

REBUTTAL TO DISINFORMATION BY PGC AND ITS POLITICAL ALLIES REGARDING HB 1483

Prepared for The Governor and General Assembly of Pennsylvania
By John Eveland (December 2, 2017)

The Oxford Dictionary defines “disinformation” as: “*False information that is intended to mislead, especially propaganda issued by a government organization to a rival power or the media.*”

PGC’s Disinformation Campaign. The negative impacts from the Pennsylvania Game Commission’s mismanagement of deer, wildlife and forest resources, and sport hunting have become so egregious that it is now impossible for PGC to admit its failure and to resolve the crisis. To name a few major biological, social, and economic impacts that are caused by PGC’s failed policies: (1) white-tailed deer, our State Mammal, have been nearly biologically collapsed in some regions, (2) ruffed grouse, our State Bird, are at a 50-year low and plummeting, (3) scores of other wildlife species are in decline, (4) nearly 300,000 sportsmen have quit hunting, (5) our state economy has suffered a loss of over \$7 billion which is increasing at the rate of \$1.16 billion per year, (6) the cost to government tax revenues is \$92.5 million per year, and (7) the PGC, itself, is losing \$8.1 million per year while asking the legislature for a license-fee increase of \$8 million. Therefore, HB 1483 has been designed to address those critical conservation issues for which PGC is either unable or unwilling to resolve.

For generations, PGC had competently managed deer and wildlife resources, served the interests of sportsmen and citizens, and honorably represented the Pennsylvania Joint Legislature. However, in 1998 PGC’s legislated mission was discarded and the agency’s policy was changed to serve the special interests of only two men – a forester and a fringe environmentalist. PGC continues to comply with the requests of these two special interests.

In order to keep the agency’s new agenda in place, PGC has begun an aggressive disinformation campaign toward scuttling passage of HB 1483. PGC has solicited the help of some political allies – the leadership of select organizations that have a vested interest in preserving close ties with the agency, are dazzled with PGC’s celebrity, and who view serving PGC’s wishes more highly than in serving their membership and the wildlife resources of the Commonwealth. It is a rather common occurrence that members of these organizations, and even leaders, call the author of this document to express their dissatisfaction with their respective leadership’s blind following of PGC policy, and to announce that they are “jumping ship” to join other groups who support HB 1483.

Please read this rebuttal in its entirety, or choose the one or more rebuttal topics for which you are concerned.

List of 16 PGC Disinformation Claims.

- (1) PGC claims that its deer management program is second to none in the country.
- (2) PGC claims that most sportsmen love their deer management program.
- (3) PGC claims that HB 1483 threatens wildlife and habitat.
- (4) PGC claims that HB 1483 threatens the hunting economy.
- (5) PGC claims that HB 1483 is not based on sound science.
- (6) PGC claims that HB 1483 will replace professional biologists with political appointees.
- (7) PGC claims that HB 1483 puts deer management into the hands of a few special interest groups.
- (8) PGC claims that HB 1483 ignores the importance of managing habitat for wildlife other than deer.
- (9) PGC claims that HB 1483 threatens the North American Model of Wildlife Conservation.
- (10) PGC claims that the maximum-sustained-yield (MSY) game management method is a failed system.
- (11) PGC claims that HB 1483 will increase chronic wasting disease (CWD).
- (12) PGC claims that HB 1483 will threaten federal Pittman-Robertson funding.
- (13) PGC claims that HB 1483 violates the Pennsylvania Constitution.

(14) PGC claims that hunters are harvesting near-record numbers of deer every year.

(15) PGC claims that they needed to dramatically reduce the deer herd to protect forests.

(16) PGC claims that HB 1483 will increase the size of government.

(1) PGC claims that its deer management program is second to none in the nation. A national publication just surveyed all states and declared that PGC was the worst hunting state in the nation. Quoting from the publication *Wide Open Spaces*: *"A lot of states are doing it right when it comes to deer and deer hunting. However, a few states are on a stark downward trend. Good old Pennsylvania is the unanimous winner as the worst state to not only bowhunt, but just really hunt in general."* Considering this national assessment, it is ironic that our state's bowhunting organization supports PGC's deer management program.

In addition, the Pennsylvania Legislative Budget and Finance Committee (LB&FC) determined that from 2001-2010 116,792 sportsmen had quit hunting. In 2016, a PGC news release stated that only 550,000 hunters would go afield on the opening day of the two-week rifle deer season – a decline of 200,000 hunters from PGC's estimated 750,000 that had gone afield six years before in 2010. PGC's failed policies have caused the loss of nearly 300,000 hunters since it began its deer reduction program in 2000. On many public lands, today's Fall woods during deer season, and even during the concurrent buck and doe season, are nearly devoid of hunters, deer, and the sound of gunshots. Therefore, PGC's claim is blatantly false.

(2) PGC claims that most sportsmen love their deer management program. The Commission repeatedly claims that their unbiased survey indicates that a majority of sportsmen love their deer management program, and that PGC's deer-management program represents the wishes of 1.4 million sportsmen and women. Permit me to address this "biased" survey.

One evening my wife answered the house telephone to discover that it was the PGC's surveyor. My wife agreed to take the survey. At the end, she hung up, turned to me, and with wide and confused eyes said that she had just taken a phone survey for PGC's deer program. She said that every question was skewed to give a positive response in favor of the current deer management program, and that she had just given them a resounding thumbs-up. She began writing down the questions that she could remember. About a half hour later she again answered the phone to find that it was another request to take the deer survey. She agreed, but this time was savvy to their scheme and decided she would try to avoid the trap. Upon completion of the phone survey, she hung up and turned to me with an angry face and claimed that it had happened again – she had again been duped into giving a second thumbs-up on the deer survey. Later I reviewed a written version of the survey that was made available for inspection. They were not the same questions that were used during the telephone survey.

