

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

OCTOBER 9, 2019 COMMISSION MEETING

Meeting Location: Owl Brook Hunter Education Center, 387 Perch Pond Road, Holderness, New Hampshire.

Commissioners Present: R. Phillipson, P. DeBow, D. Patch, P. McInnis, R. Green, B. Temple, M. Lachance & C. Hodgdon.

Commissioners absent/excused: F. Bird, C. Luppi & E. Stohl

Executive Director Normandeau – Present

Chairman Phillipson called the meeting to order at 1:02 a.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 Chair reserves the right to limit comment to the extent necessary for the orderly conduct of the meeting.

ACTION ITEMS:

- 1.) Commissioner McInnis moved to approve the September 11, 2019 Commission Minutes and Commissioner Green seconded. The vote was unanimous in the affirmative.
- 2.) 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. The Commission voted to approve these matters as presented. Commission members may remove certain items if further public input or discussion is deemed necessary.

Commissioner Hodgdon moved to approve the consent agenda items 2a.-2h., as presented below, and Commissioner Patch seconded. The vote was unanimous in the affirmative.

2a.) The Commission accepted the following donations in memory of Dr. James P. Powers, of Hillsboro, NH, to be deposited into various accounts as indicated below:

Small Gifts & Donations Account:

Philip & Virginia Brooks, Lyndeborough, NH -	\$200.00
Peter & Victoria Blackmore, Quakertown, PA -	\$100.00
Nathan & Kathryn Walker, New London, NH -	\$100.00
Teresa McKenna, Newbury, NH -	\$100.00
Emily Campbell, New London, NH -	\$100.00
Skip & Carolyn McKean, Henniker, NH -	\$ 75.00
Mr. & Mrs. David Bailey, Concord, NH -	\$ 75.00
Daniel & Beverly Wolf, Newbury, NH -	\$ 50.00
Walter & Bonita Morse, Hillsboro, NH -	\$ 50.00
Lauridsen Auto Body, Inc., New London, NH-	\$ 50.00
Donald & Shirley Mason, Bow, NH -	\$ 50.00

Paul & Joanne Lazdowski, New London, NH -	\$ 50.00
Thomas & Linda Marshall, Washington, NH -	\$ 50.00
K. Currier, Andover, NH -	\$ 30.00
Barbara Rousseau, Warner, NH -	<u>\$ 20.00</u>

Game Management Account:

Marion Semken, Hopkinton, NH -	<u>\$ 50.00</u>
Total: \$1,150.00	

2b.) The Commission accepted the following donations made to the Law Enforcement Division by New Hampshire's Operation Game Thief:

- 3 Boeckman Turkey Decoys, valued at \$749.97
- 40 Moultrie Game Cameras, valued at \$4,000.00
- 50 Nightstick Low Profile Dual light headlamps, valued at \$1,750.00
- 42 onX Hunt Premium Annual Memberships, valued at \$630.00

2c.) The Commission accepted the donation of 1 small and 1 medium used havahart traps from David Cloutier, Concord, NH, to be utilized by the Law Enforcement Division.

2d.) The Commission accepted a donation in the amount of \$100.00 from Mr. & Mrs. Donald Schaalman, North Andover, MA, to be deposited into the Search & Rescue Account.

2e.) The Commission accepted a donation in the amount of \$50.00 from Eric & Penelope Peterson, Kensington, NH, to be utilized by the "Let's Go Fishing" Program.

2f.) The Commission accepted the following donations, to be deposited into the Small Gifts & Donations Account:

Nash Stream Camp Owners Association -	\$500.00
Paul Phelps, Bedford, NH -	<u>\$ 35.00</u>
Total: \$535.00	

2g.) The Commission accepted a donation in the amount of \$20.00 from Kayla Miller, Candia, NH, in memory of David B. Ellis, Sr., to be deposited into the Small Gifts & Donations Account.

