

MINUTES OF THE MEETING OF THE  
NJ FISH AND GAME COUNCIL

Central Region Office  
Robbinsville, NJ  
March 11, 2014

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

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

The flag salute and Pledge of Allegiance were completed.

Acting Chairman Burke read aloud the following notice: 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 February 20, 2014.

Roll call was taken. In attendance were:

Acting Chairman Dave Burke  
Councilwoman Blumig  
Councilman Brodhecker (arrived at 10:39 a.m.)  
Councilwoman Brummer  
Councilman DeMartino  
Councilman Gudmundsson  
Councilman Link  
Councilman Van Mater

Absent: Councilman Puskas

Division employees included T. Petrongolo, L. Barno, M. Chicketano, D. Golden, A. Ivany, J. Lovy and K. Korth.

There were several members of the public in attendance.

Minutes of the February 11, 2014 meeting were reviewed. **A motion was made by Councilman Gudmundsson, seconded by Councilwoman Brummer to approve the minutes as presented. A vote was taken with all in favor and one abstention from Councilwoman Blumig who had not had time to completely review the minutes.**

Acting Chairman Burke commented that the Batsto freshwater fisheries forum was well attended, and had heard that the fisheries meeting at Centenary College was also well attended.

A change in order of the agenda for today was noted, since staff had other meetings scheduled. After the public comment period, a presentation on the fisheries program would be given, and an update on the Wildlife Action Plan would also be given.

Chief Petrongolo from the Bureau of Land Management was representing the Director's Office today. He had no additional comments at this time.

Acting Chairman Burke reviewed the three items that would be voted on today before opening the public comment period on those items, which were:

Review and vote on requests to extend the semi-wild preserve hunting season.

Review and vote on Division's Fish Health Policy.

Review public comments on the proposed 2014 spring trout stocking schedule. Vote on the 2014 trout stocking schedule.

Janet Pizar from Millburn addressed the Council. She commented on the agenda, and the timeframe for public comment on the fish policy before the presentation. Acting Chairman Burke advised Ms. Pizar that the information had been accessible on the Division's website for two weeks. She again opposed the order of the agenda, and was reminded that the Division's legal advisors had approved the agenda format for meetings and she should contact Assistant Director Herrighty if there was further question. After additional comment, Ms. Pizar was advised by Chief Petrongolo that the advice provided on the order of the agenda had come from the Deputy Attorney General's Office.

Barbara Sauchau was next to address the Council. She commented that she wanted three minutes to address each item open to public comment, and supported Ms. Pizar on the point of order. Ms. Sauchau was not in favor of extending the semi-wild season, stated that the 2014 trout stocking should be shut down and why, and that the Fish Health Policy was outrageous. Ms. Sauchau also felt that the hatchery should be shut down. Lastly, she asked for a half-hour lunch break today because "we all want to get out of here at the end of the day". Ms. Sauchau left written script of her comments for the file.

Ms. Pizar asked to speak again. She stated her opposition to the extension of the semi-wild preserve hunting season and reviewed why.

At this time, Principal Zoologist Korth from the Endangered and Non-Game Species Program (ENSP) addressed the Council to review the latest updates to the Statewide Action Plan. She advised that once portions are completed, the document goes to the Commissioner for his approval, after which it will be on the Department and Division websites for public comment. The Commissioner asked that the plan be simplified and have focus. She gave a brief summarization, noting that over 200 large bird species had been reviewed for ranking, using brant as an example. Councilman DeMartino advised that the brant have been ranked previously by the Federal and Northeast Waterfowl Council's, and asked that she speak further with Supervising Waterfowl Biologist Nichols. There was some additional discussion on the ranking review.

Principal Zoologist Korth gave a further report for the ENSP, advising that the first piping plover had arrived back at their breeding grounds this past Sunday. Osprey have also returned.

A bobcat that had been fitted with a radio collar was caught in a snare trap recently. Principal Biologist Korth advised that any input from the Council to lessen the impact by trappers on the bobcat population would be appreciated.

Next, Chief Barno from the Bureau of Freshwater Fisheries gave a review of the public comments received regarding the Furunculosis outbreak at the Pequest Trout Hatchery, and incorporating aspects of the fish health policy. Beginning on February 22, a 15 day public comment period was initiated. Information was listed on the Division's website as well as given at two public meetings. She also noted that the presentation being given by Fisheries Pathologist Dr. J. Lovy today was the same one given at the public meetings. The Fish Health Policy being reviewed today was not new; it was the regulation incorporated in the 2008 Fish Code regulations, and the Division has adhered to a similar policy for the past 40-50 years.

