

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

IN RE: PENNSYLVANIA GAME COMMISSION
BOARD MEETING
JUNE 26, 2007

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

June 26, 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
JAY DELANEY, JR., 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 our
2 June business meeting to order and ask you to join
3 with us in the Pledge of Allegiance to the flag.

4 (Pledge of Allegiance said.)

5 PRESIDENT BOOP: Mr. Secretary, will you
6 read the roll?

7 MR. ISABELLA: All right, Mr. President.
8 Commissioner Boop.

9 PRESIDENT BOOP: Here.

10 MR. ISABELLA: Commissioner Palone.

11 MRS. PALONE: Here.

12 MR. ISABELLA: Commissioner Isabella.
13 Present.

14 Commissioner Schleiden.

15 MR. SCHLEIDEN: Present.

16 MR. ISABELLA: Commissioner Hill.

17 MR. HILL: Present.

18 MR. ISABELLA: Commissioner Schreffler.

19 MR. SCHREFFLER: Present.

20 MR. ISABELLA: Commissioner Delaney.

21 MR. DELANEY: Present.

22 MR. ISABELLA: Mr. President, all present
23 and accounted for.

24 PRESIDENT BOOP: Thank you, Mr.
25 Secretary.

1 The next item on our agenda is the
2 approval of our minutes from the April 18 business
3 meeting. I believe all of our Commissioners have
4 seen them and have had access to the minutes.

5 Is there a motion that they be approved?

6 MR. ISABELLA: So moved.

7 PRESIDENT BOOP: Thank you, Commissioner
8 Isabella.

9 Is there a second?

10 MR. SCHREFFLER: Second.

11 PRESIDENT BOOP: Commissioner Schreffler.

12 All in favor indicate by saying aye.

13 (Signified aye.)

14 MR. ISABELLA: Unanimous, Mr. President.

15 PRESIDENT BOOP: Thank you. The minutes
16 are approved.

17 At this point I'd, and again for those in
18 the audience, we do have, most of you have been
19 here before, we have the green preprinted agenda.
20 If you don't have one, if you'd like it come down
21 and get one. They're available. We will be
22 following the agenda, but I would like to just
23 depart here for a couple of items that aren't
24 listed.

25 At this point I'd like to call on

1 Executive Director Roe.

2 EXECUTIVE DIRECTOR ROE: I take the
3 opportunity in the formal meeting to recognize a
4 few people in the past and would do it again this
5 morning.

6 We're losing two members of our senior
7 management team this Friday. The first I'd
8 address is Carl Graybill, who's the Bureau of
9 Information and Education. He's been with us a
10 little over 25 years, had ten years of teaching
11 before, a total of about 36 or 37 years in state
12 government.

13 Carl has done a fantastic job in I&E,
14 probably the lesser known, but one of the most
15 important programs that we have in our Information
16 and Education program and that's Project Wild.
17 That's our school program that integrates wildlife
18 education, conservation education into the
19 curriculum of schools throughout the state.

20 Carl brought that program to Pennsylvania
21 several, I won't say how many years, it was
22 several years ago. We're going to miss Carl and
23 his efforts from Information Education. I want to
24 make sure that that's part of the official record
25 that will be forever archived.

1 Carl, thank you very much for your
2 service to the Pennsylvania Game Commission and to
3 the Commonwealth.

4 (Applause.)

5 EXECUTIVE DIRECTOR ROE: Unfortunately,
6 he's not here today, but Don Parr, who's the
7 Regional Director of the Southcentral Region, is
8 also retiring this Friday. Don has given many
9 years of service as a conservation officer,
10 federal aide supervisor and most recently as a
11 regional director. Don, I want your name in the
12 official records, also. We're going to miss your
13 service. Thank you for everything you've done for
14 wildlife and for hunters in Pennsylvania.

15 Mr. President, that's all I have.

16 PRESIDENT BOOP: Thank you for those
17 remarks. I'm sure we all second those in our
18 appreciation for these two outstanding
19 individuals.

20 The other thing I would like to note
21 before we begin is that as you can see we do have
22 a seventh Commissioner this morning. On behalf of
23 the Board, I'd like to officially at our business
24 meeting recognize Commissioner Jay Delaney, who is
25 here. Some of us were up and attended Jay's very

1 nice swearing in ceremony up in the northwest.
2 Jay is replacing John Riley. If anyone can
3 replace John Riley, we think that Jay's going to
4 take a strong effort to do that.

5 Jay, if you only knew what those of us
6 know now, but we're not going to tell you all
7 that, but you get to experience all those things
8 for the next eight years. It is a time-consuming,
9 exasperating, yet very rewarding experience. We
10 hope that you will enjoy it as much as all of us
11 do.

12 We're looking forward to your input and
13 your help on board. We just wish you all the
14 best.

15 If any other Commissioner wants any
16 additional comments concerning Jay's arrival, I'm
17 sure we all want to welcome him.

18 Do you want to say anything, Jay? You'll
19 have 60 seconds. MR. DELANEY: Actually, I
20 think it's just quite an honor to serve with this
21 Board of Commissioners. One hundred and twelve
22 years ago this organization was stated. On the
23 first Board there was also a sportsman from
24 Wilkes-Barre. His name was Irving A. Sterns. So
25 112 years later I get to kind of carry on some of

1 his work.

2 I've seen firsthand, since I've been
3 coming to the meetings, the great difficulties to
4 making decisions, keeping our wild resources first
5 and recognizing how important our sportsmen and
6 sportswomen and trappers are in Pennsylvania.

7 I'm ready for the challenge. I think
8 that we have a great Board of Commissioners here
9 to lead us through those challenges and I'm ready
10 to serve.

11 PRESIDENT BOOP: Thank you, Jay.

12 Before we start on our action items, the
13 Chair recognizes Representative Levdansky, who has
14 just joined us. Representative Levdansky, good
15 morning.

16 Would you like to make a comment?

17 REPRESENTATIVE LEVDANSKY: Yes.

18 PRESIDENT BOOP: We'll give you that
19 opportunity. You're familiar with the procedure.

20 REPRESENTATIVE LEVDANSKY: Good morning.

21 I appreciate the opportunity to just talk a little
22 bit about a piece of legislation I'm going to be
23 introducing later on this week. I've already
24 circulated a co-sponsorship memo and we expect to
25 have the budget done at some point here on or

1 about July 1, maybe second, maybe third, so that
2 the floor will stay open to have legislation
3 introduced.

