

MINUTES OF THE MEETING OF THE  
NJ FISH AND GAME COUNCIL

Central Region Office  
Robbinsville, NJ  
July 8, 2014

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

The meeting was called to order at 1:11 p.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 on June 16, 2014 and delivered to the designated newspapers of the Division, the Newark Star Ledger and the Atlantic City Press on July 1, 2014.

Roll call was taken. In attendance were:

Acting Chairman Dave Burke  
Councilwoman Blumig  
Councilman Brodhecker (arrived at 1:32 p.m.)  
Councilman DeMartino  
Councilman Link (arrived at 1:20 p.m.)  
Councilman Puskas (arrived at 1:40 p.m.)  
Councilman Van Mater

Absent: Councilwoman Brummer  
Councilman Gudmundsson

Division employees included L. Herrighty, P. Nelson, M. Chicketano, A. Petrongolo, P. Carr, J. Cianciulli, C. Stanko, T. Nichols, A. Ivany and A. Burnett.

There were numerous members of the public in attendance.

Acting Chairman Burke advised that there was no quorum at this time, but several other Councilmen were expected, so items that needed to be voted on would be held until that time.

Director Chanda was not in attendance. Assistant Director Herrighty had no new information to report. Assistant Director Nelson advised that the fiscal year ended with the Division slightly ahead in revenue, and after the final bills have been settled more specific information will be given.

Acting Chairman Burke commented that the 2015-2016 Game Code proposed changes would be reviewed later in the meeting, and advised those in attendance that today just information was being given and that handouts would be available in the future. Anyone requesting to make public comment at this time on these proposed changes was advised that they would have three minutes to speak.

Barbara Sauchau presented written comments, as well as addressing the Council. She noted the agenda and spoke about meeting agendas on a local level. Acting Chairman Burke responded that the information being

reviewed today was preliminary and there would be a 60 day comment period. Ms. Sauchau continued to comment on this topic.

Janet Pizar from Millburn questioned how they could be asked to make comments on information that had not been posted. She was also reminded that the information was just preliminary. Ms. Pizar did note her opposition to the 2015-2016 Game Code and noted specific items.

At this time, Assistant Director Herrighty reviewed the Game Code process and timeline for all those in attendance. Ms. Pizar again argued the point of order for the agenda, and Ms. Sauchau commented that she did not have three minutes.

There was no representative available to report for the Agriculture Committee. This report was postponed until later in the meeting.

Councilman Van Mater reported that in his area, the Federation would not be meeting until September, and had no new information to report.

Councilwoman Blumig reported on the Hunterdon County meeting, where the repairs to the dock at the boat ramp at the Round Valley were discussed. Also, a letter that had been sent to the Director and Assistant Director Herrighty regarding discounted fees for Senior Citizen's purchasing extended season permits was discussed. There was lengthy group discussion on this matter, and Assistant Director Nelson noted that the cost to the Division would be more than would be gained in additional permit sales. Also, Acting Chairman Burke pointed out that changing the fee structure is not something that the Council is able to do and would be a Legislative procedure.

(Councilman Link arrived at 1:20 p.m.)

Acting Chairman Burke had attended the Atlantic County meeting, where they inquired as to the status of the improvements to the Stafford Forge WMA range and the joint venture with the local police department for their use. Chief Petrongolo advised that this is still conceptual and will take time to develop.

Councilman DeMartino requested a report of the breakdown of the fees and fee structure for licenses and permits be provided to the members. **Councilwoman Blumig made a motion that the Finance Committee schedule a meeting and that their findings be presented to the Council. The motion was seconded by Councilman DeMartino.** Acting Chairman Burke requested that the information be broken down by age demographic. **A vote was taken with all in favor.** The Finance Committee will meet on August 12, at 9:00 a.m., before the start of the regular Fish and Game Council meeting.

There was no report from the Freshwater Fisheries Committee.

Acting Chairman Burke reported for the Game Committee, who met last month to review the proposed changes to the Game Code. He noted that Supervising Biologist Stanko would be giving a presentation on same later today.

Assistant Director Nelson reported for the Legislative Committee. The Legislature had quite a bit of recent activity. Bills noted today included:

A 3064	Repeals anachronistic, superseded, or invalidated sections of statutory law.
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- A 3427 Authorizes free fishing licenses for persons with disabilities. (The Division is opposed to the way this is written)
- S 2012 Prohibits the import, sale, purchase, barter or possession of ivory or rhinoceros horn and items containing ivory or rhinoceros horn, with limited exceptions. (Assistant Director Nelson noted that the Division has advised the Governor's Office that this should be amended to be directed to the US Fish and Wildlife Service and why).

(Councilman Brodhecker arrived at 1:32 p.m.)

Chief Jenkins reported for the Endangered and Nongame Species Advisory Committee, noting that they had comments on bobcats with regard to trapping in the proposed changes to the Game Code.

