

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

CHRONIC WASTING DISEASE – REMOVAL OF PROTECTION ORDER #2

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, 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 is designated as a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases); and

WHEREAS, In January 2023, the Pennsylvania Game Commission (Commission) detected CWD in an adult, free-ranging white-tailed deer (deer) killed by motor vehicle collision in Upper Paxton Twp., Dauphin Co., Wildlife Management Unit (WMU) 4E; and

WHEREAS, In May 2023, the Commission detected CWD in a juvenile deer killed by motor vehicle collision in Jackson Twp., Dauphin Co., WMU 4C; and

WHEREAS, The Commission determined these new CWD detections to be on the leading edge of the disease’s progression east across the Commonwealth in free-ranging, wild deer; and

WHEREAS, On June 22, 2023, the Commission created CWD Disease Management Area (DMA) #8 in the broader area surrounding the new positive CWD detections (*See* formal publication of this order at 53 Pa.B. 3793); and

WHEREAS, In accordance with its CWD Response Plan, the Commission also created enhanced surveillance units (ESUs) in the areas of the new positive CWD detections; and

WHEREAS, One of the primary CWD Response Plan goals applicable to the area located within an established ESU is to increase sampling and limit CWD sample prevalence, both of which are accomplished through increased hunter harvest of deer; and

WHEREAS, The Commission also created CWD Deer Management Assistance Program (DMAP) Unit 6396 in the area surrounding both new positive CWD detections to increase hunter harvest of deer; and

WHEREAS, 58 Pa. Code § 147.675 (relating to validity of permit) limits the validity of DMAP harvest permits to valid open seasons established in 58 Pa. Code § 139.4 (relating to seasons and bag limits for the license year) for hunting antlered or antlerless deer; and

WHEREAS, 58 Pa. Code § 139.4 limits the validity of antlered and antlerless deer licenses to valid open seasons established for hunting antlered or antlerless deer within applicable wildlife management units; and

WHEREAS, The Commission was unable plan for increased hunter harvest within the WMUs 4C and 4E when it set the 2023/2024 seasons and bag limits and related antlerless deer license allocations because of the timing of its receipt and related consideration of the testing results; and

WHEREAS, 58 Pa. Code § 139.4 currently defines the established deer seasons and bag limits for deer in WMUs 4C and 4E as follows:

<i>WHITE-TAILED DEER</i>			
Species	First Day	Last Day	Season Limit
<i>Deer, Archery (Antlered & Antlerless)</i> ^{2,5} With the required archery license	Sept. 30	Nov. 11	One antlered deer, and an antlerless deer with each required
WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G,	Sun. ³ , Nov. 12	Sun. ³ , Nov. 12	

2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Nov. 13 and Dec. 26	Nov. 17 and Jan. 15, 2024	antlerless license.
Deer, Muzzleloading (Antlerless only) ¹ With the required muzzleloading license	Oct. 14	Oct. 21	An antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) Only Junior and Senior License Holders ⁶ Mentored Permit Holders ⁹ , Commission Disabled Person Permit Holders (to use a vehicle as a blind), and Residents serving on active duty in the United States Armed Forces or U.S. Coast Guard	Oct. 19	Oct. 21	An antlerless deer with each required antlerless license.
Deer, Regular Firearms (Antlered & Antlerless) ^{2,5} Statewide	Nov. 25 and Sun. ³ , Nov. 26 and Nov. 27	Nov. 25 and Sun. ³ , Nov. 26 and Dec. 9	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ^{1,5} With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26	Jan. 15, 2024	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.

