NEW HAMPSHIRE FISH AND GAME DEPARTMENT

FEBRUARY 11, 2015 COMMISSION MEETING

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

Commissioners Present: F. Clews, D. Patch, V. Greco, R. Phillipson, T. Tichy, T. Hubert, W. Morse, T. Baldwin, B. Carr, J. Ryan, and J. McGonagle

Commissioners absent/excused:

Executive Director Normandeau – Present

Chairman Tichy called the meeting to order at 1:00 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 Phillipson moved to approve the January 21, 2015 Commission Minutes as written and Commissioner Greco 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 Morse moved to approve the consent agenda items 2a – 2d as presented below and Commissioner Patch seconded. The vote was unanimous in the affirmative.

2a.) Commission accepted a donation in the amount of $6,110.63 from the Lakeview Neurorehabilitation Center, Effingham, NH, for assistance they received in locating a patient.

2b.) Commission accepted a donation in the amount of $25.00 from Heidi Ring, in memory of Dennis Sullivan, to be utilized by the “Let’s Go Fishing” & Hunter Education Programs.

2c.) Commission accepted a donation in the amount of $6,000 from the NH Project Learning Tree, to be utilized for reimbursement for printing & mailing the fall, 2014 issue of the publication, “Wild Times for Kids.”

2d.) Commission accepted the donation of a 2015 Proline enclosed aluminum trailer and related accessories, valued at $6,120.00, from Dan & Laurie DaRosa, Maria Lopes & family, and Gilbert Lopes & family, to be utilized to aid Conservation Officers performing search & rescue missions, enforcement of snow machines and off highway recreational vehicle details.
3.) Colonel Garabedian asked that this item be tabled until the March 11, 2015 Commission Meeting as he required further time to review.

Commissioner Patch moved to table action item #3 until the March Commission Meeting and Commissioner Carr seconded. The vote was unanimous in the affirmative.

4.) Commissioner Hubert moved to go forward with rulemaking to modify rules for cod and haddock, as well as some gear requirements for lobster traps and pots and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

5.) Conservation Officer Lucas came before the Commission and provided an overview of how the incidents unfolded relative to the recent mortality of bears from chocolate toxicity at bait sites.

Conservation Officer Lucas reported that he received a call on September 20, 2014, of a single bear that died at a bait site at Nash Stream. He could not identify any combative wounds or reasoning of death and found it to be odd circumstances.

He further reported that on September 28, 2015, there were 3 dead bears found at 1 bait site and it was treated like a crime scene. A fourth bear was found after getting to the site. He reported that there were large amounts of chocolate evident at the site and all bears appeared to have died within 50 feet of the bait site. All evidence was bagged & tagged.

Conservation Officer Lucas introduced Inga Sidor, University of New Hampshire’s Veterinary Pathologist. Inga reported that she received a call from Andy Timmins, Bear Project Leader, explaining the reasoning for the call and asked her to conduct an animal autopsy on four bears.

Inga reported that there was an adult sow and her 2 cubs, and a sub-adult female. She reported that she spent the afternoon dissecting the animals. She stated, “The animals were in excellent body condition with chocolate in the stomach, liver, kidney & other tissues.” She further reported that the bait was tested as well, which was pure chocolate, milk chocolate.

Further, she reported that she ran tests for any organic compound and found nothing except chocolate (Theobromine). Some sort of poisoning was suspected at that point. She stated, “There was no sign of other disease. The bears died acutely and in a manner consistent with chocolate toxicity.”

The Commission and audience members asked questions of Inga relative to the autopsy done on the deceased bears. Much discussion ensued.

Andy Timmins stated, “The Department views bear baiting as an effective method of take, however, we need to address this and implement the most effective way to enforce this from happening to our bears.” He stated that it would be impossible to control consumption rates if continuing to allow chocolate as a legal method of baiting.
Commissioner Phillipson moved to go forward with rulemaking to regulate the use of chocolate as a component of bear bait and Commissioner Greco seconded. The vote was unanimous in the affirmative.

Commissioner Patch stated, “If we bring this to rulemaking, everyone will have a fair shot at providing input and comments.”

