



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

Jack Buckley, *Director*

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

PRESENT: Dr. Joseph Larson/Chair, Michael Roche/Vice Chair, Fred Winthrop, Ernest W. Foster IV, Stephen Sears, Mary-Lee King/Deputy Commissioner/DFG, Jack Buckley/Director, Mark Tisa/Deputy Director, Tom French/Assistant Director/NHESP, Kris McCarthy/Associate Director/Finance and Administration, Michael Huguenin/Acting Assistant Director/Wildlife/Assistant Director/Operations, Todd Richards/Assistant Director/Fisheries, Marion Larson/Assistant Director/Public Affairs, Craig MacDonnell/Chief/Wildlife Lands; PUBLIC: Jim Wallace, Chris Villani, Angela Rowlings.

ABSENT: Bonnie Booth/Secretary, Brandi Van Roo

DATE: February 22, 2017

LOCATION: Division of Fisheries and Wildlife Field Headquarters, Richard Cronin Building
Westborough, Massachusetts

Chair Larson opened the February meeting of the Fisheries and Wildlife Board at 10:05 A.M.

Acceptance of Minutes

A motion was made by Mr. Foster to accept the minutes from the January 2017 meeting as amended. The motion was seconded by Mr. Sears. The motion passed unanimously.

Chair's Comments

Chair Larson reported that on January 17 he went to the Connecticut Valley Wildlife District office and started a series of visits to District offices. He stated that he learned at Connecticut Valley about the large amount of staff time that goes into reporting, in hourly units of time, for Federal Aid, and that he was surprised by this. The Chair reported that on January 18 he went to a rattlesnake coordinating meeting at the DCR's Notch Visitor's Center in Amherst, arranged by Mike Jones. Chair Larson stated that 25 collaborators from state agencies, representatives of private organizations, and private individuals working on rattlesnake issues in the Pioneer Valley and the Berkshires were meeting for the first time as one group to discuss the issues. He also reported that on January 25 he had attended a Massachusetts Outdoor Heritage Foundation meeting in Westborough, and was pleased to see George Darey added to the board of directors after his retirement. The Chair reported that the first rattlesnake review meeting was held in Athol on January 30, stating that, unlike the informational meetings, there was no public input. The meeting was public and open so that people could listen to the group work. He reported that the members of the review working group came to agreement on an approach and the kinds of questions that would be asked of interested respondents. The review group also agreed to a draft of the survey form, and agreed to start a Website to disseminate information and solicit questions and comments. The Chair stated that another important agreement reached was to include all the rattlesnake sites across the state in the inquiry. He stated that the review group needed to start from the beginning and look at entire state program. Chair Larson reported that two members of the review group came with extensive comments and some questions. He thought this helpful because it allowed staff to immediately put together categories of comments and questions from the public. Listing the accomplishments of the review group to date, the Chair stated that the data collection form was on the Website and that email communication had been established. He credited Masswildlife staff with getting everything done and reported that the next meeting would be at the Belchertown Town Hall at 6:30 on February

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28, noting that a draft agenda would go out the following day. Deputy Commissioner King stated that she will be there in lieu of the Commissioner, who had a conflict that evening.

Mr. Foster asked how many more review meetings were anticipated; the Chair said, for now, the original number of four, but that this could change if need arose.

The Chair reported that he had visited the Central Wildlife District on February 6, stating that there is lots of storage there of equipment that is used all over the state. On February 8, the Chair and Mr. Foster had a conference call with Secretary Beaton, and the Chair reported they talked about the implementation of policies and getting out ahead of the public when new policies are rolled out. He also reported that he had asked Mr. Foster to meet with Deputy Director Tisa today to talk generally about how to roll out policies more effectively.

Chair Larson stated that there was a new permanent item on the agenda for reviewing old business.

Deputy Commissioner's Comments

Deputy Commissioner King stated that the governor had filed his operating budget and that the Department did fine. She also reported that the Commissioner was meeting with the Secretary on the day of the meeting on the capital budget. The Deputy Commissioner said the Department should know within a couple of weeks how much money the agencies will have for structural improvements, land, etc.