In addition, in April 2016 I was asked by both republican and democrat House leaders if PGC's claim could be verified. In response, I conducted a 72-hour telephone survey of 110 sportsmen's clubs, businesses, and chambers of commerce throughout central and northcentral counties. Please keep in mind that each contact did not represent the view of separate sportsmen, but instead represented businesses and organizations often ranging from 1,000 to 10,000 members in size. Of 110 contacts, 109 were in favor of deer-management reform, with only one being in favor of the Commission's deer management program (and that was a Pennsylvania Federation of Sportsmen's Club affiliate which is one of the Commission's allies). In other words, of 110 contacts who were asked if they favored the Commission's deer management program or if they preferred deer management reform, 109 out of 110 wanted reform, with most wanting legislative intervention to change the Commission's program. Many organizations expressed such animosity for both the Commission and DCNR that their comments could not be included in my report because of the liberal use of expletives. These personal statements are a true reflection of the outright hatred by sportsmen of the Commission's deer-reduction program. PGC's claim is blatantly false.

Now to the truth of the matter! Following is an account of documented supporters of HB 1483. This listing is but a small sampling of the sportsmen, outdoor-loving citizens, businesses, and organizations of the Commonwealth who adamantly reject PGC's policies, and who enthusiastically endorse passage of HB 1483.

(a) On-Line, Single-Signature iPetition..... **1,482 Signatures**
An iPetition was posted on a newly created website (<https://www.friendsofpennsylvaniawildlife.org>). People of all walks of life across the entire Commonwealth signed the ipetition during about a two-month period -- from sportsmen and camp owners to all those who wish for a healthy ecosystem with abundant wildlife. This represents only a brief and limited sampling of people who dislike PGC's programs and who endorse HB 1483. **All House and Senate members are urged to read the hundreds of eye-opening comments that were posted.**

(b) Hard-Copy, Single-Signature Petition..... **842 Signatures**
During about a 30-day period, blank petition sheets were placed in a few businesses primarily in Union and Snyder Counties to determine the desire for passage of HB 1483 by citizens who did not have access to electronic devices. This represents a microcosm of the many tens-of-thousands of signatures that would likely have resulted if these petition sheets had been distributed throughout the 67 counties of Pennsylvania. **There were a total of 2,324 individuals who signed the petition during this brief period.**

(c) Group Signatures on the Petition..... **Representing 9,650 Signers**
• Sinnemahoning Sportsmen's Club: Representing 4,700 members.
• Union County Sportsmen's Club: Representing 4,000 members.
• Buffalo Valley Sportsmen's Association: Representing 950 members.

(d) Phone Survey of Businesses and Organizations..... **109 out of 110 Businesses & Organizations**
As described above, at the request of legislators, a 72-hour telephone survey was conducted in 2016 to determine the validity of the PGC's claim *"that a majority of hunters are in approval of the agency's deer-management program"*. The survey included 110 sportsmen clubs, businesses, and chambers of commerce from the central and northern portions of the state. Of the 110 contacts, 109 were in favor of legislative deer management reform, and only one call resulted in favor of PGC. This represents only a small microcosm of the many thousands of businesses and hundreds of thousands of sportsmen who want dramatic deer management reform.

(e) Large Statewide-Organization Letters of Endorsement..... **Representing 537,000 Members**
• Allegheny County Sportsmen's League: The voice of 200,000 sportsmen.
• Unified Sportsmen of Pennsylvania: Representing 70,000-100,000 members.
• Eastern Pennsylvania Firearms Coalition: Representing 150,000-175,000 members.
• Firearm Owners Against Crime: With over 2,000 political-activist coordinators in PA and over 107,000 contacts.
• Pennsylvania State Camp Association: Representing 5,000 state-leased camps and over 60,000 members.

(f) Regional & Statewide Organization Support..... **Representing 9,307 Members**
• Mosquito Creek Sportsmen's Association: Representing 6,000 members.
• May Hollow Sportsmen's Club: Representing 900 members.
• Bucktail Rod & Gun: Representing 800 members.
• Rapid Run Rod & Gun Club: Representing 19 members.
• Half-Way Rod & Gun Club: Representing 18 members.
• West Decatur Sportsmans Club: Representing 300 members.
• Pennsylvania Taxidermist Association: Representing 1,270 Pennsylvania taxidermists.

(g) Support of Chambers of Commerce..... **Representing 2,000-3,000 Businesses**
• Cameron County Chamber of Commerce: Representing 110 businesses.
• Clearfield Chamber of Commerce: Representing over 320 businesses and organizations.
• Lycoming County Chamber of Commerce: Representing 937 businesses and organizations.
• DuBois Chamber of Commerce: Serving 14 municipalities and townships.
• Ridgway-Elk County Chamber of Commerce: Representing about 200 members.

The above documented supporters of HB 1483 are but a small sample of the thousands of businesses, hundreds-of-thousands of organization members, and millions of outdoor-loving citizens who strongly endorse HB 1483.

(3) PGC claims that HB 1483 threatens wildlife and habitat. HB 1483 will increase deer populations throughout the Commonwealth by using three scientific wildlife management principles: creating broad-scale

habitat enhancements, improving the biological structure of the deer population, and adjusting critical regulatory harvest measures. State-of-the-art habitat enhancements will result on 350,000 acres of State Game Lands and State Forests – creating 4,800 Forest Management Unit (FMU) sites throughout the roughly 6,000 square miles of public forests. This system of habitat improvements will be further developed on select private forests throughout the state. These measures will greatly increase forest carrying capacities to support more deer and sustain healthy deer while improving the overall health of the forest ecosystem.