4 I have a bill that I'm going to introduce
5 that does one thing for both the Game and the Fish
6 Commissions. I take a very small portion of the
7 sales tax that the Commonwealth collects and I
8 allocate it both, a share to the Game Commission
9 and a share to the Fish Commission.

10 For all intent and purposes, this would
11 represent approximately \$10 million of allocation.
12 It's a very small percentage of the state sales
13 tax, but you're locked in at that percentage and
14 it will grow over time. It will be a dedicated
15 permanent source of alternative financing to help
16 you meet your fiscal needs.

17 I do this out of an interest in securing
18 long-term financial stability for the agency.
19 I've been around for 23 years now. It's never
20 easy to get a license fee increase through the
21 General Assembly. It's never easy to get any kind
22 of a fee through the General Assembly.

23 We stood on the floor yesterday for about
24 six hours last night, trying to come up with
25 additional alternative public financing for mass

1 transit, roads, highways and bridges in the
2 Commonwealth. We put together a package that
3 roughly is going to dedicate about \$600 million of
4 additional revenue to do that.

5 Those challenges are always difficult in
6 the General Assembly, but I've watched over the
7 years your efforts to secure additional license
8 fee revenue and the struggles and the challenges
9 and the hoops that you have to jump through.
10 Frankly, a lot of them are unnecessary and not
11 relevant to the issue of getting the agency the
12 financial resources that it needs to do its job.

13 But I'm also even more driven by the fact
14 that I recognize that it is, as a public agency,
15 you do more than just manage the birds and mammals
16 that we harvest during hunting season. You are
17 charged by law to manage the Commonwealth's
18 wildlife resources in the interest of all
19 Pennsylvanians, not just those of us that happen
20 to buy a hunting license and chase deer and
21 grouse, and turkey and squirrel, and pheasants and
22 other things.

23 You have that larger public mission. As
24 an agency you do a lot to manage all the wildlife
25 in the interest of all Pennsylvanians. There's a

1 cost to do that. Essentially, the cost to manage
2 all the wildlife resources in the interest of all
3 Pennsylvanians is essentially born by the license
4 buyers in the state.

5 So Pennsylvania's hunters and anglers
6 really have been the foremost conservationist and
7 environmentalist in the Commonwealth's history. I
8 think we need to recognize that those of us that
9 hunt and fish and buy hunting and fishing
10 licenses, we need help now. We need help from the
11 public to help our two wildlife agencies manage
12 all of our wildlife resources in the interest of
13 everybody in this Commonwealth.

14 So I think, and another issue that I've
15 longed recognized, our society has changed
16 immensely in the last 20 or 30 years. Every time
17 we raise license fees, be they hunting or fishing,
18 there's a percentage of people, of license buyers
19 that drop off the following year, because for
20 whatever reason, financial and otherwise they've
21 made the decision.

22 Either they can't afford the additional
23 fees, believe it or not there are people out there
24 like that and I represent a lot of them, but
25 there's a lot of other people that look at it and

1 say, I only hunt one or two days a year or fish
2 first day of trout and maybe one other weekend and
3 you know what, it's just not worth it anymore. I
4 got too many other things going on in my life.

5 Kids today have too many other things
6 going on in their life it seems like. So every
7 time we raise license fees, hunting or fishing, we
8 lose, for whatever reason, a portion of the
9 license buyer. So we have a dwindling base.
10 That's not the fault of our two agencies. That's
11 the demographic societal changes that we are going
12 through in Pennsylvania and in our country as
13 well.

14 So we compete with all sorts of other
15 things for the attention of people relative to
16 recreation. So you can't keep depending on
17 raising license fees or doing more oil and gas
18 drilling, or cutting more timber.

19 I want you to manage the resources in the
20 interest of wildlife, not because you have a
21 pressure to fill a budget gap and you need some
22 additional revenue and the legislature is
23 reluctant to deal with the issue of license fee
24 increases.

25 So given all of these factors, I think

1 it's time, time that we make the concerted
2 legislative effort to secure long-term permanent
3 funding for our two wildlife management agencies.

4 Again, at the level that I'm proposing it
5 would start at about \$10 million a year for the
6 Game Commission and about \$5 million a year for
7 the Fish and Boat Commission.

8 I'll answer one question that hasn't been
9 asked, "What's the chance of this happening?" I
10 don't know to be honest with you. This is a
11 really tight budget year. We're not going to be
12 able to get it done in the context of the next
13 week, but we got to start somewhere. We got to
14 start this discussion at some point, articulate it
15 and build a coalition of people across this
16 Commonwealth, people that hunt and fish, people
17 that manage the wildlife resources, people from
18 the sportsmen community, from the environmental
19 community.

20 We need to rally around and recognize
21 that your mission is broader. Yours and the Fish
22 Commission's mission are something broader than
23 just hunting and fishing. It's about managing all
24 of the wildlife resources of the Commonwealth for
25 everybody.

1 So I'm going to introduce this
2 legislation this week. Let's start the
3 discussion. I look forward to building support
4 amongst the ranks of hunters and fishermen and
5 their organizations across the state, interested
6 conservationists and environmentalists. We need
7 to put together a good broad spectrum, a real
8 coalition to do what's right for Pennsylvania's
9 wildlife.

10 PRESIDENT BOOP: Anyone have any
11 questions?

12 MR. ISABELLA: Yes.

13 PRESIDENT BOOP: We recognize
14 Commissioner Isabella.

15 MR. ISABELLA: Thank you, Mr. President.

16 Representative Levdansky, I commend you
17 for your actions. I also commend you for
18 acknowledging that this agency has to jump through
19 too many unnecessary groups to get a license
20 increase. Thank you for your actions.

21 PRESIDENT BOOP: Other Commissioners?

22 (No response.)

23 PRESIDENT BOOP: Again, we thank you,
24 Representative Levdansky.

25 REPRESENTATIVE LEVDANSKY: One additional

1 thing I forgot to mention. I'm the Majority
2 Chairman of the House Finance Committee. This
3 will be a tax code amendment, so I expect this to
4 be assigned to my committee where I could oversee
5 its public hearings, build some support for it.

