

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

### JANUARY 17, 2023 COMMISSION MEETING MINUTES

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

Commissioners Present: P. DeBow, J. Caveney, A.J. DeRosa, R. Green, B. Temple, E. Stohl, C. Hodgdon, M. Hodgson & S. Price.

Seacoast Commissioner: Vacant

Commissioners absent/excused: M. Lachance

Executive Director Mason – Absent

Chairman Green called the meeting to order at 1:00p.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 Chairman reserves the right to limit comment to the extent necessary for the orderly conduct of the meeting.

#### **ACTION ITEMS:**

1. Commissioner E. Stohl moved to approve the December 20, 2022 Commission Minutes and Commissioner C. Hodgdon seconded.

Chairman Green amended the below sentence on page 3, of the December 20, 2022 Commission Minutes, under the Legislative Committee Report:

Commissioner S. Price reported that the committee met the morning of the Commission Meeting. She reported that the committee voted ~~5-0~~ (should be 4-0) in favor of compiling a welcome/orientation letter to the incoming Representatives.

Commissioner M. Hodgson abstained from voting, as she was absent from the December 20, 2022 Meeting. The motion carried.

- 2.) Consent Agenda - The following items were grouped together and 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 E. Stohl moved to approve consent agenda item 2a, as presented below and Commissioner C. Hodgdon seconded. The vote was unanimous in the affirmative.

- 2a.) The Commission accepted the following donations totaling \$15,948.00 made to the Search & Rescue Account:

- Donation of \$48.00 from Meredith Griffin in memory of Emily Sotelo, who perished while hiking Mount Lafayette in Franconia, NH, on November 23, 2022.

- Donation of \$500.00 from Kevin & Cindy Rines in memory of Joe Eggleston.
- Donation of \$1,000.00 from Kelly Eggleston in memory of Joe Eggleston.
- Donation of \$1,250.00 from Tracy & Vince Molesky in memory of Joe Eggleston.
- Donation of \$50.00 from Dean & Dawna Pidgeon in memory of John “Jack” Holden, who passed away on December 25, 2017 on Mt. Bond Cliff.
- Donation of \$100.00 from Judith Dubois to purchase lifesaving equipment for the Advanced Search & Rescue Team.
- Donation of \$500.00 from the Lakes Region Ice Racing Club to purchase lifesaving equipment for the Advanced Search & Rescue Team.
- Donation of \$500.00 from the family of Don Stevens for use by the Canine Teams.
- Donation of \$500.00 from David Mann to purchase lifesaving equipment for the Advanced Search & Rescue Team.
- Donation of \$1,000.00 from Jerry & Heidi Little to purchase lifesaving equipment for the Advanced Search & Rescue Team.
- Donation of \$3,000.00 from George Tombarello in memory of retired District Five Lieutenant Scott F. LaCrosse, who passed away suddenly on April 2, 2019.
- Donation of \$7,500.00 from Robert Clegg, Jr., to purchase lifesaving equipment for the Advanced Search & Rescue Team.

Commissioner B. Temple moved to approve consent agenda items 2b-2d., as presented below, and Commissioner A.J. DeRosa seconded. The vote was unanimous in the affirmative.

2b.) The Commission accepted the following donations totaling \$259.00 made to the Small Gifts & Donations Account in memory of Maurice “Moose” Simpson, former resident of Pittsburg, NH, who loved to hunt & fish:

- Donation of \$25.00 from Mr. & Mrs. Scott Hopkins, Athens, TN.
- Donation of \$25.00 from Lynda Magoon, Deer Park, WA.
- Donation of \$50.00 from Peter & Ann Currier, Northfield, NH.
- Donation of \$159.00 from Steven & Karen Ober, Franklin, NH.

2c.) The Commission accepted the following donations totaling \$60.00 made to the Small Gifts & Donations Account:

- Donation of \$20.00 from the Town of Lyndeborough, NH, Conservation Commission.
- Donation of \$40.00 from Margaret Lever, Hudson, NH.

2d.) The Commission accepted the following donations made to the Hunter & Aquatic Education Programs totaling \$210.00.

