

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION**



**AGENDA  
HARRISBURG, PENNSYLVANIA  
July 23, 2019**

*Bryan Burhans*

Bryan Burhans  
Executive Director

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Commonwealth of Pennsylvania  
Pennsylvania Game Commission

Agenda

The Commission Meeting of the Pennsylvania Game Commission will be held on Tuesday, July 23, 2019, at 2001 Elmerton Ave., Harrisburg, PA 17110 beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Timothy S. Layton, President  
Stanley I. Knick, Jr., Secretary  
Scott H. Foradora  
Charlie E. Fox  
Dennis R. Fredericks  
Brian H. Hoover  
Michael F. Mitrick

Approval of Minutes of Commission Meeting held April 9, 2019.

**BUREAU OF WILDLIFE MANAGEMENT**

**ADOPTED RULE MAKING**

A. Amend 58 Pa. Code § 141.28.

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its April 9, 2019 meeting to amend § 141.28 (relating to wild pheasant recovery areas) to eliminate the Hegins-Gratz Wild Pheasant Recovery Area (WPRA), to modify boundaries of the Central Susquehanna and Franklin County WPRAs for better representation of existing populations of wild pheasants, and to remove the dog training restriction within WPRAs.

Action:

DRAFT

## ANNEX “A”

### CHAPTER 141. HUNTING AND TRAPPING

#### Subchapter B. SMALL GAME

§ 141.28. Wild pheasant recovery areas.

(a) *Definition.* For the purpose of this section, the phrase “wild pheasant recovery area” (WPRA) includes and is limited to the following geographic locations.

(1) *Central Susquehanna WPRA.* Portions of WMU 4E in Northumberland, Montour and Columbia Counties, bounded and described as follows. Beginning in the southwestern extent of the WPRA at the intersection of Interstate 80 and Interstate 180, proceed north on Interstate 180 for approximately 7.2 miles to the intersection of Hughes Road. The boundary follows Hughes Road east for 0.2 mile to Susquehanna Trail. Follow Susquehanna Trail south for 0.2 mile to Schmidt Road. Follow Schmidt Road for 1.6 miles to Miller Road. Follow Miller Road east for 1.1 miles to intersection of Hockey Hill Road. Go right on Hockey Hill Road then left onto Pugmore Lane. Follow Pugmore Lane for 0.7 mile to Harrison Road. The boundary follows Harrison Road south for 0.7 mile to Showers Road. Follow Showers Road for 1.2 miles east to intersection of Gearhart Road. Turn right on Gearhart Road and go south for 0.6 mile to the intersection of Hickory Road. The boundary follows Hickory Road east for 0.6 mile then left onto Mingle Road for 0.9 mile until rejoining Hickory Road for another 0.8 mile to the intersection of Muncy Exchange Road. The boundary follows Muncy Exchange Road south for 1.4 miles to bridge over the West Branch of Chillisquaque Creek near the intersection of State Highway 44. The boundary follows the West Branch of Chillisquaque Creek south for approximately 2.1 miles to the bridge on Arrowhead Road. The boundary follows Arrowhead Road west for 0.8 mile to the intersection of State Highway 54. Follow State Highway 54 south for 2.6 miles to the intersection of State Highway 254. Follow State Highway 254 west for 6.6 miles to the intersection of Interstate 80. Follow Interstate 80 west for 3.4 miles to the intersection of Interstate 180 and the point of origin.

(2) *Franklin County WPRA.* That portion of WMUs 4A and 5A in Franklin County bounded and described as follows: Beginning at the town of Mercersburg at the intersection of PA Rt. 16 (N. Main St.) and Johnstons Ln., proceed 1.9 miles west on Johnstons Ln. At the intersection of Johnstons Ln. and Charlestown Rd., proceed 0.7 miles due west following the Montgomery/Peters Township lines to the top of Cove Mountain. Proceed south along the Montgomery/Warren Township lines following the spine of Cove Mountain 7.9 miles to its intersection with cleared gas line utility right-of-way. Proceed 4.3 miles northeast along utility right-of-way to its intersection with Blairs Valley Rd. Proceed 1 mile south on Blairs Valley Rd. to the intersection with Hunter Rd. Proceed 2.5 miles east on Hunter Rd. to the intersection with Rt. 75 (Fort Loudon Rd.). Proceed across Rt. 75 onto Garnes Rd. and follow 2.6 miles northeast to the intersection with Rt. 416 (Mercersburg Rd.). Proceed 2.4 miles north on Rt. 416 to the intersection with Rt. 16 (Buchanan Trail West). Proceed 2.7 miles northwest on Rt. 16 through the town of Mercersburg to the intersection with Johnstons Ln. at point of origin.

(b) *Prohibitions.* It is unlawful to:

(1) Release artificially propagated pheasants any time within any area designated as a WPRA.

(2) Hunt pheasants within any area designated as a WPRA, except the Director may authorize limited youth pheasant hunting opportunities by Commission-issued access permit in the Central Susquehanna WPRA. During any year youth pheasant hunting opportunities are authorized in the Central Susquehanna WPRA, the Director will establish the number of hunting access permits to be issued, a manner of distribution for a limited number of access permits to be raffled off by an organization promoting pheasant recovery efforts within this Commonwealth, and designate one or more pheasant hunt zones within the WPRA prior to the opening of the earliest established youth pheasant season. The Director or a designee will establish the application deadline and the date, time and location for the random drawing of applications for the issuance of any remaining limited youth pheasant hunting access permits within the Central Susquehanna WPRA. Limited youth pheasant hunting access permits are not transferrable. A pheasant hunting access permit shall be signed and carried on person when hunting or taking pheasants within the Central Susquehanna WPRA.

**BUREAU OF WILDLIFE PROTECTION**

**ADOPTED RULE MAKING**

A. Amend 58 Pa. Code §§ 141.63, 141.67 and 141.68

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Commission proposed at its April 9, 2019 meeting to amend §§ 141.63, 141.67 and 141.68 to provide greater clarity in common trapping terminology and increased understanding in what trapping devices are permitted within the Commonwealth. To this end, the Commission is proposing to amend § 141.63 to add definitions to the terms body-gripping trap, cage or box trap, and leg-hold trap.

Action:

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## ANNEX “A”

### CHAPTER 141. HUNTING AND TRAPPING

#### Subchapter D. FURBEARERS

##### § 141.63. Definitions.

In addition to the definitions contained in the act and this part, the following words, when used in the enforcement of section 2361 of the act (relating to unlawful acts concerning taking of furbearers) have the following meanings, unless the context clearly indicates otherwise:

*Artificial cubby*—A baited enclosure constructed of natural or artificial material that is designed to house and corral a furbearer into a body-gripping trap.