6 But I'm also, I have again been
7 reappointed member of the House Game and Fisheries
8 Committee. There are a lot of issues that you
9 deal with on a day-to-day and a week-to-week basis
10 in the legislature, so I look forward to working
11 with you on addressing a lot of these challenges
12 as well.

13 Thank you.

14 (Applause.)

15 PRESIDENT BOOP: At this point we'll go
16 back to our regular agenda and we'll go to the
17 Bureau of Wildlife Protection. The Chair would
18 recognize Acting Bureau Director Palmer at the
19 podium.

20 We have three items on the agenda for
21 adoptive rule making and one for proposed rule
22 making. We go with the three for adoptive rule
23 making beginning on page 2.

24 Mr. Pouss, if you would read the item for
25 us?

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

2 It relates to the adoption of proposed
3 amendment to §147.553, Title 58 of the
4 Pennsylvania Code.

5 To effectively manage the wildlife
6 resources of this Commonwealth, the Game
7 Commission, at its April 18, 2007 meeting,
8 proposed the following change:

9 Amend §147.553 (relating to permit) to
10 standardize the agricultural deer control permit
11 closure period to May 16 through June 30, for both
12 vegetable and general crop farmers.

13 The Executive Director and staff
14 recommend final adoption of this amendment to 58
15 Pa. Code, as shown on Exhibit A, which is page 3
16 of your agenda.

17 PRESIDENT BOOP: You've heard the reading
18 of the item. Is there a motion?

19 MR. ISABELLA: So moved.

20 PRESIDENT BOOP: Commissioner Isabella.
21 Is there a second?

22 MR. SCHLEIDEN: Second.

23 PRESIDENT BOOP: Commissioner Schleiden.
24 Is there discussion on the item?

25 MR. DELANEY: Yes.

1 PRESIDENT BOOP: Commissioner Delaney.

2 MR. DELANEY: Rich, as a new
3 Commissioner, I just need to totally understand
4 the rationale for the proposal of this amendment.
5 Just could you explain that to me somewhat?

6 MR. PALMER: The primary reason behind
7 this, as well as within our strategic plan, one of
8 our goals is to streamline and simplify the Game
9 and Wildlife Code wherever we can. One of the
10 things that was identified and brought forward for
11 consideration was that there were different time
12 frames for general crop farming versus vegetable
13 farming.

14 The suggestion was made to streamline the
15 process, eliminate the confusion between the two
16 by essentially, have one restricted period of May
17 16 to June 30, instead of two different restricted
18 periods depending on what the actual crop was.

19 So the primary intent here is basically
20 to simplify the code, make the restricted period
21 the same, whether it's general crop farming or
22 vegetable farming.

23 MR. DELANEY: Was this start of the
24 discussions by the agency itself or was there
25 certain groups that asked to form this amendment?

1 MR. PALMER: There was discussion
2 internally in the agency, but I believe that the
3 impetus for those discussions were from a variety
4 of members from the farming community.

5 MR. DELANEY: Thank you.

6 PRESIDENT BOOP: Other Commissioners,
7 comments?

8 I'm not going to repeat my comments from
9 the April meeting. I think I voiced my opinion at
10 that time. I'm always reluctant to vote against
11 the recommendations of the Executive Director and
12 staff. I'm very sensitive as someone who operates
13 a farm operation to the crop damage.

14 I just would like to see this restricted
15 to those areas of the state where it's acutely a
16 problem. I would like to see it limited to
17 certain Management Units. We did hear yesterday
18 again the problems down in the southeastern part
19 of the state, but as presently worded, I just
20 can't support it from statewide application.

21 Anyone else?

22 (No response.)

23 PRESIDENT BOOP: Prepare to vote. All
24 those in favor indicate by saying aye.

25 (Signified aye.)

1 PRESIDENT BOOP: Opposed same sign?

2 (Signified nay.)

3 MR. ISABELLA: Mr. President, can we have
4 a show of hands, please?

5 PRESIDENT BOOP: All in favor indicate by
6 saying aye.

7 (Commissioners Palone, Isabella,
8 Schleiden, Hill and Schreffler indicate aye.)

9 PRESIDENT BOOP: Opposed same sign.
10 (Commissioners Boop and Delaney oppose.)

11 MR. ISABELLA: Ayes, five; nays, two.

12 PRESIDENT BOOP: Thank you, Mr.
13 Secretary.

14 Moving to the next item, which begins on
15 page 4, Mr. Pouss.

16 MR. POUSS: Mr. President, that item
17 relates to adoption of proposed amendment to
18 §141.15 of the Pennsylvania Code.

19 To effectively manage the wildlife
20 resources of the Commonwealth, the Game
21 Commission, at its April 18, 2007 meeting,
22 proposed the following change:

23 Amend §141.15 (relating to loaded
24 firearm) to extend the application of section 2503
25 of the Game and Wildlife Code to prohibit loaded

1 crossbows or muzzleloaders in, on or against any
2 conveyance propelled by mechanical power.

3 The Executive Director and staff
4 recommend final adoption of this amendment to 58
5 Pa. Code, as shown on Exhibit B, which is page 5
6 of the agenda.

7 PRESIDENT BOOP: You've heard the reading
8 of the action item, Commissioners.

9 Is there a motion?

10 MR. ISABELLA: So moved.

11 PRESIDENT BOOP: Commissioner Isabella.

12 Is there a second?

13 MR. HILL: Second.

14 PRESIDENT BOOP: Commissioner Hill.

15 Is there discussion on the item?

16 (No response.)

17 PRESIDENT BOOP: I have no discussion
18 indicated.

19 All in favor indicate by saying aye.

20 (Signified aye.)

21 PRESIDENT BOOP: Opposed same sign.

22 (No response.)

23 MR. ISABELLA: Unanimous, Mr. President.

24 PRESIDENT BOOP: Thank you, Mr.
25 Secretary.

1 Moving to the third item for adoptive
2 rule making that appears on page 6. Mr. Pouss,
3 would you give us the item?

4 MR. POUSS: Yes, Mr. President.

5 It involves a proposed amendment to
6 §141.18 of Title 58 of the Pennsylvania Code.

7 To effectively manage the wildlife
8 resources of the Commonwealth, the Game
9 Commission, at its April 18, 2007 meeting,
10 proposed the following change:

11 Amend §141.18 (relating to permitted
12 devices) to permit the lawful use of muzzleloading
13 firearms using an electronic impulse to trigger
14 discharge and illuminated nocks for arrows and
15 bolts.

