

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

### MARCH 17, 2010 COMMISSION MEETING

Meeting Location: Hugh Gregg Coastal Conservation Center, at the Sandy Point Discovery Center, 89 Depot Road, Stratham, NH

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

Commissioner's absent:

#### Vacant Commissioner's Positions

Belknap County Commissioner

Coastal Commissioner

Executive Director Normandeau – present

Doug Grout, Chief, Marine Division, invited everyone to attend a brief dedication ceremony that took place on the grounds honoring the passing of John Nelson, former Chief of the Marine Division. Director Normandeau, Commissioners, Representative Abbott, Ritchie White, John's Daughter, Kim, two grandchildren, and audience members were present for the unveiling of a granite picnic table with a plaque signifying John's years as Marine Division Chief.

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 Guaraldi moved to approve the February 17, 2010 Commission Minutes with the following revisions/additions/deletions and Commissioner Morse seconded. The vote was unanimous in the affirmative.

**\* Page 4, 9<sup>th</sup> paragraph, for clarification purposes should read:**

He further stated, "I'm very concerned that this is the wrong thing to do from a biological standpoint (additional language included in bold text) **and I'm not comfortable moving forward with an expanded 3-point APR (antler point restriction)** until we have a better understanding of people's desires."

**\* Page 4, last sentence, for clarification purposes should read:**

Commissioner Blake stated, "This is 1 more restriction that I am not in favor of." (Quote was relative to weapon restrictions in shotgun only towns for the taking of black bear.)

\* **Page 5, 7th paragraph, 1<sup>st</sup> sentence should read:**

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.

\* **Page 6, 6<sup>th</sup> paragraph, should read:**

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.

\* **Page 9, COMMISSIONER TICHY:, last sentence of report should read:**

In closing, he stated, "I'd like to get ~~his~~ this behind us."

\* **Page 8, HANDBOOK COMMITTEE:** Add E. Orff to the committee.

Commissioner Tichy moved to amend his statement in the January 20, 2010 Commission Minutes to read: *Commissioner Tichy reported that the Androscoggin Valley Fish and Game Association believe there is a need to propose legislation regarding timber harvesting in deer yards*, Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

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2.) Commissioner Guaraldi welcomed everyone to the Annual Awards of Excellence ceremony and introduced herself as Vice Chairman and Grafton County Commissioner.

She stated, "What an honor it is to present the awards today in four categories." "The people being honored and their work make a significant contribution to the mission of New Hampshire's wildlife agency, the New Hampshire Fish and Game Department."

Further, she reported that the Commission began the awards program to recognize the contributions that people and organizations in New Hampshire are making toward achieving the mission of the Fish and Game Department. Each year the Commission accepts nominations until December 31<sup>st</sup> in seven categories of critical importance to the Commission.

She stated that this year the Commission would be presenting awards in four categories. She announced that the local Fish and Game Commissioner would present the awards to recipients from their respective counties.

Commissioner Guaraldi introduced Commissioner Morse, representing Hillsborough County, to present the Conservation Organization Award of Excellence.

Commissioner Morse presented the **2010 Conservation Award of Excellence** to the U.S. Fish and Wildlife Service, Adopt a Salmon Program. The Adopt-a-Salmon program exists to educate hundreds of middle school children about wildlife habitat, water resources and the salmon lifecycle. The Adopt-a-Salmon program would not exist without the leadership of Doug Smithwood and George May and the volunteers. This program helps get kids outdoors and teaches them that they can personally do something to help the environment. The award recognizes any organization, group, foundation, or agency that has excelled in efforts to enhance the welfare of fish, wildlife or marine resources.

Doug Smithwood, Biologist and George May, Retired Teacher, were present to accept the awards.

Doug and George were grateful for receiving the award and stated that it was an honor to be nominated.

Commissioner Guaraldi introduced Commissioner Rowan, Chairman of the Commission, representing Carroll County, to present the Volunteer Award of Excellence.