*Body-gripping trap*—A jawed trap device designed to capture and kill a furbearer by compression of the neck or body through the operation of one or two rotating, spring-loaded jaws activated by a trigger.

*Cable restraint*—A galvanized stranded steel cable with a minimum diameter of 3/32 inches. The cable must be constructed of either 7 bundles comprised of 7 wires per bundle, 7 bundles comprised of 19 wires per bundle or 1 bundle comprised of 19 wires. The cable may not exceed 7 feet in length from the anchor point to the lock contacting the fully closed loop stop, must be equipped with at least one swivel device (which allows for 360° rotation) between the loop and the anchor and must have stops affixed to the cable to ensure that the circumference of the cable which makes up the loop may not be greater than 38 inches when fully open, or less than 8 inches when fully closed. Cable restraints must be equipped with an approved lock. The lock may not be constructed with moving parts. A cable restraint must include a breakaway device affixed between the lock and cable or at the end of the cable that is rated at 375 pounds or less. The cable must be maintained in good condition so that all components operate properly.

*Cage or box trap*—An enclosure trap designed to capture and restrain a live furbearer by confinement in a cage or box through the operation and closure of a door or portal activated by a trigger.

*Foot encapsulating trap*—A device that has all triggering and restraining mechanisms enclosed by a housing which, once set, allows access to the triggering mechanism through a single opening not to exceed 2 inches in diameter or diagonally and is anchored by a swivel-mounted anchoring mechanism.

*Leg-hold trap*—A jawed trap device designed to capture and restrain a live furbearer by the foot through operation of one or two rotating, spring-loaded jaws activated by a trigger.

*Marsh, pond or dam*—A standing body of water.

*Snare*—A looped galvanized or stainless stranded steel cable 3/32 inches in diameter equipped with an approved lock listed in section 141.66(g) (relating to cable restraints).

A metal ferrule shall be crimped on the cable to prevent the snare loop from closing to a circumference less than 7 inches.

*Waterway or watercourse*—A riverine system that contains water which includes the semi-permanent flooded area.

§ 141.67. Furbearer seasons.

(a) *Permitted devices.* It is lawful to hunt or take furbearers during any furtaking season with the following devices:

(1) A manually operated or semiautomatic rifle or manually operated handgun that propels single-projectile ammunition.

(2) A manually operated or semiautomatic, centerfire shotgun or muzzleloading shotgun. The firearm must be 10 gauge or less, that propels single-projectile ammunition or multiple-projectile shotgun ammunition not larger than # 4 buckshot. The centerfire shotgun's magazine capacity may not exceed two rounds. The shotgun's total aggregate ammunition capacity may not exceed three rounds.

(3) A muzzleloading rifle or handgun that propels single-projectile ammunition.

(4) A bow and arrow.

(5) A crossbow and bolt.

(6) A manually operated or semiautomatic air rifle or manually operated air handgun .22 caliber or larger that propels single-projectile pellet or bullet ammunition. BB ammunition is not authorized.

(7) A leg-hold trap, except as prohibited under section 2361(a)(8) of the act (relating to unlawful acts concerning taking of furbearers).

(8) A body-gripping trap, except as prohibited under section 2361(a)(11) of the act (relating to unlawful acts concerning taking of furbearers).

(9) A cable restraint device authorized by § 141.66 (relating to cable restraints).

(10) A snare, except as prohibited under § 141.62 (b) (relating to beaver and otter trapping).

(11) A cage or box trap, except as prohibited by section 2361(a)(17) of the act (relating to relating to unlawful acts concerning taking of furbearers).

(b) *Prohibitions.* While hunting furbearers during any furbearer hunting or trapping season, it is unlawful to:

(1) Use or possess multiple-projectile shotgun ammunition larger than # 4 buckshot, except as authorized under section 2525 of the act (relating to possession of firearm for protection of self or others).

(2) Use or possess a device or ammunition not provided for in the act or in this section, except as authorized under section 2525 of the act.

(3) Use any firearm, other than authorized in this paragraph, to dispatch legally trapped furbearers during the overlap with the regular or special firearms deer seasons:

(i) A manually operated or semiautomatic rimfire rifle or manually operated rimfire handgun .22 caliber or less.

(ii) A manually operated or semiautomatic air rifle or manually operated air handgun between .177 and .22 caliber, inclusive, that propels single-projectile pellet or bullet ammunition. BB ammunition is not authorized.

§ 141.68. Prohibited devices.

It is unlawful to take furbearers through the use of the following devices;

(1) Fish hooks, snagging hooks or any other hooks of similar design.

(2) Implements that are not lawful traps, snares, cable restraints, firearms, bows or crossbows.

B. Amend 58 Pa. Code § 141.47

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its April 9, 2019 meeting to amend § 141.47 to reduce the minimum caliber and bullet weight to .26 caliber and 120 grains, respectively.

Action:

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ANNEX "A"

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.47. Elk.

(a) *Permitted devices.* It is lawful to hunt elk during the elk season with any of the following devices:

(1) A manually operated, centerfire rifle or handgun. The firearm must be a .26 caliber or larger firearm that propels single-projectile ammunition 120 grains or larger.

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C. Amend 58 Pa. Code § 147.322

Commentary: To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its April 9, 2019 meeting to amend § 147.322 to require applicants to provide specific hunter and hunter harvest information from previous public hunting activities with the application.

Action:

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ANNEX “A”

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

POLITICAL SUBDIVISIONS

§ 147.322. Application for deer control permit.

(a) An application for a deer control permit shall be completed and submitted by an authorized officer or employee of the political subdivision, homeowners association or nonprofit land-holding organization in the form and manner required by the Director.

(b) An application for a deer control permit must contain the following information:

(1) *Description.* A comprehensive description of the background and scope of the white-tailed deer population or damage problem, or both. The description must include a report of all alternative solutions or other steps taken by the applicant to mitigate the white-tailed deer population or damage problem, or both, prior to application for this permit

(2) *Public hunting requirement.* The application must specifically define how licensed public hunting for white-tailed deer has been utilized in the problem area and what results hunting activities have had on the population or damage problem, or both. The application must list the name, C.I.D. number and hunter harvest information related to public hunting activities that have previously taken place in the problem area.

(3) *Deer management plan.* A comprehensive deer management plan which sets forth the applicant’s white-tailed deer management goals, recommended implementation plan and a reference to the specific number of animals south to be removed. The applicant shall specifically define how licensed public hunting for white-tailed deer will be utilized in the problem area during the term of the requested deer control permit.

