

Meeting of the Vermont Fish and Wildlife Board

Meeting Minutes from Wednesday, April 25, 2018

The Vermont Fish and Wildlife Board held a meeting at 5:00 pm on Wednesday, April 25, 2018 at 1 National Life Drive, Montpelier, VT 05620 in the Dewey Building.

Members of the Board in Attendance: Kevin Lawrence (Board Chair), Theresa Elmer (Vice Chair), Johanna Laggis, Dennis Mewes, Tim Biebel, Brian Wiles, David Fielding, Pete Allard, Cheryl Frank Sullivan, Bill Pickens, Mike Kolsun, and David Robillard.

Fish and Wildlife Department Staff: Louis Porter (Commissioner), Mark Scott (Wildlife Director), Eric Palmer (Fisheries Director), Jason Batchelder (Director of Law Enforcement), Susan Warner (Outreach Director), Catherine Gjessing (General Counsel), Will Duane (Executive Assistant), Tom Jones (Fish Health Biologist), Adam Miller (Fish Culture Operations Chief), Chris Saunders (Project Coordinator), Steve Gomez (Financial Manager), Nick Fortin (Deer Project Leader), Cedric Alexander (Moose Project Leader), and Scott Darling (Wildlife Management Program Manager).

Members of the Public in Attendance: Dennis Thomson, Mike Tillman, Pat Rayta, Jessica Steele, Rob Steele, Rodney Elmer.

The Board Meeting was called to order at 5:02 PM, EST by Board Chair Kevin Lawrence

1.) Approval of Board Meeting Minutes from the April, 4 2018 Board Meeting

Motion: Member Bill Pickens moved that the minutes from the April 4th, 2018 Board meeting be approved as drafted. Board Member Tim Biebel seconded the motion.

Vote: 10-0 in favor of approving the minutes with one member abstaining and one member absent at the time of the vote. Minutes from the April 4th, 2018 Board meeting were approved.

Members Voting in Favor: Kevin Lawrence, Theresa Elmer, Johanna Laggis, Dennis Mewes, Time Biebel, Brian Wiles, Pete Allard, Bill Pickens, Cheryl Frank Sullivan, and David Robillard.

Members Abstaining: David Fielding (absent during April 4th Meeting)

Members Absent: Mike Kolsun

2.) Public Comments

Dennis Thomson: I appreciate the time and effort the Department has been putting into the baitfish rules. The Department is headed in the right direction. I would like to see something that is friendly to fishermen. The current system has made outlaws out of some people; they take their chances and break the rules. I would like to see the Department do more outreach to constituents, perhaps have a meeting to regain trust in the Department on the baitfish issue. Explain the science; people will get it. There will always be outlaws, but people generally get it and understand the issues. Also, look at J1 for moose hunting permits. There are a lot of moose in that area.

3.) **Introduction of new Board Member**

Mike Kolsun, new member of the Fish and Wildlife Board from Essex County was introduced. Mike Kolsun is replacing former Board member Craig Nolan, whose term expired.

4.) **2018 Antlerless Deer Permits and Youth Season—Preliminary Vote**

Commissioner Porter and Director Scott introduced the Department's proposal, and Program Manager Darling introduced Biologist Nick Fortin. Nick led the Board through the proposal on muzzleloader permits by WMU, statewide antlerless archery hunting, and either-sex deer for youth deer hunting weekend. After review of the proposal, Board members and staff biologists discussed the status of the deer herd statewide and by region.

Motion: Board Member Tim Biebel motions that the Board give preliminary approval to the archery and youth seasons as recommended by the Department. Vice Chair Theresa Elmer seconded the motion.

Vote: 12-0 in favor of the motion.

Motion: Board Vice Chair Theresa Elmer motions to evaluate the Department's WMU proposals individually and vote on any modifications. Board Member Tim Biebel seconded the motion.

Vote: 12-0 in favor of the motion.

Chairman Kevin Lawrence led a discussion with Nick Fortin on permit numbers through each of the WMUs and requested Board members to ask questions or make comments as each individual WMU is reviewed.

Motion: Board member David Robillard motions that the permit levels in WMU D1 be modified from 1,200 to 800. Board Member Johanna Laggis seconded the motion.

Discussion: The Board and Staff discussed the data and trends in WMU D1.

