

2B JAR



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

January 30, 2018

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the New Hampshire Fish and Game Department (NHFG) to accept the donation of two parcels of saltmarsh totaling 1.5+/- acres in Newfields, New Hampshire, from Walter W. Cheney and Dorothy P. Long Trust pursuant to RSA 4:8.

EXPLANATION

NHFG is seeking authority to accept the donation of two parcels of saltmarsh in Newfields along the Squamscott River. One of the properties is being donated by Walter W. Cheney of Durham. The other is being donated by Dorothy P. Long, Trustee of the Dorothy P. Long Trust of Stratham. The properties will be managed by the Great Bay National Estuarine Research Reserve and used as a location to place equipment that will monitor sea level change over time. The properties will also be open for waterfowl hunting. The New Hampshire Fish and Game Commission voted to accept this donation at their December 13, 2017 meeting.

Respectfully submitted,

Glenn Normandeau
Executive Director

Kathy Ann LaBonte
Chief, Business Division

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: January 23, 2018

FROM: Gordon P. Landrigan
Attorney

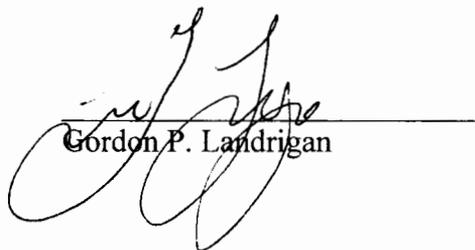
AT (OFFICE) Department of Justice
Environmental Protection Bureau

SUBJECT: Salt Marsh Donation (Walter W. Cheney and Dottie P. Long properties)

TO: His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House

I have reviewed and approved the referenced land conveyance for form and substance. As we do not permit agencies to sign property documents until after approval by Governor and Council, I will review for execution once approved.

Thank you.



Gordon P. Landrigan

GPL/cmc

AGREEMENT
between
NEW HAMPSHIRE
FISH AND GAME DEPARTMENT
and
WALTER W. CHENEY

THIS AGREEMENT entered into this 10 day of November, 2017 between the New Hampshire Fish and Game Department, hereinafter called the "STATE", acting by and through its Executive Director and Walter W. Cheney of 575 Bay Road, Town of Durham, County of Strafford, State of New Hampshire, 03857, hereinafter called the "GRANTOR".

WITNESSETH, the GRANTOR hereby agrees to donate to the STATE all rights, title and interest in a certain parcel of salt marsh land situate in the Town of Newfields, County of Rockingham, State of New Hampshire containing three-quarters acres more or less, identified as Newfields' Tax Map 201, Lot 6, being the same parcel transferred in a Quitclaim Deed of Marilyn Sewall et al to Walter W. Cheney recorded at Rockingham County Registry of Deeds on February 12, 1988 at Book 2727, Page 0347.

The STATE shall have the right to terminate this agreement at any time it deems appropriate as the result of information ascertained during title work, boundary survey and/or the hazardous waste assessment, which would render the parcel unacceptable for the purposes intended herein.

The GRANTOR shall convey said premise to STATE in fee simple, free and clear of all liens, rights of dower or other encumbrances (unless herein otherwise specified) by a good and sufficient deed of conveyance, in the usual form of quitclaim deed, except that if the GRANTOR conveys as executor, trustee, administrator or guardian, or in any trust capacity, the usual deed given in such cases shall be accepted. Said conveyance shall also be made subject to all restrictions, easements and conditions of record, if any.

Transfer of property shall be delivered at a date mutually agreed upon by the parties hereto.

ACQUISITION shall be accomplished in accordance with RSA 212:7 and New Hampshire Fish and Game Department Land Acquisition Policy and Procedures and is subject to approval by the Fish and Game Commission and the Governor and Executive Council.

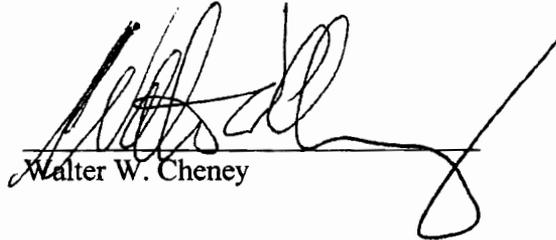
STATE is to have possession of the premises on the date of the transfer of title.

This AGREEMENT is binding on GRANTOR, heirs, successors, or assigns.

