

Approved 9/26/12

NJ Endangered and Nongame Species Advisory Committee  
Meeting Minutes  
July 18, 2012  
Central Region Office  
Robbinsville, NJ

**ATTENDEES**

COMMITTEE: Emile DeVito (co-chair), Joanna Burger, Jane Galetto, Howard Geduldig, Rick Lathrop, David Mizrahi, Erica Miller, Dale Schweitzer, Jim Shissias

Absent: Barbara Brummer (Chair), James Applegate

STAFF: Dave Chanda, Dave Jenkins, Kathy Clark, Jeanette Bowers-Altman

GUESTS: Rick Dutko (ONLM-NHP), Mike Davenport (CWF), Scott Angus (NE Partners in Amphibian and Reptile Conservation)

The meeting was called to order at 10:15 am. Notice of the meeting date, location, and an agenda were posted on the DFW website and posted by the Office of Secretary of State.

D. Jenkins informed the Committee that Amy Wells is now working for Division of Land Use Regulation and that there is no replacement for her in her capacity to organize and take minutes at ENSAC meetings. D. Jenkins stated that he will get materials out to ENSAC via Cherie Varra, while staff members will take meeting notes and circulate internally for comments and revisions. D. Jenkins stated that Emile DeVito, vice chair, would be running the meeting in the absence of Barbara Brummer. Dave began the meeting, since Emile DeVito was running late.

**Director's report**

Director Dave Chanda discussed Amy Wells' lateral transfer, and how the Bureau of Marine Fisheries had picked up a few positions in this fashion. Twenty-nine new Division positions were approved (most were COs), whereas 25 were lost to retirement over three years. Director Chanda submitted a new package to hire additional staff, but expects that only a few of the highest priority positions will be filled. He noted that the Hunter Angler fund is in relatively good shape.

The Bureau of Marine Fisheries drafted a plan that reflects what they will do and not do anymore based on budget and available staff. The plan went to Marine Fisheries Council for review and includes diminished staff BMF time on ASMFC committees addressing HS crab harvest issues.

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D. Mizrahi asked the Director about the ASMFC committees in which BMF will no longer be participating and if there would be opportunities for the public to attend. A discussion regarding the impact of this decision on the voice Division has in decisions about Horseshoe Crab harvest and how to compensate for the loss of BMF presence on the committees. D. Jenkins discussed the structure of committees (committees, advisory panels) and noted that A. Dey will continue serving on the horseshoe crab committee.

**Action Item – D. Jenkins and Director Chanda will discuss internally and come back to ENSAC on how to synthesize information and cover voting at ASMFC meetings.**

Director Chanda discussed the continued elimination of the State Wildlife Grant's state appropriation that helps cover the Division's matching contribution. Director Chanda and D. Jenkins explained how various funding sources will be used to ensure continued match for all federal grants and maintain ENSP budget in the short term.

Director Chanda stated that the new Assistant Commissioner, Rich Boornazian, expressed interest in accompanying Division staff in the field. The Assistant Commissioner went in the field with Kathy Clark and Mick Valent, and also visited the game farm.

Director Chanda expressed that the Division is working to host 1-2 day wildlife workshop in NJ, which will most likely be scheduled for May-June 2013.

R. Lathrop asked about the status of a marine fishing license and a discussion ensued. Director Chanda discussed implementing the free fishing registry -- anglers must register every year and the DFW would like to use registry database to notify people on marine issues with an option for registered anglers to "opt out." Director Chanda stated that over 200,000 people registered the first year.

#### Minutes

**A motion was made by J. Burger and seconded by J. Galetto, to accept the May meeting minutes as presented. All in favor, no opposed, the minutes were approved.**

#### Review of Action Items

Letter about management decisions on state land would be discussed later in the meeting.

Listing decisions, along with game vs. nongame issues, will be addressed at the September meeting.

Staff to report on DEP review of alternative energy; D. Jenkins discussed the Office of Green Energy and Economic Development.

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**New Action Item, J. Galetto expressed interest in the Office of Green Energy and Economic Development staff giving a presentation to ENSAC on policy; E. Devito stated that they could possibly do this in Sept.**

The horseshoe crab/alternative bait official report will be out in the fall; J. Galetto asked if this could be distributed. Dave Jenkins responded that it will be sent to ENSAC as soon as ENSP is provided with a copy.

#### Chief's Report

Bureau Chief D. Jenkins reported that he gave a presentation (and written report) to four new Conservation Officers that were just finishing training; presentation was an overview of work done by the ENSP.

D. Jenkins reported that the ENSP is still dealing with ramifications of listing updates. ENSP is working with DLUR on how new listings will work in flood hazard, wetlands and C1 regulations. ENSP is meeting with DLUR next week to discuss. Designations for species critically dependent on watercourse are still pending.

D. Jenkins discussed the ENSP's budget and handed out a spreadsheet to ENSAC. He noted that the spreadsheet was a simplified version of what was used to prepare the federal budget. He presented an overview of the budget handout. D. Jenkins gave a brief history of DEP support for positions in ENSP and state appropriation, explaining that the net result was a loss of about \$380,000 available for salaries.

