



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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Jack Buckley, *Director*

COMMONWEALTH OF MASSACHUSETTS
DIVISION OF FISHERIES & WILDLIFE
BOARD MEETING MINUTES

Present: Michael Roche/Acting Chair, Bonnie Booth/Secretary, Ernest Foster, Stephen Sears, Dr. Brandi Van Roo, Fred Winthrop, Mary-Lee King/Acting Commissioner/DFG, Jack Buckley/Director, Mark Tisa/Deputy Director, Kris McCarthy/Associate Director/Administration and Finance, Todd Richards/Assistant Director/Fisheries, Michael Huguenin/Assistant Director/Operations/Acting Assistant Director/Wildlife, Craig MacDonnell/Chief/Wildlife Lands, Marion Larson/Assistant Director/Public Affairs; Eve Schlüter/Chief/Regulatory Review, Nicole McSweeney/Marketing Specialist, Captain Tony Abdal-Kabir/OLE; Public: Dave Morin, John Kellstrand, James Clune, Kristen Giddings.

Absent: Dr. Joseph Larson/Chair

Date: May 30, 2017

Location: Cronin Building, DFW Field Headquarters
Westborough, Massachusetts

Vice Chair Roche opened the May meeting at 1:15 P.M., reporting that he would be Acting Chair because Dr. Larson was not able to attend the meeting.

Acceptance of Minutes

Secretary Booth reported that she had a correction to the comments she had made at the April meeting. She provided a written copy to staff and read her corrected comments to the meeting. A motion was made by Secretary Booth to approve the minutes as amended from the April Fisheries and Wildlife Board meeting. The motion was seconded by Mr. Sears; the motion passed unanimously.

Acting Chair's Comments

Acting Chair Roche reported that it was hoped that Chair Larson would be at the June meeting. He reported that the event for former Chair George Darey was wonderful, a who's who of conservation in the state, and stated that Mr. Darey had enjoyed it, with many stories told about his years as a conservation activist. At the event, Vice Chair Roche reported that he had announced that the Board had established the George Darey Award, to honor a MassWildlife employee who had shown exemplary dedication to the agency's mission.

The Acting Chair also reported that he had at last completed the Massachusetts Hunter Education Program's Trapper's Education course and is now a licensed trapper. Stating that much has changed, he reported that the quality of the course was excellent, and he was pleased to say that he could finally fit it into his schedule. He also noted that fully half the class was made up of people wanting their Problem Animal Control licenses.

Acting Commissioner's Comments

Acting Commissioner King, serving while Commissioner Peterson was on vacation, reported that the house and senate had passed their budgets, and that MassWildlife is in good shape in both versions, which must go through conference committee to be reconciled. She reported that there were a few instances where legislators had tried to divert funds from MassWildlife's appropriation, but that she was able to educate them that such diversions are prohibited by federal law and the diversions were removed.

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Director's Comments

Director Buckley reported that the stocking event at Jamaica Pond with Governor Baker was very well-received and went off without a hitch, thanks to the staff.

He also reported that the National Fish, Wildlife and Plants Climate Adaptation Strategy working group had selected the Massachusetts Wildlife Climate Action Tool to receive its 2017 Climate Adaptation Leadership Award for Natural Resources, and that MassWildlife staff, and Jon Regosin, Nicole McSweeney, and John O'Leary, in particular, had worked hard on the cooperative project, so the award was very gratifying for the agency.

The Director stated that he wanted to point out one item in the budget: There was an amendment filed that wanted to give active duty National Guard members free fishing licenses. He stated that this was fine, but that any such fee reduction should be reimbursed by the General Fund so that the license-buyers' base of funding is not eroded, noting that such proposals had good intentions, but that the small proportion of license buyers were the ones who would be paying for it, which is not right.

Director Buckley also reported that, on July 6, MassWildlife will be hosting a workshop for Northeast Recruitment, Retention, and Re-activation (R3) Coordinators and others working on or interested in expanding their state's efforts in R3. He stated that one objective, supported unanimously by the Northeast Directors, was to organize a regional R3 subcommittee of that AFWA group.

The Director also reported that on June 3, the following Saturday, the Massachusetts Forest Alliance (MFA) would be holding its annual meeting at the Cronin Building, that staff is also working out a grant agreement with the MFA to fund the agency's NRCS employee and noting that it is good to have a good working relationship with this group.

Director Buckley also pointed out that the Chair had asked that some reports from the Cooperative Research Units be distributed to the Board in the members' meeting packet.

The Director reported that staff was working with the vendor to test selling *Massachusetts Wildlife* magazine subscriptions on the MassFishHunt license-sales system, and that he would advise the Board on how it goes at a later meeting.

Director Buckley reminded the Board that, on June 10, MassWildlife planned to offer its Open House, and that he was hoping for 2,000 people to come to meet the staff and learn more about the work of the agency. He noted that the Town of Westborough is celebrating its 300th anniversary on the same weekend, and that Town and local Rotary officials have been very helpful, providing parking near the theatre complex, a police detail, shuttle buses for visitors at other events around town, etc. He stated that staff has hunter-orange hats to give away, as well as an outfitted kayak donated by Bass Pro Shops to offer as a raffle item, and in general he was hoping for good publicity.