Chairman Rowan presented the **2010 Volunteer Award of Excellence** to Cathie Gregg, Wildlife Rehabilitator, Elaine Conners Center for Wildlife, Madison, NH. Cathie has served the State of New Hampshire as a wildlife rehabilitator at the Elaine Conners Center for Wildlife for many years. Her work is significant to the Department in many ways, however, most notably in her ability to care for orphaned large mammals; such as deer and moose and release them back to the wild.

The award recognizes any individual who, as a volunteer with the Department, has excelled in efforts to support and achieve the Department's mission. Cathie truly cares about the animals she helps restore to the wild as indicated by her financial contributions, time commitment and facilities she has developed.

Cathie was present to accept the award and stated, "This is my passion and I truly love what I do."

Commissioner Guaraldi reported that the **2010 Communication Award of Excellence** was awarded to the Great Northwoods Journal of Lancaster, NH, who's representative, Ms. Demers, could not be present at the meeting, therefore, the award will be presented at a future Commission Meeting.

She reported that the award recognizes any outdoor communicator or writer, media source (radio, television, magazine, newsletter or periodical) that has written or published articles or materials beneficial to public understanding about fish, wildlife or marine resources as they relate to the Department's mission.

Commissioner Guaraldi announced that the final award presentation would be the Ellis R. Hatch, Jr. Award of Excellence. She stated that the award was named after a former Commissioner and longtime Department volunteer. Ellis was the first recipient of this award a

few years back and the award now bears his name. This is not an award that is given lightly; as its namesake is an extraordinary man of vision who made great contributions to our mission and means a great deal to the Department and Commission.

Ellis R. Hatch, Jr., former Chairman and Strafford County Commissioner, was in attendance to present the award.

Ellis presented the **2010 Ellis R. Hatch Jr., Award of Excellence** to Bill Carney. He stated that the award recognizes any individual, group, organization, club, foundation or agency that has excelled in efforts to promote, enhance or benefit fish, wildlife or marine resources, or the Department's mission through any variety of involvement.

Further, he stated that Bill was being honored today for his work to support fish and wildlife resources, the Department and the entire sporting community.

Below are some examples of Bill's contributions to the mission of the Department:

- He has personally represented the interests of sportsmen and women and sporting clubs in testimony to the Legislature. Not only does he testify at hearings, he works tirelessly on the phone, by e-mail and in columns in Hawkeye to keep people informed and involved.
- He took on the cause of saving the Anadromous Fish Program and the Nashua Fish Hatchery through leadership of the Merrimack Migratory Fish Alliance.
- With a small ad-hoc committee, Bill raised \$15,000 in private funds to match federal funds, which allowed the Department to replace the worn-out anadromous fish transport truck to keep the stocking programs running.
- Worked to initiate a saltwater license for New Hampshire.
- Continues to build public awareness of the need for and support of construction of boat access sites on NH big lakes.

One of the many letters received by the Commission nominating Bill for this award included this Theodore Roosevelt quote. It eloquently sums up Bill's leadership in the conservation movement:

*“It is not the critic who counts: not the man who points out how the strong man stumbles or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes up short again and again, because there is no effort without error or shortcoming, but who knows the great enthusiasms, the great devotions, who spends himself for a worthy cause; who at the best, knows, in the end, the triumph of high achievement, and who, at the worst, if he fails, at least he fails while daring greatly, so that his place shall never be with those cold and timid souls who knew neither victory nor defeat.”*

Ellis stated, "It is a great personal honor to present this Award of Excellence to Bill Carney."

Bill thanked the Commission for the prestigious award and stated that it was an honor to be receiving it personally from Ellis himself. He stated, "Being as outspoken as I am, I don't usually expect to receive many awards."

In closing, Commissioner Guaraldi thanked everyone for attending and stated, "The future of conservation looks promising thanks to the efforts of these award winners."

