

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
January 8, 2013

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

The meeting was called to order at 1:03 p.m. 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 delivered to the designated newspapers of the Division, the Newark Star Ledger and the Atlantic City Press on December 11, 2012.

Roll call was taken. In attendance were:

Acting Chairman David Burke
Councilwoman Cathy Blumig
Councilman Philip Brodhecker
Councilwoman Barbara Brummer
Councilman Joseph Demartino
Councilman Jeffrey Link
Councilman Robert Puskas
Councilman Dan Van Mater

Absent: Councilman Agust Gudmundsson

Division personnel included L. Herrighty, P. Nelson, L. Barno, J. Sciascia, M. Chicketano, R. Porutski, C. Stanko and S. Predl.

Members of the public included former Councilman Messeroll, representatives from the Department of Agriculture, the Farm Bureau and others.

Minutes of the November 13, 2012 meeting were reviewed. **A motion was made by Councilman Brodhecker, seconded by Councilman Van Mater, to approve the minutes as presented. A vote was taken with all in favor, none opposed, and abstentions from Councilwomen Blumig and Brummer and Councilman Demartino.**

Acting Chairman Burke noted the change in members of the Council, with the appointments of Councilwoman Blumig and Councilman Demartino. He also thanked Councilman Messeroll for

his 12 years of service to the Fish and Game Council. Councilwoman Blumig, who replaced Councilman Messeroll also commented and shared thanks to him for his service.

Acting Chairman Burke commented on the on-line deer check system, noting that it had worked well for him. He added that he had heard of problems with wait-times for those who phoned in.

Assistant Director Herrightly spoke for Director Chanda who was not in attendance today. He also shared comments and thanked Councilman Messeroll on behalf of the Division for his years of service.

Agenda items open to public comment were reviewed, and included applications for Community Based Deer Management Permits (CBDMP) for Essex County, Princeton Township and Bernards Township. Those wishing to make public comment were advised that they would have three minutes to speak.

Barbara Sauchau addressed the Council. She commented on the CBDMP information on the Division's website, cited the Public Trust Doctrine, information given on the applications by the applicants, that there were no recent surveys, timeframe for public review of the applications, the timeframe for submission of application by the applicant, safety measures, and said that the permits should be denied.

There were no other public commenters for agenda items at this time.

Councilman Puskas reported for the Agriculture Committee. He noted that things are quiet in his area, and farmers are preparing for the Spring season. Geese are on the fields. He also noted the Conventions that are occurring.

Councilman Brodhecker reported that they still have snow in his area. Deer have been browsing. Harvests are done.

Councilman Link reported that there is no snow in his area. They too have a lot of snow and Canada geese. Most of the fields in his area have been cleared.

Councilman Link commented on his experience using the call in deer check system, and that it worked well for him. There was some additional discussion on the new system, and requests were made to list the call in phone number in addition to or in place of the IHUNT NJ information that is currently listed on the transportation tags. He also noted concerns with hunters who might intentionally report their harvest in zones other than where they were actually hunting or wrongly report their harvest since this was all call-in and no longer hands on system.

Newly replaced Councilman Messeroll was asked to speak for the Federation since he was still an active member of the Council this past month. He noted upcoming outdoor shows at Raritan, which includes the Deer Classic, and Harrisburg. Also noted was a flea market to be held January 26, 2013 in Toms River which was open to all bait and tackle shop vendors who were currently closed due to damage by Hurricane Sandy.

The Federation also discussed legislative matters at their meeting, including Sunday firearms hunting, marine licenses and the transfer of responsibility for certain captive game permits to the Department of Agriculture.

There was also feedback on the use of the new deer check system, and former Councilman Messeroll added that the Federation is promoting its simplicity of use.

The Federation has set the schedule for their meetings for 2013.

Former Councilman Messeroll thanked the Division for the opportunity work with them while serving on the Council.

Councilman Van Mater reported he had no problems with the call in system, and noted that things have been quiet in his area.

Councilwoman Blumig and Councilman Demartino had no additional information to report.

