



DIVISION OF FISHERIES & WILDLIFE

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

PRESENT: Steve Sears/Chair, Ernie Foster/Secretary, Bob Durand, Sasha Dyer, John Organ, Matthew Sisk, Mark S. Tisa/Director, Tom O'Shea/Commissioner/DFG, Eve Schlüter/Deputy Director, Kris McCarthy/Associate Director/CFO, Mike Huguenin/Assistant Director/Wildlife, Trina Moruzzi/Assistant Director/Operations, Todd Richards/Assistant Director/Fisheries, Jesse Leddick/Assistant Director/NHESP, Pat Huckery/Northeast Wildlife District Manager, Todd Olanyk/Central Wildlife District Manager, Joe Rogers/Connecticut Valley Wildlife District Manager, Adam Kautza/Coldwater Fisheries Project Leader, Susan McCarthy/Wildlife Biologist, Meghan Crawford/Community Engagement Biologist, Susan Langlois/HEP Administrator, Christine Smith/DFG/Assistant General Counsel, Jennifer Sulla/DFG/General Counsel, Captain Bill Woytek/OLE

DATE: November 13, 2024

LOCATION: MassWildlife Field Headquarters, 1 Rabbit Hill Road, Massachusetts, and on Zoom

Chair Sears opened the November business meeting at 10:00 a.m.

Acceptance of Minutes

A motion was made by Mr. Durand to accept the minutes from both the September business meeting and from the October business meeting. The motion was seconded by Dr. Organ; the vote in favor was unanimous.

Chair's Comments

Chair Sears thanked the Director and his staff for their work to run the public input sessions on trout stocking on the Deerfield River on October 17. The Chair stated that the Board would have an answer on the issue prior to the onset of spring stocking so that people who will be using the river will know what to expect. He noted that someone in one of the listening sessions asked why MassWildlife had a nonnative northern pike in its agency seal, and he reported that the fish depicted is a chain pickerel, which is native.

The Chair reported that the wildfire situation in the state is serious and that there is some data related to the use of black powder for hunting, so people should be very cautious generally while in the woods.

Chair Sears reported that he had attended the celebration at the Mount Washington State Forest Headquarters to honor Shawn Smith, who has volunteered with MassWildlife's paraplegic hunt for 50 years. He also reported that three of the four people who participated in that hunt took deer this year and he congratulated them. He reported that he had been invited and attended the annual meeting of the Deerfield Chapter of Trout Unlimited the previous month with Dr. Organ and was asked what Board would do about stocking the Deerfield River. He stated that he had given the same answer he had reported earlier in the meeting but that there were a lot of good conversations.

Chair Sears reported that he had attended the Berkshire County League's monthly meeting, and some issues were raised, including the zebra mussels in Lake Onota. He stated that fishermen are concerned

that applications of pesticides to control the invasive mussels were not done according to the regulations and that the public was not notified about the applications or the duration of their effects. At the same meeting, he reported, a question was raised about using electric bikes for hunting.

Chair Sears reported that, after the Board's December business meeting, a private event will be held by friends of Gene Chague to recognize his conservation accomplishments, including as the outdoor writer for the *Berkshire Eagle*, a position from which he is retiring. At the event, members of the Fisheries and Wildlife Board will present Mr. Chague with the Sargent Award, as voted at the October meeting. Mr. Sears reported that people are being asked to register for the free event online because refreshments will be offered.

Director's Comments

Director Tisa reported that MassWildlife was hosting a marketing workshop in the Cronin Building on the same day as the Board meeting. Various states from Virginia to Maine have representatives attending with MassWildlife's R3 Coordinator Astrid Huseby, to explore options for applying marketing strategies to R3 events and other promotions of state agency programs. Director Tisa reported that the states have come a long way in understanding the importance of marketing to reach people who have an interest in fish- and wildlife-related activities. He noted that MassWildlife will also be hosting the annual R3 workshop in the spring.

Director Tisa later reported that 10 MassWildlife staff members were actively assisting in containing and managing the many forest fires that were currently burning in Massachusetts and in Connecticut. Connecticut has very few staff trained in wildland firefighting and is struggling, so Massachusetts' expertise is welcome and very helpful.

