

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA GAME COMMISSION

IN RE: PENNSYLVANIA GAME COMMISSION BOARD MEETING
OCTOBER 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

ALSO PRESENT:

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

DATE: October 24, 2008
Friday, 8:30 a.m.

LOCATION: Holiday Inn Meadows
340 Racetrack Road
Washington, PA 15301

REPORTED BY: Heidi H. Willis, RPR, CRR
Notary Public
Ref. No. HW0667

1 PRESIDENT PALONE: Good morning, and welcome to the
2 October 2008 Pennsylvania Game Commission meeting. It's good to
3 see you all here.

4 The first order of business will be the pledge of
5 allegiance to the flag. It's right here, so please stand and
6 join with me.

7 (Pledge of allegiance)

8 PRESIDENT PALONE: This morning we will have our
9 invocation by my friend Ed Cesa. He lives down in Mount Morris,
10 and he's been my friend for a long time. When his kids were
11 little, I used to baby-sit them, and we used to work together in
12 the forest service.

13 MR. CESA: Good morning, everyone, in the name of the
14 Father and of the Son and of the Holy Spirit. Amen.

15 On October 3rd was a feast day of St. Francis of
16 Assisi, and St. Francis lived towards the end of the 12th
17 Century, and in his 20s, he had a serious illness, and during
18 that time frame is when he committed himself to God, and the way
19 he did that was through service. St. Francis is well known, if
20 you see a statue of him or a picture, of having a bird or some
21 form of wildlife in the picture or on the statue. He's one of
22 the saints that there's a connectedness with nature and

1 wildlife. And St. Francis wrote a really neat prayer, which
2 probably most of you heard it, which I'd like to read.

3 Lord, make me an instrument of your peace. Where
4 there's hatred, let me so love; where there's injury, pardon;
5 where there's doubt, faith; where there's despair, hope; where
6 there's darkness, light; where there's sadness, joy. Oh Divine
7 Master, grant that I may not so much seek to be consoled as to
8 console, to be understood as to understand, to be loved as to
9 love, for it is in giving that we receive, it is in pardoning
10 that we are pardoned, and it is in dying that we are born to
11 eternal life.

12 Basically his prayer really focused on service, and
13 many, many people here spent lots of hours in service to our
14 Commonwealth, primarily dealing with improving or maintaining
15 our wildlife and natural resources. So in closing, I'd like to
16 thank God for all of us being hear today and for living in this
17 great country of ours and this great Commonwealth of
18 Pennsylvania, and we ask God for his wisdom and guidance for the
19 decisions that will be made today and for his guidance in
20 everything that we do, through Jesus Christ Our Lord. Amen. In
21 the name of the Father and of the Son and Holy Spirit. Amen.

22 PRESIDENT PALONE: Thank you, Ed, very much.

1 Now I'll call on Commissioner Delaney to do the roll
2 call of commissioners.

3 COMMISSIONER DELANEY: Roll call of commissioners of
4 the Pennsylvania Game Commission starting with President Roxane
5 Palone.

6 PRESIDENT PALONE: Here.

7 COMMISSIONER DELANEY: Vice-president Gregory
8 Isabella.

9 COMMISSIONER ISABELLA: Present.

10 COMMISSIONER DELANEY: Secretary Delaney here.
11 Commissioner Schleiden.

12 COMMISSIONER SCHLEIDEN: Present.

13 COMMISSIONER DELANEY: Commissioner Boop.

14 COMMISSIONER BOOP: Present.

15 COMMISSIONER DELANEY: Commissioner Hill.

16 COMMISSIONER HILL: Here.

17 COMMISSIONER DELANEY: Commissioner Schreffler.

18 COMMISSIONER SCHREFFLER: Present.

19 COMMISSIONER DELANEY: Commissioner Ron Weaner,
20 absent.

21 PRESIDENT PALONE: Thank you.

22 Now I'll ask for a motion for the approval of minutes
23 for the meeting held June 24th, 2008.

1 COMMISSIONER BOOP: So moved.

2 PRESIDENT PALONE: Commissioner Boop, so moved.

3 Second?

4 COMMISSIONER SCHLEIDEN: Second.

5 PRESIDENT PALONE: Commissioner Schleiden. All in
6 favor signify by saying aye. (6 Ayes)

7 PRESIDENT PALONE: All those opposed say nay?

8 COMMISSIONER DELANEY: Madam President, the board
9 accepts the minutes of the previous meeting unanimous.

10 PRESIDENT PALONE: Thank you.

11 Page 2 of our agenda, I'd like to call on Director Cal
12 DuBrock. He's the director of the Bureau of Wildlife Management
13 in our Harrisburg office, and I'd like to call on Brad Bechtel.

14 MR. BECHTEL: Thank you, President Palone. The first
15 item that comes before the commission today comes from the
16 Bureau of Wildlife Management in regards to the State Wildlife
17 Grants Program.

18 Congress appropriated funds under the State Wildlife
19 Grants Program directly and exclusively to state wildlife
20 agencies for wildlife species of the greatest conservation
21 Pennsylvania is eligible to receive these funds for fishing and
22 wildlife projects under the State Wildlife Grant or SWG program.

1 We are recommending approval of the six projects listed in
2 Exhibit A, which is on page 3 of your agenda.

3 The projects listed in Exhibit A will not require any
4 net reduction in the Game Fund, since all are cooperator
5 projects. The Game Commission will simply serve as a conduit
6 for these federal funds. If approved, the Game Commission will
7 contract with the organizations and investigators of these
8 projects and pay SWG-eligible costs from the Game Fund. The
9 Game Fund will be reimbursed by the U.S. Fish and Wildlife
10 Service Federal Aid program using SWG funds. The Game
11 Commission will receive up to 3 percent of all SWG funds to
12 administer the program.

13 The executive director and staff recommend approval of
14 the slate of State Wildlife Grant projects listed in Exhibit A.

15 PRESIDENT PALONE: Thank you, Brad. Do I hear a
16 motion to approve the State Wildlife Grant projects.

17 COMMISSIONER ISABELLA: Motion.

18 PRESIDENT PALONE: Commissioner Isabella. Second?

19 COMMISSIONER SCHREFFLER: Second.

20 PRESIDENT PALONE: Commissioner Schreffler. All those
21 in favor signify by saying aye. Oh, I'm sorry, is there any
22 discussion on the State Wildlife Grant?

23 COMMISSIONER SCHLEIDEN: Madame President.

1 PRESIDENT PALONE: Commissioner Schleiden.

2 COMMISSIONER SCHLEIDEN: Cal, on the turbine facility
3 testing, do you know which facility that's going to be? Down in
4 this part of the state, Somerset area or do you know?

5 MR. DUBROCK: Off the top of my head, I don't recall
6 which specific facility.

7 COMMISSIONER SCHLEIDEN: I'd like to find out later
8 on.

9 PRESIDENT PALONE: Commissioner Hill.

10 COMMISSIONER HILL: Cal, do you know if there's been
11 any real traction with regard to vertical axis turbines versus
12 horizontal access?

13 MR. DUBROCK: I can't answer that question. I don't
14 know if Bill Capouillez -- the wind energy development and much
15 of our work is coordinated through the Bureau of Wildlife
16 Habitat Management, so I don't know if Bill might be able to
17 tell you that.

18 PRESIDENT PALONE: Director Capouillez.

19 MR. CAPOUILLEZ: With regard to your first question, I
20 think it's the Bear Creek facility, and then you were asking
21 with regard to vertical versus horizontal?

22 COMMISSIONER HILL: Yes.

1 MR. CAPOUILLEZ: I'm not aware of anything with regard
2 to the difference between the two as far as the --

3 COMMISSIONER HILL: I saw a vertical axis up at Iowa
4 Royal probably about four weeks ago, and it looks like it would
5 solve a lot of the migratory bird issues, and it turns like a
6 tree trunk.

7 MR. CAPOUILLEZ: The one thing I do they are not quite
8 as efficient. That much I know.

9 COMMISSIONER HILL: I think with the spacing
10 requirements, you could set up a plantation, and it just seemed
11 like -- and it was in an area that was very sensitive
12 environmentally, and so I'm just wondering if there's any -- I
13 believe in Erie we are working on our -- GDs investing in
14 horizontal axis, but just a question. I'll send some
15 information on it if it makes much sense for this study. Thank
16 you.

17 PRESIDENT PALONE: Is there any other discussion or
18 questions? Hearing none, all in favor of the motion signify by
19 saying aye.

20 (Ayes)

21 PRESIDENT PALONE: All those opposed say no.

22 COMMISSIONER DELANEY: Madam President, the vote
23 carries unanimous.

1 PRESIDENT PALONE: Thank you, Commissioner Delaney.

2 Page 4.

3 MR. BECHTEL: The next item also comes from the Bureau
4 of Wildlife Management, concerns adopted rulemaking, adoption of
5 proposed amendments to Sections 147.322, 147.324, and 147.325.
6 To effectively manage the wildlife resources of this
7 Commonwealth, the Game Commission, at its June 24th, 2008
8 meeting, proposed to amend Sections 147.322, .324 and .325
9 relating to applications for deer control permit, privileges
10 authorized under the permit, and special conditions of the
11 permit, to expand the list of authorized applicants to also
12 include homeowners associations and nonprofit land-holding
13 organizations.

