

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
February 9, 2010

The regular meeting of the New Jersey Fish and Game Council was held on the above date. In attendance were:

Acting Chairwoman Jeanette Vreeland
Councilwoman Barbara Brummer
Councilman Dave Burke
Councilman Ed Kertz
Councilman John Messeroll
Councilman Dan Van Mater
Councilman Len Wolgast

Absent: Councilman Fred Hough
Councilman Robert Puskas

Division employees included: Director Dave Chanda, Assistant Director Larry Herrighty, Paulette Nelson, Tim Cussen, Jim Sciascia, Tony Petrongolo, Lisa Barno, and Sue Predl.

Members of the public included representatives from the Farm Bureau, The Federation of Sportsmen's Clubs, the Star Ledger and others.

The meeting was called to order at 10:12 am.

In accordance with P.L. 1975, c. 231 notice of this meeting was filed with and posted at the Office of the Secretary of State and sent to the designated newspapers of the Division, the Newark Star Ledger and The Press (Atlantic City) on January 27, 2010.

The flag salute and Pledge of Allegiance were completed.

Roll call was completed.

The minutes of the January 2010 meeting were reviewed. Two minor errors were corrected. **A motion was made by Councilwoman Burke, seconded by Councilman Wolgast to approve the minutes as corrected. A vote was taken with all in favor, none opposed.**

Acting Chairwoman Vreeland reviewed her activities for the past month. She noted a presentation that was given at a recent meeting she attended. Laurie Space Dey, from Space Farms, was the speaker, and she had brought several lion cubs with her. Acting Chairwoman Vreeland explained that the cubs' mother had died from complications after the birth of the cubs, and they were being hand raised for now.

Acting Chairwoman Vreeland also attended several meetings, including the meeting of the Trappers Association and other Councils.

Director Chanda reviewed his past months' activities for the Council. He attended the quarterly budget meeting to review the spending plan, and reported that the Division's budget should be fine for the coming year, but this was due to the 25% vacancy in the Division's workforce. The mandatory furlough days also help support a balanced budget. He noted that the Marine Fisheries budget was currently in a deficit, but the State and Federal funds should be in place and balance their accounts by June 30, 2010. He noted that while the budget news is good, it is difficult operating with a reduced staff.

Director Chanda also attended the Garden State Sportsmen's Show and Deer Classic, the New Jersey Waterfowlers Annual Meeting and the State Wildlife Turkey Federation Banquet. Director Chanda and Legislative Liaison Nelson attended a meeting of the Senate Committee at the State House where the committee released the Bill S-221 which prohibits the use of certain fishing gear on artificial reefs for consideration by the Senate. Director Chanda will also be in attendance at the public trout meeting at the Pequest Hatchery on February 13, 2010.

Director Chanda noted that he would be attending the Teaming with Wildlife fly-in days later this month in Washington, D.C. He reviewed the activities for this event, noting that we are able to meet with and show our Congressional representatives how we use the funding that is received.

The public comment period was announced. Members of the audience were reminded that there was no item on the agenda regarding the black bear policy, as previously reported in some news media. The only item able to be commented on today was the Community Based Deer Management Program permit for the Watchung Reservation. It was also noted that Council would go to Executive Session later in the day to discuss a lawsuit regarding bears.

First to address the Council was Barbara Sauchau. She felt that the Community Based permits were based on inaccurate, obsolete information that is poorly gathered. She also noted an article from today's Bergen Record on the inaccuracies going on in the "Garrett Mountain deer slaughter" and felt these inaccuracies were going on in every community based deer management project. Ms. Sauchau added that Union County has had this project going on for the past 20-25 years shows failure hunting as an activity that helps deer population. She added that she strongly opposes this Council making it so hard to use Gonacon, which she felt would be a long lasting help. Ms. Sauchau added that she felt the Council was made up of lobbyists for hunters and murderers, and that it needed a balance of members. Ms. Sauchau also commented that we saluted the flag today, noting "justice for all", but felt that those people who favor animal protection are not represented on this Council and there is not justice for all. Ms. Sauchau then went off subject relative to the agenda today, and was asked to hold those comments until the end of the meeting.

