



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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Jack Buckley, *Director*

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF FISHERIES AND WILDLIFE
FISHERIES AND WILDLIFE BOARD
MEETING MINUTES

PRESENT: Dr. Joseph Larson/Chair, Michael Roche/Vice Chair, Bonnie Booth/Secretary, Ernest W. Foster IV, Stephen Sears, Dr. Brandi Van Roo, Fred Winthrop, Ron Amidon/Commissioner/DFG, Mary-Lee King/Deputy Commissioner/DFG, Jack Buckley/Director, Kris McCarthy/Associate Director/Finance/Administration, Michael Huguenin/Assistant Director/Wildlife/Acting Assistant Director/Operations, Marion Larson/Assistant Director/Public Affairs, Todd Richards/Assistant Director/Fisheries, Trina Moruzzi/Supervisory Biologist/Assistant Director/Operations, Nicole McSweeney/Outreach and Marketing Specialist, Eve Schlüter/Chief/Regulatory Review, Carolyn Mostello/Conservation Biologist, Jake Kubel/Conservation Biologist, James Burnham/Program Coordinator, Jim Pollock/Facilities Coordinator, Capt. Tony Kabir/OLE; PUBLIC: Dave Morin, Rosemary Charron, Craig Cortes, John Kellstrand

DATE: November 9, 2017

LOCATION: Division of Fisheries and Wildlife Field Headquarters, Richard Cronin Building
Westborough, Massachusetts

Chair Larson opened the November meeting of the Fisheries and Wildlife Board at 1:30 P.M.

Acceptance of Minutes

A motion was made by Mr. Sears to accept the minutes from the October 2017 meeting as presented. The motion was seconded by Mr. Foster. The motion passed with one abstention from Dr. Van Roo, who had been absent.

Chair's Comments

Chair Larson welcomed the public to the November meeting and thanked the attendees for coming. The tour after the October board meeting had been very helpful and he thanked the Commissioner and MassWildlife staff for setting it up.

Commissioner's Comments

Commissioner Amidon stated that he had attended the Environmental Management Committee meeting at Camp Edwards and reported that everything was in order. He also reported that EEA has advised that there is a full-time employee cap in place. He explained that it is not impossible to hire, but is more difficult, and that the cap applies to all, including trust-fund agencies like MassWildlife. Commissioner Amidon reported that the EEA IT staff has been working to increase line speeds and overall performance in its agencies' installations, and that he had attended a meeting to review the sites that need to be prioritized. The Commissioner also reported another meeting the DFG had with EEA, for preliminary discussions of priorities for the next environmental bond bill.

The Commissioner reported that he had attended a celebration at Richmond Pond for the renovation of a fishing platform there, and he reported that former Fisheries and Wildlife Board Chair George Darey

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and Western District Manager Andrew Madden had attended, as well as many other friends of the agency, including members of the Berkshire County League of Sportsmen's Clubs. The Commissioner also reported that, on the way back, he and Office of Fishing and Boating Access Director Jack Sheppard had visited Laurel Lake, to review the plan and try to make it more fishable for both shore and boat anglers. He stated that he was hopeful this could be done. He had also attended a Coonamesset River restoration celebration with about 75 people in attendance. He reported that the area had been restored by the Division of Marine Fisheries, MassWildlife, and the Coonamesset River partners. Commissioner Amidon closed his report by saying that on the two evenings previously he had assisted in fish surveys with MassWildlife staff.

Director Buckley asked the Chair to move Agenda Item 7 and allow OLE Captain Tony Kabir to give his report next, citing a very busy morning for the captain after a deer-vehicle collision the previous evening. Chair Larson agreed to do so and the Board unanimously voted to hear his report early.

Law Enforcement Comments

Captain Tony Kabir reported briefly on the fatal deer-strike with a vehicle in Weston the evening before, adding that the State Police and the Town of Weston were taking the lead on the investigation but that he was also involved as OLE's representative. He reported 156 calls for road-kills the previous year and that the state already has 108 as of the meeting date this year.

He also reported 11 OHV accidents and 22 calls for service for bears since the October meeting. He stated that there had been two hunting accidents; five motorboat accidents, with one fatal: a CO-involved death; and eight calls for service for moose. He reported that on the day of the meeting OLE was also completing two search-&-rescue calls, so it was a very busy time for the officers.

Director's Comments

Director Buckley reported that the Northeast Directors' meeting for this year was held in Portsmouth the previous week. He reminded the Board members that MassWildlife had held a summit last year to explore the idea of establishing an R3 subcommittee in the Northeast, and reported that, at this year's meeting, the Directors did decide to start such a committee, and that CFO Kris McCarthy had been chosen as the first chair of the Northeast R3 Committee. He stated that Ms. McCarthy had been working very hard on this endeavor and that it was an honor for her to be so chosen.

Director Buckley reported that Lew Schlotterbeck, who had preceded him as Deputy Director of Administration, had passed away. He noted that there will be a ceremony at the Southeast and that he would advise the Board of the details when they were settled.