14 The executive director and staff recommend final
15 adoption of these amendments to 58 Pa. Code as shown on Exhibit
16 B of page 5 and 6 of your agenda.

17 PRESIDENT PALONE: Thank you, Brad. Do I hear a
18 motion to accept the proposal for the deer control permits.

19 COMMISSIONER ISABELLA: Motion.

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

22 COMMISSIONER SCHLEIDEN: Second.

1 PRESIDENT PALONE: Second Commissioner Schleiden. Is
2 there any discussion about the permits? Hearing none, all those
3 in favor of the rulemaking signify by saying aye.

4 (Ayes)

5 PRESIDENT PALONE: Those opposed say no.

6 COMMISSIONER DELANEY: Madam President, the vote
7 passes seven to zero.

8 PRESIDENT PALONE: Thank you, Commissioner Delaney.

9 Page 7 on your agenda. We are going to change now to
10 the Bureau of Wildlife Protection, and today we have Tom Grohol.
11 I hope I've said your name properly.

12 MR. GROHOL: Close enough.

13 PRESIDENT PALONE: And he's filling in for Rich Palmer
14 who couldn't be with us today. Thank you, Tom, for coming from
15 Harrisburg. Page 7 of your agenda.

16 MR. BECHTEL: Yes. Turning to the Bureau of Wildlife
17 Protection, we have adoption of proposed amendments to Section
18 143.243. To effectively manage the wildlife resources of this
19 Commonwealth, the Game Commission at its June 24th, 2008 meeting
20 proposed to amend Section 143.243, relating to general, to
21 expand the list of species that mentored youth are eligible to
22 pursue to include coyotes.

1 The executive director and staff recommend final
2 adoption of this amendment, 58 Pa. Code as shown on Exhibit A on
3 page 8 of your agenda.

4 PRESIDENT PALONE: Page 8. Do I hear a motion to
5 accept this proposal for the mentored youth hunting program.

6 COMMISSIONER SCHLEIDEN: So moved.

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

9 COMMISSIONER ISABELLA: Second.

10 PRESIDENT PALONE: Second, Commissioner Isabella. Is
11 there any discussion?

12 COMMISSIONER SCHREFFLER: Yes, Madam President.

13 PRESIDENT PALONE: Commissioner Schreffler.

14 COMMISSIONER SCHREFFLER: Yes, I'd like to amend the
15 language that's printed there, clean up the language. It says,
16 A mentored youth's hunting ability is restricted. It should say
17 eligible.

18 PRESIDENT PALONE: We are talking about under 143.243
19 (b)?

20 COMMISSIONER SCHREFFLER: 143.243 (b), yes. A
21 mentored youth's hunting eligibility is restricted to the
22 following species. I'd like to make an amendment to that.

1 PRESIDENT PALONE: Okay. So there's a motion to
2 change the word "ability" to "eligibility." Is there a second
3 to that motion?

4 COMMISSIONER BOOP: Second.

5 PRESIDENT PALONE: Second, Commissioner Boop. Is
6 there any discussion about the amendment? Hearing no
7 discussion, all those in favor of the amendment signify by
8 saying aye.

9 (Ayes)

10 PRESIDENT PALONE: All those opposed say no.

11 COMMISSIONER DELANEY: Madam President, the amendment
12 passes by a vote of seven to zero.

13 PRESIDENT PALONE: Do we need motion on the original
14 as amended?

15 COMMISSIONER SCHREFFLER: I had one other issue that
16 I'd like to bring up again, when we initially brought this up,
17 and to emphasize that under the mentored youth clause here, it
18 means that this is stationary, that mentored youth are not to be
19 moving around. I'd just emphasize that so that everyone is
20 clear that by including coyotes under the mentored youth
21 program, it's only for stationary hunting, just as a point of
22 reference.

1 PRESIDENT PALONE: Thank you, Commissioner Schreffler.
2 Commissioner Schleiden.

3 COMMISSIONER SCHLEIDEN: Madam President, my motion
4 will stand as amended.

5 PRESIDENT PALONE: Thank you. If there's no more
6 discussion, we'll vote on the original proposal as amended. All
7 those in favor of the proposal signify by saying aye.

8 (Ayes)

9 PRESIDENT PALONE: All those opposed say no.

10 COMMISSIONER DELANEY: Unanimous vote.

11 PRESIDENT PALONE: Thank you, Commissioner Delaney.

12 MR. BECHTEL: The next item appearing on page 9 of
13 your agenda is with regard to adoption of proposed amendments to
14 Section 147.301 through 147.307 and 47.309. To effectively
15 manage the wildlife resources of this Commonwealth, the Game
16 Commission at its June 24th, 2008 meeting proposed the following
17 change: To amend Section 147.301 through 147.307 and 147.309
18 relating to wildlife rehabilitation to update and expand
19 wildlife rehabilitation standards.

20 The executive director and staff recommend final
21 adoption of these amendments to 58 Pa. Code as shown on Exhibit
22 B on pages 10 through 14 of your agenda.

1 PRESIDENT PALONE: Okay. Exhibit B is the final
2 adoption of our changes to the wildlife rehabilitation program.
3 Is there a motion to accept this final adoption?

4 COMMISSIONER ISABELLA: Motion.

5 PRESIDENT PALONE: Commissioner Isabella. Is there a
6 second?

7 COMMISSIONER SCHLEIDEN: Second.

8 PRESIDENT PALONE: Second Commissioner Schleiden. Is there any
9 discussion about this proposal? Hearing none, all those in
10 favor of the wildlife rehabilitation program signify by saying
11 aye.

12 (Ayes)

13 PRESIDENT PALONE: All those opposed say no?

14 COMMISSIONER DELANEY: Madam president, the proposal
15 passes by a vote of seven to zero.

16 PRESIDENT PALONE: Thank you. Page 15.

17 MR. BECHTEL: The next item concerns the adoption of
18 proposed amendments to Sections 147.721 through 147.726, Section
19 147.728 and Section 147.729. To effectively manage the wildlife
20 resources of this Commonwealth, the Game Commission at its June
21 24th, 2008 meeting proposed to amend Sections 147.721 through
22 147.726, 147.728 and 147.729 relating to a commercial wildlife

1 pest control by changing the name of the permit and to update
2 and expand nuisance wildlife controller operator standards.

3 The executive director and staff recommend final
4 adoption of this amendment to 58 Pa. Code as shown on Exhibit C
5 on pages 16 through 18 of your agenda.

6 PRESIDENT PALONE: Thank you, Brad. This is final
7 adoption of the nuisance wildlife control operator regulations.
8 Is there a motion to accept these regulations?

9 COMMISSIONER ISABELLA: Motion.

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

12 COMMISSIONER SCHREFFLER: Second.

13 PRESIDENT PALONE: Second Commissioner Schreffler. Is
14 there any discussion about the final adoption of these
15 regulations? Hearing none all those in favor signify by saying
16 aye?

17 (Ayes)

18 PRESIDENT PALONE: All opposed say no?

19 COMMISSIONER DELANEY: Madam President, the final
20 adoption passes by a vote of seven to zero.

21 PRESIDENT PALONE: Thank you, Secretary Delaney. Page
22 19 starts our proposed rulemaking. These are proposals that
23 will have to be voted on again at the January meeting.

1 MR. BECHTEL: The first item of proposed rulemaking
2 concerns amending 58 Pa. Code Sections 141.41, .43, .44, .45 and
3 .47. In recent years the Commission has been moving towards a
4 comprehensive restructuring of the regulations attending the
5 Game and Wildlife Code. The goals of the restructuring of the
6 regulations are primarily focused on simplifying and making the
7 language more understandable to its users.

8 To this end the Commission has begun rewriting and
9 restructuring the regulatory structures relating to the big game
10 seasons. As time progresses, the Commission intends to carry
11 the theme set forth in these changes to other chapters of the
12 regulations to establish clear correlations between related
13 seasonal information. As part of this comprehensive effort, the
14 Commission desires to address clarification in the usage of
15 crossbows during the various big game archery seasons.

16 The Commission recognizes that over the past decade
17 there has been a growing debate concerning the full inclusion of
18 the use of crossbows during the various big game archery
19 seasons. The Commission has identified that there are scores of
20 hunters on both sides of the issue and that each side staunchly
21 supports their respective point of view. In an effort to
22 promote consistency and clarity in the regulations pertaining to
23 the big game seasons, as well as expand opportunity and increase

1 participation in the big game hunting within this Commonwealth,
2 the Commission is proposing to amend Sections 141.41, .43, .44,
3 .45 and .47. Some notable substantive changes include the full
4 inclusion of crossbows during the various big game archery
5 seasons as well as the prohibition of the usage of crossbows
6 during the various muzzleloader deer seasons without an archery
7 license. The text is shown on pages 19 through 30 of your
8 agenda.