Old Business

Evaluation of the Revised MassWildlife Organization and Chart

Director Buckley reviewed the changes that were made in 2015 to the MassWildlife organizational chart and how it is working so far. He reported that the lack of some key managerial staff positions – the Assistant Director of Wildlife and the Office Manager for the Boston office, in particular – has prevented the full implementation of the plan because the Assistant Director of Operations and the Associate Director, respectively, were still doing two jobs trying to fill those gaps. He also reported that, despite the lack of full-time managers, the staff has generally increased coordination across sections with remarkable results, particularly in the Forestry/Habitat Management/Prescribed Fire functions. The Director reported that the current focus is on filling the vacant positions and supporting the work of the acting managers, and that there would be changes in focus as managers are found and more can be done.

USFWS Refuge Issues

Director Buckley reported that he sees two issues still to be resolved: 1) the implementation of the MESA on refuge lands: he reported that Chief of Regulatory Review Eve Schlüter had developed draft guidelines, which were

given to the USFWS two months previously, and that it was time to follow up; and 2) Management: USFWS Regional Director Wendi Weber had told the Director that the USFWS is reviewing the impact of refuges on wildlife management in the states. The Director asked to be first in line because he is concerned that now that the USFWS has the refuge in Southeastern Massachusetts, it will not cooperate with states' issues.

Status of Regulations

1. Dogs on WMAs

Director Buckley reported that the proposed dog regulation is still in the Secretary's office and that he is hoping it moves on eventually.

New Business

Personnel Report (Kris McCarthy)

Promotion

<u>Employee</u>	<u>Position</u>	<u>Location</u>
Timothy Matthews	Northeast District Wildlife Technician Wildlife Technician III	Ayer

New Hire

<u>Employee</u>	<u>Position</u>	<u>Location</u>
Cynthia Pratt	Hunter Education Support Staff Office Support Specialist I	Westborough

Ms. Booth moved that the Personnel Report be accepted as submitted; Dr. Van Roo seconded. The vote was unanimous in favor.

Staff-Board Working Committee (Brandi Van Roo)

Dr. Van Roo reported that she had been speaking with the Chair, Director Buckley, and Deputy Director Tisa about how to move forward productively on big issues that the public may have questions or issues with. She made a motion that the Acting Chair create a working group of Board members to work with staff on how issues that arise are rolled out to the public; Ms. Booth seconded. Discussion: Mr. Sears asked for clarification of what was proposed. Dr. Van Roo explained that this was in-house group to develop a strategy to present issues, including when to engage the public and stakeholders, and how to introduce potentially controversial new policies, noting that it is a staff-subcommittee effort that will report back to the Board in open discussion. Mr. Sears asked in what way the current process works that this is trying to fix, and Dr. Van Roo stated that this will begin a fact-finding process to find out how it does work. Mr. Sears stated that the Board was not then developing policy at this point, and Dr. Van Roo said, no, it was not. When there was no further discussion, the vote in favor was unanimous.

Birch Hill Young-forest Update (John Scanlon)

Habitat Project Leader John Scanlon reported that the Birch Hill project area was more than 10,000 acres in extent, involving parts of the Birch Hill Dam (US ACE; 3,755 of 4,528 acres), the Birch Hill WMA (MassWildlife; 575 of 4,655 acres), and the Otter River State Forest (DCR; 762 of 1,327 acres). Mr. Scanlon reported that barrens habitat was the focus of the project, which includes plantation conversions and pine/oak thinnings over several years. He stated that while barrens are widely recognized for their importance to rare plants and invertebrates, their value to early-successional wildlife, like ruffed grouse and snowshoe hare, is often overlooked. Noting that barrens occur on well-drained, sandy and acidic (nutrient-poor) soils, Mr. Scanlon reported that frequent disturbance, and especially fire, and thin soils historically limited tree growth on these sites. Healthy barrens have an early-successional structure with abundant ground cover, shrubs, herbaceous pockets, and scattered trees, all of which are needed for the state's many SWAP species' populations to thrive. Mr. Scanlon went on to explain that barrens were maintained for thousands of years by lightning-induced and native-set fires that promoted berries and improved hunting grounds. Fire suppression was initiated in the early 1900s to control wildfires, and, though necessary, suppression ended fire's longstanding influence on barrens and other important habitats. Mr. Scanlon

reported that, in the absence of fire, trees that were minor components in healthy barrens expanded and changed the habitat structure from dry, open, early-successional conditions to mesic, closed-canopy forest. Without fire, understory diversity is lost to the shading. He explained that the size of the openings, or patches, was critical to success, with 5-acre patches a minimum needed, 20-acre patches being preferred and +80-acre canopy removals very desirable. Mr. Scanlon reported that long-term markets for low-grade wood are key, because landowners need a way to pay for the logging done to remove the over-story trees, most of which are spindly and of little value.

