

# NEW HAMPSHIRE FISH AND GAME DEPARTMENT

## APRIL 16, 2008 COMMISSION MEETING

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

Commissioners Present: T. Hubert, W. Morse, W. Carney, R. Phillipson, M. Kalter R. Rowan, T. Tichy, S. Guaraldi, P. Costa, and S. Nottonson.

Coastal Commissioner: vacant

Executive Director Normandeau - present

Chairman Phillipson called the meeting to order at 1:02 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 Carney moved to approve the March 19, 2008 Commission Minutes with the following amendment and Commissioner Hubert seconded. The vote was unanimous in the affirmative.

Page 5, paragraphs 4 & 6 - The words "conservation easement" should be replaced with the words "management agreement."

2.) At this time, Chairman Phillipson, on behalf of the Commission, presented Nelson Russell with a resolution honoring him for his achievements while serving as Carroll County Commissioner. It read as follows:

#### *Honoring Nelson Russell*

*Whereas, Nelson Russell served the citizens of New Hampshire and Carroll County on the Fish and Game Commission from 2001 - 2007, with great passion, dignity and dedication; and*

*Whereas, his active participation on the Legislative Subcommittee of the Commission was critical in reviewing draft legislation and preparing Commission positions for Department testimony; and,*

*Whereas, he was known for his commitment to the recruitment of new hunters and in addition to his tenure on the Commission, served the Hunter Education Program for 28 years as a volunteer instructor and chief instructor in his local area; and,*

*Whereas, he was a passionate advocate for Hunter Safety; and,*

*Whereas, he was devoted to a fair and reasoned approach to the Commission's responsibilities, demonstrated by his willingness to listen to the perspectives of sportsmen and women within the context of the science of wildlife management;*

*Now, Therefore Be It Resolved, that the New Hampshire Fish and Game Commission hereby honors and congratulates Nelson Russell on his retirement from service as Carroll County Commissioner.*

*Be It Further Resolved that the Fish and Game Department and Commission hereby express its sincere gratitude to Nelson Russell for his contributions to wildlife conservation and wish him many years of enjoyment in New Hampshire's great outdoors.*

*Unanimously adopted by the New Hampshire Fish and Game Commission this Nineteenth day of March, Two Thousand and Eight.*

---

*Donald S. Clarke, Acting  
Executive Director*

---

*Robert Phillipson Jr., Chairman  
NH Fish & Game Commission*

4c.) This item was heard out of sequence due to time constraints.

Commissioner Costa moved to accept a \$1,000 donation from the Wildlife Heritage Foundation of New Hampshire, to be utilized for Discover Wild New Hampshire Day and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Dr. Donald Normandeau, Chairman, Wildlife Heritage Foundation of New Hampshire, was present at the meeting and thanked the Commission for the opportunity to speak. He reported that the Foundation was created about a year ago and was basically a fundraising organization for the Fish and Game Department. He stated that in many states, non-profit foundations have been established for the purpose of providing new sources of funding for specific programs and projects. New Hampshire, like the rest of the country, is experiencing changes such as significant declines in hunting and fishing license sales. He reported that the \$1,000 donation was the first financial contribution to support the work of Discover Wild New Hampshire Day. He further reported that within the next year the Foundation would formalize the relationship with the Department as an official non-profit partner and would focus on fundraising efforts to hire an Executive Director.

In closing, Dr. Normandeau credited Representative David Smith of Nashua, prime sponsor, for legislation that allowed this to take place. He thanked Judy Stokes, Chief, Public Affairs, for her dedicated involvement in making this happen as well. He stated that the Foundation would like the Commission's support to assist in identifying potential donors and sponsors.

2.) Commissioner Carney moved to approve a donation of \$2,500 from the New Hampshire Chapter of the Safari Club International, to support nuisance black bear research in Southeastern New Hampshire and Commissioner Nottonson seconded. The vote was unanimous in the affirmative.

