NEW HAMPSHIRE FISH AND GAME DEPARTMENT

AUGUST 12, 2020 COMMISSION MEETING

Meeting Location: This was a meeting via teleconference, therefore, no physical meeting location.

Chairman Phillipson called the meeting to order at 1:00 p.m., and asked everyone to remotely join in the pledge of allegiance. He informed everyone that the public is entitled to listen in by following the conference call instructions below. No public comment will be taken during the meeting, as public comment will be taken for 3 consecutive days after the Commission Meeting, via e-mail @ comments@wildlife.nh.gov, or by sending comments to: NH Fish & Game Department, Attn: Tanya Haskell, 11 Hazen Drive, Concord, N.H., 03301. Comments received within the comment period will be compiled into the August 12, 2020 Commission Minutes.

Conference call instructions:
To join the conference call: Dial : 800-356-8278
Enter conference pin: 671812
You will be asked to state your name, once you do that, you will be entered into the call.

Governor Sununu’s below Checklist to Ensure Meetings Are Compliant With The Right-to-Know Law During The State Of Emergency was read aloud:

“As Executive Director of the Fish and Game Department, and Chairman of the NH Fish and Game Commission, we find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04 as extended pursuant to Executive Order 2020-05, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional possibilities to submit comments via e-mail to: comments@wildlife.nh.gov, or mailing comments to: NH Fish & Game Department, Attn: Tanya Haskell, 11 Hazen Drive, Concord, NH, 03301. Comments will be accepted for 3 consecutive days after the August 12, 2020 Commission Meeting. All comments received within the comment period will be compiled into the August 12, 2020 Commission Minutes.

We are utilizing Vast Conference for this electronic meeting. All members of the Fish and Game Commission and the staff of the Fish and Game Department have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and submit comments as indicated in the above paragraph.

b) Providing public notice of the necessary information for accessing the meeting:
We previously gave notice to the public of the necessary information for accessing the meeting telephonically. Instructions have also been provided on the Fish and Game website and have been posted in the lobby of the Fish and Game headquarters, 11 Hazen Drive, Concord, NH.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem, please email nheoc@dos.nh.gov.

d) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.


Commissioners absent: F. Bird

Executive Director Normandeau – Present on the call.

**ACTION ITEMS:**

1.) Commissioner Stohl moved to approve the following minutes and Commissioner Green seconded.

- March 11, 2020 Commission Minutes.
- April 22, 2020 Special Commission Meeting Minutes.
- April 30, 2020 Special Commission Meeting Minutes.
- May 19, 2020 Special Teleconference Call Minutes.


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 Patch moved to approve action items 2a – 2i, as presented below, and Commissioner Green seconded.

2a.) Commission accepted the following donations in memory of Randy Smith, Exeter, NH, to be deposited into the Small Gifts & Donations Account, and “Let’s Go Fishing Program”: 
Small Gifts & Donations Account:
James Levine & Marie Hilliard, Exeter, NH - $200.00
Stratham Historical Society, Stratham, NH - $100.00
Jaynee Whitney, Rye, NH - $100.00
B & M Glass Company, Exeter, NH - $100.00
H.J. Kirk Designs, LLC, Cranston, RI - $75.00
Lisa Browning, Tempe, AZ - $50.00
William & Yvonne Higgins, Lake Wales, FL - $50.00
Dr. & Mrs. Jerome Nolan, Wilmington, NC - $50.00
Barbara Mann, Frederick, MD - $25.00
Total: $750.00

Let’s Go Fishing Donation:
Roberta Wiggin, Stratham, NH - $25.00
Roni & Peter Pekins, Durham, NH - $100.00
Total: $125.00

2b.) Commission accepted the following donations made to the Small Gifts & Donations Account:

- Donation in the amount of $10.00 from Daniel Rogalski, Marlborough, NH.
- Donation in the amount of $100.00 from Ken Lombard, New Boston, NH, who also wished Conservation Officer Matthew Holmes a speedy recovery!
- Two donations totaling $120.00, from the below donors, in memory of Lonnie “Gene” Parsons, Winchester, NH:
  
  Jon & Virginia Gagne, Milton, FL - $100.00
  Gary & Leslie Luebkeman, Westmoreland, NH - $20.00
  Total: $120.00

2c.) Commission accepted the donation of $41.00 from Carolyn J. Schorer, Moultonborough, NH, to be utilized for the Moose Project.