9 The executive director and staff recommend the
10 Commission approve these changes.

11 PRESIDENT PALONE: Thank you, Brad. Is there a motion
12 to accept this proposed rulemaking?

13 COMMISSIONER ISABELLA: Motion.

14 PRESIDENT PALONE: Commissioner Isabella. Is there a
15 second?

16 COMMISSIONER SCHLEIDEN: Second.

17 PRESIDENT PALONE: Second Commissioner Schleiden. I
18 know there will be a discussion, so we'll start with
19 Commissioner Isabella since he made the motion. Do you have any
20 discussion?

21 COMMISSIONER ISABELLA: Yes, I do, Madam President.
22 As a member of the board, my oath and obligation is to protect
23 the resources for all the citizens of Pennsylvania. Also, my

1 responsibility is to provide as much opportunity as possible for
2 all the hunters in the Commonwealth. Everyone knows what I do
3 for a living. I talk to more hunters and shooters every day
4 than anybody in this room, and I can challenge anybody with
5 that, and I hear all the sides, however crazy they may be or the
6 stories, I hear them all. As a policy maker, I must listen to
7 all the sides of the issue and keep an open mind to their
8 concerns. I recognize the concerns of the critics of crossbow
9 usage, but I could assure everyone that as we gather data and
10 any further statistics, I keep an open mind for the future
11 because I too want to protect the resource. It's with that that
12 I intend to vote for this proposal. Thank you, Madam President.

13 PRESIDENT PALONE: Thank you, Commissioner Isabella.
14 Any more discussion? Commissioner Schreffler.

15 COMMISSIONER SCHREFFLER: Yes, I have some comments
16 and a request. The first comment is I would like to thank all
17 the sportsmen for their input, and especially all the clubs in
18 the south central region that provided me with guidance and
19 information on what they would like to see happen here. As I
20 look at all of what's gone on here in the last weeks and months,
21 I have come to the conclusion there is a lot to learn in
22 accepting expanded crossbow season to be included in the archery
23 seasons, such as how do we better collect data in the field and

1 let's do the participation rate and success rates that don't
2 really know right now, and what will be the impact of any
3 increase in antler kill before the rifle season and the rut.

4 In my opinion, the answers to these and other
5 questions can only be learned by implementing the crossbow use
6 during the archery season, but I caution that we should move
7 carefully in monitoring and studying the crossbow participation
8 and the harvest of crossbows and their impact upon the deer and
9 bear for at least a five-year period. I think that our game
10 management programs and goals should hold priority here.

11 Additionally, I would like to request that the
12 wildlife protection bureau staff develop verbiage for an
13 amendment stating that no magnifying telescopic sites be
14 permitted on crossbows during the archery and flintlock seasons,
15 and I intend to offer this amendment before final adoption in
16 January. That's all.

17 PRESIDENT PALONE: Thank you. Anything else, Dave?

18 COMMISSIONER SCHREFFLER: That's all. Thank you.

19 PRESIDENT PALONE: Any more discussion? Commissioner
20 Boop.

21 COMMISSIONER BOOP: We as commissioners are constantly
22 reminded that we are to apply and follow science when we are
23 adopting proposed rulemaking, and I as a commissioner have been

1 criticized in the past for not doing that, but as we heard
2 yesterday, we have at this point no scientific data whatsoever
3 to determine what the number of participants will be in the
4 season; and, secondly, we have no scientific data whatsoever at
5 this time to predict what the harvest will be.

6 When we implemented the archery bear season, we
7 struggled with a couple days and a few management units when we
8 first implemented that. This proposal as presently constituted
9 would allow crossbows in the general archery season for
10 approximately six weeks. That's a pretty dramatic change in my
11 view and one I think that we should have some scientific data
12 before taking this leap of faith with respect to this proposal.
13 So I'm troubled by those two points that at this point in time
14 we really have no scientific data to determine the number of
15 participants, no scientific data to determine what the harvest
16 will be.

17 A couple other points that concern me is I know that
18 we should not defer to special interest groups when we are
19 making policy on this board, but I can't help but note that the
20 United Bow Hunters have been one of the strongest supporters of
21 this board during the five years that I have been a member.
22 They are adamantly opposed to this proposal, and we are going to
23 need their support in future battles that we are going to need

1 to wage in this Commonwealth to protect the rights of sportsmen,
2 and I just don't quite understand why we feel the need to go
3 forward with this proposal at this point with so little
4 information to support it. Prior to June of this year I think --
5 I maybe can't compete with Commissioner Isabella in terms of how
6 many sportsmen I speak to daily, but I get lots of phone calls,
7 lots of e-mails and lots of letters and I go to lots of
8 sportsmen's banquets over the winter -- prior to June of this
9 year, I had no request from any sportsman to implement this
10 proposed policy. And in June it comes up, and here we are in
11 October voting on it preliminarily for what will affect the 2009
12 season, and I can't understand because usually this stuff shows
13 up on your radar screen as a commissioner pretty early. I mean
14 there's lots of discussion of Sunday hunting, there's lots of
15 discussion of bear season, length of bear season. I didn't hear
16 anything about crossbows before June of this year.

17 And not to be cynical about it, but I think that one
18 thing that was not mentioned in all of the testimony yesterday
19 is that I think we have to follow the money because I think
20 money is a critical factor here. The testimony was yesterday
21 that the average crossbow is in that 200 to 1,500 range, but if
22 you go out to a sportsman's shop and you want to get equipped to
23 go out hunting with a crossbow, until you get all the

1 accessories, it's going to cost you about \$1,000 if you get
2 other than just the bottom line crossbow that's out there.

3 I went into an archery shop last week, and the one I
4 would have liked to buy if I were going to be going crossbow
5 hunting was \$1,499 was the retail price for the TenPoint
6 manufactured by the Ohio manufacturer. If we in the first year
7 of this season have 50,000 new crossbow hunters, and they come
8 from the ranks of our rifle hunters, which is where I think most
9 people believe they are going to come from, that is \$50 million
10 in sales the first year. If we have 100,000 in three years new
11 crossbow hunters, that's \$100 million. That's a lot of money,
12 ladies and gentlemen, and I think that has a lot to do with the
13 support that we heard yesterday for crossbow manufacturers. So
14 I think we need to take this slowly. I certainly wouldn't get
15 an A rating from the United Bow Hunters if they were going to
16 vote on us as commissioners because I've certainly opposed some
17 of their policies in the past, but this is a significant change
18 that's going to be hard to correct with a six-week season if we
19 are wrong about this.

20 So I think we need to go slowly. I think it needs to
21 be approached on an incremental basis, but to just dump 50,000
22 new crossbow hunters into the fall archery season I believe is a
23 mistake.

1 PRESIDENT PALONE: Is that all, Commissioner Boop?

2 COMMISSIONER BOOP: That's all.

3 PRESIDENT PALONE: Thank you very much. Is there any
4 other discussion? Commissioner Schleiden.

5 COMMISSIONER SCHLEIDEN: I love these discussions.
6 First of all, I want to recognize UBP. I think they are an
7 outstanding organization. I heard testimony yesterday by an
8 individual who I think is an example of what UBP and the
9 federation, - Pennsylvania Federation of Sportsmen are all
10 about, and this gentleman apologized for some activity and
11 actions he took against the commissioners verbally on various
12 occasions, and now he's been born again, and he's a real
13 supporter of the resource and ethical hunting, and he attributed
14 that to UBP. And I find myself today, much as a number of those
15 folks are my friends, and totally disagree with them on the
16 crossbow issue. Rest assured, this commissioner always believes
17 in resource first, but I also believe in the big picture and all
18 inclusive and expanding opportunity, and I think that was the
19 comments in the commentary.

20 The comments of my colleague on the far end were
21 perhaps a little ambiguous in themselves and somewhat
22 contradictory, and I find it interesting that suddenly we want
23 science first when in the past it came to deer we questioned all

1 the science. But that's okay. I mean that's why we are up
2 here. The fact that possibly some folks didn't get a request
3 before June I think s found in my friend's UBP's own statements
4 and articles of the fact that they've defeated this crossbow
5 issue several times, and I think much like my colleague had
6 commented on the fact that there were no hunters at some of our
7 January meeting because the commissioners wouldn't listen, I
8 think the same thing happened with the bow people, if you can
9 keep that on the same level. The crossbow people finally gave
10 up.

11 But the fact is that the crossbow is an effective
12 weapon. It's an effective tool for hunting. The science will
13 be gathered. The controls are in place. Believe me, I think
14 Cal said yesterday there ain't no place like Pennsylvania.
15 That's true on both sides of the pendulum. Pennsylvania does a
16 lot of work and a lot of our people do a lot of work and
17 research and they collect data. So in this case I think
18 Commissioner Isabella said or I guess it was Schreffler that
19 said that we needed to get the science. Well, how do you get
20 the science unless you do it, and we put it in place, we watch
21 it closely, we keep, in fact, resource first, and I think you
22 are going to find that in the long run this is going to be a
23 nonissue. I think that in the long run this dog won't hunt. I

1 think we are going to be okay, and I hope my colleagues do
2 support it. Thank you.

