



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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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, Mark Tisa/Acting Director, Kris McCarthy/Associate Director/Finance and Administration, Michael Huguenin/Assistant Director/Wildlife, Trina Moruzzi/Assistant Director/Operations, Todd Richards/Assistant Director/Fisheries, Marion Larson/Chief/Information and Education, Craig MacDonnell/Contractor/Land Program, Andrew Madden/Western Wildlife District Supervisor, Caleb Slater/Anadromous Fisheries Biologist, Captain Tony Kabir/OLE; PUBLIC: Elizabeth Wroblecka, Fred A. Sears, Tom Brule, Tom Tynning, Jane Winn, Stan Andruski, Brian Majewski, Gene Chague, Daniel T. Miraglia

DATE: May 16, 2018

LOCATION: The Stationery Factory, 63 Flansburg Avenue
Dalton, Massachusetts

Chair Larson opened the May meeting of the Fisheries and Wildlife Board at 1:15 P.M., and welcomed the attendees.

Acceptance of Minutes

A motion was made by Mr. Foster to accept the minutes from the April 2018 meeting as presented. The motion was seconded by Ms. Booth; Vice Chair Roche abstained. The motion passed with six members in favor.

Chair's Comments

Chair Larson reported that he had attended the UMass Coop Unit annual meeting during the previous week, held at the Field Headquarters. Noting that the partnership of the Coop Unit has existed for 70 years, he provided a short description of the organization of it, and stated that it included the Division of Marine Fisheries, the Wildlife Management Institute, and the U.S. Geological Survey all as cooperators. The gathering included 10-minute presentations by the graduate students and PhD candidates in the program on their research. The Chair reported that funding for the Coop Units comes from MassWildlife, the other cooperators, and sometimes private sources, and that the U.S. Geological Survey budget for the Units has been cut. He reported that the presentations were very well done, and that the afternoon annual meeting of cooperators was very informative.

Chair Larson reported that in the Board members' meeting packets were copies of the letter he had sent to the Massachusetts federal delegation, noting that he had picked up pointers at the Coop meeting on how to get more attention on and hopefully restore the federal budget for the Coop Units.

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Commissioner's Comments

Commissioner Amidon reported that the previous one had been another very busy month. He was thankful that the banquet season was ending, and stated that he had recently attended the Essex, Plymouth, and Berkshire county league banquets, highlighting the contributions of the leagues to the state and the work of the Department. He also reported that he had attended numerous public fish stockings, and that the fish are, as usual, of extremely high quality.

The Commissioner stated that he had attended DU banquets in Boston and had brought in Division of Ecological Restoration staff with presentations on what they do. He noted that DER has some upcoming projects like the one at Tidmarsh Farms that will be in cooperation with Ducks Unlimited. Commissioner Amidon also reported that the Right whales were lingering in Cape Cod Bay for an extra-long period of time this spring, but that the bay had been opened back up to some previously restricted types of fishing and lobstering the day before the meeting.

Commissioner Amidon reported that he'd had a lot of feedback on MassWildlife's recent public hearings, and that the clubs and leagues are very happy with how Board handled the various issues before it. In particular, he stated that sportsmen were very happy that the public hearings were held in Westborough where the parking is free.

He also reported that Joint Base Cape Cod/Edwards is going forward with its own version of the Big MOE – The Big COD (Cape OutDOors), and that the Barnstable and Plymouth leagues are involved, helping with the planning and committed to participating.

Acting Director's Comments

Acting Director Tisa stated that he was sad to report that Senior Photographer Bill Byrne had suddenly passed away over the previous weekend. He reported that Bill had started working for MassWildlife in 1971, so that he had worked 47 years with the agency. He said it was a shock to everyone; Bill had been battling health issues for years, but still had lots of projects he had hoped to finish. Acting Director Tisa stated that the Board and MassWildlife community would be notified when plans were made with and by the family for memorial services and celebrations of Bill's life.

The Acting Director also added to the Chair's comments about Coop Unit meeting, that he thought to was great to see the caliber of the students, the quality of science they conduct, and the presentations they gave. He also stated that there are many great people at UMass, and that MassWildlife has solid relationships with all the cooperators.

Acting Director Tisa reported that it had been a very busy month with lots of hiring and backfilling of positions. He thought it was a very productive process and that staff had found high quality candidates. He also reminded the Board that there was a retirement event scheduled on June 7, a Thursday, for Bill Davis, Ralph Taylor, and Craig MacDonnell, at noon at the Field Headquarters.

