

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION**



**AGENDA
HARRISBURG, PENNSYLVANIA
July 8, 2023**

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 Saturday, July 8, 2023, at 2001 Elmerton Avenue, Harrisburg, PA 17110 beginning at 8:30 a.m.

Call to Order

Pledge of Allegiance

Roll Call of Commissioners

Kristen Schnepf-Giger, President
Scott H. Foradora, Vice President
Dennis R. Fredericks, Secretary
Allen J. DiMarco
Stanley I. Knick, Jr.
Michael F. Mitrick
Todd A. Pride
Haley J. Sankey
Robert C. Schwalm

Approval of Minutes of Commission Meetings held April 15, 2023.

BUREAU OF WILDLIFE MANAGEMENT

PROPOSED MANAGEMENT PLAN

A. American Marten Reintroduction

Commentary: The American marten (*Martes americana*) is a furbearer once commonly found in portions of Pennsylvania but extirpated from the Commonwealth in the early 1900s due to deforestation and unregulated harvest.

In accordance with Goal 1.3b of the Pennsylvania Game Commission Strategic Plan 2020-2023 and as authorized by the Commission at its July 9, 2022 meeting, the Bureau of Wildlife Management completed an American Marten Reintroduction and Management Plan for Pennsylvania. The plan outlines a long-term, 10-year strategy, to translocate the species back to the state and then conduct long-term monitoring to evaluate the reintroduction. Important aspects of the plan include release locations and source locations as well as partnering organizations to provide martens and reintroduction locations. It also discusses methodology on capture, transport, health evaluations, and release. Finally, the plan provides a timeline and cost estimate for the project.

The Bureau of Wildlife Management is requesting that the Board of Game Commissioners release the plan to the public for a 60-day comment and review period as per guidance from PGC SOP 40.7 *Species Management Plans*. Comments received and any resulting revisions to the plan would be presented at a future meeting of the Commission to inform a final decision on acceptance and implementation of the plan.

Action:

BUREAU OF ADMINISTRATION

PROPOSED RULE MAKING

- A. Amend 58 Pa. Code §§ 143.21, 143.23, 143.24, 143.27, and 143.30 and remove §§ 143.22, 143.25, 143.26, and 143.28.

Commentary:

The Commission recently conducted an evaluation of its issuing agent program looking for ways to decrease costs and requirements applied to this group. This effort is, in part, related to the Commission's recognition of the significant impact that changes to its license sales process have had on issuing agents in the form of reduced license sales opportunities and increased business costs. For these reasons, the Commission is proposing to amend §§ 143.21, 143.23, 143.24, 143.27, and 143.30 (relating to appointment of agents; minimum sales requirement; fee for reapplication; conditions for appointment; and return of disapproved applications) and remove §§ 143.22, 143.25, 143.26, and 143.28 (relating to rebate for first year agents; rebate restrictions; time for rebate; and application period) to reduce issuing agent application fees, minimum annual sales quotas, and annual bonding rates.

Current regulations set the annual issuing agent application fee at \$500. First-year issuing agents are eligible to apply for application fee rebates of up to \$400 depending on the number of licenses they sell throughout the license year. However, few first-year issuing agents recoup more than \$100 to \$200 in rebates each year. Moreover, the \$500 application fee figure was set at a time that predated the availability of internet license sales and on-site license printing for in-person sales that are now current standards. Due to the updates and advances in the licensing system process and infrastructure over the past decade, the Commission determined that it can safely lower costs to issuing agents by reducing the annual issuing agent application fee from \$500 to \$200 without creating any unreasonable risk to the Commission. Furthermore, this change mitigates the need for the Commission to maintain the existing rebate program, thus allowing the applicable regulations to be simplified by elimination of regulatory text.

Current regulations require an issuing agent applicant to acquire and maintain an \$18,000 bond. This bonding rate was set at a time when paper licenses were sent to all issuing agents to cover the value of the Commission's expenses for the value of the paper license stock, as well as all license and permit fees collected by a given issuing agent. After the Commission's migration to the current onsite printable licenses, its investment in license paper stock has significantly reduced. Furthermore, the Commission's migration to weekly electronic funds transfers (EFTs) has also reduced the Commission's financial risk associated with collection of the revenues generated by license and permit sales. Lastly, of the few instances in the past two years where Commission collected against an agent's bond, the claims fell well below the \$18,000 figure. Due to all the updates and advances in the licensing system process and infrastructure

over the past decade, the Commission determined that it can safely lower costs to issuing agents by reducing the annual bonding rate from \$18,000 to \$11,000 without creating any unreasonable risk to the Commission.

As an added measure to reduce requirements on issuing agents, the Commission has determined it is appropriate to reduce the annual minimum sales requirement from 50 to 25 license products per year. The changes will also allow mentored hunting permits to be included in an issuing agent's sales figures.

Lastly, the Commission determined that it is no longer necessary to maintain the limited November 1 through March 31 application window for issuing agent applications due to the advances in technology and license issuance processes. Allowing applications year-round will give issuing agent applicants greater access without creating any unreasonable burdens on the Commission.

Chapter 143. HUNTING AND FURTKER LICENSES

Subchapter B. APPOINTMENT OF AGENTS

§ 143.21. Appointment of agents.

A person desiring appointment as an agent shall apply to the Commission on the form provided. An application fee of [~~\$500~~] \$200 is required for each location, in the form of a negotiable check or money order payable to "Pennsylvania Game Commission." The completed application, along with the application fee, shall be forwarded to: Pennsylvania Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

§ 143.22. [~~Rebate for first year agents~~] [~~Reserved~~].

~~[(a) — An agent shall be entitled to a rebate based upon his first license year only sales as follows:~~

~~(1) — Rebate \$100 if 250 licenses are sold.~~

~~(2) — Rebate \$200 if 500 licenses are sold.~~

~~(3) — Rebate \$300 if 750 licenses are sold.~~

~~(4) — Rebate \$400 if 1,000 licenses are sold.~~

~~(b) — A rebate will not be given after the first license year of sales.]~~

§ 143.23. Minimum sales requirement.

To continue as an agent, a minimum of ~~[50 hunting licenses]~~ 25 license or permit products shall be sold each license year. Qualifying licenses, for the purpose of calculating ~~[50]~~ 25 hunting licenses, will be the regular resident, nonresident hunting and furtakers licenses and mentored hunting permits. Archery, muzzleloader, bear, special wild turkey, migratory game bird and replacement licenses are not included as qualifying licenses. In addition, an agent shall continue to meet the requirements in § 143.27 (relating to conditions for appointment).

§ 143.24. Fee for reapplication.

If an agent sells less than the required ~~[50]~~ 25 qualifying licenses in a given license year, and is removed by the Commission, or if an agent voluntarily withdraws, a subsequent reapplication requires payment of the application fee.

§ 143.25. ~~[Rebate restrictions]~~ [Reserved].

~~[A rebate will not be granted if the agent is delinquent in remitting moneys as required.]~~

§ 143.26. ~~[Time for rebate]~~ [Reserved].

~~[Rebate to the agent will be credited to his account at the beginning of the license year following his first year as an agent.]~~

§ 143.27. Conditions for appointment.

A person desiring consideration for appointment as an agent shall meet the following conditions:

- (1) Be a resident of this Commonwealth or an entity registered to do business in this Commonwealth.
- (2) Operate a bona fide sporting goods sales outlet where the public expects to find this service.
- (3) Be open to the public during reasonable daylight and evening hours.
- (4) Not operate on a seasonal or part-time basis.
- (5) Agree to and demonstrate ability to provide full license service and cooperation to the public throughout the entire license sales period, and keep records required by the Commission and by statute.
- (6) Provide security to the Commission in an amount of at least ~~[\$18,000]~~ \$11,000.

§ 143.28. [~~Application period~~] [~~Reserved~~].

~~[(a)—A person requesting appointment as an agent shall submit the appropriate completed application form to the Commission in Harrisburg during the period November 1 through March 31 of the following year to be eligible for appointment as an issuing agent for the license year beginning the following July 1.~~

~~(b)—An application received outside of the application period is not guaranteed to be processed by the Commission before the start of the license year beginning July 1.]~~

§ 143.30. [~~Return~~] Notice of disapproved applications.