At this time, 1:32 p.m., the Commission took a short recess to congratulate the award recipients.

The meeting reconvened at 1:42 p.m.

3.) Consent Agenda - The following items were grouped together and noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission will be asked to vote to approve these matters as presented. Commission members may remove certain items if further public input or discussion is deemed necessary.

Commissioner Orff moved to approve items 3a-3d as presented below and Commissioner Hubert seconded. The vote was unanimous in the affirmative.

3a.) Acceptance of a contribution of \$29,200.00 from the Wildlife Heritage Foundation of New Hampshire to assist with the cost of improvements to the Owl Brook Hunter Education Center and the Sandy Point Discovery Center.

3b.) Acceptance of the donation of 16 waders and 3 wading shoes from Wildlife Taxidermy Studio & Sport Center, valued at approximately \$1,489.85.

3c.) Acceptance of a \$100.00 donation from Ms. Eileen Lawton, to be deposited into the Search & Rescue Equipment Account.

3d.) Acceptance of the donation of 10 Browning 130 Lumen Tactical Flashlights, from Daniel DaRosa, valued at approximately \$499.90, (\$49.99 per light), to be utilized by District 1 Conservation Officers.

Nancy Berliner, Development Coordinator, NH Heritage Foundation of New Hampshire, was present at the meeting and spoke on the foundations behalf. She stated that it was a pleasure to be at the Hugh Gregg Coastal Conservation Center and commented on what a great facility it was. She reported that she was excited that the foundation could assist in the many valuable programs the department has to offer.

4.) Commissioner Ryan moved to go forward with rulemaking to amend the rules for taking trout in the Winnicut River and to readopt with amendments rules pertaining to gear restrictions

for gillnets, mobile gear, and hook gear in marine waters and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

5.) Commissioner Orff moved to approve the final proposal for marine rules relative to modifications to the lobster helper rules and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

6.) John Magee, Fisheries Biologist, referred to the informational package he recently compiled for the Commission relative to the Nash Stream Restoration Project.

Commissioner Tichy thanked John for the package and breakdown, however, stated that it had generated some more questions.

Commissioner Tichy stated that his concern was not so much the money or spending, however, questioned whether the department was in compliance with the Fisheries Habitat Law. He stated that he did not want to get into a legislative battle because we are over the percentage.

Steve Perry, Chief, Inland Fisheries, stated, "I am under the interpretation that we are spending the monies correctly."

It was suggested to hold more public outreach meetings to try and obtain more volunteers to assist with the project. It was further suggested that the Eastern Brook Trout Joint Venture try to solicit for volunteers as well.

Steve Perry stated that this was a significant project that would benefit not only anglers of the State, however, provide an opportunity to learn things that can be applied in other regions. He stated that this property would always be accessible as it is on public lands.

Director Normandeau stated, "Per your request, the department derived a scoring policy for these types of projects, which are put into priority order." This project happens to be at the top.

Commissioner Guaraldi applauded the scoring system and stated, "We need to be able to talk intelligently about this."

Commissioner Tichy commended John and Steve for the work done on this project. He stated that the rating was good, however, he could not ignore comments from constituents.

After much discussion, Commissioner Hubert moved to approve the expenditure of up to \$110,000 from the Fisheries Habitat Account on Phase II of the Nash Stream Restoration Project in Coos County and Commissioner Orff seconded. The vote was unanimous in the affirmative.

7.) Commissioner Orff moved to approve the expenditure of up to \$30,000 from the Fisheries Habitat Account to protect approximately 250 acres around Stonehouse Pond in Barrington and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Charlie Bridges, Habitat & Diversity Coordinator, reported that the department was working to ensure that public access to the property for fishing, hunting and trapping would be provided.

Director Normandeau stated, "This is quite a piece of land and I hope more will be added over time."