2h.) The Commission accepted the following donations in memory of Lucien R. Lafond, Manchester, NH, to be deposited into the Small Gifts & Donations Account:

Your UPS Team, Goffstown, NH -	\$125.00
Nicki & Joe French, Dunbarton, NH -	\$ 75.00
Roger & Betty Borghesani, Lexington, MA -	\$ 50.00
Carol Hauser, Bedford, NH -	\$ 25.00
Sally Fannion, New Boston, NH -	<u>\$ 20.00</u>
Total: \$295.00	

3.) Mark Ellingwood, Chief, Wildlife Division, came before the Commission and requested their participation in the annual drawing of the hunting survey prizes & approval of prizes donated.

1. The Small Game Survey Award, a Ruger American bolt action rifle with a Vortex Crossfire II Scope, valued at \$699.00, generously donated by Sturm, Ruger & Company, was won by Walter Allen III, of Ashburnham, MA. #106
2. The Ruffed Grouse Wing and Tail Survey Award, an Escort M87 pump shotgun, valued at \$359.00, generously donated by The Ruffed Grouse Society, was won by Walter Allen III, of Ashburnham, MA. #78 (this is not an error, this name was drawn randomly from the second pool of applicants)
3. The Spring Turkey Survey Award, a Stevens Model 320, 12 gauge shotgun, valued at \$280, generously donated by the NH State Chapter of the National Wild Turkey Federation, was won by Lowell Balch Jr, of Salisbury, NH #684
4. The Spring Turkey Survey Award, an Alps Outdoors Grand Slam Turkey Vest, valued at \$180.000, generously donated by the NH State Chapter of the National Wild Turkey Federation, was won by Michael Smith of Bow, NH #74
5. The Deer Hunter Survey Award, a Ruger American bolt action rifle with a Vortex Crossfire II Scope, valued at \$699.00, generously donated by Sturm, Ruger & Company, was won by John J. Cronin III of Bennington, NH #535
6. The Deer Hunter Survey Award, a Woodman Arms Patriot Muzzleloader valued at \$899.00, generously donated by Woodman Arms, of Freemont, NH, was won by Stephen D. Plumley of West Stewartstown, NH #1097

4.) Mark Ellingwood came before the Commission seeking approval to expend Game Management and Habitat revenue, as proposed in the recently adopted state biennial budget.

Commissioner Hodgdon moved to approve the Game Management Biennial Budget as presented and Commissioner Temple seconded. The vote was unanimous in the affirmative.

Commissioner McInnis moved to approve the Habitat Biennial Budget as presented and Commissioner Green seconded. The vote was unanimous in the affirmative.

5.) Commissioner Patch moved to change the November Commission Meeting from November 13, 2019 to November 20, 2019 and Commissioner Green seconded. The vote was unanimous in the affirmative.

6.) Chairman Phillipson presented former Coos County Commissioner, Ted Tichy, with a resolution and a jacket (jacket has embroidered term dates on it, 1999-2017). The resolution read as follows:

Whereas, Theodore “Ted” Tichy served the citizens of New Hampshire and Coos County on the Fish and Game Commission from 1999 - 2017, with great passion, dignity and dedication; and,

Whereas, Commissioner Tichy assisted with numerous projects at Barry Conservation Camp, donating his time and equipment to the cause, so that young people would have the opportunity to enjoy outdoor experiences and learn about conservation in New Hampshire; and,

Whereas, Commissioner Tichy served many years as Chair of the Commission and dedicated many hours at the State House advocating for legislative actions that served the best interest of the resources and people of the Granite State; and,

Whereas, Commissioner Tichy’s extensive forestry management knowledge provided the Commission with invaluable input on land conservation and habitat initiatives;

Be It Further Resolved, that the Fish and Game Department and Commission hereby expresses its sincere gratitude to Theodore Tichy for his many contributions to fish and wildlife conservation and offer good wishes for many years of enjoyment in New Hampshire’s great outdoors.

Unanimously adopted by the New Hampshire Fish and Game Commission this Ninth day of October, Two Thousand and Nineteen.