Acting Chairman Burke had attended the Cumberland County Federation meeting recently and reported that clubs had a good harvest during the six-day firearm season, but the individual hunters did not. Also noted were reports of dead bucks still in velvet being found, and that, along with the lower harvest numbers probably were a result of the Epizootic Hemorrhagic Disease (EHD) outbreak. Hunters also reported finding antler point restricted (APR) sized deer in non-APR areas, and no legal deer in the APR areas.

Assistant Director Nelson reported for the Finance Committee. She noted that the budget will be tight for the rest of this year. License sales have been down, possibly due to Hurricane Sandy, so the Division will be tightening down on spending.

There was no report from the Freshwater Fisheries Committee.

There was no report from the Game Committee, but Assistant Director Herrighty and Supervising Biologist Stanko updated the Council on the status of the Game Code. The Game Committee will be meeting on February 12, 2013 after the conclusion of the regular Council meeting.

Former Councilman Messeroll reported for the Legislative Committee, who had met earlier today. He noted several bills that were reviewed. Assistant Director Nelson also addressed the Council on the bills that were reviewed and recommended for support by the Committee, which were:

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| A 1590 | Provides totally disabled persons with discount on hunting license fees. |
| A 2953 | Provides totally disabled persons with discount on fishing license fees. |

- S 683 Authorizes free hunting, fishing and trapping license for certain retired military personnel.
- A 1538 Authorizes deer hunting with firearm on Sundays on private property.
- S 800 Authorizes hunting of game animals every day of the week during hunting season.

The recommendation from the Committee was that the Council support all five of these bills. **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to support these bills as recommended by the Legislative Committee. A vote was taken with all in favor, and one abstention from Councilwoman Blumig.**

Councilwoman Brummer reported for the Endangered and Nongame Species Advisory Committee. She noted that they will be meeting next week, but at their last meeting on November 15, 2012 they voted to move their September, 2013 meeting date to September 10, 2013 to allow for a Joint Councils meeting. Councilwoman Brummer suggested that members start collecting ideas for agenda items for that meeting, and there was some discussion on this.

At their March 20, 2013 meeting, the Committee will be receiving an update on shorebirds, and Councilwoman Brummer noted that this meeting is open to all to attend.

At their meeting next week, the Committee will be voting on Delphi status assignments for mammals.

Acting Chairman Burke reported that the Waterfowl Stamp Committee would be meeting this evening. He briefly reviewed the program, and noted that so far the Committee has acquired over 16,000 acres of waterfowl habitat lands.

There was no report for the Wildlife Rehabilitator's Advisory Committee, but it was noted that they will be meeting again on January 23, 2013.

Chief Barno reported for the Bureau of Freshwater Fisheries. She too thanked Councilman Messeroll for his many years of service and for his work on the Fisheries Committee. Chief Barno also welcomed the new Council members.

Today, staff received a report on a problem with the outflow structure at Deal Lake. There was a report of leakage, due to a problem with the valve and the lake continues to go down. This area will be monitored, and may require a fish salvage to be done. Chief Barno added that Deal Lake previously had a fish kill after the salt water intrusion caused by Hurricane Sandy. She was expecting to receive more information by the end of the day.

Chief Barno reported that Lake Takanessee had breached during the holidays. Repairs are being assessed, but the lake will most likely not be filled in time for trout stocking.

There was a very recent incident at Budd Lake where two teenagers were reported to have drowned and were still missing. Chief Barno noted that Budd Lake was already down by one foot, and while there were no plans to drop it any further, that could change depending on recovery efforts.

Chief Barno was advised on December 31, 2012 by Chief Muffley that the American shad closure was signed by Marine Fisheries and the Commissioners. Working in cooperation with the Atlantic States Marine Fisheries Council, the fishery was closed on all waters except the Delaware River and Delaware Bay. Chief Barno reviewed that there was a sustainable fishery on the Delaware, but not on the Raritan or Passaic Rivers. The requested Fish and Wildlife closure is mandated on the Raritan and Passaic Rivers, and comes under 6.17, Emergency Closure in the Fish Code. This closure would be in concurrence with the Federal mandate. **A motion was made by Councilman Brodhecker, seconded by Councilwoman Brummer to enact this emergency closure in order to be in concurrence with the Federal mandate. A vote was taken with all in favor, none opposed.**

Chief Barno requested a meeting of the Freshwater Fisheries Committee to review amendments for the 2014 Fish Code. A meeting was scheduled for February 21, 2013 at 10 am.

