

MINUTES OF THE MEETING OF THE  
NJ FISH AND GAME COUNCIL

Central Region Office  
Robbinsville, NJ  
December 14, 2010

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

The meeting was called to order at 10:12am by Councilman John Messeroll. Councilman Messeroll explained that as of 5:30 pm on December 13, 2010 Acting Chairwoman Vreeland's term had officially expired and she had been replaced by Agust Gudmundsson, and Councilman Kertz's term had also expired, and he had been replaced by Jeffrey Link. Roll call was then taken, and in attendance were:

Councilman Phillip Brodhecker  
Councilwoman Barbara Brummer  
Councilman Dave Burke  
Councilman Agust Gudmundsson  
Councilman John Messeroll  
Councilman Dan Van Mater

Absent: Councilman Jeffrey Link  
Councilman Robert Puskas

Division employees included Assistant Director Larry Herrighty, Paulette Nelson, Jim Sciascia, Tim Cussen, Lisa Barno, Tony Petrongolo, Dave Jenkins, Patrick Carr, Carole Kandoth, Mick Valent, Barbara Stoff, staff from the Bureaus of Law Enforcement and Wildlife Management.

Members of the public included representatives of the Federation of Sportsmen's Clubs, Trout Unlimited, the Farm Bureau and others.

The flag salute and Pledge of Allegiance were completed.

In accordance with P.L. 1975, 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 Atlantic City Press on November 17, 2010.

Minutes of the November 9, 2010 Council meeting were reviewed. **A motion was made by Councilman Van Mater, seconded by Councilwoman Brummer to accept the minutes as presented. A vote was taken with all in favor, and one abstention from Councilman Gudmundsson.**

Minutes of the November 29, 2010 Special Telephonic Council Meeting were also reviewed. **A motion was made by Councilman Van Mater, seconded by Councilwoman Brummer to accept the minutes as presented.** Councilman Burke noted that the minutes reflected his call was broken up, but he had stated that there are 5 to 7 ½ times the recommended density of bears in New Jersey.

**A vote was taken with all in favor, none opposed, and one abstention from Councilman Gudmundsson.**

Former Acting Chairwoman Vreeland was in attendance, and was thanked for her work and leadership on the Council. Councilman Gudmundsson was welcomed to the Council.

Councilman Messeroll next addressed the need to nominate an Acting Chairperson. After some brief discussion, **a motion was made by Councilman Messeroll, seconded by Councilwoman Brummer to nominate Councilman Burke as the Acting Chairman.** Councilman Burke agreed to his being nominated. **A vote was taken with all in favor, none opposed.**

At this time, the meeting was turned over to Acting Chairman Burke.

Acting Chairman Burke noted a correction that needed to be made to the final version of the October 2010 Council Minutes. This was only to correct a typographical error. **A motion was made by Councilman Messeroll, seconded by Councilman Brodhecker to approve this correction. A vote was taken with all in favor.**

Acting Chairman Burke deferred any Chairperson comments to former Acting Chairwoman Vreeland. She advised that she would still be around in the sportsmen's area.

Assistant Director Herrighty was sitting in for Director Chanda, who was attending an Executive Board Meeting of the Association of Fish and Wildlife Agencies. He thanked former members Vreeland and Kertz for their work on the Council.

Assistant Director Herrighty noted that Supervising Biologist Carr was in attendance to brief the Council on the black bear season, and that Principal Biologist Stoff and Supervising Biologist Kandoth would be discussing a code issue with regard to permits. Principal Biologist Valent would also be giving a presentation on bobcats at 11:00 am today.

It was noted that Captain Fletcher from the Northern Region had organized assistance from the State Police and State Park Police to work with staff at bear check stations during the black bear hunting season. Assistant Director Herrighty also noted special thanks to Deputy Attorney General Jablonski, who handled three different black bear hunting season related lawsuits.

Acting Chairman Burke asked if there was anyone wishing to make public comment on the bobcat presentation that was being given today. He advised members of the audience that there would be nothing to vote on, and that the presentation was informational only.

Barbara Sauchau addressed the Council. She felt that bobcats should remain as an endangered species, and felt that the Division was considering a hunt and wanted to make a protest of opposition.

Committee reports began. Councilman Brodhecker reported for the Agriculture Committee. He noted that most crops are harvested. Farmers were still seeing problems with bear attacks on small livestock.