3 PRESIDENT PALONE: Thank you. Any other comments? I
4 guess I'll have to make a few then.

5 First of all, I want to thank all those folks who came
6 out yesterday, and they were really thoughtful comments that
7 people made on both sides of the issue of crossbows. People
8 were very passionate. People were very polite. There was
9 really a lot of good discussion and good, thoughtful things that
10 were said yesterday on both sides of the issue. And I just want
11 to remind folks that this is a preliminary vote, that in January
12 at the earliest will be the final vote, and at the January
13 meeting there could be some amendments offered, that often
14 happens, or the vote could even be put off for a little bit
15 longer. But I too have to chime in and say how wonderful the
16 UBP has been in supporting our deer management program over the
17 years, and they will always put the resource first. I have no
18 doubt about that. No matter how we vote today and what happens
19 to crossbows, the UBP is always going to be -- they are always
20 going to want to manage our wildlife and our resources in the
21 best possible way, what's good for both the resource and the
22 hunters. So they have that conviction, and it's not going to go
23 away.

1 As far as crossbows just appearing on the radar, this
2 is the fourth time since I've been on the commission that we've
3 taken up crossbows. It's not the first time they have been on
4 the radar, and every time it's very passionate and it's very
5 thoughtful comments and we go through the same thing. So it's
6 been on the radar many times. I believe that some people do not
7 want crossbows because they do not want more does harvested. In
8 my opinion just from being on the board, and I've been on the
9 board just as long as anyone, and longer, it always comes down
10 to how many does we harvest, and I think that's some of the
11 motivation for some people, they do not want another implement
12 in there harvesting does.

13 As far as one of Mr. Boop's comments, he said we do
14 not know the number of participants that we are going to have,
15 and then he said we are going to have 50,000 participants. So
16 either we don't know or we do know how many participants we are
17 going to have. You can't have it both ways. As far as the
18 manufacturers, I love capitalism. I'm a very big capitalist. I
19 think it's wonderful that the crossbow manufacturers are out
20 there trying to make money. It's called good marketing, and all
21 the other manufacturers do it: rifles pistols, camouflage
22 clothes, all kinds of deer calls and predator calls, all sorts
23 of ammunition, tree stands, all kinds of things that I've never

1 heard of. So I think that's a good thing. I don't think that's
2 bad to have capitalism in the hunting community.

3 Yesterday we heard a lot of things from Cal. He said
4 that he doesn't believe that we would have to shorten the season
5 if we implement crossbows, at least for two years. So I agree
6 with Commissioner Schleiden that we have to try it before we
7 know what's going to happen, and it's a very hard decision for
8 me. A couple other things I heard yesterday, that crossbows
9 won't increase license sales, there's no evidence of that. The
10 other thing that worries me, that if we don't take some action,
11 the General Assembly will, and believe me, it's much better for
12 us to take action than to let the General Assembly take action.

13 So those are just some of my thoughts about the
14 crossbow issue. Are there any other comments? Hearing no other
15 comments, all those in favor of the proposal, please raise your
16 right hand. All those opposed to the proposal, please raise
17 your right hand.

18 COMMISSIONER DELANEY: Madam President, the vote
19 passes by a vote of five to two, and for the record,
20 Commissioners Isabella, Palone, Schleiden, Schreffler and Hill
21 voted affirmatively for it, and Delaney and Boop voted
22 negatively against it, just for the record.

23 PRESIDENT PALONE: Thank you, Secretary Delaney.

1 MR. BECHTEL: The next item concerns the amendment of
2 Pa. Code 147.783. It's found on page 31 of your agenda. In
3 recent years, continental snow goose populations have
4 experienced a rapid growth in their numbers. This dramatic
5 increase in population size has in turn resulted in extensive,
6 possibly irreversible damage to arctic and subarctic breeding
7 habitats of the continental snow goose, as well as other bird
8 populations dependent these habitats.

9 In January 2008, the Commission, working in
10 conjunction with the federal government, created Subchapter W,
11 relating to snow goose conservation hunt permit, in chapter 147,
12 relating to special permits, to define and create the regulatory
13 structure necessary to implement the new snow goose conservation
14 hunt program within this Commonwealth. However, since the
15 adoption of this rulemaking, the Commission has continued to
16 receive extensive public input from the various sources,
17 including the Susquehanna River Waterfowlers Association,
18 hunters and guides on ways to improve the program. In
19 particular, these sources have strongly encouraged the permitted
20 use of electronic calls during the snow goose conservation hunt,
21 a proven method that is effective in increasing harvest rates.

22 In light of the Commission's continued recognition of
23 the need to dramatically increase the harvest of snow geese in

1 Pennsylvania to assist in the reduction of overall continental
2 populations, the commission is proposing to amend Section
3 147.783, relating to permit, to authorize the limited use of
4 electronic calls for all hunting and taking activities conducted
5 pursuant to a snow goose conservation hunt permit. The text of
6 these minutes are shown on pages 31 through 32 of your agenda.

7 PRESIDENT PALONE: Okay. Thank you.

8 MR. BECHTEL: The executive director and staff
9 recommend the Commission approve this change.

10 PRESIDENT PALONE: Thank you now. I just wanted to
11 remind everyone that this snow goose conservation hunt has to be
12 approved by the U.S. Fish and Wildlife Service, and so far they
13 haven't approved anything. So we are out ahead of them, but we
14 are just trying to be proactive, and we don't know when that
15 will be approved by the Fish and Wildlife Service.

16 So with that being said, is there a motion to accept
17 this adopted rulemaking?

18 COMMISSIONER SCHREFFLER: So moved.

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

21 COMMISSIONER SCHLEIDEN: Second.

1 PRESIDENT PALONE: Second Commissioner Schleiden. Is
2 there any discussion? No discussion. All those in favor of the
3 motion, signify by saying aye.

4 (Ayes)

5 PRESIDENT PALONE: All those opposed, say no?

6 COMMISSIONER DELANEY: Madam President, the vote
7 passes by a vote of seven to zero.

8 PRESIDENT PALONE: Thank you Secretary Delaney.

9 MR. BECHTEL: The next item is found on page 33,
10 concerns hunting license revocations for convictions, the
11 proposed recommendations to revoke the hunting and furtaking
12 privileges of the individuals convicted of violating the Game
13 and Wildlife Code.

14 The Commission, under authority of the Game and
15 Wildlife Code, may revoke any hunting license and furtaker's
16 license and deny any person the right to secure a license or to
17 hunt and furtake anywhere in the Commonwealth, with or without a
18 license, if said licensee or person has been convicted, or
19 signed an acknowledgment of violating any provision of the Game
20 and Wildlife Code. The Commission may revoke such licenses for
21 a period of not to exceed three years for the first offense; for
22 a second or subsequent offense, such period of time as the
23 Commission shall determine. Persons denied the right to hunt or

1 partake in the Commonwealth through this action are notified by
2 certified mail that the revocation will commence July 1st, 2009,
3 and continue for such period of time as set forth following the
4 individual's name. The symbol RA means the revocation was added
5 to an existing revocation.

6 In accordance with the administrative agency law of
7 April 28th, 1978, a person placed on revocation has the
8 opportunity for an administrative hearing concerning the hunting
9 license revocation. If an administrative hearing is requested,
10 a petition for review must be filed at the Commission
11 headquarters within 30 days from the date of notice. Unless
12 deemed in the best interest of the Commission by the director or
13 a designee, hearings shall be conducted at the central office.
14 Hearings will be conducted in accordance with the General Rules
15 of Administrative Practice and Procedure, 1 Pa. Code 31.1 et
16 seq. The hearing itself will be conducted in accordance with
17 Chapter 35 of the Rules and Chapter 145 of the Pa. Code.

18 The executive director and the wildlife protection
19 director recommend that the Commission revoke the hunting and
20 furtaking license privileges of the persons named by the Bureau
21 of Wildlife Protection. Such revocation shall become effective
22 July 1st, 2009, and shall continue for such period of time and
23 under the conditions set forth following each individual's name.

1 The Commission was furnished a copy of the findings of
2 fact, the conclusions of law and the recommendations of the
3 hearing officer concerning the administrative hearing held at
4 the request of each individual listed on your supplement.
5 Findings of fact set forth the circumstances surrounding this
6 matter.

7 The executive director recommends that the Commission
8 approve the findings of fact, the conclusions of law and
9 recommendation of the hearing officer Andrew Lehman allowing the
10 revocation period to remain as originally ordered for the
11 individuals listed on your supplement.

12 PRESIDENT PALONE: And the recommendation on the next
13 page, would you read that too.

14 MR. BECHTEL: Yes. There's also a recommendation
15 being made, the executive director recommends the Commission
16 approve the findings of fact, the conclusions of law and the
17 recommendations of the hearing officer Andrew Lehman allowing
18 the revocation period to be reduced for an individual listed on
19 the second page of your supplement.

