

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION

CHRONIC WASTING DISEASE – ESTABLISHMENT OF  
DISEASE MANAGEMENT AREA 2 ANTLERLESS DEER PERMIT ORDER #3

EXECUTIVE ORDER

WHEREAS, Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and always proves fatal to, members of the family Cervidae (deer, elk or moose, and other susceptible species, collectively called cervids); and

WHEREAS, The specific cause of CWD is believed to be prions (abnormal infectious protein particles) that are known to be concentrated in the nervous system and lymphoid tissues of infected cervids; and

WHEREAS, There are no known treatments for CWD infection, no vaccines to protect against CWD infection, and no approved tests that can detect the presence of CWD in live cervids; and

WHEREAS, CWD has been designated a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301 *et seq.*) at 3 Pa.C.S. § 2321(d); and

WHEREAS, CWD is known to be transmissible from infected to uninfected cervids by contact with or ingestion of CWD-infected or contaminated cervid parts or materials; and

WHEREAS, CWD is of particular concern to the Commonwealth of Pennsylvania because it has the potential to have a detrimental impact on both Pennsylvania’s wild and captive cervid populations; and

WHEREAS, The Pennsylvania Department of Agriculture (PDA) has detected CWD in captive deer in Adams, Jefferson and York counties; and

WHEREAS, the Pennsylvania Game Commission (PGC) has also detected CWD in free-ranging deer in Bedford, Blair, Cambria and Fulton counties; and

WHEREAS, PDA and the PGC are signatories on the Commonwealth's CWD Response Plan; and

WHEREAS, The Game and Wildlife Code (Code)(34 Pa.C.S. §§ 101 *et seq.*) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 *et seq.*) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including cervids; and

WHEREAS, 58 Pa. Code § 137.34 provides specific emergency authority to the Executive Director of the PGC to take actions to mitigate risk factors and to determine the prevalence and geographic distribution of CWD, including the authority to designate Disease Management Areas and also allow the taking of cervids without regard to established seasons and bag limits and methods of take; and

WHEREAS, Under this authority the PGC has established three Disease Management Areas (DMAs) in Adams and York counties, Pennsylvania; Bedford, Blair, Cambria, Franklin, Fulton, Huntingdon and Somerset counties, Pennsylvania; and Clearfield and Jefferson counties, Pennsylvania; referred to respectively as "DMA 1," "DMA 2" and "DMA 3" by Executive Order titled "CHRONIC WASTING DISEASE RESPONSE #5" and dated May 11, 2016; and

WHEREAS, The PGC has determined that it is again necessary to increase the harvest of antlerless white-tailed deer within affected portions of the wildlife management units comprising

DMA 2 in an effort to avert a population increase and commensurate enhanced risk of disease transmission within same; and

WHEREAS, Previous executive orders concerning the Establishment of Disease Management Area 2 Antlerless Deer Permits were issued by the Commission on May 29, 2014 and April 20, 2015.

NOW THEREFORE, I, R. MATTHEW HOUGH, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. General: This Order does hereby create and implement the DMA2 Antlerless Deer Permit Program for the 2016/2017 hunting license/permit year. This program will make fourteen-thousand, five-hundred (14,500) permits available to eligible individuals to allow harvest of antlerless deer in DMA 2 during open white-tailed deer seasons in addition to established antlerless license allocations. However, a nominal number of permits may be issued above this permit allocation to accommodate the remaining number of mail-in applications that are awaiting processing at the end of the application period.

2. Eligibility: Only resident or non-resident individuals twelve (12) years of age or older that have previously acquired a valid general hunting license for the 2016/2017 hunting license year are eligible to make application for a DMA2 Antlerless Deer Permit. Participants in the Mentored Youth and Mentored Adult Hunting Programs are ineligible to make application or participate in this program.