Commissioner's Comments

Commissioner O'Shea shared some comments from the public listening sessions and the online feedback form for the Department's Strategic Plan and asked the Board members to review the comments and offer any last thoughts. The Commissioner reported that 60 verbal and about 200 written comments were received during the outreach effort, and that a number of themes had emerged, including some that also came out the biodiversity executive order listening sessions, such as using a nature-positive approach, ways to protect more land, climate-change mitigation, enthusiasm for a whole-of-government approach, and urban biodiversity. Commissioner O'Shea reported that his office is planning to submit its final Strategic Plan to the Governor's Office before the end of the year and he would like to hear from the Board in advance with any comments they may have about the comments DFG received. Noting that the Strategic Plan represents an historic opportunity, he encouraged everyone to take a moment to appreciate the amount of work staff has done and the very positive responses that work has received from the public.

Law Enforcement Comments

Captain Bill Woytek reported that four new officers will be starting in the western part of the state later this month. He also stated that MEP officers are making hunter checks for Archery deer hunting season and the pheasant hunting season, noting that officers are investigating some baiting issues. Captain Woytek reported that Lieutenant Tara Carlow had participated in the paraplegic hunt in the Northeast District. He also reported that he has one officer in the entire the southern region right now, so MEP staff is spread pretty thin.

Personnel Report

Assistant Director of Operations Trina Moruzzi presented a candidate for promotion at Westborough. She provided some highlights of Ms. Chamberlain's resume and qualifications.

Promotion

<i>Employee</i>	<i>Position</i>	<i>Location</i>
Debra Chamberlain	Program Coordinator Program Coordinator II	Westborough

Dr. Organ moved acceptance of the candidate; Mr. Sears seconded the motion; the vote in favor was unanimous.

Assistant Director for Fisheries Todd Richards presented a candidate for hire at Westborough to backfill Dr. Quiñones' position as Stream and River Project Leader. He provided some highlights of Mr. Ritz's resume and qualifications.

New Hire

<i>Employee</i>	<i>Position</i>	<i>Location</i>
Thornton Ritz	Stream and River Biologist Project Leader Aquatic Biologist IV	Westborough

Dr. Organ moved acceptance of the candidate; Mr. Durand seconded the motion; the vote in favor was unanimous.

Director Tisa presented a candidate for the newly created position of Assistant Director of Land and Habitat Conservation.

New Hire

<i>Employee</i>	<i>Position</i>	<i>Location</i>
Emily Myron	Assistant Director of Land and Habitat Conservation Manager VI	Westborough

Director Tisa provided details of Ms. Myron's resume and credentials, noting that she has currently a very successful policy position with The Nature Conservancy and is tremendously energetic, passionate, and knowledgeable about conservation and about what will be needed to take MassWildlife's efforts in land acquisition and habitat management to the next level. Director Tisa pointed out that the members had a memo from Ms. Ellsworth in their packets that contained her impressions of Ms. Myron's interview and her recommendation of her candidacy for the position. The Director stressed that this is a rare opportunity to hire someone of this caliber, and it is the work she knows MassWildlife is about to do that made Ms. Myron interested in applying for the position. The Director also noted that Ms. Myron brings a whole new set of contacts to the efforts MassWildlife is already making to forge partnerships and increase its acquisition and management activities.

Mr. Durand moved acceptance of the candidate; Dr. Organ seconded the motion; the vote in favor was unanimous.

Wild Trout Conservation Plan (Todd Richards and Adam Kautza)

Assistant Director for Fisheries Todd Richards reported that Dr. Adam Kautza is MassWildlife's Coldwater Fisheries Project Leader and its representative on the state's drought management task force, which is under the Massachusetts Water Resources Commission. Assistant Director Richards stated that the Wild

Trout Conservation Plan has been in development for about a decade and that Dr. Kautza has made significant contributions to the plan in his time with the agency.