Next to speak was Loretta Windish from Matawan. She noted that she was a taxpayer and was against hunting. She noted the need to control the deer population, and added that Gonacon was

in a licensed status since September of last year. She said that it can also be used on other species with veterinary assistance. Ms. Windish felt that the Council has guidelines to control the population through the use of contraceptives, and added she would love to see studies done using something such as Gonacon. She felt that hunting was a temporary means to control the population. Ms. Windish added that she understood that costs and sampling could be difficult, but felt that the majority of taxpayers had expressed preference for humane population control methods. She felt that costs of such a program would go down over time.

Angie Metler, Director of the Animal Protection League of New Jersey was next to address the Council. She stated that when the Watchung hunt first began, it was to be a five year hunt, adding that it has now been two decades, and needs to be stopped now.

Next to speak was Marissa Weber, a student from Hazlet. She stated that she was upset with Fish and Wildlife for acting in contradiction to their mission statement and goals. She felt that hunting was not a positive co-existence. Ms. Weber read some statements to the Council, and closed by asking why they cater to the hunters when the majority of taxpayers are against lethal methods of wildlife control.

Last to speak was Janet Pizar from Essex County. Ms. Pizar referenced the 2009 deer harvest report, saying that 59% of the deer zones were managed for a population increase. She added that on one hand there is an overall program for deer population stabilization, and said that the taxpayers contribute 25% of the Division's annual budget, but that the Community Based Deer Management Program makes it necessary for the taxpayers to pay to remove the deer that they pay to create. She felt that the taxpayers have no representation, stating that this was "taxation without representation".

This completed the public comment period. Director Chanda asked to clarify that the Garrett Mountain property that was referred to is not part of the Community Based Deer Management Program. He also noted that the structure and statutory provisions of the Council has been reinforced by a decision of the New Jersey Supreme Court. There is a "public at large" representative position on the Council, which has been vacant for some time. This position may be filled by the new Governor. Director Chanda also noted that the State appropriation of monies to the Division budget is currently only 15% of the budget, and he reviewed how these monies are used. (division note regarding the statement by Ms. Weber that "the Management (Responsive Management is an internationally recognized public opinion and attitude survey research firm specializing in natural resource and outdoor recreation issues). Support for hunting and fishing has remained strong. In 1995 73% of Americans approved of hunting, 75% approved in 2003, and in 2006 78% approved of hunting.)

Councilman Kertz reported for the Agriculture Committee. There is 18" of snow currently in his area, so there has not been much field activity.

The Vegetable Growers Association had their convention in Atlantic City last month. Councilman Kertz noted that attendance was down. The State Agriculture Convention is being held today and tomorrow, and Councilman Kertz' replacement for nomination to this Council should be picked. Councilman Messeroll inquired about the replacement for Councilman

Hough’s seat on Council, and it was noted that someone had been nominated two years ago, but the nomination has not moved. Liz Thompson from the Farm Bureau was in attendance, and noted that Governor Christie would be speaking at the convention tonight, and these delays in appointments to the Council were going to hopefully be mentioned to him.

Councilman Messeroll reported for the Legislative Committee, noting that they held a brief meeting this morning. The Committee will meet again on April 13, 2010 at 11 a.m., before the start of the regular Council meeting at 1 p.m. Legislative Liaison Paulette Nelson distributed handouts of the bills from the past and present Legislative sessions. She noted that Bill S-221, which prohibits the use of certain fishing gear on artificial reefs, had passed the Environment Committee on February 1, 2010. The only new bill was A 678, which requires all cats and dogs released from shelters and pounds be sterilized with certain exception; increases certain dog-related fees; dedicates increases to Animal Population Control Fund; establishes new eligibility criteria for State spaying and neutering program. The Committee supports this bill. Other bills discussed during the Committee meeting were:

A-166	Permits use of deadly force against black bears in certain cases.	Under Review
A-181 S-1013	Authorizes black bear hunting permits and permit fees , and clarifies Fish and Game Council authority over bear hunting.	Support
A-288 S-106	Establishes Hooked on Fishing—Not on Drugs Program in DEP and appropriates \$200,000 therefore from Drug Enforcement and Demand Reduction Fund.	Support
A-308 S-113 S-927 S-928 S-1164	Authorizes free hunting, fishing and trapping licenses and free admission to State parks and forests for individuals with certain types of military service.	Support
A-320 S-124	Establishes, in the Division and Wildlife in DEP, a program to encourage school children to avoid drug use and appropriates \$200,000 therefore from Drug Enforcement and Demand Reduction Fund.	Support
A-713	Dedicates \$20 million annually in realty transfer revenues to pay for development, improvement and repair of State parks, forests, recreation areas, historic areas, natural areas and fish and wildlife areas.	Support
A-753	Requires DOT to provide for removal of deer carcasses from county and municipal roads; appropriates \$730,000.	No Position

A-760	Designates bison as agricultural livestock.	Oppose
A-823 S-1122	Requires DEP to establish free recreational saltwater fishing registry.	Oppose Free Registry, Supports if Funded
A-1152	Prohibits the use of certain fishing gear on artificial reefs.	Support
A-1204	Authorizes free hunting, fishing and trapping for certain retired military personnel.	Support
A-1683 S-1184	Changes perimeter for bow and arrow hunting around occupied building.	Support
S-54	Changes restrictions on certain county or municipal stream cleaning activities.	Oppose

Councilman Messeroll noted that there are many bills regarding free hunting, fishing and trapping licenses and free admission to State parks for individuals with certain types of military service, and added that they need to be combined. After some additional discussion, **a motion was made by Councilman Messeroll, seconded by Councilman Wolgast to support the recommendations of the Legislative Committee on these bills. A vote was taken with all in favor, none opposed.**

Councilwoman Brummer reported for the Endangered and Non-Game Species Advisory Committee (ENSAC). She noted that they would like to have a joint resolution with this Council on the Trap-Neuter-Release (TNR) program for feral cats. The AdHoc Committee for TNR will convene in April, and will be chaired by Eric Miller, and will also include persons appointed to ENSAC, as well as Councilman Wolgast, the head of the Humane Society, and Dr. Stull. She noted that they need to involve all types of opinions on this issue.

An update on the bobcat program in New Jersey has been requested, and it will be presented to the ENSAC, then to this Council, but both will occur at a later date.

Councilwoman Brummer noted a presentation on horseshoe crabs given at the Atlantic Marine Fisheries Council. A model will be reviewed and sent back to the technical committee, but ENSAC feels the model needs to be updated.

Councilwoman Brummer added that a bog turtle update can also be done for this Council if they desired.

At the ENSAC meeting, they agreed to send a letter to welcoming the new Commissioner and explaining what they do and asking for a meeting with him. Councilwoman Brummer felt that the Acting Chair of this Council may want to do the same.

Councilman Wolgast gave two papers to Councilwoman Brummer regarding the feral cat initiative, and also gave copies of these to Assistant Director Herrigty to forward to Chief

Jenkins of the Endangered and Non-Game Species Program. He noted that Partners in Flight estimates that one billion birds are killed by cats each year.

Acting Chairwoman Vreeland distributed a letter that was sent to Gil Ewing, Chairman of the Marine Fisheries Council noting this Council's support of the recreational saltwater fishing license. Acting Chairwoman Vreeland also asked Council's opinion on Councilwoman Brummer's suggestion to send a letter to the new Commissioner. There was some brief discussion on what to include, and **a motion was made by Councilman Messeroll, seconded by Councilwoman Brummer to send a letter of support.** After some additional discussion, **a vote was taken with all in favor, none opposed.**

Councilman Messeroll noted that he had missed the last State Federation meeting. He reported that the Garden State Outdoor Sports show was well attended. The Harrisburg Outdoor Show is being held this week, and members were reminded that the Mercer County Federation has bus transportation available for anyone interested. Councilman Messeroll commented on how far superior the New Jersey white-tailed deer display was compared to some other states.

There have been many banquets lately. The United Bow Hunters awards banquet will be held on March 13, 2010 at Angeloni's.

The saltwater license and saltwater registry have been a topic of discussion lately at Federation meetings. Councilman Burke added that the Federation had a booth at the Atlantic City Boat Show, and most of the questions they received were about the saltwater license issue. He was surprised about the amount of people opposed to the registry. Councilman Messeroll said the Raritan Sport Show also saw the same response.