Councilman Messeroll deferred to Legislative Liaison Nelson to give the Legislative Committee report.

She noted that the Committee had last met on September 20, 2010 and reviewed the bills they discussed:

- A 157  
S 347            Renames the Department of Agriculture as Department of Agriculture and Conservation; transfers certain agencies from Other departments to the Department of Agriculture and Conservation; clarifies authority of Fish and Game Council. The Committee recommends opposing.
- A 2272  
S1167            Increases membership of Fish and Game Council and clarifies it has sole authority to regulate freshwater fishing, hunting and trapping. The Committee recommends supporting these bills with the amendment that the new member, being from the aquaculture community, should be appointed to the Marine Council and not the Fish and Game Council.
- A 2695            Authorizes free State park admission and free hunting, fishing and trapping licenses for persons with certain types of military service. The Committee recommends supporting this bill.
- A 2770  
S 2058            Transfers the Division of Fish and Wildlife and related entities to the Department of Agriculture. Committee recommends opposing.
- SCR 32            Proposes constitutional amendment to preserve right of people to hunt, trap and harvest fish and wildlife. The Committee recommends supporting.

**A motion was made by Councilman Gudmundsson, seconded by Councilman Messeroll to follow the recommendations of the Committee.** There was some additional discussion on the matters discussed today, after which **a vote was taken with all in favor, none opposed.**

Current bills were also discussed. They are as follows:

- A 308  
A 2695            Authorizes free hunting, fishing and trapping license and free admission to State parks and forests for individuals with certain types of military service. (these bills were combined) It was noted that the Committee has supported these in the past. These were in the Senate Advisory Committee on 12/9/10).
- A 823  
S 1122            Requires DEP to establish free recreational saltwater fishing registry. (It was noted that both bills were at the Senate Budget Committee) There was further discussion on this bill, and Councilwoman Brummer noted that the ENSAC Committee had sent a letter opposing the “no fee” portion of this bill, and suggested that this Council do the same. After some additional discussion, **a motion was made by Councilman Gudmundsson and seconded by Councilman Van Mater to send a letter recommending a \$5 fee for the registry. A vote was taken with all in favor, none opposed.**

Newly introduced bills were:

- A 3206        Implements Fish and Game Council recommendation to prohibit unintentional feeding of black bears and require bear-resistant dumpsters or food boxes, or both, at certain campgrounds and closed communities in bear habitat.
  
- A 3310        Renames quail management area within Greenwood Forest
- S 2224        Wildlife Area as “Dr. A. Hunter Wilcox Field Trial Grounds”.

The meeting adjourned for five minutes to prepare for the bobcat presentation, and resumed at 11:07am.

Councilwoman Brummer introduced Principal Zoologist Valent and Chief Jenkins from the Endangered and Non-Game Species Program. Principal Zoologist Valent gave a power point presentation on Bobcats to the Council, which included reviews of tracking work, data collection and analysis, areas of habitat, threats to their sustainability and goals and objectives for the future.

Chief Cussen from the Bureau of Law Enforcement addressed the Council, advising that Deputy Attorney General Magnus was present today to swear in the newly hired Conservation Officers Ryan Harp, Edward Klitz, and Christopher Moscatiello.

Chief Cussen along with Assistant Director Herrighty presented the National Wild Turkey Federation 2009 Officer of the Year Award to Conservation Officer Ely from the Southern Region.

The meeting adjourned for lunch at 12:10pm and reconvened at 12:55pm.

Councilwoman Brummer reported for the Endangered and Non-Game Species Committee. She noted that in addition to the presentation given today, Dr. Erica Miller would be in attendance next month to give a presentation on lead in wildlife.

Councilwoman Brummer noted a stakeholder meeting that was held regarding landscape maps.

Staff are beginning the process of holding stakeholder meetings regarding feral cats. These will be done in groups and will span out over several months. Councilman Messeroll will also be working on this.

Chief Cussen reported for the Bureau of Law Enforcement. It was noted by Acting Chairman Burke that this would be Chief Cussen’s last meeting due to his retirement.

During this reporting period, officers recorded a total of 6519.5 hours of service. These included 1222 for deer hunting, 1040 for small game hunting, 1039.5 for marine resources and 482 for training. Training hours included the Fall firearms training cycle.