Donations to the Let's Go Fishing Program:

Frank Dubisz, Jr., Manchester, NH –	\$100.00
Grantham Garden Club, Grantham, NH –	<u>\$ 50.00</u>
	\$150.00

Donations to the Hunter Education Program in memory of John “Jack” Miller:

Beth & Chaga Felipe, Sanbornville, NH -	\$35.00
Miclena Linares, Deerfield, NH -	<u>\$25.00</u>
	\$60.00

**INFORMATION ITEMS:**

- 1.) Kathy LaBonte, Chief, Business Division, offered to answer any questions relative to the financial statement.
- 2.) Due to the presenter being absent, the BOEM (Bureau of Ocean Energy Management) presentation will take place at a future Commission Meeting.
- 3.) John Magee, Fisheries Habitat Program Coordinator, came before the Commission and provided an overview of the request to approve the expenditure of up to \$75,000 from the Fisheries Habitat Account, to remove a significant barrier to fish, the Washburn Mill Dam on the Mohawk River in Colebrook, NH. (See attached presentation)

John reported that the Inland Fisheries staff have been partners on barrier removals in New Hampshire for at least two decades. He reported that in that time, our partnerships have culminated in the removal of a number of high priority, obsolete, riverine dams, including the South Branch of the Gale Dam in Bethlehem in 2020.

He further reported that the Washburn Mill Dam is a high priority for removal because it currently blocks access for brook trout and other fish species to 33 miles of high quality riverine habitat in the Mohawk River and its tributaries.

John explained the rating method for projects that request use of Fisheries Habitat Funds. He reported that this particular project scored 75 out of 80, 80 being the highest rating. He further reported that as of January 4, 2023, the balance in the Fisheries Habitat Account was \$968,500.

Commissioner E. Stohl commented that \$1 million dollars (1,000,000) seems expensive to remove a dam and believed he could get contractors to do the job for half the cost.

John responded that the cost is partly because of the extensive gravel removal and the required work in the river to ensure that it is stable. John stated, “We’d love to have those people bid on the contract if they can do it at a lower price.”

Commissioner J. Caveney stated, “I’d like to learn more about the project & the process.”

Commissioner M. Hodgson inquired as to how much Fish & Game contributes and whether it was contractual. She further inquired if it was early to be asking for the funding.

John responded that the Department has no contractual obligations. He further explained that once Fish & Game commits to funding projects, or portions of, others who respect & trust the agency are more likely to donate, as well, as they feel if Fish & Game has committed to donating, then it must be a worthwhile project.

Commissioner C. Hodgdon inquired as to whether there would be any angler benefit from the project.

Dianne Timmins, Chief, Inland Fisheries Division, responded that there were several designated pull offs on Route 26 to access the river.

In addition, Commissioner C. Hodgdon inquired as to whether there was a plan to sell the clean gravel from this project, as it is worth a considerable amount of money.

John responded that it would be part of the bidding process. He stated that the hope is that some of the bids are lower due to potential for them to make a profit from selling the clean soil.

Commissioner B. Temple reported that it was quite a process to filter through the material, as silty soils are mixed in.

4.) John Magee, provided an overview of the request to approve the expenditure of up to \$50,000 from the Fisheries Habitat Account, to stop the massive bank erosion occurring in Atwell Brook on the Kimball Wildlife Management Area in Groton, NH. (See attached presentation).

John reported that the Department in 2019 acquired the Kimball Hill Wildlife Management Area. In 2020, a high flow event led to massive streambank erosion from a specific site on Atwell Brook. Enormous amounts of sediment flowed downstream and deposited along Atwell Brook, in the Cockermonth River and even into Newfound Lake, several miles away from Atwell Brook. This streambank continues to erode and another large streambank failure appears imminent, which will further affect these three waterbodies. The Inland Fisheries Division recognizes that taking no action at this site will lead to fish habitat and water quality degradation.

He further reported that our partner, The Newfound Lake Regional Association, hired an engineering firm, which has completed the final designs to preclude additional streambank erosion at that site.

John reported that this project scored a 63 out of a possible 80. He further reported that the Department has funded projects in the 50’s before. He stated, “This is a great brook trout project.”

