1 Is there a second to the amendment?

2 MR. SCHREFFLER:

3 I'll second it.

4 MR. ISABELLA:

5 Commissioner Schreffler. All in favor of
6 amendment signify by saying Aye.

7 AYES TAKEN

8 MR. ISABELLA:

9 Opposed? All in favor of the amendment
10 signify by reading your name. Opposed?

11 MR. WEANER:

12 Mr. President, the vote was four to
13 three, four in favor, Boop, Delaney, Weaner and
14 Schreffler. Then three opposed; Putnam, Isabella,
15 Schlemmer.

16 MR. ISABELLA:

17 Now, we have an amended motion. I'd like
18 to have discussion on the amended motion.
19 Commissioner Schreffler?

20 MR. SCHREFFLER:

21 Yes. I think that everyone on this
22 Board's first concern is the wellbeing of our
23 wildlife, in fact, I'm sure of it. And I think that
24 everyone on the Board wants to increase opportunities
25 to hunters, especially on getting our youth involved.

1 And I'm pretty sure of that. And Pennsylvania, I find
2 to be unique among states, it has a unique wildlife
3 agency, it has a unique number of hunters, it has a
4 unique hunting tradition zone, we make hunting per
5 area. And in fact, even the conditions of
6 Pennsylvania are rather unique compared to many other
7 states.

8 This issue is about not necessarily more
9 hunters, but more hunters hunting at a different time
10 with a possibly very effective weapon. This includes
11 the sensitive period of the deer and also the last
12 year of the archery bear study. There's a belief, and
13 that's a belief, that there may, may be little or no
14 effect on deer by increased hunting with possibly a
15 more effective weapon. But my concern, it seems to be
16 the missing and incomplete Pennsylvania data needed to
17 make a sound, long-term decision.

18 In addition, the archery bear study may
19 have to start over if we change the parameters that
20 are involved. I have recommended cautious moves and
21 there have been rebut in the past, and this raises my
22 concern about the future decisions at the end of the
23 sunset provision. Looking at current actions of those
24 who have not yet even realized any of the benefits
25 they complain about losing, I fear any changes at the

1 end of the sunset period will be met with more
2 opposition and controversy than now.

3 The voices that say, we've invested in
4 expensive purchases, i.e., the crossbow are few now
5 according to the testimony we heard yesterday. They
6 seem to discount that many rifle owners also invest as
7 much for a two-week season while crossbow use is
8 available in most all seasons but for a few weeks, a
9 tremendous opportunity if you are truly a crossbow
10 devotee.

11 Looking at our deer numbers, at our
12 current deer management goal and the resilience of the
13 species, the original intent of the early archery
14 season as a primitive low-impact season with limited
15 effect on the resource provide variable opportunities
16 to hunters, I believe this can probably be tweaked as
17 the proposal allows. In fact, I encourage the Board
18 of Commissioners to take a measured approach to move
19 cautiously, to vote for the proposal and have the
20 Staff gather complete, accurate data to make a more
21 reliable and informed decision for the long term.
22 Thank you.

23 MR. ISABELLA:

24 Thank you, Commissioner. Is there more
25 discussion? Commissioner Weaner?

1 MR. WEANER:

2 Thank you. And I realize that this
3 matter has gotten a lot of attention in the last
4 number of weeks or months here. It's my opinion that
5 the vote of January could very easily have gone the
6 other way, except for the vote on the scopes; that was
7 quickly tossed out. The proponents of crossbows had
8 no problem at all with quickly reversing a decision
9 made by the Board at that time, but they seem to have
10 an extreme problem with us now reversing the decision
11 the Board made back there. I have a problem with
12 that.

13 In April, I think the votes were here on
14 the Commission Board that we could have passed it in
15 April, we could have voted on it today or we can
16 finally adopt it. Everyone would know about it today,
17 and even know it was printed and digested in plenty of
18 time to get the word out, but we were in mind at that
19 time that that wasn't the proper way to go about this,
20 that we should wait until the summer meeting, we
21 should introduce it and allow plenty of time for
22 public comment and that is the proper way to do it.
23 So you know, we basically agreed, okay, this is the
24 way we're going to go about it.

25 Well, now we're being hammered because

1 --- well, let's push the deadline to make a decision
2 up to a very late time and, you know, it's going to be
3 right up to the season before we know what's --- it's
4 really not my fault, I just did what I was asked and
5 went through the proper procedure. We could have been
6 done today.

7 I've gotten a lot of support from people
8 around the State for the proposal that I have put
9 forth. Some people have said, well, we need to go to
10 the legislature and get them to reverse what possibly
11 the Commission might do. We heard testimony yesterday
12 from our good representative, saying, it's not their
13 job and I personally agree with him. I think we need
14 to have a fair amount of discussion of the merits of
15 any of our decisions out there and let the politics
16 out of it. This is not a political decision being
17 made. It's a decision, from my part, based on the
18 resource.

19 Our proposal, if you read it correctly,
20 is not disenfranchising people who have bought trusts
21 with us. If you purchase a crossbow and decide to
22 hunt, given every opportunity you have, under my
23 proposal, Statewide, you'll have seven weeks of
24 archery hunting, versus the 10 weeks that people with
25 other archery equipment, longbows, cross --- compound,

1 et cetera. So we're cutting back three weeks. We're
2 going from ten weeks back to seven. Yes, it has to be
3 done. Is that adverse gathering? Is that
4 disenfranchising crossbow people? No, I don't think
5 so. We still have adequate window of opportunity.