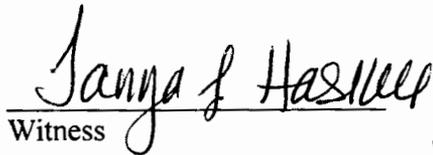
This document has been executed in duplicate

IN WITNESS WHEREOF, this Agreement has been duly authorized by the parties hereto as of the date first above written.


Witness


Walter W. Cheney

NEW HAMPSHIRE FISH AND GAME
DEPARTMENT


Witness


Glenn Normandeau
Executive Director

AGREEMENT
between
NEW HAMPSHIRE
FISH AND GAME DEPARTMENT
and
DOROTHY P. LONG

THIS AGREEMENT entered into this 21 day of November, 2017 between the New Hampshire Fish and Game Department, hereinafter called the "STATE", acting by and through its Executive Director and Dorothy P. Long, Trustee of the Dorothy P. Long Trust of 29 Depot Road, Town of Stratham, County of Rockingham, State of New Hampshire, 03885, hereinafter called the "GRANTOR".

WITNESSETH, the GRANTOR hereby agrees to donate to the STATE all rights, title and interest in a certain parcel of salt marsh land situate in the Town of Newfields, County of Rockingham, State of New Hampshire containing three-quarters acres more or less, identified as Newfields' Tax Map 201, Lot 9, being the same parcel transferred in a Warranty Deed of Dorothy P. Long to Dorothy P. Long, Trustee of the Dorothy P. Long Trust recorded at Rockingham County Registry of Deeds on November 18, 1999 at Book 3438, Page 0617.

The STATE shall have the right to terminate this agreement at any time it deems appropriate as the result of information ascertained during title work, boundary survey and/or the hazardous waste assessment, which would render the parcel unacceptable for the purposes intended herein.

The GRANTOR shall convey said premise to STATE in fee simple, free and clear of all liens, rights of dower or other encumbrances (unless herein otherwise specified) by a good and sufficient deed of conveyance, in the usual form of warranty deed, except that if the GRANTOR conveys as executor, trustee, administrator or guardian, or in any trust capacity, the usual deed given in such cases shall be accepted. Said conveyance shall also be made subject to all restrictions, easements and conditions of record, if any.

Transfer of property shall be delivered at a date mutually agreed upon by the parties hereto.

ACQUISITION shall be accomplished in accordance with RSA 212:7 and New Hampshire Fish and Game Department Land Acquisition Policy and Procedures and is subject to approval by the Fish and Game Commission and the Governor and Executive Council.

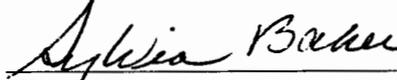
STATE is to have possession of the premises on the date of the transfer of title.

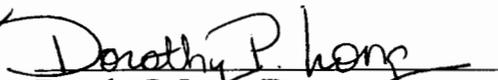
This AGREEMENT is binding on GRANTOR, heirs, successors, or assigns.

This document has been executed in duplicate

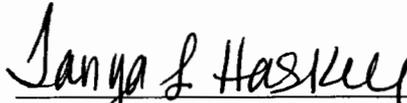
IN WITNESS WHEREOF, this Agreement has been duly authorized by the parties hereto as of the date first above written.

DOROTHY P. LONG TRUST


Witness


Dorothy P. Long, Trustee

NEW HAMPSHIRE FISH AND GAME DEPARTMENT


Witness


Glenn Normandeau
Executive Director

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

DECEMBER 13, 2017 COMMISSION MEETING

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

Commissioners Present: E. Stohl, R. Phillipson, T. Baldwin, J. McGonagle, T. Hubert, B. Carr, F. Clews, D. Patch & J. Ryan.

Commissioners absent/excused: W. Morse & C. Hodgdon
Executive Director Normandeau – Present

Acting Chairman Phillipson called the meeting to order at 1:02 p.m., and asked the audience to join in the pledge of allegiance. 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 Chair reserves the right to limit comment to the extent necessary for the orderly conduct of the meeting.

He welcomed everyone to the meeting and introduced Deborah Coffin, Chairman, Wildlife Heritage Foundation of New Hampshire. Deb reported that the Foundation is a charitable, non-profit 501(c) (3) corporation whose purpose is to enhance, through private financial support, the critical conservation programs of the New Hampshire Fish and Game Department. Funding for projects and programs comes from private and corporate donations, memorial gifts, bequests, and the annual NH Moose Permit Auction.