Dr. Kautza reported that the Wild Trout Conservation Plan is intended to summarize the agency's knowledge of wild trout resources, to identify monitoring and research needs to improve staff's ability to manage and conserve wild trout, to outline MassWildlife's goals and objectives for wild trout management and conservation, and to develop products for the conservation of wild trout resources and for recreational anglers to better access and enjoy those resources. He provided a detailed review of the plan's four major goals and the objectives staff have identified under each. The goals are to:

- Protect and enhance Massachusetts wild trout fisheries and their habitats
- Ensure there are sufficient data and information available to effectively manage and protect Massachusetts' unique diversity of wild trout fisheries
- Provide a diversity of recreational angling opportunities for wild trout
- Communicate the value and sensitivity of wild trout and their habitats and encourage working partnerships with other conservation organizations and angling groups

He stated that the data used to develop critical pieces of the wild trout conservation plan largely came from fish surveys done by MassWildlife District staff, and he noted that although MassWildlife's stream survey data goes back many decades, the emphasis for this work is on surveys done in the last 25 years. He also reported that District and Headquarters Fisheries staff has reviewed the draft plan, offered suggestions and critiques, and made significant contributions to its current form.

Dr. Kautza detailed the wild trout stream classification system the Fisheries staff has developed, which classifies streams based on surveyed trout abundance relative to stream order [i.e., the size and number of tributaries they have] and the species present.

Class A ("High Quality" wild trout stream) → >90th percentile of trout abundance

Class B ("Quality") → 75th to 89th percentile

Class C ("Intermediate") → 50th to 74th percentile

Class D ("Limited" or "Marginal") → <50th percentile

MassWildlife has also developed a special classification for promoting the best wild trout fisheries to anglers, Massachusetts' Premier Wild Trout Fisheries. These streams have Class A or B total trout abundance; a greater than median abundance of larger individuals, which translates to roughly 6" for brook trout and about 8" for brown trout; a stream size conducive to angling, or more than 3.5 meters wide; parking availability; and public access. Dr. Kautza reported that 52 streams statewide, or 4% of the total, meet the criteria for Premier status.

The purposes and uses of the classification system are many, including to promote angling by creating web-based products and maps for anglers; for use in BioMap, where Class A and Class B streams are highlighted; to prioritize actions like land acquisition, conservation and restoration, stream survey locations, and work with DER related to dams and culverts; to work with the DEP, including on its Water Quality Standards and municipal water supply permits; and in the NHESP Environmental Review process.

Dr. Kautza closed his presentation by reporting that staff's next steps are to complete the final editing of the plan and provide it to the Board for review and comment, incorporate any feedback as needed, post plan to MassWildlife's web page, develop products specifically for anglers, and inform the Board of potential regulation changes that could require a public hearing.

Dr. Organ asked whether staff gathers data on improving or restoring connectivity. Dr. Kautza said not proactively, but when asked for those data, staff can pull out and share them. Assistant Director Richards added that, because Coldwater Fisheries Resources (CFRs) are in the state's water quality standards, locations where other agencies or individuals are working or contemplating restoration get flagged and MassWildlife staff is notified.

Mr. Durand asked whether Dr. Kautza has looked at the potential for increasing setbacks for CFRs. Dr. Kautza reported that that is not his role, so he hasn't. Assistant Director Richards reported that the Water Management Act of 2010 includes references to CFRs, so they are plugged into a lot of different places, including when assessing effects of stream flow changes and other impacts to streams.

Mr. Foster asked what kinds of products was Dr. Kautza referring to that were being developed? Dr. Kautza stated that staff is working on a mapping product that lets anglers enter criteria and choose parameters they'd search the streams for, to decide where to fish. He reported that the angler survey said respondents wanted more information, including where to go, etc. Mr. Foster asked whether the mapping tool was being promoted as catch-and-release only? Dr. Kautza stated that the regulations for wild trout streams are being developed, but CFR streams have done so well, staff does not feel regulated catch-and-release is needed on these streams. Also, voluntary catch-and-release has become the dominant method among anglers, anyway.

Ms. Dyer asked the status of MassWildlife's Teaching with Trout program. Dr. Kautza said participation is higher than pre-COVID now and new teachers and schools are joining the program every year. As the program continues to grow, he stated that ultimately the limiting issue will be a lack of time for Palmer Hatchery staff and himself to get to all the schools that want to participate.