3.) At this time, the License Suspension Reduction Hearing took place for Daniel Nutter.

A hearing took place with Commissioners asking pertinent questions to Daniel Nutter. Daniel stated that he was involved in an accident and was here to ask for a reduction in the suspension and for the reinstatement of his hunting privileges.

The Commission asked questions relative to his criminal record and past violations. Conservation Officer Tom Dakai was present at the meeting and attested to a violation Daniel was involved with in Vermont in regards to night skinning.

After much discussion, Commissioner Morse moved that Daniel Nutter take the following action prior to coming before the Commission to ask for a License Suspension Hearing Reduction and Commissioner Nottonson seconded. The vote was unanimous in the affirmative.

1. To have direct contact with the local Conservation Officer, Thomas Dakai, for support to reinstate his license privileges.
2. Must successfully complete a Hunter Safety and Bow Hunter Safety Education Class and show successful completion with his request.
3. Must have a letter of support from the local Police Chief showing that his record is clean for the 12 months prior to his request.
4. Must have a letter from the Chief Instructor of a Hunter Safety Class to show that he has spoken to the class about his circumstances and he has explained how to hunt properly, safely and responsibly.
5. It is his responsibility to request reinstatement of his hunting privileges. He must submit that request in writing addressed to the Executive Director with documentation of the above and then he will be scheduled to appear before the Commission to demonstrate that he has completed everything. It is an affirmative action, he must initiate the process as it is not automatic.

4.) Consent Agenda - The following items were grouped together and were noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. Commissioner Morse moved to approve the below donations as follows and Commissioner Carney seconded. The vote was unanimous in the affirmative.

4a.) Donation of \$175.00 from the below donors, to be utilized by the "Let's Go Fishing" program.

Charity Lodge #43, Bradford, VT -	\$25.00
The Oasis Home -	<u>150.00</u>
	\$175.00

4b.) Donation of \$100.00 from Judy Ballantine, in memory of Laurence Frederickson, Jr., to be deposited into the search and Rescue Account.

4d.) Donations totaling \$220.00 from the below donors, in memory of Richard D. Oak, Sr., to be deposited into the Small Gifts & Donations Account.

Mr. & Mrs. Michael Stibitz - \$50.00	Wendell & Joan Oak - \$50.00
Shirley J. Kimball - \$20.00	NH Industries Inc. - \$50.00
R.A. & Robyn Barry - \$50.00	

5.) Cheri Patterson, Marine Division, provided more information regarding last month's Winnicut River Dam project request. Much discussion ensued. Cheri invited the Commission for a site visit on May 21, 2008, in hopes of better answering their questions and concerns relative to the proposed project. Commissioner Tichy suggested having some criteria in place to prioritize these types of projects in the future.

Due to the Fish and Game Commission touring a site in the seacoast area on May 21, 2008, it was decided to hold the next meeting of the Commission at the Great Bay Discovery Center in Stratham, at 1:00 p.m.

Commissioner Tichy moved to table this item until next month in order to allow ample time for the Commission to have a site visit to the Winnicut Dam and to get any unanswered questions addressed, Commissioner Nottonson seconded. The vote was unanimous in the affirmative.

6.) Betsey McNaughten, Land Agent, provided an overview of the proposed resolution relative to wireless communications at Pulpit Rock Tower, Rye, NH.

