

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

JULY 16, 2024 COMMISSION MEETING MINUTES

Meeting Location: NH Fish & Game Department, 11 Hazen Drive, Concord, NH 03301.

Commissioners Present: R. Green, B. Temple, E. Stohl, J. Titone, P. DeBow, J. Caveney, C. Hodgdon, P. McGonagle, M. Hodgson & A.J. DeRosa.

Carroll County Commissioner seat: vacant

Commissioners absent/excused: All present

Executive Director Mason – Present

Chairman E. Stohl called the meeting to order at 1:00 p.m. He informed the audience that the public is entitled to attend all Commission meetings and when recognized by the Chairman, the public may speak on any item on the agenda. The Chairman reserves the right to limit comment to the extent necessary for the orderly conduct of the meeting.

ACTION ITEMS:

1.) Commissioner R. Green moved to approve the June 18, 2024 Commission Minutes, as written, and Commissioner A.J. DeRosa seconded. The vote was unanimous in the affirmative.

1a.) Commissioner R. Green moved to approve the June 18, 2024 Adoption Report on Findings of Fact, Conclusion of Law and Recommendation for Disciplinary Action Hearing minutes relative to the complaint against Commissioner Price and Commissioner A.J. DeRosa seconded. The vote was unanimous in the affirmative.

Commissioner R. Green moved to accept consent agenda items 2a – 2g, as presented below, and Commissioner A.J. DeRosa seconded.

2a.) The Commission accepted the donation of \$24.52 from Edward Harper, 5th grade student who raised money to donate towards Fisheries Management.

2b.) The Commission accepted the donation of \$125.00 from Kristine Barker, for use by the Department’s Advanced Search & Rescue Team.

2c.) The Commission accepted the donation of \$2,000 from the NH ATV Club, for use towards the purchase of a complete Total Station Package, to include reflectorless total station, tripod, pole with bipod, all in one prism, strobe prism, research table data collector, and forensic software and support subscription. This Total Station will be used for accident reconstruction and forensic mapping.

2d.) The Commission accepted the donation of \$1,000 from the Ruffed Grouse Society, The Bass Pro and Cabela’s Outdoor Fund, to go towards a habitat project on the Danbury Bog WMA in the Town of Danbury, NH.

2e.) The Commission accepted the donation of \$50.00 from Donald & Constance Miller, Middleboro, MA, in memory of Tim Pierce, for deposit into the Small Gifts & Donations Account.

2f.) The Commission accepted the donation of \$20.00 from Lynda Smith, Ellsworth, NH, due to overpayment on a resident trapping license, for deposit into the Small Gifts & Donations Account.

2g.) The Commission accepted the donation of \$75.00 made to the “Let’s Go Fishing” Program, from Michelle Angers & Tom Dooley, Contoocook, NH, in memory of Raymond Angers.

3.) Commissioner R. Green moved to accept six prize donations (listed below) generously provided by Sturm, Ruger & Company, Woodman Arms, Prime Archery, Morse Sporting Goods, The Ruffed Grouse Society, and the NH State Chapter of the National Wild Turkey Federation and A.J. DeRosa seconded.

These prizes are for participants in the 2023 Deer Hunter Mail Survey, 2023 Bow Hunter Survey, the 2023/24 Small Game Hunter Survey, 2023 Ruffed Grouse Wing and Tail Survey, and 2024 Spring Turkey Hunter Survey and will be awarded via random computerized drawings.

PRIZES:

2023 Deer Hunter Mail Survey (2 prizes)

Ruger American Rifle Generation II Model #46902, caliber 308 Win.
Valued at \$729.00, generously donated by Sturm, Ruger & Company

Woodman Arms Patriot Muzzleloader valued at \$1,000.00, generously donated by
Woodman Arms, Fremont, NH

2023 Bow Hunter Survey (1 prize)

Prime Inline bow valued at \$1,200.00, generously donated by Prime Archery and Morse Sporting Goods of Hillsborough, NH

2023-24 Small Game Hunter Survey (1 prize)

Ruger American Rifle with Vortex Crossfire II Rifle Scope (Model #16931)
Valued at \$799.00, generously donated by Sturm, Ruger & Company

2023 Ruffed Grouse Wing and Tail Survey (1 prize)

Charles Daly 601 12-gauge shotgun valued at \$309, generously donated by The Ruffed Grouse Society

2024 Spring Turkey Hunter Survey (1 prize)

Stevens 320 Turkey Thumbhole 12-gauge shotgun valued at \$269.00,
generously donated by NH State Chapter of the National Wild Turkey Federation

The vote on the above consent agenda was unanimous in the affirmative.