(4) *Map.*

(i) A map or set of maps showing the proposed project area and its boundaries and clearly illustrating all of the following distinct features and areas within the proposed project area:

- (A) Land uses.
- (B) Cover Types.
- (C) Areas open to public hunting for white-tailed deer.
- (D) Areas damaged by white-tailed deer.

(E) Areas of white-tailed deer congregation.

(F) Applicable safety zones.

(G) Proposed white-tailed deer control areas.

(ii) The map must indicate the individual acreage values for each of the listed features and acres.

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**BUREAU OF WILDLIFE HABITAT MANAGEMENT**

**REAL ESTATE**

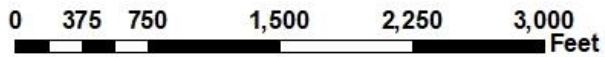
A. Donation

Contract No. L-3748, State Game Land No. 276, Indiana County

Commentary: William L. Kinter is offering to donate his ½ interest in 1.3+/- acres of land in Brush Valley Township, Indiana County, which is an indenture into State Game Land No. 276 (Exhibit RED 1). The property is forested with oak, cherry, and poplar. Access is from Township Route 611, known as Rhine Road, which borders the property to the north.

Action:

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**Exhibit RED 1**  
**State Game Land No. 276**

**L-3748**  
**Donation**  
**William L. Kinter Tract**  
**1/2 Interest of 1.3+/- Acres**

Brush Valley Township  
Indiana County  
Southwest Region

Contract No. L-3749, York County

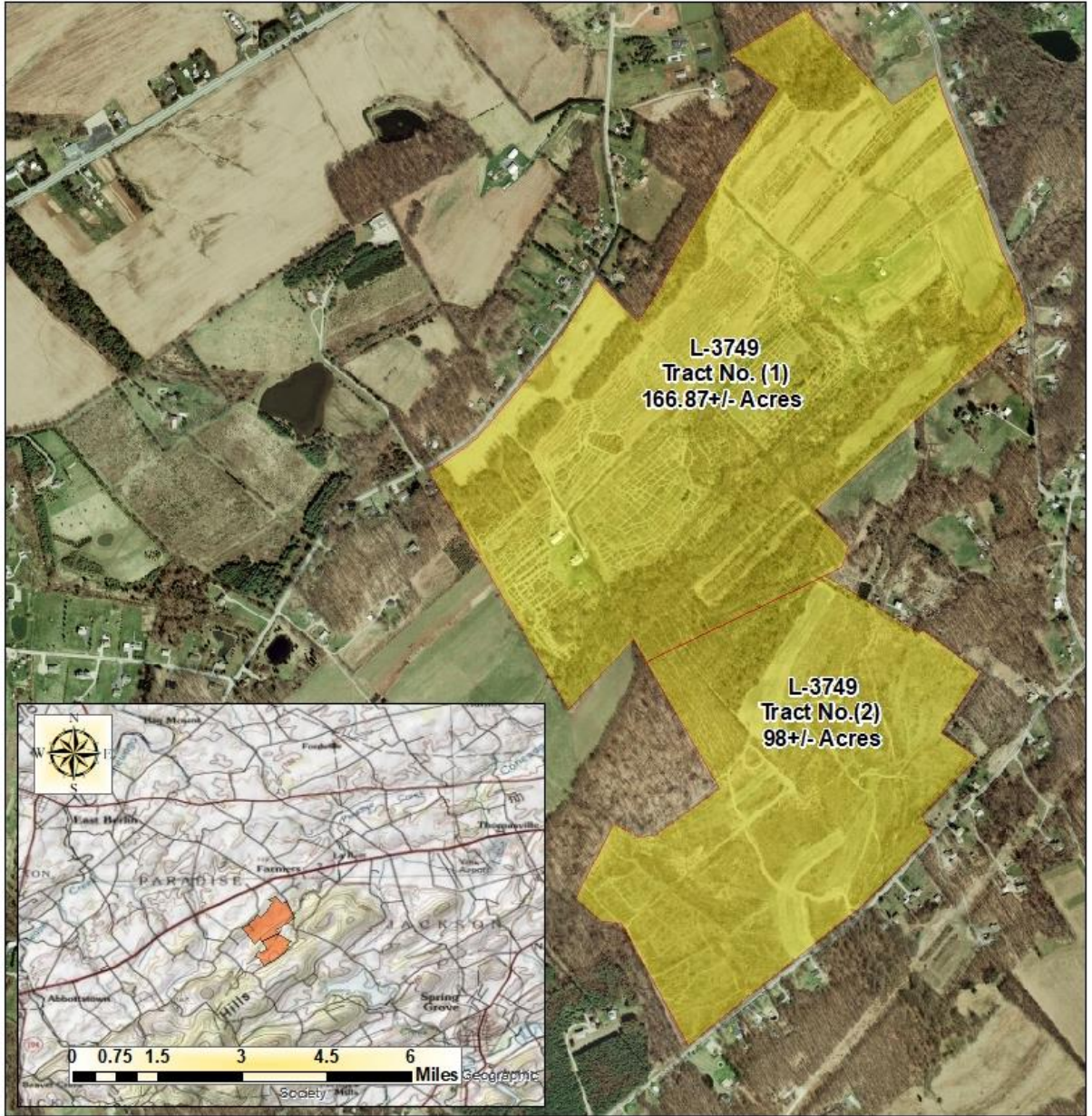
Commentary: York and Adams County Coon Protective Association, doing business as York and Adams Beagle Club (YABC), is offering to donate two adjoining parcels of land totaling 264.87+/- acres in Paradise and Jackson Townships, York County (Exhibit RED 2). YABC is excepting and reserving the right and privilege of using the property as a Beagle Club for so long as YABC exists. The rights to use the property for a Beagle Club include: the rights to operate and maintain the clubhouse and existing buildings, provided no new development or improvements occur contrary to the terms and conditions as set forth in the Conservation Easement dated December 15, 2016, by and between YABC (Owners) and Farm & Natural Lands Trust of York County (Holder); the rights to lawfully hunt, trap and train dogs and to reasonably exclude non-members from hunting, furtaking, and dog training; the rights to mow grass or hay and to plant agricultural crops; cut or remove hedgerows and trees; the rights to remove invasive species; and other legal uses directly related to and incidental to use of the property as a Beagle Club. For purposes of this exception and reservation, the YABC will cease to exist when it no longer has any living members, when existing members vote to disband, when any charters or authorizations for use of the name "York and Adams County Coon Protective Association" end or are revoked, or when the club is deemed "abandoned." YABC will be deemed to be abandoned when no taxes are paid for a period of two years, no management such as mowing takes place for a period of two years, when the YABC does not use the property for a period of two years, or when the totality of the circumstances indicates YABC is no longer in existence.