ACTION ITEMS:

1.) Commissioner McGonagle moved to approve the October 11, 2017 Commission Minutes as written, and Commissioner Carr seconded. The motion carried with 1 abstention (E. Stohl).

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 Carr moved to approve the following consent agenda items as presented and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

2a.) Commission accepted the donation of \$50.00 in memory of Pat Healey from Harold & Henrietta Kenney, Webster, NH, to be deposited into the Small Gifts & Donations Account.

2b.) Commission accepted the donation of a 2018 Ski-Doo Summit SP 850 E-TEC Mountain Snowmobile from Daniel DaRosa & the Lopes family, in memory of Gary Lopes, valued at \$13,099.00.

2c.) Commission accepted the donation of \$10.00 from the Andover Fish & Game Club.

2d.) Commission accepted the donation of materials & services from Gilford Home Center, Gilford, NH, valued at approximately \$5,974.39, to be utilized for projects/upgrades at Barry

Conservation Camp.

Commission accepted the donation of materials from Michie Corporation, Henniker, NH, valued at approximately \$2,520.00, to be utilized for projects/upgrades at Barry Conservation Camp.

On behalf of the Commission, Chairman Phillipson thanked Commissioner McGonagle for securing the above donations.

Action Item #4 was heard out of sequence.

4.) Rich Cook, Land Agent, came before the Commission seeking approval to accept two salt marsh lots on the Squamscott River.

Rich reported that there were five small waterfront lots on the western side of the Squamscott River in Newfields, NH. Two of the lots have been offered as donations to the department. The plots will be open to the public for hunting and fishing, and protect one of the most critical habitats for fish and birds in the seacoast area.

Commissioner McGonagle moved to accept the donation of two salt marsh lots on the Squamscott River as presented and Commissioner Ryan seconded. The vote was unanimous in the affirmative.

3.) Mark Ellingwood, Chief, Wildlife Division, came before the Commission seeking changes to the Commission Meeting schedule as follows:

Change meeting date from January 10, 2018 to January 17, 2018.

Change meeting date from April 11, 2018 to April 18, 2018.

Commissioner Baldwin moved to approve the above date changes to the January & April Commission Meetings and Commissioner Carr seconded. The vote was unanimous in the affirmative.

5.) Colonel Jordan came before the Commission seeking designation in accordance with RSA 206:33-c, to make New Hampshire's Operation Game Thief an official nonprofit partner of the Fish & Game Department.

The Colonel explained that Operation Game Thief was established as a New Hampshire nonprofit corporation, recognized as a 501 (c) (3) public charity by the Internal Revenue Service. The purpose of Operation Game Thief is to assist the Law Enforcement Division in gathering information and assisting in publicizing successful cases so that people and wildlife will benefit for generations to come.

Colonel Jordan stated, "Lt. Wayne Saunders has been instrumental in taking this to a whole new level. He has done a great job, beyond my expectations."

Commissioner Hubert moved to designate New Hampshire's Operation Game Thief as an official nonprofit partner of the Fish & Game Department and Commissioner Patch seconded. The vote was unanimous in the affirmative.

6.) Commissioner Carr moved to approve utilizing up to \$800.00 from the "Sale of Fish Food Account" at Cocheco Equipment, Inc., to purchase a new snow thrower for the Powder Mill Fish Hatchery and Commissioner Stohl seconded. The vote was unanimous in the affirmative.

Action Item 8 was heard out of sequence.

8.) Commissioner McGonagle moved to approve utilizing \$9,842.46 from the Fisheries Habitat Account to pay the Department of Environmental Services for emergency clean up services they provided in early July of 2017, after the Week's Crossing Pond Dam in Warren, NH, failed and was breached. The failure resulted in a complete wash out of a town road and some minor damages to a State of NH stream crossing on Route 25C and Commissioner Patch seconded. The vote was unanimous in the affirmative.

7.) Commissioner Hubert moved to approve the expenditure of \$11,475.00 from the Fisheries Habitat Account to cover the cost of the FY'18 dam registration fees assessed by the Department of Environmental Services; and to waive the 30 day Commission policy on voting on items over \$7,500 and Commissioner McGonagle seconded. The vote was unanimous in the affirmative.

