

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

APRIL 18, 2023 COMMISSION MEETING MINUTES

Meeting Location: NH Fish & Game Department, 11 Hazen Drive, Concord, NH 03301.

Commissioners Present: P. DeBow, M. Hodgson, M. Lachance, J. Caveney, A.J. DeRosa, R. Green, B. Temple, C. Hodgdon, E. Stohl, S. Price & J. Titone

Commissioners absent/excused:

Executive Director Mason – Present

Chairman R. Green called the meeting to order at 1:00p.m., and asked the audience to join in the pledge of allegiance. He informed the audience that the public is entitled to attend all Commission meetings and when recognized by the Chairman, the public may speak on any item on the agenda. The Chairman reserves the right to limit comment to the extent necessary for the orderly conduct of the meeting.

Chairman R. Green introduced & welcomed Jim Titone of Seabrook, NH, recently confirmed as the new Seacoast Commissioner. Chairman Green stated, “We now have a full board”.

ACTION ITEMS:

- 1.) Commissioner A.J. DeRosa moved to approve the March 21, 2023 Commission Minutes and Commissioner S. Price seconded. The vote was unanimous in the affirmative.
- 2.) Commissioner P. DeBow moved to accept the donation of \$10.00 from The 802 Bass Crew/802 Classic, of Thetford, VT, as they overpaid for their fishing tournament and would like it utilized by the Inland Fisheries Division, Commissioner M. Hodgson seconded. The vote was unanimous in the affirmative.
- 3.) The Wildlife Division Chief, Game Programs Supervisor & Game Project Leaders came before the Commission seeking final approval of the Wildlife Rules Package.

Dan Bergeron, Chief, Wildlife Division, thanked the Commission for their attendance at three public hearings held to solicit public input on proposed wildlife rules.

Andy Timmins, Game Programs Supervisor, provided an overview of the final proposed rules for deer.

Commissioner M. Hodgson inquired whether the version of the rule package the Commissioners have before them was the final version, reflecting the final changes.

Andy responded that “Yes” it was the final version and reflected consideration of public input received during the public comment period.

Commissioner M. Hodgson suggested that a color-coded chart of changes made during the process could be easier to follow in the future.

Commissioner S. Price moved to discuss the proposed deer rules and Commissioner Temple seconded.

Commissioner B. Temple questioned the requirement for a hunter to retain the head and hide of deer for 48 hours from the time of registration and stated, "I am not in favor of that."

Andy responded that the Wildlife Division had no concern if the hide was not retained, however, explained that the purpose of keeping the head was to determine the sex of the deer if needed, and to obtain biological samples necessary for population monitoring efforts. Major Dave Walsh responded that law enforcement would like the hide retained to obtain further information about the deer if required. He stated, "If it causes heartache, we are ok with just keeping the requirement for archery hunters and not firearm hunters." Major Walsh further reported that the hide & head could also be retained by the butcher/processor, as well, as the deer still belongs to the hunter.

There was a great deal of concern over the requirement to keep the head and hide of deer for 48 hours after registering the deer due to sanitary issues.

Andy responded that the head is critical to getting CWD (Chronic Wasting Disease) data and the department typically collects 500 deer heads per year from butcher shops for this surveillance. Removing this requirement may impede the department's ability to continue with CWD surveillance.

Commissioner B. Temple inquired as to how long the head would be viable for a sample.

Andy responded that biological samples may be obtained for approximately a week but was dependent on temperature and weather conditions

Commissioner M. Hodgson reported that she has heard zero feedback from her constituents on this. She further stated that due to the online registration being a brand new program, this allows Law Enforcement the ability to audit, in addition to allowing the biologists to make sure the data they are collecting has some integrity behind it. She stated, "I think it would be premature to not support this being the first year of online deer registration."

Commissioner A.J. DeRosa agreed and felt it was a good idea to air on the side of caution and support Law Enforcement's position.

Commissioner M. Lachance agreed that it made sense to leave the requirement in the rulemaking package.