The property is intensively managed for rabbits with mowed grass fields interspersed with hedgerows and woodlots bisected by mowed grass roads and trails. Access is from Orchard Road to the north and Jackson Square Road on the south.

Founded in 1939, YABC has a committed, viable membership and is financially sound; however, the present club leadership has the foresight and desire to ensure the property would remain undeveloped and continue as wildlife habitat regardless of the future status of YABC. The current members want to guarantee that should interest in the beagle club diminish and membership be unable to support the club in the future, that their founders' vision and the dedication and hard work of previous members would be honored by ensuring the land would continue as wildlife habitat. *TO BE CLEAR: This property will remain as a private Beagle Club until YABC no longer exists.*

Action:





## Exhibit RED 2

L-3749  
 Donation  
 York and Adams County  
 Coon Protective Association Tracts  
 (dba York and Adams Beagle Club)  
 Tract No. (1) - 166.87+/- Acres  
 Tract No.(2) - 98+/- Acres  
 Paradise and Jackson Townships  
 York County  
 Southcentral Region

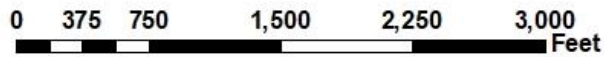
Contract No. L-3750, State Game Land No. 180, Pike County

Commentary: Robert Bittel is offering to donate 3.78+/- acres of land in Blooming Grove Township, Pike County, adjoining State Game Land No. 180 (Exhibit RED 3). The property contains an oak heath forest with lowbush and highbush blueberry in the understory. An unnamed perennial stream flows from the south to the north across the parcel creating wetlands along poorly drained low-lying soils. The tract falls within an Important Bird Area – Shohola Waterfowl Management Area. Access is from U.S. Route 6.

Action:

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**Exhibit RED 3**

**State Game Land No. 180**

**L-3750  
Donation  
Robert Bittel Tract  
3.78+/- Acres**  
Blooming Grove Township  
Pike County  
Northeast Region

B. Exchange

Contract No. L-3751, State Game Land No. 168, Carbon County

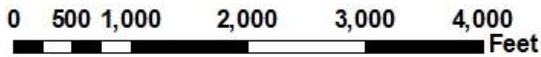
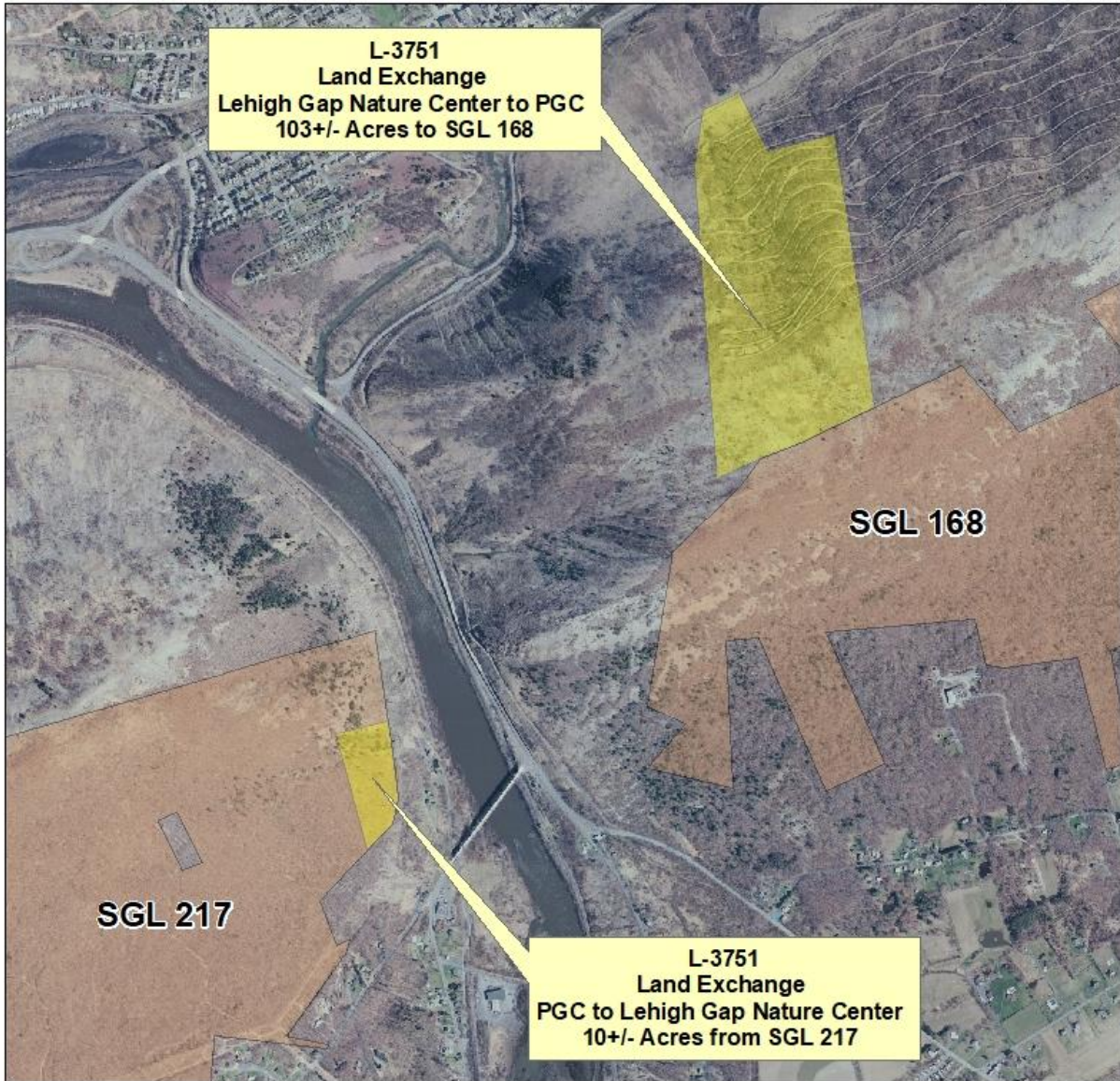
Commentary:

Lehigh Gap Nature Center (LGNC) is offering to exchange 103+/- acres of land in Lower Towamensing Township, Carbon County, adjacent to State Game Land No. 168 (Exhibit RED 4) for 10+/- acres in Washington Township, Lehigh County, part of State Game Land No. 217. LGNC wants to consolidate their land holdings around their Nature Center and connect their Warbler Trail to Woodpecker Trail which is a spur trail off the Appalachian Trail. The 103+/- acre property is located on the northern aspect of Blue Mountain, is forested with dry oak mixed hardwoods, has lowbush blueberry in the understory and miscellaneous herbaceous openings throughout. The Appalachian Trail bisects the southern portion of the property. Access is through existing State Game No. 168. Staff has determined the proposed land exchange is in the best interests of the Commission.