9.) Commissioner McGonagle moved to propose the below slate of Commission officers through June 29, 2018 and Commissioner Stohl seconded. The vote was unanimous in the affirmative.

Robert Phillipson, Chairman
David Patch, Vice Chairman
Barry Carr, Secretary/Treasurer

INFORMATION ITEMS:

1.) Kathy LaBonte, Chief, Business Division, reviewed the monthly financial statement dated November 30, 2018.

2.) Captain David Walsh came before the Commission informing them of the results of the NH Snowmobile Association's charity auction held in February of 2017.

He reported that Nelly Roache was the winning bidder of the number "0" snowmobile registration at \$2,600. This unique decal is auctioned off every year and all proceeds go toward the operation of Camp Sno-Mo in Gilmanton, NH. These proceeds ensure that dozens of campers with a variety of life challenges get the opportunity to experience everything camp has to offer, from fishing to hiking and much more.

Captain Walsh congratulated and thanked Nelly and the Belmont Bogie Busters for this tremendous charitable contribution to the campers of the New Hampshire Snowmobile Association and Easter Seals Camp Sno-Mo.

3.) Mark Ellingwood, Chief, Wildlife Division, came before the Commission and informed them that the Wildlife Division would be initiating biennial rulemaking (season setting) in January, 2018. He reported that the division plans to present the DRAFT proposal to the Commission as an information item at the January 17, 2018 Commission Meeting.

Mark stated, "If any Commissioners have proposals that they would like the Wildlife Division to consider during their review process, please submit them to the Director's Office at their earliest convenience, however, no later than the close of business on January 9, 2018."

STANDING COMMITTEES:

POLICY COMMITTEE: Commissioner McGonagle, Chair: Commissioners Clews, Phillipson & Carr. Commissioner McGonagle reported that the committee did not meet.

Chairman Phillipson asked the Policy Committee to review the Biennial Hearing schedule and to look into the potential for setting a permanent date for the hearings to occur on every two years.

LEGISLATIVE COMMITTEE: Commissioner Morse, Chair; Commissioners Stohl, Hodgdon, Patch, and Baldwin. Chairman Phillipson announced that he appointed two new Commissioners to the Legislative Committee (Commissioners Stohl & Hodgdon).

Paul Sanderson, Legal Coordinator, reported that there was still little text out on any bills. He reported that there was approximately 1,000 LSR's that he reviewed, with 70 bills of interest to the department, 20 of particular concern to address today.

Commissioner Patch moved to take a neutral position on HB-1280, relative to bow and arrow hunting licenses for permanently disabled military veterans and Commissioner Stohl seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to monitor HB-1286, relative to fish and game regulations relative to disabled veterans and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to obtain the Attorney General's opinion on how HB-1313, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile would impact the department, Commissioner Stohl seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to oppose HB-1342 as written, relative to live trapping of wild rabbits and hares by sporting clubs and Commissioner Baldwin seconded. The vote was unanimous in the affirmative.

Commissioner Stohl moved to oppose HB-1343, relative to the protection of beavers and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to support HB-1352, relative to eliminating the nonresident freshwater bait dealers license and Commissioner Stohl seconded. The vote was unanimous in the affirmative.

Commissioner Baldwin moved to oppose HB-1376, relative to repealing the prohibition on collecting seaweed at night and Commissioner Clews seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to obtain the Attorney General's opinion relative to HB-1380, relative to unauthorized use of firearms and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to support HB-1390, relative to using a portion of the meals and rooms revenues for fish and game search and rescue operations and Commissioner Hubert seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to support HB-1411, relative to funds transferred to the nongame species account and Commissioner Baldwin seconded. The vote was unanimous in the affirmative.

Commissioner Carr moved to oppose HB-1412 as written, relative to cruelty to non-captive wildlife and Commissioner Patch seconded. The vote was unanimous in the affirmative.

Commissioner Clews moved to support HB-1458, relative to exempting certain rules governing marine species from the administration procedures act and Commissioner Patch seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to oppose HB-1527, relative to the authority of fish and game officers regarding arrest and search and rescue seizure and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Baldwin moved to oppose HB-1575 as written, relative to permitting hunting with an air rifle and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Hubert moved to support HB-1706, relative to the construction of a Lake Sunapee public boat ramp and Commissioner Baldwin seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to oppose HB-1714, relative to chemical analysis of fish in stocked waterways and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Carr moved to oppose HB-1723, relative to the reckless beating of animals and Commissioner Patch seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to oppose HB-1726, relative to reimbursement to municipalities for certain search and rescue operations and Commissioner Carr seconded. The vote was unanimous in the affirmative.

