

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

### DECEMBER 11, 2019 COMMISSION MEETING

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

Commissioners Present: R. Phillipson, E. Stohl, C. Luppi, M. Lachance, P. DeBow, D. Patch, R. Green & B. Temple.

Commissioners absent/excused: C. Hodgdon, F. Bird, & P. McInnis

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 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.) Chairman Phillipson reported that Tanya provided an amended “Commissioners Reports” page from the minutes to all Commissioners, correcting the meeting status of a few Commissioners. Commissioner Stohl moved to approve the November 20, 2019 Commission minutes, as amended, and Commissioner Patch seconded. The vote was unanimous in the affirmative.
- 2.) Commissioner Green moved to accept the donation of \$100.00 from John & Cheryl Gamble, South Hampton, NH, in memory of Raymond Gamble, New Durham, NH, to be utilized by the Hunter Education Program, Commissioner Luppi seconded. The vote was unanimous in the affirmative.
- 3.) Commissioner Green moved to approve the expenditure of \$12,175.00 from the Fisheries Habitat Account to cover the cost of the FY’20 dam registration fees assessed by the NHDES Dams Bureau and Commissioner Patch seconded. The vote was unanimous in the affirmative.
- 4.) Mark Ellingwood, Chief, Wildlife Division and Karen Bordeau, Pheasant/Small Game Project Leader, came before the Commission and provided information relative to the life history of the gray squirrel. Mark reminded everyone that Kristina Snyder had filed a petition asking the Commission to consider modifying the existing squirrel season from its current start date of September 1<sup>st</sup> to a minimum of September 15<sup>th</sup>, based on documentation and photos submitted of dependent young at rehabilitation facilities. He reported that the Commission asked that the Wildlife Division provide additional information to the Commission, in an effort to assist them with their decision making on the petition at hand. Mark reported that the Department had reached out to surrounding states, who have shared their data with us.

He introduced Karen Bordeau, Pheasant & Small Game Project Leader. Karen reported on the data provided from surrounding states. She stated, “Based on the data & studies shared

with the department from surrounding states, it appears that females with dependent young, taken in September, is very low.” She reported that the small game survey provides hunter observations & efforts, which are the best way to accurately estimate the abundance of squirrels. She reported that the data indicates that most of squirrel hunting takes place in central, southeastern & southwestern NH. She reported that approximately 9% of small game hunters actually pursue squirrels.

In closing, she stated, “This, coupled with the hunter observation rates & data obtained from squirrel hunters, we feel there is minimal impact to our current gray squirrel season start date of September 1<sup>st</sup>.”

At this time, Paul Sanderson, Legal Coordinator, informed the Commission that the department had received 7 electronic comments, in addition to Kristina Snyder’s, in support of her petition, and no communications received in opposition. He further reviewed the Commission’s options in moving forward with the petition before them. He reported their options were to: “Grant” the proposal, which is to instruct that the proposal be put through the rulemaking proceeding, “Defer” the proposal, which would allow the Commission to gain more information and to obtain further information from the upcoming biennial hearings, etc., or “Deny” the proposal, which would essentially end the petition today.

Commissioner Luppi moved to “Defer” the petition based on the studies and information provided by the Wildlife Division, and to allow the Commission the opportunity to obtain additional information from the public hearings, Commission Green seconded.

Much discussion ensued.

Commissioner Stohl stated, “The information presented indicates that this is a solution hunting for a problem.” He reported that 98% of squirrels are not affected by this. I feel we need to deny the petition now.”

Commissioner Green inquired as to whether Kristina Snyder had any additional supporting data relative to her petition? She responded that she had submitted her data points to the Director, Paul Sanderson & Mark Ellingwood. She further reported that she has been in contact with 5 or 6 rehabilitators, who all have reported cases of dependent nursing squirrels. She reported that the rehabilitators are seeing a rising number of dependent gray squirrels and they feel this legislation would help them.

Commissioner DeBow reported that he agrees with Commissioner Stohl, as he keeps a ledger and has first-hand experience being a Wildlife Control Operator. He reported that it may look like the female squirrel is lactating, however, the young are big enough to come off the nest Sept 1<sup>st</sup>.

A vote was taken on the above motion and failed with 3 in favor and 4 opposed. (Commissioners: Stohl, Patch, DeBow, and Temple).