16 The Executive Director and staff
17 recommend final adoption of this amendment to 58
18 Pa. Code, as shown on Exhibit C, which is on page
19 7 of your agenda.

20 PRESIDENT BOOP: Commissioners, you've
21 heard the reading of the item. It is before us.

22 Is there a motion?

23 MR. ISABELLA: So moved.

24 PRESIDENT BOOP: Commissioner Isabella.

25 Is there a second?

1 MR. HILL: Second.

2 PRESIDENT BOOP: I heard Commissioner
3 Hill first, if that's okay. Commissioner Hill.

4 So it's been properly moved and seconded.

5 Is there discussion on the item?

6 (No response.)

7 PRESIDENT BOOP: None being indicated, I
8 assume you're prepared to vote on this particular
9 item on the agenda.

10 All those in favor indicate by saying
11 aye.

12 (Signified aye.)

13 PRESIDENT BOOP: Opposed same sign.

14 (No response.)

15 MR. ISABELLA: Unanimous, Mr. President.

16 PRESIDENT BOOP: Thank you, Mr.
17 Secretary.

18 We now would move to proposed rule
19 making. The Chair would also recognize -- I'd
20 like to move to this proposed rule making and we
21 would recognize Bureau Director Cal DuBrock.

22 Mr. Palmer, if you would stand by, we
23 have another matter involving your bureau in just
24 a moment.

25 Good morning, Mr. DuBrock.

1 MR. DUBROCK: Good morning, Mr.
2 President.

3 PRESIDENT BOOP: We're on page 8 of the
4 agenda.

5 Mr. Pouss, if you would provide us with
6 the reading?

7 MR. POUSS: Yes, Mr. President.

8 The proposal is to amend 58 Pa. Code,
9 §133.41.

10 In accordance with recommendations of the
11 Pennsylvania Biological Survey's Mammal Technical
12 Committee, it is proposed that 58 Pa. Code,
13 §133.41 (relating to classification of mammals) be
14 amended to add the northern flying squirrel to the
15 list of endangered mammals.

16 The northern flying squirrel is not a
17 game species, and it is the larger and rarest of
18 the two flying squirrel species in Pennsylvania.
19 Surveys by both Game Commission personnel and
20 independent researchers demonstrate population
21 declines. Historical records indicate this
22 species once was distributed across northern
23 Pennsylvania; however, recent surveys suggest it
24 is found only in small island populations in the
25 northeast Pocono region of Pennsylvania and one

1 site in Warren County. Title 58, §133.4 criteria
2 (i) and (ii) have been met. The major reason for
3 the decline of this species is the loss and
4 fragmentation of older-growth coniferous forest in
5 Pennsylvania.

6 The text of the proposed amendment is
7 also shown on page 8 of your agenda.

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

10 PRESIDENT BOOP: The item is before the
11 Board. You've heard the reading. Mr. DuBrock is
12 available at the podium.

13 Is there a motion?

14 MR. ISABELLA: Motion.

15 PRESIDENT BOOP: Commissioner Isabella.

16 MR. SCHREFFLER: Second.

17 PRESIDENT BOOP: Commissioner Schreffler
18 has seconded.

19 Is there discussion on the action item?

20 (No response.)

21 PRESIDENT BOOP: If not we will vote on
22 this item of proposed rule making. All those in
23 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, Mr.

4 Secretary.

5 Thank you, Mr. DuBrock.

6 PRESIDENT BOOP: We can now go back to

7 the Bureau of Wildlife Protection and the Chair

8 would again recognize Mr. Palmer.

9 Mr. Palmer, I believe there are some
10 revocation matters from your Bureau before the
11 Board at this time?

12 MR. PALMER: Yes, Mr. President.

13 We have three recommendations that are a
14 result of Administrative Hearings on license
15 revocations. I believe Mr. Pouss will do the
16 reading.

17 MR. POUSS: The first item relates to
18 Administrative Hearing.

19 Administrative Hearings are held to
20 review the hunting and furtaking revocations for
21 those persons who file a petition requesting a
22 review in accordance with Administrative Agency
23 Law.

24 The Commission was furnished a copy of
25 the Findings of Fact, the Conclusions of Law, and

1 the Recommendations of the Hearing Officer
2 concerning the Administrative Hearing held at the
3 request of each individual listed below. The
4 Findings of Fact set forth the circumstances
5 surrounding this matter.

6 The Executive Director recommends that
7 the Commission approve the Findings of Fact,
8 Conclusions of Law, and Recommendation of the
9 Hearing Officer, Andrew Lehman, allowing the
10 revocation period to remain as originally ordered
11 for each individual listed.

12 And the individuals are listed in the
13 handout.

14 PRESIDENT BOOP: We have the supplement
15 before us. This would involve two individuals
16 with the recommendation that the revocation period
17 remain as originally ordered. The Commissioners
18 all have the handout.

19 Is there a motion?

20 MR. ISABELLA: Motion.

21 PRESIDENT BOOP: Commissioner Isabella.

22 Is there a second?

23 MR. HILL: Second.

24 PRESIDENT BOOP: Commissioner Hill.

25 Any discussion?

1 (No response.)

2 PRESIDENT BOOP: If not, all in favor
3 indicate by saying aye.

4 (Signified aye.)

5 PRESIDENT BOOP: Opposed same sign.

6 (No response.)

7 MR. ISABELLA: Unanimous, Mr. President.

8 PRESIDENT BOOP: Thank you.

9 I believe we have one additional. It
10 involves a reduction.

11 Again, Mr. Pouss, if you could provide us
12 with that information?

13 MR. POUSS: The commentary for this item
14 is essentially the same as previously, so I won't
15 go through that.

16 The Executive Director recommends that
17 the Commission approve the Findings of Fact,
18 Conclusions of Law, and Recommendation of the
19 Hearing Officer, Andrew Lehman, allowing the
20 revocation period to be reduced for the individual
21 listed. And the individual is named in the
22 handout.

23 PRESIDENT BOOP: Again, we have this item
24 before us, a reduction on the three-year period to
25 a one year period.

1 Is there a motion?

2 MR. ISABELLA: Motion.

3 PRESIDENT BOOP: Commissioner Isabella.

4 Is there a second?

5 MR. HILL: Second.

6 PRESIDENT BOOP: Commissioner Hill.

7 Any discussion on this particular item
8 that's before us at this particular point?

9 (No response.)