Acting Chairwoman Vreeland noted that she would not be able to attend the State Federation Meeting next week. Councilman Messeroll will be there, and will report for the Council.

Chief Barno reported for the Bureau of Freshwater Fisheries. She distributed a final print out of the Fish Code. This was published in the Register on January 4, 2010, and stays in place until July 13, 2012.

Chief Barno next distributed a hand out of the trout stocking proposed allocations. She reviewed the changes to the allocation with the Council. Additions included:

Alexauken Creek, Hunterdon County	780 trout
Tuckahoe Lake, Cape May County	2080 trout

Stocking at the Ponderlodge Pond has been suspended due to unsafe building structures on the area, making this a safety issue. Chief Petrongolo from the Bureau of Land Management will work with Stockton University on this issue, since they are now leasing the area. Five areas have been dropped from the stocking program. They include:

- Dennisville Lake, Cape May County
- West Pond, Cape May County
- Scarlet Oak Pond, Bergen County
- Spring Mills Brook, Hunterdon County
- Roaring Rock Brook, Warren County

Chief Barno also explained that the baseline information is always being reassessed, and because of this several allocation adjustments were made. They were:

D & R Feeder Canal (Upper Section)	reduced to 7,770 trout
D & R Feeder Canal (Lower Section)	increase to 4,810 trout
Pequannock River – Trout Conservation Area	has been relocated
Musconetcong River (Lower 2) area	increase, trout increased to 13,020
Musconetcong River – Trout Conservation Area	changed from “seasonal” to “year round”, trout decreased to 1,520 total to be stocked
Paulins Kill River (Upper) - Trout Conservation Area	has been removed, and area added to Paulins Kill Upper stocking, which will receive a total of 830 trout.

White Lake will no longer be treated as an exception for the pre-season/in-season schedule, and will now follow the same schedule as other holdover trout lakes.

There is a baseline in place for 570,000 trout for the season. Chief Barno noted that the information given today will be presented this Saturday at the public trout meeting at the Pequest Trout Hatchery.

The deletion of Dennisville Lake was discussed. Chief Barno noted that there was a lack of public interest at that area. The additions to the program should give anglers a better opportunity.

A handout of the Bonus Broodstock Program for ponds and lakes was also distributed and reviewed for the Council.

Councilman Messeroll asked about using volunteers with Commercial Driver’s Licenses (CDL’s) to assist with driving the trucks. Chief Barno advised that they should contact Regional Superintendent Bob Olsen at the Whittingham Office, noting that they would not be driving trucks but could assist with fish distribution.

The Council was reminded of the meeting on February 13, 2010 at the Pequest Trout Hatchery, which will be followed up by a meeting on February 27, 2010 at the Batsto Visitor’s Center.

On December 23, 2009, there was a fire in the electric control panel for the well system at the Pequest Hatchery. Chief Barno noted the great job Engineer in Charge of Maintenance Clint Decker did on getting the backup systems running. There was no power to the main system for 24 hours. The faulty panel has been replaced.

There has been a settlement of the lawsuit with the Lake Hopatcong Commission. Chief Barno gave a brief review to the Council, noting they are working on a water level management plan for the lake.

The January issue of the Fish and Wildlife Digest is out, and features a fish from Lake Audrey on the cover. There is also an article on Lake Audrey in the Digest, and since it has come out, a number of requests have been made about this area. Chief Barno also noted that there should be better boating access to the lake in the next three to four months.

Chief Barno asked the members of the Council for any suggestions they may have for the 2011 Freshwater Digest. It was suggested to see what the anglers may want to see in the Digest, as well as information on the fish line recycling program.

Councilman Messeroll inquired about a truck depot that was proposed to be constructed in Liberty Township that would abut the Musconetcong River, and asked if the Division would have any input on this matter. Chief Barno advised it would depend on how the permit is written. There was some additional discussion on this matter.

Assistant Director Herrighty reported for the Bureau of Wildlife Management. He distributed the current and the end of the year bear report information, noting that in 2009 there were 3,003 calls compared to 2,844 calls in 2008.

At the Rockport Game Farm, work is underway to make the necessary repairs to the pens caused by recent winter storm. Demolition has started on the brooder house, which will be re-built.