Fisheries Pathologist Dr. J. Lovy gave a power point presentation on the Furunculosis outbreak at the Pequest Trout Hatchery. Included was information what Furunculosis is, its characteristics, and how it transmits. Other species, strains and sub-species were also described. An aerial overview of the Hatchery raceway system and the water use intake and reuse was described.

Additional information included a timeline of the outbreak and control measures that were taken. Preventative actions were also reviewed. Dr. Lovy noted that the rainbow trout are very resistant to the disease, and staff will increase the production numbers for rainbow trout. He added that the nursery building is free of the disease, and the brook and brown trout there have been vaccinated and will be fed an amino stimulating diet.

(Councilman Brodhecker arrived at 10:30 a.m.)

Information on selective breeding done in Rome, New York was reviewed. Dr. Lovy advised that they have developed a strain of brook and brown trout that are very resistant to Furunculosis, and staff here are hoping to be able to secure some of these fish to introduce them into the Pequest Hatchery population.

Also noted was birds were the biggest bio-security threat to the fish in the raceways, and a number of different methods used to deter them was reviewed. Dr. Lovy advised that the birds are able to figure out any changes that are made within about a week, so there is now consideration to cover the raceways sometime in the future. He noted to the added benefits of having covered raceways after speaking with a fish health specialist in Michigan, and there was additional discussion on if this was possible and on funding for such a project in New Jersey. Councilwoman Blumig added that she has spoken with other states on fish health that have used a process where they irradiate the water. While effective, this treatment is very costly.

There was additional discussion regarding the situation at the Hatchery, including measures being taken to test the waters up and downstream of the Hatchery on the Pequest River and the results of that testing. Program goals and annual hatchery inspections at private hatcheries, as well as response plans and risk assessment plans were also discussed. Dr. Lovy also noted the work that he can complete at his pathology lab, and additional access that is available to him at the Department of Agriculture's animal health lab.

The proposed Fish Health Policy to be voted on today was reviewed with input from Dr. Lovy and Chief Barno. The Great Lakes Fish Health Committee Risk Analysis, which was suggested to be added to this policy, was also reviewed. There was very lengthy discussion, which included the type(s) of trout being considered for the future, the antibiotics used in treatment, plans already in place for future production, distribution of fish, and additional changes to the facility. It was noted again that this was not a change in policy, but was just reinforcing the existing policy, and discussion on this continued on amounts and types of fish to be raised, other possible diseases that could occur, and social aspects of fishing for certain species. Chief Barno reinforced that the anglers are in agreement with the Division on whatever measures needed to be taken to eliminate the Furunculosis problem, and discussion continued and questions were answered for the Council.

Before voting on the Fish Health Policy, Councilwoman Brummer requested that it incorporate that only rainbow trout would be raised. Councilman Gudmundsson suggested that eliminating one species over another should be cautiously considered in case something else was to cause problems in the future. There was additional discussion, and Councilwoman Brummer stated a timeline could be included, and that she wanted her suggestion recorded. Councilman Link felt this better as part of a best management plan. A lengthy discussion on this continued and Acting Chairman Burke advised that this could be handled as a separate motion. There was additional discussion and comments, after which **a motion was made by Councilman Gudmundsson, seconded by Councilman Brodhecker to reinforce the existing policies with the amendments that are proposed, as presented. A vote was taken with all in favor, none opposed.**

**An additional motion was made by Councilman Gudmundsson, seconded by Councilwoman Brummer to add a new statement to the previously passed policies, which states “best management strategies shall be used to address species and densities based on susceptibility to any disease or pathogen”. A vote was taken with all in favor, none opposed.**

Chief Barno distributed copies of the Spring trout stocking schedule, which she reviewed for the Council. Taking into consideration the Furunculosis outbreak and treatment of the fish affected, details of how and where fish were to be stocked was noted. In total, 137 water bodies will be stocked, and these include 73 lakes or ponds, and 64 streams or rivers. Additional details from the stocking information were discussed, including steps being taken to encourage catch and release at areas of concern for overfishing, where fish that have been exposed and/or treated will be placed, new and removed stocking areas, the length of the stocking season, and the stocking of bonus broodstock trout. Chief Barno added that crews are preparing to begin next Monday, pending Council’s approval of the stocking schedule today.

There was extended discussion on the Spring stocking program, after which **a motion was made by Councilman Van Mater, seconded by Councilman Brodhecker to approve the Spring trout stocking schedule as presented. A vote was taken with all in favor, and one opposition from Councilwoman Blumig who had shared her concerns on stocking trout from the hatchery.**

Acting Chairman Burke noted the next agenda item for vote today, which was a request to extend the semi-wild preserve hunting season. He read from the Game Code, which states that “the Director, with approval of the Council, may extend the pheasant season on licensed semi-wild preserves for a period not to exceed 20 days” and noted the reason for the request today was due to poor weather conditions during the season. Additionally, he advised that these were not wild birds, but were pen raised birds that were on hand at the semi-wild preserves and several requests for a season extension had been received. **A motion was made by Councilman DeMartino, seconded by Councilwoman Blumig to approve the 20 day extension of the semi-wild preserve hunting season. A vote was taken with all in favor, none opposed.**

At this time, Acting Chairman Burke called for a lunch break until 1 p.m.