~~[Disapproved applicants will be notified in a timely manner, and the entire \$500 application fee will be returned]~~ The Commission will provide prompt written notice of its disapproval of an application submitted under this subchapter and return the application fee to the applicant.

Action:

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BUREAU OF WILDLIFE HABITAT MANAGEMENT

REAL ESTATE

A. Acquisition

Contract No. L-3824, State Game Land No. 61, McKean County.

Commentary: Canoe Place Fish & Game Club is offering 67+/- acres of land in Liberty Township, McKean County, near State Game Land No. 61 (Exhibit RED 1). The option price is \$4,000 lump sum to be paid from the Game Fund. The property includes an existing range facility and clubhouse. PGC will agree to hold the land in perpetuity as a state game land and ensure that the property will remain open to public hunting and fishing. Access is from Pleasant Drive.

Action:

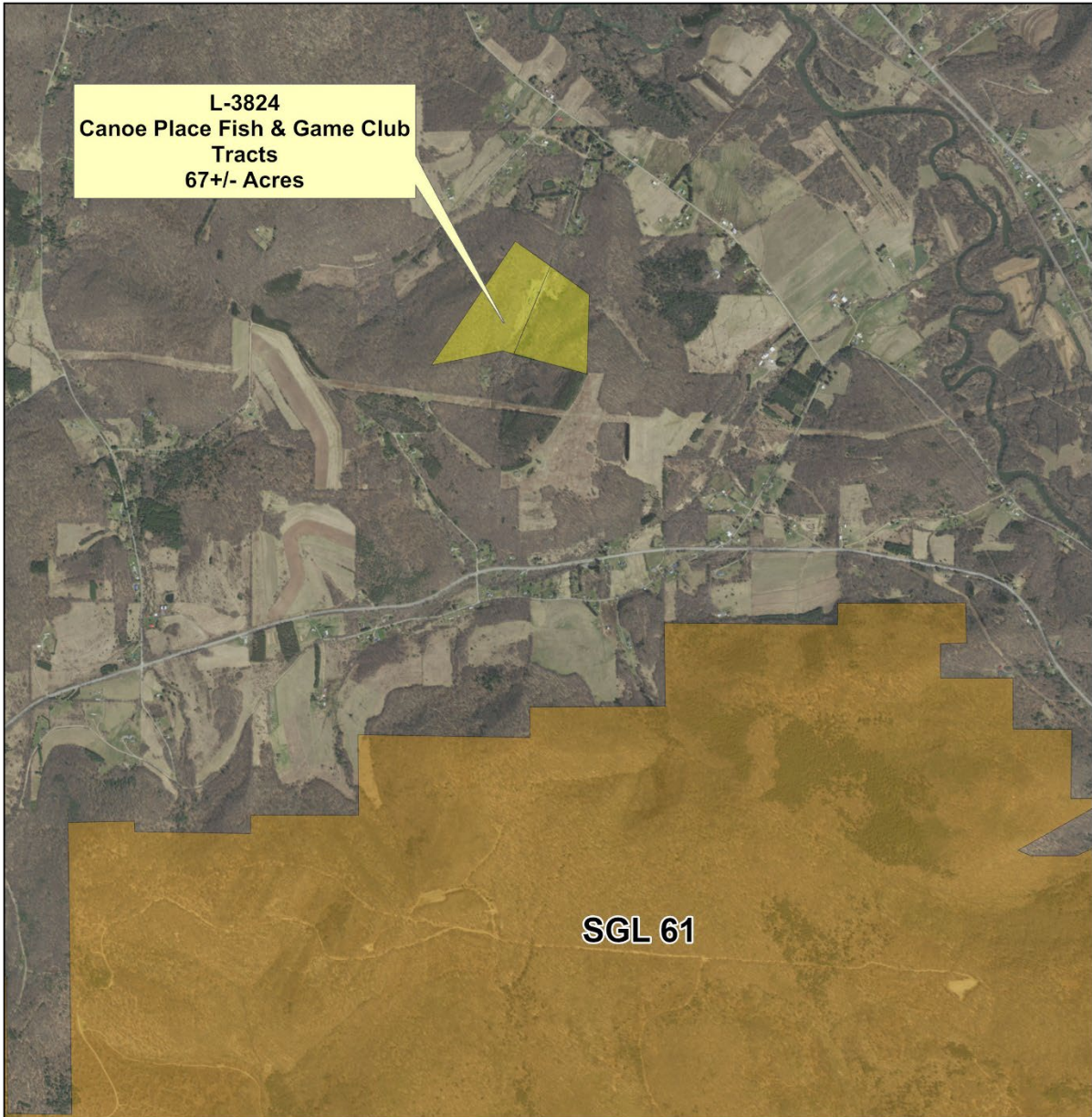


Exhibit RED 1

State Game Land No. 61

**L-3824
Canoe Place Fish & Game Club Tracts
67+/- Acres**

**Liberty Township
McKean County
Northcentral Region**

Contract No. L-3825, State Game Land No. 122, Crawford County.

Commentary: John G. and Melissa L. Sabella and Timothy E. and Judy A. Sabella are offering 13+/- acres of land in Troy and Steuben Townships, Crawford County, adjoining State Game Land No. 122 (Exhibit RED 2). The option price is \$13,000 lump sum to be paid from the Commission's restricted account, representing funds from third-party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. Acquisitions using this account may exceed \$400 per acre. Access is through existing State Game Land No. 122.

Action:



Exhibit RED 2
State Game Land No. 122
 L-3825
 John G. & Melissa L. Sabella
 and
 Timothy E. & Judy A. Sabella Tract
 13+/- Acres
 Troy & Steuben Townships
 Crawford County
 Northwest Region

Contract No. L-3826, State Game Land No. 276, Indiana County.

Commentary: David L. and Ronna L. Aikins are offering 1+/- acres of land in Burrell Township, Indiana County, an interior to State Game Land No. 276 (Exhibit RED 3). The option price is \$1,000 lump sum to be paid from the Game Fund. The parcel is an interior to the State Game Land and therefore the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. The oil, gas and mineral rights have been excepted and reserved by prior owners. Access is through existing State Game Land No. 276.

Action:



Exhibit RED 3
State Game Land No. 276

L-3826
David L. & Ronna L. Aikins Tract
1+/- Acres

Burrell Township
Indiana County
Southwest Region

Contract No. L-3827, State Game Land No. 14, Elk County.

Commentary: Rocky Mountain Elk Foundation is offering 649+/- acres of land in the City of St. Marys, Elk County, adjoining State Game Land No. 14 (Exhibit RED 4). The option price is \$767,307 lump sum to be paid from the Commission's restricted account, representing funds from third-party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. Acquisitions using this account may exceed \$400 per acre. Access is from State Route 120.

Action:

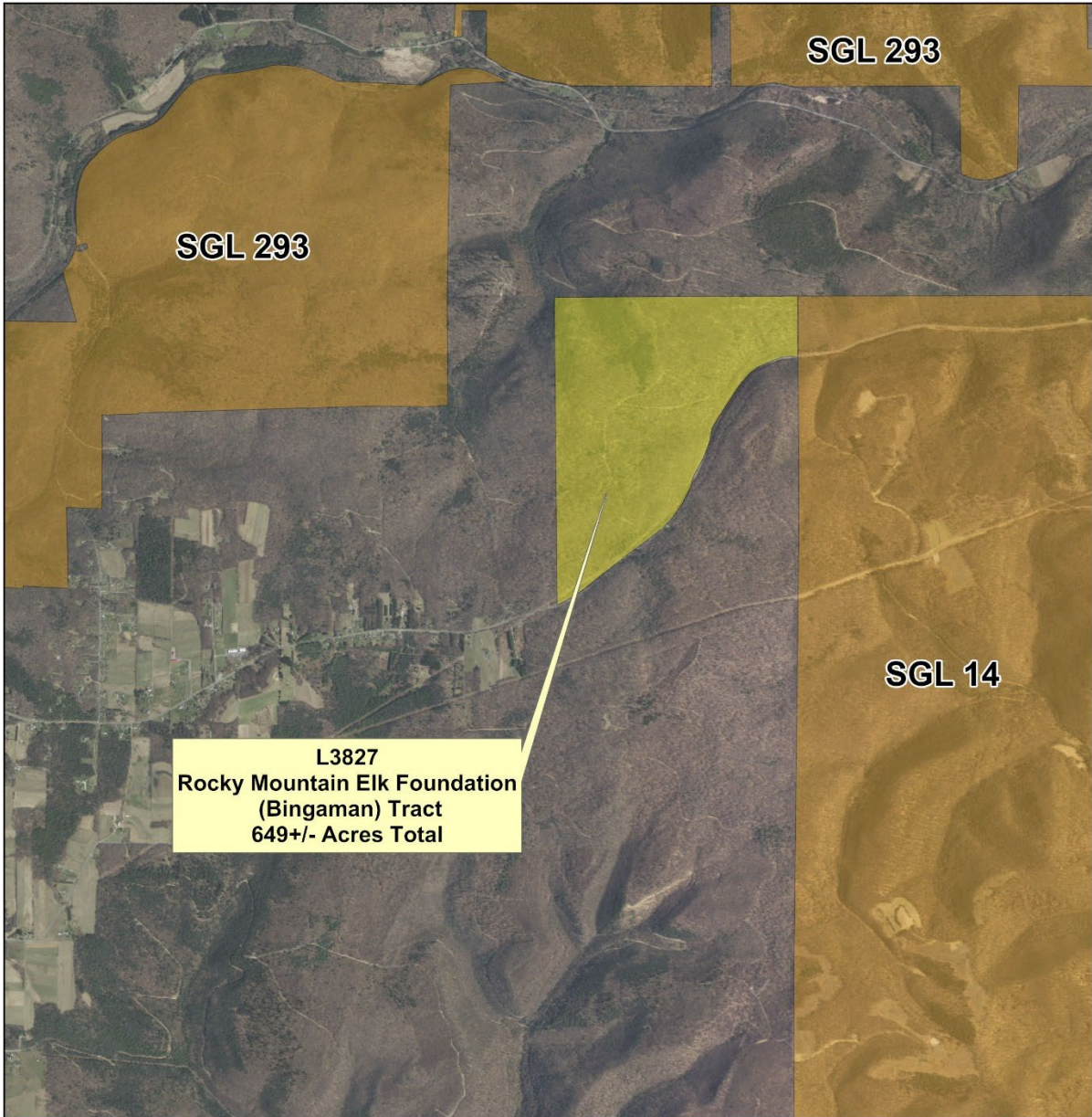


Exhibit RED 4
State Game Land No. 14

L3827
Rocky Mountain Elk Foundation
(Bingaman) Tract
649+/- Acres Total

City of St. Mary's
 Elk County
 Northcentral Region

Contract No. L-3828, State Game Land No. 134, Lycoming County.

Commentary: Northcentral Pennsylvania Conservancy is offering 102+/- acres of land in Plunketts Creek Township, Lycoming County, adjoining State Game Land No. 134 (Exhibit RED 5). The option price is \$520,000 lump sum to be paid from the Commission's restricted account, representing funds from third-party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. Acquisitions using this account may exceed \$400 per acre. The oil and gas rights have been excepted and reserved by prior owners. Access is from Cabbage Hollow Road.

Action:

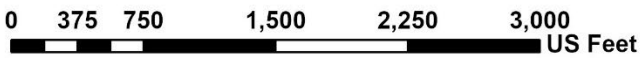


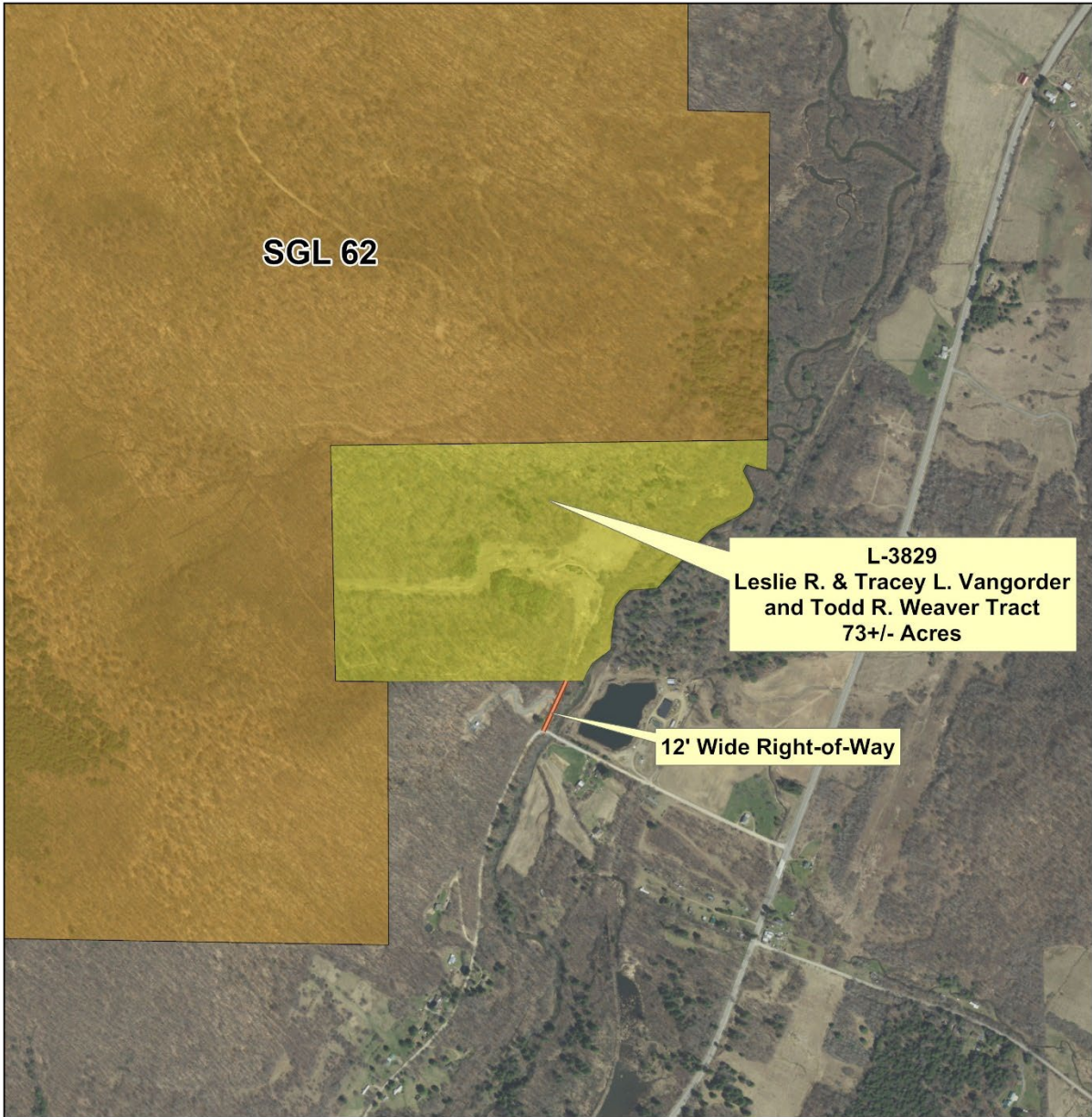
Exhibit RED 5
State Game Land No. 134
L-3828
Northcentral Pennsylvania Conservancy Tract
102+/- Acres

Plunketts Creek Township
Lycoming County
Northcentral Region

Contract No. L-3829, State Game Land No. 62, McKean County.

Commentary: Leslie R. and Tracey L. Vangorder and Todd R. Weaver are offering 73+/- acres of land in Hamlin Township, McKean County, adjoining State Game Land No. 62 (Exhibit RED 6). The option price is \$150,000 lump sum to be paid from the Game Fund. The parcel provides critical access to State Game Land No. 62 and therefore the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. Access is from Township Road 321.