Action:

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**Exhibit RED 4  
State Game Land Nos. 168 & 217**

**L-3751  
Land Exchange  
Lehigh Gap Nature Center to PGC  
103+/- Acres to SGL 168  
PGC to Lehigh Gap Nature Center  
10+/- Acres from SGL 217**

Washington Township, Lehigh County  
Lower Towamensing Township, Carbon County  
Southeast Region



C. Purchase of Property at Auction

Subject to certain limitations, 58 Pa. Code § 135.241 authorizes the Director to bid on real estate, oil, gas or mineral rights at auction or tax sale and to request down payment checks to bid on property at auction. Successful bids must be made known to the general public at the next regularly scheduled meeting of the Board of Commissioners.

Contract No. L-3747, State Game Land No. 81, Huntingdon County

Commentary: On April 22, 2019, Director Bryan Burhans notified the Board of Commissioners of the pending auction sale date of April 26, 2019, and the urgent need to react to the sale of property adjoining and providing critical access into State Game Land No. 81. On April 26, 2019, the Game Commission was the successful bidder on three of seven tracts of land being offered for sale at a public auction by Scott L. Kelley. The three tracts are located in Dublin Township, Huntingdon County, and are adjacent to State Game No. 81 (Exhibit RED 5). Tract 5 is 20.345+/- acres, Tract 6 is 44.657+/- acres, and Tract 7 is 43.518+/- acres. All three tracts totaling 108.519+/- were acquired with the successful bid of \$475,000. The lump sum amount was paid with funds from an escrow account established from a prior land exchange on State Game Land No. 176 with the Pennsylvania State University and required approval from the U.S. Fish and Wildlife Service. The property is mostly forested with mixed hardwood with redbud and flowering dogwood in the understory. An approximate eight-acre field running parallel to Tannery Road is located on Parcel 5. A shallow 0.10-acre spring-fed vernal pool exists on Parcel 6. Access is from Tannery Road (T-304).

Action: This is an informational item only; therefore, no action is required.



**Exhibit RED 5**  
**State Game Land No. 81**

**L-3747**  
**Purchase of Property at Auction**  
**Scott L. Kelley Tracts**  
**Total: 108.519+/- Acres**

Tract 5 (20.345+/- Acres)  
 Tract 6 (44.657+/- Acres)  
 Tract 7 (43.518+/- Acres)

Dublin Township  
 Huntingdon County  
 Southcentral Region

D. Notational Vote

Contract No. 50486, Blair County

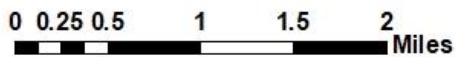
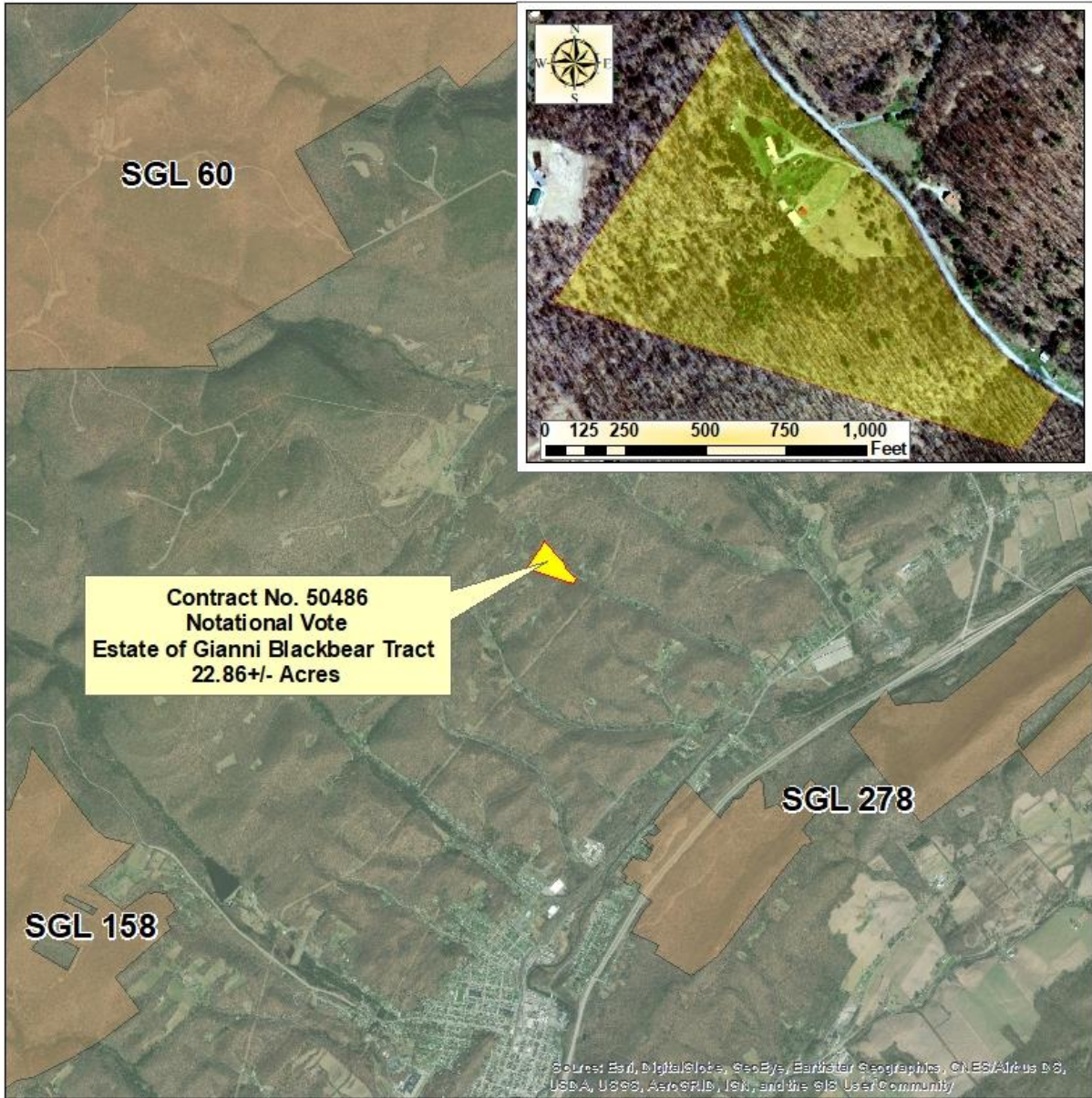
Commentary: The following item was sent to the Board of Game Commissioners on April 30, 2019, for action through a notational vote and was unanimously approved on May 7, 2019, to not accept the gift of real estate from the Estate of Gianni Blackbear.

