



MASSWILDLIFE

## DIVISION OF FISHERIES & WILDLIFE

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Jack Buckley, *Director*

COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF FISHERIES & WILDLIFE  
BOARD MEETING MINUTES

Present: Dr. Joseph Larson/Chair, Michael Roche/Vice Chair, Bonnie Booth/Secretary, Ernest Foster, Stephen Sears, Dr. Brandi Van Roo, Fred Winthrop, George Peterson/Commissioner/DFG, Mary-Lee King/Deputy Commissioner, Jack Buckley/Director, Mark Tisa/Deputy Director, Kris McCarthy/Associate Director/Administration and Finance, Todd Richards/Assistant Director/Fisheries, Michael Huguenin/Assistant Director/Operations/Acting Assistant Director/Wildlife, Craig MacDonnell/ Chief/Wildlife Lands, Marion Larson/Assistant Director/Public Affairs; Eve Schlüter/Chief/Regulatory Review, Jon Regosin/Chief/Conservation Science, Caren Caljouw/Habitat Biologist, Nicole McSweeney/Marketing Specialist, Anne Gagnon/Land Agent/Northeast District, Jim Cardoza/Archivist, Lieut. Anthony Wolski/OLE; Public: David Small, John Kellstrand, Dave Morin, Frederick Errington, .Allen Rutberg and 18 students/Tufts/Master of Science in Animals and Public Policy program

Date: April 19, 2017

Location: Cronin Building, DFW Field Headquarters  
Westborough, Massachusetts

Chair Larson opened the April meeting at 10:10 A.M. He welcomed the attendees, including students from Tufts University Cummings School of Veterinary Medicine's Master of Science in Animals and Public Policy program.

### Acceptance of Minutes

When the Chair asked for a motion to approve the March draft minutes, Mr. Sears stated that the minutes should be corrected to say that in his comments the dinner he had mentioned attending was a local game dinner. A motion was made by Ms. Booth to approve the minutes from the March Fisheries and Wildlife Board meeting as corrected. The motion was seconded by Mr. Winthrop; the motion passed unanimously.

### Chair's Comments

#### *Rattlesnake Conservation Project Review update*

Chair Larson reported that the Rattlesnake Working Group (RWG) had had its third meeting. He further reported that it has become clear to him that the process of the review has reached the point where MassWildlife staff is not receiving any new comments. There are over 300 to date, but almost none coming in now. He reported that the focus of the comments and of the oral comments at the last meeting continues to be the original plan, rather than ideas or questions for a reworking of the plan based on a statewide, comprehensive plan. The Chair stated that he had drafted a statement to be sent to the RWG as a letter from the Board, if approved.

Chair Larson read the proposed statement out to the meeting, then invited comments and/or questions from the Board. Dr. Van Roo stated that she would propose to strike 'indefinitely' from the last sentence in the first paragraph; Mr. Sears stated his agreement. Mr. Foster moved to amend the statement by striking the word "indefinitely" and to approve the statement as amended; Ms. Booth seconded. The vote in favor was unanimous. The approved statement is as follows:

The Fisheries and Wildlife Board would like to commend the members of the Rattlesnake Working Group for making valuable recommendations and comments on the need for conservation of the endangered population of rattlesnakes in Massachusetts. We are concerned that continued narrow focus on the Mount Zion proposal puts the remaining Eastern Timber rattlesnake habitats at risk and we accept the Working Group's recommendation that the Division of Fisheries and Wildlife (MassWildlife) develop a

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statewide approach to the conservation of this species. We have directed staff to produce such a plan based on the outline that has been provided to the Working Group and to suspend the Mt. Zion proposal.

The Working Group's suggestion that public comments be solicited by mail and the Internet has produced over 300 comments. MassWildlife staff is engaged in putting all questions and comments into categories and is now developing answers that will be shared with the Working Group and the public in the near future.

One result of the public comment process is already clear. The penalties for violations of the Massachusetts Endangered Species Act are so low that individuals who are poaching rattlesnakes for commercial and private purposes or who deliberately seek to kill them or destroy their habitat are not deterred in their activities. The Board sees a clear opportunity for a legislative remedy to this matter. It is with our thanks to the Working Group members for their generous donation of time, travel, and advice that we discharge them from any further obligations to the Board.