Glenn Normandeau
Executive Director

Robert Phillipson Jr., Chairman
NH Fish & Game Commission

Ted thanked staff for their hard work & dedication. He thanked Director Normandeau and Tanya Haskell, for all their assistance during his tenure on the Commission. He stated, “I encourage the new Commissioners not to be afraid to ask questions, and ask a lot of them, as there is a great deal to learn.”

INFORMATION ITEMS:

1.) Paul Sanderson, Legal Coordinator, reported that on September 6, 2019, a petition for rulemaking was received from the New Hampshire Wildlife Coalition seeking adoption of a new definition of Fis 801.27, to define a “wildlife killing contest” and a new Part Fis 815 that would prohibit the organization, promotion, solicitation, participation in or partaking in a “wildlife killing contest”.

He reported that the Attorney General’s Office provided the following review of the issue: RSA 206:10, I, does give the Executive Director authority to adopt rules to “fix the size, number, and weight limits, and other conditions governing method and manner of taking the same.” While the proposed rule goes beyond that authority, it is not clear outside of the Director’s authority to put some limit on organized contests and cash awards for taking non-fish & wildlife.”

Commissioner Patch moved to deny the petition submitted by the New Hampshire Wildlife Coalition seeking adoption of a new definition for “wildlife killing contests” based on

the attached findings and rulings and Commissioner Lachance seconded. The vote was unanimous in the affirmative. (See attached)

Paul further reviewed additional legislative matters, to include the upcoming legislation to regulate marine bait, new OHRV registration procedures & forms, and the upcoming Game Management Biennial Hearings to be held in December, 2019, to name a few. He further reported that the Department would be monitoring firearm bills, as recommended by the Attorney General's Office.

In closing, Paul reported that the department plans to issue a declaratory ruling on the issue of use of a crossbow as a legal method of take for coyote. This question was raised by the Law Enforcement Division due to the change in RSA 201:3, which defines legal methods of take for wildlife. Since crossbow was added as a legal method of take in 2018 by the legislature, the department will recognize the change for enforcement purposes.

STANDING COMMITTEES:

POLICY COMMITTEE: Commissioner Temple, Chair; Commissioners Luppi, Lachance & Bird. No report.

LEGISLATIVE COMMITTEE: Commissioner Stohl, Chair; Commissioners Green, Hodgdon, Patch & DeBow. No report.

RIVERS COMMITTEE: Commissioner Hodgdon reported that the next meeting was scheduled for October 21, 2019, at the Department of Environmental Services.

LAKES COMMITTEE: Commissioner Temple reported that the next meeting was scheduled for October 30, 2019, at the Department of Environmental Services.

HANDBOOK & ORIENTATION COMMITTEE: Commissioner Patch, Chair; Commissioner Green. Commissioner Patch reported that there were 2 updates for the handbook that he distributed to all.

STRATEGIC PLANNING COMMITTEE: Commissioner Hodgdon, Chair; Commissioners Temple, Stohl & DeBow. Commissioner Hodgdon reported that at the last meeting the committee discussed the scope of work. He reported that he would be calling a meeting in the near future, to include Director Normandeau.

WILDLIFE HERITAGE FOUNDATION: Commissioner Hodgdon reported that the committee met to review grant proposals. He further reported that 10 projects were brought forward to the board for funding and 9 were funded as follows:

Berlin Hatchery Young's Raceway Covers
Dive Team Equipment
Law Enforcement Boat Electronics
White Mountain Fritillary Incubator

Discover Wild NH Day 2020
Inland Fisheries Scientific Data Collection
OHRV & Snowmobile Safety Program
Wildlife Division Data Collection Tablets

The board also approved the drawdown request for Barry Conservation Camp Operational and maintenance fund.

Director Normandeau reported that Lindsay Webb, former Landowner Relations Coordinator & Liaison between the Wildlife Heritage Foundation & the Department, has taken another position within the Agency. He reported that the part-time position was being posted shortly and that he hoped to have it filled in the near future.

