

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

JANUARY 15, 2020 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, C. Hodgdon, F. Bird, P. McInnis & B. Temple.

Commissioners absent/excused:

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.) Commissioner Green moved to approve the December 11, 2019 Commission Minutes as written, and Commissioner Patch seconded. The motion carried with 8 in favor and 2 abstentions (P. DeBow & P. McInnis).

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 McInnis moved to approve consent agenda items 2a. – 2c., as presented and Commissioner Lachance seconded. The motion carried with 9 in favor and 1 abstention (P. DeBow).

2a.) The Commission accepted the donation of \$100.00 from Carla Rautenberg, in memory of John “Jack” Holden, who passed away on Mt. Bond Cliff on December 25, 2017, to be utilized by the Department’s Specialized Search & Rescue Team.

2b.) The Commission accepted the donation of \$500.00 from Mr. & Mrs. David and Grace Mann, Merrimack, NH, to be utilized by the Department’s Search & Rescue Team for safety equipment and training.

2c.) The Commission accepted the donation of \$500.00 from Don Stevens & family, Rye, NH, to be deposited into the canine fund.

3.) Jason Smith, Chief, Inland Fisheries Division, came before the Commission requesting to utilize the Sale of Fish Food Account Funds for the emergency purchase of a new back-up generator at the Warren State Fish Hatchery.

Commissioner Green moved to allow the emergency purchase of the new back-up generator at the Warren State Fish Hatchery and Commissioner Stohl seconded. The motion carried with 9 in favor and 1 abstention (P. DeBow).

INFORMATION ITEMS:

1.) John Magee, Inland Fisheries Biologist, came before the Commission and provided an overview of a future action item requesting to expend \$50,000 from the Fisheries Habitat Account to remove a significant barrier to fish, the South Branch Gale River Dam in Bethlehem, NH.

John reported that the Inland Fisheries Division conducted a comprehensive assessment of fish and stream crossings, which are often barriers to fish, in the Ammonoosuc River watershed in 2013 and 2014. Additionally, the Upper Connecticut River Mitigation and Enhancement Fund commissioned a report to identify high priority barriers to fish in the Upper Connecticut River watershed, which includes the Ammonoosuc River watershed. Both of these assessments identified the South Branch Gale River dam to be one of the highest priority dams to be removed to reconnect fish populations in small and large watersheds. He further reported that the U.S. Forest Service recently replaced several stream crossings upstream of the dam to reconnect stream habitats.

Much discussion ensued.

Commissioner Stohl stated, "I think \$700,000 is a lot of money to remove the dam.

Several questions were asked about the project cost, which some felt may be too high. John responded that there are many facts to all dam removals including this dam, which includes:

- This is a relatively large dam, has a lot of concrete, is on a powerful river and has other structures (such as the pump house, which also has lead and asbestos, and a water conduit) and the large retaining wall must be stabilized after the dam is removed.
- It is essential that the stream channel and associated floodplain be stabilized for the long-term.
- Littleton Water and Light is providing a lot of in-kind services.
- The Project Team and consultants are continuously looking for cost savings.

Commissioner Green inquired as to whether he could see a breakdown of the project's budget? John responded that he would try to get the figures and share it with the Commission.

Chairman Phillipson inquired whether he would be seeking requests for bids on the project? John responded that he would like to get at least 4 or 5 bids.

Chairman Phillipson thanked John for the presentation.

2.) Mark Ellingwood, Chief, Wildlife Division, came before the Commission and announced that the Wildlife Division's various Project Leaders would be presenting Initial Draft rulemaking proposals to the Commission, as part of the biennial rulemaking process and would be seeking Commission input. He reported that the proposals would be presented as an information item, in anticipation of formal internal review of rulemaking proposals by the Department. He further reported that final rulemaking proposals would be presented to the Commission for formal adoption at the February Commission Meeting. The following proposals were presented to the Commission (See attached season proposals).

