

## **NEW HAMPSHIRE FISH AND GAME DEPARTMENT**

### **OCTOBER 17, 2007 COMMISSION MEETING**

Meeting Location: Fish and Game HQ, 11 Hazen Drive, Concord, NH 03301

Commissioners Present: T. Hubert, W. Morse, W. Carney, P. Costa, R. Rowan, T. Tichy, S. Guaraldi, G. Normandeau and S. Nottonson.

Commissioners Absent: R. Phillipson, M. Kalter

Acting Executive Director Clarke - present

The Chairman called the meeting to order at 1:03 p.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 may speak on any item on the agenda.

#### **ACTION ITEMS**

- 1.) Commissioner Guaraldi moved to approve the September 12, 2007 Commission Minutes and Commissioner Hubert seconded. The vote was unanimous in the affirmative.
- 2.) After an informational presentation by Steve Weber, Chief, Wildlife Division, and continuing discussion to conduct a proposed hunter survey, Commissioner Morse moved to approve the expenditure of up to \$10,000 to conduct a survey of 15,000 New Hampshire hunters from the Game Management Dedicated Account and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative. Steve provided a handout consisting of the details of the survey with the final cost being \$6,533.82.
- 3.) Charlie Bridges, Habitat & Diversity Coordinator, and Nancy Bell, Project Leader and Regional Representative on the Conservation Fund for Vermont and New Hampshire, came before the Fish and Game Commission seeking approval to accept conservation easements on three properties in Shelburne, New Hampshire totaling 566 ± acres from the Conservation Fund. Nancy reported that the three properties proposed to be donated are currently open for recreational purposes and that the lands are in current use. She further reported that stewardship funding would be provided to the department as well. Commissioner Tichy questioned why the Town of Shelburne wasn't taking over the easements. Nancy responded that she felt the Fish and Game Department could manage the properties well and already has a program in place to monitor the easements. Commissioner Tichy requested that a copy of the draft easement be provided to the Fish and Game Commission for review. Nancy stated that she would provide the copy via Charlie Bridges.

After much discussion, Commissioner Costa moved to approve the above donation and Commissioner Morse seconded. The vote was unanimous in the affirmative.

**INFORMATION ITEMS:**

1.) Jim Gallagher, Chief Engineer, Dam Bureau, Department of Environmental Services, provided an update on the Ellis Hatch Wildlife Management Area and the current situation. He reported that there are 273 dams owned by the state with 33 on the list for repair. He further reported that of the 33, the Ellis Hatch Wildlife Management Area was #17. He stated that he anticipated this dam being repaired in the next biennium (FY10 & 11), assuming the Dam Bureau receives the adequate funding to do so. He further reported that a major part in repairing the dam is constructing a road to get to the dam. He estimated a "quick fix", costing \$150,000, however, did not recommend it. He estimated the full repair to cost \$350,000. On behalf of the Commission, Chairman Normandeau thanked Jim for the presentation.

2.) Kathy LaBonte, Chief, Support Services, provided the monthly financial statement dated September 30, 2007. She reported that she removed the variance column as she felt it could be confusing in trying to interpret.

3.) Steve Weber provided a quarterly report on the Game Management Account to the Commission. (See attached)

4.) John Nelson, Chief, Marine Division, provided an update on whale safe gear and limited commercial & commercial license transferability rules hearing. John reported that there was a hearing on the subject on October 3, 2007, at the Urban Forestry Center in Portsmouth, New Hampshire, with approximately 60 people in attendance. He reported that changes in marking and tending of gear would make the state regulations similar to federal regulations. He continued to state that the transferability of lobster licenses would provide an opportunity to maintain a healthy industry for the future.

5.) John Nelson provided an update on the proposed changes to the marine rules as follows:

- |                                                          |                                                                   |
|----------------------------------------------------------|-------------------------------------------------------------------|
| Haddock minimum size of 18"                              | *Haddock changes will make state and federal regulations similar. |
| Salmon Falls River fishing restriction near fish ladder. | *Changes will make NH & ME regulations similar                    |
| Reducing oyster daily limit to 1/2 bushel from 1 bushel  | *Oyster changes will protect the 2006 year class                  |

John reported that the hearing would take place on November 13, 2007, at the Region 3 Fish and Game Office in Durham, at 7:00 p.m.

**STANDING COMMITTEE REPORTS:**

**POLICY COMMITTEE:** Commissioner R. Phillipson, Chair; Commissioners; Nottonson, Kalter, Hubert, and Costa. Commissioner Phillipson was absent, therefore, no report.