6.) Kris Rines, Moose Project Leader, came before the Commission and provided the latest data on regional moose population trends and status.

Commissioner Hubert moved to go forward with rulemaking to adjust moose permit issuance in select regions of New Hampshire in response to our latest data on regional moose population trends and status and Commissioner McGonagle seconded. The vote was unanimous in the affirmative.

Kris reported that the proposal would be to adjust moose permits issued from 124 down to 105.

**INFORMATION ITEMS:**

1.) Kathy LaBonte, Chief, Business Division, presented the monthly financial statement dated January 31, 2015 (See attached)

   Kathy reported that saltwater license sales were up & that OHRV was also doing well.

2.) Fred Elkind, Environmental Coordinator, Town of Milford, came before the Commission and provided an overview of the Osgood Pond Project & requested to utilize habitat funds.

   Fred thanked the Fish & Game staff for helping the town get to this point in the project.

   Chairman Tichy inquired as to what fisheries staff’s thoughts were on the project. Jason Smith, Chief, Inland Fisheries Division, replied that the project was recently brought to his attention.

   Chairman Tichy stated, “I’d like staff to review the project & put it through the scoring criteria and depending how the project rates, it be brought forward to the Commission for a vote.”

   David Wheeler, Executive Councilor, was present at the meeting and stated, “I’d like you to look favorably on this project so the tradition could be carried on in the southern tier of the State.”

   He distributed a 72 year old picture of his father fishing in Osgood Pond and stated, “I’d appreciate anything you can do to support this project.”

   Chairman Tichy stated, “Sounds like a great project.”
3.) Pat Tate, Furbearer Project Leader, came before the Commission and provided an overview as to how a bobcat season might be regulated should the Commission decide to proceed with a bobcat season.

   Pat reported that the season would consist of 75 permits, to be drawn by entering an application a lottery system.

   Pat reported that New Hampshire was the only State in New England that does not currently have a bobcat season.

   Commissioner Tichy stated, “We do not have to go forward with rulemaking at this time.”

   Director Normandeau stated, “If we do institute a season, it will cost the department money. It’s about our statutory obligation to utilize the resources we are in charge of.” He reported that if we did implement a bobcat season that it would not earn the department much money.

   He further reported that there was much interest in a bobcat season in New Hampshire and that the department needed to collect the data to analyze where we stand.

   Commissioner Patch stated, “I’m the one that asked that this concept come before us. I do not want to go forward at this time, as I feel we need more information.”

   Commissioner Carr stated that he agreed with Commissioner Patch that more information was needed.

   Commissioner Carr inquired as to the Commission getting some comparison numbers from other states.

   Pat reported that New Hampshire was leading the nation in bobcat populations.

   At this time, Commissioner Morse moved to have staff develop a draft bobcat season proposal with lottery details, guidelines & dates, and to bring it before the Commission at the April 8, 2015, Commission Meeting for consideration, Commissioner McGonagle seconded. The vote carried with 9 in favor, 1 opposed (J. Ryan)

   Many audience members commented that they were not in favor of a bobcat season.

   Another audience member stated, “We need to trust the hard work that staff has done and trust their knowledge and expertise. I would like to see this go forward to rulemaking.”

**STANDING COMMITTEES:**

**POLICY COMMITTEE:** Commissioners; Commissioners McGonagle & Clews.
Commissioner Clews reported that the committee did not meet.

**LEGISLATIVE COMMITTEE:** Commissioner Morse, Chair; Commissioners Hubert, Greco, and Patch. Commissioner Morse reported on the following legislation:
Commissioner Morse moved to oppose HB-407 as written, relative to military equipment, and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-442, relative to peace officer, and Commissioner Hubert seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-468, relative to warrants for electronic devices, and Commissioner Greco seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-568, requiring a supervisory law enforcement officer to arrest a law enforcement officer when the supervisor knows that the law enforcement officer has committed a criminal offense, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-602, relative to drones, and Commissioner Greco seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support HB-613, relative to 91-A exemption for addresses, and Commissioner Hubert seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-636, relative to property forfeiture, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-640, relative to criminal coercion, and Commissioner Patch seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-669, requiring law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams, and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-685, relative to bar states from enforcing federal firearm law and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-598, relative to deadly force, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support HB-336, with an amendment, relative to crossbows, and Commissioner Phillipson seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support HB-464, relative to family fishing protection, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support SB-168, with amendment (joint authority), relative to oyster leasing, and Commissioner Clews seconded. The vote was unanimous in the affirmative.
Commissioner Morse moved to support HB-467, with amendment, relative to expiration of OHRV registrations & allowing 14 month registration for all, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to oppose HB-505, relative to disability baiting, and Commissioner Greco seconded. The vote was unanimous in the affirmative.