6 We've been criticized for not following
7 scientific management. Well, in the history of the
8 Game Commission, as I've been able to determine in
9 looking back, we've always gone at things slowly and
10 with measured cost and certainly, I think that's the
11 way it should be because we're not sure always of the
12 outcome of our decisions. And we want to err on the
13 side of caution, but yet, when the vote was taken back
14 in January, that was completely thrown out the window
15 and we simply said no, we don't have much information,
16 but we're just going to throw it over Statewide. And
17 yet, I'm being criticized for not following science.
18 There seems to be a disconnect there.

19 The argument we've heard is, too, that
20 the deer numbers are managed by antlerless licenses.
21 It doesn't matter the weapons we use, how long the
22 seasons are; we can manage with antlerless licenses.
23 Well, that's true to a point, but if the result is
24 that we have to severely cut back on antlerless
25 allocations because we have so many more people than

1 we ever anticipated out hunting and killing deer,
2 well, that's limiting opportunities every time you
3 can't buy an antlerless license, your opportunities
4 are limited. So what's the difference if we limit
5 here or limit it there?

6 You know, I personally don't want to see
7 us get into an opportunity where we have to cut back
8 allocations because of the seasons. I would rather go
9 cautiously with the season. We've been told that,
10 well, it's printed in digest, and I will acknowledge
11 that yes, it's printed in the digest and that does
12 create a concern, but for me, that's the biggest
13 single factor or negative about this. But in
14 inquiring with the Staff of the Commission, we said
15 had something like this ever happened before and the
16 response was, well, lately, we've been doing pretty
17 well with it, but years ago, there were just tons of
18 things that were printed in the digest that weren't
19 right when the season came, but we got one of those.
20 And so is it real clean? No, it's not real clean, but
21 it can be dealt with.

22 The proponents on crossbow use statewide
23 knew that we had changed the ruling in January. They
24 knew it the same day or the next day, and the word was
25 out. It didn't have to be published anywhere before

1 people found out about it. So I think probably, by
2 the end of today, if our motion prevails, most people
3 that have bought crossbows will know about it. It's
4 not an issue that no one's going to know, there's
5 going to be people out there hunting that are just
6 completely clueless. That's not going to be a
7 significant problem. People will know.

8 We've been told to wait for the Sunset
9 Provision to kick in because then we can analyze
10 everything, and we'll follow the original motion that
11 was made back in January and that's a much better
12 approach, but the same people that are telling us that
13 are saying now, well, you can't change this because
14 you just gave us this opportunity and now you're
15 taking it away. Well, what makes it any easier three
16 years from now than it is right now? I mean, you
17 can't have it both ways. If it can't happen in three
18 years, and it doesn't meet the --- if it's easy to do
19 it in three years, don't make the argument that it
20 can't be done now.

21 Personally, I think it's easier to
22 backtrack now before something actually gets started.
23 I personally am not opposed to crossbow use. I think
24 that it's a legitimate weapon to be used to hunt deer
25 or bear or other animals in Pennsylvania. I just like

1 to think that we need to go cautiously with the whole
2 thing.

3 The last thing is, yesterday we heard
4 testimony that, well, really, the sales of crossbows
5 are up insignificantly compared to other years and
6 it's not going to be a real factor. But yet, the same
7 crossbow proponents everywhere has been throwing out
8 figures ever since April saying that they're probably
9 going to be between 60,000 and a hundred thousand new
10 crossbows sold before the season. Well, which is it?
11 I mean, if it's the safety we're counting one time,
12 well, it's not a factor because we haven't sold any,
13 and, well, it's going to be a huge factor because we
14 sold a lot. You know, it can be both. You get kind
15 of worn out after a while listening to conflicting
16 information from the same people.

17 And finally, I'd just like to say, let's
18 have a debate of the merits of this issue, forget
19 about personal attacks on the motives of the people
20 that bring this stuff up. I mean, we're all here for
21 the same reason. We're all here to provide the best
22 management for the resources that we have. We vote,
23 the outcome of the vote is recorded and we move
24 forward. And so therefore, I urge all of you to
25 support this motion.

1 MR. ISABELLA:

2 Thank you, Commissioner. Any further
3 discussion? With that, all in favor of the amended
4 motion please raise your right hand. Opposed?

5 MR. WEANER:

6 Mr. President, the vote's four to three.
7 The four voting in favor are Boop, Delaney, Weaner and
8 Schreffler. The three voting opposed; Putnam,
9 Isabella, Schlemmer.

10 MR. ISABELLA:

11 Thank you, Mr. Secretary.

12 ATTORNEY BECHTEL:

13 The next item is the amendment of 58 PA
14 Code Chapter 143 by adding section 143.203A. On
15 October 9th, 2008 House Bill 747, Act 101 of '08, was
16 signed into law. This legislation effectively amended
17 section 2706.2 of the act relating to elk hunting
18 licenses to authorize the Commission to auction off
19 one elk license per license year through an eligible
20 wildlife conservation organization.

21 To this end, the commission is proposing
22 to add section 143.203A to establish the special elk
23 conservation license auction and license issuance
24 process. The text of this is shown on page 19 of your
25 Agenda. The Executive Director and staff recommend

1 the commission approves this addition to 58 PA Code
2 Chapter 143.

