

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION

IN RE: PENNSYLVANIA GAME COMMISSION
BOARD MEETING
JUNE 24, 2008

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

BEFORE: ROXANE S. PALONE, PRESIDENT
GREGORY J. ISABELLA, VICE PRESIDENT
JAMES J. DELANEY, JR., SECRETARY
RUSSELL E. SCHLEIDEN, COMMISSIONER
DAVID W. SCHREFFLER, COMMISSIONER
H. DANIEL HILL, III, COMMISSIONER
THOMAS E. BOOP, COMMISSIONER
RONALD WEANER, COMMISSIONER

ALSO PRESENT:

CARL G. ROE, EXECUTIVE DIRECTOR
M.W. SCHMIT, DEPUTY EXECUTIVE DIRECTOR
BRADLEY C. BECHTEL, ESQUIRE, ASSISTANT COUNSEL

DATE: JUNE 24, 2008, 8:35 A.M.

PLACE: 2001 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA

MELISSA FLINN
NOTARY PUBLIC

1 PRESIDENT PALONE: Good morning
2 everyone and welcome to the June 2008 Game
3 Commission meeting. I would like to welcome you
4 all.

5 We would like to have the Pledge of
6 Allegiance and I would ask you to remain standing
7 after the Pledge of Allegiance and then we'll have
8 invocation by our Bureau Director from Wildlife
9 Management, Cal DuBrock.

10 (Pledge of Allegiance recited.)

11 (Invocation delivered.)

12 PRESIDENT PALONE: Thank you, Cal.

13 I'll now ask Secretary Delaney to do
14 the roll call.

15 COMMISSIONER DELANEY: I'll commence
16 with the roll call of officers. President Roxane
17 Palone.

18 PRESIDENT PALONE: Here.

19 COMMISSIONER DELANEY: Vice President
20 Greg Isabella.

21 COMMISSIONER ISABELLA: Here.

22 COMMISSIONER DELANEY: Secretary
23 Delaney. Here. Commissioner Schleiden.

24 COMMISSIONER SCHLEIDEN: Here.

25 COMMISSIONER DELANEY: Commissioner

1 Boop.

2 COMMISSIONER BOOP: Present.

3 COMMISSIONER DELANEY: Commissioner

4 Hill.

5 COMMISSIONER HILL: Here.

6 COMMISSIONER DELANEY: Commissioner

7 Schreffler.

8 COMMISSIONER SCHREFFLER: Present.

9 COMMISSIONER DELANEY: Commissioner

10 Weaner.

11 COMMISSIONER WEANER: Here.

12 President Palone, all commissioners

13 present and accounted for.

14 PRESIDENT PALONE: Thank you,

15 Secretary Delaney. I now would ask for a motion to

16 approve the minutes of our meeting held on April

17 22, 2008.

18 COMMISSIONER ISABELLA: Motion.

19 PRESIDENT PALONE: Commissioner

20 Isabella. Is there a second?

21 COMMISSIONER SCHLEIDEN: Second.

22 PRESIDENT PALONE: Second,

23 Commissioner Schleiden.

24 All those in favor of the motion

25 signify by saying aye. All those opposed, say no.

1 (Vote taken.)

2 COMMISSIONER DELANEY: President
3 Palone, the vote cast is unanimous to approve the
4 minutes of the previous meeting.

5 PRESIDENT PALONE: Thank you,
6 Commissioner.

7 We now will have a few public speakers
8 that could not attend yesterday. We have three
9 here.

10 (Public comment given.)

11 PRESIDENT PALONE: That concludes our
12 public comments for this morning. We'll now get
13 into our business meeting.

14 Page 2 on our agenda, I'd like to
15 recognize Director Cal DuBrock, who is the director
16 of Wildlife Management and I'd like to recognize
17 Brad Bechtel, our counsel. Mr. Bechtel.

18 MR. BECHTEL: Thank you, President
19 Palone. The first item concerns the Bureau of
20 Wildlife Management. It is adoptive rule making.
21 It is adoption of proposed amendments to Sections
22 139.2, 141.1 and 141.41. To effectively manage the
23 wildlife resources of this Commonwealth, the Game
24 Commission, at its April 22, 2008 meeting, proposed
25 the changes that appear in your agenda on page 2.

1 They relate to 141.1 (special regulation areas,) 2 139.2 (definitions,) and 141.41 (general.)

3 The Executive Director and staff 4 recommend final adoption of these amendments to 58 5 Pa. Code as shown on page 3 of your agenda.

6 PRESIDENT PALONE: Thank you, Brad. 7 Do I hear a motion to accept this adopted rule 8 making on page 3 concerning seasons and bag limits, 9 and hunting and trapping?

10 COMMISSIONER ISABELLA: Motion.

11 PRESIDENT PALONE: Commissioner 12 Isabella. Is there a second?

13 COMMISSIONER SCHREFFLER: Second.

14 PRESIDENT PALONE: Second, 15 Commissioner Schreffler. Is there any discussion 16 about the proposal? No discussion. All those in 17 favor of the proposal, signify by saying aye. All 18 those opposed, say no.

19 (Vote taken.)

20 COMMISSIONER DELANEY: Madame 21 President, the vote is unanimous to support the 22 adopted rule making 139.2, 141.1 and 141.41.

23 PRESIDENT PALONE: Thank you, 24 Commissioner Delaney. Page 4.

25 MR. BECHTEL: The next item also

1 concerns the adoption of proposed amendments, this
2 time to Section 147.675. To effectively manage the
3 wildlife resources of this Commonwealth, the Game
4 Commission, at its April 22, 2008 meeting, proposed
5 the following change: Amend Section 147.675,
6 relating to validity of permit, to expand the
7 eligibility period for the validity of DMAP permits
8 to include open seasons for antlered deer during
9 the regular firearms season while also providing
10 clarification that the DMAP harvest permits are
11 valid only to harvest antlerless deer.

12 The Executive Director and staff
13 recommend final adoption of this amendment to 58
14 Pa. Code as shown on Exhibit B, found on page 5 of
15 your agenda.

16 PRESIDENT PALONE: Thank you, Brad.

17 Do I hear a motion to accept this
18 proposal for the deer management assistance
19 program?

20 COMMISSIONER SCHLEIDEN: So moved.

21 COMMISSIONER SCHREFFLER: Motion.

22 PRESIDENT PALONE: Commissioner
23 Schleiden and seconded by Commissioner Schreffler.
24 Is there any discussion or questions on the
25 proposal? Commissioner Boop.

1 COMMISSIONER BOOP: Yes, Madame
2 President. When the Board of Commissioners acted
3 earlier this year to set the different seasons in
4 2B, 2G, 2C and 4B, we indicated that we were going
5 to study the effect of hunting in a different
6 manner in these management units where we're going
7 to have antlered only for five days and then
8 combined for seven.