Commissioner Stohl moved to “Deny” the petition, per the documentation & data provided and Commissioner DeBow seconded. The motion carried with 5 in favor and 2 opposed (Commissioners: Luppi & Lachance).

5.) Colonel Jordan presented the Sikorsky Aircraft Rescue Award to Sergeant Geoffrey Pushee for his efforts during the recovery mission of Christopher Purinton, who perished on Owl’s Head Mountain in Franconia, NH, on August 26, 2019, after suffering from an apparent heart attack.

Colonel Jordan reported that Sergeant Pushee was unexpectedly called to participate in a rescue on Owl’s Head Mountain in Franconia, NH, with the Army National Guard, where he performed CPR on Christopher Purinton, until arriving at Dartmouth Hitchcock Medical Center, in Lebanon, NH, where Christopher unfortunately later died. Colonel Jordan reported that after this event, that same day, Sgt. Pushee returned to his day, participating in oral board interviews, as if nothing had happened and it was just a normal day. Colonel Jordan reported that this is considered above and beyond the call of duty of what is expected of an officer. He stated, “We, here at the Fish & Game Department, are proud of you and your actions on that day.”

The Commission and audience applauded Sergeant Pushee.

**LATE ITEM:**

1.) Betsey McNaughten, Land Agent, came before the Commission seeking approval to accept the donation of a 1.1 acre salt marsh lot on the Squamscott River in Newfields, NH.

Betsey provided an overview of the property for the Commission. She reported that there are five small waterfront lots on the western side of the Squamscott River in Newfields, NH, just south of the railroad trestle, that appear to have been created as waterfowl hunting sites for private individuals in the early 20<sup>th</sup> century. Two of the lots (Long and Cheney) were transferred to the Department in 2018. A third is being offered to the Department as a donation from the heirs of Lucille A. Legault, which is approximately 1.1 acres, valued at \$5,500.00.

She further reported that the Great Bay National Estuarine Research Reserve has been using these lots to post scientific instrumentation to record changes in the water levels at the mouth of the Squamscott River, and the lots are of scientific interest for monitoring how marshes are changing in Great Bay. The lots will be open to the public for hunting, fishing, and will help protect one of the most critical habitats for the fish and birds in the seacoast area.

Commissioner Stohl inquired as to whether this had a history of being a dumping ground?

Betsey responded that she believed the property has been in the family for a long time.

Commissioner DeBow moved to accept the donation of a 1.1 acre salt marsh lot on the Squamscott River in Newfields, NH, and Commissioner Patch seconded. The vote was unanimous in the affirmative.

**INFORMATION ITEMS:**

1.) None to be heard.

**STANDING COMMITTEES:**

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

**LEGISLATIVE COMMITTEE:** Commissioner Stohl, Chair; Commissioners Green, Hodgdon, Patch & DeBow. Commissioner Stohl reported that the committee met the morning of the Commission Meeting, after a brief meeting with Director Normandeau, Representative Harvey, Vice Chairman LaFlame & Paul Sanderson, Legal Coordinator.

Commissioner Stohl reported that there was a list of bills that pertain to the department in front of everyone and identified two changes, those being:

HB-1108 -relative to the methods of taking turkey during youth turkey hunt weekend. The department's position was to support, however, is now opposed as written, in order to permit the department to propose rules to accomplish this objective.

HB-1504 – relative to establishing a committee to study prohibiting recreational trapping. The department's position was to provide information, now opposed.

At this time, Commissioner Stohl moved to accept the position of all bills, as identified on the list, with potential to change at a later date, and Commissioner Patch seconded. The vote was unanimous in the affirmative.

**RIVERS COMMITTEE:** Commissioner Hodgdon was absent from the meeting.

**LAKES COMMITTEE:** Commissioner Temple reported that the next meeting was scheduled for January 16, 2020, at the Department of Environmental Services.

**HANDBOOK & ORIENTATION COMMITTEE:** Commissioner Patch, Chair; Commissioner Green. Commissioner Patch reported that the committee did not meet. He reported that the committee would be meeting on January 8, 2020, in the Director's conference room, at 10:30 a.m., to review & discuss potential updates to the handbook. He stated, "Any Commissioners are welcome to come and provide input, Division Chief's as well."

