

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

AUGUST 20, 2024 COMMISSION MEETING MINUTES

Meeting Location: Great Bay Discovery Center, 89 Depot Road, Greenland, NH 03840

Commissioners Present: R. Green, B. Temple, E. Stohl, J. Titone, J. Caveney, P. McGonagle, & A.J. DeRosa.

Carroll County Commissioner seat: vacant

Commissioners absent/excused: C. Hodgdon, P. DeBow & M. Hodgson

Executive Director Mason – Present

Chairman R. Green 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.

He reported that the Commission would be trying a new recording method today, called “Meeting Owl”, and encouraged everyone to keep side discussions at a minimum as the recorder is voice directed and we want to focus on capturing the meeting discussion.

ACTION ITEMS:

1.) Commissioner E. Stohl moved to approve the July 16, 2024 Commission Minutes, as written, and Commissioner A.J. DeRosa seconded. The vote was unanimous in the affirmative.

1a.) Cory Riley, Manager, Great Bay National Estuarine Research Reserve, reported that the Reserve falls under the Marine Division. She reported that they receive monies from NOAA (National Oceanic and Atmospheric Administration) to conduct programs that align with the Department’s mission and goals. She reported that they offer education programs for K-12 and have approximately 6,000 students participate in those programs each summer. She further reported that they offer teacher trainings, which they can take back to the classrooms and use. In addition, she reported that as part of the New Hampshire Fish & Game Department, they work with many partners to address urgent, complex problems like how to protect water quality, sustain local fisheries, manage our natural lands, and adapting to a changing climate.

She further reported that they have 7 full-time positions and 4-6 part-time positions, with a huge volunteer crew, some of which have been volunteering for over 25 years. Through their research, monitoring, stewardship, education, and community outreach programs, we share what we learn at our Reserve with decision makers, educators, students, and citizens throughout New Hampshire. As a member of the National Estuarine Research Reserve System, we work with partners nationwide to protect people and places along America’s coasts.

Cory encouraged everyone at the meeting to take some time to tour the grounds & the visitor center. She announced that there would be a tour of Glenn Cove after the Commission Meeting for anyone interested.

Chairman Green thanked Cory for the overview and for hosting the Commission Meeting.

2.) Consent Agenda - The following items were grouped together and were noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission voted to approve these matters as presented. Commission members may remove certain items if further public input or discussion is deemed necessary.

Commissioner A.J. DeRosa moved to accept consent agenda items 2a & 2b, as presented below, and Commissioner P. McGonagle seconded.

2a.) The Commission accepted the donation of ice fishing equipment made to the “Let’s Go Fishing” Program, valued at \$250.00, from Tim Moore Outdoors, Laconia, NH.

2b.) The Commission accepted the donation of \$9.00 from Stephen Otis, Newmarket, NH, for deposit into the Small Gifts & Donations Account.

The vote to accept consent agenda items 2a & 2b was unanimous in the affirmative.

INFORMATION ITEMS:

1.) Financial Statement – Kathy LaBonte, Chief, Business Division.

Commissioner E. Stohl questioned the loss of \$1M dollars reflected in the June Financial Statement.

Kathy explained that during fiscal year 2024, the department used \$1M of the Fish and Game Fund reserve to cover expenses for the same time-period.

2.) Dianne Timmins, Chief, Inland Fisheries Division, came before the Commission and provided an overview of proposed updates & reclassification of trout waters. (See attached for full presentation)

Dianne reported that the Department wanted to get this information out to Commissioners as soon as possible and make them all aware of the process in case their constituents inquire about it. She reported that she would get the list of affected waterbodies to the Commission by Friday, August 23, 2024.

She further reported that there would be two informational sessions held to present the proposed future changes to the trout fishing rules and to solicit public input. She reported that management goals were not being met and habitats have changed. She stated that the primary goal of this new direction is to find a balance between the biological realities of suitable habitat for the fish and angler opportunity for all user groups.

INFORMATIONAL SESSIONS:

- 1.) August 27, 2024 -Fish & Game HQ, 11 Hazen Drive, Concord, NH - 6:00 p.m.
- 2.) August 29, 2024 -Region 1 Fish & Game Office, 629B, Main St., Lancaster, NH -6:00 p.m.

Discussion took place amongst the Commission in regards to the proposed changes.

Commissioner E. Stohl stated, “I’m going to be watching this like hawk, as my county is in for a culture shock. I will get this information out to my constituents, as I do not liking what I am hearing here. I think you are going too far, too fast. When you go from a 5 fish limit to a 2 fish limit, that’s drastic change.”