9 The DMAP eligibility period has not
10 even expired yet -- it doesn't until July 1 -- and
11 we don't know at this point how many DMAP coupons
12 there are going to be for these four management
13 units. I think this just introduces another
14 variable into our study. We have seven days when
15 people can use those DMAP coupons and I just think
16 it's unwise to extend these four management units
17 when we are going to be doing these studies.

18 PRESIDENT PALONE: Thank you. Any
19 other discussion or question? Cal, do you know how
20 many DMAP coupons we had last year that deer were
21 harvested?

22 MR. DuBROCK: I can get that
23 information to you, I don't have that in front of
24 me. I do have -- I pulled out this morning
25 information on DMAP enrollment to date this year,

1 and I can provide those numbers, if you would, like
2 at this time.

3 PRESIDENT PALONE: Okay.

4 MR. DuBROCK: To give you an example,
5 statewide, at this point we have 218 units enrolled
6 in DMAP for 2008. That compares with 805 that
7 enrolled in 2007.

8 PRESIDENT PALONE: 805.

9 MR. DuBROCK: 8-0-5. As Commissioner
10 Boop pointed out, there's still roughly a week
11 remaining for folks to apply. Last year in the 805
12 units, about 1.5 million acres were enrolled. With
13 the 218 units that have been approved thus far this
14 year, it includes 112,375 acres, so you can see
15 it's a fairly small fraction of what was enrolled
16 last year.

17 In the units, specifically in 2D, this
18 year we have 21 units enrolled at this point for a
19 total of 202 coupons. Last year, there were 34
20 units enrolled and 358 coupons. Now, that
21 contrasts with an allocation of 56,000 licenses for
22 the entire year, too.

23 In 2G, this year, thus far we've
24 enrolled 17 landowners with an allocation of 336
25 coupons. That contrasts with a 2007 enrollment of

1 120 landowners and 9,384 coupons, roughly 35
2 percent of -- sorry, the coupons in 2G last year
3 supplemented the allocation by about 35 percent.
4 This year is a smaller fraction to date.

5 In 3C, 13 units are enrolled this year
6 with 97 coupons allocated. That contrasts with
7 2007, enrollment of 75 units, 881 coupons.

8 And, lastly, in 4B, this year we've
9 enrolled 6 landowners, 29 coupons; contrasted last
10 year with five units enrolled and 56 coupons.

11 PRESIDENT PALONE: You don't think
12 the study would be confounded by continuing the
13 DMAP program because actually we're only changing
14 one variable, the season length, but DMAP will
15 continue as it always has. Do you think that would
16 confound the study?

17 MR. DuBROCK: I think we'll be able to
18 determine, based upon the DMAP harvest reporting
19 and the regular harvesting reporting of the
20 allocations, to determine where that harvest occurs
21 and I don't believe that will compromise the study.

22 PRESIDENT PALONE: Thank you.
23 Commissioner Boop.

24 COMMISSIONER BOOP: Cal, do the
25 numbers enrolled so far include DCNR?

1 MR. DuBROCK: I wasn't able to look at
2 specifically who, this is just simply a tally, but
3 I would guess, based upon the statistics, for
4 example, 2G, it doesn't include many DCNR
5 properties at this point.

6 COMMISSIONER BOOP: Thank you.

7 COMMISSIONER DELANEY: Madame
8 President, I have one question.

9 PRESIDENT PALONE: Commissioner
10 Delaney.

11 COMMISSIONER DELANEY: Cal, why the
12 disparity in 3C from 97 to 881?

13 MR. DuBROCK: It comes back down to
14 landowner and the size of their properties and
15 number of coupons requested.

16 Again, it could be that some of the
17 public landowners at this point simply have not
18 enrolled and there is no assurance that they will
19 enroll, either, at this point. There is one week
20 remaining and it's difficult to say exactly who is
21 going to enroll at this point.

22 EXECUTIVE DIRECTOR ROE: We're still
23 in the process. There could be 20 or 30
24 applications sitting on the regional biologist's
25 desk right now that aren't in the system. We

1 really don't have a way, we're comparing an end-of-
2 the-year number with a mid-year number and we've
3 got a lot of public lands, towards the end, towards
4 the 1st of July, so it's kind of premature to make
5 a direct comparison between the two counts.

6 MR. DuBROCK: Keep in mind that in
7 most cases, the DMAP properties, and the exception,
8 quite frankly, is 2G, but in virtually every case,
9 we're talking about a couple thousand acres
10 enrolled in DMAP and a couple hundred coupons as
11 contrasted with, in most cases, a million-acre
12 management unit and tens of thousands of antlerless
13 licenses.

14 So the DMAP participation is geared
15 toward a specific property, typically with higher
16 density, higher deer impact, that make up a really
17 small fraction of what's happening in the wildlife
18 management unit.

19 PRESIDENT PALONE: Any other
20 discussion? Hearing none, all those in favor of
21 the proposal, signify by saying aye. All those
22 opposed, say no.

23 (Vote taken.)

24 COMMISSIONER DELANEY: Madame
25 President, the proposed amendment passes by a vote

1 of seven to one, with Commissioner Boop being the
2 dissenting vote.

3 PRESIDENT PALONE: Thank you,
4 Commissioner Delaney. Page 6.

5 MR. BECHTEL: Moving on now to
6 proposed rule making, the first item is to amend 58
7 Pa. Code, Sections 147.322, 147.324, and 147.325.
8 In developed landscapes, lower deer populations
9 result in fewer deer/human conflicts. Although the
10 Game Commission is directed by law to use hunting
11 in managing white-tailed deer, hunting is not
12 always feasible in an urbanized setting.

13 Therefore, alternative herd reduction
14 tools are necessary in order for communities to
15 address growing deer populations. Strategy 2.3.1
16 of the Urban Deer Management Strategy calls for the
17 review and revision of the regulations regarding
18 deer control permits.

19 Currently, only political subdivisions
20 may apply for a deer control permit. Recognizing
21 that urban deer issue doesn't always affect an
22 entire township or borough, the list of authorized
23 applicants has been expanded. This does not change
24 the requirements or the review process of an
25 application; it merely makes this tool available to

1 more groups experiencing unacceptable levels of
2 deer/human conflicts in a developed area.

3 The text of the changes appear on
4 pages 6 and 7 of your agenda. The Executive
5 Director and staff recommend the Commission approve
6 these changes.

7 PRESIDENT PALONE: Thank you, Brad.

8 Do I hear a motion to accept the
9 proposal for the deer control permits?

10 COMMISSIONER ISABELLA: Motion.

11 PRESIDENT PALONE: Commissioner
12 Isabella. Is there a second.

13 COMMISSIONER WEANER: Second.

14 PRESIDENT PALONE: Second,
15 Commissioner Weaner. Is there any discussion and
16 questions? Hearing none, all those in favor of the
17 proposal, signify by saying aye. All those
18 opposed, say no.

19 (Vote taken.)

