

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

AGRICULTURE

§ 147.551. General.

Sections 147.552—147.559 (relating to agriculture) establish rules for the submission of applications and the issuance of agriculture deer control harvest permits on lands enrolled in the agriculture deer control program.

§ 147.551a. Definitions.

The following words and phrases, when used in this subchapter shall have the meanings given to them in this section, unless the context clearly indicates otherwise:

Agriculture deer control permit—The permit issued to a qualified person that authorizes its holder to issue harvest permit coupons to aid in the removal of deer by shooting on lands under their ownership or control, or both.

Coupon—The coupon issued by the Commission to the holder of an approved agriculture deer control area permit for distribution to qualified hunters entitling the holder to one agriculture deer control harvest permit for the area indicated on the coupon.

Harvest permit—The numbered agriculture deer control harvest permit issued through the Commission's Pennsylvania Automated Licensing System (PALS), authorizing the holder thereof to hunt antlerless deer in the area indicated on the coupon. Each harvest permit has its own antlerless deer ear tag attached to be used only for tagging an antlerless deer harvested in the designated area.

Qualified person—An individual defined as a person, as defined in section 2121(c) of the act (relating to killing game or wildlife to protect property). This term also includes political subdivisions as applicants for a conglomeration of separate, but otherwise individually eligible properties located within the jurisdictional boundaries of the political subdivision as set forth in § 147.558a (relating to political subdivisions as applicants).

§ 147.552. Eligibility and application for agriculture deer control permit.

(a) Application for the agriculture deer control permit shall be made on a form provided by the Commission.

(b) An applicant shall submit a copy of a deed or lease showing the applicant to be the owner or have control, or both, of the hunting rights of the land to be covered by the permit.

(c) The applicant shall designate the location and boundaries of the area to be covered by the permit in a manner approved by the Commission.

(d) By default, the Commission will allocate one agriculture deer control coupon for every 5 acres of land that the agriculture deer control permit holder has under cultivation. Applicants may submit a request to the Commission for the issuance of additional coupons. This request must be accompanied by a written deer management plan describing in detail current deer population data and landscape conditions relative to the applicant's land use goals and objectives. The request must also identify the specific number of additional coupons requested. The Commission, in its sole discretion, may approve a request for the issuance of additional coupons if the applicant's deer management plan both justifies an increase and such increase does not conflict with the Commission's broader deer management goals and objectives for any affected Wildlife Management Units.

(e) There is no fee to apply for the agriculture deer control permit.

(f) An agriculture deer control permit holder may not issue more than four coupons to any person, including him/herself, to take deer on the agriculture deer control permit holder's land enrolled in the agriculture deer control program.

§ 147.553. Agriculture deer control harvest permit.

(a) *Validity.* An agriculture deer control harvest permit is valid from August 1 to September 15 and February 1 to April 15 each license year, excluding Sundays, during legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G (relating to hunting hours).

(b) *Fee for permit.* Coupon holders shall submit a valid, completed coupon and pay the applicable transaction and issuing agent fees to receive a harvest permit.

(c) *Hunting license or exemption.* A harvest permit will only be issued to a person who possesses a valid Pennsylvania hunting license or qualifies for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) for the property covered by the agriculture deer control permit.

(d) *Protective material requirements.* A person issued a harvest permit shall comply with the protective material requirements of § 141.20(a) (relating to protective material required) at all times while engaged in activities authorized by the permit.

(e) *Possession of permit.* A person issued a harvest permit shall possess the permit at all times while engaged in activities authorized by the permit.

§ 147.554. (Reserved).**§ 147.555. Antlerless deer only.**

Only antlerless deer may be taken under this subchapter, unless otherwise authorized by the Director. For the purposes of enforcing this chapter, the term "antlerless deer" has the meaning as defined in § 131.2 (relating to definitions).

§ 147.556. Lawful devices and methods.

(a) *Devices.* A person issued a harvest permit is authorized to hunt and take deer with firearms, bows and crossbows as may be authorized for hunting deer during the regular firearms deer season as provided in the act and § 141.43 (relating to deer seasons).

(b) *Methods.* A person issued a harvest permit for an agriculture deer control area in the southeast special regulations areas is authorized to hunt or take deer through the use of or by taking advantage of bait in the manner set forth in § 141.1(d)(7) (relating to special regulations areas).

(c) *Further restrictions.* An agriculture deer control permit holder may further restrict the use of devices and methods authorized under this section on lands under the agriculture deer control permit holder's ownership or control, or both.

§ 147.557. Reporting requirements.

A person issued an agriculture deer control harvest permit shall report either a positive or negative harvest report, whichever is applicable, on a form provided by the Commission by April 30 each year.

§ 147.558. Tagging requirements.

A person who harvests a deer under the authorization of a harvest permit shall tag the deer in accordance with the requirements of section 2323(a)(1) of the act (relating to tagging and reporting big game kills).

§ 147.558a. Political subdivisions as applicants.

(a) *Eligibility.* Political subdivisions are authorized to apply for an agriculture deer control permit under this subchapter for the limited purpose of managing the agriculture deer control activities occurring on a conglomeration of separate, but otherwise individually eligible properties located within the jurisdictional boundaries of the political subdivision. Any lands, other than those publicly owned, which lie immediately adjacent to and are connected with otherwise individually eligible lands may be included in the conglomeration of properties with the written consent of the owner or lessee thereof.

(b) *Application.* Political subdivisions applying for an agriculture deer control permit are responsible for the collection and submission of the application records required under § 147.552 (relating to eligibility and application for agriculture deer control permit) for each of the properties included in the conglomeration.

§ 147.559. Violations.

(a) It is unlawful to:

(1) Use, possess or attempt to use or possess more than four agriculture deer control harvest permits for a specific agriculture deer control area in any permit year.

(2) Use or possess or attempt to use or possess agriculture deer control harvest permit that was issued to another person.

(3) Lend or transfer an agriculture deer control harvest permit to any other person regardless of the purpose.

(4) Issue more than four coupons to any person for a specific agriculture deer control area in any permit year.

(5) Fail to tag any deer taken with an agriculture deer control harvest permit in accordance with provisions of this part and the act relating to tagging big game.

(6) Fail to submit harvest report and survey information in accordance with instructions provided.

(7) Charge or accept any fee or consideration for a coupon.

(8) Fail to comply with any other provisions of §§ 147.551—147.558a (relating to agriculture).

(b) The Director may revoke a permit for a violation of this subchapter upon written notice to the agriculture deer control permit holder.

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