

CORRECTED VERSION

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

FEBRUARY 17, 2010 COMMISSION MEETING

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

Commissioners Present: E. Orff, R. Rowan, R. Phillipson, R. Blake, T. Tichy, J. Ryan, W. Morse, and S. Guaraldi.

Commissioner's absent: T. Hubert, excused absence.

Vacant Commissioner's Positions

Belknap County Commissioner

Coastal Commissioner

Executive Director Normandeau – present

Chairman Rowan called the meeting to order at 1:04 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 by the chairman, may speak on any item on the agenda.

ACTION ITEMS:

- 1.) Commissioner Blake moved to approve the January 20, 2010 Commission Minutes as written and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.
- 2.) At this time, Major Acerno read aloud the following resolution honoring Thomas Duling:

*In honor of **REGIONAL COORDINATOR THOMAS H. DULING** for his fifty years of service to the New Hampshire Fish and Game Department.*

***WHEREAS, THOMAS H. DULING** has served the State of New Hampshire and the Fish and Game Department for a distinguished fifty years conducting Safety Education Classes starting first as a Hunter Education Instructor and then changing to an OHRV and Snowmobile Safety Education Instructor; and*

***WHEREAS, THOMAS H. DULING** has worked with local snowmobile and OHRV Clubs to conduct Safety Education Classes, recruited new Volunteer Instructors and provided training for these new instructors throughout the state; and*

***WHEREAS, THOMAS H. DULING** has earned the respect of New Hampshire snowmobilers and OHRV users by virtue of his knowledge of the sports and responsible riding and common sense approach to Safety Education; and*

***WHEREAS, THOMAS H. DULING** has represented the New Hampshire Fish and Game Department at Safety Fairs, manufacturers and dealer shows, Association and Club events, Department activities using his Yankee ingenuity to create informative and interesting displays; and*

WHEREAS, THOMAS H. DULING has taught on average fifteen Safety Education Classes each year with approximately twenty-five students in each class impacting thousands of children over fifty years; and

WHEREAS, THOMAS H. DULING has created “Tom Tuesdays” by providing assistance to the OHRV Safety Education Program by preparing, shipping or delivering Volunteer Instructor materials each week;

NOW THEREFORE BE IT RESOLVED that the New Hampshire Fish and Game Department expresses their sincere gratitude to **THOMAS H. DULING** for his outstanding contribution to Safety Education for over fifty years; and

BE IT FURTHER RESOLVED that the New Hampshire Fish and Game Commission expresses its appreciation to **THOMAS H. DULING** for his dedication and common sense approach to Safety Education.

Unanimously adopted by the New Hampshire Fish and Game Commission this Seventeenth day of February, Two Thousand and Ten.

A TRUE COPY ATTEST:

Robert Rowan, Chairman
N.H. Fish and Game Commission

Glenn Normandeau
Executive Director

On behalf of the Law Enforcement Division, Major Acerno presented Tom with a framed resolution and thanked him for his dedicated service to the department.

Tom stated, “I have really enjoyed working with everyone at Fish and Game and could not ask for a better place to work”.

Commissioner Guaraldi moved to accept the above resolution as presented and Commissioner Blake seconded. The vote was unanimous in the affirmative.

3a – 3d.) Commissioner Ryan moved to approve items 3a-3d as presented below and Commissioner Morse seconded. The vote was unanimous in the affirmative.

3a.) \$50.00 donation from Phillip Pond, to be deposited into the Search & Rescue Account. (M. Garabedian)

3b.) \$200.00 donation from Mr. & Mrs. Jean Fauteux, to be deposited into the Search & Rescue Account. (M. Garabedian)

3c.) \$1,000 donation from Ms. Patricia Dewey, to be deposited into the Search & Rescue Account. (M. Garabedian)

3d.) 2 donations totaling \$60.00 from the below donors, in memory of John Breen Sr., to support activities of the Landowner Relations Program. (C. Miner)

Donald & Kathleen French - \$35.00
Anthony & Phyllis Morlani - \$25.00

Late Action Items were heard before Action Item #4

LATE ACTION ITEMS:

- 1.) Commissioner Ryan moved to accept a \$500.00 donation from Mr. Kevin J. McDonald, to be deposited into the Search & Rescue Equipment Account, and Commissioner Morse seconded. The vote was unanimous in the affirmative.
- 2.) Commissioner Ryan moved to accept a \$5,000 donation from the Meredith Rotary Club, to be utilized to support fisheries research and management activities and Commissioner Orff seconded. The vote was unanimous in the affirmative.