#### Commissioner's Comments

Commissioner Peterson reported that the budget is moving forward. He also reported that he was almost at the end of the annual dinner season, with the League of Essex County's dinner the last of season, and he stated that he always enjoys this time of year, getting out to talk with sportsmen and sportswomen across the state.

#### Director's Comments

Director Buckley stated that he had meant to mention at the previous meeting that Chief of Environmental Review Eve Schlüter had been given an Environmental Service Award for Outstanding Public Service by the Massachusetts Association of Conservation Commissioners at its annual meeting in March. Director Buckley stated that it was a great honor and very well-deserved.

Director Buckley reported that he had attended the Northeast Fish and Wildlife Conference the previous week in Norfolk, Virginia, and that several other staff had attended and Sunderland Hatchery Culturist Chuck Bell and Fisheries GIS Coordinator Dave Szczebak had presented a session on the trout-stocking web application that MassWildlife has developed.

The Director reported that the Blue Ribbon panel is rebranding itself for the new session and has changed the name to the Alliance for America's Fish and Wildlife. The group hopes to have a bill get through Congress this year, with the Alaska representative sponsoring it. Director Buckley stated that the group is hopeful because it's a non-partisan issue.

Director Buckley reported that the Mass. Association of Bird Clubs held its first meeting ever the previous Saturday in the Cronin Building. He said that he had welcomed the participants and spoke for a few minutes, and he hopes the members can be encouraged to be partners with MassWildlife.

The Director also reminded the Board that he had attended the New England Outdoor Writers' Association (NEOWA) annual meeting on April 8 and that he had attended the Plymouth County League banquet, which had been held that evening.

Director Buckley reported that the federal Joint Task Force was meeting the following week in Spokane, Washington, and that he would be attending as the chair of the committee on Wildlife and Sport Fish Restoration.

Looking ahead, the Director reminded the Board of two upcoming events. The Massachusetts Outdoor Heritage Foundation was hosting a celebration of former Chair George Darey's retirement from the Board on May 13 at the Stockbridge Sportsmen's Club. MassWildlife staff was preparing for this year's Open House, being held in conjunction with the Town of Westborough's 300<sup>th</sup> anniversary celebration weekend on June 10. He reported that the Bass Pro Shops had donated a kayak and related equipment as a raffle prize.

The Director informed the Board that Ducks Unlimited would like to present to the Board at its June meeting to talk about all the work accomplished with the state's duck stamp revenue. Vice Chair Roche stated that the recent work DU has done has been impressive and will be amazing to see.

Director Buckley closed his comments by reporting that Assistant Director of Operations Michael Huguenin and Assistant Director of Fisheries Todd Richards were in the process of meeting with representatives of the Office of Law Enforcement to review the current statutes with the objective of developing a package of reforms that will improve the efficacy and enforcement of 321 CMR, as the Board has directed.

### Old Business

#### *Evaluation of the Revised MassWildlife Organization and Chart*

The Director stated that he will go through the chart again and give updates at the May Board meeting.

#### *USFWS Refuge Issues*

Director Buckley stated that the two issues that have emerged as important relative to refuges are adherence to the MESA and its regulations and wildlife-management access to refuges. He reported that no progress had been made on either issue in the previous month.

#### *Draft Fire Policy Presentation (Jon Regosin and Caren Caljouw)*

Chief of Conservation Science Jon Regosin provided the Board with a detailed review of the reasons MassWildlife uses prescribed fire in its habitat management work, stating that prescribed burning enhances management of numerous SWAP species, state-listed species, game species, and natural communities, and to reduce wildfire risk and increase public and firefighter safety on Wildlife Management Areas.

Turning to the Cooperation and partnership aspects of the agency's prescribed fire program, Chief Regosin stated that burning is resource intensive, in terms of staff, equipment, and expertise; cooperation allows management of habitat at a landscape scale, working across property lines; and he noted that MassWildlife's focus is on habitat, not wildfire suppression. He also reported that our partnerships allow the agency to efficiently meet its habitat objectives, afford increased staff-training opportunities, and provide mutual aid on burn days.