Commissioner Patch moved to monitor HB-1752, relative to requiring a search warrant to obtain blood samples and Commissioner Carr seconded. The vote was unanimous in the affirmative.

RIVERS COMMITTEE: Commissioner Ryan. Chairman Phillipson reported that he recruited Commissioner Hodgdon to join this committee as well.

LAKES COMMITTEE: Commissioner Clews reported that there was a meeting on November 6, 2017, and the hot topic of discussion was the Wild Goose Boat Access Site.

HANDBOOK & ORIENTATION COMMITTEE: Commissioner Patch, Chair; Commissioner Carr. Commissioner Patch reported that there would be a meeting in the near future to prepare an update for the handbook.

STRATEGIC PLANNING COMMITTEE: Committee is sunset at this point.

WILDLIFE HERITAGE FOUNDATION: Chairman Phillipson reported that Commissioner Hodgdon would be replacing former Commissioner Greco on this committee.

AWARDS COMMITTEE: Chairman Phillipson reported that he invited Commissioner Carr to sit on this committee as well, to replace former Commissioner Hubert. The committee consists of Commissioner's Baldwin, Phillipson, McGonagle and Carr. Nicola Whitley, Chief, Public Affairs Division, will also be joining the committee, replacing Jon Charpentier, former Public Affairs Division Chief.

OLD BUSINESS:

NEW BUSINESS:

COMMISSIONERS REPORTS:

COMMISSIONER BALDWIN: Commissioner Baldwin stated, "Great job by the Warren Hatchery Staff in addressing storm damage. Things were back to normal in just 1 or 2 days."

COMMISSIONER CARR: Commissioner Carr had nothing to report.

COMMISSIONER HODGDON: Commissioner Hodgdon was absent from the meeting.

COMMISSIONER PHILLIPSON: Commissioner Phillipson stated, "I'm very appreciative of Commissioner Hubert serving on the Commission with us for 12 ½ years. Commissioner

Hubert helped any way he could, with the pheasant program, Barry Conservation Camp, etc. He was very committed and was a huge asset on the Commission and will be sorely missed.”

COMMISSIONER MORSE: Commissioner Morse was absent from the meeting.

COMMISSIONER RYAN: Commissioner Ryan had nothing to report.

COMMISSIONER PATCH: Commissioner Patch had nothing to report.

COMMISSIONER MCGONAGLE: Commissioner McGonagle had nothing to report.

COMMISSIONER CLEWS: Commissioner Clews reported that fishermen were upset over the abrupt closure of tuna fishing.

COMMISSIONER HUBERT: Commissioner Hubert thanked past & present Commissioners that he served with over the years. He reported that the Governor has appointed a new Sullivan County candidate, Bruce Temple. He thanked staff for sharing their time and knowledge with him and thanked his many constituents. He stated, “I’ve made some lifelong friendships during my tenure on the Commission. Now I plan to spend more time focusing on my business and my kids.”

COMMISSIONER STOHL: Commissioner Stohl had departed the meeting.

DIRECTOR’S REPORT: Director Normandeau reported that he was in Washington, DC, last week and met with the Director of the Fish & Wildlife Service and Secretary of the Interior, Zinke. He reported that it was a good meeting.

He reported that three years ago the department instituted rules on the Magalloway River to the Errol dam. He stated, “We are now revisiting those rules and have received a great deal of comments.”

CALL TO THE PUBLIC:

Christina Snyder, audience member, spoke of a video she saw on social media of a 3 legged black bear being taken by a hunter. She was displeased with the video and did not think that this was helping the department’s image.

Julia Sinclair, audience member, spoke relative to HB-1343, relative to the protection of beavers. She also indicated her displeasure with the mounted bear in the conference room wearing garland.

At this time, 3:50 p.m., Commissioner Hubert moved to adjourn and Commissioner Patch seconded. The vote was unanimous in the affirmative.

Respectfully submitted,

Barry Carr, Secretary

Approved: _____
Robert Phillipson, Chairman