

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
August 9, 2011

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

The meeting was called to order at 10:05 am by Acting Chairman Burke.

The flag salute and Pledge of Allegiance were completed.

The following was read aloud by Acting Chairman Burke: 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 Atlantic City Press on July 28, 2011.

Roll call was taken. In attendance were:

Acting Chairman David Burke
Councilman Agust Gudmundsson
Councilman Jeffrey Link (arrived at 10:10am)
Councilman John Messeroll
Councilman Robert Puskas
Councilman Dan VanMater

Absent: Councilman Phillip Brodhecker
Councilwoman Barbara Brummer

Division staff included Director Dave Chanda, Assistant Director Larry Herrighty, Paulette Nelson, Lisa Barno, Mark Chicketano and Carole Kandoth.

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

Minutes of the July 20, 2011 Fish and Game Council were reviewed. Acting Chairman Burke noted that members had also been given a summary of the presentations made at Joint Council's Meeting, but Council would be voting only on the minutes of the regular Fish and Game Council meeting from that date. **A motion was made by Councilman Gudmundsson, seconded by Councilman Puskas to approve the minutes as presented. A vote was taken with all in favor, none opposed.**

Acting Chairman Burke commented on the Joint Council's Meeting, adding that he hopes to be able to have something like this again. He also noted he had attended the retirement dinner for Conservation Officer Virgilio this past weekend.

Director Chanda reported to the Council. He noted that there have been many recent retirements in the Division.

Director Chanda commented that he sees another Joint Council's Meeting again in the future, adding that it was a great opportunity to have former Council members get together.

Director Chanda had reported at the Joint Council's Meeting that there was a strong possibility for new staff, and he noted today that the package has been approved by the Governor's Office and the Civil Service Commission to allow the hiring of almost 30 employees. Even with this increase in current staffing, the Division will still be ten percent smaller than it was in 2005.

License sales are still down, but Director Chanda noted that a good marketing effort by the Bureau of Information and Education closed the gap before the end of the fiscal year and combined with the different Bureau's restricting spending, there was a small margin of money carried forward. The Division should be in good shape, due in part to the many retirements that have or will be occurring. There was additional discussion on other Federal funding that is received.

(at 10:10 am, Councilman Link arrived)

Acting Chairman Burke reminded all members of the Council of the WILD Expo scheduled for September 17 and 18, 2011 at the Colliers Mills WMA.

Acting Chairman Burke noted to the members of the audience that there were originally no agenda items listed today. He added that there would be a small presentation regarding the Berkshire Valley WMA which was just added, after which comments would be taken if requested.

Council Committee reports began. Councilman Puskas, reporting for the Agriculture Committee, noted that they had a wet Spring and a dry Summer with high temperatures in his area. Corn crops should be better than expected, however the soybean crops are not doing well. Farmers are also reporting damages of \$60 to \$300 per acre from goose damage. During the last few days, farmers are also experiencing problems with black birds and starlings on their crops and in their barns.

Councilman Link reported in his area they had a large amount of rain, but it all came at once. They had a dry spell during the time that temperatures were reaching 100 degrees. Geese continue to be a problem, especially on the late season no-till beans. He added that goose damage permits need to be issued as early as June or July when the crops are coming up. Corn crops in his area are also doing well.

Acting Chairman Burke noted that the rains in South Jersey have been varied, with some farmers experiencing water flows like they've never seen before.

Councilman Messeroll reported for the Federation. There has not been much activity, and meeting schedules are now being set. They will be attending the WILD Expo in September. Several saltwater fishing trips are also being planned.

Councilman Burke noted that there was no new information to report for the Finance Committee. There was some discussion on the saltwater registry and if it would affect the Federal funds that the Division receives. Director Chanda noted that the Commissioner had provided funding to cover the registry program, but it had cost the Division staff time in preparing for the program to begin. There was additional discussion on the registry, which was noted to now have 233,000 persons signed on.

Councilman Messeroll reported for the Fisheries Committee. He noted that Chief Barno would be presenting the Fall trout stocking schedule later today. A recent bass fishing tournament at Farrington Lake produced some rather large fish, and a tournament at Stone Tavern Lake had anglers catching the five fish limit.

Members were reminded of the public hearing on the Fish Code on September 13, 2011 at 7:00 pm, at the Central Region Office, following the ENSAC meeting at 9:00am and the Fish and Game Council Meeting at 1:00pm.

Acting Chairman Burke reported for the Game Committee. They have not had any recent meetings, but he noted that they would be beginning the next Game Code cycle in January.

Acting Chairman Burke noted that Legislative Liaison Nelson had no new information to report since the Legislature has not been in session. Councilman Messeroll also had no information to report.

There was no representative to report for the Endangered and Non-Game Species Committee.

There was no report for the Waterfowl Stamp Committee. It was noted that they are not scheduled to meet again until October.