Habitat Biologist Caren Caljouw described the development process for the policy, reporting that the Habitat Program had convened an internal MassWildlife working group and then convened a partners' group, which participated in three meetings, numerous follow-up discussions, and a partner review of the draft policy and handbook.

Ms. Caljouw also provided a detailed review of the content of the handbook. Reviewing the agency's mission as a context for the policy, she stated that the working groups conceived of the policy as a comprehensive approach to fire management that recognizes the relationships between ecosystem health and safety, sound planning, science-based management, and the importance of public and private partnerships. She then presented a detailed overview of the contents of the handbook for the policy, which are permitting, burn planning, crew training and qualifications, burn implementation and safety, and communications and outreach.

Asked how long the staff has been working on the policy, Ms. Caljouw stated that it has been over a year. In response to another question from the Board about terminology, she explained that debriefing is an informal process immediately after a burn in the field so that all crew members can compare their experiences and comment on how the burn went, and then, afterward, a subset of members of the crew produces a fire summary report. Ms. Caljouw was also asked whether there is a post-burn review to evaluate whether a burn was considered successful; she responded that policy called for evaluations immediately post-burn and also over 5, 10, or 15 years.

Director Buckley offered his thanks to Ms. Caljouw, Chief Regosin, Habitat Project Leader John Scanlon, and the other staff involved; the Board members, and MassWildlife's many partners. He stated that drafting the plan had meant a lot of work for a lot of people that really needed to be done, and he was thankful that they all did it. Dr. Van Roo stated that she had read the handbook as both a crew member, asking questions as a potential user, and that she had also read it as a Board member, keeping in mind its oversight responsibilities. She reported that Chief Regosin and Ms. Caljouw sat for 2 hours answering her copious questions. She stated that the document seems exhaustive and also completely based on standards, on what are considered BMPs in the field. Reiterating what

she called the quality of the work and the professionalism of the staff, Dr. Van Roo moved acceptance of the policy as presented; Mr. Sears seconded the motion; the vote in favor was unanimous.

*Invasive Species Policy draft sent to the Board in April; a presentation will be given in May*

Deputy Director Tisa reported that he would be sending the draft to the Board by the end of the week, that staff was open to comments in the interim, and that a presentation and discussion was planned for the May meeting.

#### *Dog regulations*

Director Buckley reported that the proposed dog regulation is still in the Secretary's office and that he is hoping it moves on eventually. He reminded the Board that this was a ground-up issue that came from the District Managers, sportsmen, Law Enforcement officials, and ordinary citizens that we need to do something about dogs on our WMAs.

#### New Business

##### *Personnel Report (Kris McCarthy)*

Promotion

| <u>Employee</u>   | <u>Position</u>  | <u>Location</u> |
|-------------------|--|-----------------|
| Ryan Cleveland    | Montague Hatchery Technician<br>Wildlife Technician II | Montague        |
| Amanda Weisse     | Restoration Ecologist<br>Conservation Biologist III    | Westborough     |
| Anne-Marie Bartus | Connecticut Valley District Clerk<br>Clerk III         | Belchertown     |

Mr. Winthrop moved that the Personnel Report be accepted as submitted; Secretary Booth seconded. The vote was unanimous.

#### Law Enforcement Comments

Captain Tony Kabir was not available, so Lieutenant Tony Wolski reported that, since the last meeting, the MEP now has sonar equipment for finding people in search and rescue missions. He also reported that while the officers of OLE have great relationships with MassWildlife's Districts, sometimes individual officers will get calls, either from technicians or from the public, and for some reason a call may not be handled in a timely way, whether because the officer is not on duty or does not check his phone, etc. He stated that the OLE is now asking for all reports to be called in to the MEP radio room (800- 632-8075). All calls are recorded and this alleviates both emails causing people to make public records requests, and also reduces false reports because MEP is a law enforcement agency so all calls are recorded. Director Buckley stated that this would be no problem and that he would put it out among his staff within the next day or so.

Chair Larson thanked Lieut. Wolski for attending the meeting.