Assistant Director Herrighty noted a meeting that is scheduled with Pheasants Forever. They have considered using the Six-Mile Run Reservoir area for the program to re-establish a native pheasant population. A site visit to Liberty State Park is planned to determine if native birds can be relocated from that area. There was additional discussion on this matter, and it was noted that Six-Mile Run Reservoir is being considered for the area where this project will be developed.

Assistant Director Herrighty reported that yesterday he and Principal Biologist Predl were in court in Essex County regarding a lawsuit for the South Mountain Reservation. The Division prevailed in that court, however, additional information will be available from the Deputy Attorney General later today if this was going to be filed in Appellate Court.

Director Chanda noted that the \$1.2 for renovations at the Rockport Game Farm brooder house was taken from the sportsmen's Vernon Valley fund.

Principal Biologist Predl presented a Community Based Deer Management Permit (CBDMP) for the Watchung Reservation. She noted that this was the 15th year they were requesting a permit. Originally they had proposed to reduce the deer population in five years, but managed to do it in three, and for the last 12 years they have been in "maintenance mode". They will be using 12 volunteer agents for three days, shooting from treestands using shotguns over bait, and during daylight hours. Watchung Reservation is located in a deer management zone where the goal is deer reduction. She reviewed the background information for this permit request for the Council, noting that the application is based on deer vehicle collisions as well as deer damage. The permit is not from the parks system, but is filed on their behalf by five surrounding communities. These communities all have resolutions endorsing this permit for a five year period. They are requesting to utilize this permit on March 1, 2 and 3, 2010 if the weather allows. The only exceptions to the statutes would be hunting within designated times, and no requirement to wear an outer garment of florescent orange. Principal Biologist Predl recommended that the Council approve this permit. **A motion was made by Councilman Messeroll, seconded by Councilman Wolgast to approve the application for a Community Based Deer**

Management Permit for the Watchung Reservation. Councilman Burke asked to emphasize why CBDMPs were requested, noting that in most cases they are in areas of population reduction strategies, and the reason there is an overabundance of deer in these areas is that they have been closed to hunting for decades. He also noted that while these activities are usually referred to as hunting, they are really deer culls and are a way to deal with the overabundance of deer in urban and suburban areas. Assistant Director Herrighty noted comments made by Ms. Sauchau during the public comment period, in which she said this was supposed to be a five year permit. He added that by former policy, applicants were required to make a five year management plan, but the statute adopted in 2000 eliminated that requirement. Councilwoman Brummer commented that the forest re-growth would not be healthy if the deer continued to feed upon it. Councilman Kertz asked what became of the venison from this program. Principal Biologist Predl explained that agents who donate three days of work are allowed to keep up to 20 pounds of the venison, and the remainder goes to the Hunter's Helping the Hungry program. Assistant Director Herrighty clarified that meat goes to the same butchers that assist with the Hunters Helping the Hungry program, but the venison is part of a separate donation program. Costs for butchering are paid by Union County. Principal Biologist Predl was asked for her opinion, not scientific documentation, that if Gonacon was used 3 or 4 years ago, what would the costs be. She noted that there would be no donation program for venison, and that the costs to the County would be significant, noting the costs of the program in Princeton is \$814. per deer. The only deer decrease would be from deer/vehicle accidents, and there would be a slow decrease in the population. Assistant Director Herrighty added that the Princeton study conducted by Dr. DiNicola using Gonacon included the use on fawns and does. Though not EPA approved in New Jersey, the EPA labeling is for use on adult female deer, which decrease the effectiveness since fawns in the mid-Atlantic region breed. The EPA label also recommends using Gonacon only after the deer population is reduced to desired population number. Councilman Kertz asked hypothetically, if the population goal was met, then the use of Gonacon began, wouldn't the program cost more plus there would be the loss of venison to the food donation program. Principal Biologist Predl reviewed the costs for the Council. Councilman Messeroll also noted that even if the population could be reduced and the numbers go down, deer will continue to come in from other areas. **A vote was taken, will all in favor, none opposed to approve the application.** Councilman Messeroll also noted the background checks that Union County does on their agents for this program.