**INFORMATION ITEMS:**

1.) Kathy LaBonte, Chief, Business Division, presented the monthly financial statement. (See attached statement dated February 28, 2010)

2.) Dianne Timmins, Region 1 Fisheries Biologist, provided an update on the Eastern Brook Trout Joint Venture Survey. She reported that the project started in 2004 with the objective of gathering information on wild brook trout. She further reported that it was a range-wide partnership to protect or restore brook trout in native habitat and that a website had been established to assist in locating wild brook trout fisheries.

In closing, she reported that she would be coming before the Commission in April with a request to fund seasonal employees, who would be working on this survey.

3.) Steve Perry, Chief, Inland Fisheries Division, provided an overview of proposed changes to administrative rules related to fishing. (See below)

**2010 Preliminary Administrative Rule Proposals**

**Proposal Summaries:**

- 1. Define "cast of artificial flies" to mean no more than 3 flies attached to a line.**
- 2. Permit the use of a "cast of artificial flies" in waters that are restricted to fly fishing only.**
- 3. Define "trolling" to mean angling by trailing a line from a watercraft being propelled by mechanical, wind, or manual power. A person may have in use not more than 2 such lines at one time.**
- 4. When trolling, only one artificial bait or one fly or one tandem fly or one bait shall be used per line.**
- 5. From April 1 through September 30, reduce the aggregate daily bag limit on 10 waters managed for lake trout and salmon to one lake trout or one salmon or one brook trout.**
- 6. Limit the number of trolling lines that can be used on 10 waters managed for lake trout and salmon to 2 lines per watercraft.**

- 7. Increase the daily aggregate limit for lake trout/salmon/brook trout in Silver Lake (Madison) from 2 fish to 4 fish.**
- 8. Create a new category called “Quality Bass Management Waters” which would apply to Clement Pond/Joe Silvia Lake (Hopkinton), Grassy Pond (Rindge), Warren Lake (Alstead), and Gregg Lake (Antrim). For these waters, from ice-in to ice-out no person can take black bass from 15 to 20 inches and the daily limit for black bass is 3 fish, of which only 1 can be larger than 20 inches.**
- 9. From ice-in to ice-out on lakes/ponds, the daily bag limit for black bass shall be 2 fish, only 1 bass per day can be taken that is larger than 16 inches; from January 1 to March 30 on rivers/streams, the daily bag limit for black bass shall be 2 fish, only 1 bass per day can be taken that is larger than 16 inches.**
- 10. Bass tournaments shall have no more than one weigh-in per calendar day (12 am to 11:59 pm).**
- 11. Move Clarksville Pond (Clarksville) from trout pond regulations to general fishing regulations.**
- 12. Move Fish Pond (Columbia) from trout pond regulations to general fishing regulations.**
- 13. Move Bean Pond (Ossipee) from trout pond regulations to general fishing regulations.**
- 14. Move Little Pond (Sandwich) from trout pond regulations to general fishing regulations.**
- 15. Move Perch Pond (Campton) from trout pond regulations to general fishing regulations.**
- 16. Move Hildreth Reservoir (Warren) from trout pond regulations to general fishing regulations.**
- 17. Move Conservation Pond (Wentworth) from trout pond regulations to general fishing regulations.**
- 18. Change the closing date for fishing Lucas Pond (Northwood), French Pond (Henniker), Mount William Pond (Weare), Stonehouse Pond (Barrington), and Willard Pond (Antrim) from October 15 to November 30.**
- 19. Open Spofford Lake to ice fishing.**
- 20. Open the Pemigewasset River, from the Route 104 bridge downstream to the Ayers Island Dam, to ice fishing.**

**21. Change the date of free fishing day so that it does not occur during the catch and release season for bass.**

**22. Prohibit the possession of live freshwater fish except those species allowed to be possessed and used as live fish for bait or the person is participating in a permitted fishing tournament or as otherwise permitted by the department.**

Much discussion ensued.