3 MR. ISABELLA:

4 You've heard the reading of the minutes;
5 is there a motion?

6 MR. WEANER:

7 So moved.

8 MR. ISABELLA:

9 Commissioner Weaner. Is there a second?

10 MR. BOOP:

11 Second.

12 MR. ISABELLA:

13 Commissioner Boop. Any discussion? All
14 in favor, signify by saying Aye.

15 AYES TAKEN

16 MR. ISABELLA:

17 Opposed?

18 MR. WEANER:

19 Mr. President, the vote is unanimously,
20 yes.

21 MR. ISABELLA:

22 Thank you, Mr. Secretary.

23 ATTORNEY BECHTEL:

24 The next item concerns the amendment of
25 58 PA Code Chapter 141 Section 141.20 and Chapter 147

1 Sections 147.101 through 147.114. A dual State and
2 Federal permitting system has been in place since the
3 initial implementation of Federal regulations
4 governing falconry. Notwithstanding the separation
5 and independence of these dual permitting structures,
6 the states have always been required to operate their
7 falconry programs within the bounds of the Federal
8 regulations. On October 8, 2008, the United States
9 Fish and Wildlife Service published new changes to the
10 Federal falconry regulations. The new language
11 eliminated the requirement for a Federal permit to
12 practice falconry. The new language also established
13 a deadline of January 1st, 2014, at which time the
14 Federal permit program will be discontinued.

15 In order for Pennsylvania's falconry
16 program to continue beyond this deadline, it must
17 adopt and implement regulation that meets the
18 standards in the new Federal regulations. Once the
19 standards are met, falconers will only be required to
20 possess a state permit. The Commission is proposing
21 to amend Sections 141.20 and 147.101 through 147.114
22 to meet new Federal regulations, as well as to
23 simplify, reorganize and enhance current State
24 regulations. The text of these changes are found on
25 page 24 of your agenda. The Executive Director and

1 Staff recommend the Commission approve these changes.

2 MR. ISABELLA:

3 Thank you, Brad. You've heard the
4 reading of the commentary; is there a motion?

5 MR. SCHREFFLER:

6 So moved.

7 MR. ISABELLA:

8 MR. Schreffler. Is there a second?

9 MR. SCHLEMMER:

10 Second.

11 MR. ISABELLA:

12 Mr. Schlemmer. Any discussion? All in
13 favor, signify by saying Aye. Opposed?

14 MR. WEANER:

15 Mr. President, the vote is unanimously,
16 yes.

17 MR. ISABELLA:

18 Thank you, Mr. Secretary.

19 ATTORNEY BECHTEL:

20 The next item concerns the amendment of
21 58 PA Code Sections 147.559 and 147.560. The
22 Agriculture Deer Control Permit, commonly referred to
23 as the Red Tag, is a very useful program that assists
24 landowners in achieving their land use goals by
25 managing deer densities on their respective properties

1 through the use of licensed hunters. Traditionally,
2 this program has required landowners to individually
3 manage the application, reporting and deer-control
4 activities themselves.

5 In an effort to enhance public access to
6 this program, the Commission is proposing to amend
7 Sections 147.559 and 147.560 to authorize political
8 subdivisions to make application for an agricultural
9 deer control permit for the limited purpose of
10 managing the agricultural deer-control activities
11 occurring on a conglomeration separate, but otherwise
12 individually-eligible properties located within the
13 jurisdictional boundaries of the political
14 subdivision.

15 This structure will not only reduce the
16 demands on each respective landowner, but it will
17 enhance the effectiveness of a larger deer-control
18 plan promoted by the community by consolidating the
19 management of deer-control activities into one central
20 location. These changes are shown on pages 41 through
21 42 of your Agenda. The Executive Director and Staff
22 recommend the Commission approve these changes.

23 MR. ISABELLA:

24 Thank you, Brad. You've heard the
25 reading of the commentary; is there a motion?

1 MR. SCHREFFLER:

2 So moved.

3 MR. ISABELLA:

4 Commissioner Schreffler. Second?

5 MR. WEANER:

6 Second.

7 MR. ISABELLA:

8 Commissioner Weaner. Any discussion?

9 MR. SCHREFFLER:

10 Yes.

11 Commissioner Schreffler?

12 MR. SCHREFFLER:

13 I just want to commend the Staff in
14 coming up with this idea. I think it will be very
15 effective and beneficial. And I think it's a good
16 idea. And that's what I have to say at this time.

17 MR. ISABELLA:

18 Thank you, Commissioner. Any further
19 discussion?

20 MR. DELANEY:

21 Yes, President Isabella; I'd like to ask
22 a question.

23 MR. ISABELLA:

24 Mr. Delaney.

25 MR. DELANEY:

1 I'd like to repeat for the record, if I
2 may. Rich, yesterday we had some discussions about
3 this and the concerns about the individual landowners,
4 should a municipality want to get involved in this.
5 Could you better explain how this will not limit some
6 of the specials talked about yesterday, the individual
7 sportsman?

8 MR. PALMER:

9 Yes, I can. I believe what you're
10 referring to was some of the public comment yesterday
11 from Jeff Grove of the Pennsylvania Farm Bureau who
12 expressed some concerns that this program did not
13 provide a political subdivision, the opportunity to
14 deny someone who is otherwise eligible to participate
15 in the red tag program. And what I would clarify when
16 the question was asked to me yesterday is that the
17 eligibility itself, of participating has not changed.
18 Really what changes here is now that, to provide more
19 of a visual, when we said political subdivision, we're
20 envisioning primary use of probably, a township.
21 Where a township now could serve as the prime entity
22 to hold these red tag permits, process it, handle it
23 to the individual landowners within that township.
24 They would knock out the ability to deny someone to
25 participate in that program.