20 PRESIDENT PALONE: Thank you. I'm going to ask for a
21 motion that we approve both of these at the same time on both
22 pages, the ones that remain the same and the ones that will be
23 reduced. Do I hear a motion?

1 COMMISSIONER BOOP: So moved.

2 PRESIDENT PALONE: Commissioner Boop. Is there a
3 second?

4 COMMISSIONER ISABELLA: Second.

5 PRESIDENT PALONE: Second Commissioner Isabella. Any
6 discussion? No discussion? All those in signify by saying aye.

7 (Ayes)

8 PRESIDENT PALONE: All those opposed say no.

9 COMMISSIONER DELANEY: Madam President, the vote on
10 both administrative hearing pages is seven to zero to accept
11 them.

12 PRESIDENT PALONE: Thank you, Commissioner Delaney.
13 Thank you, Tom. We'll now be changing to the Bureau of Wildlife
14 Habitat Management, and I'd like to on call on Director Bill
15 Capouillez to come to the podium. He's our director from our
16 Harrisburg office. We are on page 34 of the agenda.

17 MR. BECHTEL: The first items concern donations of
18 real estate. The first donation is Option No. 3539, State Game
19 Land No. 302, Greene County. 125 plus or minus acres of land in
20 Richland Township, Greene County, adjoining State Game Land No.
21 302 as shown on Exhibit RED 1 on page 36 of your agenda. This a
22 donation from Consol Pennsylvania Coal Company, LLC, of
23 Pittsburgh. The parcel consists of 60 acres of mixed hardwoods,

1 35 acres of shrub lands and reverting old fields and 30 acres of
2 agricultural land, of which 20 acres are tillable. There is a
3 small stream originating from the groundwater and springs on the
4 property which flows into the Enlow Fork of Wheeling Creek.
5 Indiana bats, a federal and state listed endangered species, are
6 present on or near the property. There is no surface mining
7 taking place on the tract, but there is a 10-foot square fenced
8 vent shaft and a 2-acre vent shaft adjacent to the tract which
9 will need to be subdivided prior to the donation. The entire
10 property is currently being long-wall mined and will be subject
11 to planned subsidence. No evidence was seen of acid mine
12 drainage.

13 Option No. 3540, is on State Game Land No. 187,
14 Luzerne County. It's 1 plus or minus acre of land in Dennison
15 Township, Luzerne County, located approximately 2.3 miles from
16 State Game Land No. 187, as shown on Exhibit RED 2 on page 37 of
17 your agenda. This is a donation from Patricia A. Davis of
18 Greenville, South Carolina. This detached parcel is
19 predominantly forested with northern hardwoods and eastern
20 hemlock.

21 Option No. 3541 is on State Game Land No. 156 in
22 Lebanon County. It's 1.99 plus or minus acres of land in
23 Cornwall Borough, Lebanon County, being adjacent to State Game

1 Lands No. 156 as shown on Exhibit RED 3 on page 38 of your
2 agenda. This is a donation from Katherine M. Fitzgibbons of
3 Cornwall. The forested parcel is approximately 4,268 feet long
4 by 20 feet wide and is located adjacent to an existing electric
5 transmission line right-of-way located on State Game Land No.
6 156. Oak, hickory, black gum and sassafras make up the
7 overstory with arrowwood, witchazel, maple-leaf viburnum and
8 blackberry in the understory.

9 The executive director and staff recommends that the
10 donations listed above be accepted and the commission authorize
11 the Bureau of Wildlife Habitat Management to proceed with the
12 acquisition of these tracts.

13 PRESIDENT PALONE: Do I hear a motion to accept these
14 donations?

15 COMMISSIONER ISABELLA: Motion.

16 PRESIDENT PALONE: Commissioner Isabella. Is there a
17 second?

18 COMMISSIONER SCHREFFLER: Second.

19 PRESIDENT PALONE: Second Commissioner Schreffler. Is
20 there any discussion? I'd like to bring up a point. First of
21 all, I'd like to recognize one of our former commissioners who
22 is here today, Dennis Fredericks, he's in the back. He was the
23 commissioner before I was, and I want to commend Dennis on the

1 donation of State Game Lands 302 in Greene County. On Wednesday
2 Commissioner Delaney and I and Commissioner Schreffler went on a
3 tour of the site that they are donating to us, and when Indiana
4 bats were first found on that site, everyone panicked because
5 they are a federally endangered species, and we want to be good
6 stewards of our wildlife, but at the same time we have resources
7 that we need to develop in order that people have electricity in
8 the Commonwealth. Most of our electricity comes from coal
9 mining.

10 But Consol Energy and the Game Commission worked
11 together very well, and they developed a partnership with other
12 agencies. The U.S. Fish and Wildlife Service, the Western
13 Pennsylvania Conservancy and the National Wild Turkey Federation
14 all worked with us to resolve this issue of the Indiana bats,
15 and we came to this resolution, and Consol agreed to donate this
16 land to us so that we could protect these Indiana bats, and we
17 appreciate it so much, and we are just so thankful that this was
18 resolved and that everyone can live with the outcome and we can
19 get some new game lands. So thank you to Dennis and our other
20 partners, and thank you, Bill, and your department.

21 If there's no other discussion, all those in favor of
22 the motion signify by saying aye.

23 (Ayes)

1 PRESIDENT PALONE: Those opposed say no.

2 COMMISSIONER DELANEY: Madam President, the vote is
3 seven to zero to pass the three real estate donations.

4 PRESIDENT PALONE: Thank you, Commissioner Delaney.

5 MR. BECHTEL: The next item concerns a land exchange
6 that's found on page 39 of your agenda.

7 Option No. 3542, State Game Land 86 in Warren County.
8 Tony L. Stec Lumber Company, Inc., was previously the high
9 bidder on the Commission's timber sale number 086-06-01 in the
10 amount of \$202,020. The Stec family is the owner of a tract of
11 land comprised of 100 acres in Deerfield Township, Warren
12 County, an indenture into State Game Land No. 86, which the
13 Commission is interested in acquiring.

14 The Commission and Tony L. Stec Lumber Company, Inc.,
15 have agreed to the value of \$170,000 for the parcel. Tony L.
16 Stec Lumber Company, Inc., has offered to transfer the 100 acres
17 in Deerfield Township, Warren County, shown on Exhibit RED 4 on
18 page 40. The value of \$170,000 would then be credited against
19 the blocks to be cut on the timber sale listed above until the
20 value has been exhausted. The property is entirely forested
21 with mostly mixed northern hardwoods to include hickory, oak and
22 cherry. The majority of the tree species are in early forest
23 succession. A small 1-acre wetland is located on the property

1 and an unnamed tributary, which supports native brook trout,
2 flows across the property. The property is surrounded on three
3 sides by State Game Land No. 86, and acquiring this tract will
4 result in a reduction of future boundary line maintenance.

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

11 PRESIDENT PALONE: Thank you. Do I hear a motion to
12 approve this land exchange?

13 COMMISSIONER ISABELLA: Motion.

14 PRESIDENT PALONE: Commissioner Isabella. Is there a
15 second?

16 COMMISSIONER SCHLEIDEN: Second.

17 PRESIDENT PALONE: Second Commissioner Schleiden. Is
18 there any discussion about the land exchange? Hearing none all
19 those in favor of the motion signify by saying aye.

20 (Ayes)

21 PRESIDENT PALONE: Those opposed say no?

22 COMMISSIONER DELANEY: Madam President, the vote was
23 unanimous on Option No. 3542, the land exchange.

1 PRESIDENT PALONE: Thank you, Secretary Delaney.

2 MR. BECHTEL: Moving on to oil, gas and minerals, the
3 next item on page 41 of your agenda concerns an oil and gas
4 lease amendment on State Game Land No. 49 in Bedford County in
5 the south central region.

6 Steckman Ridge LP has requested to amend its existing
7 753.32 acre oil/gas lease on State Game Land No. 49 in Monroe
8 Township, Bradford County. The lease amendment consists of the
9 addition of gas storage rights in the Oriskany formation for
10 82.36 storage acres and 398.6 buffer acres as shown on Exhibit
11 OGM-1 on page 42 of your agenda.

12 Steckman Ridge, LP, is converting 1,906 acres of the
13 now depleted Oriskany sandstone formation to a natural gas
14 storage field of which 82.36 acres is under the Commission
15 ownership. In exchange for the lease amendment Steckman Ridge,
16 LP, will make a one-time bonus payment of \$48,460 to the Game
17 Fund. Steckman Ridge, LP, will also pay the Commission an
18 annual rental of \$15,067 per year or a storage fee rate of 3
19 cents per MCF of the storage field proportionally owned by the
20 Commission, whichever the greater.

21 The project will be regulated by the Commonwealth's
22 oil/gas regulations and the Commission's standard lease
23 agreement. There will be no surface use of the lease area

1 associated with this proposed gas storage lease storage
2 amendment. All other terms and conditions of the lease will
3 remain unchanged.

4 The staff has reviewed this proposal and has
5 determined that the total value of the oil/gas storage lease is
6 greater than or equal to the accumulated value for the lease.