There was a brief review of the on-line angler survey that has been sent. So far, there have been 420 participants. An e-mail reminder will be sent requesting anglers to respond. Results will be available at the February 16, 2013 public trout meeting.

Chief Barno noted that staff are still waiting for anglers to submit their log books, and that there were certain areas that where they struggling for information from the Big Flat Brook. This information is necessary to review for any regulation changes that may be considered.

Chief Sciascia reported for the Office of Information and Education. He reported that the Division's mobile phone app has been available since the end of September. A list serve notification will be sent to make its availability known. Chief Sciascia added that this is only the first release, and there will be additional further development.

Staff have been working internally to develop expansion plans for the Hooked on Fishing, Not on Drugs (HOFNOD) program which was passed with an \$200,000 appropriation by the Legislature. Ideas include increasing the program from a one day derby to a format that would include multiple sessions for participants. Target areas for participants include schools, after school programs, latch key kid programs, community based organizations with after school programs, and youth centers. Staff will meet with conservation organizations to help support this when a plan is in place.

The Future Fisherman Foundation will hold an instructor training session for volunteers from New Jersey and surrounding states on February 23 and 24, 2013. The HOFNOD expansion will be further explained to the volunteers at that time.

Chief Sciascia explained that the status of the Sedge Island field season for this coming year is still in question due to the damage from Hurricane Sandy. Extensive repairs and remediation

will be necessary. A meeting is scheduled for next week after which time he will have more information available.

The Hunter Education Unit's final numbers are almost completed. Chief Sciascia noted that they would have been ahead in graduate numbers if not for the storm which caused the cancellation of some classes. As of now, numbers are similar to those from 2011, with the program passing plus or minus 6,000 graduates. Those graduates accounted for approximately 8,000 certifications, with the archery graduate numbers having increased again this year. In 2011, the archery program had 2,461 graduates, and so far in 2012, that number was 2,613. Final numbers are pending the addition of information from one last class that needs to be added.

Chief Sciascia also reported on the increase in the National Archery in School Program (NASP) participation. In less than one year the two new staff members assigned to this program have more than doubled the amount of participating schools and instructors. He added that this number would also have been higher had it not been for the storm.

Radio station WNNJ in Sussex County approached the Office to see if they would be interested in a weekly outdoor minute on-air segment to be broadcast. For the past 9 to 10 weeks Chief Sciascia has spoken on New Jersey's hunting and fishing opportunities that are available in the northern part of the State.

Chief Sciascia gave an update on the status of the archery park. A vendor has been selected to do a feasibility study at the Clinton WMA, which Chief Sciascia briefly reviewed for the Council. Results should be available this Spring.

The Outdoor Sportsmen's Show and Deer Classic will be occurring this weekend. Chief Sciascia noted that the awards ceremony for the Deer Classic would begin at 2:30 pm on Sunday.

Chief Sciascia was asked for an update on the license bundling. He advised that a finalized plan was discussed at the Recreational Boating and Fishing Foundation (RBFF) Marketing Workshop, and will include a combined on-line and paper survey done by the RBFF. Drafts are being reviewed, and their plan is to have this ready for delivery the first week in February.

Regional Superintendent Porutski reported for the Bureau of Land Management. This past month staff were busy making internal adjustments to the pheasant stocking numbers as a result of the production problems at the Rockport Pheasant Farm. He advised the Council that there was no cut in the number of days that stocking occurred, only in the amount of birds released as they had previously requested.

Staff also received complaints about the condition of the quail being stocked. Regional Superintendent Porutski reviewed that the vendor contract required that the birds being provided had to be at least 14 weeks old. After personally seeing some of the harvested birds, he researched this matter, and has had the minimum age increased to 18 weeks for the newly proposed bid package for the next contract. The most recent expired on December 31, 2012. There was some additional discussion on this matter and on the quail stocking program.

All Regions within the Bureau continue with Hurricane Sandy clean-up. Federal Emergency Management Administration (FEMA) reimbursement funds were reviewed. Projects such as the Sedge House damage, Rockport Pheasant Farm roof and Tuckahoe and Heislerville dikes will be included in this program. There was some additional discussion, and Assistant Director Herrighty described that the FEMA funds can be applied for to be used for repairs plus improvements to try to help and avoid the same type of problems occurring in the future.