The Acting Director reported that he and staff have been working with Commissioner Amidon and his staff for a Statehouse Day. He stated that the agency hasn't done one in over 20 years, he thought it was a good opportunity to get face-to-face time with the state representatives, and that it will take place on June 21.

Chair Larson thanked the Commissioner for helping to set up the Statehouse Day; Commissioner Amidon reported that all four divisions would participate, and that it had been Acting Director Tisa's idea.

Old Business

Species Management on USFWS Refuges (Mark Tisa)

Acting Director Tisa reported that there had been no progress with the USFWS because they are still in the process of getting guidance from Washington, DC on how to approach activities on refuges. He reported that the federal Refuge management team has said it is meeting with all the refuge managers before meeting again with MassWildlife. Realistically, Acting Director Tisa doesn't expect to have anything to report until at least October or November. He offered a brief refresher on the issues involved, including that the USFWS needs to provide for protection and management of state-listed species and equitability of access on refuge areas. The Acting director noted discrepancies on fees, as for hiking (\$5) vs. hunting (\$50-100); the duration of allowed access for different users, and rules that change with changing refuge managers.

New Business

Personnel Report (Kris McCarthy)

Promotion

| <u>Employee</u> | <u>Position</u> | <u>Location</u> |
|-----------------|--|-----------------|
| Susan McCarthy | Wildlife Biologist Game Biologist III | Westborough |
| Todd Olanyk | Central District Supervisor Environmental Analyst V | West Boylston |

New Hire

| <u>Employee</u> | <u>Position</u> | <u>Location</u> |
|---------------------|---|-----------------|
| Elizabeth Wroblecka | Chief of Wildlife Lands Environmental Analyst V | Westborough |
| Chalis Bird | Northeast District Wildlife Biologist Game Biologist III | Ayer |
| Joseph Rogers | Connecticut Valley District Supervisor Environmental Analyst V | Belchertown |

Vice Chair Roche stated that the candidates presented were very high-quality candidates, and he moved acceptance as presented. Mr. Sears seconded; the vote in favor was unanimous. The Commissioner stated that the full-time-employee hold on hiring has been released and that four previously approved hires have also been released. The Chair expressed the Board's appreciation to the Commissioner for all the work he and Secretary Beaton have done to get the hires pushed through.

Review/Discuss Public Comments from the Extended Archery Deer Season Public Hearing and Written Comment Period, and Vote (Michael Huguenin and David Stainbrook)

Assistant Director for Wildlife Michael Huguenin reported that he thought it was a good process in both recent hearings and the written comment periods, with good attendance and active participation in both from a range of constituents and interests. He introduced Deer and Moose Project Leader David Stainbrook to provide the staff's analysis of the comments received.

Mr. Stainbrook provided the Board with the staff analysis of the comments received before, during and after the public hearing on the extended Archery Deer proposal, and ran through and broke down the major issues in the responses and replied to each.

He then gave the Board the staff recommendation, based on its review, that no changes be made to the original proposal, and he reported that staff recommend adoption of the proposed regulations. The Chair noted that participation had been very good due to staff outreach and word of mouth among WMA users and hunters. Commissioner Amidon reported that he had just seen a DCR report regarding the West Boylston and Wachusett areas impacted by deer browse, and that he expects a request for some special or increased season/regulations to address the issues. Mr. Stainbrook reported that he will report on that issue, taking our staff's research and survey results into account, as part of the annual deer review, scheduled for the June meeting.

Secretary Booth moved to accept the staff recommendation for the regulation without changes; Mr. Sears seconded the motion; the vote in favor was unanimous.

Coldwater Stream Restoration (Caleb Slater)

Acting Director Tisa asked Assistant Director for Fisheries Todd Richards to introduce Dr. Caleb Slater, Anadromous Fisheries Project Leader. Acting Director Tisa reported that the issue of the Hamant Brook dam removal was first presented to the Board back in 2008. Dr. Slater provided a detailed presentation with many pictures of the stages of the project through the 10 years, information about the various impacts to the site and how they were addressed throughout the project. The Chair and other Board members complimented Dr. Slater's excellent presentation and thanked him for his efforts.

Law Enforcement Comments

Captain Tony Kabir reported that since the previous meeting the OLE had investigated two instances of turkey poaching, which essentially involved hunting too near a road and near some homes. One perpetrator suffered seizure of the poached bird, loss of the hunter's FID (firearms identification card), and the loss of the rifle. The Captain reported that the bird had been poached right up against a house. He reported another case of unauthorized wildlife rehabilitators that took multiple animals out of the wild and created a menagerie, in contradiction of accepted rehabilitation principles. The OLE was monitoring a juvenile bear that raided trash in Newton. He reported that the OLE is struggling with its budget woes, hoping to find some support. In response to a question, he stated that the OLE is authorized to carry 125 officers, and that it had those levels in the late nineties, but not since. On any given day, the OLE is down as many as 30 officers. Its staff continues to work very hard to do the case work, and to try to stay visible.