Commissioner M. Hodgson stated, “You just presented two opportunities to utilize Fisheries Habitat Funds. How do we know we are making the right decision on projects brought before the Commission, as all the projects brought forward seem to be important & worthwhile of funding?”

John responded that the rating system is how the projects are prioritized, matching opportunities with our priorities, as they come forward.

John reported that at a future meeting he would like to provide a presentation specifically on the Fisheries Habitat Fund, which he feels will help the Commission better understand the rating process and what factors are important in moving projects forward.

Commissioner J. Caveney stated, “If other partners are going to benefit from the project, they should contribute what they can afford.”

At this time, Commissioner E. Stohl moved to approve Information Items 3 & 4, as presented above, requesting the use of Fisheries Habitat Funds totaling \$125,000 and Commissioner A.J. DeRosa seconded. The vote was unanimous in the affirmative.

**COMMITTEE STRUCTURE:**  
**LEGISLATIVE COMMITTEE:**

Public policy development & recommendations, as well as Commission advocacy before legislature.

**Commissioner Price, Chair;** Commissioners: Caveney, DeBow, Hodgson & Stohl.  
**Staff members:** Kevin Jordan & Marty Mobley.

Commissioner S. Price reported that the committee met the morning of the Commission meeting and on January 12, 2023.

Commissioner S. Price moved to support HB-113, relative to the physical fitness performance requirements for law enforcement officers, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to support HB-137, relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registration fees, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to oppose HB-274, relative to the administrative rulemaking process, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to support HB-308, relative to a quorum for meetings open to the public to include remote presence, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to oppose HB-321-FN-L, relative to minutes from nonpublic sessions under the right to know law, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price reported that the Committee did not take a position on HB-326-FN, relative to prohibiting the use of second-generation anticoagulant rodenticides, as they are waiting for more information on the bill prior to taking a position.

Commissioner S. Price moved to oppose HB-358, relative to the filing and adoption of proposed administrative rules, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to oppose HB-442-FN, relative to preventing state resources from being used to enforce lobstering regulations in federal waters and establishing a scuba diver recreational lobster license, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price reported that the Committee did not take a position on HB-472, relative to the placement of temporary seasonal docks. She reported that the committee was anticipating an amendment, which will focus the language specifically to loons. Once the committee sees the amendment, the Commission should be able to take a position.

Commissioner M. Hodgson recollected that the committee took the position of opposed, because of anticipated amendment.

At this time, Commissioner S. Price moved to oppose HB-472, relative to the placement of temporary seasonal docks, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Commissioner S. Price moved to oppose HB-498, relative to requiring fish and game officers to obtain a warrant to conduct a search and seizure, and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

In closing, Commissioner S. Price reported that at the last legislative committee meeting, the minutes of the January 12, 2023 & January 17, 2023 committee meetings were adopted. She further reported that she would be recording the legislative committee meetings from this point forward and would provide Tanya Haskell, Administrative Assistant, with a copy of the recording.

At this time, Dan Bergeron, Chief, Wildlife Division, introduced Andy Timmins, Game Program Supervisor, who provided the 2023-2024 Draft wildlife rule proposals. (See attached proposals).

**GOVERNANCE COMMITTEE:** Commission professional development, education & policy recommendations related to Commission conduct & activities.

**Commissioner Caveney, Chair;** Commissioners: Lachance & Temple.  
**Staff member:** Cheri Patterson.

Commissioner J. Caveney reported that the committee did not meet.

**SUSTAINABILITY & STRATEGIC PLANNING:** Agency funding, development & oversight of strategic plan.

**Commissioner Hodgdon, Chair;** Commissioners: Caveney, DeRosa, Hodgson & Stohl.  
**Staff member:** Scott Mason.

Commissioner C. Hodgdon reported that the committee did not meet due to not having a quorum. He further reported that the committee would be meeting prior to the February 21, 2023 Commission Meeting.

**RESOURCES & INFRASTRUCTURE:** Policy recommendations related to agency infrastructure; including facilities, public access, habitat & wildlife.

