



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; Bonnie Booth/Secretary, Ernest W. Foster IV, Stephen Sears, Dr. Brandi Van Roo, Fred Winthrop, Ron Amidon/Commissioner/DFG, Jack Buckley/Director, Mark Tisa/Deputy Director, Kris McCarthy/Associate Director/Finance and Administration, Tom French/Assistant Director/NHESP, Michael Huguenin/Assistant Director/Wildlife, Trina Moruzzi/Assistant Director/Operations, Todd Richards/Assistant Director/Fisheries, Marion Larson/Assistant Director/Information and Education, Craig MacDonnell/Chief/Wildlife Lands, Nicole McSweeney/Promotion and Marketing, Ben Mazzei/Habitat Biologist, Chris Connors/Wildlife Technician/Connecticut Valley District, Captain Tony Kabir/OLE, Lt. Col. Brian Perrin/OLE; PUBLIC: Dave Morin, Dave Small, Laura Hagen

ABSENT: Michael Roche/Vice Chair

DATE: December 19, 2017

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

Chair Larson opened the December meeting of the Fisheries and Wildlife Board at 10:00 A.M.

Acceptance of Minutes

A motion was made by Ms. Booth to accept the minutes from the November 2017 meeting as presented. The motion was seconded by Mr. Winthrop. The motion passed unanimously.

Chair's Comments

Chair Larson asked Director Buckley about an action alert from ELM [the Environmental League of Massachusetts] regarding Senate bill S. 2181, which it is asking people to support. The Director stated that he understands that the bill seeks to make statutory the policy the Secretary of EEA has followed relative to the protection of Article 97 lands. He stated that he would advise the Board if it was something else.

The Chair also passed around an article written by Mark Blazis in the Worcester *Telegram and Gazette* about a children's book by NHESAC member Tom Rawinski.

Commissioner's Comments

Commissioner Amidon reported that Deputy Commissioner King sent holiday greetings to the Board and staff and hopes to return to work around January 5.

The Commissioner also reported on his longstanding project, the Birch Hill Outdoor Experience, stating that the mission statement and list of goals had been completed. He stated that it is predominantly an outdoor-classroom model and will be the largest demonstration area in central New England. He told the Board that he would share the mission statement and goals when both were finalized and formatted for distribution.

MASSWILDLIFE

Commissioner Amidon reported that Ducks Unlimited will be filming duck hunts in the Southeast zones and at Tidmarsh Farms, one of the agency's largest habitat restoration projects, during January 3-5, 2018.

He also reported that a meeting had been scheduled regarding the Hyannis kettle ponds and the Town of Barnstable's water needs, stating that there would be 15-20 people attending from seven state and national entities, to determine the effect a proposed series of wells would have on the kettle ponds. He noted that it is a unique habitat that the Department wants to protect.

The Commissioner also reported that the Department has requested a total of \$105 million in the Environmental Bond Bill.

Commissioner Amidon was asked if there was any further clarity about the statewide personnel cap and whether and how it would apply to MassWildlife. He reported that he had brought the matter up in the Secretary's commissioners' meeting and all agreed should be exempt, so it is being worked on now with Governor's office and the Commissioner hopes to get answers before the end of the year. The Commissioner was also asked to verify that the new Environmental Bond bill continues to have the presumption of openness of public lands, and the Commissioner affirmed that it does.

Director's Comments

Director Buckley reported that he had had a meeting a couple of weeks previously with the marketing manager of Cabela's about partnering to promote MassWildlife, and he thought it was very positive. Cabela's agreed to print and distribute Christmas-season shopping bags promoting buying licenses as gifts. There will also be an 'ad' in the spring flyer, and the agency's videos are running in the store.

Director Buckley pointed out that the Board's packets contained an email from Stewardship Associate Liz Newlands regarding ongoing changes in receptivity to the MassWildlife Walking Trails policy. The Director noted that the policy was working its way through the state, and that people are coming to accept it, though not all. He said there is still some misleading rhetoric out there, which staff is working to counter when it can.

Director Buckley reported that the early numbers indicate a good deer harvest, including 67 deer at Blue Hills. He noted that the Blue Hills hunt will in time become routine, similar to the way the Quabbin hunt is now perceived.

The Director also updated the Board on the Recovering America's Wildlife Act. He announced that the bipartisan bill was introduced in Congress the day of the meeting by Congressman Jeff Fortenberry and Congresswoman Debbie Dingell, and will now be debated. The Director stated that, if passed, the bill would bring an additional \$19 million to the state and would be transformative for the agency as it would more than double the current budget. In response to a request, the Director stated that he will send an update to the Board to share when AFWA and the other organizations working for it have finished reframing their messaging.

Director Buckley reviewed the upcoming regulatory process, noting that the dog regulations hearing would be held in February, then, in March, the proposed amendments to the deer hunting regulations and also possibly the migratory waterfowl. He proposed a late afternoon Board meeting in March, possibly conducting the waterfowl hearing at the end, and then holding a night hearing for the deer regulation, which might garner more interest. He reported that Senior Staff had thoroughly debated the dog regulations and that staff is ready to present the proposed regulation to the Board in January for its comments and any clarification that might be wanted before the hearing.