Acting Chairman Burke reported for the Waterfowl Stamp Advisory Committee, noting that they would be meeting this evening.

Councilman Brodhecker had no new information to report for the Wildlife Rehabilitator's Advisory Committee, but did note they would be meeting again in August.

Councilman Brodhecker reported for the Agriculture Committee. Crops in his area have all been planted. There was a low yield for the hay harvest due to the weather. Farmers are reporting deer in their corn crops, and have been applying for depredation permits. Bears have been seen in the area, but he had not heard of any issues with them. Acting Chairman Burke asked about the rainfall amounts in his area, and he noted that they have had an adequate amount of rain, but the hard rain does damage to the small grain crops.

Councilman Link reported that they did not get too much rain last week in his area. The hay crops are looking good. Deer are being seen all over.

Acting Chairman Burke noted that he has seen a lot of hay being harvested, and also that the blueberry crop has been good this season.

Supervising Biologist Stanko reported for the Game Committee. Copies of the proposed amendments to the Game Code were distributed, as well as being reviewed through a power point presentation. Proposals were reviewed and voted on, and are summarized below:

- 1) Housekeeping Items: Correct Division mailing address throughout noted portions of the document. **A motion was made by Councilman Van Mater, seconded by Councilman Brodhecker to approve these corrections as noted. A vote was taken with all in favor, none opposed.**

(Councilman Puskas arrived at 1:40 p.m.)

- 2) 5.1 General Provisions  
Air gun 5.1(d)24-Amend the definition in order to clarify the prohibition that noise reduction systems (NRS) are illegal for all firearms. **A motion was made by Councilman DeMartino, seconded by Councilman Van Mater to approve this proposal. A vote was taken with all in favor, none opposed.**
- 3) 5.3 Rabbit, Chukar & Quail

Make corrections to language regarding Hungarian partridge and black-tailed jackrabbit. **A motion was made by Councilman Brodhecker, seconded by Councilwoman Blumig to approve these proposed corrections as noted. A vote was taken with all in favor, none opposed.**

- 4) 5.4 (not listed on document, but included in power point presentation) Ruffed Grouse  
Correct language for the opening day of the season in the North zone. **A motion was made by Councilman DeMartino, seconded by Councilman Brodhecker to approve this proposal. A vote was taken with all in favor, none opposed.**
- 5) 5.5 Squirrel  
Move the language for the muzzleloader season from 5.23(e) to 5.5. **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**
- 6) 5.6 Black Bear, Bobcat  
Requires trappers to report the incidental capture of bobcat within 24 hours. There was discussion on this, additional comment from Chief Jenkins of the Endangered and Nongame Species Section, and discussion on this relative to section 5.12. **A motion was made by Councilman Brodhecker to approve the language regarding bobcats in both 5.6 and 5.12, which was seconded by Councilman Link. A vote was taken with all in favor, none opposed.**
- 7) 5.7 Turkey (several proposed changes)  
Add turkey to the Automated Harvest Report System (AHRS) for the spring and fall seasons; open the fall turkey hunting season in all areas; eliminate the lottery for the fall turkey season; and increase the weekly permit quotas in Turkey Hunting Areas (THA) 14 and 22 as well as in the fall turkey season. **A motion was made by Councilman DeMartino, seconded by Councilman Van Mater to approve the proposals. A vote was taken with all in favor, none opposed.**
- 8) 5.8 Mink, Muskrat, Nutria, 5.9 Beaver, 5.10 Otter and 5.11 Raccoon, Fox, Opossum, Skunk, Weasel, Coyote Trapping (two proposed changes #10 and 11)  
#10 Increase trapping opportunity for mink, muskrat and nutria in 5.8(b); beaver in 5.9(b); and river otter in 5.10(b) by allowing trapping on all WMAs prior to January 1 (31-46 additional days for mink, muskrat & nutria; 6 additional days for beaver & otter) for areas stocked with pheasants.  
#11 Amend sections to open trapping season on satellite and/or non-stocked areas of Pheasant and Quail Stamp Designated Areas.

A powerpoint presentation was given by Principal Biologist Burnett regarding dates and species for trapping on wildlife management areas, including proposed plans (#10) for trapping in certain areas on WMAs that are stocked during the pheasant and quail small game season.

There was additional discussion on these proposed changes, with Acting Chairman Burke noting that the Game Committee would like to have input from the sportsmen. Assistant Director Herrighty advised that there was also some question from sportsmen who ran beagles, and discussion continued. Chief Golden noted the original intent of these proposals and the designated areas where trapping would be allowed to avoid conflicts with pheasant hunters.