**Commissioner Temple, Chair;** Commissioners: Caveney, DeRosa, & Lachance.  
**Staff member:** Dianne Timmins.

Commissioner B. Temple reported that the committee did not meet.

**PUBLIC ENGAGEMENT & EDUCATION:** Engagement, partnership, awards, public recognition & education strategies for the public & interest groups.

**Commissioner DeRosa Chair;** Commissioners: DeBow, Hodgdon & Price.  
**Staff members:** Dan Bergeron, Kevin Jordan & Cheri Patterson.

Commissioner A.J. DeRosa reported that the committee has received all the nominations for the Commission Awards of Excellence and would be scheduling a meeting in February to review the nominations and plan to have everything completed by June of 2023.

**LAKES MANAGEMENT ADVISORY COMMITTEE:** Commissioner Price. Commissioner S. Price reported that there would be a joint meeting with the Rivers Management Advisory Committee on January 18, 2023.

**NH RIVERS MANAGEMENT ADVISORY COMMITTEE:** Commissioner Hodgdon. Commissioner C. Hodgdon reported that there would be a joint meeting with the Lakes Management Advisory Committee on January 18, 2023.

**OLD BUSINESS:** N/A

**NEW BUSINESS:** N/A

**COMMISSIONERS REPORTS:** Commissioners will report on their recent activities as it relates to Fish & Game Commission duties and responsibilities. This is an informational item only.

Commissioner S. Price reported that she was in contact with Lakes Region Search & Rescue and they will be doing a presentation in Moultonborough in April on what the non-profit search & rescue's role is and how they support the department. She further inquired if a conservation officer could attend.

Chairman R. Green reminded Commissioner S. Price that the request for an officer to attend would need approval by Director Mason.

Commissioner J. Caveney reported that issues still exist on Swanzey Lake, in Swanzey, NH, relative to Marine Patrol issuing a permit for a water ski slalom course, which adversely affects the public's ability to safely fish and paddle (canoes & kayaks) on the lake when water skiing is occurring. He reported that he saw video footage of a confrontation that took place and stated, "This is a recipe for disaster." In closing, he stated that he was not sure how to get this addressed, as it appears no one is in violation of any laws.

**DIRECTOR'S REPORT:** Director Mason was absent from the meeting and will provide a report next month.

**CALL TO THE PUBLIC:**

Linda Dionne, Raymond, NH, inquired as to how many habitat projects have been done. She further expressed that she thought the department receiving \$1 from the sale of every freshwater fishing license was not enough and would like to see it increased.

Kathy LaBonte, Chief, Business Division, responded that any change to that would need to be done through the Legislature.

Buck Mercier, Hooksett, NH, reported that he has seen nine (9) bobcats in a period of three weeks. He recommended that the Commission revisit opening up a bobcat season.

He further reported that he recently went clamming and had a terrible experience, due to a sea worm parasite.

Kristina Snyder, Chester, NH, noted that in the short overview of the wildlife season proposals, it indicated that 13 of 19 Wildlife Management Units have a proposed increase in either sex days for hunting deer. She further reported that she was aware of the increase of deer in her area; however, she felt that this clearly indicates that bobcats are not having an effect on the deer population in any way.

Weldon Bosworth, Gilford, NH, reported that he has trail-cameras & security cameras up in the area and spends a few hours a day in the woods. He reported that he has seen three (3) bobcats within the last 6 months; therefore, the implication of them being abundant is without any support. He further reported that he was not familiar with bobcats getting rabies.

Steve Angers, Conway, NH, thanked the Commission for approving the two very important fisheries habitat projects. He stated, "It will help the brook trout."

Former Commissioner William Carney, Bow, NH, reported that he was part of the group that got the habitat bills passed. He reported that the original fee language was \$5.00 per the sale of every freshwater fishing license to go to the Fish & Game Department, however, reduced to \$1.00. He stated, "It took us several attempts to get this \$1.00 fee passed, so I don't recommend getting your hopes up of getting it increased."

At this time, 3:02 p.m., Commissioner E. Stohl moved to adjourn and Commissioner M. Hodgson seconded. The vote was unanimous in the affirmative.



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Ray Green, Chairman  
NH Fish & Game Commission