2d.) Commission accepted the following memorial donations made to the ‘Let’s Go Fishing Program’.

- Donation in the amount of $25.00 from Berta Martin, Saxtons River, VT, in memory of Matthew Snyder, Hinsdale, NH.
- Donation in the amount of $60.00 from Elizabeth LaPlante, Whitefield, NH, in memory of James Chaloux, Berlin, NH.
- Donation in the amount of $54.00 from Michele Angers & Tom Dooley, Contoocook, NH, in memory of Ray Angers, Contoocook, NH.

2e.) Commission accepted the donation of $100.00 from Master Pie, Inc., Davers, MA, in memory of James Brown, Middleton, NH, to be utilized by the Hunter Education Program.
2f.) Commission accepted the donation of $100.00 from Carol Page, Inverness, FL, in memory of Norman Page, Newton, NH, to be utilized by the Owl Brook Hunter Education Center’s Youth Programs.

2g.) Commission accepted the following donations made the Department’s Law Enforcement Division & Search & Rescue Team: (K. Jordan)

- Donation in the amount of $250.00 from Samantha Roderigues, Fall River, MA, to be deposited into the Search & Rescue Account for training purposes and safety equipment.
- Donation in the amount of $200.00 from Sharon Fanger, Lebanon, NH, to be deposited into the Search and Rescue Account.
- Donation in the amount of $35.00 from Pamela Gilkerson, to be deposited into the Search and Rescue Account to assist in purchasing safety equipment and training.
- Donation in the amount of $20.00 from Melvin & Micho Daniels, Prince George, VA, to be deposited into the Search and Rescue Account. This donation was made in honor of Conservation Officer Matthew Holmes and will be utilized for equipment purchases.
- Donation in the amount of $50.00 from Mark Sodergeron, Whitefield, NH, in honor of Conservation Officer Matthew Holmes. Donation will be utilized to purchase necessary safety equipment and lifesaving training.
- Donation in the amount of $1,000.00 from Jane Willet, in memory of Randy Willet, who lost his life in the Pemigewasset Wilderness in Franconia, NH while hiking. Donation to be deposited into the Search & Rescue Account to purchase necessary safety equipment and lifesaving training.
- Donation of 9 Monadnock-Sunapee Greenway trail guides and maps, valued at $250.0, from the Monadnock-Sunapee Greenway Club.
- Donation in the amount of $100.00 from Susan Shepard and Scott Bois, Lyndeborough, NH, made in honor of Conservation Officer Shawn MacFadzen and will be utilized by Operation Game Thief for equipment purchases.
- Donation of various size dog kennels from Representative L’Heureux and wife, Fran, Merrimack, NH, valued at approximately $2,000, to be utilized by the Department’s Canine Team.
- Donation in the amount of $1,200 from Sally Merrill, Manchester, NH, in memory of her husband, Sgt. Donald Merrill, to be utilized to purchase game cameras to aid in illegal activity.

2h.) Commission accepted the donation of Fish and Game regulation signs, valued at $2,975.00, from Operation Game Thief.
2i.) Commission accepted the donation of a new Canon Camera, valued at $5,000, from the Belknap Conservation District, to aide in creating video production for the Department.


3.) Commissioner Green moved to approve utilizing $1,890.00 from the “Sale of Fish Food Account”, to purchase 3 new dissolved oxygen meters for the hatcheries and Commissioner McInnis seconded.


4.) Commissioner Patch moved to approve the six prize donations listed below, generously donated by Sturm Ruger & Company, Woodman Arms, Prime Archery, Morse Sporting Goods, The Ruffed Grouse Society, and the NH Chapter of the National Wild Turkey Federation, to be awarded to the below survey winners:

SURVEYS & CORRESPONDING PRIZES

2019 Deer Hunter Mail Survey (2 prizes)
* Ruger American Rifle with Go Wild Camo (Model #26927), valued at $629.00, generously donated by Sturm, Ruger & Company.
* Woodman Arms Patriot Muzzleloader, valued at $899.00, generously donated by Woodman Arms, Fremont, NH.

2019 Bow Hunter Survey (1 prize)
* Logic CT3 Compound bow, valued at $999.00, generously donated by Prime Archery and Morse Sporting Goods, Hillsborough, NH.

2019-20 Small Game Hunter Survey (1 prize)
* Ruger American Rifle with Go Wild Camo (Model $26926), valued at $629.00, generously donated by Sturm, Ruger & Company.