**STANDING COMMITTEES:**

**POLICY COMMITTEE:** Commissioner Hubert, Chair; Commissioners; Phillipson, Orff, and Ryan. Commissioner Hubert reported that the committee did not meet in March.

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

Commissioner Morse moved to support SB-435, relative to the provisions of caller locations in emergency situations, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support the amendment to SB-441 as written, with exception to VI, relative to the lakes management and protection program and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Chairman Rowan announced that Representative Abbott invited the Commission to attend a Legislative Caucus on April 15, 2010, to meet and discuss the audit findings pertaining to the Commission.

**RIVERS COMMITTEE:** Commissioner Ryan; Chair; Commissioner Ryan reported that the committee did not meet in March. He reported that the next meeting would take place in June.

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

**HANDBOOK COMMITTEE:** Commissioner Guaraldi, Chair; Commissioners Blake, and Orff. Commissioner Guaraldi reported that the committee did not meet this month, however, would be meeting in the near future.

**AUDIT & LEGISLATIVE COMMITTEE:** Commissioner Blake, Chair; Commissioners Hubert and Morse. Commissioner Blake reported that the committee met the morning of the Commission Meeting to work through the performance audit. He reported that the committee took comments and suggestions from Commissioners. In closing, he reported that the committee would be meeting in the near future.

**COMMISSIONER REPORTS:**

**COMMISSIONER HUBERT:** Commissioner Hubert reported that the Sullivan County Sportsmen's Meeting was cancelled due to weather conditions. He reported that there had been discussion regarding SB-441, the proposed wildlife rule changes, and the fisheries hook wounding issue. He stated, "Everyone realizes there is a need to take steps to get things back to where they need to be."

**COMMISSIONER BLAKE:** Commissioner Blake's activities were as follows:

- \* Met with Seacoast Beekeepers Association, Lee NH. Introduced himself and answered questions regarding the proposed Deer and Coyote Season changes.
- \* Reported that his wife and a friend attended the Becoming an Outdoor Woman Winter workshop at Owl Brook and had a fantastic time.
- \* Talked at length with Deer Biologist Kent Gustafson and passed the information on to the concerned individuals.
- \* Talked with a Board member of the Farmington Fish & Game Club regarding the Exeter sewage treatment plant and its effects on the clamming in Great Bay. Also informed him of "Clam Poachers" on the Hampton River and referred him to the NHF&G law division.
- \* Visited and talked with the managers of Renaissance Arms in Gonic and Fox Ridge Outfitters in Rochester. At Fox Ridge Outfitters there were many questions regarding the proposed Deer Season changes and had a petition with many signatures against any season changes on Coyotes.
- \* Visited the NHF&G Powder Mill Fish Hatchery and was given the deluxe tour. Found the operation very interesting and was impressed by the dedicated staff. They also expressed concern regarding the NH Deer herd, which was relayed to Steve Weber.
- \* Visited Rochester Motor Sports in Barrington, who are an ATV and Snowmobile dealer. They had questions regarding SB-366, which would allow larger and wider ATV's on the trails.
- \* Met with the President of the Pawtuckaway Beekeepers Association and the Beekeeper of the Year for a Bee Hive building demonstration.
- \* Met with Mr. Duane Hyde, Director of Protection for the Nature Conservancy, regarding the continued use of their properties for hunting, fishing and trapping. Mr. Hyde assured him that these activities would continue to be allowed, including a nearby property, which would be transferred to the Audubon Society in the next few weeks.
- \* Attended a meeting of the Hackle & Tackle Club in Rochester and fielded questions regarding the upcoming Fishing Season Proposals. Informed them that he would forward the information as it became available. In addition, he reported that there was a fascinating lecture given by retired Conservation Officer Lt. Rick Estes on fishing in remote ponds. Rick explained in detail what equipment was required and gave a demonstration of each device.

\* Met in his home with Colonel Marty Garabedian and Lt. Jeff Marston to learn more about the important mission they perform for the NHF&G Department. “Both are a true asset to the NHF&G Department.”