Vote: The Board voted against the motion by a vote of 9-3.

Members Voting in Favor: Johanna Laggis, Mike Kolsun, and David Robillard

Members Voting Against: Kevin Lawrence, Theresa Elmer, Dennis Mewes, Tim Biebel, Brian Wiles, David Fielding, Pete Allard, Cheryl Frank Sullivan, and Bill Pickens.

Motion: Board Vice-Chair Theresa Elmer motions to modify the Department's proposal for permit Levels in WMU H from 1,100 to 900 permits. Member David Robillard seconded the motion.

Discussion: The Board and Staff discussed the geographic area of WMU H, noting the existence of the urban areas of Montpelier and Barre and different deer densities within the unit.

Vote: The Board voted against the motion by a vote of 7-5

Members Voting in Favor: Theresa Elmer, Johanna Laggis, Dennis Mewes, Mike Kolsun, and David Robillard.

Members Voting Against: Kevin Lawrence, Tim Biebel, Brian Wiles, David Fielding, Pete Allard, Cheryl Frank Sullivan, and Bill Pickens,

Motion: Board Vice Chair Theresa Elmer motions to modify the Department's proposal for permit levels in WMU O from 2,000 to 2,600 permits. Member Dennis Mewes seconded the motion.

Discussion: The Board and Staff discussed the data and trends in WMU O.

Vote: The Board voted in favor of the motion by a vote of 8-4

Members Voting in Favor: Theresa Elmer, Johanna Laggis, Dennis Mewes, Tim Biebel, David Fielding, Cheryl Frank Sullivan, Mike Kolsun, and David Robillard

Members Voting Against: Kevin Lawrence, Brian Wiles, Pete Allard, and Bill Pickens.

Motion: Board member Brian Wiles motions to pass the Department's recommendation with a modification to the number of permits granted in WMU O. Board member Bill Pickens seconded the motion.

Vote: 11-1 in favor of approving the Department's recommendation for antlerless deer permits as amended by the Board. The final number of antlerless permits per WMU for muzzleloader hunting season is attached hereto as Attachment 1.

Members Voting in Favor: Kevin Lawrence, Theresa Elmer, Johanna Laggis, Dennis Mewes, Tim Biebel, Brian Wiles, David Fielding, Pete Allard, Cheryl Frank Sullivan, Bill Pickens, and Mike Kolsun.

Members Voting Against: David Robillard.

The final, modified proposal for the 2018 antlerless and youth hunting seasons will be available on the Department’s Website. The Board will make its official vote on antlerless permits and hunting seasons at its May 23 Board meeting.

5.) 2018 Moose Hunting Permit Numbers—Final Vote

Commissioner Porter and Director Scott introduced the Department’s Big Game Team and the two different proposals offered by the Department. The Department’s final proposal will be posted on the Department’s website. The Commissioner and Department General Counsel Catherine Gjessing described the current statutory and regulatory requirements of holding a moose hunt.

The two options proposed by the Department to the Board include: 1) Issuing no more than 13 permits for the upcoming moose hunt to include: 5 permits for Vermont Veterans, 3 permits for special opportunity hunts to be issued by the Commissioner, and the 5 additional permits to be issued by auction; or 2) No moose hunting permits offered in 2018.

Adjourned for Dinner Break at 6:34 PM

Reconvened from Dinner Break at 7:01

Discussion: After dinner break, the Board and the Department Staff discussed the health of the moose herd, the biological impact of a hunt in 2018, the statutory and regulatory requirements of issuing permits, and the short and long-term goals of moose herd management in Vermont. The Board expressed concern about the rigidity in the interplay of rules and statutes related to the allocation of moose permits. The Department noted that such a low number of permits was not anticipated in the past but is likely to continue for the next year or more. Department staff will look at the rules and statutes and come back to the Board next year with recommendations for changes. Department biologists confirmed that the number of moose permits issued for bulls only would have no impact on the moose population trend, but the Department remains focused on stabilizing moose numbers at one per square mile in WMU E1 and E2. As such, the

recommendation was to allow for moose hunting in WMU E1 and E2 consistent with interim density targets.

Motion: Board member Tim Biebel motions that the Board approve the Department's recommendation of 13 total permits, as outlined, be issued for the 2018 moose hunt. The motion was seconded by member David Robillard.

