

## FINAL MINUTES

### **Natural Heritage & Endangered Species Advisory Committee (NHESAC)**

10/13/2022

DFW Field Headquarters, Southwest Meeting Room #103

1 Rabbit Hill Road, Westborough, MA 01581

*Meeting held virtually via Zoom*

#### **MEMBERS:**

Present: Mark Mello, Kevin Powers, David Small, Tim Flanagan, Bill Brumback, Matthew Sisk

Absent: Wayne Petersen

#### **ASSOCIATE MEMBERS:**

Present: Andy Finton, Russ Hopping

Absent: None

#### **AGENCY STAFF:**

Present: Director Mark Tisa, Eve Schlüter

#### **OTHERS:**

Present: None

– The meeting was called to order at 1:33 P.M. –

#### **1. Approval of Minutes from the 7/14/2022 Meeting**

Mark noted that the bee he mentioned at the last meeting that uses New Jersey tea as a host is a New Jersey tea dependent inchworm, not a bee. Mark will modify the July draft minutes and send it to Kevin who will pass it along to Jen for posting. We're voting on the unedited draft. After this clarification, Dave Small motioned that the July minutes be accepted, Kevin Powers seconded, and members voted unanimously to approve.

#### **2. Chair's Comments – Mark Mello**

No comments

#### **3. Board Member's Comments – Matthew Sisk**

Matthew Sisk was introduced by Eve Schlüter. Mr. Sisk is the new Fisheries and Wildlife Board liaison to the NHESP Advisory Committee. Mr. Sisk currently serves as the Executive Director of Civil Process and Community Corrections at the Norfolk County Sheriff's Office. Prior to working at the Sheriff's Office, Mr. Sisk was Deputy Commissioner of the Massachusetts Department of Conservation and Recreation. Director Tisa commented that Matt understands that MassWildlife is about all wildlife, not just hunting and fishing species.

Matt noted that he is very excited to join the Committee (a life's dream). His experience is originally from a non-hunting perspective as he grew up scouting with his father and being in nature.

Fisheries and Wildlife Board business:

Matt is familiar with DFW through his time with DCR and his own hunting and fishing experience. It's hard to believe DFW does all the work they do with the budget and staff they have. Other new Fisheries and Wildlife Board members were also noted:

- John Organ – USFWS Wildlife Scientist
- Emma Ellsworth – Exec. Director of Mt. Grace Land Trust
- Sasha Dyer – Manages an aquaculture facility in Turners Falls

Biographies for these new members are available on the MassWildlife website at <https://www.mass.gov/service-details/fisheries-and-wildlife-board-members>. Director Tisa added comments on the passion and experience of all new members. MassWildlife Director and staff are acclimating the new members with visits to the districts, etc.

Other business:

1. Vote: Pheasant season was extended.
2. Personnel hires
3. Coming up: Hearing to make it easier and more attractive to use MassWildlife lands for field trials and agility tests for hunting dogs.

#### **4. NHESP Report & Assistant Director's Report – Eve Schlüter**

Term limits:

- All Advisory Committee members term limits have expired. Members can be reappointed unless they are not willing or able to continue to do so. Please let Eve know as soon as possible if you are no longer interested in serving.
- Terms are typically three-year periods. Reappointment would be back dated to the termination of the last term. This varies by member, so the new terms will vary, as will the next expiration dates.
- Eve is also interested in back-filling some of the Associate Member positions, with a goal of increasing representation and diversity.
- Eve will move reappointments forward to the Commissioner for his approval and then it will be brought to the Fisheries and Wildlife Board. Members will receive an appointment letter indicating the length of their term.

Director Tisa's comments: Appreciates all member's service to the Committee, as well as their dedication, passion, and expertise. The Agency has evolved over the last 35 years beyond the "hook and bullet" to protect all wildlife (including plants), for all citizens of MA, to enjoy nature however they choose to enjoy it.

Eve will be giving an in-person overview of the NHESP to the new Board members (and the entire Board) on Nov. 7<sup>th</sup> at 9:00 AM in Westborough.

MESA online filing: For the next wave of the Heritage Hub – including MESA review paperwork, filings, and fees through an online interface. This will streamline the process, and new workflows will expedite

MESA reviews in a timely manner. It is great to move beyond paper and scanning to a much-improved system. NHESP staff will present the new system to the Committee in the future.

New hirings:

- Ale Echandi – from DCR – a new endangered species review biologist – focus on habitat management plans, agriculture, forestry, and NRCS projects. BS in Natural Resource Management from Cornell, JD from Northeastern, and 14 years' experience with DCR and consulting. Experience with rare species and wetland permitting and is hitting the ground running. This will be great for collaboration with DCR.
- Another review biologist position posted: Dedicated MassDOT liaison. The first round of interviews is underway. This position is a backfill for Dave Paulson's position, who is now at MassDOT. Dave will participate in the recruitment.
- Posted: Data Conservation Specialist. This position has been vacant for some time. Heritage Hub and other new data are coming into the program, so QC and data entry into the Biotics system is needed. SQL and database query experience will be important to add back into the program.
- Posted two contract positions from SCHMCAP funding from EEA: Will make offers to two people to lead BioMap outreach efforts – rollout, new constituencies (including EJ communities), provide technical assistance to municipalities (planning and grants, etc.), they will be out in the field. On board Nov. 7<sup>th</sup>.