#### VOTE: Youth Waterfowl Hunt and Early Goose Season and 2017-2018 Migratory Game Bird Season and Method of Take (Michael Huguenin)

Acting Assistant Director for Wildlife Huguenin reported that staff had received three comments on the proposed regulations; two had been in support, and one was a question, and that staff was proposing no changes to the regulations as proposed at the public hearing. Secretary Booth moved that the regulations be approved as presented; Dr. Van Roo seconded; the motion passed with Mr. Foster abstaining.

### Natural Heritage and Endangered Species Advisory Committee Report

Chair Larson stated that at the last meeting he was not present, but that Assistant Director French had reported to him that Brent Powers had given a presentation on activities that impact two listed species.

### Set Meeting Date

Director Buckley asked the Board to set dates for both the May and June meetings. Chief of Wildlife Lands MacDonnell asked that the May meeting be as late in the month as possible because staff would be bringing forward a lot of potential land-conservation purchases. After a brief discussion, members chose Wednesday, May 30, 2017, 1:00 P.M. for the May Fisheries and Wildlife Board meeting, to be held in Westborough. Secretary Booth moved that it be so; Mr. Winthrop seconded the motion; the vote in favor was unanimous.

Members then set the June meeting for June 28, 2017, at 10 A.M.

### Members' Comments

Mr. Foster reported no comment.

Dr. Van Roo reported that she was sad to miss the meeting of Mass. bird clubs, and was wondering about the possibility of bringing the Mass. bird-banders group to meet and then also to meet together with the bird clubs. Director Buckley stated that he would speak to State Ornithologist Drew Vitz and try to make happen.

Vice Chair Roche reported that there is a lot of interest in the new Trails policy, particularly in Central Mass. A group is responding, and he said he will share the response with staff and the Board. He also had attended the NEOWA annual meeting and met a retired newspaperman from the Vineyard.

Secretary Booth reported that the Becoming an Outdoors Woman spring turkey hunt was a great success. The class was full and all were Hunter Education Program graduates and new to shooting sports. She added that the BOW program is a tremendous program. She reported that the turkey and deer hunt classes fill immediately and there is usually a waiting list. She said BOW can only accept ten participants for the turkey hunt and 20 for the deer hunt, and reported that demand has become so strong that applicants new to the program have been filling all available openings.

Director Buckley noted that R3 [recruitment, retention, and reactivation] is big right now. He added that all the state fish and wildlife agencies in the Northeast (AFWA) are interested in doing more of it and MassWildlife is hosting a meeting for them because we are doing so much in this area. He reported that he hopes to hold the meeting in July.

Mr. Winthrop commended the Chair for his handling and management of the rattlesnake issue.

Mr. Sears reported that former Chair George Darey had given a speech at the Silvio Conte awards dinner of the Berkshire County League; it was an excellent speech, in a light mood, and Mr. Sears thought it very good to see. He also reported that he has been involved in some discussions of drawdowns and their effects. He stated that he would like to see MassWildlife be central in the discussion as the staff can have a very positive effect. Mr. Sears stated he had sat down with Western Wildlife District Supervisor Andrew Madden and discussed the issues, and he also wanted to say how effective Mr. Madden is as manager of the Western District.

Commissioner Peterson proposed the George Darey award of the Board. He proposed that it not be given annually, but as often as the Board felt was warranted, for an employee of the Division and for excellent work in the field. Director Buckley proposed, if the Board approved the measure, that the Board use the subcommittee structure of the recent past to work with the Director to identify and nominate a person. Vice Chair Roche moved that the Board establish the award and announce it at the Darey event; Dr. Van Roo seconded; the vote was unanimously in favor.

Chair Larson stated that the Board needed to go into Executive Session for the purpose of discussing proposed land acquisitions whose negotiations would be compromised by discussion in open session. Vice Chair Roche moved

that the Board go into executive session for this purpose and not return to open session but adjourn immediately afterward; Dr. Van Roo seconded the motion; the vote in favor was unanimous.

After the Executive Session, there being no further business, the meeting was adjourned at 12:20 P.M.

Respectfully submitted,

Bonnie Booth  
Secretary

List of documents presented to the Board at the April meeting

April Agenda

Draft March meeting minutes for review

Article from MACC Website, "MACC 2017 Environmental Service Awards"

Personnel Report

Spreadsheet of Natural Heritage Fund Taxpayer Donations (1992 to 2017)

Land-acquisition documentation for the Executive Session