ACTION ITEM:

4.) Steve Weber, Chief, Wildlife Division, reported that the April Public Hearing would take place on the following dates and locations:

- **Monday, April 5, 6:30 p.m.** – N.H. Fish and Game Region 1 Office, North Country Resource Center, 629 B Main Street, Lancaster, N.H.
- **Tuesday, April 6, 6:30 p.m.** – Keene High School, 43 Arch Street, Keene, N.H.
- **Thursday, April 8, 6:30 p.m.** – N.H. Fish and Game Department Headquarters, 11 Hazen Drive, Concord, N.H.

Steve provided an overview of the initial proposal for rulemaking to set hunting and trapping seasons for 2010 and 2011 as per attached. (See attached)

Commissioner Tichy moved to go forward with rulemaking for the deer season general framework as presented and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

Commissioner Orff moved to go forward with rulemaking for the either sex day proposals as presented and Commissioner Morse seconded. The vote was unanimous in the affirmative.

Commissioner Tichy moved to go forward with rulemaking for the 2010/2011 Bear Season proposals as presented and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to go forward with rulemaking for the 2010/2011 Moose Season proposals as presented and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

Commissioner Orff moved to go forward with rulemaking for the 2010/2011 Turkey Season proposals as presented and Commissioner Blake seconded. The vote was unanimous in the affirmative.

Commissioner Phillipson moved to go forward with rulemaking for the 2010/2011 Furbearer Trapping Season as presented and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Commissioner Ryan moved to go forward with rulemaking for the 2010/2011 Furbearer Hunting Season as presented and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Commissioner Ryan moved to go forward with rulemaking for the 2010/2011 Furbearer Fisher Rules as presented and Commissioner Orff seconded. The vote was unanimous in the affirmative.

After much discussion regarding the first portion of the “Other Deer Proposals”, Commissioner Morse moved to go forward with rulemaking for “Other Deer Proposals” and Commissioner Ryan seconded. The vote carried with 7 in favor, 1 opposed. (R.Rowan)

Director Normandeau stated, “We introduce certain proposals for a reason, this proposal reflects our concern that it could be damaging to the herd.”

Commissioner Rowan responded, “May be, however, taking this away will result in shooting yearlings and history says this method kills a large number of young.” “Is there a way we are going to protect the resource?”

Commissioner Phillipson questioned whether bringing the proposal to expand to 3 points to the public hearing would determine whether it was popular or not.

Steve Weber responded that this was serious business and stated that he did not trust the public hearing process in itself and felt there were much better ways to gain the understanding of what folks preference was.

He further stated, “I’m very concerned that this is the wrong thing to do from a biological standpoint until we have a better understanding of people’s desires.”

Bill Carney, audience member and former Commissioner stated, “You need to protect the resource first regardless.”

Commissioner Orff moved to go forward with the second portion of the “Other Deer Proposals” as presented and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to go forward with rulemaking for “Other Bear Proposals” as presented and Commissioner Phillipson seconded. The vote carried with 6 in favor and 1 opposed. (R. Blake)

Commissioner Blake stated, “This is 1 more restriction that I am not in favor of.”

Commissioner Orff moved to go forward with rulemaking for “Other Moose Proposals” as presented and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to go forward with rulemaking for “Other Furbearer Proposals” as presented and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

Commissioner Guaraldi moved to go forward with rulemaking for “Miscellaneous Rules” as presented and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Guaraldi reported that she had received a petition containing approximately 50 names of individuals that support eliminating the requirement for archers to put names and addresses on arrows. She further reported that there were other petitions out there still being circulated containing approximately 200 names.

Dan Dockham, audience member, stated that the Farm Bureau was opposed to eliminating the requirement of names and addresses on arrows as well.

Commissioner Tichy stated that he didn’t see it as a big deal to put your name and address on an arrow. He thought it was a good law enforcement tool.

Jason ~~Stock~~ Parent, ~~Timberland Owner’s Association~~ Licensed Guide, was present in the audience and stated his concerns that the landowner and hunter relationship was already stressed. He stated, “New Hampshire has an excellent program as is and encouraged the Commission to oppose the idea.”

Rick Estees, audience member, stated, “You would be amiss in letting this requirement go.”

Commissioner Guaraldi moved to bring forward to public hearing the concept of eliminating the name and address requirement for archers on arrows and Commissioner Phillipson seconded. The motion failed with 6 opposed, 1 abstention (S. Guaraldi)

5.) John Magee, Fisheries Biologist, came before the Commission to request approval to expend \$280,000 from the Fisheries Habitat Account on Phase II of the Nash Stream Restoration Project in Coos County.

Commissioner Phillipson stated that he received quite a few calls regarding this item. He stated that the project would only benefit 1 part of the State, 1 stream, and inquired whether there

were no other projects around the state? He further stated, “From the comments I have been receiving, I am not in favor of this project.”