Mr. Sisk asked about fish survey budgeting. Assistant Director Richards reported that District staff and the Westborough Fisheries Program staff prioritize areas they want to get to. Adding that there are 1,308 streams, so a lot of time could be devoted to surveys.

Chair Sears asked, with ten times the number of staff, what other projects would Dr. Kautza do. Many, many projects would be possible with that many staff, Dr. Kautza said. Chair Sears stated that he would hope to make a significant impact, but MassWildlife will need more resources. He suggested developing a list of projects that could be put forth to the administration that need more resources to accomplish. Assistant Director Richards stated that the next step is to ramp up the aquatic habitat restoration program to be on the level of the upland restoration program, both with the expertise and the staff to execute them. He said if you want to fix the fish, you need to fix the habitat.

The Chair and the members thanked Dr. Kautza for his work and his excellent presentation.

Board Member Proposed Fishing Regulation Changes (321 CMR 4.01[2]) (Matthew Sisk and Todd Richards)

Mr. Sisk read a statement:

Today I will be asking to consider sending new regulations to public hearing that will move Massachusetts forward as a leader in conservation and preservation of a natural resource. We have an uncommon opportunity to adopt regulations to protect a fishery in concert with a plan to restore a waterway to its more natural state. The forthcoming removal of the dam at the mouth of the Quinapoxet River will open the way for the return of salmon – from the Wachusett Reservoir – to once again spawn in this river. This is our opportunity to support the restoration of this natural habitat with appropriate, commonsense regulations. In concert with the dam removal and river restoration project, today we will hear from our staff a presentation on my draft regulations to create a carefully tailored

catch-and-release area of the river that still preserves all the current “put and take” angling opportunities as well as the future ones in the basin with the construction of a handicapped accessible fishing pier.

The regulations call for fish to be caught with barbless hooks and returned to the water, not only at the Quinapoxet but in all our catch-and-release waters. Barbless hooks make it easier to release fish. They reduce the time to unhook and reduce injury. They reduce the handling of fish. They reduce the amount of time a fish is out of the water. Studies show a reduction in fish mortality when using barbless hooks. I myself have seen, once the fish is netted and tension off the line, a barbless hook will pop out of the fish’s mouth with no need to touch it. The fish is then immediately released and quickly swims away. Catch-and-release regulations teach and encourage conservation and proper handling of fish. These are practices anglers will take to other waters. Expansion of our overall catch-and-release areas will bring the Commonwealth more in step with other conservation-minded states. It would also relieve pressure on our other catch-and-release areas. Catch-and-release areas are prized by many anglers for the healthier fish populations. Adding this designation to portions of the Quinapoxet would add a catch-and-release area to within 40 miles of Boston, increasing access to the state’s main population center. Please note, this is not fly-fishing only. It’s catch-and-release using artificial lures and barbless hooks. We are asking all who fish this area to help conserve the natural resource. I am not picking favorites between one type or another. As a board, we respect all anglers. We respect the tradition of catching fish to put on the table. These regulations would not impact that ability, as the most accessible areas of the river would remain put-and-take. I believe you will conclude, as I have, that these regulations are modest, common-sense measures that balance the various interests. They are measures that conserve our natural resources. When we vote, I ask for your support.

When Mr. Sisk had finished his statement, Assistant Director for Fisheries Todd Richards narrated the presentation of Mr. Sisk’s proposals. The first, a proposed gear-type change, would apply to all catch-and-release areas in the state, both existing and the proposed additional catch and release area to follow. The change would require that barbless hooks would be required in catch-and-release areas. Mr. Richards specified that the proposal was that hooks could be manufactured barbless hooks or, if manufactured with barbed hooks, the barbs may be pinched down to the hook shaft. He also noted that the requirement for artificial lures only in catch-and-release areas would remain unchanged.

Mr. Sisk’s second proposal was to create a new catch-and-release-only area on the Quinapoxet River, from the outlet of the Quabbin Aqueduct Oakdale Station in West Boylston upstream 1.45 miles to the first Massachusetts Central Rail Trail bridge, the Charlotte Kaplan Bridge, in Holden.