At this time, Commissioner M. Hodgson moved to accept the deer proposals and Commissioner A.J. DeRosa seconded. The motion carried with 8 in favor, 2 opposed (B. Temple & S. Price).

The Commission viewed the Moose proposals.

Commissioner E. Stohl moved to accept the moose proposal and Commissioner B. Temple seconded. The vote was unanimous in the affirmative.

The Commission viewed the Bear proposals.

Commissioner A.J. DeRosa moved to accept the bear proposals and Commissioner P. DeBow seconded.

Commissioner C. Hodgdon inquired if the department records the hunter's email address on the bear registration form and if we communicate with hunters through email.

Dan Bergeron responded that emails are obtained through the Business Division and that hunters are required to "opt in" in order to allow us to email them.

Commissioner C. Hodgdon proposed that the department make consistent the timelines for submission of the Bear Guide's License applications, the Group A Bear Guide Permit applications, and the Group B Bear Guide Permit applications, as spelled out in Fis 1102.06(a), (g)(2), and (h)(2) respectively.

Marty Mobley, Legal Coordinator, and Andy Timmins, Game Program Supervisor, both agreed that this change would not require a motion.

The vote taken was unanimous in the affirmative.

The Commission viewed the Turkey proposals.

Commissioner M. Hodgson moved to accept the turkey proposals and Commissioner J. Caveney seconded.

Commissioner A.J. DeRosa discussed his concern over the requirement for registering a turkey prior to taking another and felt it should be removed from the proposal. He reported that this causes hunters to rush to register their turkey and could have negative impacts.

Commissioner E. Stohl reported that winters in the North Country are rough compared to other parts of the state. He reported that there is a large number of turkeys in the North Country and he would rather see hunters take turkeys than winter take them. He reported that turkeys are ground feeders and have been lucky the last few winters that they have been able to cope, versus some winters where they have a tough time trying to survive winterkill. He stated, "I have brought this up every year with no result.

He further stated that he vowed to never vote for any anti-hunting rule or law, however, felt that fanning & reaping is taking away from a form of hunting and would not vote for it.

He inquired why there could not be a fall shotgun season in the North Country.

Andy respectfully disagreed with Commissioner Stohl in that birds are suffering high winter mortality, as his graduate work on wild turkeys involved tracking upwards of 100 radio-

collared turkeys for a period two years, with almost non-existent winter mortality due to human related foods these birds were living off. He further explained that the fall shotgun season revolves around the 10-year management plan and that the turkey density in the North Country was considerably lower than the rest of the state and below the established thresholds specified in the plan that allow liberalization.

Andy responded that he wished they could have had the reaping and fanning discussion earlier in the process rather than at this point, as the Department thought there was a lot of support for it.

Commissioner E. Stohl responded that now was his time to comment on the proposals, as he has listened to what the public had to say at the three public hearings.

Dan Bergeron responded that the Department listens and welcomes comments from the Commission at any point in the process. He stated that he thought the Department provided a great deal of information in the past to explain their point of view regarding the request to have a fall shotgun season for turkey in the North Country and that the Department was following the 10- year management plan.

Commissioner E. Stohl inquired as to how often the department revisits the management plan.

Dan responded that every ten years the management plan is renewed.

Commissioner E. Stohl questioned whether this was sound management.

Dan responded, "Yes, it is sound management, as it is standard practice to have long-term management plans, however, if we were to find something egregiously inappropriate, the Department could make changes sooner."

Commissioner R. Green reported that he agreed with Commissioner Stohl that the fanning and reaping proposal should be removed. He indicated he believed the practice was a safety risk and equated it to a hunter putting antlers on their head during the deer season.

Commissioner M. Hodgson reported that she had safety concerns for reaping and fanning, as well.

Commissioner J. Caveney reported that he did some homework and received comments from the National Wild Turkey Federation on this proposal, who commented, "Do not allow the taking of two turkeys in same day", and when asked about reaping and fanning, numerous respondents commented, "It sounds like a good way to get yourself shot." He stated, "I will not support the proposal."