7 The executive director and the staff recommend the
8 proposed lease be approved and the Commission authorize the
9 Bureau of Wildlife Habitat Management to proceed with the
10 leasing amendment arrangement as listed above.

11 PRESIDENT PALONE: Thank you, Brad. Do I hear a
12 motion to accept this oil and gas lease amendment?

13 COMMISSIONER SCHREFFLER: Motion.

14 PRESIDENT PALONE: Commissioner Schreffler. Second?

15 COMMISSIONER ISABELLA: Second.

16 PRESIDENT PALONE: Commissioner Isabella. Is there
17 any discussion about the lease? Hearing none, all those in
18 favor signify by saying aye.

19 (Ayes)

20 PRESIDENT PALONE: Those opposed say no.

21 COMMISSIONER DELANEY: Madam President, the vote is
22 seven to zero to support the oil/gas lease amendment on State
23 Game Lands 49.

1 MR. BECHTEL: The next item on page 43 of the agenda is
2 the coal refuse removal and reclamation lease on State Game Land
3 No. 60 in Clearfield County in the north central region. CMT
4 Energy, Inc., of Brisbin Pennsylvania has requested a lease to
5 mine and remove abandoned coal refuse disposed on a portion of a
6 20.2 acre tract of land being part of State Game Land No. 60 as
7 shown on Exhibit OGM-2 on page 44 of your agenda. The proposed
8 coal refuse removal would entail approximately 9.3 acres of
9 unclaimed coal refuse spoil piles. The remaining lease acreage
10 will be utilized for access to the coal refuse removal site,
11 construction of erosion and sedimentation controls and
12 operational support.

13 The accumulated coal refuse royalty value of this
14 proposed project has been calculated at approximately \$25,000.
15 Removal and reclamation of the spoil piles will reduce ongoing
16 pollution into Muddy Run. Reclamation will be regulated by the
17 Commonwealth's surface mining regulations and the Commission's
18 coal refuse removal and reclamation lease agreement. The five-
19 year lease will include a \$10,000 performance bond and
20 environmental protection standards. Further, CMT Energy will be
21 obligated to carry out a site specific wildlife habitat
22 reclamation plan as per the direction of the local Land
23 Management Group supervisor. The reclamation plan will include

1 the development of a 1 1/2 to 2 acre shallow water wetland
2 complex. No merchantable timber is to be affected by this
3 reclamation operation.

4 In exchange for the coal refuse removal and
5 reclamation lease, CMT Energy, Inc., will pay the commission a
6 royalty of 10 percent F.O.B. pit price or a minimum of \$1 per
7 ton, whichever the greater for each and every ton of coal refuse
8 mined and removed from the site.

9 The executive director and staff recommend the
10 proposed lease be approved and the Commission authorize the
11 Bureau of Wildlife Habitat Management to proceed with the
12 leasing arrangement as listed above.

13 PRESIDENT PALONE: Thank you, Brad. Do I hear a
14 motion to accept this coal refuse removal and reclamation lease?

15 COMMISSIONER BOOP: So moved.

16 PRESIDENT PALONE: Commissioner
17 Boop. Is there a second?

18 COMMISSIONER SCHLEIDEN: Second.

19 PRESIDENT PALONE: Second Commissioner Schleiden. Is
20 there any discussion about the lease? Hearing none all those in
21 favor of the motion signify by saying aye.

22 (Ayes)

23 PRESIDENT PALONE: All those opposed say no.

1 COMMISSIONER DELANEY: Madam President, the vote is
2 unanimous.

3 PRESIDENT PALONE: Thank you, Commissioner Delaney.
4 That concludes our agenda items today. I don't have a lot
5 because I'm retired most of the time, but we are going to move
6 on to new business.

7 The first thing that we have is a pheasant resolution
8 by Commissioner Delaney.

9 COMMISSIONER DELANEY: Yes, Madam President. In
10 discussions with the entire Board of Commissioners, I've drafted
11 a resolution to support our pheasant plan, and I would like to
12 read the resolution and then offer a vote by our Board of
13 Commissioners, our entire Board of Commissioners, if I may. It
14 reads,

15 A resolution expressing the Pennsylvania Game
16 Commission, Board of Commissioners, support for the Ring-Necked
17 Pheasant Management Plan for Pennsylvania for 2008 to 2017,
18 which is a comprehensive plan with six strategic goals
19 identified.

20 Whereas, the plans call for the restoring, self-
21 sustaining and huntable ring-necked pheasant populations in
22 suitable habitat by establishing wild pheasant recovery areas;

1 Whereas, the Pennsylvania Game Commission seeks to
2 provide pheasant hunting opportunities by annually producing and
3 releasing 250,000 pheasants at PGC Game Farms and maximize their
4 harvest by sportsmen;

5 Whereas, the plan calls for the Pennsylvania Game
6 Commission to actively inform and educate landowners and
7 cooperators about suitable pheasant habitat, how to manage
8 habitat areas to enhance their value to pheasants and create
9 pheasant habitat demonstration areas on State Game Lands;

10 Whereas, the plan seeks to develop partnerships to
11 restore wild pheasants in Pennsylvania and integrate the
12 recovery efforts with the existing farm bill and state
13 conservation programs;

14 Whereas, population monitoring and research will be
15 used to ensure the best management of pheasant resource;

16 Whereas, the pheasant management plan seeks to
17 identify sustainable funding and resources necessary to return
18 wild pheasant populations and quality pheasant hunting in
19 Pennsylvania;

20 And whereas, the Board of Commissioners wish to thank
21 executive director Carl Roe; Cal DuBrock, bureau director of
22 Wildlife Management; Bob Boyd, assistant bureau director; Scott
23 Klinger, wildlife biologist, and all the agency employees that

1 built a pheasant management plan that will be a model for other
2 states to follow.

3 Now, therefore, be it resolved that the Pennsylvania
4 Game Commission, Board of Commissioners, wholeheartedly support
5 and advocate the implementation of the Ring-Necked Pheasant
6 Management Plan for Pennsylvania for 2008 to 2017.

7 And I would like to offer a motion to support this
8 resolution, President.

9 PRESIDENT PALONE: Thank you, Commissioner Delaney.
10 We have a motion to support this resolution, and I would like to
11 have a roll call vote.

12 COMMISSIONER SCHREFFLER: I'll have a second to that
13 motion.

14 PRESIDENT PALONE: Thank you, Commissioner Schreffler
15 is second. Commissioner Delaney, as secretary, you can do the
16 calling.

17 COMMISSIONER DELANEY: Okay. We'll start with
18 Commissioner Boop.

19 COMMISSIONER BOOP: Support the resolution.

20 COMMISSIONER DELANEY: Commissioner Isabella.

21 COMMISSIONER ISABELLA: I support the resolution.

22 COMMISSIONER DELANEY: Commissioner Palone.

23 PRESIDENT PALONE: I support the resolution.

1 COMMISSIONER DELANEY: Commissioner Schleiden.

2 COMMISSIONER SCHLEIDEN: Yes.

3 COMMISSIONER DELANEY: Commissioner Hill.

4 COMMISSIONER HILL: Support.

5 COMMISSIONER DELANEY: Commissioner Schreffler?

6 COMMISSIONER SCHREFFLER: I wholeheartedly support the
7 resolution.

8 COMMISSIONER DELANEY: Madam President, I believe we
9 have unanimous support for the resolution.

10 PRESIDENT PALONE: Thank you, Commissioner Delaney.

11 COMMISSIONER BOOP: Madam President.

12 PRESIDENT PALONE: Yes.

13 COMMISSIONER BOOP: I just also would like to thank
14 Commissioner Delaney for his efforts on behalf of the board, not
15 only with the resolution, but with the program. We know he's
16 certainly interested in this area, and that interest shows
17 through to the benefit of our stakeholders, and I'd just like to
18 thank him for his work on this.

19 PRESIDENT PALONE: Commissioner Isabella.

20 MR. ISABELLA: Thank you. Ladies and gentlemen, I can
21 remember in 2005, that's how far back this issue goes with my
22 involvement, we had just hired a new executive director, and I
23 had just met my esteemed colleague via the internet through a

1 friend, and through conversation, you know, he was concerned,
2 along with a lot of others, that pheasant hunting was going to
3 be no more in the Commonwealth.

4 A few months after our new executive director got his
5 feet wet, we had a meeting in the conference room, and it was
6 all stakeholders and pheasant hunting throughout the state were
7 there, and the blueprint was started for actually what we have
8 today. So if there was any concerns back then that pheasant
9 hunting was going to be history in the Commonwealth, I can
10 assure you that it is not and the opposite is happening, and
11 that is it, Madam President.

12 PRESIDENT PALONE: Thank you. Any other comments?
13 Commissioner Schleiden.

14 COMMISSIONER SCHLEIDEN: Yes, just one thing that we
15 all have to remember. We are working very hard to reestablish
16 the wild population, but like everything, there are two sides to
17 that, and I positively think that that's going to happen, but I
18 think, you know, the school is still out on that issue as to
19 whether it will be successful.