Ms. Dyer reported that she first heard about Mr. Sisk’s proposal when he presented it at a Worcester County League meeting the week before this meeting. She reported that a question was asked at that meeting about the proposed location. Being a fisheries professional, she reported deciding to tour the area herself, and said she could step over the river along most of it; the water level was currently very low. Ms. Dyer asked Mr. Sisk how he arrived at the idea and the location. Mr. Sisk reported that DER [the Division of Ecological Restoration] and the MWRA [Massachusetts Water Resources Association] were slated to invest several million dollars in a project to remove a dam downstream, partly in hopes that salmon will travel up from Wachusett Reservoir and spawn upstream. Mr. Sisk wanted to highlight the area in hopes of attracting catch-and-release enthusiasts from the Boston area. Ms. Dyer asked Assistant Director Richards what process the proposal has gone through to this point. Assistant Director Richards reported that it has been reviewed by Fisheries staff and by Senior Staff. Ms. Dyer asked what Senior Staff thinks of the proposal, since the presentation did not address the views of staff. Mr. Richards reported that there was no support for the proposal from MassWildlife’s Senior Staff.

Mr. Foster reported that he saw a marketing opportunity to promote the stream.

Mr. Durand reported that he had promised Mr. Sisk he would vote with him to send the matter to a public hearing, but that he still has concerns, particularly around the requirement to crimp any existing barbs. There could be serious unintended consequences for people who have been fishing in the area for decades who are not aware of the change in status and are approached by MEP officers while fishing in the restricted area. Mr. Durand reported he grew up fishing the area and has many friends who go out fishing with their grandchildren who may be caught unawares by the proposed changes in the regulations.

Mr. Sisk stated that Massachusetts is the only state in New England that doesn't have a barbless hook requirement for catch-and-release areas and that he believes the issue is education, reducing the handling of fish, and reducing release time.

Dr. Organ moved that the regulations proposed, creating a new catch-and-release area on the Quinapoxet River and requiring barbless hooks in catch-and-release areas statewide, be sent to a public hearing. Mr. Foster seconded the motion.

DFG General Counsel Jennifer Sulla reminded the Board members that they are not approving the exact wording of the new regulation because it must still go through several state general counsels before being finalized and approved to go to public hearing.

Commissioner O'Shea reported that he also has to sign off on and recommend the proposed regulations to the Secretary. He asked how this proposal on the Quinapoxet is different from the Stillwater River, which is already a salmon run. Mr. Sisk stated that he wanted to preserve the Stillwater River for a food source. He stated that people are concerned about environmental justice impacts and the taking of fish, so he is not recommending the measure for the Stillwater River.

The discussion continued. Mr. Durand reported that he is still concerned about environmental justice communities and older anglers in Worcester being taken by surprise by a regulation change.

Ms. Dyer stated that she understands the desire to have a catch-and-release area only 40 miles from Boston, but that the people of Central Massachusetts have already given up a lot for Boston, going back to the creation of the Quabbin Reservoir. She expressed her concern that any restrictions on the Quinapoxet would only diminish opportunities for local people.

Chair Sears stated that he was surprised that there was no support from the MassWildlife Senior Staff for this proposal and that he disagrees with Senior Staff. He believes the number of catch-and-release areas is small and there is an opportunity to promote them as premier fishing sites. He believes this outweighs the impacts of restrictions and that catch-and-release areas can be used to bring people in and introduce them to fishing. He stated that when he looks for a new place to fish, he looks for catch-and-release areas.

Ms. Dyer pointed out that, when you look at the data from the angler survey, people are already mostly practicing catch-and-release, so the "why" to take this action is missing and not supported by the data, and, as the Board hears in all the R3 presentations, the age of license holders is going up and sales are not. She stated that unless there is a data-driven reason to add restrictions, this regulation change does not support MassWildlife's R3 mission. She reported that she would vote to send the matter to a public hearing, but thought it was important to be clear about why it is being proposed. Assistant Director Richards noted that 4% of anglers are fishing primarily for food and that most people are practicing some level of voluntary catch-and-release for trout.

Dr. Organ stated that he takes exception to the statement that data aren't being considered. He has looked at the data and so have the rest of the board members. He stated his belief that the number of people put in harm's way by a regulation change requiring catch-and-release would be negligible.