Chief Cussen reported for the Bureau of Law Enforcement. He reported that officers recorded a total of 5,807 hours of duty during this last reporting period. These included 1519.5 for deer hunting, 933 for marine resources and 708.5 for hunting activities.

During this reporting period, officers issued 319 summonses, 21 written warning, and made one criminal arrest. The summonses include 84 for deer hunting violations, 44 for waterfowl hunting violations, 20 for small game hunting violations, 21 fishing violations and 26 wildlife management area violations.

Chief Cussen noted that within the last two weeks, officers from the Northern Region removed a red diamond rattlesnake from Jersey City, and a cobra from Union City. He added that the cobra was being kept in a fish tank on top of a bedroom dresser, but that was only four feet away from

a baby's crib. Additionally, a three foot alligator was removed from a location in Central New Jersey. All were removed to a facility in Massachusetts trained in handling dangerous animals.

Chief Cussen noted one case in the highlights, were Conservation Officer Martiak from the Central Region reached settlement in a court case involving the unlawful possession of alligators in Marlboro, Monmouth County. The person involved was a repeat offender, having been caught at least three times before. The person agreed to pay \$16,500 in penalties. Chief Cussen noted that this person had been charged in the past, paying \$12,000, and other lesser amounts in fines. He added that officers are receiving more calls than ever before on cases such as this.

Councilman Kertz noted that he had spoken with a Marine Conservation Officer several weeks ago, who noted he was not allowed to handle inland related calls when he was contacted personally. Chief Cussen explained the reasoning for this, noting that the inland and marine officers operate from different funding sources. There was additional discussion on this matter.

Councilman Messeroll inquired about the number of hunting accidents that had been reported, asking if numbers were up or down. Chief Cussen noted a total of 15 were reported, which is about average from years past.

The meeting broke for lunch at 11:55 am, and resumed again at 12:45 pm.

Chief Sciascia reported for the Bureau of Information and Education. He distributed a handout of information on the saltwater registry that had been prepared for public distribution.

Chief Sciascia reported that there was a large display of deer mounts at the Garden State Outdoor Show, with an outstanding group of entries. The award ceremony was also well attended. Two public seminars given by Division personnel also were well attended. He thanked the Federation of Sportsmen's Clubs, New Jersey Outdoor Alliance and the United Bow Hunters of New Jersey for their sponsorship in providing plaques for the winners.

Chief Sciascia noted that this is a busy time of year for his staff. The Suffern Outdoor Show will be held March 4 through 7, an Outdoor Writer's Workshop will be held on March 18 at the Assunpink Office, the Pequest Open House on March 27 and 28, and the opening day of trout season event at Pequest on April 10.

Chief Sciascia reported that the Trout in the Classroom program has reached over 100 schools.

Chief Sciascia noted that he had previously spoken about the Cold Water Conservation School. It will be held June 24 through 27, 2010, and registrations are being received. Acting Chairwoman Vreeland asked for information for anyone who would like to sponsor a student.

The bear education program was reviewed. Chief Sciascia noted that there are restrictions on contract renewals, which prevented the renewal of the DEP's contract with the NJ Broadcaster's Assoc. to air the black bear radio PSAs. The \$60,000 of bear education funds budgeted for our portion of the NJBA contract has been placed in reserve. Staff will be requesting approval to use

a portion of this reserve to print more literature to add to inventory. A direct mail campaign is also being considered for the Spring in the communities that have the highest bear incidents.

The Hunter Education unit is reviewing their past year, and making plans for 2010. Team meetings and instructor training are starting. This year, they will be holding hunter education classes on weekdays once a week in both the north and south.

The results from the angler survey done by the Recreational Boating and Fishing Foundation are still not available. Chief Sciascia wants to get these before making any commitments to participate in the RBFF state marketing partnership this year.

Chief Sciascia distributed a handout of the 2008 and 2009 hunting license and permit sales. Sales of non-resident bow and arrow licenses and permits were up, and he felt this may be due to Sunday hunting and crossbow use. Sales of bow licenses and permits were up in every category. However, decreases in firearm permits suggest some hunters who were new or returning bow hunters this year, were firearm hunters in the previous year and some chose to participate in the archery permit seasons instead of the firearms permit seasons this year. Overall, license and permit sales were up 2%, and he anticipates a further increase in bow and arrow licenses and permits this upcoming season.