Director Chanda and D. Jenkins discussed the use of Wildlife and Sport Fisheries Restoration federal funds within ENSPs budget, explaining how funds are allocated to the states and that an increase in available funds over the past 2-3 years was temporary. D. Jenkins discussed how the ENSP is using increased WSFR funding to help maintain staffing and programs. D. Jenkins also explained the lag between available State Wildlife Grants funds and ENSPs use of these funds allowed us more than one-year's allocation in the upcoming budget year, but noted that this is clearly unsustainable unless SWG funds, which have been cut significantly, are restored to historic levels.

J. Galetto asked about CWF contribution to ENSPs efforts and discussion followed regarding public outreach/promotion, including tax check off and license plates. The Committee discussed the possibility of another license plate design. D. Jenkins indicated that Motor Vehicle Commission would likely limit us to only two designs (requiring us to drop one existing plate). D. Jenkins mentioned the possibility of increasing the specialty plate renewal fee, noting that this would require legislation. D. Jenkins noted that raising renewal fee, getting a new plate, attaching

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the renewal fee to all existing plates (eliminating “grandfathering” of no-renewal-fee plates) might increase annual revenues by only about \$50,000. Discussion regarding how to best approach any changes in license plates followed along with discussion of the importance of reaching our constituency to build support for ENSP’s work.

#### Mussel Delphi Status Review

Dave Jenkins introduced Mike Davenport, Marine Species and GIS Programs Manager, Conserve Wildlife Foundation of NJ, who coordinated the recent review of freshwater mussels.

M.Davenport stated that the last review was over a decade ago. The recent review took 6 months. Eleven reviewers initially agreed to participate in the process, with one dropping out during the first round. Thirteen species were reviewed in four rounds. Consensus was achieved on all 13 species. Results were as follows: 3 species were voted Endangered (brook floater, dwarf wedgemussel, green floater); 5 species were voted Threatened (eastern lampmussel, eastern pondmussel, tidewater mucket, triangle floater, yellow lampmussel); 1 species was voted Special Concern (creeper); 3 species were voted Secure/Stable (alewife floater, eastern elliptio, eastern floater); 1 species was voted Not Applicable (eastern pearlshell).

D. Jenkins explained that the Delphi process was instituted by ENSP more than 15 years ago. He emphasized the importance of ENSAC reviewing Delphi reports to critically assess that the quality of the information and opinions that are exchanged during the process. He passed along questions for ENSAC to consider while reviewing the Delphi report. A discussion ensued regarding panelist confidence rankings and how these should be reflected during the process. Committee members made suggestions for improving the report format, review process and ENSAC input.

**J.Galetto made a motion to accept the Freshwater Mussel Delphi results with no changes. J. Burger seconded the motion. Vote was approved unanimously.**

The committee discussed rulemaking as related to the Delphi results. D. Jenkins mentioned the ongoing terrestrial mammal status review and that results would be presented at the next meeting. The meeting would take place on September 26, 2012 at the Public Health Environmental and Agricultural Laboratory (PHEAL) at 3 Schwarzkoph Drive, Ewing, New Jersey 08628 and it would be a joint meeting of the Fish and Game Council and ENSAC. The mammal review is the only thing on the ENSAC agenda. D. Jenkins discussed future status reviews. D. Schweitzer noted that butterflies wouldn’t change much, but that he had concerns about Leonard’s skipper.

#### Miscellaneous

All ENSAC members will be added to the Endangered Species Listserve.

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There was a discussion on the status of bald eagles and other protections in place, such as the Bald and Golden Eagle Protection Act, etc.

J. Galetto discussed her role as a public-at-large representative at PSEG- estuary enhancement meetings. Lee Widjeskog will also be attending as public at large.

There was a short discussion on the upcoming Thompson's Beach restoration.

There were discussions on purchasing Annette Scherer and Amy Wells a gift of appreciation from ENSAC, J.Galetto to take up collection for Annette and Amy Wells.

J.Galetto mentioned new book on Delaware Bay by Joanna Burger, Larry Niles, Amanda Dey Jan Van de Kam, noting that it is available on the CWF website.

J. Shissias announced that Friday, Oct 12, the Division's four councils were invited to the tour estuary enhancement areas.

#### Bull's Island

Acting Chairperson, Emile DeVito asked the committee to discuss the Department decision to remove between 5-6 acres of forest at Bull's Island Recreation Area and decide if/how the committee should respond. After considerable discussion regarding wildlife impacts, the lack of public input prior to the decision, consideration of other options, and ENSACs role, J.Burger made a motion to draft letter from Committee stating that they do not support the proposed tree removal. During discussion of the motion, J.Shissias stated his reservations because the decision has been made and that the Delaware and Raritan Canal Commission, which would review the decision, has authority to deny a permit. D.Jenkins explained the process and information that lead to the decision and offered an explanation as to why ENSP was not initially consulted (no listed wildlife species were indicated as present on the site).

J.Burger withdrew the motion to send a letter and additional discussion briefly continued.

**J. Burger made a motion to adjournment, J.Shissias seconded the motion.**