2019 Ruffed Grouse Wing and Tail Survey (1 prize)
* Pointer 1000 Over Under 12 Gauge Shotgun with 28” barrel, valued at $589.00, generously donated by The Ruffed Grouse Society.

2020 Spring Turkey Hunter Survey (1 prize)
* Harrington & Richardson Pardner Pump 20-Gauge Shotgun, valued at $199.00, generously donated by the NH State Chapter of the NH Wild Turkey Federation.

5.) Consideration/Discussion regarding VOW –Voices of Wildlife rulemaking petition to repeal Fis 806.05 Snowshoe Hare Live-Capture Requirements. (See attached/below petition)

Voices of Wildlife in NH
P.O. Box 5802
Manchester, NH 03108
voicesofwildlifeinnh@gmail.com

June 1, 2020

Mr. Glenn Normandeau, Executive Director
NH Fish & Game Department
11 Hazen Dr.
Concord, NH 03301

RE: Rulemaking petition to Repeal Fis 806.05 Snowshoe Hare Live-Capture Requirements

Dear Executive Director Normandeau:

Enclosed is a rulemaking petition for your consideration that we submit under the guidance of RSA 541-A:4 and Fis 214.01. I am sending this via email. Please let me know if you need a hard copy mailed to you.

The NH Fish and Game rule, Fis 806.05, allowing the capturing of wild snowshoe hares to be used by beagle dog clubs for dog training and propagation has been in effect since 2007. The beagle clubs retain some of the hares for training/field trials and some are used for propagation. After over 10 years of allowing this practice there is a high mortality rate and no success at propagating the species.

We have reviewed the required NHFG reports that the clubs submitted for the years 2016-2019. What seems to be clear from these reports is that these hares are considered disposable. There are many questions, such as why the high mortality rate and why the lack of successful propagation of the hares, that have not been answered in these 10 plus years of allowing this practice.

Please Repeal 805.05 and end this practice.

Respectfully submitted,

Bob Kessling

Bob Kessling, Treasurer and Board Member

Cc: Wildlife Division Chief Mark Ellingwood
We petition the NH Fish and Game Department to Repeal Fis 806.05 Snowshoe Hare Live-Capture Requirements.

Reasons to Repeal Fis 806.05:

Violations of RSA Section 644:8
Wild animals in captivity are protected by the NH Cruelty Statute, RSA 644:8, that states it is cruelty to act in any way that is "injurious or detrimental to the health, safety or welfare of any animal."

- The clubs release groups of beagles on the properties to chase the hares for what they call hare trials. As is commonly known, the sustained flight response in a hare can result in death.
- For training purposes, they put a young beagle in a smaller enclosure with a hare. The hare, being a flight prey animal is terrorized, but unable to flee.
- The clubs are attempting to propagate the hares but with little success, as is seen in the propagation reports they are required to fill out and submit. That the hares do not breed as would be expected is an indication that there is a problem with their care and/or their environment.

Violations of Fis 804.09:
The snowshoe hare live capture rule Fis 806:05 states - (p) Snowshoe hares kept either for this program or for propagation shall be held in compliance with Fis 804.09(b)

Fis 804:09 states that enclosures must, (2) Protect the wildlife from all other animals, domestic or wild.

- We learned at the June 20, 2018 rulemaking hearing there is predation on the captive wild snowshoe hares at the beagle clubs. The club members admitted they do not protect the captive hares from bird predation.
- The clubs state they set up feeding stations for the hares. Who are they feeding, the hares or the hawks? As we know, predators learn very quickly when there is an easy lunch to be had.
- What is happening to these birds of prey, who are protected by the Migratory Bird Treaty Act, when they consume a snowshoe hare, or bring the hare back to a nest, that has been dusted in the toxic pesticide of Sevin. Dusting the captured hares with Sevin is a known practice of the clubs?