20 But this resolution is, in fact, encouraging our staff
21 and the agency and our executive director to do all that is
22 possible to support bringing more wild birds in, but it's not a
23 panacea, and I'd like to see us have 250 birds also as soon as

1 possible, but we do need a license increase, and we put that on
2 the record. Thank you.

3 PRESIDENT PALONE: Thank you. Any other discussion?
4 Okay. Thank you, Commissioner Delaney. I'm going to ask for new
5 business as a result of our work sessions that we've had since
6 the last meeting. Is there any new business under Wildlife
7 Management? Wildlife Habitat Management? Wildlife Protection?
8 Information and Education?

9 COMMISSIONER SCHREFFLER: Yes, Madam President.

10 PRESIDENT PALONE: Commissioner Schreffler.

11 COMMISSIONER SCHREFFLER: I would like to bring up to
12 items to the public's knowledge. It was already mentioned
13 yesterday in the presentation on form access that the
14 Pennsylvania Game News magazine is now available to schools and
15 libraries and the public access cooperators online. Those
16 people who previously got a complimentary subscription are
17 getting it online. It's available, and we sent out brochures
18 like this, and it's out there. It's really neat. It's Next
19 Book, called Next Book, the Game News comes up, it looks like
20 the regular Game News. You click on the lower corner of the
21 magazine, and you hear the page turn (indicating) and it opens
22 up and you can read it.

1 It's really neat, and I hope that students in school
2 and computer labs and public libraries will get in there and
3 read it. You'll have 30 kids reading it. Rather than one kid
4 reading one magazine, we'll have 30 kids reading it at the same
5 time on different computers. They can print off articles they
6 want. They can click on the table of contents to see what other
7 topic or article they'd like to have, and if they want to take
8 an article home, they just print it out and take it along.

9 So I'm hoping that's there, and in the future as we
10 start moving our Information and Education Bureau into the new
11 century and the future here getting more computerized and
12 getting out in line with technology, hopefully we'll be able to
13 have special announcements and things for our cooperators on
14 there that would be relevant to them and maybe extra pictures at
15 the schools for kids who have their trophies that they've gotten
16 and so on and tailor it a little bit that way. So I'm really
17 excited about this. I think as we go into a more computer age
18 here, we are already in it, that the Game Commission is really
19 moving forward.

20 There's one other item I'd like to mention also.
21 We've completed about six months of work on Outdoor Pennsylvania
22 with the Game Commission. This is a radio program. It's aired
23 on about 34 stations around the state. It's a little three-

1 minute program where we have one-minute commercials and couple
2 minutes with the Game Commission, and it's hosted by Jerry
3 Feaser, one of our employees here. But what I want to say is
4 that I've heard these on the radio. They are really interesting
5 and I think they are really neat, and I want to thank the staff
6 who have taken time out from a lot of their busy schedules and
7 so on to participate in the interviews to get the word out about
8 all the good things that the Game Commission is doing, and I
9 think this is very effective.

10 As people drive around, I hear them during the day as
11 people drive from here to there, and I've gotten a few comments.
12 So thank you, staff, for your cooperation and taking time from
13 your duties and participating with this very important effort.

14 PRESIDENT PALONE: Thank you, Commissioner Schreffler.
15 Is there any other new business by any individual Commissioner?
16 Okay. The next thing we have on the agenda is to set the time
17 and place for our next meeting. We've already established
18 January 25th, 26th and 27th of 2009 as the dates of our next
19 meeting. It will be held in our Harrisburg headquarters. On
20 January 25th, which is a Sunday, the meeting begins at 1 p.m.,
21 and on the Monday and Tuesday, the meeting begins at 8:30 a.m.
22 Do I hear a motion to accept this meeting date and time?

23 COMMISSIONER ISABELLA: Motion.

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

3 COMMISSIONER BOOP: Second.

4 PRESIDENT PALONE: Second Commissioner Boop. Is there
5 any discussion? is everyone okay with those dates? Okay.
6 Hearing no discussion, all those in favor signify by saying aye.

7 (Ayes)

8 PRESIDENT PALONE: All those opposed say no.

9 COMMISSIONER DELANEY: Madam President, that passes
10 for next year's January meeting by a vote of seven to zero.

11 PRESIDENT PALONE: Okay. I want to thank you all for
12 attending today.

13 EXECUTIVE DIRECTOR ROE: I think we are not done yet,
14 Madam President.

15 PRESIDENT PALONE: I think we have a little bit of
16 other new business, but I want to make sure, before everybody
17 gets all excited, that -

18 COMMISSIONER SCHLEIDEN: I think you're excited.

19 PRESIDENT PALONE: I am. I am. I've been so nervous.
20 Hal is going to take our picture before we run off, before all
21 the Commissioners run off, and so after we do our other things
22 that the executive director would like to do, I'd just want the
23 Commissioners to stand by up here and get a little closer, and

1 Hal is going to take some pictures before we leave, and then
2 later on we'll have our press conference also. So we are going
3 to have our picture taken by Hal before we run off.

4 Now I'm going to turn the meeting over to Executive
5 Director Roe.

6 EXECUTIVE DIRECTOR ROE: Thank you, Madam President.
7 I'll try to get you unnervous.

8 Well, today is really a day of change for the Board of
9 Commissioners. Although we are going to say good-bye to two of
10 our Commissioners, I hope they will be around for the next six
11 months, or they are allowed to stay around for another six
12 months, let's put it that way, and I hope they take that
13 opportunity. We'll be ladies first this morning, so PRESIDENT
14 PALONE, if you'll come down here.

15 PRESIDENT PALONE: Got my bible.

16 EXECUTIVE DIRECTOR ROE: Her bible is the Game News if
17 you look real carefully here. On behalf of the agency, I'd
18 really like to thank -- I'll say Roxane . We'll do it a little
19 more informal -- for your great, dedicated service to, like I
20 said yesterday, to not only the Game Commission, but to the
21 Commonwealth, and more importantly to our hunters and trappers
22 out there. I know it hasn't always been easy for you. You have
23 now made history with the Pennsylvania Game Commission. I

1 believe that you are the first lady to serve a full term on the
2 Board of Commissioners, and certainly the first lady to serve as
3 a president, and I know at times it's been very challenging. I
4 know I've enjoyed working with you. I know our staff has
5 enjoyed working with you, and we appreciate everything you've
6 done for us and working with us and your leadership and your
7 guidance.

8 So on behalf of the Game Commission, we have two
9 prints we'd like to give you, and we'll go to the center here in
10 a minute. This is the first one -- I guess let's go out in
11 center anyhow. We'll go out in front here.

12 PRESIDENT PALONE: Okay. Whatever you want.

13 EXECUTIVE DIRECTOR ROE: Can we do it this way or
14 bring them up?

15 (Photos taken)

16 EXECUTIVE DIRECTOR ROE: And I believe, Greg, you have
17 some commentary.

18 COMMISSIONER ISABELLA: Yes. Well, Roxane, ladies and
19 gentlemen, when I first met Roxane it was 2002 at State College
20 at a PFSC convention. So I was first introduced to her. We had
21 talked, and I see this blond in a black dress, I go whoa. So of
22 course, you know, I get a conversation going. She proceeds to
23 tell me she was in the Marines. I said really. So the first

1 thing I did was I insulted her. I said, Oh, so you were a BAM.
2 Now, if you don't know what a BAM is, she knew. A BAM is a
3 broad ass marine, but I think she was a little ticked at me, but
4 then, you know, we hit it off. But what I did find out about
5 her is that she was a hunter, she was a fisherman, she was a
6 shooter, she was a tomboy, and there are none of those where I
7 come from on the other end of the state. Most importantly
8 though, she was a leader, and during the five years that I have
9 known her, she showed tremendous courage in really a man-
10 dominated sport, and I give her top marks for that.

11 So, Roxane, when you retire and you go to that big
12 commissioner's seat in the east, I want to wish you and Vince
13 all the best luck.

14 Another thing about Roxane is I was teaching her some
15 south Philly lingo.

16 PRESIDENT PALONE: Oh, no.

17 COMMISSIONER ISABELLA: So I told her what a south
18 Philly roll is, we won't get into that, okay. Then I told her
19 how to order a cheese steak, and she understood that. And then
20 I was telling her, well, yeah, the way you do that is you whack
21 them. So I know I made an impression on her because in the last
22 couple of meetings, she'd go, oh, yeah, G, we'll whack them.

1 So, Roxane, I wish you and Vince the best of luck in your
2 retirement.

3 PRESIDENT PALONE: Thank you. Thank you. Thank you
4 very much. The first thing I'd like to do is introduce my
5 brother and his wife who are here today. My brother Craig
6 Freeman, I call him Freeman, and his wife Bonna. I have four
7 wonderful brothers, and they have all been very good to me since
8 I have been a Commissioner, and they spoil me terribly, but over
9 the years they've all told me that they have to quit telling
10 people that I'm a Commissioner because they've gotten a lot of
11 flack over that, so they've just laid low. At first they were
12 very excited about it, but then when they saw that some other
13 people weren't so excited about some of the deer decisions we
14 made, they had to lay low.