Farming contract renewals are being prepared in all three Regions. They are to be to the respective farmers by February 1, 2013.

In the Northern Region, hydro-axing projects have been occurring on the Pequest and Black River WMAs.

Staff assisted the Bureau of Wildlife Management with bear check station assignments this season, as well as spending a considerable amount of time helping at the Rockport Pheasant Farm.

In the Central Region, Regional Superintendent Porutski reported that the Prospertown Lake repairs are completed. The lake has filled and will be ready for trout stocking this Spring.

An opportunity for funding for improvements to the Manahawkin and Stafford Forge impoundments has been offered to the Division. Superintendent Porutski briefly described this for the Council.

Ongoing problems with the contract farmer at the Medford WMA were reviewed.

In the Southern Region, Hurricane Sandy damages to the Tuckahoe and Heislerville WMAs impoundments was estimated at \$54,000.

The Makepeace Lake WMA shooting range improvements are set to begin soon.

Regional Superintendent Porutski noted the newly acquired 5,000+ acre Lenape Farms property. There was additional review of this acquisition by Councilwoman Brummer, plus additional discussion on the area.

Acting Chief Chicketano reported for the Bureau of Law Enforcement. He reviewed several of the Bureau's monthly report highlights for the Council.

Assistant Director Herrighty noted that there had been earlier discussion today on the electronic deer harvest reporting system, and inquired to Acting Chief Chicketano if his staff had noticed any increased illegal activity in harvest reporting. He advised that they had none specifically, adding that staff have been able to explain how to use the new system to individuals when necessary.

Acting Chief Chicketano reported on the newly installed laptop computers recently installed in the Bureau's vehicles, and briefly reviewed the enhanced capabilities that the officers in the field will now have.

Assistant Director Herrighty reported for the Bureau of Wildlife Management. He advised that the black bear hunting season ran successfully, and added a thank-you to the Bureau of Law Enforcement for the coordinating the security at the check stations. He added that one protester was arrested. The Division also had State Police support at the check stations during this time, allowing our officer to do field patrol. He also noted that the bears became active again several weeks after the hunting season.

There was some discussion on the results of the deer season. Supervising Biologist Stanko presented a handout of the preliminary 2012-13 deer harvest numbers and gave a brief review, noting that the total harvest number is on track with the season results for the same time period from last year, but indicated that the harvest has appeared to shift between seasons. She reviewed some technical issues with the new reporting system, which staff are working to resolve and to correct any data that was improperly recorded.

Principal Biologist Predl was in attendance to present three applications for Community Based Deer Management Permits (CBDMPs). She advised that these three are all that she anticipates will be requested this season, and that the applicants for today have participated in the program previously.

The first application was for Essex County. Principal Biologist Predl advised that the content was similar to applications received in the past, however, this year they are requesting to hunt only two parks for three weeks, not three parks for six weeks as they did last year. Content of their application was reviewed. Also noted was that the Essex County Board of Chosen Freeholders passed a resolution endorsing this application. The basis of the application is damage to the forest understory, and damage records and survey research information was reviewed. Additionally, 229 road killed deer carcasses were picked up in 2011, the lowest amount since 2008, which most likely can be attributed to the successful CBDMP harvest.

Asking for approval, Principal Biologist Predl noted that the Council would be approving the exceptions of hunting during designated times only, and no fluorescent orange. Also, an exception to 7:25-5.29 (c), permit season dates and bag limits. **A motion was made by Councilman Brodhecker, seconded by Councilwoman Blumig to approve the application from Essex County for a Community Based Deer Management Permit with the noted exceptions. A vote was taken with all in favor, none opposed.**

The next permit to be reviewed was from Princeton Township, and Council was advised that it was the same request that has been made for the last several years. They will be hiring White Buffalo, who will be using rifles with silencers during day and night hours, and also a drop net and bolt gun in those areas that are confined. Principal Biologist Predl also noted that the United Bow Hunters of New Jersey (UBNJ) have been allowed to hunt on a combined total of seven Township and County properties since 2003. Deer vehicle collisions in 2000 were reported at 342; in 2011 they reported 83, and through October 2012 reported 78, and deer vehicle collisions

plus reducing the deer population per mile are the basis for the application. Additional application information was reviewed.

