



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, Bob Durand, Ernest W. Foster IV, Stephen Sears, Dr. Brandi Van Roo, Mark Tisa/Director, Jon Regosin/Deputy Director, Kris McCarthy/Associate Director/Finance and Administration, Eve Schlüter/Assistant Director/NHESP, Michael Huguenin/Assistant Director/Wildlife, Trina Moruzzi/Assistant Director/Operations, Todd Richards/Assistant Director/Fisheries, Marion Larson/Chief/Information and Education, David Scarpitti/Turkey and Upland Game Biologist, Pat Huckery/Northeast Wildlife District Manager, Todd Olanyk/Central Wildlife District Manager, Jason Zimmer/Southeast Wildlife District Manager, Andrew Madden/Western Wildlife District Manager, Joe Rogers/Conn. Valley Wildlife District Manager, Captain Scott Amati/OLE

DATE: January 25, 2022

LOCATION: Zoom

Chair Larson opened the meeting at 9:00 a.m.

Acceptance of Minutes

A motion was made by Mr. Sears to accept the minutes from the December meeting as presented. The motion was seconded by Secretary Booth.

Chair Larson: yes

Vice Chair Roche: yes

Secretary Booth: yes

Dr. Van Roo: yes

Mr. Foster: yes

Mr. Sears: yes

Mr. Durand: yes

The motion passed unanimously.

Chair's Comments

Chair Larson stated that it is becoming clear that the public doesn't believe in science as it once did, and he pointed out that agencies like MassWildlife must continue to show that their work is science-based and rigorous despite the trends.

Commissioner's Comments

Commissioner Amidon reported that the final executed copy of the land management agreement with the U.S. Army Corps of Engineers (ACE) for the Birch Hill WMA has been received, so the ACE's land can now be managed in accordance with the agreement. He noted that the agreement stipulates that the proceeds from any timber sales can come back to MassWildlife and be put back into the management.

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The Commissioner thanked the entire team for their efforts and looks forward to seeing the habitat management work continued and expanded.

Director's Comments

Director Tisa stated that he had no comments at that time.

The OLE's Captain Scott Amati had technical problems joining the meeting, so Vice Chair Roche made a motion to table the Law Enforcement item until he could connect; seconded by Mr. Durand.

Chair Larson: yes

Vice Chair Roche: yes

Secretary Booth: yes

Dr. Van Roo: yes

Mr. Foster: yes

Mr. Sears: yes

Mr. Durand: yes

The motion passed unanimously.

Personnel Report (Kris McCarthy and Todd Richards)

CFO Kris McCarthy reported that Assistant Director for Fisheries Richards had been part of the interview team and asked that he provide the Board with the nominee's background and credentials. Mr. Richards presented the following nomination:

Promotion:

<i>Employee</i>	<i>Position</i>	<i>Location</i>
Christopher Marsden	McLaughlin Hatchery Technician	Belchertown
	Wildlife Technician III	

A motion was made by Dr. Van Roo to accept the Personnel Report as presented. The motion was seconded by Secretary Booth.

Chair Larson: yes

Vice Chair Roche: yes

Secretary Booth: yes

Dr. Van Roo: yes

Mr. Foster: yes

Mr. Sears: yes

Mr. Durand: yes

The motion passed unanimously.

The Chair was notified that Captain Scott Amati had joined the meeting.

Law Enforcement Comments

Captain Scott Amati reported that the previous month had been extremely busy for the MEP working on enforcement issues for the sister agencies. He provided the Board with an overview of actions connected to the hunting and other recreational seasons; a detailed report on recent OLE activities,

including numerous fish-and-wildlife-related examples of calls for service that Environmental Police officers had responded to in the previous month, both inland and marine; and the outlines of ongoing and recently completed investigations of suspected violations and infractions.

The Chair and Board members thanked Captain Amati for his detailed report. Mr. Sears asked that summary reports be made available to the Board members, both for the previous year and for the previous 5 years, for possible analysis of trends, as had been done in the past. Captain Amati stated that he would see to it that the reports were created and shared with MassWildlife staff for distribution to the Board members.

Pheasant and Small Game Hunting Regulations (Michael Huguenin and David Scarpitti)

Director Tisa gave the meeting a brief recap of recent actions that led to the regulation changes that would be proposed by Assistant Director for Wildlife Huguenin and Upland Game Biologist David Scarpitti. When the Board voted in July to endorse license increases, the Director had explained that the pheasant and quail permit would need to be created after ANF approved the fee because only the Board has the authority to create permits. As a result of his July presentation, the Board members asked the Director to research the possibility of extending the pheasant hunting season. Director Tisa stated at that time that he would look into it to determine whether any existing regulations or laws would prohibit it.