Bureau reports began. Chief Barno reported for Freshwater Fisheries. The Fall trout distribution schedule was reviewed. Chief Barno noted that there was no change in the waters being stocked, but the stocking program was moved back one week, and would now start on October 11, 2011.

There was discussion on the rainbow trout at the Round Valley Reservoir area. Chief Barno had a meeting yesterday on the endangered species work being done in that area.

Chief Barno noted that there was a meeting today on flood hazard rules, as reported to the Council previously, and gave a brief review of what was due to be discussed.

Russ Allen, who presented to at the Joint Council's Meeting is working with staff to prepare an emergency rule, since the ASMFC will probably have a moratorium on herring in 2012. Chief Barno added that the Fisheries Committee may need to have a meeting in November, once the moratorium is in place. There was additional discussion on the effect this moratorium would have on shad fishing. Chief Barno felt that there should be sufficient data to keep the Delaware River open, but was not sure about the Raritan River, adding that there is not a lot of angler pressure on the Raritan and it should not cause a big problem. There was additional discussion on work being done in cooperation with other states on the shad fishery.

Councilman Messeroll noted the new State record grass carp that had been caught. Acting Chairman Burke added that New Jersey may lose the record for the largest striped bass ever caught to Rhode Island, after reading about an 81 pound striped bass that was caught off Block Island.

There was no report from the Bureau of Information and Education. Councilman Gudmundsson noted the recent youth fishing program at the School of Conservation was a success.

Assistant Director Herrighty presented a handout from the Bureau of Land Management for review. He noted that this was for a land transfer of .045 acres on the Berkshire Valley WMA for a bridge improvement project being done by Morris County. The land value is approximately \$8,000., and the County will give over \$75,000 in mitigation compensation. This will include parking lot improvements and tree plantings on WMA property. There was some further discussion on whether or not fishing access would be affected, and Assistant Director Herrighty noted fishing would still be accessible and that this project was just for realignment and modernization of the existing bridge. A copy of the engineering report was included in the handout given today.

At this time, Acting Chairman Burke asked if anyone in the audience wished to make comment on the Berkshire Valley WMA land transfer. Barbara Sauchau asked Assistant Director Herrighty to review again the compensation that would be received from Morris County, which he did, as well as noting that copies of this information were available for the public with the other Division handouts from today.

Assistant Director Herrighty next reported for the Bureau of Wildlife Management. He advised that the Game Code has been filed, and should be published in the Register on September 6, 2011.

The Deer Project, along with the Audubon Society, hosted a meeting on deer management at Duke Farms. There were 70 people in attendance, representing counties, local municipalities and other large landholders such as Exxon and Merck. Assistant Director Herrighty gave brief review of this meeting.

Assistant Director Herrighty referred to the monthly report, where it was noted that Principal Biologist Nichols had completed the pre-season bird banding project. Species included Canada geese, mallards and mourning doves.

Also noted were two studies that New Jersey took the lead on studying the foraging activity of brant and black ducks. The goal is to see how many birds the landscape can support. Assistant Director Herrighty described how telemetry and night vision were used as tools for this study. Results were listed are listed in the Bureau's monthly report.

Assistant Director Herrighty reviewed information from the Atlantic Flyway Council and Atlantic Coast Joint Venture meetings that he had attended. Items noted were a proposal from the House of Representatives in Washington to cut funding from 50 million to 30 million dollars. Other grant monies are also being cut, and currently there are no funds for migratory bird initiatives. At the Atlantic Flyway Council meeting, states voted on the proposed waterfowl regulations. These were the same as this Council had voted on previously, and were approved with no changes. Additionally, there was discussion regarding a national effort on human dimensions research related to waterfowl hunting. This would be similar to what our own I&E effort regarding promoting fishing.

The US Fish and Wildlife Service is developing a video training course for waterfowl observers, and it was discussed that each state contribute a few hundred dollars towards developing a standardized course.

New Jersey was approved for one permit for taking a passage peregrine falcon. New Jersey will hold a lottery for falconers to take a passage peregrine. Only 36 permits will be issued Nationwide for the taking of birds. Breast feathers will be collected from these birds to conduct feather isotope analysis to determine what area of the continent the bird is from. There was some additional discussion on this matter.

Assistant Director Herrighty reviewed a recent incident that had occurred at the Stokes State Forest, involving a black bear and some campers. The bear had grabbed the sleeping bag of one of the campers who was under a lean-to shelter. It later visited a second shelter, and grabbed someone's boots from a third shelter. News reports indicated the bear had scratched two individuals, however, upon examination at the hospital these scratches were found to be old wounds. The campsite was clean, and all food was properly stored in metal containers. The bear's actions categorized it as a Category One bear, and wildlife technicians arrived and were able to shoot it in the neck. A volunteer tracker assisted, and the bear was eventually caught in a snare trap and euthanized.