Commissioner A.J. DeRosa agreed that it was a huge safety issue, and felt it was no great loss to hunters if they were not able to take a turkey by reaping or fanning.

At this time, Commissioner A.J. DeRosa moved to amend the motion to include removing the requirement to register a turkey before taking another and Commissioner M. Hodgson seconded.

Commissioner M. Hodgson stated that she supports Commissioner DeRosa's commentary regarding taking one bird per day, and felt it would also address the biological challenges of rushing to register the first bird online prior to taking another.

Andy responded that this motion would resolve the concern of rushing the registration of the first bird, however thought it was a significant change from the original proposal and may require seeking additional public comment.

Commissioner P. DeBow reported that it was his belief that the Department revisits the 10-year plan every 2 years and trusts there could be adjustments made if something were to change from the original proposal, therefore, stated that he was happy sticking with the original proposal.

The vote taken on the amended motion to remove the requirement to register a turkey before taking another carried with 9 in favor 1 opposed (P. DeBow).

The vote on the original motion to approve the turkey proposals as presented, with the amendment to remove the requirement to register a turkey before taking another carried with 7 in favor 3 opposed (E. Stohl, S. Price & R. Green).

The Commission viewed the Small Game proposals.

Commissioner E. Stohl moved to accept the small game proposals and Commissioner S. Price seconded. The vote was unanimous in the affirmative.

The Commission viewed the Fur proposals.

Commissioner E. Stohl moved to accept the fur proposals and Commissioner M. Hodgson seconded.

Commissioner B. Temple moved to amend the motion to align coyote hunting with the red & gray fox season and Commissioner A.J. DeRosa seconded.

Much discussion took place on this motion, to include comments from Commissioners as follows:

Commissioner J. Caveney reported that he would not support the amendment, as he has reached out to a list of people who expressed the continued need for no closed season on coyotes to protect a broad range of domestic animals, and the raising and care of them.

Commissioner M. Hodgson stated that she would like to hear from Andy or Dan as to the affects the amendment could have.

Pat Tate, Furbearer Project Leader, responded that this amendment could change predation on various prey species in the state, such as whitetail deer and could affect deer populations in the northern part of the state and make coyotes less wary of humans, which may cause and increase in conflicts.

Commissioner B. Temple reported that he recalled being informed that there was minimal data proving that eastern coyotes are taking deer or livestock. He stated that farmers could get permits to shoot coyotes when needed. He further felt that if this proposal were not considered, the department would never obtain additional data.

Dan Bergeron responded that it is hard to speak to what the impacts would be. He reported that this was a controversial topic and a large deviation from the initial proposal and would require additional analysis by the Department to determine impacts.

Commissioner M. Lachance stated that he did not see how the Commission could consider a rule change without obtaining input from the biologists as to its impacts and the public, as they did not have an opportunity to comment on it.

Commissioner C. Hodgdon stated that he was concerned about the process deadline and recommended the Commission discuss this outside of the rulemaking process, as he felt this was not the right venue at this time.

Commissioner E. Stohl stated that he respectfully disagreed with the proposed amendment, as he feels that coyote are the most vicious killer in the north woods and is opposed to closing any part of the coyote season.

Commissioner S. Price reported that she agreed with Commissioner Stohl regarding his thoughts on coyotes being efficient killers, as she came upon a deer killed by a coyote and it was not a pretty sight, as there was nothing but fur and the jawbone left.

Commissioner M. Hodgson reported that she felt she did not have enough information on the subject and requested the Commission be provided with additional data on the consequences of the amendment, such as a model showing the effects of reducing the season by 2, 3, 4 and even 5 months. She reported that she would like the information to the Commission by the end of the year, for discussion at a future Commission Meeting.

Director Mason agreed to that request.

Commissioner P. DeBow stated that he would like to see survey information from coyote hunters, as there are no requirements to reporting coyote harvest at the current time.

He further reported that he would also like to see a bobcat season in 2025.