1 MR. DELANEY:

2 Thank you, Rich.

3 MR. ISABELLA:

4 Any further discussion? All in favor,
5 signify by saying Aye. Opposed?

6 MR. WEANER:

7 The vote is unanimously yes.

8 MR. ISABELLA:

9 Thank you, Mr. Secretary.

10 ATTORNEY BECHTEL:

11 The next two items are supplements here.
12 They concern administrative hearings. The first one
13 is administrative hearing concerning a revocation of
14 hunting and furtaking privileges. Administrative
15 Hearings are held to review the Hunting and Furtaking
16 Revocations for those persons who file a petition
17 requesting a review, in accordance with Administrative
18 Agency Law, 2 PA Consolidated Statutes Section 501 et
19 seq.

20 The Commission was furnished a copy of
21 the Findings of Fact, the Conclusions of Law, and the
22 Recommendations of the Hearing Officer concerning the
23 Administrative Hearing held at the request of each
24 individuals listed on your supplement. The Findings
25 of Fact set forth the circumstances surrounding this

1 matter. The Executive Director recommends that the
2 Commission approve Findings of Fact, Conclusions of
3 Law, and Recommendation of the Hearing Officer, Andrew
4 Lehman, allowing revocation period to remain as
5 originally ordered for the individuals listed on the
6 first page of your supplement.

7 MR. ISABELLA:

8 You heard the reading of the commentary;
9 is there a motion?

10 MR. BOOP:

11 I'll move.

12 MR. ISABELLA:

13 Commissioner Boop. Second?

14 MR. WEANER:

15 Second.

16 MR. ISABELLA:

17 Commissioner Weaner. Any discussion?

18 All in favor, signify by saying Aye. Opposed?

19 MR. WEANER:

20 Mr. President, the vote is unanimously,
21 yes.

22 MR. ISABELLA:

23 Thank you, Mr. Secretary.

24 ATTORNEY BECHTEL:

25 And the second item is administrative

1 hearings concerning rescinding the hunting and
2 furtaking revocation. Administrative Hearings are
3 held to review the Hunting and Furtaking Revocations
4 for those persons who file a petition requesting a
5 review, in accordance with Administrative Agency Law.
6 The Commission must furnish a copy of the Findings of
7 Fact, the Conclusions of Law and the Recommendations
8 of the Hearing Officer concerning the Administrative
9 Hearing held at the request of the individuals listed
10 on page two of your supplement. The Findings of Fact
11 set forth the circumstances surrounding the matter.
12 The Executive Director recommends that the Commission
13 approve the Findings of Fact, Conclusions of Law, and
14 Recommendation of the Hearing Officer, Andrew Lehman,
15 allowing the revocation period to be rescinded,
16 resulting in no revocation for the individuals listed
17 on page two of your supplement.

18 MR. ISABELLA:

19 Thank you, Brad. You've heard the
20 reading of the commentary; is there a motion?

21 MR. WEANER:

22 I'll move.

23 MR. ISABELLA:

24 Commissioner Weaner. Is there a second?

25 MR. SCHLEMMER:

1 Second that.

2 MR. ISABELLA:

3 Mr. Schlemmer. Any discussion?
4 Commissioner Schreffler.

5 MR. SCHREFFLER:

6 Yeah. I do not normally do this, but I
7 have some questions about the side receiving. That
8 just totals the course of the investigating officer or
9 the witness were not at the hearings.

10 MR. BOOP:

11 I'm not aware of the specific details on
12 this one.

13 MR. SCHREFFLER:

14 Could we consider the two different cases
15 separately?

16 MR. BOOP:

17 Are you saying you don't agree with the
18 decision the Administrative Hearing Officer made of my
19 recommendations?

20 MR. SCHREFFLER:

21 Yes.

22 MR. BOOP:

23 Based on what?

24 MR. SCHREFFLER:

25 Well, it seemed to me that the individual

1 was actually using ---.

2 MR. BOOP:

3 Excuse me, Commissioner Schreffler, speak
4 louder. The motion considers two together.

5 MR. SCHREFFLER:

6 Okay.

7 MR. BOOP:

8 Final order. I don't think we ought to
9 be discussing the specifics. If Commissioner
10 Schreffler wants to make a motion to separate, to vote
11 individually because he might vote no or might
12 abstain, I think he can make that motion. I don't
13 think it's appropriate to discuss or continue the
14 discussion at this point.

15 MR. SCHREFFLER:

16 I would like to make a motion to amend
17 then, both of them separate.

18 MR. WEANER:

19 Point of order, Mr. President?

20 MR. ISABELLA:

21 Yes. Commissioner?

22 MR. DELANEY:

23 As Mr. Boop pointed out, I think it would
24 be more appropriate for him to make a motion, but slip
25 it into two motions rather than make an amendment.

1 MR. ISABELLA:

2 Is that what you want to do? The
3 amendment is to make it into two motions. I'm not
4 amending this; is that what you're saying?

5 MR. BOOP:

6 We're making a motion to address each
7 into individual separate dates.

8 MR. ISABELLA:

9 Right. The motion is made. I need one
10 to second.

11 MR. WEANER:

12 I'll second.

13 MR. ISABELLA:

14 We have a motion and we have a second.
15 All in favor of Commissioner Schreffler's amendment
16 please raise your right hand. Against?

17 MR. WEANER:

18 Mr. President, the motion has five to
19 two. Those voting yes are Putnam, Boop, Weaner,
20 Schreffler, Schlemmer. Those opposed are voting no
21 were Delaney and Isabella.

22 MR. ISABELLA:

23 Thank you, Mr. Secretary.

24 MR. WEANER:

25 And to follow-up, I think now we have two

1 separate motions and you just need to handle both
2 motions.