**LEGISLATIVE COMMITTEE:** Commissioner S. Guaraldi, Chair; Commissioners Tichy, Carney, and Morse. Commissioner Guaraldi reported that there was no meeting this month. She

reported that she and Sandy Falicon, Rules/Legislative Coordinator, have identified 46 LSR's that the Commission will be looking at and possibly bringing forward to the committee and the full Commission. She reported that next week, October 24, 2007, was the last day for Senators to file proposed legislation. She brought one item before the Commission to be voted on. She moved that the department go forward with the following language: " Pot or trap trawls used for taking lobsters which contain less than 5 pots or traps may be plainly marked on one end." and Commissioner Morse seconded. The vote was unanimous in the affirmative. She stated that this change would coincide with federal laws.

In closing, she asked that the Committee reserve the morning of the November Commission Meeting for a potential meeting.

**RIVERS COMMITTEE:** Commissioner Morse; Commissioner Morse reported that the last meeting took place at the Fish and Game Department.

**LAKES COMMITTEE:** Commissioner Kalter; Commissioner Kalter was absent, therefore, no report.

**REVENUE COMMITTEE:** Commissioner Nottonson, Chair; Commissioners Morse and Guaraldi. Commissioner Nottonson stated that he felt that the "Reckless hiker law" should be reviewed closer. He suggested using a checklist after each rescue, which would ultimately determine whether someone was reckless or not. He stated that the money collected is not enough in comparison to what is spent on the rescues.

In closing, he suggested that the Revenue Committee meet to discuss looking into this further and how to proceed. Chairman Normandeau agreed and suggested Commissioner Nottonson schedule a meeting in the near future.

At this time, Representative Dennis Abbott, who was in attendance, spoke relative to a recent search and rescue presentation by the department's Law Enforcement Division to the House Fish and Game Committee. He reported that it was well received by all and everyone seemed to gain some knowledge of what exactly search and rescue involves and it's importance. He reported that it appeared to be a debate amongst many as to who should be charged.

He further reported that the saltwater license failed in committee 12 to 1, killing the bill. He reported that there is much controversy and neighboring states have not jumped on board in implementing the license. He stated that the majority of testimony heard was not positive for a license. He encouraged everyone to be more active in supporting op-ed issues. He gave for example that Commissioner Carney writes in the Hawk-eye Magazine about issues involving the Fish and Game Department, which makes people think. He reiterated to the Commission the importance of reaching out to their county constituents to obtain support on Commission positions.

In addition, he reported that he has wanted to create a New Hampshire Sportsmens Caucus for some time. He stated that his intent was to have an initial meeting by January or February. He reported that the caucus would be bi-partisan with both parties having equal sides.

He stated that he felt it would yield positive results having support from Legislators, other than those on the committee.

Representative Abbott reported that he recently received the Fisheries Habitat and Wildlife Habitat Account Reports. He stated he was pleased to see a lot of things going on in fisheries and wildlife. He further stated that he would like to see more planning for future fishery projects such as dam removals, more fish passages, etc.

In closing, Representative Abbott suggested that the Commission talk with the Representatives in their counties to make them aware of important situations and issues facing the Fish and Game Department. He thanked the Commission for the opportunity to speak.

Commissioner Nottonson thanked Representative Abbott for his comments.

After much discussion amongst the Commission, it was decided to change the date of the November Commission Meeting as it falls the day before Thanksgiving and members of the Commission and department may be traveling long distances. Commissioner Rowan moved to change the originally scheduled November 21, 2007 Commission meeting to November 28, 2007, and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

At this time, Commissioner Costa, Nominations Committee Member, reported that the nominations for the slate of Commission Officers was as follows:

Robert Phillipson, Chairman  
Ted Tichy, Vice Chairman  
Patricia Costa, Secretary/Treasurer

Commissioner Nottonson moved to nominate the above slate of officers, effective November 28, 2007, and Commissioner Rowan seconded. The vote was unanimous in the affirmative.

**COMMISSIONERS REPORTS:**

**COMMISSIONER HUBERT:** Commissioner Hubert reported that he had a meeting on September 17, at 7:00 p.m., in Claremont, to finalize things with the pheasant stocking volunteers. He reported that Ted Walski, Region 4 Biologist, and Chuck Miner, Landowner Relations Coordinator, were in attendance at that meeting. He reported that he received calls from bear hunters complaining of the overlap in seasons. He reported that he did some pheasant hunting and spoke with a few sportsmen who were concerned with the size of the birds again this year. Steve Weber, Chief, Wildlife Division, responded that they have implemented a sampling program with certain specifications to ensure this does not happen next year.

**COMMISSIONER PHILIPSON:** Commissioner Phillipson was absent, therefore, no report.

**COMMISSIONER KALTER:** Commissioner Kalter was absent, therefore, no report.

**COMMISSIONER NOTTONSON:** Commissioner Nottonson reported that he attended a local conservation meeting in Derry to ensure the sportsmen's rights were acknowledged. He further reported that he received a call from an upset gentleman who had his cat, Caesar, confiscated from his residence for not having proper licensing to possess such an animal. He stated that the gentleman believes the cat to be a Savannah Cat; therefore, he did not think he needed any special permitting.