Officers also made 5,015 field inspections, resulting in 304 summonses, 14 warnings and 1 criminal arrest. Summonses included 91 for marine recreation violations, 79 deer hunting violations, 46 wildlife management area violations and 36 hunting violations.

Chief Cussen was questioned on any safety incidents that may have occurred during the black bear hunting season. He noted one 17 year old hunter that killed a bear within 250 feet of a neighbor's home. This matter is being investigated, and Chief Cussen noted that since the shooter was a minor, they could not be charged criminally, but did review what could follow. Chief Cussen also noted that no accidents were reported related to the black bear hunting season.

Councilman Messeroll reported for the Federation. He noted he was not in attendance at the recent State meeting, but reported on the Garden State Outdoor Sportsmen's Show and Deer Classic that were scheduled for January 13-16, 2011.

Councilman Van Mater reported there was not much deer hunting activity in his area, as well as in the area he hunts in the pines.

Councilman Gudmundsson had no report.

Acting Chairman Burke noted there had not been any meetings in the Southern area, but had heard that Atlantic and Cumberland Counties had average to above average results for the six-day firearm season.

Chief Barno reported for the Bureau of Freshwater Fisheries. Topics discussed at the December 4 fisheries forum were reviewed for the Council. Approximately 35 anglers were present at that session. The Southern Region forum is scheduled for February.

Councilman Messeroll requested that the Fisheries Committee meet sometime early next year. The meeting will be held on February 8, 2011 at 9 am, followed by the regular Council meeting at 11 am.

Winter trout stocking was completed the three days before Thanksgiving. Angler reports show that they are catching and are happy with the size of the fish.

Chief Barno reported the fish pump has arrived at the Pequest Hatchery, which will make loading the trucks for stocking much easier.

Also at the Pequest Hatchery, it was noted that the night watchman would be retiring, and this would cause an additional loss of personnel at the Hatchery.

Chief Barno attended the Recreational Boating and Fishing Foundation's marketing workshop recently. Forty-one states were in attendance, and she noted it was good to be able to discuss with representatives from other areas the work they are doing.

Staff have been meeting with Conservation Officers in each region for suggestions on any changes they would like for regulations and stocking programs. Chief Barno noted that there has been quite a bit of discussion on snapping turtles.

Chief Barno answered questions regarding water quality survey reports and fish quality.

Assistant Director Herrighty reported for the Bureau of Wildlife Management. He noted that staff have still not received any applications for Community Based Deer Management Permits, but are expecting Essex and Union Counties to apply. Both have been advised of the statute changes and the new process for filing applications.

Supervising Wildlife Biologist Carr was in attendance to give a preliminary summary of the black bear hunting season. There was a total harvest of 591 bears, with 330 of those being from Sussex County in areas of zones one, two and three. The harvest included 238 males and 353 females, which reflects the age structure and sex ratio found during research and control activities. He reviewed additional information, and noted that staff expect 1,000 cubs will be born North of Route 80 and West of Route 287 this January. Discussion continued and questions were answered for the Council. Assistant Director Herrighty added that the Commissioner would be briefed on the results of the hunt.

Principal Biologist Stoff addressed the Council concerning the black bear permit application period. Currently, the application period is up to and including October 30. She described that more time is needed to allow for applicants to claim their awarded permits, and requested that the application period be changed to September 15 through October 15. **A motion was made by Councilman Messeroll, seconded by Councilman Van Mater to adjust the black bear permit application period to September 15, 2010 through October 15, 2010. A vote was taken with all in favor, none opposed.** Assistant Director Herrighty added that this would be an amendment to N.J.A.C. sec: 725-5.61 (a)iii.

Chief Sciascia reported for the Bureau of Information and Education. He noted that Hunter Education numbers increased some last month, but overall graduates were down by 2 percent compared to 2009. The number of course certificates issued overall were the same as 2009, however he reported that archery certificates increased by 5 ½ percent, while rifle certificates were down by 6 ½ percent. Chief Sciascia pointed out that this was the 6<sup>th</sup> year in a row that the numbers had either held or had increased, and felt it was due in part to the home study program.

Staff held 88 bear education seminars, with a total of 4,747 students being trained.

At last month's meeting, Chief Sciascia noted the progress that had been made on the bear DVD and that interviews for the New Jersey portion still needed to be filmed. That filming has been completed, and a review copy of the DVD is expected sometime in February.