In addition to benefitting white-tailed deer, HB 1483's vast habitat enhancement system will create early successional forest stands on 4,800 square miles of public forestlands. The American Bird Conservancy identified "early successional forests" of the Northeast as one of the Top 10 threatened habitats in the United States. HB 1483 will especially benefit grouse populations, surpassing even those recommendations of the Ruffed Grouse Society. According to PGC's grouse biologist, Lisa Williams, "*Sightings this year were the fewest ever. If there's any good news, it's that grouse populations appear able to withstand illness if there's enough good habitat spread over a wide expanse.*" "*That is not how things have to be*", said Dan Dessecker, conservation policy director for the Ruffed Grouse Society. "*This is not rocket science. If you have young forests, you will have grouse. Pennsylvania doesn't,*" he said. PGC has failed for decades to cut mature timber as habitat for deer, grouse, and other wildlife. Our forests are now 80-120 years old with closed tree-tops that are blocking sunlight from reaching the forest floor, thus preventing the regeneration of food and cover for wildlife.

Pete Sussenbach, director of PGC's bureau of habitat management, said, "*Right now we are heavily skewed toward that 80- to 120-year-old age class. There's just not a heck of a lot of those early successional forests out there. A dot of it here and there isn't going to do much. The problem is only expected to get worse.*" "*Grouse aren't going to disappear completely in the meantime*", concluded PGC's Lisa Williams.

The recovery of our State Bird and 60-100 other declining populations of wildlife depend on passage of HB 1483. Habitat will be greatly improved for myriad species of game and nongame wildlife from snowshoe hares, bats, and songbirds to pollinators such as honeybees and Monarch butterflies. There will be no public costs incurred from habitat enhancement operations. At PGC's current rate of habitat development, it would take the agency 100-200 years to accomplish what HB 1483 will achieve in 10-15 years. **There is no provision that is more important to deer, grouse, and other forest-dwelling wildlife than HB 1483.**

(4) PGC claims that HB 1483 threatens the hunting economy. By increasing deer, grouse, and other wildlife populations with the resulting return of hundreds-of-thousands of sportsmen who had quit hunting because of the lack of deer, HB 1483 will reinvigorate rural communities, family businesses, tourism and recreation, and the multi-billion-dollar outdoor recreation industry that have been devastated by over \$7 billion of damages, bankruptcies, and business closures over the past 16 years as a result of the Commission's failed policies. Jeff Mulhollem, editor of Pennsylvania Outdoor News, published, "*Pennsylvania small businesses that catered to hunters have disappeared with the reduction of the deer herds.*" According to the director of the Cameron County Chamber of Commerce, "*The Commission's deer-reduction program is economic suicide for the county.*"

As derived from LB&FC studies, HB 1483 is projected to generate \$1.2 billion per year for family businesses, rural communities, and the Commonwealth's economy; to refill family cabins and hunting camps that now stand empty because of the lack of deer and other wildlife; to generate \$93 million of annual tax revenues for state and local governments; and to provide \$33-65 million per year in new revenue for the PGC -- \$8.1 million from renewed hunting-license sales, and \$25-57 million from timber sales associated with HB 1483's state-of-the-art habitat enhancement plan. The bill would also generate \$42-97 million in annual timber-sale revenue for DCNR.

(5) PGC claims that HB 1483 is not based on sound science. This claim is simply untrue, and is part of PGC's disinformation campaign. It is, instead, PGC's deer, wildlife resources, and forest and habitat programs

that have little basis in science. This is the reason that HB 1483 was designed – to return sound science and responsible wildlife management policies to Pennsylvania.

After having conducted its intensive and nationally unprecedented 5-year reduction of the deer herd from 2000-04, about 2006 PGC's deer-management team decided that they should articulate a justification for the agency's action. Three goals were subsequently listed as being the reasons for herd reduction: (1) to improve the health of deer, (2) to improve the health of the forest and specifically to increase seedling regeneration of red oaks, and (3) to improve biodiversity (the numbers and diversity of wildlife, wildflowers, and native shrubs). It was supposed that all three of these poor and declining wildlife and forest health issues was being caused by an abundance of deer, and, therefore, the herd needed to be permanently reduced to restore health to the forest ecosystem.

(a) Regarding deer health, a 10-year after-the-fact study by PGC discovered that deer were not ever in poor health, but had been in good to excellent health in every one of the 22 wildlife management units throughout the state. Therefore, based on deer health, PGC had decimated the herd under a failed assumption.

(b) Regarding forest health and regeneration, a 2015 report by the Legislative Budget and Finance Committee indicated that following deer reduction, regeneration did not improve on any of the 22 WMUs throughout the state. This indicated that deer had not been at fault for low rates of seedling regeneration, and it has been subsequently determined that aging forests with tightly closed tree-top canopies were responsible for diminishing seedling regeneration. Furthermore, a comprehensive DCNR study in 2006 discovered that only 3% of the forest was classified as heavily browsed by deer, while 97% was classified as non-browsed, lightly browsed, or moderately browsed. About 69% was listed as not being browsed at all. While this DCNR report could have been devastating for PGC's deer-reduction program, unfortunately the report was not widely distributed nor discussed with legislators and sportsmen.

(c) Regarding biodiversity, a 10-year U.S. Forest Service study discovered that after over 10 years of dramatic herd reduction, the densities and diversity of tree seedlings and wildflowers had not changed. In addition, instead of PGC's programs improving populations of wildlife, scores of wildlife species continue in a precipitous decline because of PGC's inability to solve the crisis.

Furthermore, following are excerpts from the 2017 Winter issue of Fair Chase magazine that were written by Dr. Duane Diefenbach, Director of the federal USGS Pennsylvania Cooperative Fish and Wildlife Research Unit, and Professor at The Pennsylvania State University.