**COMMISSIONER CARNEY:** Commissioner Carney reported that he received complaints regarding the size of the pheasants this year. He reported that he read an article in the "Weirs Times" featuring a tracking dog that was only 10 months old that was very interesting. He further reported that he attended the CORA (Conservation Officer Relief Association) picnic and had a great time and won lots of prizes.

At this time, Commissioner Carney moved that the Policy Committee investigate and study the current criteria on the identification of all Department lands including all lands owned by the Department, land that is under conservation easements, lands shared jointly with other state agencies, along with any lands managed by the Department with memorandum of understanding and evaluate all current signage presently used by the Department to identify these lands; and after evaluating the current identification criteria, establish a Commission Policy as to the time required to identify all new lands. In addition, a time-table to identify all lands currently owned, leased or managed by the Department that are not identified with Department signs; and to establish a time table to get all these lands properly identified with signs statewide. If the policy Committee believes the signs currently being used to identify these lands in their judgment, are inadequate and need to be redesigned, they should suggest new designs for these signs, Commissioner Rowan seconded. The vote was unanimous in the affirmative.

**COMMISSIONER COSTA:** Commissioner Costa reported that she attended the Trappers Rendezvous, which was a great event despite the rainy weather. She reported that she received an irate call regarding the fact that the fishermen and hunters are paying the bill for reckless search and rescues. She further reported that the Alton students are learning a great deal regarding what types of plants and flowers attract wildlife.

**COMMISSIONER NORMANDEAU:** Commissioner Normandeau had nothing new to report this month.

**COMMISSIONER TICHY:** Commissioner Tichy reported that he received a positive comment from a gentleman who was able to take a turkey with a bow and was delighted with the experience. He also received calls complimenting the Wildlife Division on the deer population in the North Country. He further reported that he received another call for the potential creation of a bobcat season in New Hampshire. He reported he received a call of a sighting of a large cat with a long tail in the area.

**COMMISSIONER MORSE:** Commissioner Morse had to depart the meeting early due to a prior commitment.

**COMMISSIONER ROWAN:** Commissioner Rowan reported that he attended the CORA Field Days and had a great time. He recommended all Commissioners take advantage of the opportunity to attend. He reported that he attended the Trapper's Rendezvous and felt it was a good weekend. He further suggested holding a future Commission Meeting at the Owl Brook Hunter Education Center in Holderness. He reported that he received a call inquiring about depredations permits and how they work. In closing, he reported that he attended the Ray Burton Tour and learned a great deal touring the different facilities.

**COMMISSIONER GUARALDI:** Commissioner Guaraldi reported that she participated in the Ray Burton tour as well and found it to be very educational. She reported that Brian Lemire, Forester, displayed a very nice map of New Hampshire, identifying state owned property. She requested that a copy be provided for each Commissioner at a future Commission Meeting. She further reported that she was in attendance at the Owl Brook Hunter Education Center when Judy Stokes, Chief, Public Affairs Division, provided a merchandise sales presentation. Commissioner Guaraldi was pleased with the products and asked to have the merchandise available for Commissioners to purchase at the November 28, 2007 Commission Meeting. She reported that she received a call informing her that a wolf was sighted near the LaSalette Shrine and another sighting in the Enfield area. In addition, she asked that an electronic copy of the Wildlife Habitat Account Report and the Fisheries Habitat Account Report be provided to the Commission. She thanked Steve Weber for providing the Game Management Account Report and stated, "I feel I can make better decisions." In closing, she asked for a similar report from the Inland Fisheries Division and Law Enforcement Division.

**DIRECTOR'S REPORT:**

Acting Director Clarke reported that he has completed his touring of Fish and Game facilities and commented on the many dedicated employees working for the department. He reported that he visited the pheasant sites in Sullivan County and was impressed with the signage. He further reported that he attended a meeting in Stratham regarding EEE. He reported that the meeting went very well and led to additional meetings with Governor Lynch in regards to how to move forward. He stated that emotions are high concerning the issue. In addition, he reported that the department would be seeing some audit observations within the next few days and would need to respond in a timely fashion. He stated that the goal was to have the final report submitted to the Fiscal Committee in December. In closing, he reported that he received a call from Commissioner George Bald, Department of Resources & Economic Development, informing him that the dam reconstruction project was complete at Big Brook Bog and discussed having a dedication ceremony on November 8<sup>th</sup>.

**PUBLIC COMMENTS:**

There were no public comments heard.

At this time, 4:13 p.m., Commissioner Guaraldi moved to adjourn and Commissioner Rowan seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

Sharon Guaraldi, Secretary

Approved: \_\_\_\_\_  
Glenn Normandeau, Chairman

Date: \_\_\_\_\_