10 PRESIDENT BOOP: If not, all in favor of
11 a reduction for this individual from three years
12 to one year please 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.
18 Secretary.

19 Thank you, Mr. Palmer.

20 On our agenda we would now move to the
21 Bureau of Wildlife Habitat Management.

22 The Chair would recognize Director Mr.
23 Capouillez, who is at the podium.

24 The items before us begin on page 9 of
25 the agenda.

1 Again, Mr. Pouss, if you would provide
2 the reading?

3 Under (A) let's do the three options
4 collectively, because they're all recommended
5 together and appear in that fashion, so there are
6 three options under acquisition.

7 MR. POUSS: Okay, Mr. President.

8 The first two items are land acquisitions
9 and they relate, first one, Option No. 50011
10 involves 195 acres more or less of land in Cool
11 Spring Township, Mercer County, adjoining State
12 Game Lands No. 294 (and is shown on Exhibit Red
13 1). The option is subject to the reservation of
14 oil, gas and mineral rights (excluding heat).

15 The option price is \$43,000 lump sum.
16 This money is to be paid from the Game Fund. The
17 property is mostly wetlands, which the Commission
18 considers critical and unique habitat.
19 Approximately 130 acres of the 195 acres are
20 emergent, scrub-shrub and forested wetlands.

21 The upland portion of the property is 60
22 acres of woodland comprised of oak, maple, cherry
23 and ash, of which 40 acres are saw timber, ten
24 acres are coal timber, and ten acres are saplings.
25 The remaining five acres is reverting farmland.

1 This fairly flat property has Otter Creek
2 flowing through it, as well as one unnamed
3 tributary to Otter Creek. A railroad right-of-way
4 just east of Route 19 is adjacent to the property.
5 This property contains excellent waterfowl and
6 other wildlife habitat associated with wetland
7 ecosystem.

8 The property will fill in gaps between
9 three separate tract of State Game Land No. 294.
10 The acquisition of this property is being made
11 possible through a partnership with the Western
12 Pennsylvania Conservancy.

13 The next option No. 50019 involves 16
14 acres more or less of land in Burrell Township,
15 Indiana County, an interior to State Game Land No.
16 153 (as shown on Exhibit Red 2). Excepted and
17 reserved to all coal on, in and under the
18 premises, together with all reasonable rights and
19 easements necessary for the exploration for and
20 removal of the same.

21 Lumbering and coal removal operations are
22 currently being conducted on the premises as part
23 of a post-mining reclamation and revegetation
24 plan. All royalties, rents and related payments
25 resulting from the same will remain with the

1 seller.

2 All oil and gas on, in and under the
3 property, together with all reasonable rights and
4 easements necessary for the exploration for,
5 removal of and storage of the same are reserved
6 for a period of ten years from the date of the
7 deed. The reclamation project is removing an
8 abandoned high wall and mine spoils and will
9 replant the area as forest land and wildlife
10 habitat.

11 The option price is \$43,772.60 lump sum.
12 This money is to be paid from the Game.
13 Acquisition will allow the Commission to close out
14 an interior, resulting in less boundary line
15 maintenance and preventing anyone from developing
16 the parcel and impacting the existing game lands
17 with safety zone.

18 The third option involves 100 acres more
19 or less of land in Plainfield and Bushkill
20 Townships, Northampton County, adjoining State
21 Game Land No. 168 (shown on Exhibit Red 3). The
22 property is mostly forested with tree species
23 typically associated with mixed hardwoods growing
24 along the south slope of Blue Mountain, such as
25 oaks, birch, maples and black gum.

1 An abandoned railroad grade passes
2 through the property, running east and west.
3 Acquiring this property will provide legal access
4 to a large portion of State Game Land No. 168 and
5 straighten our boundary lines.

6 The option excepts and reserves a strip
7 of land 30 feet in width crossing the property for
8 a trail to link Jacobsburg Environmental Education
9 Center with the Appalachian Trail. The Commission
10 will retain the right to use the reserves strip of
11 land for administrative access and access for
12 hunters, trappers and fisherman, provided any
13 damage done, including damage by logging
14 equipment, will be repaired by the Commission.

15 This option price is \$15,000 lump sum to
16 be paid from the Game Fund. This acquisition is
17 made possible through partnerships with Wildlands
18 Conservancy and Northampton County, including
19 grants from the Department of Conservation and
20 Natural Resources. A requirement of both funding
21 sources is that any change of use from State Game
22 Land or transfers to any parts of the property
23 shall require their consent.

24 The Executive Director recommend the
25 options listed above be accepted and the

1 Commission authorize the Bureau of Wildlife
2 Habitat Management to proceed with the acquisition
3 of these tracts.

4 PRESIDENT BOOP: Thank you, Mr. Pouss,
5 for the rather lengthy reading.

6 We have under acquisition the three
7 options that we'll be voting on collectively as
8 presented.

9 Is there a motion?

10 MR. SCHLEIDEN: So moved.

11 PRESIDENT BOOP: Commissioner Schleiden.

12 Is there a second?

13 MR. HILL: Second.

14 PRESIDENT BOOP: Commissioner Hill.

15 Is there discussion on this action item?

16 (No response.)

17 PRESIDENT BOOP: Hearing none, all in
18 favor of this agenda item indicate by saying aye.

19 (Signified aye.)

20 PRESIDENT BOOP: Opposed same sign.

21 (No response.)

22 MR. ISABELLA: Unanimous, Mr. President.

23 PRESIDENT BOOP: Thank you, Mr.

24 Secretary.

25 We'll now move under real estate to

1 subparagraph B, which is a donation. This appears
2 beginning on page 14 of the agenda.

3 Mr. Pouss.

4 MR. POUSS: Mr. President, Option No.
5 50022 involves 20 acres more or less of land in
6 Upper Tulpehocken Township, Berks County,
7 adjoining State Game Land No. 110 (as shown on
8 Exhibit Red 4) from Boyd L. Sponaugle, Jr. The
9 tract is mostly rock talus slope with five acres
10 of mixed oaks species in pole stage timber. This
11 donation is made possible through the Wildlife for
12 Everyone Endowment Foundation.