Donation through will.

The Last Will and Testament of Gianni Blackbear has made a bequest of real estate to the Pennsylvania Game Commission consisting of 22.86 acres located in Snyder Township, Blair County (Exhibit RED 6). The gift is made “with the condition that this property not be sold but be held in perpetuity for the wild life (*sic*) that live in this area, and for hunters to be able to hunt there.” After careful consideration and research, and due to the location of the land and restrictions placed on the property the Southcentral Region and the Bureau of Wildlife Habitat Management have recommended that the Pennsylvania Game Commission should not accept this property. The deadline to file a Disclaimer of Interest for the bequest is June 7, 2019, and therefore requires this Notational Vote.

Action: This is an informational item only; therefore, no action is required.





**Exhibit RED 6**

**Contract No. 50486  
Notational Vote  
Estate of Gianni Blackbear Tract  
22.86+/- Acres**

Snyder Township  
Blair County  
Southcentral Region

## OIL/GAS & MINERALS

- E. Non-Surface Use Oil and Gas Cooperative Agreement  
Tract 35A-19, State Game Land No. 35, Susquehanna County

Commentary: Southwestern Energy Company (SWN) of Spring, Texas, has requested the Commission offer its oil and gas rights under a portion of State Game Land No. 35 for Non-Surface Use Development. The proposed tract, containing approximately 4,224+/- acres, is located in Great Bend and Oakland Townships, Susquehanna County (Exhibit OGM 1).

SWN has successfully developed approximately 1,598 acres on an existing Non-Surface Use Agreement and desires to further develop an additional unleased portion of SGL No. 35. SWN can access the Commission's gas reserve from its current and planned drilling operations on adjacent properties by horizontal drilling with no surface use or disturbance to the game land. The Commission has negotiated the proposed terms of the agreement in an effort to prudently develop the Commission's oil/gas reserve and simultaneously protect the wildlife resources and recreational use of State Game Land No. 35.

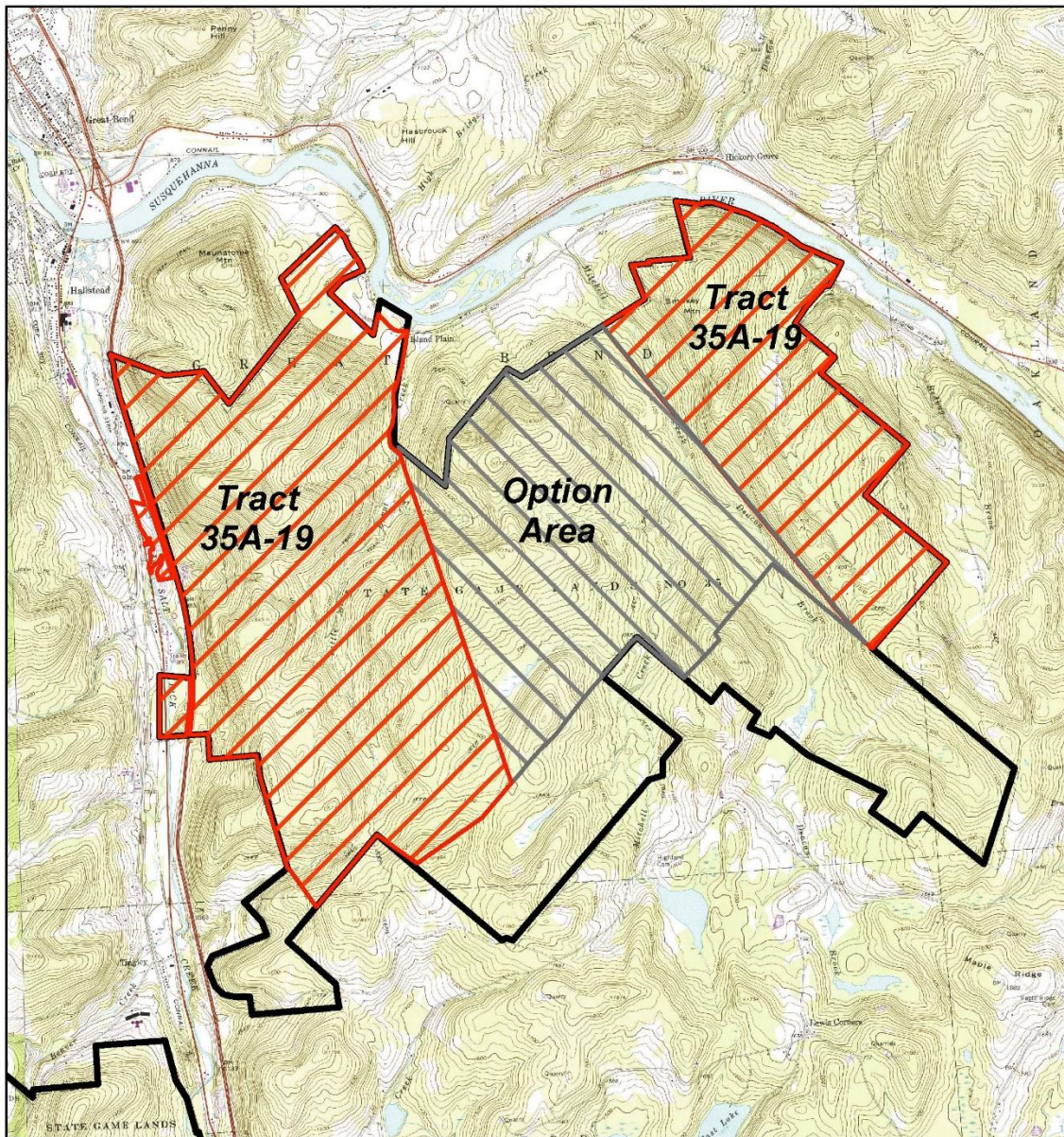
The terms of the Agreement are a five-year, paid-up Non-Surface Use Oil and Gas Agreement, a \$1,500 per net oil and gas acre bonus payment and a stepped royalty structure that has an initial royalty of 17% for all oil/gas and other liquids or condensates produced and sold from the proposed tract for the first 24 months of production for each well, then stepping up to 18% for the remaining life of each well. The bonus payment of approximately \$6,336,000 and future rental and royalty payments, shall be deposited into the Game Fund.