In asking for approval, exceptions would include statute regulations for guns since they will be using .223 rifles (the Division is requesting that they not be authorized to use of .22 rimfire rifles as also requested), regulations concerning weapons authorized for deer hunting, hunting by daylight during designated times only, and no florescent orange. There was some discussion on the amount of rounds each firearm might hold, whether or not they were using unplugged guns, and whether or not they could shoot from a vehicle. After additional discussion, Council was advised that they could approve this application with condition if they chose to, and the applicant could always ask for an amendment. **A motion was made by Councilman Puskas to approve this application for a Community Based Deer Management Program with the notation that Council would not allow for more than five rounds in a .223 rifle. The motion was seconded by Councilman Van Mater.** There was additional discussion, after which **a vote was taken with all in favor, none opposed.**

The last CBDMP application was for Bernards Township. Principal Biologist Predl noted that she had several discussions with them regarding the application being presented today. She reviewed the application request for the Council and the suggestions that she has made to them for expansion in their existing program. The application today is based on the significant amount of deer/vehicle collisions they have had.

Exceptions being requested in their application are season dates for the Winter bow, permit shotgun and permit muzzleloader seasons. Assistant Director Herrighty described the permit process and the past applications from Bernards Township for the new Council members. There was extensive discussion regarding other options that the town might consider to help reduce the deer population. It was suggested that a letter be drafted for the Acting Council Chairman's approval that would advise Bernards Township that they would need to have an open lottery to allow more licensed hunters into their program for next year's deer season. **A motion was made by Councilman Brodhecker to approve the application as requested for this year, but to include a letter to Bernards Township regarding Council's request for them to expand their hunter selection program next year. Councilman Puskas seconded the motion. A vote was taken with all in favor, and one opposing vote from Councilman Link.**

Assistant Director Herrighty noted the agenda for today, where it lists there would be discussion regarding New Jersey law governing websites for Councils/Commissions. He advised that the Deputy Attorney General's Office has advised that posting of the minutes and agendas on the Council's respective pages of the Division's website as has been being done is adequate.

Acting Chairman Burke reviewed the Council Committees and suggested appointments where needed.

The public comment period was opened, and all in attendance were reminded that they would have three minutes to speak, with a total public comment period of 15 minutes being allowed.

First to address the Council was Howard Miller from Blackwood, Camden County. He would like to see more investigation on littering that is occurring on wildlife management areas. Mr. Miller also suggested that Council consider a split bird hunting season, utilizing chukars during the second segment. Lastly, he suggested raising the pheasant and quail stamp price to \$100.

Barbara Sauchau was next to address the Council. She directed her thoughts to Councilwoman Brummer that “you don’t take a deer, you kill a deer” regarding something she had said earlier in the meeting. She commented on a copy of a letter she had from someone regarding people who possess guns. Ms. Sauchau had written to the Southwest Wildlife Commission on tests for handling deer with EHD or CWD but said that there are none and suggested using the services of the CDC. She also noted lead balls cause a health risk, the closing of a shooting range in Utah that was listed in the Federal register, and a caricature of an AR15, and questioned considering having hunters at the Lyons Hospital property. Ms. Sauchau expired her three minute time allotment.

Janet Pizar from Millburn distributed written copies of her comments regarding public meetings to the Council, and then read them aloud. (copy is part of the record).

Dom Peretti from Franklinville commented on the stocking program, noting that most states with bird release programs only release two days a week. He also commented on the vendor contract for quail. Mr. Perretti noted the importance of the stocking program to dog owners, and also commended New Jersey for allowing the field trial program to run events on State owned lands.

Doug Relseur from Bridgeton addressed the Council, commenting on the quail program and adding information from his 40 years of raising quail. He also asked Council to consider raising the harvest allowance for wild turkeys, stating that he feels they have diminished the bobwhite quail populations. Mr. Relseur also supports raising stamp fees to \$100, and he too appreciates the support to the field trial groups.

There were no others wishing to make public comment, and **a motion was made by Councilman Puskas, seconded by Councilman Van Mater to adjourn. A vote was taken with all in favor.** Meeting adjourned at 4:00 pm.