Vote: The Board voted 7-5 in favor of approving option 1 of the Department's revised recommendation for the 2018 moose hunt. Director Scott reminded the Board that this proposal allowed the permit holder to hunt in both WMU E1 and E2.

Members Voting Yes: Kevin Lawrence, Johanna Laggis, Tim Biebel, Cheryl Frank Sullivan, Bill Pickens, Mike Kolsun, and David Robillard.

Members Voting No: Theresa Elmer, Dennis Mewes, Brian Wiles, David Fielding, and Pete Allard.

6.) Baitfish Regulation Concept Proposal to Board

Adam Miller—Department Fish Culture Operations Manager presented to the Board on the Department's work on revising the current baitfish regulations. The Presentation will be available on the Department's website. The baitfish regulation review team is made up of Department staff Adam Miller, Tom Jones, Shawn Goode, along with Board members Cheryl Frank-Sullivan and Tim Biebel.

- 4 main takeaways as noted in the presentation:
 - Baitfish is a controversial topic;
 - Fish Pathogens and ANS species are real threats;
 - There are a number of areas to enhance enforcement / compliance;
 - There is a variability of risk across different geographic zones and, the team will explore rules that reflect this principle.
- The presentation included a review of the regulatory timeline. The Baitfish review team hopes to have a proposal in place to present to the Board later in the year and to start the rulemaking process in 2019 to include the final rule in the 2020 fishing digest. The Board asked that the proposal be ready to be voted on at October Board meeting.
- Adam Miller requested that the Board support the direction of the baitfish team or offer other avenues they would like the team to review. By a show of hands, the Board supported the efforts of the baitfish review team and asked that the team continue in its work.

7.) Commissioner's Update

- Youth turkey hunting season is the weekend of 4/28-29/2018.

- Department staff and Game Wardens will be holding a memorial dedication ceremony at the home of Arnold Magoon, a Fish and Wildlife Warden who was killed in the line of duty 40 years ago. A monument to Warden Magoon will be erected on his family's property in Brandon, VT.
- Adam Miller provided an update to Board members on the Department's fish stocking schedule. Schedule is delayed slightly because of heavy spring runoff.
- Wildlife Biologist Forrest Hammond, Warden Sean Fowler, and Warden Lieutenant David Gregory will be recognized at an upcoming state employees public service recognition day for their work on the recent bear regulations.
- Two long-serving staff members, Rich Kirm and Doug Blodgett, will be leaving the Department next month.
- The Department will likely be able to do some cormorant management this spring.
- NEAFWA and the NNHC were both held in Burlington over the previous week. Both were successful and well-attended.
- New Board member Mike Kolsun is here. Craig Greene will attend for one more meeting, and new member Brian McCarthy will then join the Board. Departed Board member Pat Barry will need replacement as well.
- Senate Committee seems intent on passing H. 636. The Department is still concerned about the section on posting property and antlerless deer permits. We've asked the legislature to give the board authority to manage hunting competitions, and to manage nuisance trapping regulations.

8.) Roundtable Discussion

Request: Vice-Chair Theresa Elmer requested that the Department issue a press release noting the extended hours of hunting for youth hunting turkey season.

Motion: Member Time Biebel motioned to adjourn the meeting. Member Dennis Mewes seconded the motion.

Vote: The Board voted unanimously to adjourn.

The Board meeting was adjourned by the Chair at 9:36 pm.

The mission of the Vermont Fish and Wildlife Department is the conservation of all species of fish, wildlife and plants and their habitat for the people of Vermont.

Attachment 1

Muzzleloader Season

Antlerless permits are recommended for 18 WMUs during the 2018 muzzleloader season. The Department recommends that a total of 27,000 antlerless permits be issued (10% more than the 24,500 approved for distribution in 2017). An increase in antlerless permits is recommended for 7 WMUs (Figure 10). Reductions in permit allocation are recommended in 5 WMUs, but these are solely a reflection of limitations on the number of permits the Department has been able to distribute in those WMUs. These recommendations are intended to reduce populations in some WMUs and stabilize populations in others (Figure 9). This permit allocation is estimated to harvest an additional 3,914 antlerless deer above those harvested during archery and youth seasons. Harvesting this number of antlerless deer during muzzleloader season should yield 3,327 adult female deer (85%).