Action



SGL 62

**L-3829
Leslie R. & Tracey L. Vangorder
and Todd R. Weaver Tract
73+/- Acres**

12' Wide Right-of-Way



**Exhibit RED 6
State Game Land No. 62**

**L-3829
Leslie R. & Tracey L. Vangorder
and Todd R. Weaver Tract
73+/- Acres**

**Hamlin Township
McKean County
Northcentral Region**

Contract No. L-3834, State Game Land No. 257, Schuylkill County

Commentary: The Dorothy G. Pagano 2005 Trust is offering 15.7+/- acres of land in Walker Township, Schuylkill County, adjoining State Game Land No. 257 (Exhibit RED 16). The option price is \$31,400 lump sum to be paid from the Game Fund. The parcel is an indenture to the State Game Land and therefore the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. Access is through existing State Game Land No. 257.

Action:



SGL 257

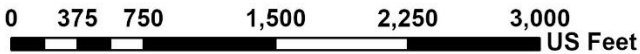


Exhibit RED 16

State Game Land No. 257

**L-3834
Dorothy G. Pagano 2005 Trust Tract
15.7+/- Acres**

**Walker Township
Schuylkill County
Southeast Region**

Contract No. L-3835, State Game Land No. 111, Somerset County

Commentary: Johnny R. and Linda L. Merschat are offering 69+/- acres of land in Lower Turkeyfoot Township, Somerset County, adjoining State Game Land No. 111 (Exhibit RED 17). The option price is \$122,500 lump sum to be paid from the Game Fund. The parcel provides critical access to the State Game Land and therefore the Commission may exceed \$400 per acre under Section 705(b) of the Game and Wildlife Code. Access is from Jersey Hollow Road.

Action:

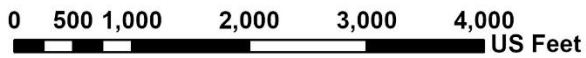
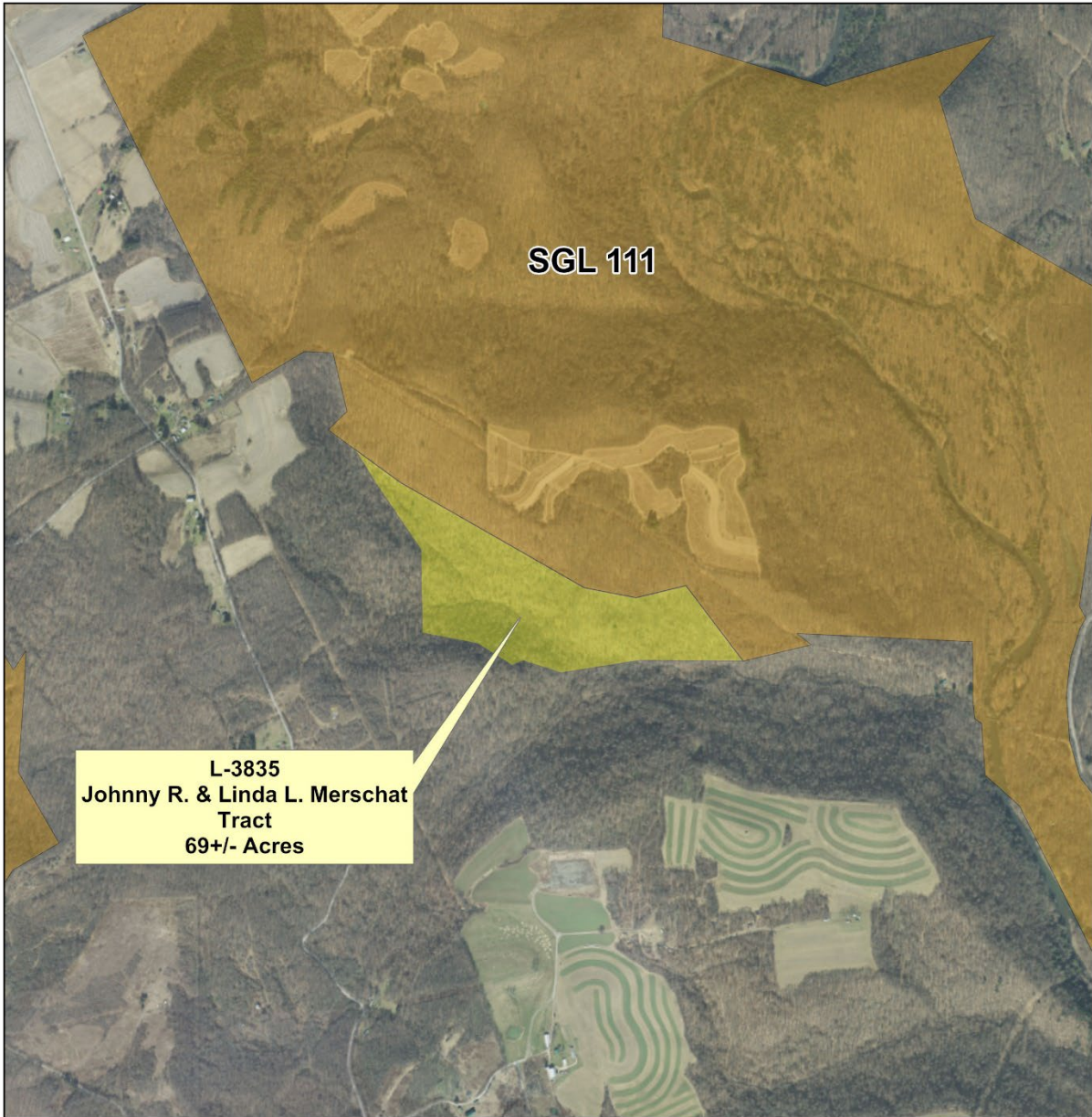


Exhibit RED 17

State Game Land No. 111

**L-3835
Johnny R. & Linda L. Merschat Tract
69+/- Acres**

**Lower Turkeyfoot Township
Somerset County
Southwest Region**

B. Exchange

Contract No. L-3830, State Game Land No. 262, Indiana County.

Commentary: John David Malone is offering 27+/- acres of land in Montgomery Township, Indiana County, adjoining State Game Land No. 262 to the Commission in exchange for 9+/- acres of State Game Land No. 262 in Montgomery Township, Indiana County (Exhibit RED 7). The Commission determined that the 27+/- acres to be conveyed to the Commission is of greater value than the land to be conveyed to Malone and the proposed exchange is in the best interest of the Commission. Access to the 27-acre parcel is through existing State Game Land 262.

Action:

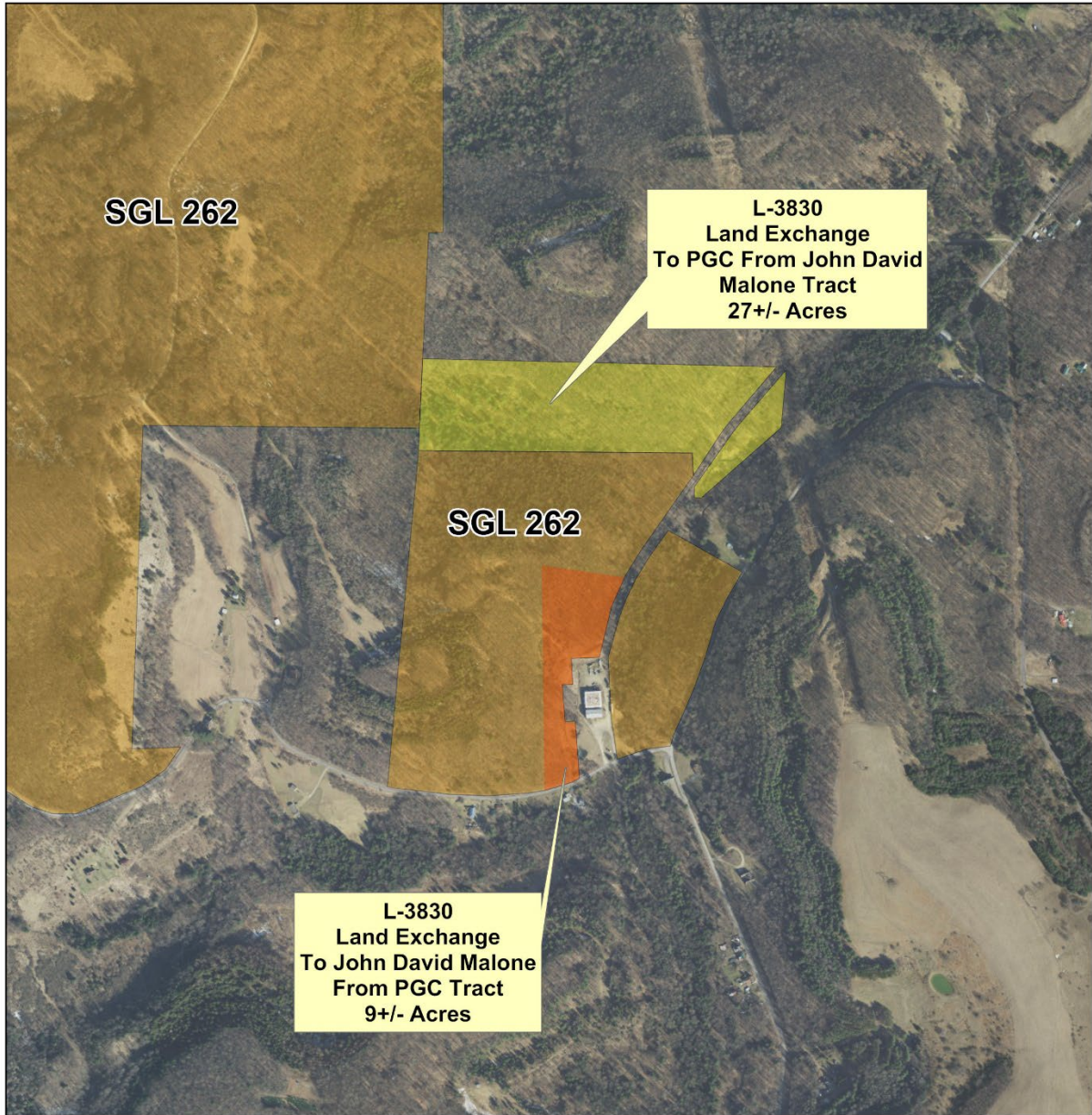


Exhibit RED 7
State Game Land No. 262
 L-3830
 Land Exchange
 To John David Malone From PGC Tract
 9.0+/- Acres
 To PGC From John David Malone Tract
 27.0+/- Acres
 Montgomery Township
 Indiana County
 Southwest Region

Contract No. L-3831, State Game Land No. 36, Bradford County.

Commentary: Charles D. Gerlach III, Barbara J. Gerlach, Charles D. Gerlach IV, Charles D. Gerlach V, and Steven E. Gerlach are offering 3+/- acres of land in Overton Township, Bradford County, adjoining State Game Land No. 36 to the Commission in exchange for 1+/- acre of State Game Land No. 36 in Overton Township, Bradford County (Exhibit RED 8). The Commission determined that the 3+/- acres to be conveyed to the Commission is of greater value than the land to be conveyed to the Gerlachs and the proposed exchange is in the best interest of the Commission. Access to the 3-acre parcel is through existing State Game Land 36.

Action:

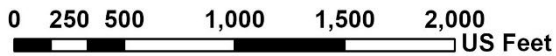
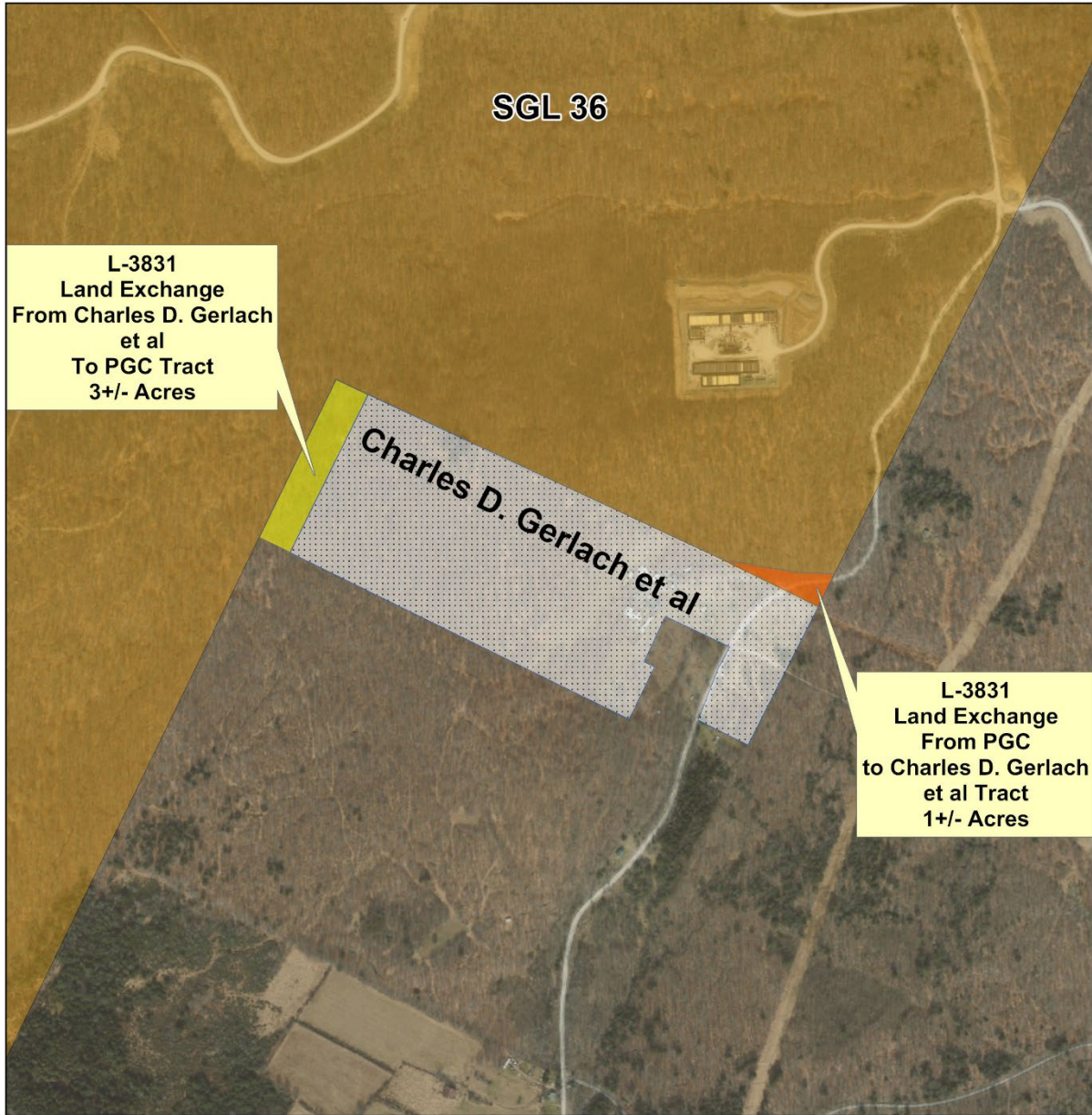


Exhibit RED 8
State Game Land No. 36
 L-3831
 Land Exchange
 To Charles D. Gerlach et al
 from PGC 1+/- Acre Tract
 To PGC
 from Charles D. Gerlach et al 3+/- Acres Tract
 Overton Township
 Bradford County
 Northeast Region

Contract No. L-3832, State Game Land No. 44, Elk County.

Commentary: Raymond J. Krise is offering 10+/- acres of land in Ridgway Township, Elk County, adjoining State Game Land No. 44 to the Commission in exchange for 1+/- acre of State Game Land No. 44 in Ridgway Township, Elk County (Exhibit RED 9). The Commission determined that the 10+/- acres to be conveyed to the Commission is of greater value than the land to be conveyed to Krise and the proposed exchange is in the best interest of the Commission. Access to the 10-acre parcel is through existing State Game Land 44.