The vote on the amended motion to align coyote hunting with the red & gray fox season failed with 2 in favor and 8 opposed (P. DeBow, J. Caveney, E. Stohl, M. Hodgson, R. Green, C. Hodgdon, M. Lachance & S. Price).

The vote on the original motion to accept the fur proposals as presented carried with 8 in favor and 2 opposed (B. Temple & A.J. DeRosa)

INFORMATION ITEMS:

1.) There were no questions for Kathy LaBonte, Chief, Business Division, relative to the monthly Financial Statement.

COMMITTEE STRUCTURE:

LEGISLATIVE COMMITTEE:

Public policy development & recommendations, as well as Commission advocacy before legislature.

Commissioner Price, Chair; Commissioners: Caveney, DeBow, Hodgson & Stohl.

Staff members: Kevin Jordan & Marty Mobley.

Commissioner S. Price reported that the committee met briefly the morning of the Commission Meeting and discussed two bills.

She reported that the Commission's position of opposed to HB-442-FN, lobster diving bill, remains, however, the committee is awaiting additional language on a possible amendment.

She reported that the Commission's position of opposed to SB-164 remains, however, an expected language update is expected later in the week.

Commissioner S. Price moved to confirm acceptance of the fishing rules, with the correction by Commissioner Stohl, (as it relates to) and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to accept Commissioner E. Stohl's analysis relative to the Commission's Authority over Rulemaking, as presented at the March 21, 2023 Commission Meeting, and Commissioner P. DeBow seconded.

Director Mason inquired if the Commission was open to meeting with Attorney Chris Aslin to get his interpretation & clarification on that analysis.

Chairman R. Green responded that Attorney Aslin has had a month to respond to Commissioner E. Stohl's research & interpretation of the Commission's Authority on Rulemaking.

The vote taken on the motion to accept Commissioner Stohl's analysis on the Commission's Authority on Rulemaking carried with 9 in favor 1 opposed (C. Hodgdon).

GOVERNANCE COMMITTEE: Commission professional development, education & policy recommendations related to Commission conduct & activities.

Commissioner Caveney, Chair; Commissioners: Lachance & Temple.

Staff member: Cheri Patterson.

Commissioner J. Caveney reported that the committee has not met.

SUSTAINABILITY & STRATEGIC PLANNING: Agency funding, development & oversight of strategic plan.

Commissioner Hodgdon, Chair; Commissioners: Caveney, DeRosa, Hodgson & Stohl.
Staff member: Scott Mason.

Commissioner C. Hodgdon reported that the Core Tenet Document & Stakeholder Outreach questions pertaining to the creation of the next 5-year Strategic Plan are in the process of being distributed. He reported that the deadline for responses is May 26, 2023.

Commissioner C. Hodgdon reported that he would resend that information to the Commissioner, as well.

RESOURCES & INFRASTRUCTURE: Policy recommendations related to agency infrastructure; including facilities, public access, habitat & wildlife.

Commissioner Temple, Chair; Commissioners: Caveney, DeRosa, & Lachance.
Staff member: Dianne Timmins.

Commissioner B. Temple reported that the committee has not met.

PUBLIC ENGAGEMENT & EDUCATION: Engagement, partnership, awards, public recognition & education strategies for the public & interest groups.

Commissioner DeRosa Chair; Commissioners: DeBow, Hodgdon & Price.
Staff members: Dan Bergeron, Kevin Jordan & Cheri Patterson.

Commissioner A.J. DeRosa reported that the committee has not met.

LAKES MANAGEMENT ADVISORY COMMITTEE: Commissioner Price.
Commissioner S. Price reported that the committee has not met.

NH RIVERS MANAGEMENT ADVISORY COMMITTEE: Commissioner Hodgdon.
Commissioner C. Hodgdon reported that the committee met on April 10, 2023 and took positions on legislation, nothing on the Department's watch list.