Staff are preparing for the Garden State Outdoor Sportsmen's Show and Deer Classic in January. A new Division display is being created and the show is providing us with a new Deer Classic display area and display panels. It is also expected that the North and South versions of the Great Places to Fish Close to Home brochure will be completed for distribution at the show.

Chief Sciascia reported that he would have final numbers on fishing license sales at the next Council meeting.

Chief Petrongolo reported for the Bureau of Land Management. He reported that there were significant additions to the wildlife management area system this past month, but Green Acres is working on a 600 plus acre addition to the Dix WMA. Several new parcels are also expected as additions to the Buckshutem WMA.

Blue Acres acquisitions have also been worked on, including an area at Sea Breeze Beach along the Delaware Bay. Chief Petrongolo briefly reviewed some of the other areas where acquisitions are occurring.

Staff have been busy with pheasant and quail stocking activities this past month.

Chief Petrongolo noted the improvements at the Spicer's Creek boat ramp, as well as work done at the Hanzey Creek on the Egg Island WMA which has been well received by waterfowl hunters and crabbers.

The demolition project of the buildings at the Ponder Lodge area is out to bid once again. Bids are due by January 6, 2011, and it is expected that an award will be granted and work will begin within two weeks after that time. Chief Petrongolo also noted that dog nettle was reported growing in an area of the fairways, and while it is on the endangered plant list, it should not impact restoration plans.

Chief Jenkins was in attendance today, and gave a brief report for the Bureau of Endangered and Non-Game Species. Regulations to amend the Endangered and Non-Game Species lists will be published in the January 18, 2011 Register. He briefed the Council on some of the species being noted. Also discussed was the new status that will be assigned for Non-Game Species. These would reflect conservation needs, and are labeled as threatened, special concern, undetermined (or unknown) and secure. The January 18, 2011 proposal date should result in a late Spring/early Summer adoption of these proposed changes.

Chief Jenkins also reviewed Open Public Records Act (OPRA) treatment of requests for location information of endangered and threatened species. He described that the Department has put together rule proposals that includes protections for threatened and endangered species information and who will be eligible to access certain information.

Supervising Biologist Kandoth reviewed preliminary results of the opening day six day firearm season. Numbers were down by 21% statewide, possibly due to the black bear hunting season occurring at the same time, or to the extremely windy weather conditions. Councilwoman Brummer requested that a presentation on deer management be given to the Endangered and Non-Game Species Committee at their March 2011 meeting.

Old and new business was discussed. Councilwoman Brummer requested a more detailed agenda in the future.

The 2011 meeting schedule was reviewed, and information distribution was discussed.

Updated lists of Council members and Committee appointments will be worked on. There was some discussion on the various committees that have vacancies. It was also suggested that an orientation be held for the newest Council members.

The public comment period was opened. Janet Pizar from Essex County addressed the Council. She commented on the 2005 Comprehensive Black Bear Management Policy, information from the May 2010 Endangered and Non-Game Species Committee meeting related to OPRA requests she has submitted, and requested to be invited to attend all future meetings concerning white-tailed deer noting that she was a stakeholder on this matter. Ms. Pizar also shared a story about a recent program she had attended.

Barbara Sauchau was next. She expressed her concerns on phone calls regarding bear sightings, questioned why volunteers were not asked to assist with the bobcat program, noted she was opposed to staff attending a meeting this January, and her thoughts on the bear hunt. Ms. Sauchau also requested a program be given on Division employees who have State housing. Ms. Sauchau also left some pictures, cartoons and letters to the editor to be submitted for the record. (allotted speaking time was up).

Frederick Ege from Trout Unlimited addressed negative comments that were made by a member of the public at a previous meeting regarding the Trout in the Classroom program. He wanted to give accurate description of the program, including the biology, natural science and mathematic aspects involved.

The last speaker was Rob Winkel from Seaside. On behalf of the Federation of Sportsmen and the New Jersey Outdoor Alliance he wanted to thank Chief Cussen for his work with them. He also wanted to bring to the Councils attention the void in the Bureau of Law Enforcement, reviewing the areas where vacancies exist, and encouraged the Council to take action to address this issue.

There was no one else wishing to comment.

**A motion was made by Councilman Messeroll, seconded by Councilwoman Brummer to adjourn. A vote was taken with all in favor.** Meeting adjourned at 3:00pm.