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 did not meet. He referred to Paul Sanderson, Legal Coordinator, for a brief update on the following legislation:

HB-1213- relative to repealing the prohibition of hunting with a ferret. Paul reported that he would be testifying and providing background information on this bill. He reported that this bill would be heard before the House Fish, Game & Marine Resources Committee on January 14, 2020, at 10:00 a.m., in the Legislative Office Building, room 307.

HB-1573- relative to establishing a safari hunting license for hunting certain exotic game animals. Paul reported that he would be testifying and providing background information on this bill, as well. He reported that this bill would be heard before the House Fish, Game & Marine Resources Committee on January 14, 2020, at 10:30 a.m., in the Legislative Office Building, room 307.

HB-1339- relative to damage to crops or livestock done by animals. Paul reported that the Commission took a position to oppose this bill as written. He reported that this bill would be heard before the House Fish, Game & Marine Resources Committee on January 14, 2020, at 11:00 a.m., in the Legislative Office Building, room 307.

HB-1585 – relative to fines imposed by the Fish & Game Commission. Paul reported that he would be testifying and providing background information on this complex bill. He reported that this bill would be heard before the House Fish, Game & Marine Resources Committee on January 21, 2020, at 1:00 p.m., in the Legislative Office Building, room 307.

HB-1596 – relative to the funding for search & rescue operations of the Fish & Game Department and making an appropriation therefore. Paul reported that he would be testifying and providing background information on this bill. He reported that this bill would be heard before the House Fish, Game & Marine Resources Committee on January 21, 2020, at 2:30 p.m., in the Legislative Office Building, room 307.

Paul distributed a list of Wildlife Season Setting Rules, identifying a list of sections affected (See attached).

At this time, Commissioner Stohl moved to reaffirm the Commission's long standing position in reference to qualifications to be a Commissioner, and to keep the existing language as it currently reads; and to further oppose HB-1571, relative to the qualifications to be a Commissioner, which will be heard before the Legislature in the near future and Commissioner Patch seconded. The motion carried with 9 in favor and 1 abstention (P. DeBow).

RIVERS COMMITTEE: Commissioner Hodgdon reported that the next meeting was scheduled for Friday, January 17, 2020, at the Department of Environmental Services.

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 in the near future.

STRATEGIC PLANNING COMMITTEE: Commissioner Hodgdon, Chair: Commissioners Temple, Stohl & DeBow. Commissioner Hodgdon had no report.

WILDLIFE HERITAGE FOUNDATION: Commissioner Hodgdon thanked everyone who participated in the raffle. He reported that the Wildlife Heritage Foundation proceeds were \$5,000. He reported that he would get proceed figures for Operation Game Thief and share them with the Commission, as well.

AWARDS COMMITTEE: Commissioner Luppi, Chair; Commissioners Bird & Lachance. Commissioner Luppi reported that the committee met the morning of the Commission Meeting and reviewed the nominations received for the various categories. She further reported that she would bring the committee's award selections before the full board for their input in the near future.

SEARCH COMMITTEE: Commissioner Stohl; Chairman, Commissioners McInnis, DeBow and Patch. Commissioner Stohl reported that the committee met on January 8, 2020, and reviewed 18 applications.

OLD BUSINESS: N/A

NEW BUSINESS: Chairman Phillipson reported that all Commissioner had a new 2020 calendar in front of them, courtesy of North Woods Law & Engel Entertainment.

COMMISSIONERS REPORTS:

COMMISSIONER BIRD: Nothing to report at this time.

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: Commissioner Green reported that he was contacted by the Merrimack Conservation Commission for some assistance. He reported that the town was having discussions on potentially closing hunting and not allowing snowmobiling and OHRV usage due to concerns over safety issues. He thanked Officer Bill Boudreau for assisting and changing the situation around to a positive thing.

COMMISSIONER LACHANCE: Nothing to report at this time.

COMMISSIONER HODGDON: Commissioner Hodgdon reported that he had the opportunity to receive a presentation from The Wild Fish Coalition at the Owl Brook Hunter Education Center in Holderness, NH, and found it very informative and interesting. He reported that he believed the group intends to reach out to others on the Commission and encouraged those Commissioners to take advantage, as he felt it was well worth the time.