AWARDS COMMITTEE: Commissioner Luppi, Chair; Commissioners Bird & Lachance. Commissioner Luppi was absent, however, Tanya reported that the committee would be meeting the morning of the November 20, 2019 Commission Meeting, time to be announced.

Chairman Phillipson announced that he was selecting a search committee for the Executive Director position. He reported that the following would serve on the committee:

SEARCH COMMITTEE: Commissioner Stohl; Chairman, Commissioners McInnis, DeBow and Patch.

He reported that the first meeting of the search committee would be with the Attorney General's Office to obtain procedural guidance.

NEW BUSINESS:

OLD BUSINESS:

COMMISSIONERS REPORTS:

COMMISSIONER BIRD: Was absent from meeting.

COMMISSIONER DEBOW: Nothing to report at this time.

COMMISSIONER TEMPLE: Nothing to report at this time.

COMMISSIONER PHILLIPSON: Nothing to report at this time.

COMMISSIONER GREEN: Nothing to report at this time.

COMMISSIONER LACHANCE: Nothing to report at this time.

COMMISSIONER HODGDON: Nothing to report at this time.

COMMISSIONER LUPPI: Was absent from meeting.

COMMISSIONER PATCH: Nothing to report at this time.

COMMISSIONER MCINNIS: Nothing to report at this time.

COMMISSIONER STOHL: Was absent from meeting.

DIRECTOR'S REPORT:

Director Normandeau stated, "As someone who was on the Commission, I have always respected the Commission and the Commissioners, however, I have to say that what went on last month, I found to be less than professional. In the past, and I was on 2 searches, my expectation would have been that I would have had an opportunity to hear from the Commission what the issues were with me and an opportunity to respond to them."

He further stated, "I am well aware that these jobs have a shelf life and I have been fortunate to have been on a great deal longer than others in the country, however, I think I earned that. I think I earned that, not a lie." (Referring to the Commissioners not telling him about the vote).

In addition, Director Normandeau reported that he thought he should have been told by the Commission and not the Governor.

Chairman Phillipson responded, "We were requested by the Governor to not say anything to you until it was done. The actual decision was made between you and the Governor."

Director Normandeau stated, "That was not the case, the actual decision was made by the Commission."

CALL TO THE PUBLIC:

Mike Timmins, Loudon, NH, expressed his displeasure with the way in which a law was inserted in the middle of the state budget, prohibiting all ice racing at Hoit Road Marsh, Concord, NH, without taking any public comment. He stated, "I find it unethical and I'm very disappointed."

Director Normandeau responded, "We received many calls about ice racing on Hoit Road Marsh, however, the Department found that what you were doing to be perfectly legal."

Colonel Jordan stated, "The Department had no knowledge of this until we read it in the State budget. I feel there was probably a better way to handle it and don't believe it's going to resolve the issue. The Department now has to enforce this, as it is now law."

Kristina Snyder, Chester, NH, stated, "I am pretty upset with the decision to drop Director Normandeau and the fact that such an important vote took place in a non-public session and we will never know the vote. I feel the Governor stacks the Commission with people who are not connected to what is going on in the State." She also stated her concern over Commissioner Phillipson's extensive term on the Commission.

Vice Chairman Patch stated, "It's the law. We have to meet behind closed doors when discussing a personnel issue."

Julia Sinclair, Newmarket, NH, expressed the need for transparency between the Commission & Department and encouraged both to communicate better with each other.

Ruth Tanner, Salem, NH, thanked Director Normandeau for all the conversations and his points of view on wildlife issues. She stated, "While I may not have always agreed with him, I found the discussions to be balanced and fair."

Ruth further expressed her displeasure with the pheasant season and stated, "We all know it's a canned hunt. I don't think you should be sponsoring this type of program."

At this time, 2:51 p.m., Commissioner Green moved to adjourn and Commissioner DeBow seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

Ray Green, Secretary

Approved: _____
Robert Phillipson, Chairman