Director's Comments

Director Buckley reported he had a new employee to introduce: Elaine Brewer, who joined the agency from Marine Fisheries and would be working with both I&E and the Heritage Section. The Director also reported that former Black Bear and Turkey projects leader Jim Cardoza has been inducted into the National Wild Turkey Federation Hall of Fame as being instrumental in bringing wild turkeys back to Massachusetts. Director Buckley also announced his Spokane trip dates for the North American Fish and Wildlife Conference March 6-10.

The Director also reminded the Board members that Saturday, March 18, 2017, 8:30-12:30 A.M., was the date of Masswildlife's forum with TU, to strengthen ties and showcase the strength of our Fisheries collaborations. He also affirmed doing a review with OLE and stated that Masswildlife wants to proceed with a fairly full review, led by Assistant Director for Fisheries Todd Richards and Acting Assistant Director of Wildlife Michael Huguenin with some staff of the OLE.

Director Buckley pointed out that in the meeting packet was a letter from the Martha's Vineyard Land Bank, The Director stated that he has been told but doesn't yet have any letters from selectman in the towns on the island. He stated that he wants to start the process of thinking about the agency's strategy when this comes. The Director stated that his office had started researching the history of the Board's actions over the years on the Vineyard, and stated that he will have that ready when the Board and staff are ready to implement a strategy.

The Director reported the decision by UMass to not participate in the proposed 4-H shooting program. Noting that WSFR money comes from shooters, Director Buckley stated that he has long felt we need to engage and develop shooters. He reported that Masswildlife has Angler Ed, Hunter Ed, the Learn to Hunt, and NASP for archery, so the fishing-and-hunting side is pretty well covered. To clarify, he explained that 4-H came to Masswildlife and had asked us to support it. Nationally, 48 states have 4-H shooting programs. The proposal was that we would support the program with staff for 3 years, based in Westborough. The Director had met with 4-H and the 4-H Foundation, then met with UMass. Director Buckley reported that he had met with Dean Goodwin and had asked for a decision. After a month or more, the Dean called and said UMass was not interested. The Director reported that this bothered him because Masswildlife goes back to 1948 with UMass through the Coop Unit, has spent millions of dollars, and, based on that relationship, should have gotten more consideration from the university. Director Buckley stated that it was very unfortunate. He said it is not about guns, it's about safety, where we may save a kid's life by teaching them gun safety.

Old Business

Chair Larson reported that the Board had a new format for the agenda, and may offer other suggestions going forward. Each topic was an area that had been discussed in the past, and the Board wanted to follow up on developments.

Evaluation of the revised MassWildlife organization and chart

The Director stated that when he thought about the idea that we would revise it, he thought that one problem is that it has never really been implemented. As examples, he reported that Kris McCarthy was meant to work with programs, but the Boston office manager has never been filled. And when Laura Conlee left, Assistant Director of Operations Huguenin took over Wildlife. AS a consequence, neither has been able to fully implement. It is a subject of perennial discussion at the Director's weekly Administrators' meeting. The Wildlife Chief, in particular, is a critical, very active role, and hasn't yet been filled. The Chair asked that staff provide the old and new versions of org chart for the next meeting's discussion.

USFWS Refuge Issues

Relative to the Great Thicket, the Director stated that a large portion of Plymouth County has dropped out it, and stated that the key questions are how endangered species and hunting will work under the refuge. He reported that his staff has a meeting scheduled with Scott Kahan, Regional Director of Refuges; Eve Schlüter has done the endangered species work, while Laura Conlee had started and Mike Huguenin has completed work on the wildlife side. The Director stated that in cases like this working partnerships have to be real; also that wildlife management is a state's issue, and needed to stay that way.

Fire Policy

Deputy Director Tisa reported that Habitat Project Leader John Scanlon and Chief of Conservation Science Jon Regosin were working on draft fire policy, and have drilled down into the fine detail. He reported that a draft should go out to the Board in the month of March, then staff will bring a presentation to the April meeting, after the Board has had time to digest the policy.

Invasive Species Policy

Deputy Director Tisa reported that Assistant Director of Fisheries Todd Richards and Chief of Conservation Science Regosin were heading the writing team, and that they should have a draft to send to the Board in April, with a presentation at the May meeting.