13 Option No. 50023 involves 1.33 acres more
14 or less of land in Fairfield Township,
15 Westmoreland County, adjoining the Southwest
16 Regional Office (as shown on Exhibit Red 5) from
17 the estate of Don Little, a former regional
18 forester with the Commission.

19 This conveyance is under and subject to
20 rights to a 20-foot wide private roadway crossing
21 the 1.33 acres, as well as restriction for its use
22 as a wildlife sanctuary or natural habitat. The
23 property is further subject to the provision that
24 no buildings shall be erected on the tract. These
25 provisions run with the land until December 31,

1 2099, or until 21 years after the death of the
2 last to die of any of Don Little's issue
3 (descendants) living at his death.

4 The Executive Director and staff
5 recommend the donations listed above be accepted
6 and the Commission authorize the Bureau of
7 Wildlife Habitat Management to proceed with the
8 accusation of these tracts.

9 PRESIDENT BOOP: Commissioners, you've
10 heard the reading. What we will be voting on is
11 the donation involving the two options as set
12 forth, the one in Berks County and the one in
13 Westmoreland County.

14 Is there a motion?

15 MR. SCHLEIDEN: Motion.

16 PRESIDENT BOOP: Commissioner Schleiden.

17 Is there a second?

18 MR. SCHREFFLER: Second.

19 PRESIDENT BOOP: Commissioner Schreffler.

20 Any discussion on this action item?

21 MR. DELANEY: Mr. President, just one
22 comment.

23 To me, as a new Commissioner, it never
24 ceases to amaze me the partners we have to get
25 these acquisitions, particularly that Wildlife for

1 Everyone Endowment Foundation. I don't think any
2 of these things would be possible without them. I
3 just wanted to recognize that.

4 PRESIDENT BOOP: The Chair would like to
5 make a comment about that, too, after we vote.
6 Yes, your comments are well taken, Commissioner
7 Delaney.

8 I think we're ready to vote. All in
9 favor 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: Yes, on behalf of the
15 Board and the Commission, I just would like to
16 thank the Wildlife for Everyone Endowment
17 Foundation. A number of people are involved with
18 that, particularly Commissioner Schleiden's
19 efforts in that regard. We're starting to see
20 some real tangible benefits from that ongoing
21 effort.

22 Those of you looking at your Digest when
23 you purchase the license in the next couple of
24 weeks, hopefully, please take a look at the ad in
25 there for the Foundation. It doesn't really

1 matter what side of the aisle or what your
2 prospective is on, any issue is that we want to
3 help wildlife and help the agency. I can't think
4 a better way out there to do it.

5 Again, thank you Russ, and thank everyone
6 else who has been involved in that ongoing effort.

7 MR. SCHLEIDEN: Thank you, Mr. President.

8 PRESIDENT BOOP: Let's now move to (C).
9 Were looking at an item now. This involves a land
10 exchange. A number of these other items, these
11 are bundled. There are two options here under the
12 land exchange.

13 I realize it makes a long reading for
14 you, Bill, but, please, if you'll give us the
15 item?

16 MR. POUSS: Yes, Mr. President.

17 Option No. 50009 involves Laurel Landfill
18 Corporation, formerly Chambers Laurel Landfill
19 Corporation, which has agreed to a land exchange
20 involving 12.5 acres, being part of State Game
21 Land No. 79 situate in Jackson Township, Cambria
22 County (Exhibit Red 6).

23 Laurel Landfill currently is under a
24 requirement to clear wind-blown debris from the
25 12.5-acre portion of the game land, as the debris

1 becomes lodged in the tree line. Expansion of its
2 facility would make the tree line part of the
3 faculty and ease the requirement for removal of
4 such debris.

5 In exchange, Laurel Landfill Corporation
6 will transfer 37.5 acres of mixed hardwood
7 forested habitat in Jackson Township, Cambria
8 County (shown on Exhibit Red 6). The exchange
9 will provide additional hunting acreage contiguous
10 to the game lands.

11 The 12.5 acres shall be open to hunting,
12 subject to resolution of liability, safety and
13 permitting requirements, and will be subject to a
14 right of first refusal in the Commission if it is
15 ever sold to a third party.

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

19 Option No. 50024, also involves the
20 Laurel Landfill Corporation, which has also agreed
21 to a land exchange involving a 3.75 acre easement,
22 being across a part of State Game Land No. 79
23 situate in Jackson Township, Cambria County
24 (Exhibit Red 7).

25 Laurel Landfill reserved an easement when

1 conveying the underlying land to the Commission
2 pursuant to a land exchange authorized by the
3 Commission in 1996. The land exchange called for
4 a 4.75 acre access and utilities easement, but the
5 deed to Chambers inadvertently did not mention the
6 utilities.

7 When Chambers sought to place utilities,
8 the Commission indicated it would be preferable to
9 place the utilities along an existing roadway, as
10 it would involve less land clearance and less
11 habitat disturbance. It was discovered at this
12 time that the deed had failed to mention the
13 utility easement.

14 In an effort to compromise, Laurel
15 Landfill Corporation will exchange their current
16 access and utility easement of 4.75 acres in
17 Jackson Township, Cambria County (Exhibit Red 7)
18 for the new 3.75 acre utility easement. The
19 exchange will fulfill the original intent of the
20 exchange for underground utilities and will entail
21 less ground disturbance and less habitat impacts
22 than insisting upon placement in the location
23 actually reserved.

24 The staff has reviewed this proposal and
25 has determined it to be of equal or greater value

1 for the benefit of wildlife.

2 The Executive Director and staff
3 recommend the land exchange listed above be
4 approved and the Commission authorize the Bureau
5 of Wildlife Habitat Management to proceed with
6 these exchanges.

7 PRESIDENT BOOP: Thank you, Mr. Pouss.

8 Before us two land exchanges, both in
9 Cambria County, as set forth in the options as
10 noted.

11 Is there a motion to proceed?

12 MR. ISABELLA: Motion.

13 PRESIDENT BOOP: Commissioner Isabella.

14 Is there a second?

15 MR. SCHREFFLER: Second.

16 PRESIDENT BOOP: Commissioner Schreffler.

17 Again, I'm just trying to do the one I
18 hear first. I appreciate the station of the
19 Board, meaning the second in no particular. We
20 have a second.

21 Is there any discussion on this action
22 item?

23 (No response.)