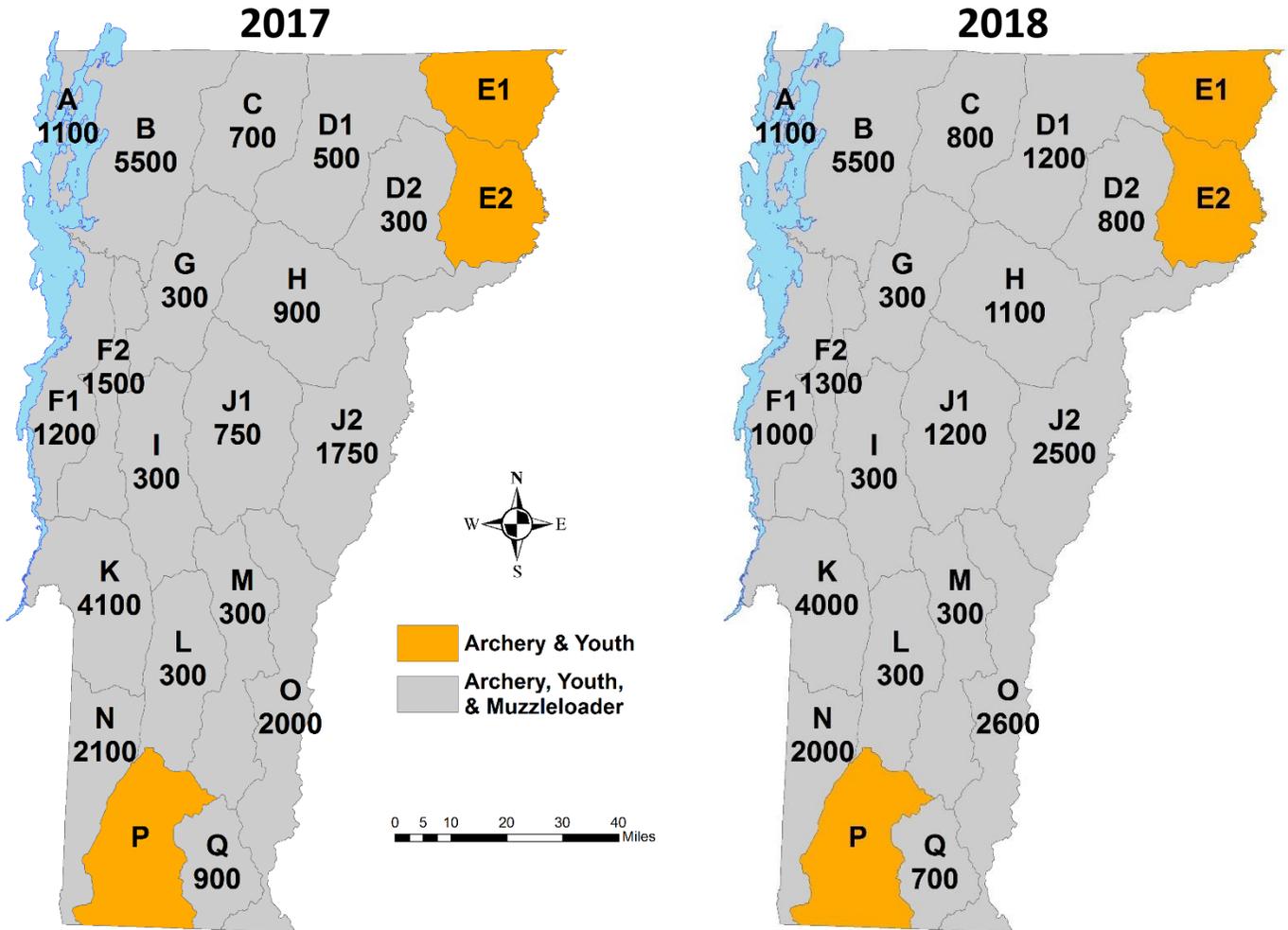


Figure 10. Wildlife management units open to antlerless deer hunting during the 2017 and 2018 (proposed) archery, youth, and muzzleloader seasons and muzzleloader antlerless permit allocations. No antlerless deer may be harvested during the regular firearm season.