**STRATEGIC PLANNING COMMITTEE:** Commissioner Hodgdon, Chair: Commissioners Temple, Stohl & DeBow. Commissioner Hodgdon was absent from the meeting.

**WILDLIFE HERITAGE FOUNDATION:** Commissioner Hodgdon was absent from the meeting.

**AWARDS COMMITTEE:** Commissioner Luppi, Chair; Commissioners Bird & Lachance. Commissioner Luppi reported that the committee met the morning of the Commission Meeting and reviewed the few nominations received to date. She encouraged everyone to nominate deserving individuals and organizations and reminded everyone how to find the "Awards

Nomination Form”, located on the Department’s website at:  
<https://www.wildlife.state.nh.us/about/commission-awards.html>

**SEARCH COMMITTEE:** Commissioner Stohl; Chairman, Commissioners McInnis, DeBow and Patch. Commissioner Stohl had nothing to report.

**NEW BUSINESS:** Commissioner Green moved to hold the March 11, 2020 Commission Meeting at 6:30 p.m., at Fish & Game HQ, 11 Hazen Drive, Concord, NH, vs. the normal 1:00 p.m., start time, to allow constituents the opportunity to attend that may not be able to attend during the work day and Commissioner Patch seconded. The vote was unanimous in the affirmative.

**OLD BUSINESS:**

**COMMISSIONERS REPORTS:**

**COMMISSIONER BIRD:** Was absent from meeting.

**COMMISSIONER DEBOW:** Nothing to report at this time.

**COMMISSIONER TEMPLE:** Commissioner Temple thanked the Department for sending the deer kill updates and stated that he appreciates getting them.

**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:** Was absent from the meeting.

**COMMISSIONER LUPPI:** Nothing to report at this time.

**COMMISSIONER PATCH:** Nothing to report at this time.

**COMMISSIONER MCINNIS:** Was absent from the meeting.

**COMMISSIONER STOHL:** Nothing to report at the time.

**DIRECTOR’S REPORT:**

Director Normandeau reported that the Biennial Hearing would take place on the following dates & times:

\* December 11, 2019 - NH Fish & Game HQ, 11 Hazen Drive, Concord, NH, @ 6:30 p.m., in the east & west conference rooms.

\* December 12, 2019 - NH Fish & Game Region 1 Office, Lancaster, NH, @ 6:30 p.m.

He reported that Governor Sununu would be speaking at the University of New Hampshire tomorrow, December 12, 2019, at an Ocean & Energy Management Meeting,

relative to a long-term project to put ocean wind farms off the coast. He reported that Cheri Patterson, Acting Chief, Marine Division, would be in attendance at this meeting.

He wished everyone a Merry Christmas & a Happy New Year!

**CALL TO THE PUBLIC:**

Mike Timmins, Loudon, NH, came to the meeting to clarify his words at the October 9, 2019 Commission Meeting. He reported that he spoke to the subject of “ice riding”, not “ice racing”.

Kristina Snyder, Chester, NH, expressed her displeasure with the Commission’s actions on the gray squirrel petition. She stated, “I am feeling very frustrated, per usual, with the Commission. I completely expected this outcome, it’s like a blockade here. We go through the Legislature because going through the Commission is impossible.” She assured the Commission that she would not stop what she is doing and would not give up. She thanked the 3 or 4 Commissioners who do have objectivity.

She further reported that she did some research and found there to be 7 Republicans on the Fish & Game Commission, with the remainder of the members being “Undeclared”. She felt only Republicans were being appointed to the board and feels the law isn’t being adhered to.

Commissioner Patch stated, “I’d like to clarify that we were all asked to be Commissioners and are appointed by the Governor & approved by the Executive Council.”

Representative Cathryn Harvey, Chair, House Fish, Game & Marine Resources Committee, inquired as to whether Kristina’s information had been distributed to all Commissioners prior the Commission Meeting? Paul Sanderson responded that the original petition was forwarded to all Commissioners, however, the additional e-mails received were not forwarded to the board prior to the meeting and apologized for the oversight.

Representative Harvey further stated, “I’m the Chair of the House Fish & Game Committee, and I am a Democrat.”

At this time, 2:19 p.m., Lachance moved to adjourn and Commissioner DeBow seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

Ray Green, Secretary

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