Natural Heritage and Endangered Species Advisory Committee Report

Dr. Larson reported that the Natural Heritage and Endangered Species Advisory Committee's May meeting was held the previous Thursday. He reported on a very interesting presentation by a member of the Berkshire Community College faculty who is a committee member, Tim Flanagan. The presentation was on the research and survey uses of LIDAR (LED light), which is similar to RADAR and SONAR. He provided a brief background, stating that, in the past, for determining wetland boundaries, the best technology was aerial photography, but the details revealed by LIDAR show the mass of tributaries that actually make up a stream. He explained that light bounces and then keeps going in stages down to ground and/or water, so, in Mr. Flanagan's project, it gave a very detailed analysis of terrain that influenced Mass DOT in some work it was doing in an area near Route 7.

The Chair reported that the NHESAC is also working on possible changes to state-listed species. He explained for the meeting guests that this is very intensive, laborious work that was stalled by a court case of many years' duration against Priority Habitat, which was ultimately upheld. Chair Larson stated that this is the main work of the committee, and the work now progresses; he noted that the Director will be given the details in due time. He also made an observation that the number of additions to listed species has gone down, and removals have increased, reflecting more time spent looking for species, including by both staff and citizen-scientists.

Set Meeting Date

Members discussed dates for the June Fisheries and Wildlife Board meeting. Members selected June 13, 2018, at 2:00 p.m., at the Field Headquarters in Westborough.

Member's Comments

Chair Larson reported that he had an announcement, that there were five candidates for the position of Director, and that the committee hopes to have interviews within a week. He reported that Bonnie Booth, Fred Winthrop, and the Chair are the search committee and that he will notify the Board as the process continues.

Secretary Booth and Dr. Van Roo reported no comments.

Mr. Foster reported that Southeast District constituents would like to see a youth-day extension, or additional days, for any of the species currently hunted on a youth day.

Vice Chair Roche reported that he was very glad to report that Hunter Education Program courses are no longer seen as limited. The quality of the presentation of material is also seen as excellent. He stated that the loss of Bill Byrne is profound, and that no employee better epitomized the qualities of the agency than Bill did. Mr. Roche also reported that he had been confronted by a friend who complained that sand from Sunderland was being trucked to Bird Island; got quick answer from ADT and staff: was by competitive bid, and qualities needed in sand was found at that location.

Mr. Sears reported that he had attended the BCLSC dinner, noting that Commissioner Ron Amidon and League President Dan Miraglia were also present. He reported that Tom Tynning and Gene Chague had been honored and were present. He noted that the 14-day limit to request to address the Board seriously impeded Mr. Miraglia from making a presentation today, and that he would like to see it addressed. He stated that Mr. Miraglia and other concerned citizens want to address drawdowns, herbicide use, etc., on which reporting to the local conservation commissions is not always effective. He reported that in the following week the drawdowns at Onota Lake will be addressed at a meeting and MassWildlife staff will participate, he hopes to good effect.

Mr. Winthrop stated that he was very impressed by the presentation on dam removal, and that he is hearing more every day on barrier removal. He stated that there is talk about one on the Ipswich River, where he is, and that he would like to have more people to answer questions. He noted that opposition is almost always political, and he wishes there was a way to provide information without judgement, which would be a great benefit to affected communities.

A motion was made by Mr. Foster to move into Executive Session for the purpose of discussing certain land acquisitions and not return to open session. The motion was seconded by Dr. Van Roo. The motion passed unanimously.

Executive Session

Former Chief of Wildlife Lands MacDonnell introduced new Wildlife Lands Chief, Elizabeth Wroblicka, due to start in July, and presented fourteen proposed acquisitions, which were each reviewed and all were unanimously approved by the Board.

There being no further business, the meeting was adjourned at 4:00 P.M.

Respectfully submitted,

Bonnie Booth
Secretary

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

May Agenda

Draft April meeting minutes for review

Copies of Chair Larson's letters to Massachusetts Congressional Delegation in support of funding for The Cooperative Fish and Wildlife Research Units.

Personnel Report

Spreadsheet of Natural Heritage Fund Taxpayer Donations (1992 to 2014)

Documentation for the executive session