Commissioner A.J. DeRosa inquired, “With the warming waters and our wild trout in general, as well as for the sake of current and future Commissioners, are there things that we aren’t doing that we should be doing, such as recovering habitats and planning for wild trout waters as we go forward.”

Dianne responded, “Yes”, it’s all part of this concept, what waterbodies can sustain trout, which ones can’t and put the proper restrictions on accordingly.’

Commissioner B. Temple stated that he had some questions about waterbodies in Sullivan County and would get those questions to Director Mason. He stated that did not need an immediate response, 30-60 days, whatever works.

Commissioner P. McGonagle stated that he had the same thought as Commissioner A.J. DeRosa, in that this is just one-step in a larger picture to improve the fishery.

Commissioner J. Caveney inquired if there had been any discussion or thought with respect to removing the bag limits on “undesirable fish” in trout waters.

Dianne responded, “Absolutely we have had those discussions, however, research studies show that unfortunately, the more bass and perch you remove/harvest, the more successful they are at egg laying and increase tenfold, within a two year period they are all back.”

Chairman R. Green stated that he agreed with Commissioner E. Stohl in that this is going to come as a shock to many. He further stated that his biggest concern was if we were eliminating the opportunity for a child who wants to fish with a worm and bobber.

Dianne responded, “No, we are opening up a lot of waterbodies that you can do just that.”

Director Mason reported that the number of waterbodies that you can use bait would go up and the number of fly-fishing only waterbodies would go down.

Chairman R. Green asked for the informational sessions to be well advertised.

COMMITTEE STRUCTURE:

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

Commissioner Stohl, Chair; Commissioners: Caveney, DeBow, Hodgson & McGonagle.
Staff members: Kevin Jordan & Marty Mobley.

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

Marty provided a Legislative and Rules handout to the Commission and reported that it was informational only and that the Commission would need to vote on it at next month's meeting.

Fis 400 – Inland Fisheries Rules
Fis 603.06 – Saltwater Smelt Rules
Fis 603.24 – Possession Exceeding Daily Limit

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

Commissioner Hodgson, Chair; Commissioners: Temple, Caveney & Titone.
Staff member: Cheri Patterson.

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

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

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

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

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

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

Commissioner A.J. DeRosa 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, as they could not obtain a quorum.

SEACOAST REPORT: Commissioner J. Titone.

Commissioner J. Titone reported that earlier in the month, Nicola Whitley, Chief, Public Affairs Division, reported that there had been a change in the recreational cod & haddock rules. He reported that the Gulf of Maine cod still has one fish per day limit, with an increase in the minimum size from 22 to 23 inches, and the minimum haddock size increased from 17 to 18 inches, with an increase in the daily possession limit from 10 to 15.

He further reported that the American Lobster Board initiated an amendment to delay the lobster gauge increase that was implemented from Amendment 27 to July of 2025, to better prepare for reduced landings and market disruptions.

LAKES MANAGEMENT ADVISORY COMMITTEE: Commissioner P. McGonagle.

Chairman R. Green reported that the paperwork for Commissioner P. McGonagle to represent the Commission and serve on this committee was going through the process and he was awaiting confirmation.

NH RIVERS MANAGEMENT ADVISORY COMMITTEE: Commissioner C. Hodgdon.

Commissioner C. Hodgdon was absent, therefore, no report.

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

Commissioner M. Hodgson was absent from the meeting, however, Chairman R. Green reported that Governor Sununu nominated a new Executive Director of the Fish & Game Department, that nominee had a hearing before the Executive Council, and the nomination will be voted on at the upcoming Governor & Council Meeting on August 29, 2024.

OLD BUSINESS: Chairman R. Green reported that he plans to present the poaching bill language before the Legislative Committee at next month's Commission Meeting.

Marty Mobley, Legal Coordinator, reported that staff would be discussing the bill language during next week's Senior Staff Meeting.

NEW BUSINESS: N/A

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 P. McGonagle reported that his Daughter, a certified teacher, took a class offered by the Department called “Growing Up Wild” and could not say enough about how great the class was and that she plans to incorporate some of the activities into her outdoor education with her students.

DIRECTORS REPORT:

Director Mason reported that the Department of Natural & Cultural Resources has had a request to extend the ATV trail season on the CT Lakes Headwaters Tract. He reported that the Fish & Game Department was opposed to the season extension, and that it would now go before the Citizens Advisory Committee, who will provide all the information to Commission Stewart for her to make a decision.