Other bear information reviewed by Assistant Director Herrighty included an urban bear in the vicinity of the Somerset circle, and the bear that was released some time ago at the Assunpink WMA and most recently caught and released again at the Colliers Mills WMA. That bear has been moving around, and is being tracked through the use of telemetry equipment.

Also reported was the removal of two fawn deer and one eight year old buck that were being kept illegally.

The final chick hatch at the Rockport Pheasant Farm was last Tuesday, and Assistant Director Herrighty noted that they are on goal for 55,000 birds this fall.

Councilman Messeroll commented on a bear skull that he had measured, which will be going in as a new Boone and Crockett entry. Assistant Director Herrighty added that the two biggest bears harvested last season were taken in Montville and Andover.

Chief Chicketano reported for the Bureau of Law Enforcement. He gave a review of some of the highlights as noted in the Bureau's monthly report.

Also noted, was an incident this past Sunday where Conservation Officer McManus while on routine patrol, noticed an individual exiting the Colliers Mills WMA on an ATV. He followed the individual to a nearby housing development, where he was able to stop them. The individual's father appeared on the scene, was very aggressive, and assaulted Officer McManus. He was arrested and charges were filed. The father was released on \$15,000 bail. There was some additional discussion regarding this matter, including that the rider of the ATV was a youth.

Councilman Gudmundsson recognized the Bureau of Law Enforcement's efforts for patrolling the Trout Conservation Area on the Pequest.

Assistant Director Herrighty complimented Conservation Officer Ziegler for his work on the bear case in Sussex County.

Old and new business was discussed. The New Jersey Quail Project presentation, as discussed at a prior meeting, still has a date to be determined.

Councilman Messeroll asked about the release of birds from the Quail in the Classroom project. Assistant Director Herrighty noted that the English Setter Club has a permit, and that the birds may be released there.

Councilman Gudmundsson asked about a letter that was sent from the Union County Federation of Sportsmen. Assistant Director Herrighty advised that Supervising Biologist Predl, who oversees the Community Based Deer Management Program, suggested that they do so. They are asking that bowhunters be considered as well as firearms hunters for the program at the Union County Parks, and have been advised to talk to the County freeholders. Councilman Messeroll added that they will be talking to town Council's as well. There was some additional discussion, and Assistant Director Herrighty pointed out that this Council has encouraged towns with deer problems to allow more public hunting opportunity.

Council members were reminded of the public Fish Code hearing at 7:00pm in the evening after the September Fish and Game Council meeting.

The public comment period was opened. Members of the audience were reminded that they had three minutes to comment and that any questions were to be put in writing to the Division, and not asked here today.

Brian Cordetti requested a change in the line of delineation for saltwater to be changed from the Interstate 295 bridge on Oldman's Creek to the entire length of the Delaware River, or at least the Route 130 bridge. He noted that on his own property he is not able to catch snapping turtles. Chief Barno from the Bureau of Freshwater Fisheries noted that the Administrative Code bases this line on salinity tests, but that this matter could be revisited. Acting Chairman Burke asked that his request be put in writing also.

Janet Pizar from Millburn, Essex County commented on the data used to compile the harvest results from the 2010 bear season.

Ms. Pizar commented that she was surprised that no press release had been done to note the EPA's approval for the use of Gonacon in New Jersey. She was also noted she was surprised that in those deer management zones being managed for deer population increase there was not monitoring for auto/deer collisions.

Ms. Pizar also commented on an OPRA responses she had received for information she requested, where there was no inter-species monitoring for impact studies.

Lastly, Ms. Pizar commented on the trash dumpster at the Assunpink WMA, and that it was not bear proofed.

Barbara Sauchau was last to speak. She wanted more information on the comments made by Director Chanda and Assistant Director Herrighty today. She asked that Federal monies received by the Agency needed more specificity on how they were used. Also, she commented that the black duck study that was reported on needed more specificity and noted she wanted facts. Ms. Sauchau felt it was distressing to not have more details adding she uses her valuable time to come to meetings. She felt that she should be regarded as a stakeholder and that she has been attending meetings for 15 years, adding that she feels that the DEP operates in a haze and that she had concerns as to where funds and taxpayer monies were going. She also had comments on the use of arrows and the proposed archery park (Ms. Sauchau advised that her allotted time was up).

Ms. Pizar asked to comment on one additional document she had with her. Acting Chairman Burke asked that she describe her concerns and submit them in writing. She noted that she was questioning a public opinion survey on wildlife management issues, and the information that she was given in response to her request for this information.

There were no other commenter's. Council was reminded of the next meeting, September 13, 2011 at 1:00pm.

A motion to adjourn was made by Councilman Messeroll, seconded by Councilman Link. A vote was taken with all in favor. Meeting adjourned at 11:26am.