3 MR. ISABELLA:

4 We'll now vote on the first individual,
5 William Manges. All in favor, signify by saying Aye.
6 Opposed?

7 MR. WEANER:

8 Mr. President, the vote was unanimously
9 yes.

10 MR. ISABELLA:

11 And now we will vote on the second
12 individual, Mr. Shay Shive. All in favor, signify by
13 saying Aye. Opposed?

14 MR. WEANER:

15 Mr. President, the vote is six to one.
16 All voting yes, except for Mr. Schreffler voting no.

17 MR. ISABELLA:

18 Thank you, Mr. Secretary.

19 ATTORNEY BECHTEL:

20 The next item coming before the
21 Commission concerns acquisitions. The first is
22 contract number 3531, State Game Land Number 93 in
23 Somerset County. The Conservation Fund is offering
24 three tracts of land totaling 217 more or less acres
25 in Shade Township, Somerset County adjacent to State

1 Game Land Number 93 as shown on Exhibit Red-1 on page
2 45 of your Agenda. The option price is \$130,000 lump
3 sum to be paid by third-party commitments for the
4 compensation of habitat and recreational losses from
5 previously approved Commission actions.

6 The sale is subject to a reservation of
7 all coal, oil, coal-bed methane and gas underlying the
8 property. However, there shall be no above-ground
9 operations on the property to remove the same.

10 Acquiring this property will join two previously
11 acquired detached parcels of existing State Game Land
12 Number 93, which were acquired and named in honor of
13 the Flight 93 Crew and Passengers. This property
14 adjoins the Flight 93 Memorial Boundary established by
15 the National Park Service and authorized by the Flight
16 93 Memorial Act. Approximately 115 acres of the tract
17 is vegetated in grassland from a previously reclaimed
18 surface mine operation, while the remaining portion is
19 forested with mixed northern hardwoods. The grassland
20 is beneficial to wildlife species requiring large
21 continuous blocks of undisturbed habitat such as
22 Henslow Sparrow and Upland Sandpiper. Access is
23 provided off Johnson Bottom Road.

24 The second tract is contract number 3552
25 State Game Land Number 331 in Clearfield County. The

1 Western Pennsylvania Conservancy is offering two
2 tracts of land totaling 1,095 more or less acres in
3 Huston Township, Clearfield County, adjoining State
4 Game Land Number 331 as shown on Exhibit Red-2 on page
5 46 of your agenda. The option price is \$438,000 lump
6 sum to be paid in part with funds from the Estate of
7 Blanche Pollum and the remainder by third-party
8 commitments for compensation of habitat and
9 recreational losses from previously approved
10 Commission actions.

11 The option is pending upon final approval
12 from Western Pennsylvania Conservancy's Board of
13 Directors and accepts and reserves all timber for 20
14 years from the date of settlement. The timber will be
15 managed in close coordination with the Commission and
16 follow established best management practices. The
17 first tract referred to as the Bark Camp Run tract is
18 736 acres more or less and adjoins the north east
19 boundary of State Game land Number 331.

20 Bark Camp Run, designated as cold water
21 fishery runs through the mostly forested tract
22 comprised of mixed northern hardwoods and multiple
23 wetlands associated with the stream corridor. The
24 second tract referred to as the Bennett Branch tract
25 is 359 acres more or less and is an indenture into the

1 northwest boundary of State Game Land Number 331.
2 This tract is predominately forested with mixed
3 northern hardwoods. This tract has frontage on the
4 upper reaches of the Bennett Branch of the
5 Sinnemahoning Creek with emergent wetlands along the
6 lower-laying areas. The Executive Director and Staff
7 recommend that the options listed above be accepted
8 and the Commission authorizes the Bureau of Wildlife
9 Habitat Management to proceed with the acquisition of
10 these tracts.

11 MR. ISABELLA:

12 Thank you, Brad. Commissioners, you've
13 heard the reading of the commentary; is there a
14 motion?

15 MR. BOOP:

16 So moved.

17 MR. ISABELLA:

18 Commissioner Boop.

19 MR. SCHLEMMER:

20 Second.

21 MR. ISABELLA:

22 Commissioner Schlemmer. Any discussion?

23 MR. DELANEY:

24 Yes.

25 MR. ISABELLA:

1 Yes, Commissioner Delaney.

2 MR. DELANEY:

3 Bill, thank you again for adding another
4 115-additional acres of small game and grassland
5 habitat in Pennsylvania. Since I've been a
6 commissioner for two years, you've done a remarkable
7 job to add the small game habitat to our game land
8 system. But as we keep adding more and more acres, my
9 concerns are that we're able to maintain this habitat
10 as grassland, small game hunting habitat. So I'm
11 thrilled to continue to purchase this type of property
12 in Pennsylvania, but my concerns are that we can keep
13 it grassland and small game habitat. Thank you.

14 MR. ISABELLA:

15 Any further discussion?

16 MR. BOOP:

17 Calling for question.

18 MR. ISABELLA:

19 Commissioner Boop. All in favor, signify
20 by saying Aye. Opposed?

21 MR. WEANER:

22 Mr. President, the vote was unanimously
23 yes.

24 ATTORNEY BECHTEL:

25 The next item before the Commission is

1 the land issue contract number 3553 involving State
2 Game Lands Number 152 in Erie County, State Game Land
3 Numbers 86, 243 and 306 in Warren County. Clear Lake
4 Timber, Inc. was previously the high bidder on three
5 of the Commission's timber sales, all of which are in
6 varied stages of herbicide treatment and
7 infrastructure development. The timber sales are 063-
8 06-1, 64-06-01 and 184-06-01 with an accumulated bid
9 value of \$1,148,112.