Chief Sciascia noted that Councilman Puskas had previously asked for information on the apprentice license program from other states. He distributed information from 14 other states on their programs, and reviewed this for the Council. He noted that there is a lot to look at to develop this type of program, and that should be done soon since it would require some changes to the existing statutes. There was some additional discussion on this matter.

Chief Petrongolo reported for the Bureau of Land Management. He noted that there were no new additions this past month, but the Green Acres program has remained busy with new acquisitions.

The Bureau is in the process of expanding forestry opportunities, with 25 acres were harvested this year. Next Winter, they are planning to have inventories done in all three regions, and hope to have a timber harvests at Pequest, Hamburg Mountain and a cooperative plan at Sparta Mountain. A plan for the Berkeley Triangle, which covers part of the Greenwood Wildlife Management Area (WMA), is being worked on. Future plans are being considered for the Peaslee WMA. This area is surrounded by a Nature Conservancy preserve, and staff will be meeting with their representatives in March. A new Memorandum of Understanding with the Pinelands Commission is being developed. If it is signed, it would allow for work to proceed next Winter. A firewood salvage project is also being planned for the Buckshutem WMA. Chief Petrongolo noted that most of these plans will be developed as 10-year plans.

Yesterday, staff met with the Landis Sewage Authority, who own the property surrounding the Union Lake WMA in Cumberland County. They had sent a letter noting that they are having problems with wild turkeys. Chief Petrongolo noted that this is a good quail area, and there was a meeting with them and representatives from the New Jersey Quail Project. They are anxious to work with us on a management plan for their 1,800 acre property, which sits amongst the 6,000

acre Union Lake WMA. Chief Petrongolo noted that they spray bio-solids on their area, but have been working with on a forestry project for the last 15 years, and have a progressive program in place.

Many of the leases have been returned for the new farm lease program. Several are still outstanding, and one has been declined. Chief Petrongolo reported that so far the program is working.

Lake Audrey on the Millville WMA re-opened at the beginning of the year, and many calls have been received about using it. Crews are working to improve access to the area. Chief Petrongolo explained that this is a 125 acre former gravel pit and is being used as a small mouth bass test area. Assistant Director Herrighty asked what kind of boat launch access was available and if there were restrictions on motors. Chief Petrongolo noted it was car top launching, and electric motors only.

Councilman Wolgast asked about the Non-Game and Endangered Species report, where the New Jersey Habitat Incentive Committee says that forestry plans in the Pinelands are lacking, and asked Chief Petrongolo to address this. Chief Petrongolo noted that the Non-Game staff are an integral part of the Berkley Triangle team, and gave an explanation of their involvement. Councilman Wolgast also noted that the report refers to plans from consulting foresters, and Chief Petrongolo noted that this is a template for the Committee to use. Chief Petrongolo gave an explanation that these plans are reviewed and revised, and noted that nothing has been finalized and these are just a basis to go on. There was additional review of this matter.

Old and new business was discussed. The Waterfowl Stamp Committee met last month, and discussed the survey questionnaire regarding a fee increase. Due to the costs involved, they do not feel it is necessary to do. Assistant Director Herrighty noted that the Waterfowl Stamp Committee had asked for this, and would they still consider survey, if there would be no cost to them. Councilman Messeroll questioned if this was possibly a survey question that could come up when someone obtains their hunter information program (HIP) number or purchases a waterfowl stamp through the electronic licensing system.

Councilman Wolgast noted that the Chairman of the New Jersey Outdoor Alliance (NJOA) had published a book "Color the Green Movement Blue" which shows the documentation of the foundation of the NJOA and the battles they have faced since 2007. Proceeds from the sales of this book go to the NJOA.

Members were reminded of the two public trout meetings that were scheduled.

The next Council meeting will be on March 9, 2010. The Game Committee will meet on March 16, 2010. Members were reminded to forward any information or correspondence they have received regarding the Game Code to Assistant Director Herrighty.

Acting Chairwoman Vreeland noted that the public comment period would be conducted, and would be followed by the Executive Session portion of the meeting. Speakers were advised that

they would have a total of three minutes each, with a total time of 15 minutes being given to all speakers.