After some additional discussion **a motion was made by Councilwoman Blumig, seconded by Councilman Brodhecker to move forward with this proposal.** Principal Biologist Burnett will clarify the language (#11) as requested, and Assistant Director Herrighty advised that the Council will be provided with maps detailing the areas being considered for change so they may evaluate

what they will be voting on. **A vote was taken with all in favor, none opposed to proceed with this proposal as suggested it be amended.**

9) 5.9 Beaver Trapping

This proposal is for housekeeping on the wording of the current regulation. **A motion was made by Councilman Puskas, seconded by Councilman Brodhecker to approve this proposal. A vote was taken with all in favor, none opposed.**

10) 5.11 and 5.19 Coyote

This proposal is for housekeeping on the wording of the current regulation. **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

11) 5.12 General Trapping (proposals 15, 16 and 17)

This portion of the proposal (#15) would legalize foot encapsulating traps as an alternate to snares. A review and description of the proposed legal traps was given by Principal Biologist Burnett, after which **a motion was made by Councilman DeMartino, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

The next portion (#16) would expand the use of air guns. **A motion was made by Councilman Brodhecker, seconded by Councilwoman Blumig to approve this proposal. A vote was taken with all in favor, none opposed.**

The last portion (#17) of this proposal would add weasel to cable restraint regulations established for mink and muskrat trapping. **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

12) 5.13 Migratory Birds (three proposals)

Portion one (#18) would remove language from the Game Code which references swans and defer hunting area descriptions to Federal regulations. It would also add language that would enable special seasons for any other migratory birds as allowed by Federal regulations. **A motion was made by Councilman DeMartino, seconded by Councilwoman Blumig to approve this proposal. A vote was taken with all in favor, none opposed.**

The next proposal (#19) would prohibit hunters from leaving any staked, anchored or floating waterfowl hunting blinds in the field overnight for extended periods of time. **A motion was made by Councilman DeMartino, seconded by Councilman Brodhecker to approve this proposal. A vote was taken with all in favor, none opposed.**

The last proposal in this segment (#20) would correct the common name of the American woodcock. **A motion was made by Councilman Puskas, seconded by Councilman DeMartino to approve this proposal. A vote was taken with all in favor, none opposed.**

13) 5.16 General Falconry Rules

Proposal would correct the name of the American bald eagle. **A motion was made by Councilman Van Mater, seconded by Councilwoman Blumig to accept this proposal. A vote was taken with all in favor, none opposed.**

14) 5.19 Fox and Coyote Hunting (2 proposals)

The first (#22) would amend 5.19(i) to permit harvest of foxes with center-fire rifles during the special permit season in 5.19(i). **A motion was made by Councilman Puskas, seconded by Councilman Link to accept this proposal. A vote was taken with all in favor, none opposed.**

The second (#23) would allow the taking of coyote with 20 gauge shotguns during the shotgun deer season. **A motion was made by Councilman DeMartino, seconded by Councilman Link to accept this proposal. A vote was taken with all in favor, none opposed.**

15) 5.22 Wild Animals; Possession, Killing

Institute a wanton waste law for mammals like we have for fish (#24).

There was much discussion on this proposal. Councilwoman Blumig noted that she would like to have removal of legs and thighs included for turkey. Councilman DeMartino commented on hunters who shoot snow geese and leave the entire carcass, and Principal Biologist Nichols advised that the Federal regulation on wanton waste addresses retrieval of birds but does not address body parts. Council members continued discussion with regard to additional regulations for turkey, after which **a motion was made by Councilwoman Blumig, seconded by Councilman Van Mater to add language that for turkey that the breast, leg and thighs must all be removed. A vote was taken with most in favor, and opposition from Councilmen Brodhecker and Link.**

16) 5.23 Firearms and Missiles (4 proposals)

The first proposal (#25) would reduce the grain weight in center-fire rifles and limit the grain weight in rim-fire rifles when hunting woodchuck in 5.23(a). **A motion was made by Councilman Van Mater, seconded by Councilman DeMartino to approve this motion. A vote was taken with all in favor, none opposed.**

The next proposal (#26) was discussed and voted on earlier, and it was noted that it would need to be amended to exclude muskrats.

The third proposal (#27) would require bear hunters utilizing grounds blinds to wear hunter orange. **A motion was made by Councilman DeMartino, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

The last proposal (#28) would correct the common names of black-tailed jackrabbit and white-tailed rabbit in 5.23(a). **A motion was made by Councilman Puskas, seconded by Councilman Van Mater to approve this proposal. A vote was taken with all in favor, none opposed.**

17) 5.25, 5.26, 5.27, 5.29, 5.30 General Deer

This section includes proposals for:

Special areas (#32, 33, 36, 37, 38, 39, 40, 41 and 42) **A motion was made by Councilman Van Mater, seconded by Councilman Brodhecker to approve these proposal. A vote was taken with all in favor, none opposed.**