Steve Perry stated, “The long-term benefits are national and most of this money is being matched.”

John Magee stated that this was a high priority project and would be of great benefit, has public access, and would not be gated and shut off in any way. In closing, he stated, “There is no other watershed like this.”

Steve Perry stated that the division had made an effort in ranking these projects by importance.

Director Normandeau reminded the Commission that it was they (the Commission) who requested these projects be ranked by priority level and asked them to let the Department know if they wished to use another method.

Jim McCartney, representing Trout Unlimited, stated, “You are right to think about where the monies are spent, this is no small amount of change.” He continued to report that the project is the largest block of land in New Hampshire and provides recreational access across the State.

Commissioner Tichy stated that he was not sure he would be in favor of a full wild trout fishery and stated, “I’d hate to see this become a catch-n-release stream forever”.

Steve Perry stated that the department would not take 1 area and designate it under 1 management strategy, rather look to provide a ~~adversity~~ diversity of fishing opportunities.

Commissioner Orff moved to approve the expenditure of up to \$280,000 from the Fisheries Habitat Account on Phase II of the Nash Stream Restoration Project and Commissioner Ryan seconded.

Much Discussion ensued.

Commissioner Ryan moved to amend the approved expenditure to \$56,000 for 1st year of Phase II and to come back before the Commission to request additional funding for the project at a later date and Commissioner Morse seconded.

Commissioner Rowan stated, “I’m not going to micro-manage, however, we want to get a clear understanding of how the monies were used on Phase I, it’s a big expenditure and want to be sure we are doing it in a manner to justify those expenses.” He further stated that he was more comfortable with the amendment.

Steve Perry stated that they had not spent more than the Commission approved.

Commissioner Phillipson stated that a great deal of money was contributed by everyone for a project that will not benefit many folks.

The Director's report was heard out of sequence due to time constraints in his schedule.

DIRECTOR'S REPORT: Director Normandeau reported that the Trapping Bill was voted ITL/Inexpedient to Legislate.

He reported that SB-441 would give the Department of Environmental Services the authority to decide the carrying capacity on state's waters. He stated that he would be monitoring the bill and hoped that it didn't go very far.

(Action Item #5 continued) After the Director's report, Steve Perry asked to withdraw Action Item #5 and come back before the Commission with a 1- year request vs. a 5- year request.

Commissioner Ryan moved to withdraw his amended motion and Commissioner Morse withdrew his 2nd to the motion, the vote was unanimous in the affirmative.

Commissioner Orff moved to withdraw his original motion and Commissioner Ryan withdrew his 2nd to the original motion. The vote was unanimous in the affirmative.

INFORMATION ITEMS:

1.) Kathy LaBonte, Chief, Business Division, was absent; therefore, the financial statement was not real aloud. (See attached statement dated January 31, 2010)

STANDING COMMITTEES:

POLICY COMMITTEE: Commissioner Hubert, Chair; Commissioners; Phillipson, Orff, and Ryan. Commissioner Hubert was absent, however, Chairman Rowan reported that the committee did not meet this month.

LEGISLATIVE COMMITTEE: Commissioner Morse, Chair; Commissioners Tichy, Rowan and Guaraldi. Commissioner Morse reported on the following legislation:

Commissioner Morse moved to oppose SB-441, regarding several changes to the lakes management and protection program and expands the purposes of the rivers management and protection fund, which would require the Commissioner of DES to develop carrying capacity for lakes in rules and Commissioner Tichy seconded. The vote was unanimous in the affirmative

Commissioner Morse moved to support the amendment to HB-1561-FN, relative to registrations for off highway recreational vehicles, may be issued for a 14-month period to include the months of May and June, for a prorated fee and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support HB-1269, to clarify regulation of access of OHRVs and snowmobiles to areas adjacent to public highways, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support the amendment to HB-1201, which adds loaded muzzleloaders to the provisions prohibiting hunting from a motor vehicle, OHRV, snowmobile, boat, or aircraft, and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose the amendment by Representative Hopper to HB-1201, relative to the prohibition of loaded muzzleloaders in vehicles and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

RIVERS COMMITTEE: Commissioner Ryan; Chair; Commissioner Ryan reported that the committee did meet in February, although he was unable to attend the meeting. He further reported that the committee would be meeting on March 3, 2010 at 1:00 p.m., and would be focusing on upcoming legislation.

LAKES COMMITTEE: Commissioner Orff; Commissioner Orff reported that the committee did not meet in February.