10 In lieu of initial block cut payments due
11 to the Commission, Clear Lake Lumber is offering six
12 tracts of land totaling 452.04 acres more or less.
13 The six tracts are as follows, 134.75 acres more or
14 less in Elk Creek Township, Erie County adjoining
15 State Game Land Number 152 shown on Exhibit Red Three
16 on page 48 of your agenda, 16 acres more or less in
17 Deerfield Township, Warren County adjoining State Game
18 Land Number 86 shown on Exhibit Red Four on page 49 of
19 your exhibit.

20 Three tracts adjoining State Game land
21 143 in Pittsfield Township, Warren County totaling
22 239.69 acres more or less shown on Exhibit Red Five on
23 page 50 of your agenda. And 61.6 acres more or less
24 in Freehold Township Warren County adjoining State
25 Game Land Number 306 shown on Exhibit Red-6 on page 51

1 of your exhibit. The Commission is interested in
2 acquiring all of these tracts after reviewing their
3 attributes and appraised values. The Commission and
4 Clear Lake Timber have agreed to a total value of
5 \$484,000 for all six parcels, allowing for a
6 reservation on all timber 13 inches diameter breast
7 height and above, excluding conifers for one year from
8 the date of settlement on four of the six tracts. The
9 value of \$484,000 is to be credited against the timber
10 sales until the value has been exhausted.

11 All residual monies owed to the
12 Commission from timber sales will be deposited
13 directly into the Game Fund. This exchange will
14 provide additional hunting acreage contiguous to State
15 Game Land Numbers 86, 143, 152 and 306. All the
16 tracts are forested with a good diversity of both hard
17 and soft mast-producing tree and shrub species.

18 Acquiring the tracts adjoining State Game
19 Land Number 143 will increase protection of the
20 biologically diverse Brokenstraw Creek. Acquiring the
21 tract adjoining State Game Land Number 306 will
22 provide additional protection to the biological of
23 Benson Swamp by securing numerous spring seeps and
24 unnamed tributaries that flow into this diverse
25 wetland. All tracts provide additional access to

1 State Game Lands.

2 The staff has reviewed this proposal and
3 has determined it to be of equal or greater value for
4 the benefit of wildlife. The Executive Director and
5 Staff recommend that the land exchange listed above be
6 approved and the Commission authorize the Bureau of
7 Wildlife Habitat Management to proceed with this
8 exchange.

9 MR. ISABELLA:

10 Thank you, Brad. You've heard the
11 reading of the commentary, is there a motion?

12 MR. WEANER:

13 So moved.

14 PREIDENT:

15 Commissioner Weaner. Is there a second?

16 MR. BOOP:

17 Second.

18 MR. ISABELLA:

19 Commissioner Boop. Any discussion?

20 Commissioner Schlemmer.

21 MR. SCHLEMMER:

22 Bill, I'd like to thank you and your
23 staff for that work and the work being flexible and
24 the time that they took up for everybody and sitting
25 down and discussing the situation through a straight

1 line, and I'm glad to see that we're working
2 positively with our partners. I thank you.

3 MR. ISABELLA:

4 Thank you, Commissioner. Any further
5 discussion? Commissioner Boop?

6 MR. BOOP:

7 I would add to what Commissioner
8 Schlemmer has indicated. I think we're all aware that
9 the timber prices are down, further complicating the
10 situation for the agency and many of our private land
11 owners. We as commissioners, get to benefit, you
12 know, off the full briefing and I think that our
13 agency and Bill's department's done very well with the
14 Bureau with respect to dealing with these situations
15 and working with this company, and we're getting some
16 land. But I think that it's going to be very valuable
17 to us in the future.

18 So I know we had a talk on this pretty
19 often and but I think in this particular transaction,
20 once again, points out the flexibility that we need,
21 and we as commissioners appreciate your efforts.

22 MR. ISABELLA:

23 Thank you, Commissioner. Any further
24 discussion? All in favor signify by saying Aye.
25 Opposed?

1 MR. WEANER:

2 Mr. President, the vote is unanimously,
3 yes.

4 ATTORNEY BECHTEL:

5 The next item turns to interagency
6 transfer. On May 15th, 2008, the Game Commission
7 entered into a Cooperative Interagency Agreement for
8 Interdepartmental Land Transfer and Establishment of
9 State Game Land Banks with the Department of
10 Transportation and the Federal Highway Administration.
11 The State Game Land Banking Agreement will streamline
12 transportation development projects by allowing
13 PennDOT Districts to establish State Game Land Banks
14 in advance of highway projects impacting less than
15 five acres of State Game Land.

16 This agreement will expedite the
17 mitigation process where impacts can be debited from
18 existing land banks instead of being addressed on a
19 case-by-case basis. The following two tracts have
20 been identified as being acceptable sites for use as a
21 State Game Land Bank Site in accordance with the
22 agreement. Contract Number 3554, State Game Land
23 Number 313 in Tioga County, PennDOT has agreed to
24 transfer exclusive jurisdiction and control of 104.6
25 acres more or less tract of land located in Chatham

1 Township Tioga County to the Game Commission and
2 retain a right to enter the wetland mitigation portion
3 of the site to conduct monitoring and maintenance.
4 The property called the Hoffman Wetlands Bank Site is
5 a detached parcel located approximately, eight miles
6 southeast of State Game Land Number 313. The property
7 consists of 50 acres to be reserved in the Wetland
8 Banking Program and 54.6 acres will be placed in the
9 State Game Lands Banking Program as shown on Exhibit
10 Red-7 on page 54 of your Agenda.