She reported that the department has been approached by Verizon Wireless Communication to use Pulpit Rock Tower in Rye, NH, as a collocation wireless communication site. The department does not currently have a policy for wireless communication facilities on department owned land. She read aloud the following resolution:

***Wireless Communications at Pulpit Rock Tower, Rye, NH***

*WHEREAS, on March 30, 1978, the New Hampshire Fish and Game Department acquired from United States of America, Pulpit Rock Tower located on 0.438 acres, 9 Davis Road, Rye, a structure that is approximately 80 feet in height near U.S. Route 1A,; and*

*WHEREAS, the New Hampshire Fish and Game has been approached by Cellco Partnership, d/b/a Verizon Wireless for the use of the tower as a wireless communication site; and*

*WHEREAS, the New Hampshire Fish and Game Department has not developed a policy that relates to wireless communication facilities on Department's fee owned lands; and*

*WHEREAS, under RSA 12-A:45, the New Hampshire Department of Resources and Economic Development has developed the Technical Requirements for Use of Communication Sites and adopted said Requirements on June 30, 1995; reviewed January 2, 2008; and*

*WHEREAS, the New Hampshire Fish and Game Commission has reviewed the Department of Economic Resources and Development Technical Requirements on wireless communication at its April 16, 2008 meeting: Therefore, Be It*

*THEREFORE BE IT RESOLVED, that the New Hampshire Fish and Game Department hereby endorses and adopts the Technical Requirements, and its amendments from time to time, for use at Pulpit Rock Tower in an effort to maintain consistency between state departments, Cellco Partnership d/b/a Verizon Wireless and the public; and, Be It*

*Unanimously adopted by vote at the New Hampshire Fish and Game Commission this 16th day of April, 2008.*

---

*Robert Phillipson, Chairman  
NH Fish & Game Commission*

---

*Glenn Normandeau  
Executive Director*

Commissioner Costa moved to adopt the above resolution and Commissioner Nottonson seconded. The vote was unanimous in the affirmative.

7.) Steve Weber, Chief, Wildlife Division, distributed a copy of the quarterly financial reports for Pheasant, Wildlife Habitat, and the Game Management Accounts to the Commission. He further reported that he distributed a copy of the questionnaire used at the recent public hearings.

Steve reviewed the proposed 2008/2009 hunting and trapping season rules with the Commission and it was voted on as follows:

Commissioner Hubert moved to approve the proposed deer season modifications as presented and Commissioner Carney seconded. The vote was unanimous in the affirmative. (see attached)

Commissioner Guaraldi moved to approve the proposed moose season modifications as presented and Commissioner Rowan seconded. The vote was unanimous in the affirmative.(see attached)

Commissioner Morse moved to approve the proposed bear season modifications as presented and Commissioner Hubert seconded. The vote was unanimous in the affirmative. (see attached)

Commissioner Tichy moved to approve the proposed turkey and small game season modifications as presented and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative. (see attached)

Commissioner Rowan moved to approve the proposed trapping season modifications as presented and Commissioner Hubert seconded. Much discussion ensued. Commissioner Tichy asked to amend the motion, however, did not receive a 2<sup>nd</sup>. The vote carried with 8 in favor, 1

abstention. (T. Tichy)

8.) Chuck Miner, Landowner Relations Coordinator, reported that he had 3 items to bring before the Commission for acceptance today. The donations totaled \$22,000 all to be used for the development and implementation of "Operation Land Share".

Commissioner Costa moved to approve 3 donations as stated below and Commissioner Kalter seconded. The vote was unanimous in the affirmative.

1. \$20,000 Hunting Heritage Part. Grant - National Shooting Sports Foundation
2. \$1,000 - donation - NH Wildlife Federation
3. \$1,000 - donation - NH Chapter of the Nat'l Wild Turkey Fed.

**INFORMATION ITEMS:**

1. Kathy LaBonte, Chief, Support Services, provided the monthly financial statement dated March 31, 2008. (see attached)
2. Director Normandeau reviewed the amendments to Atlantic Sea Herring rules. He reported that the amendments would allow the Executive Director to close days out of the sea herring fishery to allocate the resource.
3. Steve Perry, Chief, Inland Fisheries Division, provided an overview of the proposed changes to the administrative rules to fishing. (see attached)
4. Charlie Bridges, Habitat & Diversity Coordinator, provided a bulleted list of items that will be included in the management agreement between the Department and the Society for the Protection of New Hampshire Forests regarding the CT River Forest Land Conservation Project. (see attached agreement.)