(Councilwoman Blumig had to leave before the restart of the afternoon session).

The meeting began again at 1:01 p.m. Acting Chairman Burke noted another change in the order of the agenda, where Chief Golden would give the report for the Bureau of Wildlife Management now since he was due at another meeting later today.

Chief Golden described the quail recovery plan approach that was being considered by the Bureaus of Wildlife Management, Land Management and the Endangered and Nongame Species Program. The plan would take an area of 6,000 acres, and over a 10 year period work would be done to have a total of 25% of the acreage managed for quail. To start, 200 acres will be managed this year. The plan will be in place soon, at which time it will be presented to the Council and then to the Division’s stakeholders for feedback. There was additional discussion regarding the quail program being developed.

A pheasant distribution model is being developed with input from several bureaus within the Division. Chief Golden gave a review of the determining variables being considered for this model.

Chief Golden also described that the Division’s biannual Firearm Hunter Survey had recently been posted on the Division’s website. Comments received thus far to the hunter survey were also noted, and questions from and lengthy discussion with the Council regarding the survey and comparisons to past surveys were addressed by Chief Golden. Members asked that a copy of the survey be forwarded to them as a reference to any questions that may come to them.

Chief Golden spoke on bobcats, advising that staff from the Bureau of Wildlife Management and the Endangered and Nongame Species Program have been holding meetings to discuss approaches that could be taken to reduce their accidental capture and trap mortality. In moving forward, and to better understand the situation when a bobcat becomes accidentally snared, a data sheet of questions has been developed for use by staff when a trapper contacts them to report a snared bobcat. Necropsies will also be performed on deceased animals. Chief Golden noted that the Bureau of Wildlife Management along with the Endangered and Nongame Species Program are actively working together and moving forward on this. Additionally, information is available on the Division's website. There was some further discussion on this matter.

The mandatory pelt registration for trappers was held in late February. Preliminary numbers show that 591 beaver and 42 river otter were checked in.

Staff are working with the GIS personnel on mapping of suitable beaver habitat, with input from survey information. Over 3,000 beaver records will be applied to the model. Chief Golden gave a brief summary of this program.

Ducks Unlimited is working with the Division on restoration of the impoundments at the Tuckahoe WMA.

Mid-winter waterfowl survey results are in. There were 49,000 Atlantic brant reported in New Jersey, which Chief Golden acknowledged was good news after Hurricane Sandy.

The Game Committee plans to schedule a meeting sometime in the future. A date will be selected at the April Fish and Game Council meeting.

Chief Petrongolo requested time to speak to the Game Committee regarding the horseback riding policy.

Council reports were given. Councilman Brodhecker advised that there is still snow in his area. There have been deer scratch marks and geese have been seen in the open areas.

Councilman Link has had a number of geese in his area. He had received several phone calls regarding geese while he was away from the Inquirer and the Farm Bureau. Callers were able to contact Councilman Puskas, for information.

Councilman Van Mater had no new information to report. There was no county meeting last month due to the weather. He has however been hearing comments regarding the no driving of deer Game Code proposal that has been considered.

Councilman Gudmundsson reported that the game dinners have begun. He recently attended the Bergen County dinner, which had more than 400 people in attendance. The Trout Unlimited dinner is scheduled for this weekend.

Acting Chairman Burke noted the Atlantic County dinner was held and the Cumberland County trash hunt will be held on March 22.

Councilman DeMartino reported that at the Ocean County meeting there was discussion that the United Bow Hunters were opposed to the White Buffalo controlled hunt in Princeton and reviewed why. He also advised that the Ocean County Federation has \$10,000. available in their own Wildlife Habitat Improvement Program (WHIP) that they would be willing to give to the Division to put toward work on wildlife management areas in Ocean County. They also inquired about volunteering time to do work on WMA properties.

Councilman Link noted the recent Quality Deer Management banquet. With the monies raised, they were able to give a donation to the Salem High School shooting program, helped to fund a hunt for a youth hunter to go to Georgia, fund seed planting in fields on WMAs and have donated a robotic deer to the Bureau of Law Enforcement.

Acting Chairman Burke reported the Atlantic County Federation would be holding their sporting clays event this Saturday, and usually host between 80 and 120 youth participants.

There was no report for the Finance Committee.

There was no report for the Legislative Committee.