Director Tisa then reported that his staff had now done the review and the presentation of recommendations the Board was about to see was based on that review. The Director made it clear that the proposal would involve no additional stocking, but would be an extended opportunity to take holdover birds not harvested during the regular season.

Director Tisa reported that staff had also looked at existing small-game seasons, and the question arose whether there was anything that could be done about the existing sunrise-sunset hunting-hours limits on pheasant-stocked WMAs, as for an archery deer hunter during the archery season, so staff also investigated that question.

Assistant Director for Wildlife Mike Huguenin introduced Upland Game Biologist David Scarpitti, who reported that staff was recommending a simplification of the small game regulations in order to enhance hunting opportunities.

Mr. Scarpitti introduced the following proposals:

Create a late pheasant/quail season to overlap with primitive deer season, closing at the end of the calendar year, so that interested hunters could pursue previously stocked, unharvested birds. This change would also allow opportunistic harvest for hunters of cottontail, hare, etc. Mr. Scarpitti reported that the staff's expectation is for low to moderate participation in this activity.

Expand hunting hours on stocked WMAs and standardize hunting hours for pheasant/quail on all properties to between sunrise and sunset. Mr. Scarpitti reported that all hunters are currently restricted to hunting from sunrise to sunset on stocked WMAs, though many stocked WMAs are large and comprise multiple parcels where many other hunting opportunities exist. Staff proposed to expand hunting hours for hunters pursuing archery deer, bear, turkey, waterfowl, etc., on stocked WMAs to the hunting hours specified for that particular season. Another proposed change would also specify statewide sunrise-sunset hunting hours for pheasant/quail on all properties, not just on stocked WMAs.

Remove the WMA hunting implement restriction; standardize implements, i.e., shotgun and archery, for pheasant/quail. Currently, hunters can only use shotgun and archery equipment on stocked WMAs during the pheasant/quail season. As noted earlier, many stocked WMAs are large, composed of

multiple parcels, and offer many other hunting opportunities. Staff proposed to expand hunting implement options for hunters on stocked WMAs to allow the implements allowed for those respective seasons (e.g., bear and furbearers). In addition, the proposals would specify shotgun and archery equipment for pheasant/quail hunting on all properties statewide, not just on WMAs.

Simplify and expand hare/cottontail/gray squirrel season and remove the black-tailed jackrabbit season. Mr. Scarpitti reported that there are currently three different seasons and/or zone segments for hare, while gray squirrel and cottontail have two different season and/or zone segments. Staff proposes to create a single statewide season for each species and expand the gray squirrel season through February. Specifically:

- Hare: October 15 – February 28
- Cottontail: October 15 – February 28
- Squirrel: September 6 – February 28

Mr. Scarpitti explained that there has been no evidence of black-tailed jack-rabbit, an illegally introduced species, on Nantucket for years if not decades, so staff proposed to eliminate the black-tailed jackrabbit season currently in the regulations.

At the close of Mr. Scarpitti's report, Mr. Durand moved to direct staff to create draft regulations as outlined in the report and take them to a public hearing. Mr. Foster seconded the motion.

After a discussion of the proposals, Dr. Van Roo asked Mr. Scarpitti to address the staff's implied conclusion of a lack of impact to New England cottontails, which are not as plentiful as Eastern cottontails. Mr. Scarpitti reported that the New England cottontail had been briefly considered for listing by the U.S. Fish and Wildlife Service. In the interim, measures have been taken across the species' range and ultimately the staff determined that there was not a threat to them in the proposed changes. Hunters are much more likely to encounter Eastern cottontails than New England cottontails because the Eastern species is more numerous. He reported that, where they exist, New England cottontail populations have been shown to be robust and hunting success is difficult and inefficient. Even with well-trained dogs, actual harvest is extremely low. Staff also knows that compensatory takes are common, i.e., most of the individuals taken would have been taken by predators or died anyway. Massachusetts and the other states in their range continue to monitor New England cottontails, and staff has no reservations about hunting them. In sum, Mr. Scarpitti reported, the species is not an issue in Massachusetts.