Action:

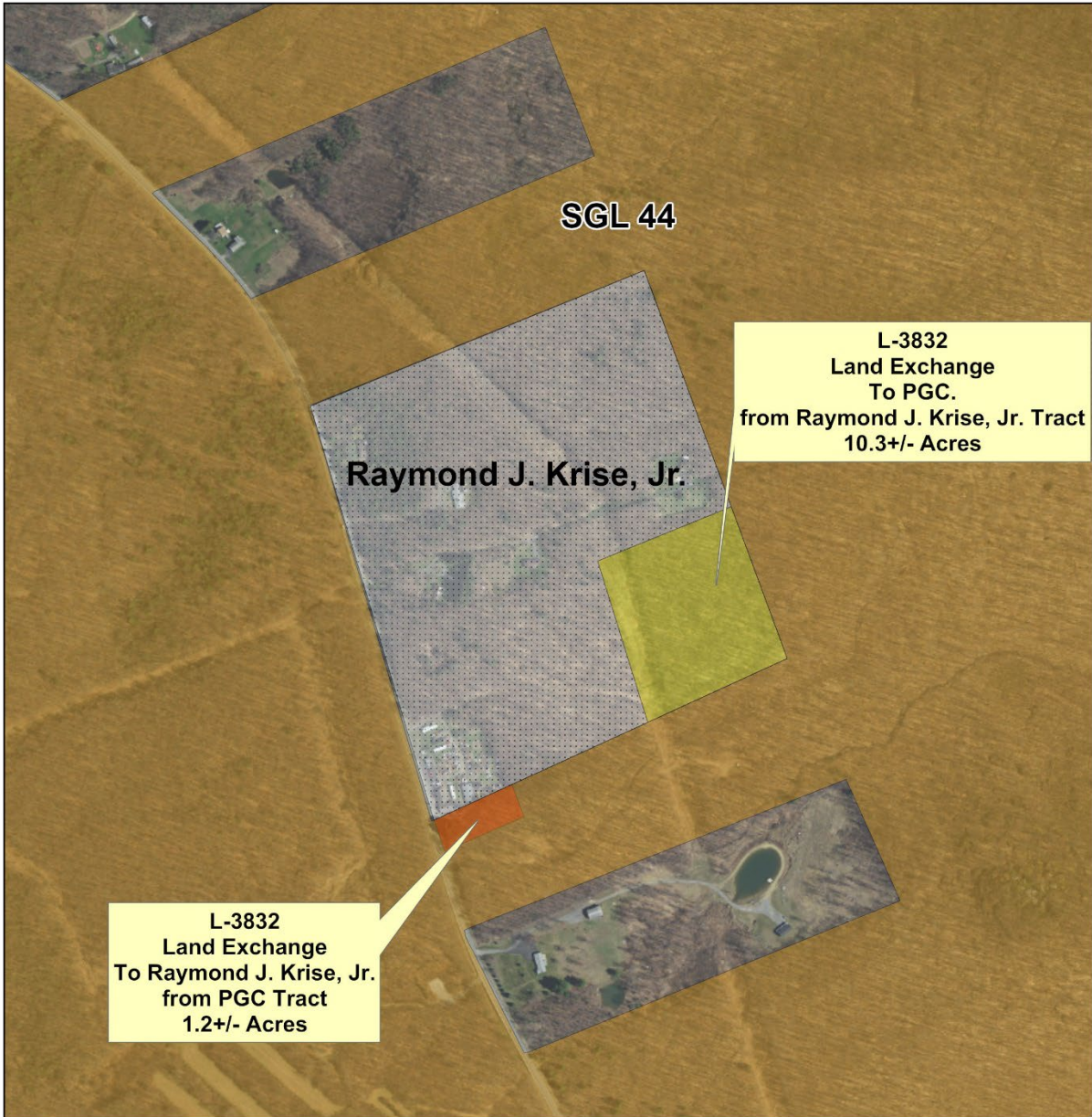


Exhibit RED 9
State Game Land No. 44
 L-3832
 Land Exchange
 To Raymond J. Krise, Jr.
 from PGC Tract 1.2+/- Acres
 To PGC from Raymond J. Krise, Jr.
 Tract 10.3+/- Acres
 Ridgeway Township
 Elk County
 Northcentral Region

Contract No. L-3833, State Game Land No. 153, Indiana County.

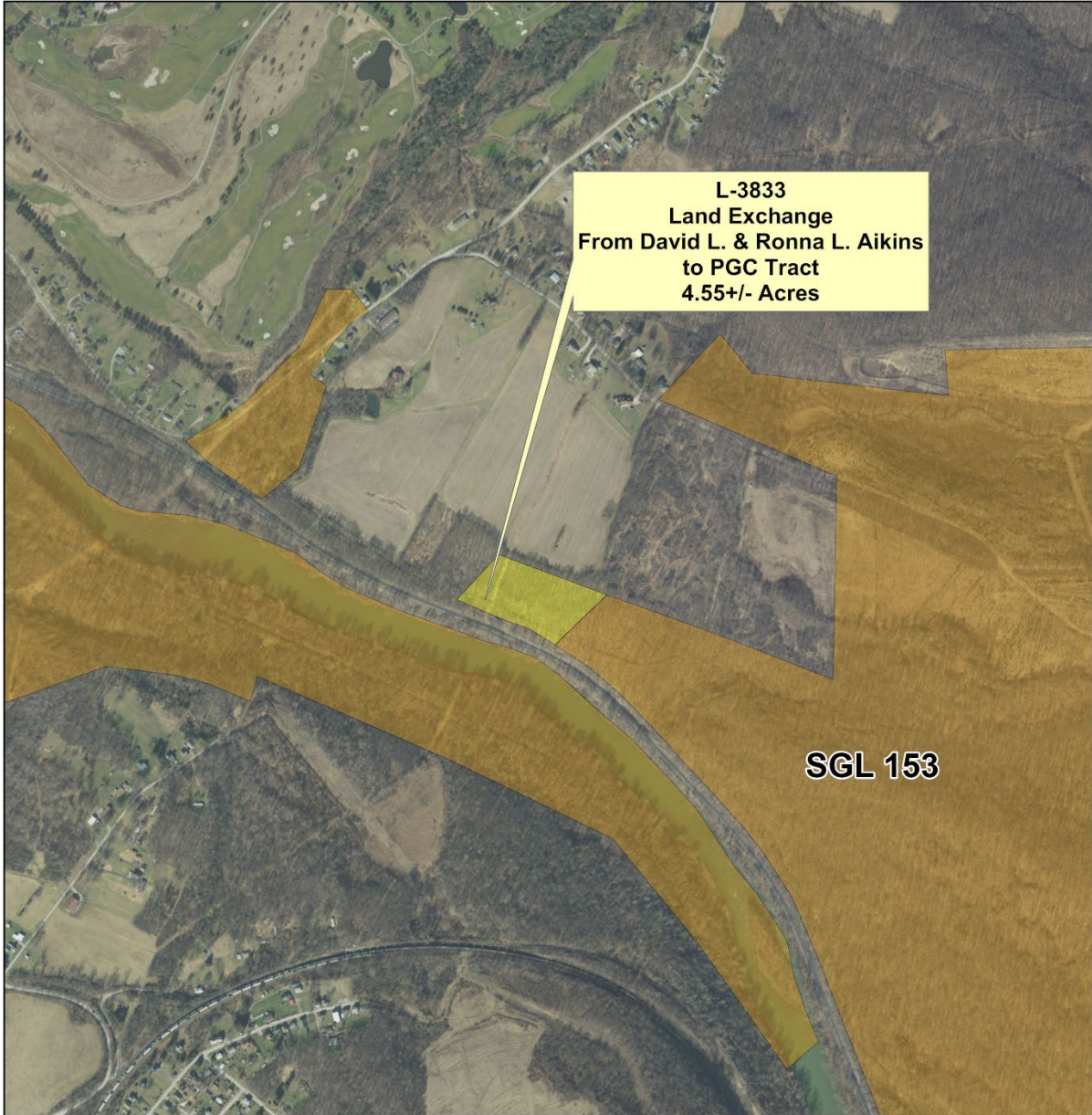
Commentary:

Sally S. Reedy, Wesley F. and Mary Lou McCutcheon, and Michael J. Rethi and Debra M. Rethi are offering to participate in an exchange of 4.55+/- acres of land in Burrell Township, Indiana County, adjoining State Game Land No. 153 (Exhibit RED 10) for 0.78+/- acres in Smith Township, Washington County, part of State Game Land No 117 (Exhibit RED 11), and 0.5+/- acres, 0.114 acres and 0.094 acres in Young Township, Indiana County, parts of State Game Land No. 332 (Exhibits RED 12, 13 and 14).