Commissioner E. Stohl moved to oppose the extension of the ATV season on the CT Lakes Headwaters Tract and Commissioner A.J. DeRosa seconded.

Commissioner E. Stohl elaborated on his motion and reported that Representative Chandler was the sponsor of a bill 22 years ago and he was the co-sponsor to close the ATV season on October 1st each year due to it being a safety issue and conflicting with bird season. He further reported that roads in the North Country are heavily traveled during bird season, hilly, and if a hunter shoots at a bird in the road and an ATV is coming the other direction, it would be very dangerous. He asked that this be a unanimous vote of the Commission.

Commissioner A.J. DeRosa stated that he felt it was a safety issue, as well, as there are a great deal of dogs in the roads during bird season.

The vote to oppose the extension of the ATV season on the CT Lakes Headwaters Tract was unanimous in the affirmative.

He reported that the Coos County Planning Board is entertaining a proposal that would change the protections of PD3 and PD4 areas. Since 1990, there has been a long-standing ordinance that protects our fisheries, deeryards and critical habitats in unincorporated places. He reported that Coos County has a Planning Board to deal with only unincorporated places. We are still concerned that if the Planning Board decides to do away with these zoning ordinances, it could allow these places to be developed.

Further, Director Mason reported that the Department received the Governor’s Budget Guidelines. The Governor has asked the Department to reduce General Fund spending by 4%, also asked us to level fund spending out of Fish & Game fund. He reported that if the Governor does not add the \$2 million dollars back into our budget to offset pay raises, the Department is facing a 44% reductions in general funds in the next biennium. He reported that the Department is in process of compiling the budget now, with 15 working days remaining to complete it. He

further reported that the Department was working with the Governor's Budget Director to try to address the shortfall.

In addition, Director Mason reported that the Study Committee to Study Funding for The Fish & Game Department met last week to try to establish a sustainable funding source for the Department. He reported that to date only Band-Aid type approaches had been taken instead of securing a sustainable funding source. He reported that the Department's responsibilities have increased with no extra money or help. He reported that the Department testified for two hours at the meeting and that the next meeting would take place on August 29, 2024. The Committee asked that a Commission Representative attend, as well.

Chairman E. Green reported that he would attend the Funding Study Committee Meeting and asked the Commissioners what they would like him to be asking.

The consensus from the full Commission was that the Department's responsibilities have increased with less help and no additional funding to take on the additional tasks expected of them.

Commissioner E. Stohl stated, "We cannot be self-sufficient any longer and need general funds. We need to fight and push general fund monies."

Chairman R. Green stated that he agreed with Commissioner E. Stohl and felt that the agency has taken on additional responsibilities with costs going up.

Commissioner A.J. DeRosa stated that within the next few years marijuana would likely be legalized in New Hampshire and feels the Department should consider going after a Non-Game Tax on the Marijuana Bill. He reported that this would solve a massive fiscal crisis and the Department could justify funding all nongame operations through that. He stated, "I think it's a reasonable ask for legislation on this."

Commissioner J. Caveney inquired about the Rainy Day Fund containing approximately \$2 million dollars and its uses. He stated, "This discussion just spins its wheels!" For example, he recommended we say "No" in regards to taking on AOT (Alteration of Terrain) permits and tell DES (Department of Environmental Services) they own it, not us! He stated that this discussion was very difficult for him, as he likes to be prepared for discussions like this.

Director Mason reported that the Strategic Planning Committee has taken up the funding issue in the past.

Commissioner J. Caveney moved to have Chairman R. Green, on behalf of the Commission, make an appeal to the Funding Committee, for the need for general fund monies

for the Department and Commissioner E. Stohl seconded. The vote was unanimous in the affirmative.

CALL TO THE PUBLIC:

Steve Angers, Conway, NH, spoke to his displeasure with the proposed updates & reclassification of trout waters. Steve stated, “To say I’m disappointed would be an understatement.” He stated that the department could not operate its’ fisheries in a vacuum. He reported that other states allow fishing 12 months a year now and felt that the department was going backwards. He stated, “Anglers can go elsewhere to catch brook trout, they don’t have to come here.”

In closing, he stated that the department needed to think about the effects of these massive changes. He stated, “I’m sure you will be getting plenty of response to it, as I plan to circulate the proposals.”

At 3:10 p.m., Commissioner E. Stohl moved to adjourn and Commissioner A.J. DeRosa seconded. The vote was unanimous in the affirmative.

Ray Green, Chairman
NH Fish & Game Commission