3. Application: The PGC will accept electronic or mail-in applications for DMA2 Antlerless Deer Permits through its Outdoor Shop on a form supplied by the PGC. The PGC will

process valid applications in the order that they are received and thereafter mail successful applicants their permit, harvest ear tag, report card and related instructional literature.

a. Required Information: All application data fields on the form supplied by the PGC must be completed in full and include the applicant's CID number, first and last name, address and phone or email address.

b. Cost: DMA2 Antlerless Deer Permits will be made available to eligible applicants at a flat cost of \$6.90 for both residents and non-resident applicants. Payment shall be made by credit card or by check or money-order made payable to the "Pennsylvania Game Commission."

c. Application Drawing Schedule: Resident and non-resident applications will be processed according to the following schedule until the allocation is fully exhausted:

i. 1<sup>st</sup> Round: July 11<sup>th</sup> through July 31<sup>st</sup>, 2016. Only one (1) application per eligible applicant will be accepted.

ii. 2<sup>nd</sup> Round: August 1<sup>st</sup> through August 14<sup>th</sup>, 2016. Only one (1) application per eligible applicant will be accepted. However, two (2) applications will be accepted from an eligible applicant that did not submit an application in the 1<sup>st</sup> Round.

iii. 3<sup>rd</sup> Round: August 15<sup>th</sup> until the allocation is exhausted. Unlimited applications per eligible applicant will be accepted until allocation is fully exhausted.

4. Permit Usage: DMA2 Antlerless Deer Permits may be used to harvest antlerless deer during any open hunting season for white-tailed deer (including antlered deer season) within the affected portion of each Wildlife Management Unit located within DMA 2. Permits must be signed, produced and possessed by the Permittee with all other licensing documentation anytime the Permittee is exercising the permit's privileges. Permits and their harvest tags are

nontransferable and may not be possessed in the field by anyone other than the permittee whose name is represented on the permit or harvest tag. Immediately after harvest, before moving the carcass, the Permittee shall complete the DMA2 Antlerless Deer Harvest Ear Tag associated with the permit and then attach the ear tag only to the ear of the carcass. Removal of High-Risk Parts of the carcass from DMA 2 is prohibited. *See* Executive Order titled “CHRONIC WASTING DISEASE RESPONSE #5” and dated May 11, 2016 for more information.

5. Reporting: Positive or negative reporting, whichever is applicable, is required for all DMA2 Antlerless Deer Permit holders. Permittees shall report a successful harvest within ten (10) days of a successful kill, otherwise permittees shall report negatively no later than February 7, 2017. Permittees may report electronically through PGC’s Outdoor Shop or by the report card that is attached to the DMA2 Antlerless Deer Permit. Failure to report as required is a violation of this Order and may result in criminal prosecution and/or render the offending Permittee ineligible to make application for this program the following year, should it be extended.

6. Permittees exercising any privilege granted by a DMA2 Antlerless Deer Permit shall comply with all applicable arms, ammunition, methods of take, protective material (fluorescent orange) and any special licensing requirements pertaining to the open white-tailed deer hunting season then in effect within each applicable Wildlife Management Unit.

7. The requirements and restrictions of this Order are to be construed as separate from and in addition to any previous or future Executive Orders concerning the importation of high risk cervid parts from areas outside of this Commonwealth or response to CWD within the Commonwealth.

8. This Order shall not be construed in any manner to limit the PGC's authority to establish additional importation, exportation, possession, transportation or testing requirements on cervid parts or materials.

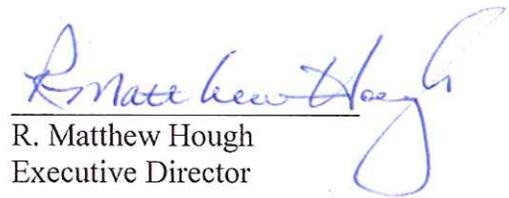
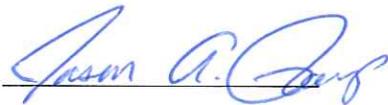
9. Nothing in this Order shall be construed to extend to the regulation of captive cervids held under 3 Pa.C.S. Chapter 27 (relating to the Domestic Animal Law) or the requirements of a lawful quarantine order issued by PDA.

10. The previous executive order concerning the Establishment of Disease Management Area 2 Antlerless Deer Permits issued on April 20, 2015 is hereby rescinded in its entirety and replaced by this Order.

11. This Order is effective immediately and shall remain in effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 11<sup>th</sup> day of May, 2016.

Attest:



R. Matthew Hough  
Executive Director