HANDBOOK COMMITTEE: Commissioner Guaraldi, Chair; Commissioner Blake. Commissioner Guaraldi reported that the committee did not meet this month

COMMISSION AWARDS OF EXCELLENCE COMMITTEE: Commissioners Guaraldi, Tichy, Orff, and Rowan, Staff: Donna Preve, Colonel Garabedian, and Judy Stokes.

Commissioner Guaraldi reported that the committee did meet and reviewed Commission Award of Excellence nominations. She further reported that she provided a summary of nominations for each Commissioner to review and vote on.

In closing, she reported that the awards would be presented to the recipients at the March 17, 2010 Commission Meeting, at the Hugh Gregg Conservation Center (Sandy Point Discovery Center), 89 Depot Road, Stratham, NH.

OLD BUSINESS: Chairman Rowan appointed an Audit & Legislative Committee to review the 2008 audit and legislative issues. The committee consists of: Commissioner Blake, Chair; Commissioners Hubert and Morse.

COMMISSIONER REPORTS:

COMMISSIONER HUBERT: Commissioner Hubert was absent, therefore, no report.

COMMISSIONER BLAKE: Commissioner Blake reported that he attended the Wildlife Control Operator Class administered by Patrick Tate, Furbearer Project Leader, and found the class to be very informative. He further reported that he attended a "Let's Go Fishing" Ice Fishing Class presented by the Aquatic Resource Education Program, an Adapting to Change Meeting, met with Lieutenant Marston to introduce himself, attended the Farm & Forest Expo, attended the Candidate Interview Night for the New England Fishery Management Council and found that very interesting.

Further, he attended and spoke at the Hackle & Tackle Club in Rochester, met with Brian Brochu of Brian's Archery in Barrington to listen to his concerns regarding the deer population, attended and spoke at the Major Waldron's Sportsmen's Association, and has developed a computer based electronic flash card program with questions and answers from the Commission Handbook and has found it to be very helpful in learning Commission Authority, Policy, and History.

In closing, he reported that he received the usual phone calls, one constituent with a concern that New Hampshire Conservation Officers were grossly underpaid.

COMMISSIONER ORFF: Commissioner Orff reported that in addition to the usual calls, he visited a few sporting good shops, attended the annual trappers banquet, attended the Worcester Show, where the department had a great display, and gave a lecture for the Friends of Suncook River.

COMMISSIONER PHILLIPSON: Commissioner Phillipson reported that his recent liaison meeting revolved around the proposed hunting seasons. He reported that he was invited and attended the Andover Fish & Game Club liaison meeting, which was very interesting. He informed the group of what the Fish and Game Commission was and how they were governed and encouraged them to attend the upcoming public hearings to voice their concerns.

COMMISSIONER GUARALDI: Commissioner Guaraldi reported that it was a quiet month. She reported that she received calls relative to the requirement to put names and addresses on arrows. She further reported that she attended the Changing Times Meeting here at headquarters.

COMMISSIONER MORSE: Commissioner Morse reported that he attended legislative hearings and received the usual calls.

COMMISSIONER RYAN: Commissioner Ryan reported that constituents in his area have ATV concerns. He further reported that he attended the Adapting to Change Meeting, the annual trappers banquet, wildlife federation meeting, where he was lucky enough to win a shotgun.

COMMISSIONER TICHY: Commissioner Tichy reported that he met with Will Staats, Region 1 Wildlife Biologist, to discuss some of the management and techniques regarding conservation easements in the North Country. He further reported that he re-read the audit findings, which stirred up some thoughts that he put in writing and submitted to Chairman Rowan. In closing, he stated, "I'd like to get his this behind us."

COMMISSIONER ROWAN: Commissioner Rowan reported that he attended a meeting at the Owl Brook Hunter Education Center in Holderness to discuss what could be done to resurrect Barry Conservation Camp. He further reported that he attended the derby and visited many bob-houses, where he was well fed. He reported that he visited sporting good shops, attended the Guide's meeting at the Belknap County Sportsmen's Association, attended the Farm & Forest Expo, and attended many hearings at the Legislative Office Building.

He further stated that the Commission was starting to correct communication issues and felt there had been great improvement. He stated, "I hope the sportsmen and women of the State are becoming more involved and active."

PUBLIC COMMENT:

Buck Mercier, audience member, stated that it was an interesting meeting and applauded the gentlemen in the front row for attending and bringing forward their sporting concerns and recommendations. He encouraged them to bring their friends along to future meetings.

Chairman Rowan announced that the March 17, 2010 Commission Meeting would take place at the Hugh Gregg Conservation Center (Sandy Point Discovery Center) 89 Depot Road, Stratham, NH, at 1:00 p.m.

At this time, 5:43 p.m., Commissioner Orff moved to adjourn and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

James Ryan, Secretary

Approved: _____
Robert Rowan, Chairman

Date: _____