Mr. Sears observed that, when the possibility of a late pheasant/quail season was discussed the previous year, he had raised the question of also extending the grouse season. He stated that hunters used to be able to hunt grouse to the end of the year. He asked for a status update as to findings and the possible science for including grouse in the season extension. Mr. Scarpitti explained that the staff discussion had centered around stocked species that are holdovers and very common game species. He reported that staff would need to focus on the specifics of grouse natural history and ecology, which warrant more investigation and consideration. Mr. Sears asked whether anyone remembered why grouse hunting was removed in the first place. Vice Chair Roche responded that the primary concern was the combined sources of mortality, adding that grouse are more vulnerable at that time of year, especially with the lack of cover in the late season.

Director Tisa added that there have been two major reviews of ruffed grouse. After the first, the season was shortened due to concerns over the population. There was another major review perhaps a decade before the present, Director Tisa reported, when staff was asked to take a second look at it. Again staff researched the issue and again confirmed that it was not appropriate to reinstate that season. Mr. Sears

thanked the three for their explanations, noting that he wanted it to be clear to constituents why grouse were not considered in the proposed changes.

Mr. Foster stated that he believed this was a golden opportunity to put before the public these opportunities for more time afield. Interest in hunting these species is growing and he stated that he wants the Board to know what the public thinks about these possible expanded opportunities. Mr. Foster then moved the vote.

Chair Larson: yes

Vice Chair Roche: yes

Secretary Booth: yes

Dr. Van Roo: yes

Mr. Foster: yes

Mr. Sears: yes

Mr. Durand: yes

The motion passed unanimously.

Director Tisa thanked the Board and stated that staff would proceed to develop the regulations, which, along with the approved hearing date, would be shared with the Board members and the public as soon as possible.

Natural Heritage and Endangered Species Advisory Committee Report

Chair Larson reported that a presentation was given on MassWildlife's partnership with MassHighway, which involves mostly redesigning bridges and improving culverts on roads. The program was a great success and has since expanded, including among other agencies whose work impacts habitat and the environment. The Chair asked that the same presentation be given to the Board at a convenient time.

He also asked the Board to note in the month's Heritage donation report that donations are maintaining the level they've reached over the past 3 years. He also pointed to very interesting recent increases in the size of individual donations.

Set February Meeting Date

Members discussed the date for the February Fisheries and Wildlife Board meeting, and, after a brief discussion, members selected Tuesday, February 16, 2022, at 1:30 p.m.

Member's Comments

Chair Larson reported that a bear and 3 cubs had crossed the road in front of his vehicle, a sign that the bears are not all hibernating all the time during the winter.

Mr. Durand reported that a \$27,000 habitat improvement grant had been awarded in his area. He asked to be notified immediately when any groundbreaking event is scheduled so he can get local legislators to attend. I&E Chief Larson reported that local legislators had been contacted about the grants by the EEA press office and by DFG's Legislative Liaison Mark Reil and that she would contact Mr. Durand for any associated event that might be scheduled.

Mr. Foster offered his kudos to Commissioner Amidon for all his hard work getting to the agreement on Birch Hill with the ACE.

Mr. Roche reported that the new license sales system is more difficult with older constituents because of its newness, and that he also learned from the head of Kalkomey customer service that Kalkomey is making changes in real time to provide the best possible experience.

A motion was made by Vice Chair Roche to move into Executive Session for the purpose of discussing certain land acquisitions and to not return to open session. The motion was seconded by Mr. Foster.

Chair Larson: yes

Vice Chair Roche: yes

Secretary Booth: yes

Dr. Van Roo: yes

Mr. Foster: yes

Mr. Sears: yes

Mr. Durand: yes

The motion passed unanimously at 10:25 a.m.

Executive Session

Deputy Director Jon Regosin presented four parcels for review and potential approval by the Board. Each parcel was discussed, voted on, and unanimously approved.

There being no further business, Mr. Durand moved that the session be adjourned. Secretary Booth seconded the motion.

Chair Larson: yes

Vice Chair Roche: yes

Secretary Booth: yes

Dr. Van Roo: yes

Mr. Foster: yes

Mr. Sears: yes

Mr. Durand: yes

The vote was unanimous, and the session was adjourned at 10:45 a.m.

Respectfully submitted,

Bonnie Booth

Secretary

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

Agenda

Draft December minutes

Personnel Report

Commendation letter RE Aquatic Education Coordinator Jim Lagacy

Spreadsheet of Natural Heritage Fund Taxpayer Donations (1992 to 2020)

Executive Session packet