He also reported that the Joint Task Force on Federal Aid was meeting in Missouri the following week and that he would attend, stating that he was trying to get the U.S. Fish and Wildlife Service's (USFWS) Federal Aid Program to agree that pheasant stocking would be reimbursable under Federal Aid. This was a very important opportunity and would mean almost an additional \$1 million per year for Massachusetts.

The Director reported that included in the Board's meeting packets was the USGS Coop Unit report on Massachusetts, an update of the Open Meeting Law regulations from the Attorney General and DFG's General Counsel, and the new Guide to the Mass. Hunting Laws and Regulations for 2018.

Director Buckley commented that the cap on employee numbers amounted to a hiring freeze and he was very concerned about the reaction from the sportsmen, given MassWildlife's user-pay programs, if services could not be delivered with short staffing. He stated that he was also concerned about the

MESA program, for which Regulatory Review is also a user-pay program, and MassWildlife needs the appropriate staff to implement it. Also, he reported that the agency was in the process of applying for a grant from the NRCS (Natural Resource Conservation Service) that will involve the need for more staff to administer it.

Old Business

Species Management on USFWS Refuges (Jack Buckley)

Director Buckley reported that the acting director of the USFWS has directed it to create a new position, for a Chief of Hunting and Fishing. He stated that we need consistency of management between Refuges and state lands, and that this was still a great concern of his. The new director has expressed the need for users to have access; we'll find out what that means.

Mr. Foster asked if this item could be removed from Old Business and just reported on by the Director as there were new developments; the Chair said he would still like reports at each meeting.

Staff-Board Working Group Update on Public Roll-Out of Regulations and Policies (Brandi Van Roo)

Dr. Van Roo reported that the committee had met on the previous Tuesday. She reported that it went very well, and that one change is that every staff review for the Board will henceforth include a new section that addresses how the change in policy or regulation would be rolled out to the public, who would be notified and consulted, and what the timeline would be. Mr. Sears asked that drafts be given to the Board earlier in the process so that members would have a chance to read them, Dr. Van Roo noting also that discussion of rollout procedures is in the future, while this meeting was to evaluate current practice. Mr. Foster stated that it was helpful to read Mr. Tisa's report and know about all the things that staff already does before regulations or policies are brought to the Board. Director Buckley noted that this is relevant because two regulations are coming, and that both of those will need this process. He stated that the Dogs on WMAs would go to a hearing in February, and changes to the deer regulations would be brought to a hearing in March. He stated that the Board will want to set the February meeting and public hearing date at the December meeting. The Chair asked the Director if he could check with DFG General Counsel Rich Lehan to ask whether agency documents that were given to the Board and/or a subcommittee would be considered public documents. Director Buckley stated that he believed they would be, based on what he's been told in the past.

Bird Banders Meeting Update (Jack Buckley)

Director Buckley stated that State Ornithologist Drew Vitz is in the process of scheduling this meeting, on Saturday, February 3, 9 A.M.—12 P.M. He did not know how many people had R.S.V.P.'d but he had been told there were enough to move ahead with a meeting.

Martha's Vineyard Deer Management Meeting (Jack Buckley)

Director Buckley asked Assistant Director Huguenin to report as he was taking the lead with the towns. Mr. Huguenin reviewed for the Board that MassWildlife had received letters from all the towns on the Vineyard, and that staff had sent a letter back to all, stating that there were some options and that staff would be happy to travel to the Vineyard and meet with the towns. Mr. Huguenin reported that he was still waiting to hear back from all the towns; he stated that three of them have indicated they are open to a public meeting or hearing to explain all the options, and that we are probably looking at March for a meeting date. Chair Larson asked whether it will be a meeting with just the selectmen or will it be a public meeting. Assistant Director Huguenin stated that the selectmen were not interested in a private meeting, that they wanted the public to attend.

New Business

Personnel Report (Kris McCarthy)

CFO Kris McCarthy presented the Board with the following Personnel Report:

Promotion

<u>Employee</u>	<u>Position</u>	<u>Location</u>
Trina Moruzzi	Assistant Director of Operations Program Manager VI	Westborough

New Hire

<u>Employee</u>	<u>Position</u>	<u>Location</u>
Brett Hillman	Endangered Species Review Biologist Conservation Biologist III	Westborough

Vice Chair Roche moved acceptance of the personnel report as presented; Dr. Van Roo seconded the motion; the vote in favor was unanimous. Director Buckley observed that it was great to see someone like Ms. Moruzzi come up from within the agency with a lot of experience; she has done an excellent job and it says a lot about the level of people coming up through the ranks. Director Buckley also noted that MassWildlife is losing Chief of Environmental Review Eve Schlüter, who will be moving to EEA and the MEPA (Massachusetts Environmental Policy Act) office, and wished her well in her new position.