The Agreement will also include a two-year option for SWN to execute an Agreement to develop an additional 1,691 acres of SGL No. 35 under the same terms and conditions. This area is depicted as the option area on Exhibit OGM 1.

Oil and Gas Development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's Standard Restricted Surface Use Oil and Gas Cooperative Agreement.

Action:





-  Phase I
-  Phase II- Option Area
-  Gameland Boundary



**EXHIBIT OGM 1**  
**State Game Land No. 35**  
**Non-Surface Use**  
**Oil & Gas Cooperative Agreement**  
**Southwestern Energy Company**  
**Tract 35A-19**  
**4,224 +/- Acres**

Great Bend & Oakland Twps., Susquehanna County  
 Northeast Region

F. Non-Surface Use Oil and Gas Cooperative Agreement  
Tract 247A-19, State Game Land No. 247, Armstrong County

Commentary: Snyder Brothers, Inc. (SBI) of Kittanning, Pennsylvania, has requested the Commission offer its oil and gas rights from the Tully limestone to the top of the Onandoga formation under State Game Land No. 247 for Non-Surface Use Development. The proposed tract, containing approximately 452.3 acres, is located in North Buffalo Township, Armstrong County (Exhibit OGM 2).

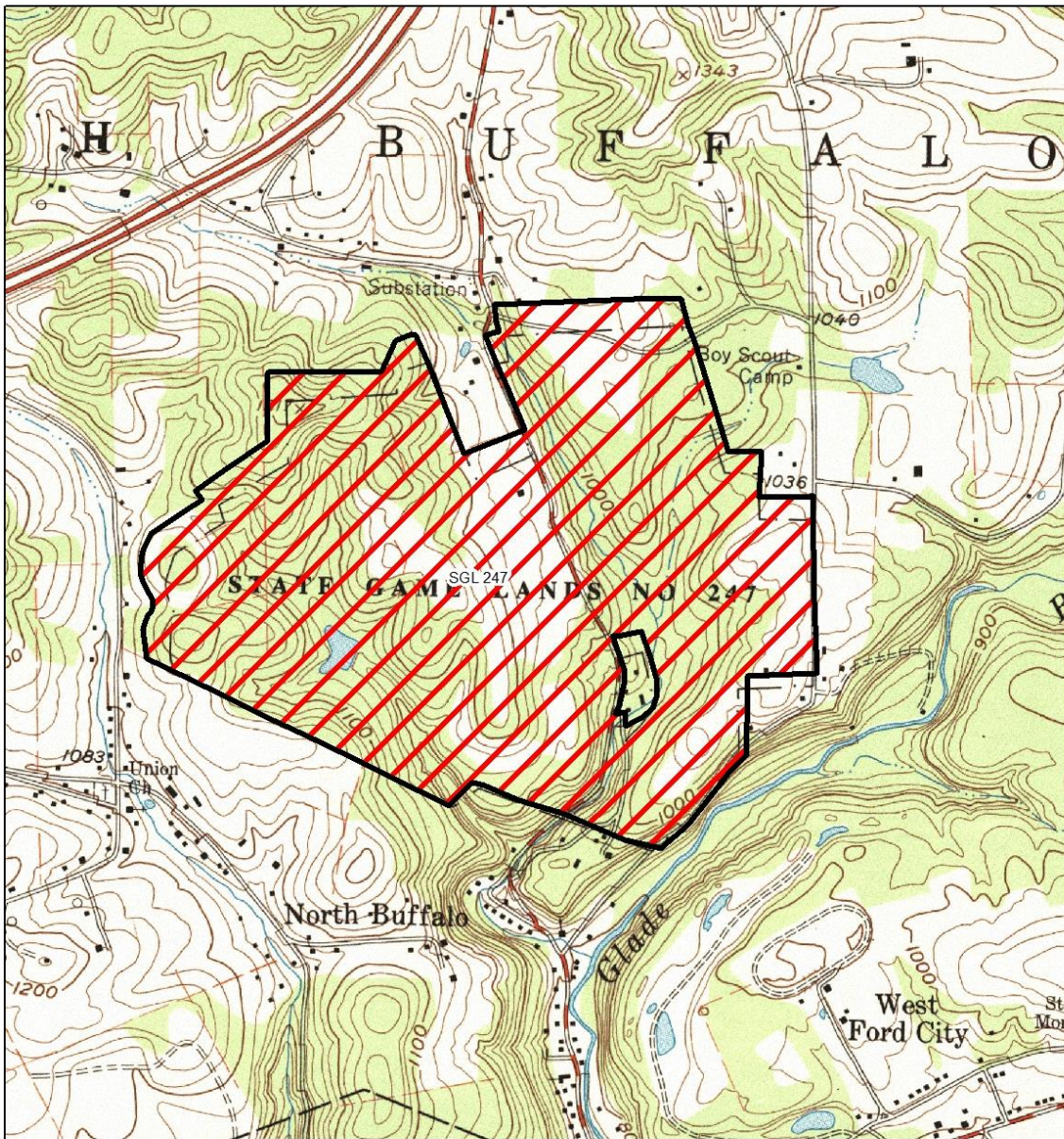
SBI has a strong, privately-owned oil/gas lease position surrounding State Game Land No. 247. They have initiated unconventional well drilling and development in the vicinity of the proposed tract, and also have the ability to unitize and develop the Commission's oil and gas reserve under the proposed tract by horizontal drilling with no surface use or disturbance to the game land. The Commission has negotiated the proposed terms of the agreement with SBI in an effort to prudently develop the Commission's oil and gas reserves and simultaneously protect the wildlife resources and recreational use of State Game Land No. 247.

The terms of the Agreement are a ten-year paid-up Non-Surface Use Oil and Gas Agreement, a \$2,000 per net oil and gas acre bonus payment and 18% royalty for all oil/gas and other liquids or condensates produced and sold from the proposed tract. The bonus payment of approximately \$904,600 and future rental and royalty payments, shall be deposited into the Game Fund.

Oil and Gas Development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's Standard Restricted Surface Use Oil and Gas Cooperative Agreement.