INFORMATION ITEMS:

1.) Financial Statement – no financial statement this month.

Kathy LaBonte, Chief, Business Division, provided the Commission with a spreadsheet of their Commission budget and will provide them with updates accordingly.

2.) Jared Lamy, Fish Habitat Biologist & Betsey McNaughten, Land Agent, came before the Commission and provided an overview of a future request to expend up to \$35,000 from the Fisheries Habitat Account to assist with the Wildlife Habitat Program in the acquisition of a conservation easement from the Town of Milan, NH.

Jared reported that through the Wildlife Habitat Program, the Department has entered into a purchase and sales agreement with the Town of Milan to acquire a conservation easement over 135.32 acres of agricultural land being identified as the River Land Tracts.

He further reported that The River Tracts consist of two parcels separated by the Androscoggin River, however, serve as a wildlife habitat connector across the Androscoggin River. Of the 135 acres, there are 29 acres of Silver Maple floodplain forests and oxbow marshes to attract numerous wildlife, including the Bald Eagle (SGCN), and rich alluvial soils to support state endangered-species satiny willow.

In addition, he further reported that the property encompasses the drainage of Stearns Brook, a cold-water fishery for wild brook trout, another (SGCN). The Wildlife Action Plan designates this Stearns Brook drainage and the norther half of the low-elevation spruce fir forest as a top ranked habitat. There is approximately 100 acres of prime agricultural soils currently in agricultural production under a license agreement with a local family farm, the only dairy farm in the Androscoggin Valley.

In closing, Betsey reported that in addition to riparian protection, this easement ensures hunters, anglers, and trappers will be able to access this property and its' resources.

Commissioner A.J. DeRosa moved to make this an action for vote today and Commissioner P. DeBow seconded.

Commissioner R. Green stated that he was not in favor of moving this to an action item for vote today, as he believed the Commission should have an opportunity to visit the site and do any necessary research before being asked to vote.

Commissioner J. Caveney stated that he agreed with Commissioner R. Green and questioned, "Why not offer for the Commission an opportunity to go view the site, walk around and ask a few questions?" He asked that the Commission be involved and updated on future projects, as constituents are likely to call their local Commissioner to seek information on the projects.

Betsey McNaughten agreed to do so.

Commissioner M. Hodgson reported that the Commission has a Resources & Infrastructure Committee and stated that the Commission discussed better engagement to keep this committee updated on upcoming projects in the works, site visits, etc. She reported that the committee was responsible for gathering information, making site visits, and reporting that information back to the full Commission.

Director Mason reported that he and Dan Bergeron, Chief, Wildlife Division, attended a Resources & Infrastructure Committee Meeting and were prepared to provide a presentation and the agenda was not followed and the committee spent 50 minutes on unrelated subjects, such as boat landings. He further reported that the presentation was forwarded to the committee after the committee meeting.

Commissioner B. Temple made a motion to move the question and Commissioner A.J. DeRosa seconded.

The vote on the above motion to make this an action was 8 in favor, 2 opposed (B. Temple & R. Green). The motion carried.

The vote to expend up to \$35,000 from the Fisheries Habitat Account to assist with the Wildlife Habitat Program in the acquisition of a conservation easement from the Town of Milan, NH, was unanimous in the affirmative.

COMMITTEE STRUCTURE:

LEGISLATIVE COMMITTEE: Public policy development & recommendations, as well as Commission advocacy before legislature.

Commissioner Price, Chair; Commissioners: Caveney, DeBow, Hodgson & Green.

Staff members: Kevin Jordan & Marty Mobley.

Chairman E. Stohl reported that the committee did not meet.

GOVERNANCE COMMITTEE: Commission professional development, education & policy recommendations related to Commission conduct & activities.