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 Commission to regulate activities relating to the protection, preservation, and management of game and wildlife, including deer; and

WHEREAS, 58 Pa. Code § 137.34(a) (relating to wildlife disease and emergency authority of Director) provides the Executive Director with emergency authority to take actions to mitigate risk factors and to determine the prevalence and geographic distribution of wildlife diseases, if the Director concludes that the introduction or spread of wildlife diseases poses a threat to human, domestic and wild animal, and environmental health and safety within or adjacent to this Commonwealth; and

WHEREAS, 58 Pa. Code § 137.34(a)(2) provides the Executive Director with emergency authority to allow the taking of wildlife without regard to established seasons and bag limits and methods of take within any area designated as a disease management area; and

WHEREAS, A previous executive order concerning the removal of protection from antlered and antlerless deer within the area designated as CWD DMAP Unit 6396 was issued by the Commission on September 21, 2023; and

WHEREAS, The Commission has determined that further limited removal of protection for white-tailed deer within CWD DMAP Unit 6396 is necessary to further expand hunter opportunity and increase hunter harvest of deer in this designated area; and

NOW THEREFORE, I, BRYAN J. BURHANS, 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. Protection is removed from antlered and antlerless deer within the area designated as CWD DMAP Unit 6396 insofar as it allows harvest of antlered and antlerless deer within the following expanded timeframes (*Cf.* 58 Pa. Code 139.4):

<i>WHITE-TAILED DEER</i>			
Species	First Day	Last Day	Season Limit
<i>Deer, Flintlock (Antlered or Antlerless)</i> ^{1,5} With the required muzzleloading license	Dec. 26	Jan. 27, 2024	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
<i>Deer, Archery (Antlered & Antlerless)</i> ^{2,5} With the required archery license	Dec. 26	Jan. 27, 2024	One antlered deer, and an antlerless deer with each required antlerless license.
<i>Deer, Extended Regular Firearms (Antlerless)</i> ¹	Dec. 26	Jan. 27, 2024	An antlerless deer with each required antlerless license.

2. DMAP Unit 6396: This unit is designated as set forth in the written description below and as is more graphically illustrated in the map titled “CWD DMAP Unit 6396” attached hereto and incorporated by reference herein. Should any conflict exist between the below-listed written boundary and maps of CWD DMAP Unit 6396, the written description shall prevail.

Located in Dauphin and Northumberland counties, and bounded and described as follows: Beginning in the Southwestern extent of the unit at the intersection of Mountain Road (State Highway 325) and US Highway 22, proceed north on US Highway 22 for approximately 2 miles to the point it meets the east shore of the Susquehanna River. Follow the Susquehanna River north for approximately 18.9 miles to the mouth of the Mahantango Creek. Follow Mahantango Creek east for approximately 0.22 mile to State Highway 147. Continue north on State Highway 147 for approximately 2.4 miles to the intersection of Mountain Road. Turn right on Mountain Road and continue for approximately 5.5 miles to the intersection of State Highway 225. Follow State Highway 225 south for approximately 5.5 miles to the intersection of State Highway 25 in Berrysburg. Continue east on State Highway 25 for approximately 17.4 miles to the intersection of State Highway 125 in Hegins. Follow State Highway 125 south for approximately 2.5 miles then continue straight onto Main Street for 2.2 miles to the intersection of US Highway 209. Follow US Highway 209 west for approximately 13.4 miles to the intersection of Market Street in Lykens. Proceed 0.2 mile then turn left onto Glen Park Road. Follow Glen Park Road for 1.9 miles then continue onto Powells Valley Road for 6.3 miles. Turn left onto White Oak Road for 0.5 mile then turn right onto Back Road for 0.6 mile. Turn left onto Carsonville Road for 2.6 miles to intersection of State Highway 325 (Clarks Valley Road). Follow State Highway 325 for 14.5 miles to US Highway 22 to the place of beginning.

4. It is specifically intended that both CWD DMAP Unit 6396 harvest permits and any geographically applicable antlered and antlerless deer licenses be valid for the harvest of deer within the area designated as CWD DMAP Unit 6396 during the above expanded season timeframes.

5. The previous executive order concerning the removal of protection from antlered and antlerless deer within the area designated as CWD DMAP Unit 6396 that was issued by the Commission on September 21, 2023, and published in the *Pennsylvania Bulletin* on October 7, 2023, at 53 Pa.B. 6315, is hereby rescinded in its entirety and replaced by this Order.

6. This Order is effective immediately and shall remain in effect until June 30, 2024 unless otherwise rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 12th day of October, 2023.