Posting Staff PowerPoint Presentations on MassWildlife's Web Site

The Board had originally asked for staff presentations as PPTs on the Website. After discussing internally, Deputy Director Tisa reported that staff had started to experiment the day of the meeting with recording the PPT presentations through Join.me, so that they can be posted to the Website. After looking at it, staff has determined that the way to go is to digitally record the presentations because just posting PPT slides won't really help anyone, and may, in fact, only be confusing. The Deputy Director stated that staff will report back to the Board when they are available on the Website.

The Chair reported that he has heard about and asked about an analysis done of Mass.gov, and the popularity of our pages overall. Deputy Director Tisa affirmed that we are very content-rich, with many people interested in it, and Director Buckley noted that that's why we have hired Elaine Brewer.

Director Buckley stated that another example is the reaction and interest of all the people who came to the anniversary party last June. The bottom line, he said, is that we have to think like a business because we depend on license revenue, and we are working with the RBFF to develop a marketing campaign that will address those needs and opportunities.

Rattlesnake Conservation Project

Chair Larson noted that he had given a review in his comments, and that that was the best place to leave that item.

MESA regulations

Director Buckley stated that the maps are still not out, but indications are that they will be brought out shortly. Deputy Commissioner King said that they have had indications; but don't know where the map paperwork is, whether in the governor's office or with ANF. Deputy Director Tisa noted that the other regulation that is hanging fire is the dog-walking regulation, which is currently in the Secretary's office.

Director Buckley stated that there are three subjects coming the agency's way:

- 1) The next MESA regulation is a list change, because the list change must be done before new maps can come out. He noted that the change will be smaller but will still be a change, so the rollout may be controversial.
- 2) The dog regulations, like trails, will be controversial because some people will want to take and run their dogs everywhere.
- 3) Deer on Martha's Vineyard: it will be difficult to make everyone happy.

Mr. Foster stated that he appreciates the new 'old business' item, and that it is helpful to him as a new member to get caught up on issues of longer standing.

New Business*Correction of WMZ boundaries (Jonathan Brooks)*

Population Ecologist Jonathan Brooks gave the Board a very brief report on some boundary irregularities and other reasons to slightly adjust the WMZ boundaries in some places. The Chair asked that the Leagues be made aware of the impending change, so that sportsmen are not taken by surprise if their favorite hunting spot changes zones.

Vice Chair Roche moved that the matter be sent to a public hearing; Mr. Winthrop seconded; the vote in favor was unanimous.

Climate Change Adaptation in Fish and Wildlife Conservation (Rebecca Quiñones)

Assistant Director for Fisheries Todd Richards introduced Large-rivers Project Leader Rebecca Quiñones. In addition to those duties, she represents Masswildlife on the Massachusetts Climate Adaptation Partnership Committee and NEAFWA on the Advisory Committee on Climate Change and Natural Resource Science. He reported that, before coming to Masswildlife, Ms. Quiñones had researched climate-change effects on native fishes, and noted that she holds degrees in fish biology and conservation ecology. Ms. Quiñones detailed recent research of climate change impacts on fish and wildlife and introduced resources available to those working in management and conservation.

A brief discussion followed, and the Chair thanked Ms. Quiñones for her thorough and informative presentation. Mr. Sears stated that he has lots of questions, including about the effects of wind speed, etc. Ms. Quiñones stated that she could have mentioned that and does take it into account in larger issues, but that most of her examples come out of habitats she works in, so streams. Mr. Sears raised the point that there is also the issue of dams that are faulty and may be taken out to improve coldwater streams, and said he wondered about our role as an agency.

Schedule Public Hearing for the Expanded Youth Waterfowl Hunt, Early Goose Season, and the 2017-2018 Migratory Bird Seasons and Methods of Take on March 22, 2017, 12:00 P.M.

Waterfowl Project Leader H Heusmann gave the Board a brief introduction to the material he will be presenting at the waterfowl hearing they were being asked to schedule for the following meeting. Afterward, Mr. Foster stated that he lives in Scituate, and that the reversal of dates proposed takes away from hunters, and that he also would like to increase opportunity for youth (duck hunting being a better activity to engage new hunters) and bag limits.