He further reported that there was an effort underway by UNH (University of New Hampshire) & DOT (Department of Transportation), to develop a "viewer" to allow agencies and the public to see all public lands and how they relate to waterbodies and visible structures, like highways. He reported that the purpose is that there is a mechanism in NH to dispose of surplus lands, and those lands adjacent to a waterbody go before the RMAC (Rivers Management Advisory Committee) for approval. He reported that they are usually small parcels of land, which were impossible to look at in the context of all state owned lands and this viewer should aid in the ability to do that now.

OLD BUSINESS: Commissioner R. Green inquired as to the status of the March 27, 2023 petition filed by Wildlife Coalition.

Director Mason responded that he would be working on that this week, as he was waiting for input from his staff.

NEW BUSINESS: Commissioner M. Hodgson circled back to the coyote discussion and stated that she felt that the Commission needs to see data for either supporting or not supporting reducing the coyote hunting season by 1, 2, 3, and even 5 months, and what the impacts would be. She inquired as to what an adequate period would be to get that information to the Commission.

Director Mason asked her to give the Department a little time, as he felt the Department was starting to address that goal.

Dan Bergeron responded that the Wildlife Division would like to take their time with this to get that information.

Director Mason agreed to present a plan by years end.

COMMISSIONERS REPORTS: Commissioners will report on their recent activities as it relates to Fish & Game Commission duties and responsibilities. This is an informational item only.

Commissioner S. Price reported that the Department's Search & Rescue (SAR) Program held at the Moultonborough Library was a huge success and that she was asked back to hold another presentation later in the year. She reported that the class was full and ran longer than expected due to the overwhelming interest and questions.

At this time, Commissioner S. Price donated a 50-caliber Connecticut Valley Firearms Muzzleloader, compact length for woman to the B.O.W. (Becoming an Outdoor Woman) Program. She reported that she was making the donation in hopes of increasing raffle sales and encouraged anyone else to make a donation, as well.

Commissioner J. Caveney thanked everyone involved in all aspects of Discover Wild NH Day. He reported that it was a huge success and he saw children of all ages excited, learning about nature and having a great time.

Chairman R. Green asked the committees to let him know if they are looking for an additional member to serve on their committees, as he will be appointing Commissioner J. Titone to a few committees next month.

DIRECTOR'S REPORT: Director Mason reported that he forwarded an email containing a map and a letter from the U.S. Fish & Wildlife Services informing the department that they are in the process of purchasing an easement in Grafton County (Bear Hill Conservancy Trust) created by Landowner David Roby. He reported that the easement is in the Towns of

Lyme/Dorchester, NH, and is just shy of 15,000 acres and will be part of the Silvio Conte Wildlife Refuge. They are asking to support the purchase with migratory bird monies.

CALL TO THE PUBLIC: Steve Angers, Conway, NH & Chair, Trout Management Committee, Trout Unlimited, stated that the Department & Commission would not see a petition from them. He further elaborated that if there is a desired change they would like to see from the Department or Commission, they go to the department heads to find out what they need and develop a plan in order make it happen, whether it be raising money or providing their time to obtain data. He believes that is how they have been so successful.

Chris Schadler, Webster, NH & NH Wildlife Coalition, spoke to her frustration that the Commission was just seeing her petition to shorten the coyote season today. She inquired if she was interpreting the process correctly and whether the petition had been delayed getting to the Commission.

Chairman Green responded, “No, you are wrong, as the Director has the authority to shorten or expand a season and the Commission has the authority to open & close a season, therefore, the decision is up to the Director.”

He further reported that during the meeting today, the Commission inquired, as well, as to the status of the petition and Director Mason reported that he was working on a response this week.

Chris inquired whether the NH Wildlife Coalition could be a “state- holder” and participate in the Department’s Strategic Planning Process.

Commissioner C. Hodgdon responded, “Yes”, they could participate.

In closing, Chris reported that wolves have been documented coming into the state, by evidence of scat & trail cameras. She reported that a few were shot in different New England states and that some hunters that posted it on social media have allowed DNA testing, with the results being Eastern Wolves.

At this time, 3:46 p.m., Commissioner M. Hodgson moved to adjourn and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Ray Green, Chairman
NH Fish & Game Commission