COMMISSIONER LUPPI: Nothing to report at this time.

COMMISSIONER PATCH: Nothing to report at this time.

COMMISSIONER MCINNIS: Commissioner McInnis reported that he attended a few marine hearings recently, one regarding marine bait and the other regarding stripe bass & blue fish changes.

COMMISSIONER STOHL: Nothing to report at the time.

DIRECTOR'S REPORT:

Director Normandeau reported that the legislative session was just starting up. He reported that he and Paul Sanderson attended a few hearings yesterday.

He reported that the Department would be providing a Conservation Presentation before the House, Fish, Game & Marine Resources Committee, on February 4, 2020.

He further reported that the Department received a draft permit on the discharge issues at the Powder Mill Fish Hatchery. He stated, "not all good news, however, there will be more information coming on that issue."

In addition, Director Normandeau reported that he met with the Groton, NH, Selectmen, regarding some ongoing issues from rainstorms ravaging the area, including the Department's recently acquired Kimball Hill Wildlife Management Area. He reported that the town wants the State to pay for the necessary work to be done, however, the Department doesn't have the funding. In closing, he stated, "I'm not sure what the end result will be. Things are still in discussion."

He reported that the Wildlife Division was still in the process of filling a few vacant positions due to retirements.

In closing, Director Normandeau announced that there were 2 new Conservation Officer Trainees recently sworn in. Tomas Kierstead and Thomas Houghton both introduced themselves. The Commission welcomed them to the Fish & Game Department.

CALL TO THE PUBLIC:

Kristina Snyder, Chester, NH, inquired as to who the 7th Republican member appointed to the Commission was & what action the Commission planned to take relative to the Attorney General's opinion to rectify the situation.

Chairman Phillipson responded that Commissioner DeBow was the last Republican Commissioner appointed by the Governor & Executive Council, and that he would not be voting or making any motions until the Commission comes in balance.

At 3:17 p.m., Commissioner Stohl moved to go into a non-public session and Commissioner Temple seconded. A roll call vote was taken at this time, Commissioner McInnis, "Yes", Commissioner Patch, "Yes", Commissioner Stohl, "Yes", Commissioner Luppi, "Yes", Commissioner Temple, "Yes", Commissioner Green, "Yes", Commissioner Lachance, "Yes", Commissioner Hodgdon, "Yes" and Commissioner Bird, "Yes". The motion carried with 9 in favor, 1 abstention (P. DeBow).

At 5:05 p.m., Commissioner Stohl moved to come out of the non-public session and Commissioner Patch seconded. A roll call vote was taken at this time, Commissioner McInnis, "Yes", Commissioner Patch, "Yes", Commissioner Stohl, "Yes", Commissioner Luppi, "Yes", Commissioner Temple, "Yes", Commissioner Green, "Yes", Commissioner Lachance, "Yes", Commissioner Hodgdon, "Yes" and Commissioner Bird, "Yes". The motion carried with 9 in favor, 1 abstention (P. DeBow).

At 5:06 p.m., Commissioner Stohl moved to seal the minutes of the non-public session and Commissioner Patch seconded. A roll call vote was taken at this time, Commissioner McInnis, "Yes", Commissioner Patch, "Yes", Commissioner Stohl, "Yes", Commissioner Luppi, "Yes", Commissioner Temple, "Yes", Commissioner Green, "Yes", Commissioner Lachance, "Yes", Commissioner Hodgdon, "Yes" and Commissioner Bird, "Yes". The motion carried with 9 in favor, 1 abstention (P. DeBow).

At this time, 5:07 p.m., Commissioner McInnis moved to adjourn and Commissioner Hodgdon seconded. The motion carried with 9 in favor, 1 abstention (P. DeBow).

Respectfully submitted,

Ray Green, Secretary

Approved: _____
Robert Phillipson, Chairman