20 COMMISSIONER DELANEY: Madame
21 President, the proposed rule making passes by
22 unanimous vote.

23 PRESIDENT PALONE: Thank you,
24 Commissioner Delaney. As far as I know, that
25 concludes our portion for Wildlife Management.

1 Thank you, Cal.

2 We'll now be moving on to the Bureau
3 of Wildlife Protection and I would like
4 to recognize Director Rich Palmer. Page 8.

5 MR. BECHTEL: Thank you. The first
6 item with regard to the Bureau of Wildlife
7 Protection involves adopted rule making. It is the
8 adoption of proposed amendments to Section 141.4.
9 To effectively manage the wildlife resources of
10 this Commonwealth, the Game Commission, at its
11 April 22, 2008 meeting, proposed the following
12 change: To amend Section 141.4 (related to hunting
13 hours) to replace the sunrise/sunset table with an
14 up-to-date Hunting Hours Table and Migratory Game
15 Bird Hunting Hours Table to accurately reflect the
16 dates and hours of legal hunting in the 2008-2009
17 hunting year. The Executive Director and staff
18 recommend final adoption of this amendment to 58
19 Pa. Code as shown on Exhibit A, pages 9, 10, and 11
20 of your agenda.

21 PRESIDENT PALONE: Thank you, Brad.
22 Do I hear a motion to accept the hunting hours?

23 COMMISSIONER ISABELLA: Motion.

24 PRESIDENT PALONE: Commissioner
25 Isabella. Is there a second?

1 COMMISSIONER SCHLEIDEN: Second.

2 PRESIDENT PALONE: Second,

3 Commissioner Schleiden. Is there any discussion?

4 Hearing none, all those in favor of the proposal,

5 signify by saying aye. All those opposed, say no.

6 (Vote taken.)

7 COMMISSIONER DELANEY: Madame

8 President, the adoption of the proposed amendment

9 passes by unanimous vote.

10 PRESIDENT PALONE: Thank you,

11 Commissioner Delaney.

12 MR. BECHTEL: The next item concerns

13 proposed rule making. The first is to amend 58 Pa.

14 Code, Section 143.243. Since the successful

15 implementation of the Mentored Youth Hunting

16 Program in the fall of 2006, the Commission has

17 been seeking input from sportsmen and sporting

18 organizations on ways to improve this innovative

19 new program.

20 Towards this end, two organizations,

21 the Governor's Advisory Council for Hunting,

22 Fishing and Conservation and the Pennsylvania Fox

23 and Coyote Hunting Association have organized to

24 recommend that the program can be improved with the

25 addition of coyotes to the list of species that can

1 be lawfully pursued by mentored youth.

2 In its continuing interest to find new
3 opportunities to expose the youth to this state's
4 wildlife resources and enduring hunting heritage,
5 the Commission is proposing to amend Section
6 123.243 by expanding the list of species that
7 mentored youth are eligible to pursue to include
8 coyotes. The text of this change appears on page
9 12. The Executive Director and staff recommend the
10 Commission approve this change.

11 PRESIDENT PALONE: Thank you, Brad.
12 Do I hear a motion to accept this change to the
13 mentored youth hunt?

14 COMMISSIONER DELANEY: Madame
15 President, I'll make that motion to include
16 coyotes.

17 COMMISSIONER BOOP: Second.

18 PRESIDENT PALONE: Commissioner
19 Delaney, seconded by Commissioner Boop. Is there
20 any discussions or questions?

21 COMMISSIONER SCHREFFLER: Yes.

22 PRESIDENT PALONE: Commissioner
23 Schreffler.

24 COMMISSIONER SCHREFFLER: I would just
25 like to emphasize that this is to be considered

1 stationary activity following the guidelines set
2 forth in the mentored youth provisions that we have
3 and it's not a chase. It's the youth and the adult
4 are stationary, and the youth with supervision of
5 the firearm. Make sure that's clear for purposes
6 of this. That's all. Thank you.

7 PRESIDENT PALONE: Any other
8 discussion?

9 COMMISSIONER DELANEY: Yes, Madame
10 President.

11 PRESIDENT PALONE: Commissioner
12 Delaney.

13 COMMISSIONER DELANEY: I would like to
14 offer that this past Sunday I attended the
15 Pennsylvania Fox and Coyote Hunters Association
16 Family Day and I was able to witness firsthand how
17 this organization handles their kids and their
18 youth. I feel very comfortable in what they will
19 do to partner with us to help keep this a safe
20 program.

21 PRESIDENT PALONE: Anyone else? Okay.
22 All those in favor of this proposal, signify by
23 saying aye. All those opposed, say no.

24 (Vote taken.)

25 COMMISSIONER DELANEY: Madame

1 President, the proposed rule making passes by
2 unanimous vote.

3 PRESIDENT PALONE: Thank you. Page
4 13.

5 MR. BECHTEL: The next item concerns
6 58 Pa. Code, Sections 147.301 through 147.307 and
7 147.309.

8 The Commission has been working in
9 consultation with the Wildlife Rehabilitation
10 Council to update and amend the wildlife
11 rehabilitation regulations in an effort to redress
12 the Commission and Council share respecting the
13 inadequacy of current permitting standards.

14 Some notable recommendations generated
15 include the creation of new rehabilitation facility
16 caging and sanitation requirements for all
17 wildlife, new requirements for the rehabilitation
18 rabies vector species and new application,
19 qualification and testing standards for permit
20 applicants.

21 Therefore, the Commission is proposing
22 to amend 58 Pa. Code, Sections 147.301 through
23 147.307 and 147.309 to update and expand wildlife
24 rehabilitation standards. The text of these
25 changes appear on pages 13 through 18 of your

1 agenda. The Executive Director and staff recommend
2 the Commission approve these changes.

3 PRESIDENT PALONE: Thank you, Brad.
4 Do I hear a motion to accept these proposals for
5 wildlife rehabilitation?

6 COMMISSIONER SCHREFFLER: So moved.

7 PRESIDENT PALONE: Commissioner
8 Schreffler. Second?

9 COMMISSIONER ISABELLA: Second.

10 PRESIDENT PALONE: Second,
11 Commissioner Isabella. Any discussion or
12 questions? Hearing none, all those in favor of the
13 proposal, signify by saying aye. All those
14 opposed, say no.

15 COMMISSIONER DELANEY: Madame
16 President, the motion passes unanimously.

17 PRESIDENT PALONE: Thank you,
18 Commissioner Delaney. Page 19.

19 MR. BECHTEL: The next item concerns
20 amendment to 58 Pa. Code, Sections 147.721 through
21 147.726, 147.728 and 147.729. Chapter 147,
22 Subchapter T, provides the regulatory structure for
23 the Commission to authorize persons to engage in
24 nuisance wildlife control activities.

25 The Commission has identified that

1 these regulations have, over time, become
2 inadequate to address the needs of the Commission
3 and the public concerning the persistent problem of
4 nuisance wildlife and therefore needs to be
5 amended.

