



Voices of Wildlife in NH, PO Box 5862, Manchester, NH, voicesofwildlifeinnh@gmail.com

January 2, 2025

Stephanie Simek, Executive Director
NH Fish & Game Department
11 Hazen Dr.
Concord, NH 03301

RE: Rulemaking Petition to Repeal Fis 806.05 Snowshoe Hare Live-Capture Requirements

Dear Dr. Simek:

Under the guidance of RSA 541-A:4 and Fis 214.0, we submit this petition asking you to repeal Fis 806.05. We previously submitted a petition for the repeal of 806.05 in 2021. At that time, our petition resulted in an amendment requiring the veterinary inspection to be done with a conservation officer present. It appears this amendment isn't being followed. From the inspection reports we received, only one was stamped by law enforcement. It is up to the Beagle Club to contact FG law enforcement for these inspections.

Fis 806.05 has been in effect since 2007. It allows Beagle Clubs to live-capture wild snowshoe hares that are then kept in captivity and used for dog training and propagation. The beagle clubs retain some hares for training/field trials and some for propagation.

Our review of the clubs' NHFG Summary Reports, Propagation Reports, and Veterinary Inspections submitted for 2016-2019 and, more recently, the reports for 2022-2024 reveal significant problems with allowing beagle dog clubs to capture NH's snowshoe hares. We have many questions and concerns about this practice and believe there is no reason to continue allowing clubs to take wild snowshoe hares into captivity for the benefit of frivolous field trails where ribbons and trophies are awarded to the owner of the best-performing beagle.

These valuable keystone species are treated as disposable by the clubs. After over 15 years of allowing this practice, there is a high mortality rate and no success in propagating the species. Snowshoe hares are prolific breeders, but the clubs have not been successful in breeding them. The clubs admit there is predation of the hares, most often by birds of prey. Previously, at a rulemaking hearing, one club official thought his loss of hares was from a bobcat.

Respectfully submitted,

Linda Dionne

Cc: Wildlife Division Chief Dan Bergeron
Martha Mobley, Legal Coordinator
Administrative Assistant Tanya Haskell
Commissioner Chair Green
Commissioner Vice Chair DeRosa

RULEMAKING PETITION to Dr. Stephanie Simek, NH Fish and Game Executive Director

Submitted by:

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We petition the NH Fish and Game Department to Repeal Fis 806.05 Snowshoe Hare Live-Capture Requirements.

Reasons to **Repeal** Fis 806.05:

Unsustainable relocation of a wild animal: Wildlife biologists do not recommend relocating wild animals. Snowshoe hares need a suitable habitat that offers cover and protection from predation while resting, eating, and running. When relocated, they are susceptible to harm when searching for the proper habitat. Unsuitable habitats in the new location might cause the high mortality rate at the clubs. The clubs release most of the captured hares on several acres of property for field trials and set up feeding stations for the hares.

Pesticide Use: After capture, the hares are dipped into buckets of Sevin dust, a toxic pesticide. Coming into contact with poisonous pesticides must harm wildlife, considering online sources state it should not be used on dogs.

*“Potential Concerns For Wildlife - Although Sevin Dust and other carbaryl products are considered minimally hazardous to birds at most, they can be highly toxic to fish and mammals. As a result, it’s advised to avoid using it near storm drains, rivers, or ponds where pesticide runoff could occur.” **

*“Sevin Dust is a highly toxic insecticide that you should never use on your dog. The insecticide is an effective poison due to the synthetic chemical called **carbaryl**. Carbaryl attacks an insect’s nervous system until it dies by entering its body through physical contact, inhalation, or ingestion.” ***

Propagation is unsuccessful: The summary reports show that some of the captured hares are retained for propagation, but the clubs have little to no success breeding this prolific breeder. After over 15 years of allowing this practice, the species has not been propagated, and more hares are captured from the wild every year because of this failure.

Violation of Fis 804:09: Fis 806:05 states snowshoe hares kept either for this program or for propagation shall be held in compliance with Fis 804.09. Fis 804.09 (b) states that enclosures must (2) Protect the wildlife from all other animals, domestic or wild. On June 20, 2018, at the rulemaking hearing, we learned that there is predation on the captive wild snowshoe hares at the Beagle Clubs. The club members admitted they do not protect the captive hares from bird predation, and one club member mentioned predation by a bobcat.

Negative Ecological Impact: Snowshoe hares are a keystone species and serve as important prey for the Canada lynx, American marten (rare and protected in NH), and other species. Some snowshoe hares captured for the beagle clubs are from northern NH, where Canada lynx have been sighted and where the American marten resides. Fis 806.05 potentially violates the Endangered Species Act because the Canada lynx is listed as threatened under the Endangered Species Act, and their primary food source is snowshoe hare.

Climate Change Factors: The snowshoe hare has evolved to have characteristics that protect them in snowy winter months. The large "snowshoe" feet allow them to run fast above the snow to escape predators. They change from white in winter to brown in warmer months for the camouflaged effect that protects them from predators. With climate change causing shorter, less snowy New Hampshire winters, these characteristics are of little good to the hares, and the wrong color puts them at more risk for predation.

White Hares in a Brown Forest by John Livaitis – (Northern Woodlands winter 2021)

...” we see that snowshoe hares are already experiencing the effects of climate change. Although the fate of their populations in the future is not known, it seems likely that additional declines in abundance and distribution will happen. Continued changes in weather patterns, including the extent and duration of snow cover, will affect many high-latitude species that have evolved specific adaptations to winter. Snowshoe hares are just one example. Being attentive to these population trends and their correlation to warmer climate patterns can inform land management and conservation decisions, and perhaps provide opportunities to limit the impacts of climate change on these iconic animals in the Northeast.

John Litvaitis is an emeritus professor of wildlife ecology at the University of New Hampshire. He currently advocates for greater public involvement in developing wildlife policies and aids in efforts to monitor large carnivore populations in the Baltic region of Europe.

Concerns About Enforcement: How do the clubs control and keep the number of hares caught to 20 or 10 in management units specified in the rule when the clubs hire more than one trapper? Are these trappers communicating with each other in real time? For example, in 2024, the Claremont Beagle Club listed five trappers they used that year. The club reported in their summary report that they captured 22 hares. We were told by Colonel Jordan they released two, but when and where did they let them go? According to the rule, they must immediately release any hares over the limit at the capture site, but they did not know they had gone over until they filled out the summary report, or why would they report capturing 22? It seems unlikely they went back to the capture site to release them. This same club received violations for capturing and keeping a fisher. Fishers are declining in NH and protected from overtrapping. Trappers and beagle clubs know that, and to keep the fisher was a deliberate conservation violation.

Thank you for considering this petition to protect NH's snowshoe hares.

Sincerely,

Voices of Wildlife in NH

* [Sevin Dust: Protect Your Garden from Pests Effectively](#)

**[Is Sevin Dust Safe for Dogs? Is It Toxic? | Superb Dog](#)