Commissioner Caveney, Chair; Commissioners: Temple, Hodgson & Titone.

Staff member: Cheri Patterson.

Commissioner J. Caveney reported that the committee did not meet.

SUSTAINABILITY & STRATEGIC PLANNING: Agency funding, development & oversight of strategic plan.

Commissioner Hodgdon, Chair; Commissioners: Caveney, DeRosa, Hodgson & Titone.
Staff member: Scott Mason.

Commissioner C. Hodgdon reported that the committee was still in the process of reaching out to Commissioners & Division Chiefs seeking feedback on the action times. He reported that after reviewing the feedback, he would provide an update at the next meeting.

RESOURCES & INFRASTRUCTURE: Policy recommendations related to agency infrastructure; including facilities, public access, habitat & wildlife.

Commissioner Green, Chair; Commissioners: Caveney, DeRosa & Temple.
Staff member: Dianne Timmins.

Commissioner R. Green reported that the committee did not meet.

PUBLIC ENGAGEMENT & EDUCATION: Engagement, partnership, awards, public recognition & education strategies for the public & interest groups.

Commissioner DeRosa, Chair; Commissioners: DeBow, Hodgdon & Price.
Staff members: Dan Bergeron, Kevin Jordan & Cheri Patterson.

Commissioner A.J. DeRosa reported that the committee did not meet.

SEACOAST REPORT: Commissioner J. Titone.

Commissioner J. Titone reported that he participated in a Bureau of Ocean Energy Management (BOEM) virtual meeting on July 10, 2024 covering the Draft Environmental Assessment for commercial windfarms in the Gulf of Maine. The purpose of the meeting was to determine whether to issue leases within the wind energy areas of the coasts of New Hampshire, Maine and Massachusetts, and the potential impacts on the environment. The environmental impacts measured were for noise, air emissions, habitat degradation, vessel traffic, bottom disturbance and entanglement.

He reported that there were two alternatives.

Alternative A – no leases granted.

Alternative B – to offer some or all of the wind energy areas for leasing.

He reported that the WEA (Wind Energy Area) covers over 2 million acres, with the closest lease area to NH being 57 miles off the coast.

In closing, he reported that public comments to BOEM are due by midnight July 22, 2024. Comments are to be submitted to www.regulations.gov with the docket no. BOEM-2024-0030.

LAKES MANAGEMENT ADVISORY COMMITTEE: Commissioner Price.

No report.

NH RIVERS MANAGEMENT ADVISORY COMMITTEE: Commissioner Hodgdon.

Commissioner C. Hodgdon reported that the committee would be meeting on Friday, July 19, 2024 to consider lease of a piece of state owned land in Claremont, NH, between a road and a railroad track adjacent to the Sugar River, a very small parcel.

SEARCH COMMITTEE: Commissioners: M. Hodgson, Chair: Commissioners: E. Stohl, R. Green, J. Caveney & C. Hodgdon.

Commissioner M. Hodgson reported that the committee finished interviews for the Executive Director position and would be making a candidate recommendation to the full Commission. She further reported that she would be making a motion to go into a non-public session at the end of the meeting to have further discussion.

NOMINATING COMMITTEE: Commissioner C. Hodgdon, Chair; Commissioners: Caveney & Titone.

Commissioner C. Hodgdon reported that the Nominating Committee queried the full Commission as it related to their desire to run for a Commission Office.

The feedback was:

2 - Commissioners interested in serving as Chairman.

1 - Commissioner interested in serving as Vice Chair.

1 - Commissioner interested in serving as Secretary/Treasurer.

Commissioner C. Hodgdon proposed that the Commission conduct the election as it has in the past, by ballot, with only the committee seeing how each Commissioner votes.

He reported that the process would be as follows: he would nominate both interested Commissioners for Chairman, there would be a second, and then the Commission would place those names for consideration. After which, both interested Commissioners will be afforded an opportunity to make remarks, afterwards, Commissioners will have an opportunity to make any comments before the ballot voting.

Commissioner R. Green moved to have the voting be done in the public and Commissioner A.J. DeRosa seconded.

Commissioner J. Caveney reported that it was done by ballot in the past and felt that Commissioners deserve to write down a name and submit it by ballot.