\* Fielded calls from constituents who were not happy with several of the 2010 Administration Rule Proposals for Inland Fishing, specifically the one (1) Fish per day and two (2) lines per boat limitation.

**COMMISSIONER ORFF:** Commissioner Orff reported that he attended the Wildlife Federation’s monthly meeting, the Trapper’s Association Banquet, met with the Trout Unlimited Chairman and discussed some issues, and visited a few sporting good stores. He further reported that the University of New Hampshire was contracted by Fish and Game to conduct a Bobcat & Cottontail study.

In closing, he reported that he would be attending the Hunter Education Volunteer Recognition Banquet at the Red Jacket in North Conway on March 20, 2010.

**COMMISSIONER PHILLIPSON:** Commissioner Phillipson reported that his recent liaison meeting revolved around the proposed hunting & coyote seasons. He reported that he encouraged constituents to attend the public hearings.

**COMMISSIONER GUARALDI:** Commissioner Guaraldi reported that she attended the winter Becoming an Outdoor Woman Program where a good time was had by all. She reported that she brought a staff person along who had a great time as well. She further reported that she attended the Changing Times Meeting and facilitators meeting, spoke at the Enfield Outing Club and Elkins Fish and Game Club, where both clubs spoke of activities that they have planned in the future.

In closing, she stated that she had been working on the Wildlife Federation Banquet and received the usual routine calls.

**COMMISSIONER MORSE:** Commissioner Morse reported that he attended the winter Becoming an Outdoor Woman Program, received many calls regarding the proposed hunting seasons and spoke with Chuck Miner of the Landowner Relations Program regarding the pheasant stocking program.

**COMMISSIONER RYAN:** Commissioner Ryan reported that he received calls regarding saltwater fishing and coyote seasons, attended the Lamprey River Watershed Meeting and Trapper’s Banquet.

In closing, he thanked Conservation Officer Mike Mattson for clarifying some archery questions he had.

**COMMISSIONER TICHY:** Commissioner Tichy reported that things were fairly quiet except for discussion regarding the upcoming public hearings and the antler point restriction. He further reported that there was an article in the Union Leader regarding deer and car collisions in the

North Country in the winter months due to folks feeding deer and felt the problem was getting worse. He reported that deer are dodging traffic to try to get to the familiar feeding sites that people are creating at their homes, which in turn is causing dangerous car accidents.

**COMMISSIONER ROWAN:** Commissioner Rowan reported that his activities consisted of attending the Winnepesaukee Club Meeting, Legislative Meetings where he spoke with a few legislators who asked about the status of Barry Conservation Camp. He further reported that he received many calls regarding the coyote season and calls relative to big landowners who do not like the new Department of Environmental Services Srteam Crossing Rules and expressed that they were unhappy with it.

**DIRECTOR'S REPORT:** Director Normandeau reported that he met with the Forest Service at the Owl Brook Hunter Education Center and obtained additional information as to what the department's options were. He reported that they have no problem allowing the department to do what is necessary to improve the water situation.

He reported that Colonel Garabedian was working on the rule proposals for the Saltwater Guides, CPR and first aid certification.

He further reported that Representative L'Heureux would be retiring in the near future and Representative Abbott has asked the department to consider recognizing him in some way. Future discussion will take place regarding this.

He announced that the department has hired Jeff King, formerly of the Office of Information Technology, to fill the vacant Access Coordinator position within the Lands Bureau.

**PUBLIC COMMENT:**

Steve Weber announced that he was looking for 2 or 3 Commissioners to work with staff on the Antler Point Restriction Survey. Commissioners Phillipson, Blake, Tichy, Morse, and Ryan all agreed to participate.

At this time, 6:10 p.m., Commissioner Hubert moved to adjourn and Commissioner Morse seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

James Ryan, Secretary

Approved: \_\_\_\_\_  
Robert Rowan, Chairman

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