**STANDING COMMITTEES:**

**POLICY COMMITTEE:** Commissioner T. Hubert, Chair; Commissioners; Nottonson, Kalter, Rowan, and Costa.

Commissioner Hubert reported that the committee met the morning of the April 16, 2008 Commission meeting to discuss 2 topics. He reported that Betsey McNaughten, Land Agent, attended the meeting allowing the Commission a chance to review the proposed policy for adoption relative to wireless communications on the Pulpit Rock Tower, Rye, NH. Commissioner Hubert reported that the committee also discussed a lands identification resolution and developed the following language:

*NH Fish & Game Lands Identification Resolution*

*Whereas the New Hampshire Fish and Game Department owns and manages conservation lands in the State, and;*

*Whereas under RSA 214:1-f, VII (f) the Department is responsible for providing information to the public on the location of properties managed by the Department, and;*

*Whereas the mission of the Fish and Game Department is to inform and educate the public about these resources and provide opportunities for the public to use and appreciate these resources,*

*Now therefore be it resolved, the New Hampshire Fish and Game Commission adopts this policy to ensure that these lands are clearly identifiable, easily located, and that access information is readily obtainable by the public for the use and enjoyment of these lands. This policy directs the Department to make it a priority to survey, map, and delineate property boundaries, including the use of boundary signs every 150 feet, of these Department owned and managed lands.*

---

*Robert Phillipson, Chairman  
NH Fish & Game Commission*

---

*Glenn Normandeau  
Executive Director*

Commissioner Costa moved to adopt the policy as proposed and Commissioner Hubert seconded. The vote carried with 8 in favor and 1 abstention (W. Morse)

**LEGISLATIVE COMMITTEE:** Commissioner Guaraldi, Chair; Commissioners Tichy, Carney, and Morse. Commissioner Guaraldi reported that the committee did not meet the morning of the Commission Meeting.

Commissioner Tichy moved to support the concept and monitor HB-1442, relative to the taxation of farm buildings and land under farm buildings and Commissioner Nottonson seconded. The vote was unanimous in the affirmative.

**RIVERS COMMITTEE:** Commissioner Morse; Commissioner Morse stated that there was nothing to report this month.

**LAKES COMMITTEE:** Commissioner Kalter; Commissioner Kalter reported that the next meeting would take place on Friday, April 18, 2008 to further discuss sustainability initiatives and HB 710 Commission. He stated he would report back at the May Meeting.

**REVENUE COMMITTEE:** Commissioner Nottonson, Chair; Commissioner Nottonson reminded the Commission that it was time to submit any comments/suggestions for the hunting handbook and encouraged everyone to forward those to him.

**HANDBOOK COMMITTEE:** Commissioner Rowan, Chair; Commissioners Carney and Kalter. Commissioner Rowan reported that the committee has met several times and continues to review the handbook. He reported that the group pulled out all the policies and would like to review them with the Commission to determine whether they are still appropriate. He reported that there were many outdated items.

**COMMISSIONERS REPORTS:**

**COMMISSIONER GUARALDI:** Commissioner Guaraldi reported that she attended the New Hampshire Wildlife Federation Banquet and Friends of NRA. She reported that on May 9, 2008, the Enfield Outing Club is having Conservation Officer Dakai come for a question and answer session, which is open to the public. She further reported about an interesting website she found called: hook-in.com, a website aimed at getting youth involved. She reported that she found it to be very interesting. In closing, she announced that the youth turkey weekend falls on the same weekend as Discover Wild New Hampshire Day.

**COMMISSIONER ROWAN:** Commissioner Rowan reported that he received comments relative to the hunting regulations. He reported that he witnessed many fish being caught during the ice-fishing season. He further reported that he attended Commissioner Kalter's Liaison meeting.