Action:





-  Non-Surface Use Agreement Area 452.3 +/- Acres
-  State Game Land No. 247



0 500 1,000 2,000  
Feet

**EXHIBIT OGM 2**  
**State Game Land No. 247**  
**Non-Surface Use**  
**Oil & Gas Cooperative Agreement**  
**Snyder Brothers, Inc.**  
**Tract 247A-19**  
**452.3 +/- Acres**  
 North Buffalo Twp., Armstrong County  
 Southwest Region



G. Non-Surface Use Oil and Gas Cooperative Agreement  
Tract 287A-19, State Game Land No. 287, Armstrong County

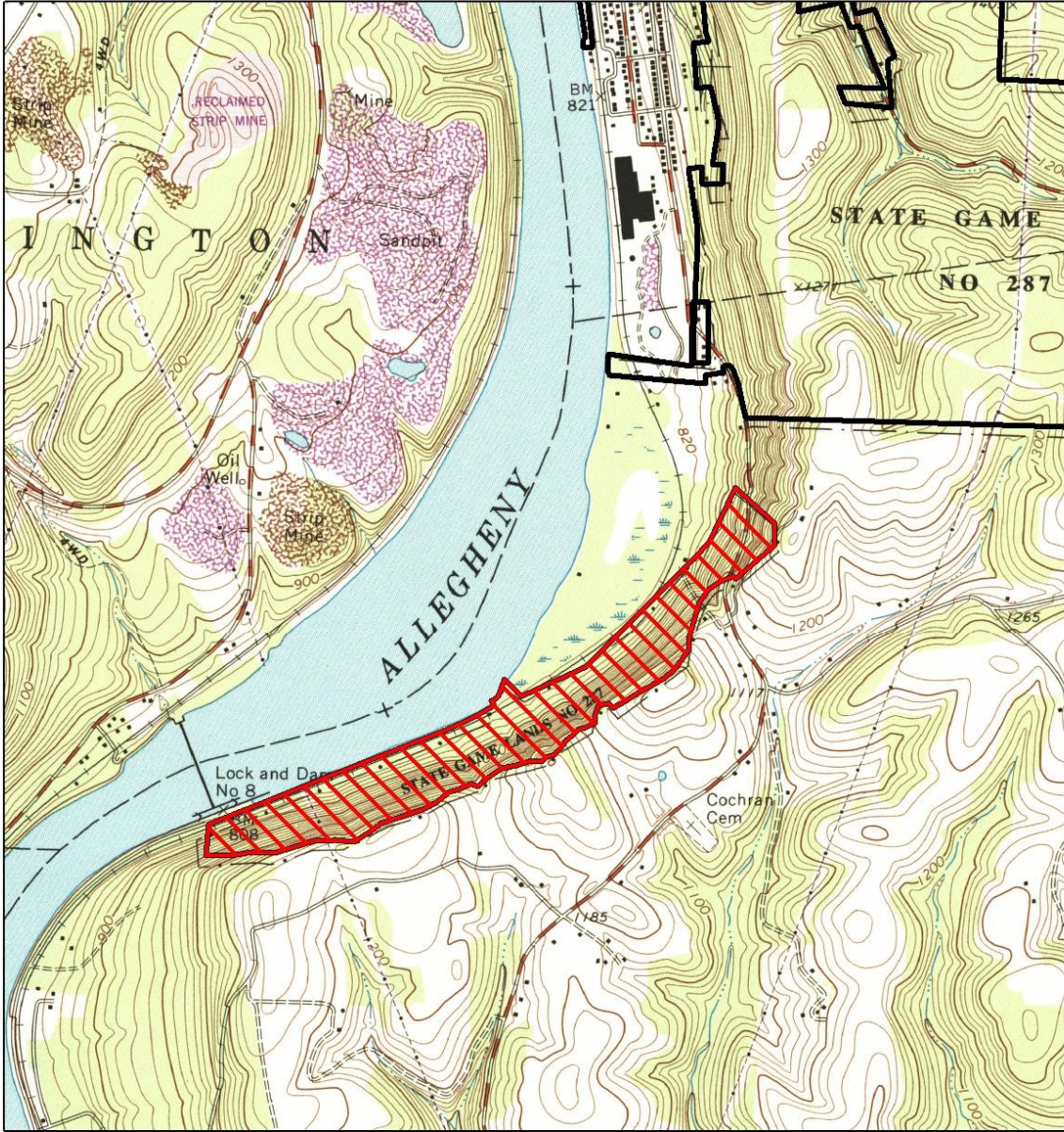
Commentary: Snyder Brothers, Inc. (SBI) of Kittanning, Pennsylvania, has requested the Commission offer its oil and gas rights under portions of State Game Land No. 287 for Non-Surface Use Development. The proposed tract, containing approximately 95.81 acres, is located in Boggs Township, Armstrong County (Exhibit OGM 3).

SBI has a strong, privately-owned oil/gas lease position surrounding this portion of State Game Land No. 287. They have initiated unconventional well drilling and development in the vicinity of the proposed tract, and also have the ability to unitize and develop the Commission's oil and gas reserve under the proposed tract by horizontal drilling with no surface use or disturbance to the Game Land No. 287. The Commission has negotiated the proposed terms of the agreement with SBI in an effort to prudently develop the Commission's oil and gas reserves and simultaneously protect the wildlife resources and recreational use of State Game Land No. 287.

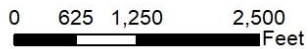
The terms of the Agreement are a five-year Non-Surface Use Oil and Gas Agreement, a \$4,000 per net oil and gas acre bonus payment and 18% royalty for all oil/gas and other liquids or condensates produced and sold from the proposed tract. The bonus payment will be paid upon penetration and unitization of each well bore. The bonus payment of approximately \$367,240 and future rental and royalty payments, shall be deposited into the Game Fund.

Oil and Gas Development will be regulated by the Commonwealth's Oil and Gas Regulations and the Commission's Standard Restricted Surface Use Oil and Gas Cooperative Agreement.

Action:



-  Non-Surface Use Agreement Area 95.81 +/- Acres
-  State Game Land No. 287



**EXHIBIT OGM 3**  
**State Game Land No. 287**  
**Non-Surface Use**  
**Oil & Gas Cooperative Agreement**  
**Snyder Brothers, Inc.**  
**Tract 287A-19**  
**95.81 +/- Acres**  
 Boggs Twp., Armstrong County  
 Southwest Region

**OTHER NEW BUSINESS**

Next Working Group Meeting – August 19, 2019

Next Commission Meeting – September 30 – October 1, 2019, Erie, PA

Executive Session, if necessary, will be held immediately following the close of the Commission Meeting.

Adjournment

DRAFT