Councilwoman Brummer reported for the Endangered and Nongame Species Advisory Committee. They will be meeting next week. There was a presentation given at their last meeting from an outside affiliate on no net loss for habitat of endangered species, which she briefly described to the Council. Final recommendation on the information given at that meeting will follow.

The Waterfowl Stamp Advisory Committee is tentatively scheduled to meet on April 8.

Councilman Brodhecker was not able to attend the last Wildlife Rehabilitator's Advisory Committee meeting, and had no new information to report.

Principal Biologist Ivany reported for the Office of Information and Education. Staff have been busy with planning Spring events, and he noted the recent outdoor sports show in Suffern, New York.

Updates on the Furunculosis outbreak at the Pequest Hatchery have been added to the Division website, and a talk was given to the Division's representatives to the county Federation groups. An update on the proposed archery facility was also given to those representatives.

Plans are still moving forward for the annual Pequest Open House on March 29 and 30, however it was noted that the event may need to be cancelled if there is still too much snow at the area.

Principal Biologist Ivany spoke of the Fish Art and Writing Contest that was held for 30 years on the opening day of the trout season. This program has been replaced by a ceremony for schools participating in the Trout in the Classroom Program, and this year on April 5 students from a school in Sparta, which was the first school to participate in the program will be invited to attend. Members of the Council were also invited to participate.

The annual WILD Outdoor Expo that is held in September is in need of funding, and Principal Biologist Ivany advised that the State Federation of Sportsmen's Clubs and the New Jersey Outdoor Alliance-Conservation Foundation are hoping to partner with the Division for this event. Staff are now working with the Ethics Commission to sign a joint venture with these groups.

Program scheduling has begun at the Pequest and Sedge Island facilities. Upcoming weekend activities at the Pequest Education Center were also discussed.

The annual Governor's Surf Fishing Tournament will be held on May 18, and so far there have been close to 100 registrations received. A news release is also in place to promote this event.

Chief Petrongolo reported for the Bureau of Land Management. Staff are in the midst of controlled burning activities. He described how this is a low cost habitat maintenance method, and noted the tremendous

cooperation that is received from the Forest Fire Service. The program was extended in the Central Region past the March 15 deadline, and may be extended beyond that in the Northern Region as well.

Improvements to Princeton Nurseries (Pleasant Run WMA) acquisition that were to be made by the former owners have been completed, and the area should be open to the public soon. Information will be posted on the Division's website.

Staff recently went to landlord/tenant court to resolve a problem with one of the farmers in farm lease program. The farmer would not cooperate with the terms of the lease. Chief Petrongolo noted that the majority of the farm leases work well and there are no problems, but this one particular lease at the Medford WMA has taken three years to dissolve, and any similar problems with other leases in the future could mean the end of the farmer lease program. There was some additional discussion on this matter, and Chief Petrongolo noted that this is the fifth year of the current program, and farmers with existing leases have the option to farm for an additional five years. Staff are looking to renew most of the existing leases.

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

Acting Chief Chicketano commented on a two year investigation on striped bass that concluded recently. Working with the Pennsylvania Game Commission, New Jersey officers were tracking a ring of eight individuals who were selling striped bass. He reviewed the charges against these individuals and the maximum penalties that could be charged, adding that both indictable and civil charges had been filed.

There was some additional discussion regarding information reviewed today.

The public comment period was opened. Don Mangus from Columbus addressed the Council regarding a suggestion for changes to the Game Code. He expressed an interest in sportsmen being allowed to self-stock chukar, and that the season be extended to match the dates of the rabbit and squirrel seasons. He will also submit his suggestion in writing. There was some additional discussion and suggestions from Councilman Gudmundsson, and Mr. Mangus expired his three minutes. He was advised that he could have additional time to speak after anyone else wishing to address the Council.

Barbara Sauchau also addressed the Council, commenting on Audubon working with New York to try to kill swans, and the public comment to stop this. She also had an inquiry from Janet Pizar (Ms. Pizar was not present) on what the human destruction of fish using CO2 meant, and asked to get an answer to Ms. Pizar. Ms. Sauchau also commented on geese and APHIS permits that are issued to control them, and why other methods of control were not used. Lastly, Ms. Sauchau commented that she had submitted a topic to present at the wildlife conference, but was denied. She is appealing this decision, and spoke further on what she would like to present.

Mr. Mangus spoke again on the trout program, and his concerns on having only rainbow trout available. He felt that there were some areas that could only maintain a brook trout. Councilman Gudmundsson noted that this also was discussed at the public meeting. Mr. Mangus will submit his concerns to the Division webmaster for response.

With no one else wishing to address the Council, **a motion was made by Councilwoman Brummer, seconded by Councilman Brodhecker to adjourn. A vote was taken with all in favor. Meeting adjourned at 2:34 p.m.**