“The idea behind (PGC's) implementing APRs was that reducing deer densities would be unpopular, but perhaps implementing APRs could be a tradeoff that would be acceptable to hunters - fewer deer overall but more older bucks with larger antlers. But deer management is more than just meeting biological objectives. This experiment could have been completely successful from a biological standpoint but a management failure if the results were not acceptable to hunters. One thing that did change opinions during the course of our research was the reduction in deer density. As deer densities declined, so did hunter satisfaction. Before the 2002 hunting season, 34 percent of hunters agreed there were too many antlerless deer where they hunted. But after the 2004 hunting season agreement declined to 13 percent. Most importantly, hunter satisfaction is driven primarily by the number of deer observed while hunting. Many studies of hunter attitudes have noted that...at the end of the day, the positive reinforcement of seeing deer while hunting seems to be the most critical component to hunter satisfaction.”

As has been learned by Dr. Diefenbach's research, there is more to a successful wildlife management program than simply biological science, such as the social (and economic) consequences of management actions. While HB 1483 is designed to be fully cognizant of the serious social and economic implications surrounding PGC's deer management program, the bill was prepared with the assistance of expert forestry and wildlife biology professionals. HB 1483's Forest and Wildlife Advisory Service will house 15-20 highly professional wildlife

biologists and foresters who in addition to conducting those research parameters for which PGC staff is either incapable or refuses to study, the Service will provide on-going scientific advisory services to the Governor and General Assembly to assure the responsible oversight of PGC and to guarantee PGC accountability to the legislature, sportsmen, and the 12.8 million citizens of the Commonwealth.

(6) PGC claims that HB 1483 will replace professional biologists with political appointees. First, it should be made clear that PGC is completely under the control of eight (8) political appointees – a board of laymen and sportsmen called the Board of Game Commissioners. Secondly, DCNR has a group of 18 volunteer sportsmen called the Conservation and Natural Resources Advisory Council (CNRAC) whose primary purpose is to influence PGC’s Game Commissioners to maintain the deer reduction program with high annual antlerless license allocations and the maximum number of DMAP antlerless permits for DCNR. While political appointees are the standard for PGC and DCNR toward maintaining low deer densities in the state, this is certainly not the case regarding HB 1483.

Under the precepts of HB 1483, it is true that House and Senate leaders will select a representative from large conservation-related organizations to form a Forest and Wildlife Advisory Council. Whereas PGC’s Board of Commissioners is responsible for directing all aspects of PGC operations, the Council’s primary responsibility will be to formulate a team of professional wildlife biologists and foresters to carry out the scientific provisions of the bill. The resulting Forest and Wildlife Advisory Service will house 15-20 independent and highly professional wildlife biologists and foresters who in addition to conducting those research parameters for which PGC staff is either incapable or refuses to study, the Service will provide on-going scientific advisory services to the Governor and General Assembly to assure the responsible oversight of PGC and to guarantee PGC accountability to the legislature, sportsmen, and the 12.8 million citizens of the Commonwealth.

(7) PGC claims that HB 1483 puts deer management into the hands of a few special interest groups. To the contrary, HB 1483 was designed to remove severe outside special interest influence from the management of PGC’s deer, forest and wildlife resources, and sport hunting arenas. The bill’s Forest and Wildlife Advisory Service will be an independent, unbiased, team of scientists who will coordinate certain aspects of wildlife management to assure that PGC adheres to its legislative mission.

In 1998, PGC fell under the influence of two special interest groups, and remains under their direct influence to this day. In that year, DCNR entered into a mutually beneficial financial agreement with the Forest Stewardship Council – a German-based environmental organization that was partnered with the International Rainforest Alliance – in which DCNR would pay FSC an annual fee, and in return FSC would grant DCNR an annual Green Certification Award. According to this mutually-beneficial scheme, the resulting annual Green Certification Award would give environmentally-minded retail and wholesale customers the impression that lumber from DCNR’s state forests was superior to other sources of wood products, and, therefore, domestic and international sales of DCNR lumber would increase. Three men (FSC’s regional representative, DCNR’s chief forester, and PGC’s chief of wildlife management, who was, himself, not a hunter) conspired to use this opportunity to permanently reduce the deer herd. The trio included a provision in the DCNR/FSC green certification agreement that the Game Commission would need to comply with herd reduction in order for DCNR to be granted the annual award. While in reality this was not the case but simply a ruse by the three men, they succeeded in convincing the governor, who adjusted the Commission’s board of game commissioners and executive staff toward achieving herd reduction.

Therefore, herd reduction was initiated for two reasons: for DCNR money and for an anti-deer, environmental agenda. This scheme soon proved to be a socioeconomic disaster for the state. The Legislative Budget and Finance Committee determined that as of 2011 the annual DCNR gain in revenue from the green-certification/deer-reduction scheme was about \$1.2 million per year, while the cost to Commonwealth economic activity – primarily to family businesses and rural communities – was a minimum of \$501.6 million per year. The LB&FC further calculated that a minimum of \$40 million in annual tax revenue is being lost as a result of the deer-reduction program -- \$25 million in lost state tax revenue and \$15 million lost annually in local taxes.

By 2017, these annual impacts had increased to \$1.16 billion in losses to our economy and \$92.5 million in tax losses.

PGC's claim that HB 1483 will put deer management into the hands of a few special interest groups is absolutely disinformation. In reality, HB 1483 will remove deer management from the hands of two special forestry and radical environmental interests that have been influencing PGC for the past 20 years – at billions-of-dollars in costs to the Commonwealth.

(8) PGC claims that HB 1483 ignores the importance of managing habitat for wildlife other than deer. For decades, PGC has ignored the impacts from aging forests across the state which now average 85-125 years old. As our forest trees have grown older and larger, tree-top canopies have closed and are blocking sunlight from reaching the forest floor – preventing the regeneration of food and cover as habitat for wildlife. PGC mistakenly blamed deer for this circumstance, and used this premise in an attempt to justify their deer reduction program. As a result of PGC's negligence, not only deer have suffered, but the grouse population has hit a 50-year low with no end to the decline in sight, wild turkeys are down over 30%, and 60-100 species of game and nongame wildlife from snowshoe hares and songbirds to honeybees and Monarch butterflies are in a precipitous decline because of PGC's mismanagement of wildlife habitat.