24 PRESIDENT BOOP: Hearing none, all in
25 favor of the matter before us indicate by saying

1 aye.

2 (Signified aye.)

3 PRESIDENT BOOP: Opposed same sign.

4 (No response.)

5 MR. ISABELLA: Unanimous, Mr. President.

6 PRESIDENT BOOP: Thank you, Mr.

7 Secretary.

8 Now moving to paragraph D, which begins
9 on page 21. This involves a settlement of
10 dispute.

11 Mr. Pouss will give us the item.

12 MR. POUSS: Mr. President, the dispute
13 involves State Game Land No. 108, Cambria County.

14 By Resolution dated October 22, 1974, the
15 Commission authorized condemnation of a tract of
16 land comprised of 909.97 acres in Reade and Dean
17 Townships, Cambria County. A Declaration of
18 Taking was filed in the Court of Common Pleas of
19 Cambria County to No. 1974-4511, with respect to
20 the 909.97 acre tract.

21 A Notice of Condemnation was filed in the
22 Offices for the Recording of Deeds in and for
23 Cambria County December 4, 1974, in Deed Book
24 Volume 980, at page 318. The stated purpose of
25 the condemnation of the 909.97 acres was to

1 condemn the property in fee simple.

2 Lying wholly within this 909.97 acre
3 tract was a 10.407 acre farm known as the
4 Dougherty Farm, (which is shown on Exhibit Red 8).
5 The farm remained in the Dougherty family until
6 1994, when Aaron Dougherty sold his interest to a
7 family friend, David Wills. David Wills claims
8 the condemnation was ineffective and that he is
9 the rightful owner of the 10.407 acre Dougherty
10 Farm.

11 In an effort to compromise this dispute,
12 the Commission and Wills have negotiated a
13 proposed course of action. The Commission would
14 convey a 13.25 acre property, (shown on Exhibit
15 Red 9) to Wills. The Commission will retain an
16 administrative access for its employees and
17 habitat management (but not timber sales or the
18 public) and will rough in a road for access.
19 Wills will quitclaim any interest in the 10.407
20 acres, as well as any claim to damages that he may
21 have with regard to the taking of the 10.407
22 acres.

23 The two properties are similar, except
24 that the timber on the 10.407 acres has already
25 been removed. The 10.407 acre interior currently

1 has reverting field and an old orchard, whereas
2 the land to be conveyed to Wills is mostly
3 forested.

4 This settlement will result in better
5 management and administration of the game land
6 because there will not be any interior. In
7 addition, there will be no right-of-way crossing
8 the game land. The new parcel will still be
9 available for access, albeit administrative, and
10 will have less boundary maintenance associated
11 with it.

12 The Executive Director and staff
13 recommend the settlement listed above be approved
14 and that the Commission authorize the Bureau of
15 Wildlife Habitat Management to proceed with the
16 settlement agreement as outlined.

17 PRESIDENT BOOP: Board members, you've
18 heard the reading concerning subparagraph D, the
19 settlement in dispute, and the commentary and
20 recommendation.

21 Is there a motion to approve?

22 MR. SCHREFFLER: So moved.

23 PRESIDENT BOOP: Commissioner Schreffler.

24 Is there a second?

25 MR. SCHLEIDEN: Second.

1 PRESIDENT BOOP: Commissioner Schleiden.
2 Is there any discussion on this action
3 item?

4 MR. SCHLEIDEN: Mr. President.

5 PRESIDENT BOOP: Yes, Commissioner
6 Schleiden.

7 MR. SCHLEIDEN: Bill, I think you did a
8 good deal there. I want to thank you and the
9 people in the Southwest for their efforts on that.
10 We're always looking to clean up these in
11 holdings. In this case, when we looked at the
12 contour of the trade, looks like, even though we
13 got 13 acres, we bettered the shape.

14 I commend you for that. It looks like
15 there might be even some good small game in the
16 middle there.

17 MR. CAPOUILLEZ: Thank you, sir.

18 The interior had we left it the way it
19 was could have been a lot more of an impact to the
20 game lands with regard to additional development
21 just from the safety zone requirements. So it was
22 certainly something that was a priority for the
23 Southwest, as well as the Real Estate Division.

24 MR. SCHLEIDEN: That's my comments.

25 PRESIDENT BOOP: Thank you, Commissioner

1 Schleiden.

2 Any other Commissioners? Certainly, we
3 would echo Commissioner Schleiden's comments.

4 Let's prepare to vote. All in favor
5 indicate by saying aye.

6 (Signified aye.)

7 PRESIDENT BOOP: Opposed same sign.

8 (No response.)

9 MR. ISABELLA: Unanimous, Mr. President.

10 PRESIDENT BOOP: Thank you, Mr.
11 Secretary.

12 We'll now move to the second area under
13 the same Bureau. This is the area involving oil,
14 gas and minerals. We were previously in the real
15 estate portion. Under oil, gas and minerals we
16 have agenda Item E, which begins on page 24.

17 Again, this is a fairly lengthy item, Mr.
18 Pouss, and I think the Commissioners did have a
19 chance to review this in advance of the meeting,
20 so if you want to paraphrase, abbreviate a little
21 bit. We don't want to wear you out in the
22 reading. I'm sure we'll understand.

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

24 The next item involves an oil and gas
25 lease on State Game Lands No. 247, Armstrong

1 County.

2 Kriebel Resources of Clarion,
3 Pennsylvania requests the Commission to offer its
4 shallow oil and gas ownership under State Game
5 Land No. 247 for lease. The proposed lease tract
6 247A-07 containing 452.3 acres is located in North
7 Buffalo Township, Armstrong County, (Exhibit
8 OGM1).

9 Kriebel Resources currently controls a
10 strong oil and gas lease position on private lands
11 adjacent to State Game Land No. 247 and has
12 obtained permits to drill several wells which when
13 drilled will effectively withdraw a portion of the
14 Commission's oil/gas reserve.

15 The staff has expeditiously negotiated
16 with Kriebel Resources in an effort to safeguard
17 the prudent development of the Commission oil and
18 gas reserve and simultaneously protect the
19 wildlife resources and recreational use of State
20 Game Land No. 247.

21 In exchange for the oil and gas lease,
22 Kriebel Resources will pay the Commission a bonus
23 of \$20 per acre (for a total of \$9,046) within 60
24 days of executing the lease agreement. Such
25 payment to be deposited into the Game Fund.