Janet Pizar from Essex County was first to address the Council. She hand delivered letters to Director Chanda and Acting Chairwoman Vreeland. Assistant Director Herrightly asked that she also send this electronically, which she acknowledged. Ms. Pizar asked to go on record that she was still waiting for a response to her April, August, September, November and December 2009 letters. Acting Chairwoman Vreeland reminded Ms. Pizar that she had previously publicly advised her that the letters she presents to Acting Chairwoman Vreeland are deferred to the Division to be responded to due to the information she is requesting. Ms. Pizar acknowledged this, but added since this is a meeting of the Fish and Game Council, the Acting Chair should take the lead to assure a response is made.

Ms. Pizar noted information she said was from the U.S. Consumer Products Safety Commission which said that 37 human fatalities were caused by vending machines from 1978 until 1995, and she felt that this showed vending machines were more dangerous than black bears.

She also noted an article from yesterday, where she said that Councilman Wolgast said the upcoming Black Bear Management Policy would include having a bear hunt. Councilman Wolgast stressed that the policy has to be comprehensive. Ms. Pizar noted that there have been aversive conditioning studies done for which information still has not been received, and found it interesting that a plan could be designed without the results of these scientific studies. Councilman Wolgast reminded Ms. Pizar that this was a policy, not a plan, and explained that it had been designed earlier when we were experiencing much less bear problems than we are now and did recommend a hunting season. He added that if there was a need then for a hunt, and we are experiencing more problems now, it would certainly explain why a hunt was necessary. (at this time, Ms. Pizar was advised that she had reached four minutes of time, and she was asked to please conclude her comments to the Council).

Ms. Pizar spoke on the black bear feeding ban, and what she felt was a lack of enforcement. She said the public had seen \$250,000 appropriated to the Bureau of Law Enforcement in 2008. Ms. Pizar referenced the Title 23 laws, saying that only two Title 23 violations were written in 2008, and felt that these violations cost \$125,000 to write. She questioned work was done to support these salary monies of \$149,000 in Fiscal Year 2008. Ms. Pizar also noted her letters, and the breakdown of monies spent that she included. She noted that staff overtime, clothing and uniform maintenance, gas, tires and vehicular maintenance, fuel and utilities, photographic equipment, travel, telephone and data processing were all charged to this account. (she was asked to please end by Acting Chairwoman Vreeland). Ms. Pizar went on to say that the public was holding the Division accountable for these expenses and will be waiting for this information.

Barbara Sauchau was next to address the Council. She noted cats and the impact on bird populations, adding that APHIS depredation permits killed two million birds. She felt that this was a substantial loss to the bird population, and wanted to know what the impact on the bird population was from Federal agencies. She felt that information on these permits was extremely secret and added that she does not like it.

Ms. Sauchau next addressed Director Chanda and the trip he would be taking to Washington, D.C., as he reported earlier. She said she wanted the details of the trip and a report of what they do when they go to Washington. Ms. Sauchau noted the portion of the flag salute “justice for all” and asked how would you feel if you didn’t get answers. Ms. Sauchau asked why Principal Biologist Predl’s information was not on the website to be reviewed. Ms. Sauchau also felt that the Council never appeared at meetings of animal protection groups, and that they only outreached to the Federation and other “gun whackos”.

She added that they Council structure has been the same since 1945 and the times have changed and the Council should change.

Additionally, Ms. Sauchau noted that she was at a Legislative one week ago, and there were many complaints about the DEP not getting back to people.

Ms. Sauchau questioned why Division staff were at private, for profit Edison outdoor shows. She questioned if the Division was being paid to be there, and felt that they should be paid to be there or be there on their own time.

There were no other members of the public wishing to make comment.

Director Chanda clarified to Ms. Sauchau that the Supreme Court ruling on the Council structure heard in 1978, not 1945. The Council was established in 1945.

A motion was made to go to the Executive Session portion of the meeting to discuss pending legal matters by Councilman Burke, and seconded by Councilman Van Mater. A vote was taken with all in favor, none opposed. Executive Session began at 1:42 pm.

Executive Session concluded at 3:03 pm, and the meeting adjourned at 3:04 pm.