HB 1483 is especially designed to improve wildlife habitat for myriad species across the entire 6,000 square-mile system of State Forests and State Game Lands. It is estimated that the bill will result in upwards of 350,000 acres of new early-successional forests including other significant habitat enhancements on 4,800 separate sites that are now critical for the health of scores of wildlife species. HB 1483 was designed to solve critical wildlife management, habitat, and conservation problems that have been caused by PGC mismanagement, and for which PGC is either incapable of, or unwilling to resolve.

(9) PGC claims that HB 1483 threatens the North American Model of Wildlife Conservation. The Game Commission is making a great effort to prompt its political allies to convince legislators that HB 1483 is a threat to the North American Model of Wildlife Conservation. While this facet of PGC's disinformation campaign might at first glance seem to be possible, there is, in fact, no validity to this false claim. This conservation model is precisely that – a model that is now used in many circumstances to guide wildlife management and conservation decisions. From published sources, *“the model has no direct legal powers, but rather has become the basis for policies developed by the Boone and Crockett Club, the Association of Fish and Wildlife Agencies, The Wildlife Society, and other conservation groups.”*

While the model was first articulated in 2001 by The Wildlife Society, it has its origins in 19th century conservation movements. For decades, I have conducted my professional career under a set of accepted wildlife management precepts as have other wildlife professionals for over a hundred years. In 2001, The Wildlife Society organized some of these fundamental principles into a single document, which they refer to as the North American Model of Wildlife Conservation. The document is especially helpful toward promoting recreational hunting, and as such is criticized by environmental organizations. It has also been criticized by professionals who recognize that the model's reference to science refers primarily to biological science, and disregards the necessity for wildlife managers to consider the social science implications and economic effects of management decisions. In this regard, Dr. Duane Diefenbach recently published a series of articles in *Fair Chase* magazine entitled *Antler Point Restrictions: **The Social Side of the Story***, in which he stated: *“But deer management is more than just meeting biological objectives. This (APR) experiment could have been completely successful from a biological standpoint but a management failure if the results were not acceptable to hunters.”* In the article, Dr. Diefenbach discovered that while APR's in Pennsylvania were successful at meeting the biological goals that PGC sought, PGC's deer management program was a social science failure because it was only approved by 13% of hunters.

As is published: “The model rests on two basic principles –fish and wildlife are for the non-commercial use of citizens, and should be managed such that they are available at optimum population levels forever. According

to The Wildlife Society: *“Indeed, the Model itself is not a monolith carved in stone; it is a means for us to understand, evaluate, and celebrate how conservation has been achieved in the U.S. and Canada.”*

Further, The Wildlife Society formulated seven guidelines as presented below. Quoting The Wildlife Society:

(a) Wildlife resources are a public trust. Challenges include (1) inappropriate claims of ownership of wildlife; (2) unregulated commercial sale of live wildlife; (3) prohibitions or unreasonable restrictions on access to and use of wildlife; and (4) a value system endorsing an animal-rights doctrine and consequently antithetical to the premise of public ownership of wildlife.

Note that HB 1483 does not conflict with this first guideline, in that Pennsylvania wildlife remains in the ownership of the citizens of the Commonwealth.

(b) Markets for game are eliminated. Commercial trade exists for reptiles, amphibians, and fish. In addition, some game species are actively traded. A robust market for access to wildlife occurring across the country exists in the form of leases, reserved permits, and shooting preserves.

Note that HB 1483 does not conflict with this second guideline, in that there is no provision to sell game as commercial trade.

(c) Allocation of wildlife is by law. Application and enforcement of laws to all taxa are inconsistent. Although state authority over the allocation of the take of resident game species is well defined, county, local, or housing-development ordinances may effectively supersede state authority. Decisions on land use, even on public lands, indirectly impact allocation of wildlife due to land use changes associated with land development.

Note that HB 1483 does not conflict with this third guideline. However, state agency authority can be superseded by social needs. It is likely that PGC is in direct violation with this North American Model principle.

(d) Wildlife can be killed only for a legitimate purpose. Take of certain species of mammals, birds, reptiles, and amphibians does not correspond to traditionally accepted notions of legitimate use.

Note that HB 1483 does not conflict with this fourth guideline, in that there is no provision to kill wildlife for illegitimate purposes.

(e) Wildlife is considered an international resource. Many positive agreements and cooperative efforts have been established among the U.S., Canada, Mexico, and other nations for conserving wildlife. Many more species need consideration. Restrictive permitting procedures, although designed to protect wildlife resources, inhibit trans-border collaborations. Construction of a wall to prevent illegal immigration from Mexico to the U.S. will have negative effects on trans-border wildlife movements and interactions.

Note that HB 1483 does not conflict with this fifth guideline, in that there is no international provision in the bill nor plan to build a wall to restrict wildlife.

(f) Science is the proper tool to discharge wildlife policy. Wildlife management appears to be increasingly politicized. The rapid turnover rate of state agency directors, the makeup of boards and commissions, the organizational structure of some agencies, and examples of politics meddling in science have challenged the science foundation.

Note that HB 1483 does not conflict with this sixth guideline, and, in fact, was designed to remove special interest and political influences from controlling PGC’s management decisions. (See PGC’s false claim # 7 for a description of the two special interests that politically influence PGC wildlife management policy.) In addition, a 2011 Legislative Budget and Finance Committee study of the costs and benefits of DCNR’s Green Certification Award Program and its relationship to PGC’s deer management program stated that it was not based on science, but on politics. Quoting from the LB&FC report: “Those rules, however, are increasingly substituting politics for science...In some cases, environmental activists use (green) certification to place barriers on communities, thereby leaving people without the prosperity or resources necessary to meet certain certification standards that environmental groups claim to support.” This is precisely what has resulted from PGC’s politically motivated deer reduction program – causing lost jobs and family business closures throughout rural communities and an annual impact of \$1.16 billion to Commonwealth economic activity.