1 Kriebel Resources has also agreed to
2 unitize six proposed wells located within 500 feet
3 of the Commission's boundary. Kriebel Resources
4 will pay a 15.625 percent royalty of the wellhead
5 price per MCF of gas produced and sold from each
6 unitized well.

7 The Commission's royalty will be prorated
8 based on the fractional portion of the drainage
9 area of each well within the Commission's reserve.
10 Kriebel Resources will also pay the Commission a
11 15.625 percent royalty rate for all other wells
12 drilled within the lease area.

13 Further, Kriebel has agreed to a well
14 location/surface damage fee of \$2,5000 per well to
15 be deposited into an interest bearing escrow
16 account for the future purchase of lands
17 acceptable to the Commission or directly deposited
18 into the Game Fund.

19 Kriebel Resources has also agreed to
20 provide 350,000 cubic feet of free gas annually
21 and will provide the regulator, meter and gas
22 supply line to the building to heat the
23 Commission's food and cover corps headquarters
24 buildings on State Game Land No. 247 for the
25 Commission's use of the free gas.

1 Further, Kriebel Resources will adhere to
2 the reclamation and revegetation requirements as
3 specified by the Commission's Land Management
4 Group Supervisor.

5 Oil and gas development will be regulated
6 by Commonwealth's oil and gas regulations and the
7 Commission's standard oil/gas lease agreement and
8 \$25,000 performance bond. This lease will include
9 the Commission's standard wildlife and protection
10 measures and further limits well development to a
11 total of ten wells on the lease area.

12 The Executive Director and staff
13 recommend the proposed lease be approved and the
14 Commission authorize the Bureau of Wildlife
15 Habitat Management to proceed with the leasing
16 arrangement as listed above.

17 PRESIDENT BOOP: Members of the Board,
18 you've heard the reading of the item involving the
19 oil and gas lease in Armstrong County.

20 Is there a motion to approve?

21 MR. SCHLEIDEN: So moved.

22 PRESIDENT BOOP: Commissioner Schleiden.

23 Is there a second?

24 MR. DELANEY: Second.

25 PRESIDENT BOOP: Commissioner Delaney.

1 Is there any discussion on the item
2 before the Board?

3 MR. SCHLEIDEN: I'm glad to see you let
4 them have their shirt, but excellent job.

5 PRESIDENT BOOP: Thank you for those
6 comments, Commissioner Schleiden.

7 Anyone else?

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.
16 Secretary.

17 We now move to agenda item F, which
18 begins on page 27.

19 Mr. Pouss.

20 MR. POUSS: Mr. President, this item
21 involves an anthracite coal deep mining lease
22 amendment involving State Game Lands No. 264, in
23 Dauphin and Schuylkill Counties.

24 Ladnar, Inc., of Hummelstown, PA seeks to
25 amend its existing anthracite coal deep mining

1 lease agreement (Tract 264A-97) by adding a total
2 of 15.5 additional acres and by relinquishing its
3 right to surface mine on 120.2 acres of State Game
4 Land No. 264 as previously approved by the
5 Commission under a lease amendment dated September
6 30, 2005.

7 The amended area includes an additional
8 8.5 acres surrounding the Williamstown Mine No. 1
9 deep mine portal and an additional seven acres to
10 be utilized for haul road and site access.

11 Currently, Ladnar has leased a total of
12 167.7 acres of State Game Land No. 264 from the
13 Commission with approval to conduct both surface
14 and underground mining operations. This proposed
15 amendment, if approved, will consolidate and
16 reduce the approved leased acreage from 167.7 to
17 37.7 acres, resulting in an overall net reduction
18 of 130 leased acres.

19 This amendment also consolidated all
20 phases of the Williamstown Mine No. 1 deep mine
21 operations under one lease amendment and
22 eliminates the potential for large scale surface
23 mining on State Game Land No. 264 and further
24 clarifies the royalty rate for all underground
25 mining associated with the Williamstown No. 1 deep

1 mine.

2 Royalties will be paid at a royalty rate
3 of 5.5 percent F.O.B. pit price or \$2.00 per ton,
4 whichever the greater. All other remaining lease
5 terms and provisions shall remain as specified in
6 the original 1997 lease and approved amendments
7 (and that's shown on Exhibit OGM 2).

8 Mining will be regulated by the
9 Commonwealth Surface and Underground Mining
10 Regulations and the Commission's standard mining
11 lease agreement. All other terms and conditions
12 of the existing lease and amendments will remain
13 unchanged.

14 The Executive Director and staff
15 recommend this anthracite deep mine lease
16 amendment be approved and the Commission authorize
17 the Bureau of Wildlife Habitat management to
18 proceed with the leasing arrangement as listed
19 above.

20 PRESIDENT BOOP: Thank you, Mr. Pouss.

21 The item before us involves a mining
22 lease amendment in Dauphin and Schuylkill Counties
23 as read.

24 Is there a motion to approve?

25 MR. ISABELLA: Motion.

1 PRESIDENT BOOP: Commissioner Isabella.
2 Is there a second?

3 MR. SCHLEIDEN: Second.

4 PRESIDENT BOOP: Commissioner Schleiden.
5 Is there any discussion on the action
6 item?

7 (No response.)

8 PRESIDENT BOOP: Hearing none, all in
9 favor 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.

15 Secretary.

16 Bill, thank you for the input from your
17 Bureau.

18 We now move to the portion of the agenda
19 under other new business. Is there any other new
20 business to come before the Board this morning?

21 (No response.)

22 PRESIDENT BOOP: None being indicated.

23 The time and place for our next meeting
24 has been set to be held here at Headquarters, on
25 Elmerton Avenue, on Monday and Tuesday, October 1

1 and October 2, beginning at 8:30 A.M. We
2 encourage all of you to join us in October.

3 I don't believe there's any indication
4 that an executive session is necessary.

5 If there's nothing else to come before
6 the Board this morning, I'll entertain a motion to
7 adjourn.

8 MR. ISABELLA: Motion, Mr. President.

9 PRESIDENT BOOP: Commissioner Isabella.
10 All in favor indicate by saying aye.

11 (Signified aye.)

12 PRESIDENT BOOP: Meeting is adjourned.

13 (Meeting adjourned 9:28 P.M.)

14

15

16

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.



Notary Public