Mr. Heusmann explained that we are not losing a day, and that it's not a shorter season; it just shifts backward. Also, duck hunters have made it clear that they like staggered opening days, so we try to have different opening days for the different species.

Vice Chair Roche moved to schedule the Waterfowl hearing on Wednesday, March 22, 2017, at 12:00.; Mr. Sears seconded; the vote in favor was unanimous.

Law Enforcement Comments

Captain Tony Kabir reported that the death toll continues to rise, with 12 4 ORV fatalities and 15 boating fatalities. He further reported that as of the date of the meeting, OLE had three OHV and 1 snowmobile fatalities, and that it was a worrying trend. He also reported good responses using sleds to do search and rescue in the Berkshires. The Captain reported excellent duck hunting violation investigations, including with gun violations, that resulted in arrests. He reported two hunting accidents, one involving a dog, and another of a hunter falling from a tree stand, since the last meeting. He reported that the OLE is projecting another manpower issue with an additional five to seven officers taking normal retirement.

Relative to the planned review in collaboration between Masswildlife and OLE, Captain Kabir stated that the agencies need to do a comprehensive review of M.G.L. Ch. 131 and its associated CMR. He stated that there is some resistance to raising fines, but he believes both agencies need to generally bring the fish and wildlife laws up to modern standards. After a brief discussion, Captain Kabir stated that he was making a formal request to review chapters 131, 131A, and their CMR with Masswildlife. He added that this may include some suggested fines, but that nothing has been formalized at this point.

Director Buckley agreed that this is a good thing to do; both agencies have the manpower, etc. He stated that the staffs would do it and then bring it back to the Board, if the Board agrees the staff can go forward. The Director also pointed out that the review is not about just bears, which was the original moment it was introduced, but the entirety of the laws and regulations.

Vice Chair Roche moved that Masswildlife staff work with the OLE to review, and recommend updates to the Massachusetts laws and regulations that both agencies work under; Mr. Foster seconded; the vote in favor was unanimous.

Natural Heritage & Endangered Species Advisory Committee Report

Dr. Joseph Larson reported that the Natural Heritage and Endangered Species Advisory Committee's January meeting was cancelled due to the major snow storm.

Set Meeting Date

Members confirmed the date for the March Fisheries and Wildlife Board meeting, March 22, 2014, at 10:00, at the Field Headquarters in Westborough, with a public hearing at 12:00.

Member's Comments

Mr. Foster offered no further comment.

Vice Chair Roche reported finding a dead Barred Owl in his yard, and has begun the regulatory process to possess, preserve, and donate it to the Mahar Regional High School.

Mr. Winthrop congratulated the Chair on a successful meeting.

Mr. Sears reported that he is glad to be on the Board, had met with Andrew Madden at Western District office, and also attended the recent County League meeting, and intends to continue to attend, bringing concerns and issues back to the Board meetings.

A motion was made by Mr. Foster to move into Executive Session for the purpose of discussing certain land acquisitions whose negotiations would be compromised by discussion in open session and not to return to Regular Session. The motion was seconded by Mr. Sears. The motion passed unanimously.

Executive Session

Chief of Wildlife Lands MacDonnell presented eight proposed acquisitions, which were each reviewed and approved by the Board.

There being no further business, the meeting was adjourned at 1:05 P.M.

Respectfully submitted,

Michael Roche
Acting Secretary

List of documents presented to the Board at the February meeting

February Agenda

Draft January meeting minutes for review

Sunday Telegram article, "End of the Trail; Unauthorized local paths to be discontinued under controversial state policy" (January 15, 2017)

Berkshire Eagle article, "Berkshire Woods and Waters: Steve Sears appointed to the Massachusetts Fish (*sic*) & Wildlife Board" (February 11, 2017)

Copy of memo from Chair Larson to the members of the Board, dated February 8, 2017

Draft regulations (clean and red-lined) for the 2017-2018 Migratory Bird Regulations at 321 CMR 3.02

Email from Karen Dolan to Susan Sacco, explaining why there was no spreadsheet of Natural Heritage Fund

Taxpayer Donations available for the February meeting packets

Land-acquisition documentation for the Executive Session

DRAFT