BioMap update: Data are complete and it's very close to being released, and we're hopeful for a formal release within about a month's time. We're working on finalizing the IT, interactive map, and web content. There will potentially be a release event and Committee members will be informed if they would like to attend. Printed materials are ready to be distributed. Web, data, and interactive map will be released. The amount of content, and the complexity of data, including local and regional data, will be great additions. This version also incorporates Climate Resilience data. BioMap will be a living product that can more easily be updated.

- Question – Will it include coastal and offshore areas: Yes – Coastal Adaptation Areas and Tern foraging areas. Nothing beyond that, no marine resources, but could include the Ocean Management Plan content in the future.

New State of the Birds report (<https://www.stateofthebirds.org/2022/>): Rebound in some species (wetland species) but decline of terrestrial species (grasslands and forests), which is more of a reason for habitat protection and management.

Recovering America's Wildlife Act: Congressional resolution did not move forward. Several other potential approaches such as the National Defense authorization or stand-alone bill.

- Director Tisa's addition: Bipartisan support, but nothing will happen before the election or Thanksgiving. Organizations are working to keep it on the front burner. 70% of the American public support the bill. This would mean \$1.4 billion annually to meet unfunded needs. Ready to move forward when congress convenes.
- \$14 Million to MA annually if it passes. Very significant to enhance MassWildlife's ability to support SGCN, at risk, and endangered species. The SWAP will be the driver of that spending (species, habitats, threats, and strategies).

## 5. Update on next round of MESA List changes – Eve Schlüter

NHESP is starting the next round of MESA list changes. This was discussed with presented slides:

- Process for list changes. MESA – species listed as E, T, or SC – currently 432 species (173 animals and 259 plants)
- Must review the list every 5 years from statute, but not required to change it. NHESP has been reviewing every 3-4 years. 2020 was the last time the changes were completed:
  - 17 species changes: 9 added, 5 delisted, 3 status changes
- Condensed process and timeline noted: Written proposal, independent assessments, Heritage Advisory Committee presentation July 13, 2023, NHESP vote in October, MassWildlife Director presents to Fisheries and Wildlife Board, legal review, Commissioner, EEA, ANF review and approvals; Public Hearing, Approved MESA list changed published in 321 CMR 10.00, etc.
  - Dates may evolve
  - More complete steps and timeline will be sent to the Committee via email
  - Criteria:
    - i. Rarity, Trend, Threat – Best scientific evidence available -> List change recommendations (listing criteria online)
  - Examples:
    - ii. Hognose snake added in 2020 – listed as SC
    - iii. Smooth Woodsia – delisted because not seen in >25 years

## 6. Member's and Associate Member's Comments

**Wayne Petersen** – Not present

**Bill Brumback** – A question: Loon populations in Canada are doing well, but with the return of the bald eagle, Bill observed they are taking loon chicks. Does it happen here in MA? Eve – has not heard of the issue here but will ask Drew Vitz to see if he's heard anecdotally. Dave has found loon bands under eagle nests, so there is some predation, but he does not think it's effecting populations.

**Tim Flanagan** – No comment

**Dave Small** – Dave's question to the Director about Boston office transition. Answer: Moving to a more flexible office in Boston in the Saltonstall building. Some Boston staff are transitioning to the Westborough office, but many MassWildlife staff still need to be in Boston. Still managing more in person work in the context of COVID.

**Kevin Powers** – NOAA and NMFS – NOI for EIS to modify to large whale take plan – endangered right whale, finback, humpback – entanglements, fixed gear (lobster pots and to a lesser degree gill nets).

<https://www.federalregister.gov/documents/2022/09/09/2022-19335/notice-of-intent-to-prepare-an-environmental-impact-statement-on-modifications-to-the-atlantic-large>.

Intention is to begin a rulemaking process to amend the existing plan to reduce risk of mortalities and serious injuries of large whales caused by incidental entanglement in commercial trap/pot and gillnet fisheries along the US East Coast. This is a very political and biologically sensitive issue as Right whales are on a steady decline. Decisions are coming. What can NMFS do to mitigate the take of whales?

**Andy Finton** – Andy noted participation on two Technical Advisory Committees for studies focused on expanding solar energy capacity in the state, in keeping with the MA Clean Energy and Climate Plan, while minimizing the impact to MA habitats and natural lands and waters. One study is lead by MA DOER and the other by Mass Audubon.

**Mark Mello** – Advisory Committee field trip, went by the wayside due to COVID. We should consider whether we want to start this again.

**Russ Hopping** – Rare species listing – ME is going through the same process. Maine is listing salt marsh sparrow as endangered. Cliff and Barn Swallow are also listed. Eve added: There is collaboration among Heritage Programs, but the listing process is not in sync, and MA program/regulations are strong.

– The meeting adjourned at 2:55 P.M. –

Drafted by: Andy Finton  
Submitted by: Kevin Powers