6 Some notable recommendations generated
7 by the Commission include the renaming of permit
8 holders as "nuisance wildlife control operators"
9 rather than "wildlife pest control agents." The
10 expansion of the permittee eligibility standards
11 accept applications from nonresidents, new
12 requirements for the control of rabies vector
13 species and new testing standards for applicants
14 working in deer control.

15 Therefore, the Commission is proposing
16 to amend 58 Pa. Code, Sections 147.721 through
17 147.726, 147.728 and 147.729 to update and expand
18 nuisance wildlife control operator standards. This
19 text appears on pages 19 to the top of page 22 in
20 your agenda. The Executive Director and staff
21 recommend the Commission approve these changes.

22 PRESIDENT PALONE: Thank you, Brad.
23 Do I hear a motion to accept this proposal for
24 nuisance wildlife control operators?

25 COMMISSIONER WEANER: So moved.

1 PRESIDENT PALONE: Commissioner

2 Weaner. Is there a second?

3 COMMISSIONER BOOP: Second.

4 PRESIDENT PALONE: Second,

5 Commissioner Boop. Is there any discussion or

6 questions? Hearing none, all those in favor of the

7 proposal, signify by saying aye. All those

8 opposed, say no.

9 COMMISSIONER DELANEY: Madame

10 President, the motion passes unanimously.

11 PRESIDENT PALONE: Thank you,

12 Secretary Delaney. We now will take up the item of

13 administrative hearings for hunting license

14 revocations and the commissioners have these in

15 front of them. Mr. Bechtel.

16 MR. BECHTEL: This is a supplement to

17 your agenda concerning an administrative hearing

18 with regard to the revocation of hunting and

19 furtaking privileges. An administrative hearing

20 was held to review the hunting and furtaking

21 revocations for those persons who file a petition

22 requesting a review, in accordance with the

23 Administrative Agency Law, 2 Pa. C.S.A. Section 501

24 et seq.

25 The Commission was furnished a copy of

1 the Findings of Fact, the Conclusions of Law and
2 the Recommendation of the Hearing Officer
3 concerning the administrative hearing held at the
4 request of the individual listed on your
5 supplement.

6 The Findings of Fact set forth the
7 circumstances surrounding this matter. The
8 Executive Director recommends that the Commission
9 approve the Findings of Fact, Conclusions of Law
10 and Recommendation of the Hearing Officer, Andrew
11 Lehman, allowing the revocation period to remain as
12 originally ordered for the individual listed on
13 your supplement.

14 PRESIDENT PALONE: Also, could you
15 read the second recommendation?

16 MR. BECHTEL: Administrative hearings
17 were held also for the persons listed on the second
18 page of your supplement. Those hearings concerned
19 reducing the hunting and furtaking revocation. The
20 Commission was furnished a copy of the Findings of
21 Fact, the Conclusions of Law and the
22 Recommendations of the Hearing Officer concerning
23 the administrative hearing held at the request of
24 those individuals. The Findings of Fact set forth
25 the circumstances surrounding these matters.

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

7 PRESIDENT PALONE: Thank you, Brad. I
8 would like to have a motion to vote on these
9 administrative hearings all together if no one
10 objects to that.

11 COMMISSIONER BOOP: So moved with
12 respect to all individuals before the Board.

13 PRESIDENT PALONE: Thank you,
14 Commissioner Boop. Is there a second?

15 COMMISSIONER ISABELLA: Second.

16 PRESIDENT PALONE: Second,
17 Commissioner Isabella. Is there any discussion or
18 questions? All those in favor of the
19 recommendation, signify by saying aye. All those
20 opposed, say no.

21 (Vote taken.)

22 COMMISSIONER DELANEY: Madame
23 President, the motion passes unanimously.

24 PRESIDENT PALONE: That should
25 conclude our portion of the agenda having to do

1 with Wildlife protection. Thank you, Director
2 Palmer.

3 We'll now turn to the Bureau of
4 Wildlife Habitat Management. I would like to
5 recognize Director Bill Capouillez. We are on page
6 23 of our agenda. Mr. Bechtel.

7 MR. BECHTEL: Yes, the first item with
8 regard to the Bureau of Wildlife Habitat Management
9 concerns real estate acquisition Option No. 50013,
10 4,968 plus-or-minus acres of land in Horton
11 Township, Elk County, adjoining State Game Land No.
12 44.

13 This property was approved in January
14 of 2008 with the purchase price to be paid from the
15 funds escrowed by Penn State University in
16 conjunction with the State Game Land 176 exchange.
17 Settlement was to be no later than June 30, 2008.
18 It has become increasingly clear that approval by the
19 United States Fish and Wildlife Service of this
20 acquisition may be delayed past June 30th.

21 In order to meet the Commission's
22 obligations, the Bureau of Wildlife Habitat
23 Management is requesting the Commission to
24 authorize the use of alternate funds to acquire
25 this tract should approval by the United States

1 Fish and Wildlife Service not be granted by June
2 30, 2008.

3 Option No. 50045 is 1,555.6 plus-or-
4 minus acres of land in Horton Township, Elk County
5 near State Game Land 44. This property was also
6 approved in January 2008 and it was to be paid from
7 funds escrowed by Penn State University in
8 conjunction with the State Game Land No. 176
9 exchange.

10 This property also was to be settled
11 no later than June 30, 2008, and it has become
12 increasingly clear that approval by the United
13 States Fish and Wildlife Service of this
14 acquisition may also be delayed past June 30th.

15 In order to meet the Commission's
16 obligations, the Bureau of Wildlife Habitat
17 Management is requesting the Commission to
18 authorize the use of alternate funds to acquire
19 this tract should approval by the United States
20 Fish and Wildlife Service not be granted by June
21 30, 2008.

22 The Executive Director and staff
23 recommends the Commission authorize the Bureau of
24 Wildlife Habitat Management to utilize an alternate
25 funding source to acquire these tracts should the

1 United States Fish and Wildlife Service fail to
2 grant approval in a timely manner.

3 PRESIDENT PALONE: Thank you, Brad.

4 Do I hear a motion to accept these
5 acquisitions?

6 COMMISSIONER SCHLEIDEN: So moved.

7 PRESIDENT PALONE: Commissioner
8 Schleiden. Is there a second?

9 COMMISSIONER BOOP: Second.

10 PRESIDENT PALONE: Second,
11 Commissioner Boop. Is there any discussion or
12 questions for Mr. Capouillez?

13 COMMISSIONER SCHLEIDEN: Madame
14 President.

15 PRESIDENT PALONE: Commissioner
16 Schleiden.

17 COMMISSIONER SCHLEIDEN: Denny, it
18 looks like we're going to get it done. I want to
19 compliment our people in Northcentral, starting
20 with the regional director and his staff up there.
21 This is a fine piece of property. It seems like
22 the Penn State deals always seem to be an albatross
23 around our neck. And then I come back to our
24 bureau director and once again compliment him and
25 his staff on imaginative methods of finding the

1 financing while we still try to work in a positive
2 manner with U.S. Fish and Wildlife; and lastly,
3 your direction, Bill, for keeping that team
4 together.