Commissioner C. Hodgdon responded that the Commission went to ballot voting when a few Commissioners contested it a few years ago.

Commissioner R. Green stated that the Commission has been questioned and encouraged to be transparent so much lately, he stated, “I think we should be voting in public. “

Attorney Mark Lucas reported that he believed the vote should be done in public, unless it would adversely affect someone’s reputation. He reported that all the voting he has witnessed done by the Commission is done in the public, where they can see how each Commissioner votes, if done by ballot, the public will not see how each Commissioner votes.

Commissioner P. DeBow agreed with ballot voting.

The vote to conduct the election of officers in the public failed with 4 in favor, 6 opposed (P. DeBow, B. Temple, J. Caveney, C. Hodgdon, J. Titone & P. McGonagle).

At this time, Commissioner C. Hodgdon reported that the Commission would be voting by the raising of hands.

Commissioner C. Hodgdon moved to nominate Commissioners E. Stohl & R. Green for Chairman and Commissioner J. Caveney seconded.

At this time, Chairman E. Stohl spoke to his candidacy for Chairman and stated, “Let me provide you with a little history on me.”

- Appointed to the Fish & Game Commission by Governor Sununu in 2017 with a term to expire in 2022.
- In 2017, Chairman Phillipson named Commissioner Stohl as the Chair of the Legislative Committee due to his extensive experience in the legislature.
- In 2019, named Chair of the Search Committee, which consisted of two searches, as the first candidate submitted to the Governor was rejected.
- In 2020, named Chairman of the Fish & Game Commission, during the peak of COVID, where meetings consisted of virtual Teams meetings. At the same time, the Department had a new Executive Director that needed assistance.
- In 2021, re-elected as Chair of the Fish & Game Commission.
- In 2022, reappointed to the Fish & Game Commission by Governor Sununu with a term to expire 2027.
- In 2022, Commissioner R. Green elected Chairman of the Fish & Game Commission.
- In 2023, re-elected again as Chairman of Commission, and again took part in the search for a new Executive Director.

He further reported that the last six months have been focused on the Commissioner Price matter and that he was burnt out. He reported that most Commissioners were not aware of the numerous issues that the Chairman has to handle. He stated, “I have tried to handle them the best way that I know how.”

He stated, "I do understand some of you are not happy with some of my decisions, especially with respect to the Price matter, however, if you really take the time to read the RSA's and the timeline of events, you'll have a better understanding as to what I had to do. We are a good Commission and I appreciate each of you. At this time, I decline to seek another term as your Chairman. Thank you."

Commissioner A.J. DeRosa thanked Commissioner E. Stohl for his many years serving as Chairman and always having integrity.

Commissioner C. Hodgdon reported that Attorney Lucas brought to his attention 91-A:II Meetings Open to Public, subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public. Except for town meetings, school district meetings, and elections, **no vote while in open session may be taken by secret ballot**. Secret ballot is not an approved method of voting while in public meetings, in open session.

Commissioner C. Hodgdon reported that the Commission would proceed with voting by a show of hands.

The vote for Commissioner R. Green as Chairman was unanimous in the affirmative.

Commissioner C. Hodgdon moved to nominate Commissioner M. Hodgson for Vice Chair and Commissioner P. DeBow for Secretary/Treasurer and Commissioner R. Green seconded. The vote was unanimous in the affirmative.

Commissioner M. Hodgson moved that page 10 of the Commission Handbook be updated to add the following language for consistency: "Election of Officers will be done in public by vote", and Commissioner R. Green seconded. The vote was unanimous in the affirmative

OLD BUSINESS: Commissioner R. Green inquired as to the progress on videoing Commission Meetings.

Director Mason responded that the Department had not obtained prices yet on a new method of recording meetings and would keep the Commission updated.

NEW BUSINESS:

COMMISSIONERS REPORTS: Commissioners will report on their recent activities as it relates to Fish & Game Commission duties and responsibilities. This is an informational item only.

Commissioner C. Hodgdon thanked Director Mason, Dan Bergeron, and staff, in organizing a public informational meeting on July 31, 2024 in Pembroke, NH, relative to human/bear interactions/conflicts. He reported that there has been increased activity in

bear/human interaction and staff offered to provide some education and information. He stated, “I think it’s great and applaud staff for doing that”.