Misuse of a Public Good: As New Hampshire wildlife, snowshoe hares are a public good. Private clubs should not be able to freely take a public resource for their exclusive use. Since no one is allowed on their properties who is not a member, this transfer of public goods to private use is both unjust to everyone in NH and it is unaccountable. The private nature of the clubs prevents the public being able to provide oversight on the conditions of the snowshoe hare populations at the clubs. That a veterinarian inspects one hare of the club’s choosing per year is not good enough. The one hare is most often brought to the veterinarian’s office so the beagle club facilities are not inspected. Is there even running water at these club’s remote locations?
Un-sustainable relocation of a wild animal: Relocating wild animals is not recommended by NH Fish and Game. But that is exactly what is happening to these captured hares. They are relocated far from their homes, in perhaps unsuitable habitat for snowshoe hares. Relocated animals are particularly vulnerable to predation as they are searching for shelter in a new environment. Snowshoe hare habitat has special requirements such as heavy thicketed areas to escape from predators. They avoid open areas. Do these beagle clubs have habitat that a snowshoe hare would seek out in the wild? Why would beagle club snowshoe hare populations not be self-sustaining? Is a contributing factor to the high mortality rate that they are being relocated into unnatural and unfamiliar terrain that leads to damaging stress and increased predation?

Negative Ecological Impact: Snowshoe hare are a keystone species and serve as important prey for the Canada lynx and American marten (both species are rare and protected in NH), as well as other species. Most snowshoe hare captured for the beagle clubs are from northern NH where Canada lynx have been sighted and where the American marten resides. Fis 806.05 is potentially a violation of the Endangered Species Act because Canada lynx are listed as threatened under the Endangered Species Act.

Signature: Bob Kessling

Much discussion took place relative to the petition.

Commissioner Green moved to deny the petition for the repeal of Fis 806.05, and request staff to create a proposal to modify the existing rule to allow either a conservation officer or a wildlife biologist to select a hare from each club to be examined by an independent veterinarian, costs incurred of such examination shall be borne by the club, Commissioner Temple seconded.

Commissioner Lachance thanked Commissioner Green for doing extensive research and sharing it with the Commission.

Commissioner Temple offered to reach out to the Claremont Beagle Club to inquire and schedule such a visit. He believed they would welcome the visit.


INFORMATION ITEMS:
1.) Financial Statements – Kathy LaBonte, Chief, Business Division, was present on the call and encouraged the Commissioners to reach out with any questions they may have on the financial statements.

Commissioner McInnis asked for some clarification on mileage reimbursement. Kathy LaBonte clarified that she would like the reimbursements monthly, to keep things up to date and ensure there is appropriate funding in the account.

Commissioner Green inquired as to having a training relative to Department finances for Commissioners and stated that he thought it would be beneficial. Kathy responded that she also thought it would be beneficial.
STANDING COMMITTEES:

POLICY COMMITTEE: Commissioner Luppi, Chair; Commissioners Temple, Lachance & Bird. Commissioner Luppi reported that the committee did not meet.

LEGISLATIVE COMMITTEE: Commissioner Stohl, Chair; Commissioners Green, Hodgdon, Patch & DeBow. Commissioner Stohl reported that the committee did not meet.

RIVERS COMMITTEE: Commissioner Hodgdon reported that the committee met virtually to discuss one agenda item, that being the sale of the Runney, NH, rest area. He reported that the State no longer has a need for the facility and there is an interest by the Town. He reported that the committee voted favorably of the sale, with certain qualifications.

LAKES COMMITTEE: Commissioner Temple reported that he was unable to participate in last virtual meeting and would report on the next meeting.

HANDBOOK & ORIENTATION COMMITTEE: Commissioner Patch, Chair; Commissioner Green. Commissioner Patch reported that there was an informal meeting with Heidi Holman, Nongame & Endangered Species Biologist, who will be assisting the committee in updating the Commission Handbook. He reported that there was a questionnaire sent out to the Commissioners and Division Chiefs, with some very good responses and suggestions to be considered for incorporation into the Commission Handbook. In closing, 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 nothing to report.

WILDLIFE HERITAGE FOUNDATION: Commissioner Hodgdon reported it was a challenge for the Heritage Foundation to do a lot of their work during the pandemic, however, they are moving forward. They are looking forward to the important fundraising raffle of a moose permit. He further reported that they are in receipt of all the fall grant proposals from the department and feel they can review and process them expeditiously.

AWARDS COMMITTEE: Commissioner Luppi, Chair; Commissioners Bird & Lachance. Tanya Haskell, Administrative Assistant, reported that the awards will be mailed to the award recipients this year, due to COVID 19, as no formal presentations are expected to take place in the unforeseen future. The awards will include a letter asking the award recipients to take a photo of themselves with the award and share it with the department, to be inserted into an upcoming issue of the Wildlife Journal.