5 I would hope that our Board does
6 approve this. I suspect that they will. Thank
7 you.

8 PRESIDENT PALONE: Any other
9 discussion? Mr. Boop.

10 COMMISSIONER BOOP: Yes, I would like
11 to echo what Commissioner Schleiden has said about
12 the Northcentral, about Bill and his staff, and the
13 work and what this is going to mean for the
14 Commission. And I would like to echo what has
15 already been stated.

16 PRESIDENT PALONE: Anyone else?
17 Hearing no more discussion, all those in favor of
18 the acquisitions, signify by saying aye. All those
19 opposed, say no.

20 (Vote taken.)

21 COMMISSIONER DELANEY: Madame
22 President, the motion passes eight to zero,
23 unanimous.

24 PRESIDENT PALONE: Thank you,
25 Commissioner Delaney. Page 24.

1 MR. BECHTEL: Page 24 of the agenda
2 appear two donations: Option No. 50063, Eugene
3 and Nancy Dunlap have offered 20.7 plus-or-minus
4 acres of land in Derry Township, Westmoreland
5 County, near State Game Land 328, as shown on
6 Exhibit RED 1 on page 25 of your agenda. The
7 property is forested with sugar maple-basswood and
8 provides 2,000 feet of shoreline along the
9 Conemaugh River.

10 Option No. 50075 is a right of way in
11 Penn Forest Township, Carbon County, adjoining
12 State Game Land No. 141, as shown on Exhibit RED 2
13 on page 26 your agenda. John and Mary Enck of Penn
14 Forest Township, Pennsylvania own property
15 adjoining State Game Land No. 141 that extends from
16 the common boundary line between the Commission and
17 the Encks to S.R. 1002. The Encks are willing to
18 donate a right of way approximately 400 feet long
19 and 22 feet wide, allowing access from S.R. 1002 to
20 the state game lands.

21 This new right of way will allow the
22 Commission to continue habitat work on a portion of
23 State Game Land No. 141 that became inaccessible
24 when the Commission lost access through another
25 adjoining landowner. This right of way will allow

1 public access to a parking area that is planned to
2 be built on State Game Land No. 141 in the future.

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

8 PRESIDENT PALONE: Thank you. Do I
9 hear a motion to accept these donations?

10 COMMISSIONER ISABELLA: Motion.

11 PRESIDENT PALONE: Commissioner
12 Isabella. Is there a second?

13 COMMISSIONER SCHREFFLER: Second.

14 PRESIDENT PALONE: Second,
15 Commissioner Schreffler. Is there any discussion
16 or questions? Hearing none, all those in favor of
17 the donation, signify by saying aye. All those
18 opposed, say no.

19 (Vote taken.)

20 COMMISSIONER DELANEY: Unanimous,
21 Madame President, the motion passes.

22 PRESIDENT PALONE: Thank you. Page
23 27.

24 MR. BECHTEL: Page 27 of the agenda we
25 moved to land exchanges. Option No. 50060, State

1 Game Land No. 82, Somerset County. Ann Higdon has
2 agreed to a land exchange involving a 16-foot wide
3 easement allowing for access to electric, telephone
4 or cable only and not subdivision, situate in
5 Northampton Township, Somerset County, said
6 easement to be across State Game Land No. 82.

7 In exchange for the forest, Higdon has
8 agreed to transfer 11 plus-or-minus acres, also
9 located in Northampton Township, Somerset County,
10 State Game Land No. 82 as shown on Exhibit RED 3 on
11 page 28.

12 The 11 plus-or-minus acres is
13 comprised of mature mixed hardwoods with some
14 hemlock present and will straighten out the
15 Commission's current irregular-shaped boundary
16 line. In addition, Higdon has agreed that a
17 restriction shall be placed on her remaining
18 property such that no occupied structure shall be
19 built closer than 150 yards from the State Game
20 Land. Should the Higdon property be transferred in
21 the future, it shall contain the restriction that
22 the easement may not be used for subdivision and
23 that any new lots in any subdivision shall need to
24 obtain a separate right of way.

25 The Executive Director and staff

1 recommend that the land exchange listed above be
2 approved and the Commission authorizes the Bureau
3 of Wildlife Habitat Management to proceed with this
4 exchange.

5 PRESIDENT PALONE: Thank you, Brad.
6 Do I hear a motion to accept this land exchange?

7 COMMISSIONER SCHLEIDEN: Motion.

8 PRESIDENT PALONE: Commissioner
9 Schleiden. Is there a second?

10 COMMISSIONER HILL: Second.

11 PRESIDENT PALONE: Second,
12 Commissioner Hill. Any discussion or questions?
13 Hearing none, all those in favor of the land
14 exchange, signify by saying aye. All those
15 opposed, say no.

16 (Vote taken.)

17 COMMISSIONER DELANEY: Madame
18 President, the vote was unanimous for the land
19 exchanges.

20 PRESIDENT PALONE: Thank you,
21 Commissioner Delaney. Page 29.

22 MR. BECHTEL: Yes. Appearing on page
23 29 is a report of a notational vote. The following
24 item was a notational vote and was unanimously
25 approved. Option No. 50072, State Game Land No.

1 107, Juniata County. The Mabel Goshorn Estate was
2 offering at auction on May 2, 2008, a farm
3 consisting of 170 acres with a house and
4 outbuildings, 37 acres of woodland and 476 acres of
5 mountain and hunting ground in Fermanagh Township
6 in Juniata County, adjoining State Game Land No.
7 107 as shown on Exhibit RED 1 or RED 4 on page 30
8 of your agenda.

9 The farmland is comprised of shale and
10 gravel silt loam soils, which would promote the
11 development of small-game habitat. The woodland is
12 comprised of mixed hardwoods that have been
13 timbered over and provides early successional
14 habitat interspersed with big-game habitat. In
15 addition, the mountain ground provides legal access
16 to the rest of the game lands.

17 The Bureau of Wildlife Habitat
18 Management was authorized to attend the auction and
19 bid for the purchase on behalf of the Commission
20 using funds from the State Game Land No. 176 land
21 exchange with Penn State. The auction was canceled
22 and did not take place as planned.

23 PRESIDENT PALONE: Thank you, Brad.
24 This item was on the agenda just in the spirit of
25 getting it into the public record and so that you

1 would all know we had a notational vote. Page 31.