DIRECTORS REPORT:

Director Mason reported that he presented a request before the Capital Budget Committee for an additional \$2 million dollars to go along with the \$4.6 million dollars to cover the costs of fixing hatchery roofs, doing structural repairs, sealing tanks, and developing predator control methods. He further reported that the Department requested money for a new heavy equipment trailer and backhoe.

In addition, he reported that the Department hosted a meeting with the NH Cooperative Extension and the Department of Agriculture to review rules, policies and procedures pertaining to animal damage. Discussion also took place regarding the fencing program, depredation permits, bear damage payments and the right of property owners.

He further reported that he attended the Marlow Selectmen’s Meeting to express concern over a pending Fish and Game land purchase in their community.

In closing, he reported that he would be attending Coos Planning Board Meeting on Wednesday, July 15, 2024.

Commissioner P. DeBow inquired if this was Director Mason’s last Commission Meeting as Executive Director.

Director Mason responded that he was not sure. He stated that to his knowledge his last day is August 8, 2024, however, Governor Sununu could ask him to be a “hold over” until his replacement is confirmed and in place.

Commissioner P. DeBow stated, “It was a pleasure”.

Chairman Stohl reported that he believed Director Mason could serve a few more months to accommodate the Executive Director hiring process.

CALL TO THE PUBLIC:

Linda Dionne, Raymond, NH – stated that it was a pleasure working with Director Mason. She further stated that she objected to Commissioner P. DeBow being re-elected to continue as the Commission’s Secretary/Treasurer as his term has expired. She recommended that the Commission have a policy in their Commission Handbook that all Commissioners serving as Commission Officers will have at least a year left on their term.

Attorney Lucas responded that Commissioner P. DeBow was simply a “hold-over” until he is either reappointed or replaced. If not reappointed, the Commission will replace him as Secretary/Treasurer at that time to fill the vacancy.

Kristina Snyder, Chester, NH – thanked a few Commissioners for reaching out to her after her public comment last month. She asked that the Department expand information on

raccoon hounding again, reminding the public to keep dogs on a lease. She thanked the Department for putting out a Public Service Announcement and stated that she appreciated it.

She further expressed concern over the hounding of bears. She cited a bear hound hunter during training posting on social media how “this little sucker” put up a good fight, ran 6 miles, bear got away, K-9’s got scratch up but ok. She stated that she considered this harassment of wildlife and asked that the Commission have another presentation on hounding on wildlife, as she felt there were no clear answers as to what is legal or acceptable, and that she did not see much punishment. She further stated that she had lost all faith in Law Enforcement and asked that the Department explain what is ok make it clear for the public.

She thanked the Commission for their time.

At this time, Commissioner M. Hodgson moved to go into a non-public session pursuant to RSA 91-A:3, II[c], given that the subject matter of the meeting involves the consideration of employment applications, and given that such matters, if discussed in public, would likely affect adversely the reputation of such applicants and Commissioner C. Hodgson seconded.

At 3:10 p.m., Commissioner R. Green moved to come out of non-public session and Commissioner B. Temple seconded. The vote was unanimous in the affirmative.

Commissioner R. Green moved to seal the minutes of the non-public session and Commissioner P. DeBow seconded. A roll call vote took place, Commissioner P. DeBow, “Yes”, Commissioner B. Temple, “Yes”, Commissioner R. Green, “Yes”, Commissioner J. Caveney, “Yes”, Commissioner M. Hodgson, “Yes”, Commissioner E. Stohl, “Yes”, Commissioner C. Hodgdon, “Yes”, Commissioner J. Titone, “Yes”, Commissioner A.J. DeRosa, “Yes”, and Commissioner P. McGonagle, “Yes”. The vote was unanimous.

Commissioner R. Green asked that Commissioners think about what committees they wish to serve on and to let him know.

At 3:12 p.m., Commissioner R. Green moved to adjourn and Commissioner P. DeBow seconded. The vote was unanimous in the affirmative.

Eric Stohl, Chairman
NH Fish & Game Commission