

RULEMAKING NOTICE FORM

Notice Number _____ Rule Number Fis 300 various

<p>1. Agency Name & Address:</p> <p style="padding-left: 40px;">NH Fish and Game Department 11 Hazen Drive Concord, NH 03301</p>	<p>2. RSA Authority: RSA 206:10, I; RSA 207:3-d, I; RSA 207:22-c, III(a); RSA 207:56, III; RSA 208:1-a, I, II; RSA 208:1-e; RSA 208:2, I; RSA 208:7-a, I, II; RSA 208:15-b; RSA 208:22, I, III, RSA 209:12-a, I, III; RSA 210:08; RSA 210:8-a, I; RSA 210:23; RSA 210:24-b</p> <hr/> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p style="padding-left: 40px;">Adoption _____</p> <p style="padding-left: 40px;">Repeal _____</p> <p style="padding-left: 40px;">Readoption <u>xx</u></p> <p style="padding-left: 40px;">Readoption w/amendment <u>xx</u></p>
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5. Short Title: **Wildlife Seasons Biennial Rulemaking**

6. (a) Summary of what the rule says and of any proposed amendments:

The Fish and Game Department is proposing to readopt with amendment:

- Fis 301.03 Deer Season to clarify the use of crossbows for taking deer in certain seasons and/or wildlife management units and change the number of days allowed for the taking of any deer in some wildlife management units;**
- Fis 301.04 Deer Registration Reports to change the duties of registration agents;**
- Fis 301.041 Crossbows to insert and clarify minimum requirements for crossbow and archery equipment used for hunting of all game species;**
- Fis 301.06 Bear Season to insert a table of dates for the bear season in all wildlife management units for 2021 and 2022, and remove references to required hunting equipment that has been moved to proposed Fis 301.041;**
- Fis 301.07 Moose Season to clarify restrictions on use of drones and electronic communication, and remove specifications for archery equipment that have been moved to proposed Fis 301.041;**
- Fis 301.09 Moose Lottery to change the table distributing permits between wildlife management units;**
- Fis 301.10 Rabbits and Hares to change the area of closure for cottontail hunting;**
- Fis 302.01 Wild Turkey to amend the section generally, add ability to use .410 and 28 gauge shotguns as a method of take, remove archery equipment specification, and clarify registration procedure;**
- Fis 302.012 Turkey Registration Reports to clarify procedures for electronic filing;**
- Fis 303.04 Fisher to require the submission of the lower jaw of animals taken to the department at the time of fur sealing;**
- Fis 303.06 Coyote to insert as amendments paragraphs (a), (b), (d), and (e) which had expired, and to clarify in (b)(5) the use of crossbow and certain firearms in the take of coyote;**
- Fis 303.11 Sealing of Furbearing Animals to add the requirement to provide the lower jaw of fisher at the time of sealing;**

- Fis 304.04 Wildlife Depredation Permits to add bear and turkey as species able to be taken, change reporting to the Wildlife Division in Concord;**
- Fis 307.01 Baiting for Wildlife to clarify the meaning of an “active bait site”;**
- Fis 307.02 Baiting for Black Bear to allow hunters to maintain up to 2 bait sites statewide;**
- Fis 307.04 Wild Turkey to clarify that use of bait is prohibited in all open seasons; and**
- Fis 307.05 Baiting Wildlife on State-Owned or Managed Lands to clarify that no person shall be granted more than one bait site within an individual trapping unit, and direct applications to the Wildlife Division in Concord rather than Region 1 in Lancaster;**

The Fish and Game Department is proposing to readopt with no change the following rules:

- Fis 301.02 Wildlife Management Units.**
- Fis 308.01 Definitions.**
- Fis 308.06 Reports.**

The Fish and Game Department is proposing to readopt with amendment:

- Fis 309.01 Chronic Wasting Disease (CWD). The amendments are to insert paragraphs (a) and (c), which expired on June 5, 2018.**

6. (b) Brief description of the groups affected:

All New Hampshire resident and non-resident hunters and trappers, all wildlife control operators, and all persons seeking to bring portions of cervidae animals taken in other jurisdictions into the State of New Hampshire

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	State or Federal Statute the Rule Implements
Fis 301.02	RSA 208:1-a, 208:2, 208:22, 209:12-a
Fis 301.03	RSA 206:10, I; RSA 208:2
Fis 301.04	RSA 206:10, I; RSA 208:15-b
Fis 301.041	RSA 207:10-c
Fis 301.06	RSA 208:7-a, II ; 208:22, I; 208:22, III
Fis 301.07	RSA 208:1-a
Fis 301.09	RSA 208:1-a, I and II
Fis 301.10	RSA 207:56
Fis 302.01	RSA 209:12-a, I
Fis 302.012	RSA 209:12-a, I
Fis 303.04	RSA 206:10, 210:23
Fis 303.06	RSA 206:10, 210:23, RSA 208:1-e
Fis 303.11	RSA 210:08, RSA 210:8-a
Fis 304.04	RSA 206:10; RSA 207:22-c, III
Fis 307.01	RSA 207:3-d, 208:1-e, 208:2
Fis 307.02	RSA 207:3-d; 208:1-e, 208:2
Fis 307.04	RSA 207:3-d, 208:1-e, 208:2
Fis 307.05	RSA 207:3-d, 208:1-e, 208:2
Fis 308.01	RSA 210:24-b
Fis 308.06	RSA 210:24-b
Fis 309.01	RSA 206:10, I

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Paul G. Sanderson, Esq.**

Title: **Legal Coordinator**

Address: **11 Hazen Drive**

Phone #: **603-271-1136**

Concord, NH 03301

Fax#: **None**

E-mail: **comments@wildlife.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **April 7, 2021 at 4:00 P.M.**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Friday, March 26, 2021 at 10:00 AM**

This hearing will be held virtually, via Microsoft Teams using the information below:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 603-931-4944,,461870724# United States, Concord

Phone Conference ID: 461 870 724#

[Find a local number](#) | [Reset PIN](#)

Also: Tuesday, March 30, 2021 at 6:30 PM

This hearing will be held virtually, via Microsoft Teams using the information below:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 603-931-4944,,920228897# United States, Concord

Phone Conference ID: 920 228 897#

[Find a local number](#) | [Reset PIN](#)

The following email address will be monitored during the meeting. If there are any public access or technical problems during the meeting please contact paul.sanderson@wildlife.nh.gov.

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 21:016 , dated March 1, 2021

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules. Not applicable to Fis 303.06 (b), (d) and (e), which expired in June 2018, Fis 303.06(a) which expired in March 2019, and Fis 309.01(a) and (c) which expired in June 2018.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

The proposed rules relate to various wildlife hunting seasons. There is no cost or benefit attributable to the proposed rules. The proposal also seeks to insert as amendments without change, the formerly effective language which expired in Fis 303.06, (a), (b), (d) and (e) as well as Fis 309.01 (a) and (c). Therefore there is no difference in cost between the proposed rules and the expired rules.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposal does not impose any programs, responsibilities, or administrative duties upon any political subdivision of the state, and thus does not violate the NH Constitution, Part I, Article 28-a.