2 MR. BECHTEL: Yes, on page 31, we're
3 moving into the oil and gas and mineral section.
4 The first item is an oil and gas lease offering, a
5 report of a notational vote. The following item
6 was a notational vote and was unanimously
7 approved: State Game Land No. 75, Lycoming County.
8 The Commission offered its oil and gas ownership
9 under a portion of State Game Land No. 75 for
10 lease. Tract 75B-08, containing approximately
11 2,615 acres, was exposed for competitive royalty
12 bid in May 2008 with a one-time bonus/rental
13 payment of \$2,000 per acre as full consideration
14 for the five year primary term and a 15 percent
15 minimum royalty.

16 Within the last six months, the
17 Commission has approved several large tracts of
18 land for acquisition. This bonus/rental will be
19 used and applied to assure the Commission meets its
20 outstanding obligations on these tracts.

21 Additionally, the lease offer provides
22 the Commission well site location fees of \$20,000
23 for each deep well sites drilled; \$15,000 for each
24 horizontal well sites; and a \$5,000 fee for each
25 shallow vertical well drilled within the lease

1 premises. The lease area exposed for competitive
2 royalty bid is as shown on the attached Exhibit OGM
3 1 map shown on page 32 on your agenda.

4 Oil and gas development will be
5 regulated by the Commonwealth's Oil and Gas
6 Regulations and the Commission's standard oil/gas
7 lease agreement and \$25,000 performance bond. The
8 lease will include the Commission's standard
9 wildlife and environmental protection measures and
10 further limits the subsequent well development to a
11 total of ten wells, unless additional written
12 approval is obtained from the Commission. The
13 lease will also include a free gas provision for
14 the Commission to use free of charge up to 350,000
15 cubic feet of gas annually.

16 Bids for this tract were opened on May
17 5, 2008, with Chesapeake Appalachia, L.L.C. of
18 Charleston, West Virginia, submitting the highest
19 royalty rate bid of 26 and one-tenths percent. The
20 results of the royalty gas bid expressed in a
21 percentage rate of the market value of each mcf of
22 gas are listed on page 31 of your agenda.

23 COMMISSIONER SCHLEIDEN: Madame
24 President, I know we don't need to vote on this,
25 but I did have a question for Bureau Director

1 Capouillez. Bill, I meant to ask you when we
2 talked, a couple of us were talking over coffee,
3 when we provide the free gas, is that going to a
4 specific facility in that area and who pays to get
5 it to them?

6 MR. CAPOUILLEZ: With regard to the
7 use of the free gas, the well would have to be
8 drilled on the leased premises to allocate the use
9 of the free gas and it has to be a building that's
10 on those premises. So in areas where we have
11 outbuildings or a need for that, we can allocate
12 that 350,000 cubic feet of free gas. If we extend
13 beyond that, we just have it taken off our royalty.

14 COMMISSIONER SCHLEIDEN: I see. Do we
15 actually do the transmission line to our building
16 or does the company do it?

17 MR. CAPOUILLEZ: It's varied with some
18 of our clients with regard to who will do it; some of
19 them will go ahead and run the tap and hookup to
20 at least bring it up to the building. They're not
21 legally allowed to bring it in the building for
22 liability sake, so it depends on where the pipeline
23 is and where the well is located. That's something
24 we talk about when we need it.

25 COMMISSIONER SCHLEIDEN: Thank you.

1 PRESIDENT PALONE: Thank you,
2 Commissioner Schleiden. Are there any other
3 questions? We'll move on, then, to page 33.

4 MR. BECHTEL: On page 33 of your
5 agenda appears the surface mining coal lease
6 amendment, also with regard to State Game Land 75
7 in Lycoming County. Fisher Mining Company, Inc. of
8 Montourvilles, Pennsylvania seeks to amend its
9 existing 159-acre lease, that's Tract 75A-04, by
10 allowing for coal removal on an additional 32.3
11 acres of the existing lease area, shown on Exhibit
12 OGM 2 on page 35 of your agenda.

13 The proposed amendment will allow
14 Fisher Mining Company to remove an additional
15 estimated total of 311,490 tons of coal from the
16 leased premises. This amendment, if approved, will
17 permit Fisher Mining Company to remove coal from a
18 portion of Lease Tract 75A-04, currently designated
19 as a mining support area. No additional acreage
20 will be required for or added to the lease under
21 this proposal.

22 All proposed mining areas have already
23 been reviewed and approved in accordance with the
24 Pennsylvania Department of Environmental
25 Protection's surface mining regulations.

1 As part of the mine reclamation plan,
2 Fisher Mining will reclaim 600 feet of abandoned
3 highwall on the Flatiron surface mine located
4 approximately 1,500 feet west of the leased
5 premises. Reclamation of the highwall will
6 eliminate an existing safety hazard on the game
7 lands and result in the creation of a five-acre
8 herbaceous food plot.

9 The coal royalty value of the proposed
10 additional mining has been estimated to be
11 \$1,383,015. Upon the final execution of the lease
12 agreement, 1,000,000 will be paid as an advanced
13 royalty to the Commission and deposited into an
14 interest-bearing escrow account to be used for
15 future purchase of lands acceptable to the
16 Commission. The remaining royalties will be
17 deposited into the Game Fund.

18 All merchantable timber, which is cut
19 and/or impacted by this mining operation, will be
20 assessed by the Commission's Northcentral Regional
21 forestry staff and the payments owed to the
22 Commission will be made in strict accordance with
23 the existing terms and conditions of the original
24 lease. All other terms of the current lease will
25 remain unchanged.

1 Mining will be regulated by the
2 Commonwealth's Surface Mining Regulations and the
3 Commission's existing surface mining lease
4 agreement. The staff has reviewed this proposal
5 and has determined that the highwall reclamation,
6 in conjunction with the advanced coal royalty
7 schedule and timber value, are equal to or greater
8 than the total accumulated coal lease value.

9 The Executive Director and staff
10 recommends that the coal mining lease amendment
11 with Fisher Mining Coal Company, Inc. be approved
12 and that the Commission authorizes the Bureau of
13 Wildlife Habitat Management to proceed with the
14 leasing agreement as listed above.

15 PRESIDENT PALONE: Thank you,
16 Mr. Bechtel. Do I hear a motion to approve this
17 lease?

18 COMMISSIONER WEANER: So moved.

19 PRESIDENT PALONE: Commissioner
20 Weaner. Is there a second?

21 COMMISSIONER BOOP: Second.

22 PRESIDENT PALONE: Second,
23 Commissioner Boop. Is there any discussion or
24 questions? Hearing none, all those in favor of the
25 lease, signify by saying aye. All those opposed,

1 say no.

2 (Vote taken.)

3 COMMISSIONER DELANEY: Madame
4 President, the surface mining coal lease amendment
5 passes unanimously.

6 PRESIDENT PALONE: Thank you. We have
7 an addition, a supplement to our agenda from the
8 Bureau of Wildlife Habitat Management under real
9 estate and I didn't know if Director Capouillez
10 wants to address this supplement or would you like
11 us to read it first?