Attest:

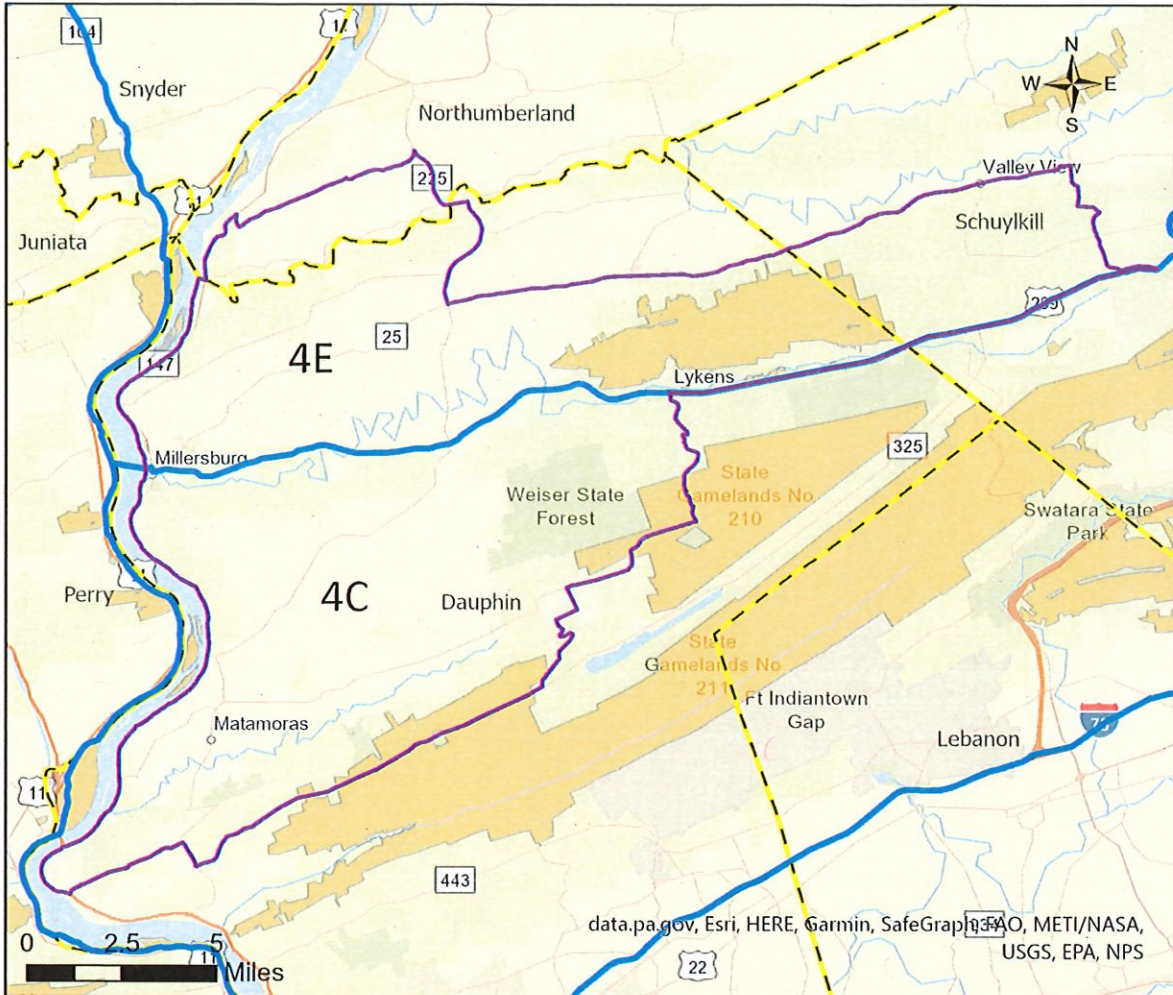
Elyabeth Mays

Bryan J. Burhans
Bryan J. Burhans
Executive Director



Pennsylvania Game Commission

Chronic Wasting Disease DMAP Unit



CWD DMAP Unit 6396

220 square miles (140,666 acres)

Established 2023-24

Date: 8/24/2023

- DMAP Unit 6396
- County
- Wildlife Management Unit
- State Forest
- State Game Lands