(g) Democracy of hunting is standard. Reduction in, and access to, huntable lands compromise the principle of egalitarianism in hunting opportunity. Restrictive firearms legislation can act as a barrier hindering participation.

Note that HB 1483 does not conflict with this seventh guideline, in that there is no provision in the bill to restrict the amount of huntable land and no restrictive firearms legislation. In fact, PGC is in direct violation of this North American Model principle in that the agency's mismanagement of the state's deer herd has resulted in the loss of nearly 300,000 hunters. Because hunters represent the first-line of defense in support of our Second Amendment rights, PGC's wildlife politically motivated policies are threatening the integrity of our Second Amendment as well as the future of sport hunting in Pennsylvania.

Furthermore, PGC's failed wildlife and habitat management policies are causing the precipitous decline of 60-100 species of both game and nongame wildlife in Pennsylvania, and the agency is incapable of correcting the crisis. This is a direct violation of one of the two fundamental principles of the North American Model of Wildlife Conservation – *fish and wildlife should be managed such that they are available at optimum population levels forever*. Again, HB 1483 is designed to return wildlife management in Pennsylvania to the principles of the North American Model, to the precepts of the Pennsylvania Constitution, and to PGC's legislative mission as directed by the Game and Wildlife Code: Title 34, Section 322(c)(13).

(10) PGC claims that the maximum-sustained-yield (MSY) game management method is a failed system. PGC is correct, but only if you are a forester, a radical environmentalist, or a state conservation agency that has been hijacked by one or both of these special interests.

PGC has been expending much effort in an attempt to convince legislators that the "maximum-sustained-yield" (MSY) method of game management is a failure. This is simply not true. It has been the staple of successful, scientific wildlife management for generations. As has been previously described, one of the two fundamental principles of The Wildlife Society's North American Model of Wildlife Conservation asks for "sustaining the optimum number of animals throughout the future". HB 1483 is in compliance with the Model in that the fundamental precept of the bill will deploy management techniques that will assure the sustained yield of wildlife while preserving the health of the forest ecosystem and the integrity of overall wildlife biodiversity.

Long before formulation of the North American Model, in 1960 The Wildlife Society also created "The Bible" of wildlife management entitled *Wildlife Management Techniques Manual* -- a large (8 ½ x 11), 700-page technical manual that has been on the desk and the staple of every capable wildlife manager for many decades. (My first copy was the third edition that was printed in 1971.) Nearly every wildlife management topic from complicated population-density equations to rigorous trapping and sampling techniques from mice to moose are included in the manual.

One whole chapter (Sustained Yield Management) is devoted to the sustained-yield and maximum-sustained-yield management of game animals. Pennsylvania lived by this game-management method for decades until it was eliminated in 1998 in favor of an Audubon-style of management called "ecosystem management" that is focused on tree-seedling regeneration and biodiversity (primarily nongame mammals and songbirds, native shrubs, and wildflowers). Before its elimination by PGC, MSY had been responsible for making Pennsylvania one of the top two deer hunting states in the nation for decades.

There are likely a thousand definitions for MSY that states, universities, and other conservation entities have written to serve particular management circumstances. In this case, please note that HB 1483 includes Pennsylvania's new MSY definition: "Maximum sustained yield: The management of game animals, including white-tailed deer, toward producing the maximum number of animals for consumptive use that may be sustained over time, thus maximizing the recreational aspects of the harvest." The scientific standards for its new application in Pennsylvania include the maintenance of a healthy forest ecosystem and the sustainability of optimum populations of all forest-dwelling wildlife, accomplished through rigorous scientific research that will be conducted yearly by professional wildlife biologists and foresters as prescribed by the bill's establishment of a Forest and Wildlife Advisory Service. Again, this primary scientific provision of HB 1483 adheres fully to the fundamental principle of the North American Model of Wildlife Conservation.

It is significant to note that the MSY method of wildlife management is akin to how a farmer manages his cattle herd for profit – placing the maximum number of cattle in his fields that he can responsibly sustain over years so as to not harm the capacity of his fields to provide grasses on a continuing annual basis. If the farmer were to place too few cattle on his land, he would not be maximizing his profit. If he had too many cattle, he could not sustain the yield because the amount and quality of the forage that grows in his fields could not support such a high number of cattle. In reference to wildlife management and HB 1483, the goal is to determine through scientific field investigation what is the carrying capacity of Pennsylvania forests to support deer and other species, and to formulate methods to sustain these population levels over time – a scientifically rigorous and technically demanding task.

In a recent published review of state game and wildlife agencies that was conducted by one of the three principal architects of PGC's deer-reduction program and funded by the Pinchot Institute, the surveyor was surprised to learn that Pennsylvania is now the only state that does not use the maximum-sustained-yield method of game management in one form or another. To soften this revelation, in the publication he referred to the Game Commission as being the only state that is "enlightened", and referred to the MSY method as being an antiquated method of natural resource management that is akin to a farmer producing cattle for profit. Again, it should be noted that this man was the original architect of the deer reduction program in 1998, and who, along with DCNR's chief forester and the Commission's chief of wildlife management, had been successful at eliminating MSY and replacing it with Audubon's preferred style of wildlife management – for which the biological, social, and economic consequences have been catastrophic for the state.

