

**Fish & Wildlife Board**  
**\*\*APPROVED\*\* Meeting Minutes**  
**Wednesday, August 15, 2007**

The Fish & Wildlife Board convened a meeting at 5:00 p.m. on Wednesday, August 15, 2007, in the 4<sup>th</sup> floor conference room of the Pavilion Office Building in Montpelier, Vermont.

Attendees:

Board Members: Dana Kittell, Chair; Bruce Therrien, Vice Chair; Brian Ames; Jeremy Baker; Wayne Barrows; Walt Driscoll; Ed Gallo; Cyndy Jones; Craig Lefevre; Michael Popowski; Claude Rainville, John Roy; and Bob Shannon.

Absent: R. Keith Armstrong.

Department Employees: Commissioner Wayne Laroche, Colonel Robert Rooks, Steve Hill, John Buck, Bill Crenshaw, Tom Decker, and Cathy Merrill.

Visitors: Roy Kilburn, Berlin.

Chair Kittell called the meeting to order at 5:00 p.m.

**Approval of July 18, 2007 Minutes**

Rainville made a motion to accept the July 18, 2007 minutes, which was seconded by Ames. The Board voted unanimously to accept the minutes as written.

**Discussion and Action: Request for Review of Regulation Regarding Baiting Deer**

Roy Kilburn introduced himself and gave his reasoning behind submitting the request for review of the regulation regarding baiting deer. Mr. Kilburn also summarized past disagreements he had with the Department.

Chair Kittell outlined the process for considering the request. A motion was made by Baker to deny the request based on the position of the Department. (*The Department recommended against the request in a memorandum to the Board dated August 9, 2007.*) Therrien seconded the motion.

Discussion. Board members agreed that this subject could be addressed during the public deer hearings.

Col. Rooks spoke on the anticipated difficulties of enforcing Mr. Kilburn's proposal. Col. Rooks also said the Department acknowledges there are aspects of the rule regarding baiting and feeding that need to be clarified.

Baker asked if the Department had received any complaints about the regulation from dealers who sell products used for deer bait (apples, corn, etc.). Commissioner Laroche said he has received none. John Buck said there were some complaints early on when the rule was first considered, but since then, he has received none.

Commissioner Laroche was asked if the Department would ever recommend allowing baiting as long as he (Laroche) was Commissioner. Commissioner Laroche responded no, that disease issues alone were enough of a concern.

There was discussion whether the baiting ban has had an effect on archery license sales.

Baker moved to call the question, which Therrien seconded. The vote was unanimous to call the question.

Chair Kittell then asked for a vote. A vote in the affirmative would turn down the request to amend the rule.

All voted in favor (12) of denying the request, except John Roy who abstained.

Steve Hill will draft a letter from the Board to Mr. Kilburn explaining the reasons for the Board's decision.

After the vote, there was discussion on archery season wounding rates. Commissioner Laroche said it would be very costly to research this issue, and questioned the applicability to deer herd management. Mr. Kilburn said he has a report on this topic, and offered to provide a copy to Board member Roy.

**Vote: Migratory Waterfowl Rule (Emergency Rule)**

Bill Crenshaw, Department Wildlife Biologist, gave a report on the recent waterfowl public meetings held in Burlington, Vermont, and Whitehall, New York. He said the meetings were well-attended and the quietest he has seen in 34 years.

The Board previously voted on and approved the Youth Waterfowl and Resident Goose Season; tonight's vote is to incorporate the remaining portion of the regulations into one rule. This split vote is due to USFWS requirements for early data on the Youth Waterfowl and Resident Goose Season.

Baker moved to accept the proposal, which was seconded by Roy.

The Board voted unanimously to approve the rule as proposed.

Baker was asked by the New York Waterfowl Hunter Task Force to deliver information to the Board, which he did.

Steve Hill said New Hampshire's season dates would be incorporated into the rule, and the rule would have an effective date of September 1.