Deputy Director Tisa had given the Chair a document on the current regulation and policy process and had shared it in print with the Board. Director Buckley noted that the document lays out the legal and regulatory filing procedures and the steps staff goes through in bringing proposed changes and policies from inception through study, research, and drafting, to the Board and then to the public for comment. Dr. Van Roo explained the process that was followed in developing further the last part of the document, which directs staff to gather initial feedback from affected groups and constituents. She reported that this part of the process was left fluid to see how it works, and she posited that the rollout of the dog regulations will be a good initial test.

The Chair asked for an update on the Martha's Vineyard request of earlier in 2017 for information regarding increased deer management options on the island. Assistant Director of Wildlife Huguenin reiterated that he has reached out several times since then and the towns have not responded. A discussion ensued of possible reasons for this and actions staff might take as next steps. Dr. Van Roo asked if there is any way to let the public know MassWildlife has responded, so that it won't look like the agency has ignored the request, and this led to further discussion of possible means of making known MassWildlife's position. Mr. Foster, noting that there are many sides to the issue, commented that the agency should perhaps issue the 2017 deer numbers from the most recent harvest to set the stage, and then have the local papers pick it up. Dr. Van Roo added that Assistant Director Huguenin should perhaps respond on emails, including the conservation commissions and others in the community in the reply lists.

Old Business

Species Management on USFWS Refuges (Jack Buckley)

The Director reported that nothing had happened since the last meeting. The USFWS had cancelled a meeting scheduled for the previous week, having rescheduled for early January.

New Business

Personnel Report (Kris McCarthy)

<u>Employee</u>	<u>Position</u>	<u>Location</u>
Promotion		
Caren Caljouw	Prescribed Fire Restoration Ecologist Conservation Biologist IV	Westborough
New Hire		
Jody Simoes	Human Dimensions Project Leader Game Biologist IV	Westborough
Jesse Caney	Northeast District Wildlife Technician Wildlife Technician II	Ayer
Christine Chisholm	Fee Stewardship Coordinator Regional Planner III	Westborough

Dr. Van Roo moved acceptance of the personnel report as presented, Ms. Booth seconded the motion; the vote in favor was unanimous. Director Buckley offered his thanks to Ms. Caljouw, stating that she had been instrumental in putting the fire plan together and that he is very happy she has accepted the position.

Vote: 321 CMR 3.02(4)(o); Wildlife Management Zones (Jack Buckley)

The Director reported that no comments had been received in the public comment period and reminded the Board that the changes were of a clarifying, 'housekeeping' nature. He asked whether the Board required any additional information before taking its vote; none was required. Dr. Van Roo moved that the regulations be amended as proposed; Mr. Sears seconded the motion; the vote in favor was unanimous.

Canadian Wildfire Deployment (Benjamin Mazzei and Christopher Connors)

Habitat Biologist Ben Mazzei and Connecticut Valley Wildlife Technician Chris Connors tag-teamed a detailed report to the Board on their deployment to the Elephant Hill Wildfire in British Columbia, Canada, in August 2017. They reported that they were part of the Massachusetts Interagency Wildfire Crew, made up of 20 firefighters: 14 from the Department of Conservation Recreation, 2 from the Division of Fisheries & Wildlife, and 4 from the state of New Hampshire. Mr. Mazzei reported that it was an excellent opportunity to provide resources to areas of extreme need. He stated that it provided experience and training for MassWildlife and DCR firefighters for prescribed burning, and helped improve the efficiency, safety, and other technical aspects of prescribed fire on MassWildlife lands. It also gave them unique opportunities to work and strategize with firefighters from all over the world, including Canada, Australia, New Zealand, and Mexico. Perhaps most importantly, the deployment offered opportunities for advanced 'taskbook' certification that can only occur on an actual wildfire. In order to build our program with trained staff that is qualified on tasks that can only occur on wildfire.

The Board had numerous questions and then the Chair thanked the two staff for their service and their detailed and very interesting report.

Law Enforcement Comments

Captain Tony Kabir distributed hats to the Board, donated by the Environmental Police Officers Association. He stated that he was glad the Board liked them. He reported that OLE had experienced an uptick in hunter harassment calls: 13 from November 1 to the present; all are under investigation. Noting in response to a question that parking is more a trespass issue, he stated that harassment is hunters who've been impeded in some way in the act of hunting. He stated that there are both civil and criminal components. OLE has also had 750 hunting complaints: issues ranging from trespass to methods to active night-hunting, and he reported that there was also an uptick in that one-month period. The Captain also reported 250 hunting violations with 2 at the Blue Hills; both are active fraud cases. He noted that there continues to be excellent interagency cooperation with MassWildlife on hunting investigations, including of 130 cases of hunters who failed to get proper endorsements, which all go through the investigation process.

Captain Kabir reported that the MassWildlife-OLE Ch. 131 review panel will be reconvening in January after the hunting season, and he expects that it will bring recommendations to the Board later this year.