Regarding the MSY method of wildlife management, it is likely that the Pennsylvania Game Commission is not the only "enlightened" state, but remains "out in left field" regarding the scientific, non-political management of the Commonwealth's wildlife resources. HB 1483 is designed to return Pennsylvania to the scientific and responsible management of wildlife and forest resources that millions of citizens and sportsmen had previously enjoyed for generations.

(11) PGC claims that HB 1483 will increase chronic wasting disease (CWD). At the current time, this virulent disease is expanding throughout the Commonwealth's deer herd and is threatening the future of both the state's deer and elk herds. At risk is not only the loss of major portions of both populations, but their viability for sport hunting, for outdoor recreation and tourism, and as multi-billion-dollar economic generators for rural communities. Game Commission policies are now encouraging the frequency-of-infection and rate-of-transmission of CWD. According to University of Wisconsin studies, if PGC continues its current deer management program and pursues its planned approach to CWD, within 10 years 50% of the buck and 30% of the does will be infected in CWD areas. PGC's planned use of sharpshooters to further reduce deer densities was found to be ineffective by Wisconsin researchers, and only reduced the numbers of deer for sport hunting with no remedial affect regarding CWD.

HB 1483 is designed to initiate remedial management techniques that are recommended from 10 years of university studies toward halting and reversing the spread of CWD. At this time, the futures of Pennsylvania's State Mammal and magnificent elk herd are dependent upon passage of HB 1483.

(12) PGC claims that HB 1483 will threaten federal Pittman-Robertson funding. In an effort to thwart passage of HB 1483, last year the Game Commission solicited a response from the U.S. Fish and Wildlife Service concerning the possible impact of HB 1483 on federal funding to PGC. I acquired the letter that the U.S. Fish and Wildlife Service provided to the Commission, which states that they made a review of the effects, "if any" (as they stated in the letter), that might result from HB 1483.

Subsequently, I called the Pittman-Robertson office in the U.S. Fish and Wildlife Service and discussed the matter at length. The bottom-line was that the U.S. Fish and Wildlife Service stated that it does not get involved in state conservation politics. Neither do they review the policies of state conservation agencies for

the efficacy of state wildlife programs. As long as the state agencies correctly fill out the applications for purposes that are approved by the federal agency, then the Fish and Wildlife Service simply writes the checks.

I was told by USF&WS that the Pennsylvania Game Commission is rather unique in that most state game departments are a part of the bureaucracy, and are, therefore, greatly influenced by the political whims of the governor. The PGC is an autonomous agency that is not overseen by the governor. Any oversight and outside influence is made by the Legislature via Title 34: The Game and Wildlife Code. Note that the State Legislature is about to give up this oversight and the ability to hold the agency accountable if a pending PGC license-fee bill is passed.

In addition, I reviewed the entire Pittman-Robertson Act and discovered a section stating that *an entity that is empowered by state law to provide a function that is normally conducted by the state game department is approved for funding under the Act.* The Forest and Wildlife Advisory Service as defined in HB 21483 represents such an entity. Therefore, according to the U.S. Fish and Wildlife Service, it is unlikely that federal Pittman-Robertson funding will be affected by HB 1483, or that the U.S. Fish and Wildlife Service will choose to get involved in the internal politics of the Game Commission. Additionally, according to the Pittman-Robertson Act, it is likely that the provisions of HB 1483 will actually qualify for federal P-R funding.

PGC is, therefore, spreading this disinformation solely in an attempt to impede passage of the bill. HB 1483 would provide the Legislature with the scientific data and advisory services that are needed to hold PGC accountable to the sportsmen and citizens of the state.

(13) PGC claims that HB 1483 violates the Pennsylvania Constitution. Again, PGC continues to sling mud on the walls in the hope that something will stick that might disparage HB 1483. In this instance, it is PGC who violates the original intent of The Pennsylvania Constitution. HB 1483 would remedy violation by the agency.

Under Article I of the Pennsylvania Constitution, Section 27 (Natural Resources and the Public Trust), it states: *“The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania’s public natural resources are the common property of all people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.”*

It is questionable as to how PGC considers HB 1483 to be in violation of this Section 27 of the Constitution, however, permit me to describe how PGC is ignoring and violating it.

First, judicial reviews have determined that this section of the Constitution is being used by staunch environmentalists to deter private and government developments on public lands, such as energy development operations. The courts sided against the environmental groups, in that certain developments or other actions on public lands might have demonstrable social and economic benefits toward the public good. This claim is, therefore, has not been so successful in halting socio-economically beneficial operations on public lands. PGC, however, is now taking the position of a “fringe environmental organization” in apparently attempting to halt habitat development on state-owned lands. This is understandable considering the on-going influence over the Game Commission by two special-interest forestry and fringe environmental groups.

Secondly, PGC’s mismanagement of wildlife resources and wildlife habitat are now causing the rapid decline of scores of game and nongame wildlife throughout the state with dire social and economic repercussions as outlined in other sections of this document. The PGC is neither “conserving (managing wisely) nor maintaining these species, and, therefore, is in direct violation of the Pennsylvania Constitution.

Furthermore, PGC is not simply guilty of incompetence and negligence, but is, instead, intentionally serving these two special interests at the expense of the interests of the public – again in direct violation of the Pennsylvania Constitution.

HB 1383 has been specifically designed to assist PGC in wisely managing the Commonwealth's wildlife and forest resources for the benefit of all citizens and for future generations, and to assist the General Assembly in holding the agency accountable for the quality of its decisions and toward adhering to the legislated precepts of the Constitution and Title 34: The Game and Wildlife Code (for which the Commission is also in direct and deliberate violation.