12 MR. CAPOUILLEZ: If Brad would read
13 it, that's fine.

14 MR. BECHTEL: The supplement concerns
15 two land exchanges. The first is with regard to
16 Contract L-3519, State Game Land No. 158 in Cambria
17 County. By action on August 21, 2007, the
18 Commission agreed with Trout Unlimited to a land
19 exchange regarding a 50 foot by 1000 foot tract of
20 land being part of State Game Land 51, situate in
21 Dunbar Township, Fayette County.

22 Trout Unlimited required this property
23 to convey to a property owner who will allow Trout
24 Unlimited to construct acid mine discharge
25 treatment ponds on his property. The AMD ponds

1 were to be constructed with a Growing Greener grant
2 received from DEP. This 50 foot by 1000 foot tract
3 was conveyed to Trout Unlimited.

4 In exchange, Trout Unlimited caused to
5 be transferred from DEP 68 acres situate in Reade
6 Township, Cambria County, part of an interior
7 parcel to State Game Land No. 158. The deed to
8 Trout Unlimited contained a restriction that if the
9 project was not completed by June 20, 2008, the
10 land would revert to the Commission.

11 Trout Unlimited is a grass roots
12 organization made-up of volunteers. They are
13 working diligently on the project, but have not
14 been able to complete construction by June 30, 2008
15 and have requested an extension until December 31,
16 2009.

17 This project has a high benefit to the
18 environment, specifically Morgan Run, and the
19 Commission has already received the 68 acres in
20 exchange. The benefits to the environment and to
21 wildlife habitat far outweigh any risk to the
22 Commission that the project will not be completed.

23 The Executive Director and staff have
24 reviewed this request for an extension and have
25 determined it to be of equal or greater value for

1 the benefit of wildlife and authorize the Bureau of
2 Wildlife Habitat Management to proceed with the
3 extension.

4 PRESIDENT PALONE: Thank you, Brad.
5 Is there a motion to accept this extension?

6 COMMISSIONER SCHLEIDEN: So moved.

7 PRESIDENT PALONE: Commissioner
8 Schleiden. Is there a second?

9 COMMISSIONER HILL: Second.

10 PRESIDENT PALONE: Second,
11 Commissioner Hill. Is there any discussion or
12 questions? Director Capouillez, remind us about
13 the original proposal we had passed.

14 MR. CAPOUILLEZ: Yes, ma'am. The
15 original proposal was with regard to assisting for
16 an acid drainage treatment system on private
17 lands. We've been out there for some time and so
18 DEP, having granted the funds to make the AMD
19 treatment system possible, was allowing for this
20 project to occur, also was in support of us getting
21 the transfer of land, 68 acres.

22 So this was a partnership between us
23 and DEP and Trout Unlimited as an improvement
24 project for the watershed, even though it was on
25 private land.

1 PRESIDENT PALONE: Thank you. Any
2 other discussion? Hearing none, all those in favor
3 of the extension, signify by saying aye. All those
4 opposed, say no.

5 (Vote taken.)

6 COMMISSIONER DELANEY: Madame
7 President, the vote is unanimous to extend the
8 motion for the State Game Land 157, Cambria County
9 extension.

10 PRESIDENT PALONE: Thank you. Number
11 2.

12 MR. BECHTEL: The next item is an
13 exchange, Option No. 50073, State Game Land No. 88
14 in Perry County. Steve Peterschein has agreed to a
15 land exchange involving a permanent easement over a
16 portion of State Game Land No. 88, situate in
17 Northeast Madison Township, Perry County, shown on
18 Exhibit RED 5, which is attached to your
19 supplement.

20 In exchange for the easement,
21 Peterschein has agreed to cause to be conveyed all
22 acreage west of the right of way supposed to
23 contain 8 plus-or-minus acres of land located in
24 Northeast Madison Township, Perry County, State
25 Game Land 88, also shown on Exhibit RED 5, attached

1 to your supplement.

2 The parcel is forested and comprised
3 mainly with oak, maple and tulip poplar. The staff
4 has reviewed this proposal and has determined it to
5 be of equal or greater value for the benefit of
6 wildlife.

7 The Executive Director and staff
8 recommend that the land exchange listed above be
9 approved and the Commission authorize the Bureau of
10 Wildlife Habitat Management to proceed with the
11 land exchange.

12 PRESIDENT PALONE: Thank you, Brad.
13 Do I hear a motion to accept the land exchange?

14 COMMISSIONER ISABELLA: Motion.

15 COMMISSIONER SCHLEIDEN: Motion.

16 PRESIDENT PALONE: Commissioner
17 Isabella and seconded by Commissioner Schleiden.
18 Is there any question or discussion? Hearing none,
19 all those in favor of the land exchange, signify by
20 saying aye. Those opposed, say no.

21 (Vote taken.)

22 COMMISSIONER DELANEY: Madame
23 President, the vote is unanimous for the Perry
24 County land exchange.

25 PRESIDENT PALONE: Thank you, Director

1 Capouillez. That concludes our part about the
2 wildlife habitat management.

3 COMMISSIONER DELANEY: Madame
4 President, can I ask one question before he sits
5 down?

6 PRESIDENT PALONE: Yes.

7 COMMISSIONER DELANEY: Bill, can I
8 just refer back, I failed to ask you this question
9 earlier, but would the earlier tract of Horton
10 Township, Elk County property, approximately 6,500
11 acres, after this Board's approval today, would it
12 be a fair assumption that the sportsmen and
13 sportswomen of Pennsylvania will have an additional
14 6,500 acres of state game lands by this fall to
15 hunt?

16 MR. CAPOUILLEZ: Absolutely.

17 PRESIDENT PALONE: That's wonderful.
18 Anything else?

19 COMMISSIONER DELANEY: No.

20 PRESIDENT PALONE: Thank you, Bill.
21 Now, we're going to move into the new business part
22 of your agenda. I'd like to, first of all, welcome
23 our newest commissioner, Commissioner Ron Weaner,
24 who is down at the end. He's a schoolteacher at
25 Dover High School and lives in Biglerville in Adams

1 County. Ron, I don't know if you have any comments
2 that you would like to say since you have gone
3 through your first meeting, but we're very glad to
4 have you and we know you'll be an asset to the
5 Board and we'll try to help you as much as we can
6 to get through all of the learning process.

7 COMMISSIONER WEANER: I would like to
8 say that I'm really excited to be here and
9 yesterday was a grand introduction. Everyone says
10 there aren't normal meetings like this, so this was
11 a good meeting. I'm looking forward to working
12 with the good people in the Game Commission. A lot
13 of folks in the sportsmen group and people have
14 been coming up to me and introducing themselves.
15 It's just been a great experience so far and I'm
16 just looking forward to try to help to do my part
17 to ensure that Pennsylvania stays in the forefront
18 of wildlife management. I look forward to working
19 with all of. Thank you very much for welcoming me.