Commissioner Morse moved to support HB-212, with amendment, relative to license revocation for sexual assault while hunting, and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

**RIVERS COMMITTEE:** Commissioner Ryan: Commissioner Ryan reported that the committee did not meet. He further reported that the committee would be meeting on February 18, 2015, at F&G HQ.

**LAKES COMMITTEE:** Commissioner Clews: Commissioner Clews reported that the next meeting would take place on February 18, 2015 at F&G HQ.

**AWARDS COMMITTEE:** Commissioners Ryan and Morse. Commissioner Ryan reported that the committee would be meeting in the near future.

**HANDBOOK & ORIENTATION COMMITTEE:** Commissioner Patch, Chair; Commissioner Patch reported that there would be an update to the Commission manual distributed at the March 11, 2015 Commission Meeting.

**STRATEGIC PLANNING COMMITTEE:** Commissioner Greco, Chair; Commissioners McGonagle, Tichy and Phillipson. Commissioner Greco reported that the committee was still working on reviewing materials.

**WILDLIFE HERITAGE FOUNDATION:** Commissioner Greco. Commissioner Greco reported that he met with the foundation and introduced himself and is planning to attend the next meeting, date to be determined.

**NEW BUSINESS:** N/A

**OLD BUSINESS:** N/A

**COMMISSIONERS REPORTS:**

**COMMISSIONER BALDWIN:** Commissioner Baldwin had nothing to report at this time.

**COMMISSIONER GRECO:** Commissioner Greco had nothing to report at this time.

**COMMISSIONER PHILLIPSON:** Commissioner Phillipson had nothing to report at this time.

**COMMISSIONER MORSE:** Commissioner Morse had nothing to report at this time.
COMMISSIONER RYAN: Commissioner Ryan reported that he received a call from a constituent who had concerns relative to his moose lottery points. Director Normandeau asked that Commissioner Ryan refer the individuals name to Tanya for addressing.

COMMISSIONER PATCH: Commissioner Patch reported that Keith Kidder, retired Conservation Officer, has offered to donate a dock system to the department.

COMMISSIONER MCGONAGLE: Commissioner McGonagle had nothing to report at this time.

COMMISSIONER CLEWS: Commissioner Clews had nothing to report at this time.

COMMISSIONER TICHY: Commissioner Tichy had nothing to report at this time.

COMMISSIONER HUBERT: Commissioner Hubert had nothing to report at this time.

DIRECTOR’S REPORT:  
Director Normandeau reported that he has been visiting sporting clubs around the State and talking to them regarding funding and making them aware of potential license increases. He stated, “Clubs have been very supportive and understand the department’s financial issues.”

He reported that the Governor’s budget has come out and essentially allows the department to continue to function at the same capacity it has in the current biennium. He stated, “No current unfunded positions are funded in the Governor’s budget.”

He further reported that a few employees from the Office of Energy & Planning, who conduct easement monitoring, would soon be transferred to the Fish & Game Department, effective July 1, 2015.

In closing, Director Normandeau reported that he was approached by Colin Van Ostern, Executive Councilor, inquiring as to why Fish & Game Commissioners do not have e-mail addresses.

CALL TO THE PUBLIC:  
An audience member reported that he had spent approximately 40 hours conducting research on the chocolate issue as it relates to bear baiting. He suggested allowing 10% of cocoa to be used at a bear bait site.

At this time, 4:01 p.m., Commissioner Ryan moved to adjourn and Commissioner Morse seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

James Ryan, Secretary

Approved: ________________________  
Ted Tichy, Chairman