Eastern Spadefoot Population Introduction at the Southwick WMA: 2015–2017 Summary (Jake Kubel)

Herpetologist and Conservation Biologist Jake Kubel gave the Board a report on ongoing efforts to establish a population of Eastern Spadefoot (*Scaphiopus holbrookii*), a toad-like creature that lives underground most of its life and emerges at night periodically to feed and once in a while to breed, at the Southwick WMA. He explained spadefoot biology and life history, discussed its conservation status, and illustrated its distribution in New England generally and the existing populations in the Connecticut River Valley region specifically.

Mr. Kubel detailed the Southwick WMA Spadefoot Project, which is designed to establish a viable, self-sustaining population of Eastern Spadefoot on secure land by means of population introduction. The project is intended to improve the security of the regional population, and also to test the feasibility of this method as a continued conservation management option. The project framework called for constructing prospective breeding habitat; identifying appropriate donor population(s); introducing eggs, tadpoles, and “head-started” juveniles; monitoring the survival of releases; and monitoring the habitat, managing it as needed. He then used photos of the gradual transformation of the project site over time to create a visual timeline from the start in August 2015 to the present.

In the discussion at the end of his presentation, Mr. Kubel was asked whether he saw any natural predation. He did, including of the American Toad and Gray Treefrog reproduction, from shore birds, including one upland sandpiper and at least one group (6-8 individuals) of sanderlings. He noted that there were also crows hanging around. Mr. Foster reported that he had visited the site, was glad to see the signs that had been put up in an attempt to keep out dogs and horses, and asked about displaying more information at the site for visitors. Mr. Kubel’s contact information is on the signs, and the MassWildlife Website is still being updated so he’s not linking there yet. In response to another question, Mr. Kubel stated that prescribed burning was not expected to be a problem, but that he will

coordinate with the land managers based on time of year. He acknowledged that the spadefoots can be anywhere from 4 inches to several feet below the surface, so the wrong time could create mortality.

Chair Larson congratulated Mr. Kubel for the success he has achieved so far with the project and thanked him for his highly informative presentation.

Natural Heritage and Endangered Species Advisory Committee Report

Dr. Larson reported that the Natural Heritage and Endangered Species Advisory Committee's November meeting had been cancelled because it conflicted with the Fisheries and Wildlife Board's meeting that same day.

He also reported that the envelope he had received from Mr. Foster at the previous meeting turned out to be a series of letters in booklet form that NHESAC Chair Betty Anderson's mother had written while the family was homesteading in Colorado under primitive conditions. He stated that she had written back regularly to her family in Newton describing their adventures. Chair Larson stated that he was about halfway through reading the letters and briefly described some of the letters for the Board. He offered to give the packet to other Board members who might be interested when he has finished reading them.

Confirm Meeting Date

The Director confirmed that the Cronin Building staff holiday potluck was scheduled for Tuesday, December 19, 2017, at noon, so the Board meeting will be held at 10:00 A.M. that morning, in Room 103 of the Cronin Building in Westborough.

Member's Comments

Mr. Winthrop and Dr. Van Roo reported no comment.

Vice Chair Roche commented that he would like information on the meeting that was held that morning about a proposal to use dogs to search for deer that had been harvested but not found. Chair Larson stated that that information would be given to Board in the coming months. Mr. Roche also reported that Channel 5 had had special on coy dogs on the Cape, but that information from MassWildlife staff was not included. Stating that it rarely happens any more, Mr. Roche said that he is always concerned when MassWildlife is not consulted as the authority on wildlife issues in the state. He also asked for a clarification of the DFG employee cap. Director Buckley stated that it was a cap on the total number of Department employees, so, if the Department is already at the cap number, then even position back-fills would be a problem. Commissioner Amidon stated that the directions that came down were not clear, so he was working to get clarity on the issue. Director Buckley agreed and stated that the Board would be kept informed.

Secretary Booth reported that the next Becoming an Outdoors Woman deer hunt was coming up in early December, that the participants are all new hunters, and that she was expecting a great year.

Mr. Sears requested that staff send a copy of Mr. Kubel's Spadefoot Toad report to the Board members, and also to the board of the Massachusetts Outdoor Heritage Foundation.

Mr. Foster reported that he had been out hunting in the Western District and was pleased to see that District personnel were out exploring for restoration projects.

There being no further business, a motion was made by Secretary Booth to adjourn the meeting at 3:20 P.M.; Dr. Van Roo seconded the motion, which was approved unanimously.

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Respectfully submitted,

Bonnie Booth
Secretary

List of documents presented to the Board in its November meeting packets

November Agenda

Draft October meeting minutes for review

Forwarded email: R. Lehan to S. Sacco, October 30, 2017, "Open Meeting Law – Amendments to AG regulations (effective 10/6/17)"

Massachusetts Guide to the Hunting, Freshwater Fishing, and Trapping Laws – 2018

U.S. Geological Survey Massachusetts Cooperative Fish and Wildlife Research Unit:
Biennial Report 2016-2017

Personnel Report

Spreadsheet of Natural Heritage Fund Taxpayer Donations (1992 to 2017)