Mr. Scanlon then showed the Board examples in photos of areas before and after treatment, and talked about the benefits of advance regeneration on the forest floor that would thrive when the canopy was removed, vernal pools, and a number of examples of the kinds of trees retained for diversity and seed, including different types of group retention and dispersed retention.

In response to a question from the Board, Mr. Scanlon reported that the DCR is restricted but not precluded from larger openings, its managers need authorization to make large openings in certain areas. He noted that Erving and Wendell state forests are both getting authorization to make larger cuts, in part thanks to the whippoorwill surveys of MassWildlife Restoration Ecologist Chris Buelow.

In response to another question, about markets for the wood, Mr. Scanlon explained that the markets of a couple of years ago were for biomass facilities in Western Massachusetts and out of state, not in the Northeast or Southeast. As natural gas and oil prices have fallen, the market took the financial incentive for wood-based power generation away, and he noted that you can't leave chips on the ground in fire-adapted habitats. He stated that, in other young-forest habitats, on state lands MassWildlife can just leave the wood on the ground to return to the soil and provide nutrients and habitat, but private landowners don't want to take trees down and leave them in the woods: they can't sell the logs and understandably don't want to pay the logger with no financial benefit to themselves.

The Acting Chair thanked Mr. Scanlon for his very informative presentation.

Draft Invasive Species Policy (Jon Regosin and Todd Richards)

Director Buckley reported that Dr. Van Roo has met with Chief of Conservation Science Regosin and Assistant Director for Fisheries Richards and discussed some questions. The Director stated that he thought the policy was not ready yet, so he advised tabling it for later discussion. The Acting Chair asked for a motion to table the matter until the July meeting; Dr. Van Roo so moved; Ms. Booth seconded, and the vote in favor was unanimous.

Update on the Large Animal Response Team (LART) MOU and the Bear-attack Protocol MOU (Michael Huguenin)

Acting Assistant Director for Wildlife Mike Huguenin explained that the MOUs were still being drafted by a team from both MassWildlife and OLE. He outlined each of the draft MOUs in turn, discussing the background and purpose, as well as the corresponding responsibilities of each agency involved, and the protocols to be followed during and after any incident.

After a brief discussion in which the Board asked questions about some of the draft language and proposed protocols, Acting Chair Roche thanked Mr. Huguenin for his work and his report and Captain Kabir, who had participated in part of the discussion, for his part in the work.

Law Enforcement Comments

Captain Kabir reported that as of the meeting date there had been one boating fatality. He also stated that he has participated in eight large-scale, multiple-day searches in the past 2 months, and that the equipment the OLE has recently acquired for search-and-rescue has been very helpful. The Captain also reported that four individuals in Hingham had been arrested for massive duck-limit overages and that the case has been successively adjudicated.

Acting Chair Roche thanked the Captain for attending the meeting and for his report.

Confirm Meeting Date

Members confirmed that the June meeting would be held on June 28, 2017, at 10:00 A.M., in the Richard Cronin Building. After a brief discussion, the members also chose July 18, 2017, at 10 A.M., for the July monthly meeting, and agreed to meet somewhere in the Southeast Wildlife District. Mr. Foster stated that he would work with the Southeast District Manager to find a suitable location.

Members' Comments

Mr. Foster reported that his son, currently a student at URI, has been helping with bald eagle banding and was enjoying the experience.

Mr. Winthrop reported no comment.

Dr. Van Roo reported that she had done some climbing as part of a research project.

Secretary Booth reported that the Worcester County League leaders were sponsoring a single bill that rolls several issues that they've been working on into one. Worcester County has also written a letter to the Joint Committee on Natural Resources with interesting information. She reported that she would send staff the letter for distribution to the Board at the next meeting.

Mr. Sears stated that he had a lot of interest in seeing the staff presentations from these meetings and appreciated them. He also stated that Acting Chair Roche had echoed his own enjoyment in the Darey event.

Acting Chair Roche stated that the Board needed to go into executive session for the purpose of discussing proposed land acquisitions whose negotiations would be compromised by discussion in open session. Dr. Van Roo moved that the Board go into executive session for this purpose and not return to open session but adjourn immediately afterward; Mr. Foster seconded the motion; the vote in favor was unanimous.

After the Executive Session, 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 at the May meeting

May Agenda

Draft April meeting minutes for review

University of Massachusetts at Amherst release via EurekAlert: "Massachusetts 'Wildlife Climate Action Tool' wins national award"

May Personnel Report

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

Memorandum from Tom Tynning to Steve Sears RE MassWildlife Board and Rattlesnakes, April 18, 2017

U.S. Geological Survey Massachusetts Cooperative Fish and Wildlife Research Unit: Update 2017

U.S. Geological Survey Massachusetts Cooperative Fish and Wildlife Research Unit: Biennial Report 2014-2015

U.S. Geological Survey Cooperative Fish and Wildlife Research Units Program: 2016 Year in Review (Circular 1424)

Land-acquisition documentation for the Executive Session