The Captain noted that members may have heard that six duck hunters from out of state were stranded in Lynn Harbor. Officer Colin Haynes took out a single 30-foot patrol boat and saved them all, including their birds. The Captain explained that they had hired a guide, but he was neither experienced nor

thorough in his planning and this was the third time this has happened to him. Guides are not licensed in Massachusetts, and Captain Kabir reported that OLE was looking at creating 'guide' regulations and requirements in the Ch. 131 discussions with MassWildlife, and that he team intends to propose standards and regulations that guides must be certified in and follow.

Lt. Col. Brian Perrin was also present. He stated that Colonel McGinn had hoped but was unable to attend, and that he sent his regrets and wishes for all to have happy holidays.

Natural Heritage and Endangered Species Advisory Committee Report

Dr. Larson reported that at the Natural Heritage and Endangered Species Advisory Committee's last meeting the Outreach Coordinator Elaine Brewer had given the sole presentation. He reported that she had done a very good job and that the promotion effort seems to be in good hands. He noted that she had reported an increase of natural history in recent scientific journals, and the Chair was happy to hear the presentation and know about the return of the importance of natural history.

EEA Secretary Matthew Beaton had joined the meeting, and was welcomed by the Chair. Director Buckley took the opportunity to thank the Secretary for the habitat-restoration monies his office has provided and also the grants program for private lands that he created. Secretary Beaton then made some brief remarks, stating that some of the themes of the Environmental Bond Bill are sustainable energy, climate-change adaptation, and environmental justice communities and community partnerships. He also stated that another focus of his in the Bond is the rural economy. He reported that his office is working with UMass to test the viability of using domestic wood projects in an engineered wood product with great commercial potential. He stressed the importance of the secondary, low-grade wood market, and reported that he is working with foresters to improve opportunities to utilize wood from habitat projects. The Chair and the Board members thanked the Secretary for attending and for his remarks.

Set Meeting Date

Members confirmed the date for the January Fisheries and Wildlife Board monthly meeting. Members had selected January 10, 2018, at 1:00 p.m., at the Field Headquarters in Westborough.

After some discussion, the following upcoming meeting and hearing schedule was agreed upon.

The February meeting will be held Tuesday, February 6, 2018; 3:00 p.m., then the public hearing on the proposed dog-leashing regulations will be held at 7:00 p.m. A snow date was also chosen: Tuesday, February 13, at the same times, respectively, would be the meeting and hearing date in the event of a weather emergency on February 6 [i.e., if the Governor ordered non-emergency Executive Branch personnel to not report for work as announced at <https://www.mass.gov/>].

The March meeting and hearing will be Wednesday, March 7, 2018; 3:00 p.m., with a 7:00 p.m. public hearing on the proposed extended archery season regulation.

The Board also agreed that the 2018-2019 migratory waterfowl public hearing should be held as needed, likely in early April. The Director stated that staff would begin the process with EEA and ANF to schedule a hearing and that he will advise the Board of the date needed as soon as possible, noting that the final regulations had to be filed with the U.S. Fish and Wildlife Service by April 30, 2018.

Member's Comments

Mr. Foster congratulated the social media staff for reaching 1,000 followers on Instagram, also noting that there are 27,000 followers on Facebook, and he praised the great content he sees on the agency's

page. He noted that he has been on the Board for a year; he has enjoyed the experience, and offered thanks to everyone.

Secretary Booth reported on a newspaper article on the Athol Bird and Nature Club Christmas Bird count, with a photo of a ruffed grouse. She also reported that the BOW [Becoming an Outdoors Woman] hunt at Forts Devens was very successful, that all were beginner hunters, and that each had their own personal guides. There were two bucks taken; one very large, and the hunter was very happy, but with no idea how amazing the animal was – very lucky to harvest a once-in-a-lifetime deer in her very first hunt.

Mr. Sears reported that the Berkshire County League of Sportsmen had had the Mass. Forest Alliance give a presentation on its common goals with the Berkshire Natural Resources Council, which works to make sure the public understands the cooperation between the organizations and the importance of forestry. Mr. Sears also reported that he had spoken to environmental advocates who want pesticide-use limitations on streams to be extended to lakes and ponds; he noted that he had already spoken to Assistant Director of Fisheries Todd Richards. He also reported that he had attended a holiday luncheon at the Western District office with Supervisor Andrew Madden and his staff and former chair George Darey, saying that it was a very enjoyable time.

Dr. Van Roo and Mr. Winthrop reported no comment.

A motion was made by Dr. Van Roo 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 Ms. Booth. The motion passed unanimously.

Executive Session

Chief of Wildlife Lands Craig MacDonnell presented 9 proposed acquisitions, which were each reviewed and unanimously approved by the Board.

There being no further business, the meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Bonnie Booth
Secretary

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

December Agenda

Draft November meeting minutes for review

Email from Liz Newlands to Jack Buckley, Tuesday, November 27, 2017; 3:07 p.m.; “Fwd: great success presenting at trails conference”

Personnel Report

Spreadsheet of Natural Heritage Fund Taxpayer Donations (1992 to 2015)

Documentation for the executive session