11 The following habitat communities are
12 located on the property; 18 acres of constructed
13 wetlands, 10 acres of natural wetlands, 12 acres of
14 constructed upland-wetland buffers, 10 acres of
15 natural riparian-wetland buffers, 13 acres of mature
16 deciduous forest, 6.6 acres of pole-sapling deciduous
17 forest, 12 acres of mature hemlock forest, 11 acres of
18 bottomland forest-scrubland and 12 acres in herbaceous
19 old fields.

20 The next contract is contract number 3555
21 State Game Land Number 325 in Northumberland County.
22 PennDOT has agreed to transfer exclusive jurisdiction
23 and control of the 45.3 acre more or less tract of
24 land located in Lewis Township Northumberland County
25 to the Game Commission, also retaining the right to

1 enter wetland mitigation portions of the site to
2 conduct monitoring and maintenance. This property is
3 called the Vargo Wetlands Bank Site, a detached parcel
4 located approximately four miles north of State Game
5 Land Number 325. The property consists of 37.3 acres
6 to be reserved in the PennDOT Wetland Banking Program
7 with eight acres to be placed in the State Game Lands
8 Banking Program as shown on Exhibit Red-8 on page 55
9 of your Agenda.

10 The following habitat communities are
11 located on the property: 16 acres of constructed
12 wetlands, one acre of natural wetlands, 17 acres of
13 constructed upland-wetland buffers, 3.3 acres of
14 natural riparian-wetland buffers, 5 acres of mature
15 riparian deciduous forest and 3 acres of herbaceous
16 old fields. The Executive Director and Staff
17 recommend the options listed above be accepted and the
18 Commission authorize the Bureau of Wildlife Habitat
19 Management to proceed with the acquisition of these
20 tracts.

21 MR. ISABELLA:

22 Thank you, Brad. You heard the reading
23 of the commentary of those two contracts. Is there a
24 motion?

25 MR. SCHLEMMER:

1 Move.

2 MR. ISABELLA:

3 Commissioner Schlemmer. Second?

4 MR. WEANER:

5 Second.

6 MR. ISABELLA:

7 Commissioner Weaner. Discussion? No

8 discussion. All in favor signify by saying Aye.

9 Opposed?

10 MR. WEANER:

11 Mr. President, the vote is unanimously,

12 yes.

13 MR. ISABELLA:

14 Thank you, Mr. Secretary.

15 ATTORNEY BECHTEL:

16 The next action to come before the
17 Commission is the Surface Mining Coal Lease on State
18 Game Land Number 174, Indiana County. P&N Coal
19 Company of Punxsutawney, Pennsylvania has requested a
20 lease to surface mine and remove approximately 15,000
21 tons of coal from a ten-acre portion of State Game
22 Land Number 174 as shown on Exhibit OGM-1 on page 58
23 of your Agenda.

24 The Commission does not own the coal, but
25 is the owner of the surface support rights on this

1 tract of land. P&N is currently surface mining on
2 private lands adjacent to State Game Land Number 174
3 and desires to extend its mining operations onto the
4 State game land. The proposed re-mining operation
5 will have a total surface impact of approximately,
6 seven acres for the actual coal removal and
7 approximately three additional acres for erosion, and
8 sedimentation control and operational support.

9 The proposed surface mine area has been
10 previously deep and surface mined resulting in a
11 scarred landscape containing many dangerous subsidence
12 holes, abandoned mine spoil piles and high walls,
13 which will be removed and reclaimed. The project will
14 also include a permanent relocation of a township road
15 approximately, 100 to 150-feet to the south of its
16 current location. The road relocation will allow for
17 existing coal reserves to be removed from under the
18 road and will eliminate a sharp curve.

19 All timber to be impacted as a result of
20 the proposed project will be assessed by the Game
21 Commission forestry staff at double-stumpage rate. In
22 exchange for the lease from the Commission, P&N Coal
23 Company will pay the Commission on a monthly basis a
24 royalty rate, six percent of the then current FOB pit
25 price, whichever the greater, for each marketable ton

1 of coal removed from the lease area. A royalty value
2 of approximately, \$41,000 is estimated for this
3 project and all royalty will be directly deposited
4 into the Game Fund.

5 Mining will be regulated by the
6 Commonwealth Surface Mining Regulations and the
7 Commission's standard surface mine lease agreement.
8 The five-year surface mining lease will include the
9 standard performance bond and environmental protection
10 measures. In addition, the lease will include a
11 wildlife habitat reclamation and re-vegetation plan
12 developed by the local Land Management Group
13 Supervisor.

14 The staff has reviewed this proposal and
15 has determined that the total value of the coal
16 royalty, timber, as well as the proposed reclamation
17 is equal to or greater than the accumulated value for
18 the lease. The Executive Director and staff recommend
19 the proposed lease be approved, and the Commission
20 authorizes the Bureau of Wildlife Habitat Management
21 to proceed with the leasing arrangement as listed
22 above.