20 PRESIDENT PALONE: It's not very often
21 that we have a full board of eight commissioners,
22 so this is an anomaly. Welcome again, Ron.

23 I'm going to ask for new business for
24 different committees and then from individual
25 commissioners. First of all, budget.

1 COMMISSIONER BOOP: Yes, thank you,
2 Commissioner Palone. The Budget Work Session
3 Committee met the end of May with Executive
4 Director Roe and Jim Potteiger and my recollection
5 is Commissioner Schleiden, Commissioner Hill,
6 Commissioner Palone, and myself -- and I think
7 other commissioners can add to this, that attended
8 the meeting -- but I think we left the budget work
9 session in May feeling that Executive Director Roe
10 and his staff are doing the best job they can with
11 the limited resources that we have. And we feel
12 that we're in as good of shape as we can be under
13 the circumstances going into the next fiscal year.

14 Any other Commissioners certainly that
15 attended can add to that report.

16 PRESIDENT PALONE: Thank you,
17 Commissioner Boop. Information and Education.

18 COMMISSIONER SCHREFFLER: Yes. I'd
19 like to mention some activities that have taken
20 place in the Bureau of Information and Education.

21 To make the Game Commission's mission
22 of managing the 267 species of wildlife better
23 known among our youth and their families, the
24 Bureau of Information and Education produced this
25 really great poster to be placed in every school in

1 Pennsylvania to encourage youth to associate the
2 Game Commission when they deal with wildlife in
3 their daily activities. You will note that the Web
4 site is on the bottom here where they can find
5 additional information, where teachers and students
6 can download additional pictures and things of that
7 sort. This will be distributed to all schools in
8 Pennsylvania and is available.

9 PRESIDENT PALONE: Thank you,
10 Commissioner Schreffler. Wildlife Management.

11 COMMISSIONER ISABELLA: Madame
12 President, is this for new business?

13 PRESIDENT PALONE: Yes.

14 COMMISSIONER ISABELLA: I have an item
15 for new business. I would like the Wildlife
16 Management Bureau, especially the urban deer team,
17 to investigate and report to the wildlife
18 management committee at their next informational
19 meeting if antler restrictions were removed in
20 special regulation areas, number 1, would this all
21 have been in effort to reduce deer populations in
22 those special regulation areas; number 2, help
23 address goals in the urban suburban deer management
24 plan; and number 3, entice more hunters to take
25 deer in those special regulation areas. I know

1 there's a lot here, but I have a copy for you and I
2 have a copy for Cal.

3 PRESIDENT PALONE: Thank you.

4 COMMISSIONER ISABELLA: That's my new
5 business.

6 PRESIDENT PALONE: Thank you,
7 Commissioner Isabella. Wildlife Habitat
8 Management.

9 COMMISSIONER DELANEY: Yes, Madame
10 President, I have --

11 PRESIDENT PALONE: Commissioner
12 Delaney.

13 COMMISSIONER DELANEY: -- some new
14 business to address Director Capouillez about and
15 it deals with our public access in Pennsylvania.

16 Director Capouillez and Director Roe
17 have both been working to rebuild our public access
18 in Pennsylvania. I think they've done a remarkable
19 job to date with that. I think we are one of the
20 premiere programs across the United States that
21 Bill has been building here for Pennsylvania. And
22 I would ask that at our October meeting, Bill can
23 give a report to both the commissioners and the
24 sportsmen across the state where our public access
25 program was and where it is today and where we

1 intend to go with it in the future.

2 I would believe most Pennsylvanians
3 aren't aware that we have far more private property
4 open to public hunting in Pennsylvania than we do
5 state game lands. I would ask if Director
6 Capouillez could have something prepared for the
7 October meeting.

8 PRESIDENT PALONE: Anything else?

9 Thank you, Commissioner Delaney. Wildlife
10 Protection?

11 (Brief pause.)

12 PRESIDENT PALONE: Any other
13 commissioners have new business for the
14 Commission?

15 COMMISSIONER SCHLEIDEN: Yes, Madame
16 President.

17 PRESIDENT PALONE: Commissioner
18 Schleiden.

19 COMMISSIONER SCHLEIDEN: I would like
20 to request that the staff of wildlife management
21 and wildlife protection work with their committees
22 and with our Executive Director to prepare an
23 agenda item for the October meeting. That agenda
24 item would be that crossbows may be used in all
25 seasons for all species beginning in the 2009/2010

1 season.

2 PRESIDENT PALONE: Thank you,
3 Commissioner Schleiden. Do any of the other
4 commissioners have any new business? Commissioner
5 Boop.

6 COMMISSIONER BOOP: Commissioner
7 Schleiden's mention of the crossbows, my concern
8 is -- and certainly we can study it -- but I think
9 we should note on the record that most things that
10 we do are as a result of a perceived need or
11 perceived desire by some stakeholder group. And I
12 think as a commissioner, I've certainly not had
13 requests for crossbows in all of the seasons.

14 Other commissioners can speak to this
15 or at the appropriate time speak to this, but there
16 appears to be much interest in this issue downtown
17 and here, but I think it's fair to say that it
18 seems this is being driven by the manufacturers and
19 the lobbyists for crossbows rather than it is by
20 our stakeholder groups.

21 I think when we study it, we also
22 ought to carefully study where the request is
23 coming from because I don't think it's coming from
24 our stakeholder groups.

25 PRESIDENT PALONE: Thank you,

1 Commissioner Boop.

2 COMMISSIONER SCHLEIDEN: May I respond
3 to that? That's a request, Mr. Boop, for the
4 agenda item, and I think we can have that
5 discussion later.

6 PRESIDENT PALONE: Yes, there will be
7 plenty of time before the October meeting and also
8 after for discussion. Thank you.

9 Our next meeting will be October 23
10 and 24, 2008, beginning at 8:30 a.m. at the Holiday
11 Inn at Meadow Lands in Meadow Lands, Pennsylvania.
12 Please note that this is a Thursday and Friday.
13 Normally, we have our meetings on Monday and
14 Tuesday, but this time it is Thursday and Friday.

15 We're going to have a short recess,
16 ten minutes, and then we will have our press
17 conference over in the training school. And just
18 so the commissioners know, we do have lunch and it
19 will be here at 11:30.

20 Do I hear a motion to adjourn the
21 meeting?

22 COMMISSIONER BOOP: So moved.

23 PRESIDENT PALONE: Commissioner Boop.
24 Is there a second?

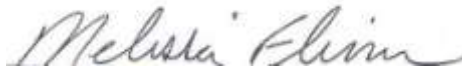
25 COMMISSIONER ISABELLA: Second.

1 I hereby certify that the proceedings and
2 evidence in the above hearing are contained fully
3 and accurately in the notes taken by me; and that
4 this transcript is a correct copy of the same.

5

6

7

A handwritten signature in cursive script that reads "Melissa Flinn". The signature is written in dark ink and is positioned above a horizontal line.

Melissa Flinn
Notary Public