(14) PGC claims that hunters are harvesting near-record numbers of deer every year. Prior to herd reduction beginning in the year 2000, the Commission had harvested an average of 378,000 deer per year. Even though the Commission killed 2,500,000 deer from 2000-04 (which included an extra 100,000 pregnant does and fawns on average during each of those five years), and acknowledges dramatic deer reductions to as few as 1-2 deer per square mile in some regions, from 2005 to the present the agency has continued to claim that annual harvests are nearly as high now as they had been during the heydays of deer hunting during the 1970s to '90s. For each of these years, I have scientifically determined the number of deer that would be required in order to sustain annual average harvests of 330,000-350,000 deer or more. If this Game Commission claim were accurate, it would require a population of 2.1 million deer in the state – representing 76 deer per square mile (dpsm) on every square mile of forested land area in the state, or 45 dpsm on every square mile of total land area including the city streets of Pittsburgh and Philadelphia. Considering that most of Penn's Woods during the two-week regular deer season are nearly devoid of hunters, deer sightings, and gunshots, it is obvious that the Commission's high annual harvest claims are erroneous and can only be explained by incompetence or deception.

Furthermore, according to basic deer biology and population dynamics of the herd, if PGC were harvesting the number of deer that they claim were harvested each year from 2005 to the present, deer would have been completely exterminated from the state – zero deer – by the Fall of 2008. Otherwise, PGC would have needed to import 3,093,961 deer from other states in order to satisfy such exaggerated harvest claims. Under normal circumstances, such erroneous claims by the PGC might seem silly; however, considering the seriousness of the current crisis, this matter exemplifies the great and immediate need for legislative intervention and implementation of the precepts of HB 1483 for scientific wildlife management and PGC accountability.

(15) PGC claims that they needed to dramatically reduce the deer herd to protect forests. An assessment of this issue is fundamental to understanding the seriousness of PGC's mismanagement of wildlife resources and habitat, and toward resolving the crisis. In this case, HB 1483 was designed precisely for this purpose.

PGC has emphasized this point for years in an attempt to justify the intentional near-biological-collapse of our State Mammal – white-tailed deer – and the agency has had some success in convincing some of its political allies that they were correct in this audacious action. Instead, this action by the agency would not likely have occurred in any other state which highly values its wildlife resources and sport hunting. As examples, the Ohio Division of Wildlife, in partnership with the Ruffed Grouse Society, is pleading for private land owners to cut timber as desperately needed habitat for 60 species of wildlife. Minnesota is asking for at least 15% of every square mile of forestland to be cut as early successional forests and habitat for wildlife. West Virginia has established a minimum acreage goal of timber harvests in order to provide habitat for wildlife. Arkansas wildlife managers stated publically that they were in the business of producing wildlife, and not trees, and that regardless of the current market value of lumber, were continuing to aggressively cut trees for wildlife habitat.

In contrast to competent wildlife management policies in other states, for 15 years the Pennsylvania Game Commission has claimed that the state's aging forests could not support the existing number of deer, and so chose to decimate the deer herd – an action that also decimated the multi-billion-dollar outdoor industry and rural economies by \$1.2 billion per year, and risks the future of sport hunting in the Commonwealth. Instead of destroying the deer herd in order to benefit trees, the Commission should have cut the trees to provide better habitat for deer and a multitude of other wildlife species. This would have represented outside-of-the-box thinking by most wildlife managers in other states. By simply cutting trees as habitat which should have begun decades ago instead of killing deer, PGC could have averted an over \$7 billion socio-economic disaster.

Instead, we are left with a collapsed deer herd with the underlying habitat crisis left unaddressed – aging forests with tightly closed tree-top canopies that are preventing sunlight from reaching the forest floor, and thus deterring understory regeneration as food and cover for wildlife.

When the Commission has made a nominal effort to cut timber, they fenced it off to prevent access by deer and any other species that could not fly over the fence or that were too large to slip through the spaces in the fence, an unconscionable action that PGC continued until recently because of pending pressures by HB 1483 and its predecessor during the last legislative session. In 2016, in a letter to the legislature PGC's executive director stated that the agency was about to change its policy from growing trees to producing wildlife. The fact that the state's game and wildlife agency would even be faced with this decision is unconscionable, and exemplifies the need to pass HB 1483. Incidentally, DCNR continues to fence its timber cuts to wildlife.

The provisions of HB 1483 will include aggressive habitat enhancements and timber cuts that will improve both State Game Lands and State Forests for deer, grouse, snowshoe hares, other game animals, and a whole community of songbirds and hundreds of other forest-dwelling species. As has been stated in another section of this document, at PGC's current and planned rate of habitat improvements, it would take the agency 100-200 years to accomplish what HB 1483 will achieve in 10-15 years.

(16) PGC claims that HB 1483 will increase the size of government. While it is true that the provisions of HB 1483 will create a Forestry and Wildlife Advisory Service that will be comprised of an estimated 15-20 forest and wildlife scientists, the Service will be entirely independent of government. There will be no use of government taxpayer dollars. To the contrary; HB 1483 will create an estimated \$33-65 million per year in revenue for the Game Commission – revenue increases of \$8 million in renewed hunting-license sales, and \$25-57 million from timber sales associated with the bill's habitat enhancement program. In like fashion, HB 1483 will generate an estimated \$42-97 million in annual increased timber-sale revenue for DCNR.

Conclusion. PGC has arbitrarily chosen to change its legislated mission to instead serve the interests of foresters and radical environmentalists at the expense of sportsmen and the millions of outdoor-loving citizens of Pennsylvania. In so doing, the PGC is in violation of both Title 34 state law and the Pennsylvania Constitution. PGC has stated emphatically that it is unwilling to change this new policy, and has initiated a disinformation campaign with the assistance of some of its political allies toward preventing passage of HB 1483. HB 1483 is the only permanent solution to return PGC to its Title 34 mission, to assist the agency to once again manage wildlife resources in a scientific and socio-economically responsible manner, and to provide the Joint Legislature with the professional advisory services that are needed to assure Commission accountability to legislators and the citizens of the Commonwealth.