## **Discussion Re Timing of 3<sup>rd</sup> Vote: 2007 Antlerless Deer Rule**

Steve Hill said the Legislative Committee on Administrative Rules (LCAR) has had significant scheduling problems this summer; they are scheduled to hear the antlerless rule on August 29. If the rule is approved on the 29<sup>th</sup>, a telephonic meeting will be held at 3:00 p.m. on Thursday, August 30 to take a third vote. Mr. Hill will provide the Board with the conference call information prior to the 30<sup>th</sup>.

### **Roundtable**

Lefevre was unclear on the two deer bag limit and asked for clarification, which was provided by Col. Rooks.

Baker asked if Board members were interested in holding a meeting at the Mendon Game Club. It was the general consensus that it was too far to travel for some Board members.

Gallo said the HAT web-based discussion board has been busy recently regarding baiting of bear.

Rainville made a plug for the Dead Creek Wildlife Day, which will be held on October 6.

Lefevre distributed benchmarks that he had compiled for Vermont's deer herd. He also suggested a deer harvest proposal that would allow any hunter with an antlerless permit to fill their tag in any season the hunter chooses.

Shannon mentioned the need for the Department to educate the public on the use of antlerless harvest as a management tool, as a very high percentage of respondents to the Responsive Management survey wanted to eliminate the harvest of does.

Jones asked about the promotion of the Wildlife Habitat Incentives Program (WHIP). Tom Decker responded that in the last three years, there had been an intensified effort to actively promote this program. Jones also offered her copy of the Responsive Management Survey to any Board member who wanted to borrow it.

Barrows suggested the Department include information (e.g., muzzleloader season proposal, criteria for opening/closing zones) in the ten-year big game management plan proposal which would give the public an idea of where the management plan is headed.

Chair Kittell suggested the Board have a special meeting to consider the ten-year big game management plan.

Baker said he was encouraging CVPS staff to participate in the on-line turkey brood survey. Commissioner Laroche said the website is constantly being improved, and the Department may consult with UVM for statistical analysis of the information. Laroche also said on-line surveys may be designed for other species as well.

Baker asked if the Department saw any effect on the non-resident bear dog permits due to the recent rule change, and if the rule change affected the overall bear harvest in the state. Baker asked for the numbers of residents/non-residents who purchased bear dog permits this year compared to last year. Decker stated the harvest of bears with the use of hounds is very consistent through time and did not expect that to change with the license numbers, and would provide Baker with the information he requested. Baker recommended the Wild Center Museum in Tupper Lake, New York, as a great hands-on experience for children.

Therrien mentioned the Youth Waterfowl Program on August 25 at the Missisquoi Refuge as a great program for getting youth to participate in waterfowl hunting. Therrien said he receives a lot of calls about zone demarcation, and asked for guidance so he could answer questions. John Buck said zones were set by statute, and he would send Therrien a refresher. Therrien suggested there were a lot of volunteers willing to help the Department in deer yard surveys, turkey surveys, etc.

Ames asked if the Commissioner had been on any FLIR (forward looking infrared) camera outings. Commissioner Laroche responded that he and Col. Rooks were planning an excursion after tonight's meeting.

Driscoll asked about moose check station closures. Tom Decker answered that hunters can check their moose at any legal big game reporting station; however, the biological weigh stations will be open only during the first four days of each season due to staffing issues. It was noted that the Conte Refuge will have a scale this year.

When asked if Northeast Kingdom wardens had been tasked with patrolling the nude beach at Lake Willoughby, Col. Rooks said the Forests, Parks & Recreation Commissioner had asked for assistance due to problems that Department was experiencing at that location. FPR will reimburse Fish & Wildlife for the cost of the additional patrols.

Board members were invited to attend the grand opening of the Kehoe Educational Center at Lake Bomoseen in Castleton on August 17.

Baker made a motion to adjourn, which Roy seconded.

The meeting adjourned at 6:50 p.m.

Respectfully submitted.

**/s/cpm**

Catherine Pirie Merrill  
Executive Assistant

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