Mr. Sisk stated that, regarding the fishing data, there are 190,000 fishing licenses sold and there were 3,700 respondents to the survey. MassWildlife stocks 500,000 trout statewide, so staff can put them in areas where the impact to people would be least.

Chair Sears expressed his appreciation to the Board members for working through their differences of opinion in public.

Dr. Organ called the vote; the vote in favor of sending the proposal to public hearing was unanimous.

Confirm the December Meeting Date

The December date was discussed; Chair asked that the meeting time be changed to 4:00 p.m. The members confirmed December 4; 4:00 p.m., in Dalton. The Chair stated that the Sargent Award would be presented to Gene Chague at a private event following that meeting. He also stated that if inclement weather interfered with travel, the meeting can switch to all online.

The members did not discuss the January meeting because Director Tisa asked them to wait to set January until Ms. Ellsworth returns. In the meantime, the Director said, he will work with Mrs. Sacco to poll members for January and February dates and times.

Members' Comments

Mr. Sisk reported that he had been a guest of the Worcester County League at its last meeting, and he had given a presentation about his proposal. He stated that the pheasant stocking in the Southeast is going very well, noting that he had met a number of hunters with no dog and that he saw many EPOs at Frances Crane WMA and Miles Standish State Forest. He also advised that the next Natural Heritage and Endangered Species Advisory Committee meeting had been rescheduled to November 14.

Ms. Dyer reported that she had observed pheasant stocking in the Northeast District this year. While accompanying staff on the stocking truck she met a person with very well-trained dogs. The lady was out with three dogs at 80 years old. Ms. Dyer greatly appreciated the opportunity to go out on the stocking truck. She offered her kudos to staff for their professionalism and hard work.

Mr. Foster stated that he was thankful for the signage efforts by staff. The new signs clearly identify MassWildlife's properties and the available parking.

Mr. Durand also applauded the staff for the season's pheasant stocking, saying they did an excellent job. He questioned the closure of Bolton Flats WMA to pheasant hunting for the third year. He also reported that the Essex County League, the Worcester County League, and GOAL are still concerned about the new gun law. He sees it as an ongoing issue and hopes that the EPOs are coordinated with MassWildlife in their interpretations and interactions with the public.

Dr. Organ also complimented the signage on MassWildlife's properties around the state. He reported that he had attended the annual meeting of The Wildlife Society in Baltimore. Several weeks before the presidential election, he stated, The Wildlife Society had reached out to both campaigns with a short questionnaire and neither campaign had responded. He lamented the lack of conservation advocates' ability to get on the national agenda. He stated that the importance of animals is well-understood, and that most companies use animals in their advertising. He stated that conservation organizations need to spend time researching the question and then use animals more prominently in conservation marketing and outreach.

Chair Sears reported an increase in the incidence of Chronic Wasting Disease [CWD] in New York State and stated that he would like an update on CWD in Massachusetts at an upcoming meeting. Regarding the new gun law and public awareness, he advised the board members to forward texts and emails with questions from constituents to the Director.

There being no further business, Mr. Durand moved to go into executive session for the purpose of discussing proposed land acquisitions whose negotiations would be compromised by discussion in open session and to adjourn immediately afterward without returning to open session. Dr. Organ seconded the motion.

Mr. Sisk: Yes

Ms. Dyer: Yes

Mr. Foster: Yes

Mr. Sears: Yes

Mr. Durand: Yes

Dr. Organ: Yes

The vote in favor was unanimous and the meeting was adjourned at 12:20 p.m.

Executive Session

There were six parcels presented to the Board for consideration. The parcels were each discussed, and each was accepted in a roll call votes of the Board members. The meeting ended at 12:38 p.m.

Respectfully submitted,

Ernie Foster
Secretary

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

November agenda

September minutes draft

October minutes draft

November personnel report

Emma Ellsworth memo to the members of the Board recommending Emily Myron

Christy Edwards email to Susan Sacco explaining the November 2024 DFG land protection budget

The November 2024 DFG land protection budget

Copy of a Worcester County League letter to MEP Colonel Chris Mason, carbon-copied to Director Mark S. Tisa

Documentation for the November executive session