15 And I also want to introduce my wonderful husband.
16 He's a very modest person and very low key, but I want to
17 introduce him anyway, my husband Vince. He's my anchor and my
18 rock and my chief pilot. He's really stood behind me and stood
19 in front of me and stood beside me and held my hand and held me
20 up and all sorts of things as I've been a Commissioner, and I
21 just call him the first dude, the first dude. So thank you,
22 Vince.

1 Commissioner Russ Schleiden. I guess I would say Russ and I are
2 kind of joined at the hip to a certain degree. One of the first
3 things I did as an intern with the Game Commission in the year
4 2000 was attend Russ' swearing-in in Bellefonte. So I guess
5 we've kind of had these past eight years together, but I can
6 tell you there hasn't been anyone more dedicated to the
7 Pennsylvania Game Commission and the wildlife resources of
8 Pennsylvania than Russ.

9 We laugh about it behind closed doors, and we kind of
10 say Russ has been the patriarch of this board. He has managed
11 it directly and indirectly through some very tough times, led
12 the charge in some very tough decisions and good decisions the
13 board has made over the last few years, and has really put this
14 agency and wildlife ahead, in many cases, of his family.

15 And I want to thank Jean and Jeannine who are here
16 today for letting us have him for the last eight years. I know
17 there's been some times, and probably the news clippings are
18 still on the refrigerator, to remind you of some of those less
19 favorable times, but thank you for sharing Russ with us and with
20 the Commonwealth, and, Russ, thank you for all the great things
21 you've done, and we are going to miss you, buddy. And on behalf
22 of the Commission, we have two prints for you, and if you want
23 to come out front here.

1 Russ and Roxane both get a print for being on the
2 board and being the president of the board.

3 (Photos taken)

4 EXECUTIVE DIRECTOR ROE: Rox, do you have a few words?

5 PRESIDENT PALONE: Yes, I do. I have a few words.

6 COMMISSIONER SCHLEIDEN: Uh-oh.

7 PRESIDENT PALONE: No, I really have just a few words.

8 Russ and I are kind of joined at the hip also because we came on
9 the board at the same day, November 21st, 2000, but before we
10 came on the board, we attended all the Game Commission meetings,
11 I don't know, it was a year or two prior, but Russ would have to
12 sit back there with me, and he had to wait for me to be
13 confirmed, because Russ was a shoe-in and I was kind of a --

14 COMMISSIONER SCHLEIDEN: Marine.

15 PRESIDENT PALONE: -- more controversial, so he had to
16 wait for me to be sworn in before he could be sworn in and
17 confirmed. So Russ had a lot of patience sitting back there
18 with me, and we got to know each other pretty well. Russ has
19 really been a leader on the board. He's been a mentor to many
20 of us. He's really a team builder. Russ has a background in
21 football. He played for Penn State University, and he was a
22 guard and a tackle both, and I can tell you I've been the
23 recipient of both of those positions. Sometimes he was my

1 guard, sometimes he tackled me, but I appreciate it. And Russ
2 also has the distinguished honor of being the greatest deer
3 slayer in the history of the Commonwealth. He's also been many
4 times referred to as skunk in the woodpile, and also him and I
5 are from another planet.

6 COMMISSIONER SCHLEIDEN: That's right.

7 COMMISSIONER ISABELLA: So I think I'm from Venus and
8 he's from Mars.

9 COMMISSIONER SCHLEIDEN: Go planets.

10 PRESIDENT PALONE: So we've really been through a lot
11 together. This board is a very dedicated board, and we went
12 through a lot in revamping our deer management program, and Russ
13 was very instrumental in that. So I just want to thank him from
14 the bottom of my heart for being my leader and my friend and
15 working with all of us. He's just a wonderful team builder, and
16 thank you, Russ, and you'll always be my friend.

17 COMMISSIONER SCHLEIDEN: Thank you, Roxane.

18 (Applause)

19 COMMISSIONER SCHLEIDEN: You are a tough act to
20 follow. Thank you very much, Roxane, and many of the words you
21 have said go both ways, and I don't want to reiterate it, but,
22 yes, we have been very close and we have worked, and I think if
23 anybody showed courage on this board, it has been you, and I

1 But most of all, I want to thank all the sportsmen,
2 even those folks who adamantly disagreed with me, and it's true
3 I believe on the deer issue one of our proponents that we put
4 out in the field actually did have to wear a Kevlar for a while,
5 but I haven't because I have a layer of fat to protect me.

6 We did make some tough decisions. We made some very
7 tough decisions, and I think in the long run history will bear
8 out the fact that this board worked very hard, it's in good
9 hands now, it's going to move on forward. I think we have some
10 great times ahead for this agency. I mean 113 years, no small
11 license increase hindrance is going to stop us. It's a great
12 agency, it has great tradition, and it's just too bad that the
13 public in Pennsylvania doesn't know who we are and what we do.

14 We are working very hard at that, as Dave has told
15 you. Carl's been a very hard worker. Jerry Feaser's done a
16 wonderful job through the years. And then when you come down to
17 the bureaus and the bureau directors, the teamwork that I have
18 seen that seemed to be developing more and more over the last
19 eight years, and it's so important to have disagreements but in
20 the long run work together for the resource. And our sportsmen
21 for the most part have done that as well. We have special
22 interests on tools. We have special seasons. That's okay.

1 That's okay, but in the long run, never forget, never forget our
2 wildlife and our wildlife heritage.

3 That's what I'm going to be doing once I step off the
4 board. I'll be quietly supporting you folks in what you do,
5 whether I agree or not. When the final vote's made, we move on.
6 But I'm also going to be working with our agency and working for
7 our Wildlife For Everyone Foundation that we started, the board
8 members that worked on this. John Reilly was involved, Tom was
9 involved, Roxane obviously and myself as Commissioners worked on
10 this thing to get it going, and now we have people in the
11 audience that are now also supporting us, and we have I think
12 over 400 members now that are joining up at \$20 a year or
13 something of that nature.

14 We recently got a great, a great plug by the Center
15 Daily Times in State College saying that after a recent
16 interview, that this is a great thing. Central Pennsylvania has
17 a lot to be thankful for when people like the Wildlife For
18 Everyone Endowment Foundation find their home there. And so,
19 you know, that's what we are going to be doing more of, I'll be
20 spending more of that time, providing the family allows me to do
21 so.

22 Yeah, I'll be around for January I think. I might as
23 well take another beating. Our people in the region, our people

1 in the region are just fantastic people. When I first came on
2 the board, I had an opportunity to -- Vern Ross was executive
3 director then, and he started the game lands tours. That's when
4 we had a few more bucks that we could do that, and that was
5 really very helpful for me as a Commissioner, and those of you
6 who haven't done that yet, try to do that, get out and meet
7 these folks.

8 It was enlightening. I saw where the development of
9 habitat for pheasants was already started, and now it's in the
10 Susquehanna Valley as well, working very hard. But I got a
11 chance to meet the people in the regions. I got to meet the
12 food and cover people. I had an opportunity to meet the land
13 managers, and what I found out is this is a small agency that
14 nobody knows about, but we have probably the most dedicated
15 people in state government that I have ever met. They are
16 dedicated, they are hard working, they don't always like my
17 vote, but the simple fact of the matter is I wouldn't trade you
18 folks in for anybody as a group.

19 Keep up the good work you are doing, and, you know,
20 I've been watching you since I was -- 1952 when I was 12 years
21 old and my dad introduced me to the first game protector, and
22 I've watched that and watched the people, and now I've gotten to
23 know a lot of you, and you are the other generation. I think

1 this board is going to carry on with good policy, and I believe
2 you folks are going to execute good policy, and you are going to
3 make this thing go on, and I thank you all for the opportunity
4 of having been part of this. Thanks, Carl.

5 (Applause)

6 EXECUTIVE DIRECTOR ROE: Thank you.

7 PRESIDENT PALONE: Thank you. Very nice. Thank you
8 all very much. I'm going to ask for the motion to adjourn, but
9 I just want to remind the Commissioners not to move because we
10 are going to take a picture, and then we'll have a recess for
11 about 15 minutes, and then we'll have our press conference. So
12 is there a motion to adjourn the meeting?

13 COMMISSIONER BOOP: So moved.

14 PRESIDENT PALONE: Commissioner Boop. Is there a
15 second?

16 COMMISSIONER ISABELLA: Second.

17 PRESIDENT PALONE: Second Commissioner Isabella. All
18 those in favor say aye.

19 (Ayes)

20 PRESIDENT PALONE: All those opposed? The meeting is
21 adjourned.

22 (The proceedings were concluded at 10:04 a.m.)

23

1 R E P O R T E R ' S C E R T I F I C A T E

2

3 I hereby certify that the transcript of the
4 proceedings and evidence contained herein are a true and
5 accurate transcription of my stenographic notes taken by me at
6 the time and place of the within cause; that the transcription
7 was reduced to printing under my direction; and that this is a
8 true and correct transcript of the same.

9

10



Heidi H. Willis, RFR, CRR
AKF REPORTERS, INC.

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