Sally S. Reedy will provide \$315, the McCutcheons will provide \$365, Michael J. Rethi will provide \$100, and Debra M. Rethi will provide \$100 toward the acquisition of 4.55 acres being offered for sale by David L. and Ronna L. Aikins with an option price of \$2,100. The Commission will provide an additional \$1,220 lump sum from the Game Commission's restricted account, representing funds from third-party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously approved projects. Acquisitions using this account may exceed \$400 per acre.

The Commission determined the 4.55+/- acres to be conveyed to the Commission is of greater value than the land to be conveyed to Sally S. Reedy, the McCutcheons, Michael J. Rethi and Debra M. Rethi and the proposed exchange is in the best interest of the Commission. Access to the 4.55-acre parcel is through existing State Game Land 153.

Action:



L-3833
Land Exchange
From David L. & Ronna L. Aikins
to PGC Tract
4.55+/- Acres

SGL 153



0 375 750 1,500 2,250 3,000 US Feet

Exhibit RED 10
State Game Land No. 153

L-3833
Land Exchange
From David L. & Ronna L. Aikins
to PGC Tract
4.55+/- Acres

Burrell Township
Indiana County
Southwest Region

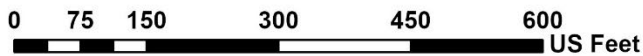
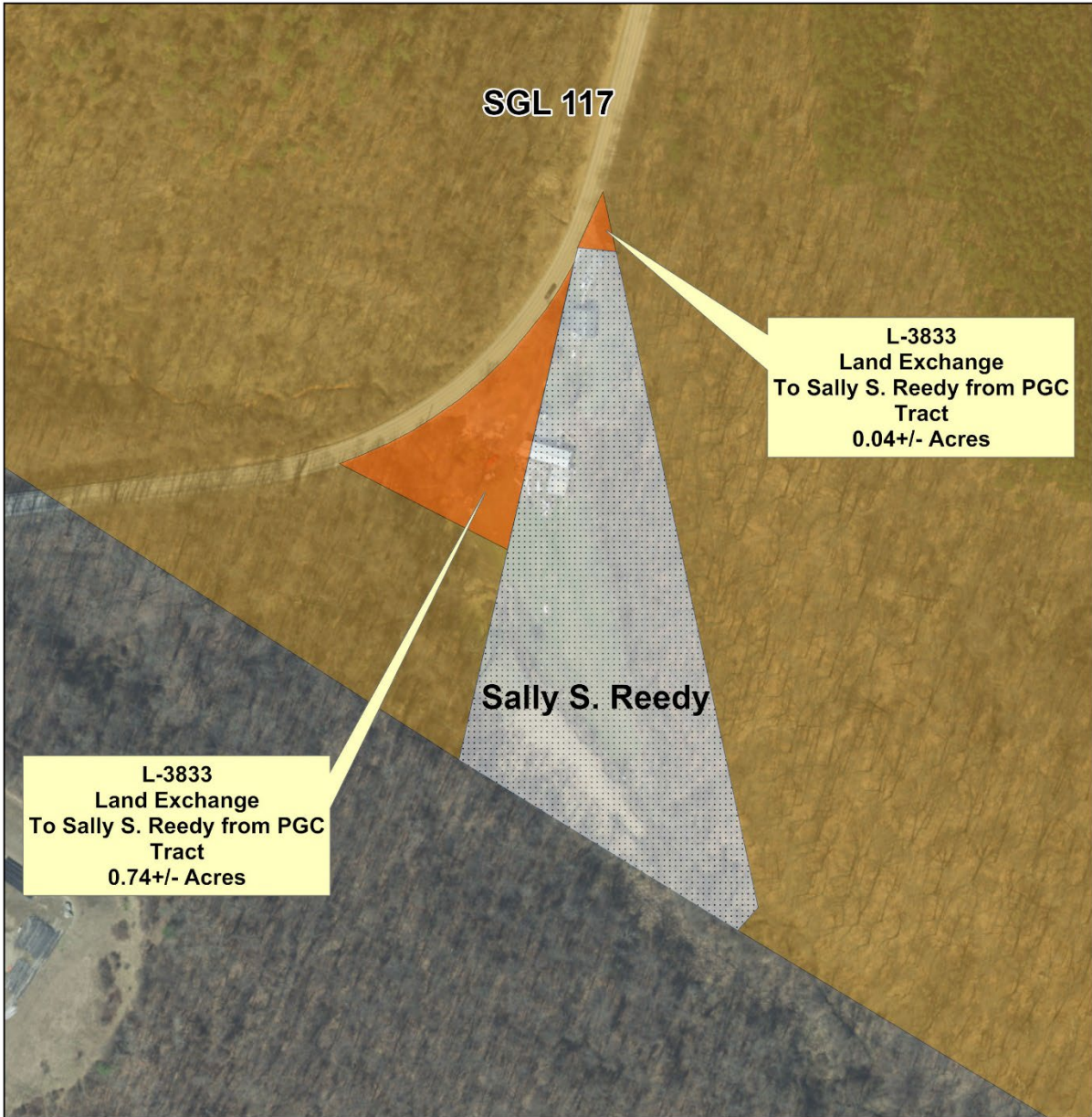


Exhibit RED 11
State Game Land No. 117

L-3833
Land Exchange
To Sally S. Reedy from PGC Tracts
0.04 +/- Acre & 0.74 +/- Acre

Smith Township
Washington County
Southwest Region



Exhibit RED 12
State Game Land No. 332
L-3833
Land Exchange
To Wesley F. & Mary Lou McCutcheon
from PGC Tract
0.5+/- Acres
Young Township
Indiana County
Southwest Region