**COMMISSIONER MORSE:** Commissioner Morse reported that he attended the New Hampshire Wildlife Federation Banquet and the Pointer Fish and Game Banquet this month.

**COMMISSIONER NOTTONSON:** Commissioner Nottonson reported that he received a call from Kathy Goode, from the Governor's Office, in response to his inquiry regarding his Commission term. She confirmed that his term expires at the end of June, 2008. He stated that he had some on-going projects and encouraged anyone interested in taking them over to contact Chairman Phillipson. He further reported that he received two calls in response to his letters sent to the Executive Councilors informing/reiterating to them former Councilor Griffin's hostage remarks at a 2005 Commission Meeting. In addition, the letter contained remarks made by Michael Griffin, nominee for Fish and Game Seacoast Commissioner, at a recent Portsmouth Meeting. Commissioner Nottonson questioned whether or not he was the only person submitting concerns regarding the seacoast nominee. He further reported that he sent the letters as an individual, however, signed them as Rockingham County Commissioner.

Commissioner Rowan stated that he felt it was inappropriate for the Commission to question an appointment to the Commission. He stated that the Commission would have to work with the person on the Commission.

**COMMISSIONER TICHY:** Commissioner Tichy reported that he would be attending the Androscoggin Valley Fish and Game Club Banquet on April 17, 2008. He reported that club was planning to host an introduction to firearms event for women in the near future, date to be announced. He further reported that he did receive some comments and questions on the season proposals.

**COMMISSIONER HUBERT:** Commissioner Hubert stated that he received comments on rulemaking. He reported that he received correspondence from an Alstead resident regarding dogs harassing wildlife. He further reported that he would be attending the Sullivan County Sportsmen's Meeting at the end of the month.

**COMMISSIONER KALTER:** Commissioner Kalter thanked Commissioner Rowan and Director Normandeau for attending the Strafford County Liaison Meeting. He reported that

Director Normandeau answered questions for approximately 2 hours. He further reported that the Cocheo River Field Day would take place on Saturday, April 19, 2008 and the Lamprey River clean up day is May 3, 2008.

**COMMISSIONER CARNEY:** Commissioner Carney reported that he received comments regarding rulemaking as well. He reported that he received calls from Andover constituents informing him of a woman and her son feeding deer at the bottom of Ragged Mountain. Conservation Officer Heidi Murphy was asked to investigate and was able to convince the woman to stop feeding the deer.

**COMMISSIONER COSTA:** Commissioner Costa departed the meeting prior to Commissioner's comments.

**COMMISSIONER PHILLIPSON:** Commissioner Phillipson thanked the Commission for the excellent attendance at the recent public hearings. He stated that his liaison meeting was not well attended and reported that the next meeting would take place in August. He reported that he has been in contact with Steve Miller, Shooting Sports Foundation, and hopes to have him on the agenda for the June 18, 2008 Commission Meeting. He further reported that Commissioner Nottonson approached him and inquired as to what the proper process, as a constituent, was for writing letters to the Executive Council. Commissioner Phillipson felt it was handled the proper way.

**DIRECTOR'S REPORT:** Director Normandeau reported that the department received a call from a constituent from the Lake Winnepesaukee, Alton Bay area inquiring why the department has not cleaned up after the ice-fishermen. Director Normandeau explained that it was not feasible to pull the officers from the field to attempt to retrieve debris from the lake, especially it being a safety concern now. He encouraged a volunteer clean up effort be coordinated for next year.

He further reported that the Town of Lyme has a 40-year beaver pond issue. They are looking to have the beavers removed, with some controversy from abutters on the pond. The beavers have raised the water level to the point that the ball field is submerged.

**PUBLIC COMMENTS:**

There were no public comments.

At this time, 6:30 p.m., Commissioner Carney moved to adjourn and Commissioner Guaraldi seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

Patti Costa, Secretary

Approved: \_\_\_\_\_  
Robert Phillipson, Chairman

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