SEARCH COMMITTEE: Commissioner Stohl; Chairman, Commissioners Phillipson, McInnis, Green and Patch. Commissioner Stohl reported that the Search Committee completed their mission. He reported that the Governor accepted the Commission’s nominee, Scott Mason, who was later confirmed by the Governor’s Executive Council, as the Executive Director. He requested at this time to sunset this committee.
NOMINATING COMMITTEE: Commissioner Phillipson, Chairman, Commissioners: Luppi & Patch.

Commissioner Phillipson reported that he and Commissioners Luppi and Lachance reached out to every Commissioner inquiring as to whether they had an interest in being one of the Commission’s slate of officers, Chairman, Vice Chairman, and Secretary/Treasurer. The interests were as follows:

Chairman- Commissioner Stohl
Vice Chairman – Commissioner Patch
Secretary/Treasurer- Commissioner Green

Commissioner Green moved to approve the above slate of officer as presented and Commissioner Luppi seconded.


Commissioner Stohl moved that the current Chairman, Commissioner Phillipson, remain Chairman until August 15, 2020, at which time Commission Stohl will become Chairman, Commissioner Green seconded.


OLD BUSINESS: None heard.

NEW BUSINESS: On behalf of the entire Senior Staff, Mark Ellingwood, Chief, Wildlife Division, read aloud the following resolution honoring Director Normandeau:

Honoring Executive Director Glenn Normandeau

Whereas, Glenn Normandeau has faithfully and admirably served as Fish and Game’s Executive Director for the past 12 years;

And Whereas, the Fish and Game Department has thrived under Glenn Normandeau’s leadership, despite many significant challenges;

And Whereas, Glenn Normandeau has earned the respect and admiration of his peers from the Northeast Association of Fish and Wildlife Agencies and the National Association of Fish and Wildlife Agencies, stemming from his dedicated work on important regional and national issues;

And Whereas, Glenn Normandeau has consistently and honorably represented the best interest of the Department and the state’s

invaluable fish, wildlife, marine and habitat resources;
And Whereas, Glenn Normandeau is held in high esteem by the Department staff due to his dedication to our mission, his reliance on the best available science, his practical knowledge and experience, and for his steadfast support and respect for staff and their technical expertise;

And Whereas, Glenn Normandeau has created a work environment that is positive, empowering, productive, fulfilling and free of adverse political influence;

Be it hereby known to all parties, that Glenn Normandeau’s hard work and dedication has earned him the deep and abiding respect of Department staff; that his leadership, knowledge, wisdom and friendship will be sorely missed; and that his positive impact on the Department over the past 12 years will carry forward into our future success for many years to come.

Respectfully Submitted by Department Senior Staff, August 12, 2020.

COMMISSIONERS REPORTS:
COMMISSIONER BIRD: Absent from conference call.

COMMISSIONER DEBOW: Nothing to report at this time.

COMMISSIONER TEMPLE: Nothing to report at this time.

COMMISSIONER PHILLIPSON: Commissioner Phillipson stated he thoroughly enjoyed his tenure on the Fish & Game Commission. He stated that it was his pleasure working with department staff and the various different Commissioners over the years and that he will greatly miss it.

He thanked Tanya Haskell for all her assistance over the years and stated, “I couldn’t have been Chairman numerous times throughout my tenure without you.”

COMMISSIONER GREEN: Nothing to report at this time.

COMMISSIONER LACHANCE: Nothing to report at this time.

COMMISSIONER HOUDGON: Nothing to report at this time.

COMMISSIONER LUPPI: Nothing to report at this time.

COMMISSIONER PATCH: Nothing to report at this time.

COMMISSIONER MCINNIS: Nothing to report at this time.

COMMISSIONER STOHL: Commissioner Stohl took a moment to thank Commissioner Phillipson for his leadership over the years. He stated, “You have taught me a great deal and I want to thank you publicly.”

DIRECTOR’S REPORT:
Director Normandeau thanked the Senior Staff for the resolution. He stated, “I will sorely miss everyone.”
He reported that he would be meeting with incoming Director Mason, tomorrow, August 13, 2020, to discuss some things and to answer any questions he may have.

At this time, 2:31 p.m., Commissioner Patch moved to adjourn and Commissioner Stohl seconded.


Respectfully submitted,

Ray Green, Secretary

Approved: _________________________

Robert Phillipson, Chairman