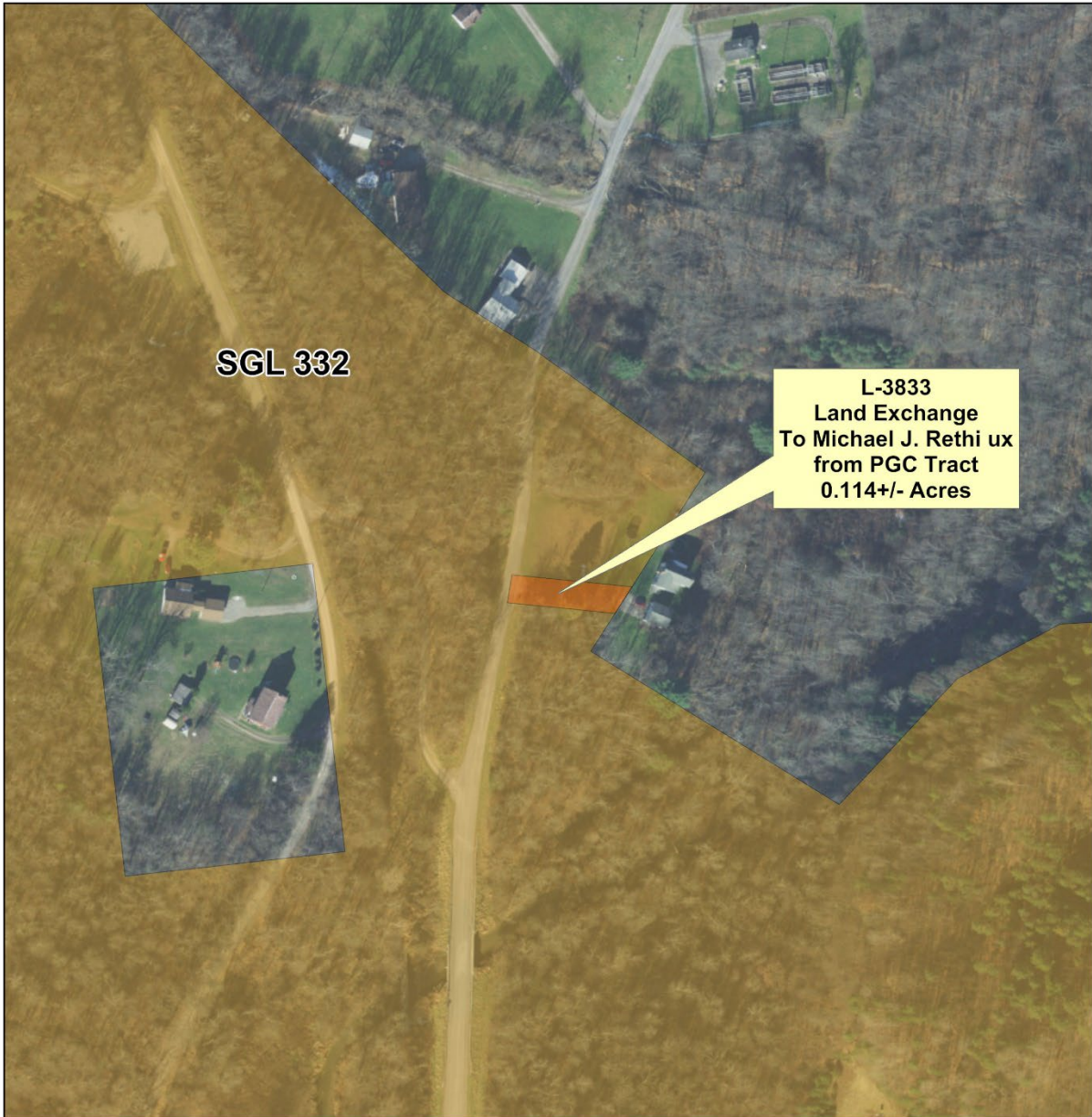


Exhibit RED 13
State Game Land No. 332

L-3833
Land Exchange
To Michael J. Rethi ux
from PGC Tract
0.114+/- Acres

Young Township
Indiana County
Southwest Region



L-3833
Land Exchange
To Debra M. Rethi
from PGC Tract
0.094+/- Acres

SGL 332



0 62.5 125 250 375 500
US Feet

Exhibit RED 14
State Game Land No. 332

L-3833
Land Exchange
To Debra M. Rethi
from PGC Tract
0.094+/- Acres

Young Township
Indiana County
Southwest Region

C. Notice of Notational Vote

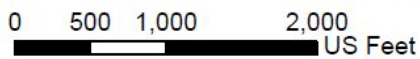
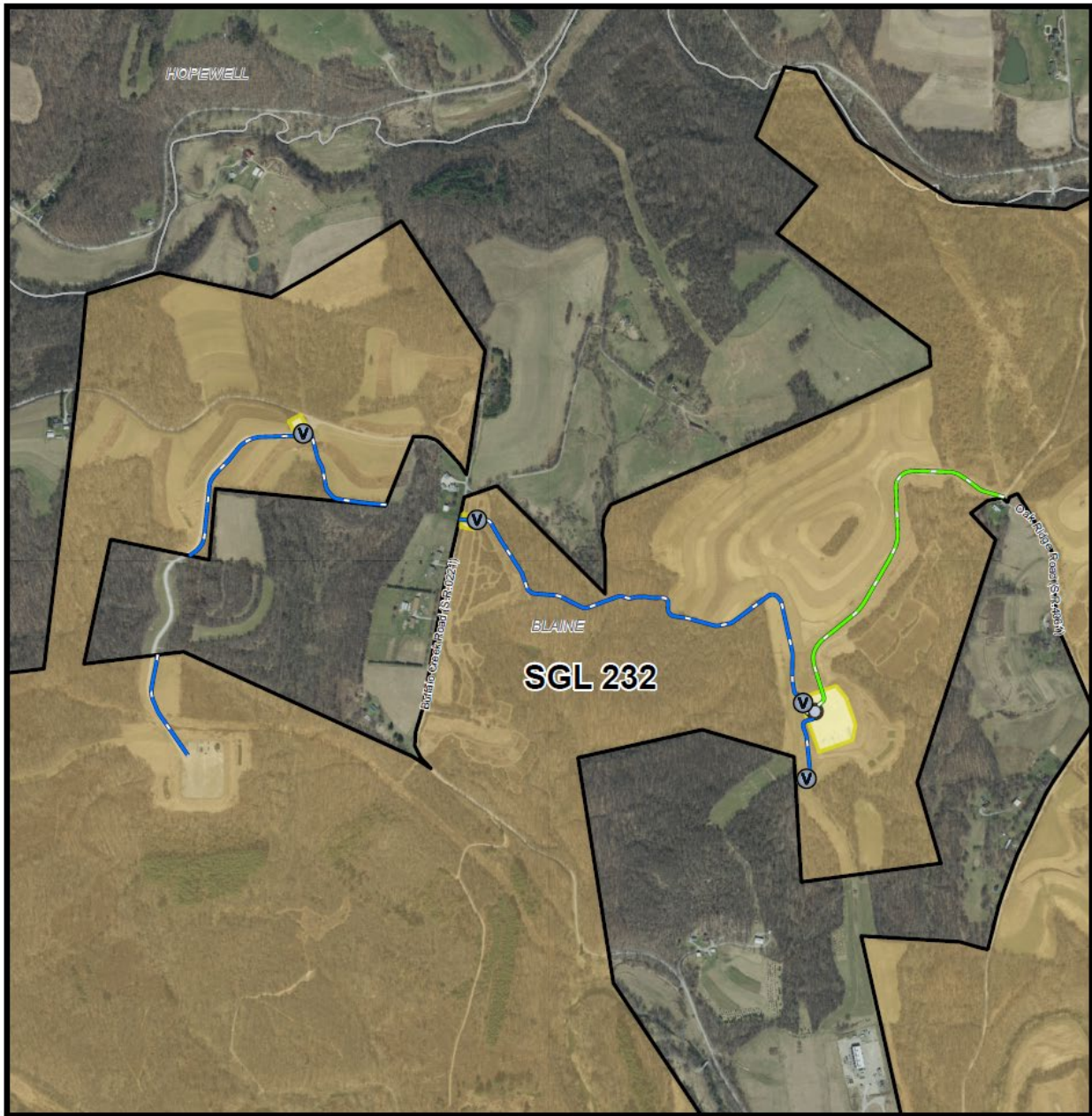
Contract No. L-3823, State Game Land No. 232, Washington County

Commentary:

On June 6, 2023 the Board of Commissioners approved, by notational vote, the deposit of \$184,511 into the restricted revenue account to be used for the future purchase of lands to mitigate the temporary loss of wildlife resources and/or recreational values. Range Resources-Appalachia, LLC (Range) offered \$184,511 in exchange for a Special Use Permit (SUP) granting the temporary privilege of constructing, operating, maintaining, and removing a total of 7,660' of above-ground waterline with four (4) valves and/or air vents in a 25' wide right-of-way and one (1) above-ground storage tank (AST) with the necessary pumps, valves, and fittings on an existing 3.05-acre pad, along with the temporary privilege of using and reclaiming 2,816' of existing access roads and a total of 0.44 acre of additional workspace on State Game Land No. 232 in Blaine Township, Washington County (Exhibit RED 15). The waterline and AST will be used to manage and transport freshwater for completion of natural gas wells within the game lands while reducing truck traffic on the game lands and in the surrounding area.

Action:

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



-  Permitted Valves/Air Vents
-  Permitted Waterline in 25' ROW
-  Permitted Access Roads
-  Permitted Above-ground Storage Tank
-  Permitted Temporary Workspace
-  Approximate Municipal Boundaries

Exhibit RED 15
State Game Land No. 232
L-3823
Restricted Revenue Account
Deposit in Exchange for Range
Resources-Appalachia, LLC
Special Use Permit Fee
 Blaine Township
 Washington County
 Southwest Region

OTHER NEW BUSINESS

Next Commission Meeting – September 15-16, 2023, in Erie, Pa.

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

Adjournment