23 MR. ISABELLA:

24 Thank you, Brad. Commissioners, you've
25 heard the commentary; is there a motion?

1 MR. DELANEY:

2 So moved.

3 MR. ISABELLA:

4 Commissioner Delaney. Second?

5 MR. WEANER:

6 Second.

7 MR. ISABELLA:

8 Commissioner Weaner. Any discussion? No
9 discussion. All in favor, signify by saying Aye.
10 Opposed?

11 MR. WEANER:

12 Mr. President, the vote is unanimously,
13 yes.

14 MR. ISABELLA:

15 Thank you, Mr. Secretary. Commissioners,
16 do we have any new business you want to discuss?

17 MR. DELANEY:

18 Yes, President Isabella.

19 MR. ISABELLA:

20 Commissioner Delaney.

21 MR. DELANEY:

22 Under new business I have a consideration
23 I would ask to be considered with the cottontail
24 rabbit, for a special season for our junior youth
25 hunters. And I'd like to direct staff to pursue the

1 ground work with consideration for adding the
2 cottontail rabbit to our youth junior hunting season.
3 The season should be the same time frame and dates as
4 the youth pheasant and squirrel season. This special
5 season will be for eligible junior hunters, 12 to 16
6 years old without a license that have successfully
7 completed a hunter/trapper education course and for
8 junior license holders.

9 I believe a continued expansion of small
10 game hunting affords an excellent foundation for
11 today's junior hunters along with recruitment
12 opportunities. This consideration would be for the
13 2010 to 2011 hunting season.

14 MR. ISABELLA:

15 Thank you, Commissioner. Do you have
16 that in writing?

17 MR. DELANEY:

18 Yes.

19 MR. ISABELLA:

20 Would you please forward a copy to the
21 Executive Director? Any more new business?
22 Commissioner Boop?

23 MR. BOOP:

24 Yes. We're finishing up fairly early
25 this morning and I just thought I'd take a moment

1 since we have people here, obviously. A lot of people
2 talk to you about what's going on with some of the
3 issues.

4 I'm getting a lot of questions as a
5 Commissioner, and I assume that based on the
6 discussion I had with some fellow commissioners there
7 seems to be some confusion out there this year with
8 the hunters and their license, and how they need to
9 display the licenses this year.

10 Obviously, when the digest went to print,
11 we weren't sure what was going to happen with the bill
12 that was pending, and of course, it's my understanding
13 of the bill, that it was not an act against the law.
14 I think on page 84 of the digest in the middle is a
15 section that says you do need to display your hunting
16 license. But I know I was at a several picnics over
17 the 4th of July with a lot of outdoor people, and
18 there does seem to be a lot of confusion. People are
19 saying that they're going put in their backpack, just
20 like they did last year, they're not to use their
21 fishing license holder and put it on their hat or
22 they're going to keep it in their wallet.

23 And it's my understanding and it's our
24 position that until the law has changed, that you do
25 need to display your general license. It doesn't need

1 to be on your back, but it does need to be displayed
2 somewhere on your person. I'm sure we're going to
3 have some leeway this year with our officers in the
4 field in terms of warning and alerting people, but
5 those of you who are in a position to influence and
6 talk to others, understandably, there's some confusion
7 out there and we really did not know how to put it in
8 the digest when the digest was printed.

9 So I think we're all hoping that the
10 legislature from the past that you can carry it in
11 your wallet and not have to display it on your person,
12 because I understand that's not the case; that's not
13 going to be the case for this fall season. So I just
14 thought there's many of you here and I just want to
15 pass that along with because there it does seem to be
16 confusion.

17 I'm really pleased and surprised, I mean,
18 everyone that I'm talking to seems to understand the
19 new schedule for applying for antlerless licenses and
20 putting in the mail this Friday, that news seems to be
21 out there, but it doesn't seem to be much confusion.
22 But this display issue does seem to have people worked
23 up. Thank you.

24 MR. ISABELLA:

25 Thank you.

1 MR. PALMER:

2 I can expand on that a little bit. I can
3 tell you that a lot of these clerks at the issuing
4 agents, they're really great on the new regulations.
5 I happened to walk, when I was going to my camp in
6 Schuylkill County, I went into two Wal-Mart's looking
7 to buy corn, and I was at the counter, I saw several
8 licenses being transacted, I heard a lot of good
9 comments about what the game commission is doing. And
10 the clerks there were giving all the new information
11 to the hunters. In my facility where we sell
12 licenses, there was question about license being
13 displayed, and hopefully, the legislature will move
14 and they will make the decision where we don't have to
15 display the license anymore. So the word is getting
16 out and I'm sure we'll be flexible as we get into the
17 season.

18 MR. ISABELLA:

19 Any additional business? Okay. With
20 that, our next meeting will be October 5th and 6th in
21 Philadelphia, the great City of Philadelphia. It will
22 be at the Holiday Inn Philadelphia Stadium, 900 Packer
23 Avenue, their phone number is 215-755-9500. I am told
24 by banquet managers that there were locker rooms
25 available with a special discount rate. So I suggest

1 you call ASAP at reserve that. And with that, you
2 want to have a motion to be adjourn?

3 MR. WEANER:

4 Second.

5 MR. ISABELLA:

6 Commission approves, seconded by
7 Commissioner Weaner. This meeting is adjourned.

8 * * * * *

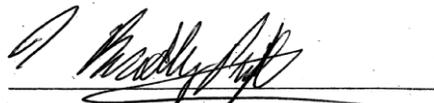
9 MEETING CONCLUDED AT 9:32 A.M.

10 * * * * *

11 CERTIFICATE

12 I hereby certify that the foregoing
13 proceedings, Game Commission Board Meeting was
14 reported by me on 07/09/2009 and that I R. Bradley
15 Peiffer read this transcript and that I attest that
16 this transcript is a true and accurate record of the
17 proceeding.

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Court Reporter