Housekeeping on language for the Automated Harvest Report System (#29) and amend language to provide for the physical tagging of unattended deer (#30). There was some discussion on the proposal (#30) for unattended deer, and it was requested that the language be clarified further, after which **a motion was made by Councilman VanMater, seconded by Councilman Brodhecker to approve these proposals with changes to #30 as recommended. A vote was taken with all in favor, none opposed.**

Make language in all deer season sections regarding season expansions consistent by adding “with the approval of the Council” (#34). Assistant Director Herrighty advised that this would make wording consistent with that in the bear section. It was suggested by Assistant Director Herrighty that the word “approval” be changed to “concurrence”, after which **a motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal as amended. A vote was taken with all in favor, none opposed.**

Allow for the taking of two deer at a time with bows in those zones where it is legal to take two deer at a time with firearms (#35). **A motion was made by Councilman Puskas, seconded by Councilman Van Mater to approve this proposal. A vote was taken with all in favor, none opposed.**

Correct existing errors in the phrased wording used to define deer hunting season dates; revert back to listing of actual dates in the Code where needed (#31). **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

Add two days during Christmas week to Set 0, and exclude the two days after the six-day (#44). **A motion was made by Councilman Puskas, seconded by Councilman DeMartino to approve this proposal. A vote was taken with all in favor, none opposed.**

Reduce the buck goal for DMZ 6 from 4.5 to 3 per square mile (#38). **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

One proposal that was made, but not included on the list given today, was to change the buck goal in Zone 16 from 3 to 4. **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

Change Zone 2 buck goal from 6 to 5 (#45). **A motion was made by Councilman Puskas, seconded by Councilman Brodhecker to approve this proposal. A vote was taken with all in favor, none opposed.**

Move zones (#43) 10, 11 and 15 up one regulation set, from Set 7 to Set 8. Move Zone 17 from regulation set 6 to regulation set 7; change strategy to “decrease”. **A motion was made by Councilman Puskas, seconded by Councilwoman Blumig to approve these proposals. A vote was taken with all in favor, none opposed.**

Extend the permit bow season in Regulation Set 4 to close on December 31 instead of the last Sunday in November (#46). **A motion was made by Councilman Brodhecker, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

18) Pheasant and Quail Stamp Designated Areas

Add Rockport to the list of stocked WMAs (#50) as described. **A motion was made by Councilman DeMartino, seconded by Councilman Puskas to approve this proposal. A vote was taken with all in favor, none opposed.**

Allow the Director, with approval of Council, to designate new WMAs to be stocked with pheasants (#51). **A motion was made by Councilman Puskas, seconded by Councilman DeMartino to approve this proposal. A vote was taken with all in favor, none opposed.**

Mandate the wearing of a hunter orange hat by all those engaged in hunting for small game (#52). This proposal was discussed at length, and suggested that language be specific for stocked wildlife management area properties. **A motion was made by Councilwoman Blumig, seconded by Councilman Puskas to approve this proposal as discussed. A vote was taken with all in favor, none opposed.**

In conclusion, a brief description of proposals reviewed by not passed by the Game Committee was given.

Acting Chairman Burke shared some closing comments, noting the amount of work that goes in to preparing updates for the Game Code. He advised that there will also be a stakeholder's meeting for further review of the information given today. Supervising Biologist Kandoth added that the information would be available on the Division's website next week.

Division reports were by-passed for today, but Bureaus were asked for any additional information they had since preparing their monthly reports. Chief Golden, from the Bureau of Wildlife Management asked Supervising Biologist P. Carr for an update on the pheasant program. He noted that 68,363 birds have hatched so far, and mortality rates are low. Hatch rates have been better than in the past, and because of this the last scheduled hatch of the year will be eliminated, which will save approximately \$20,000. Improvement to the brooder house continues, as well as work on the pheasant formula for stocking. The Rockport Game Farm Superintendent had a meeting today to discuss the new catch building.

Assistant Director Herrighty noted the newly improved roadway from the old office to the boat ramp at the Assunpink Lake that was just completed.

Assistant Director Herrighty commented that Bureau of Freshwater Fisheries is continuing work on stream sampling. A furunculosis strain found at the Ken Lockwood Gorge was noted. A blue-ribbon panel for guidance on bio-security at the Pequest Trout Hatchery will develop a report that should be ready by this Fall.

There was some additional review and discussion on the deer survey that was done.

Acting Chairman Burke asked that ideas for topics to be discussed at the Joint Council's Meeting in September be brought to the August meeting.

Councilman Puskas gave a report for the Agriculture Committee for his area. Farmers are seeing a lot of deer damage, and will be applying for depredation permits. Crop farming was reviewed. He also noted that turkeys are more abundant in his area.

Members were reminded of the Finance Committee meeting on August 12 at 9 a.m. before the start of the regular Council meeting.

The public comment period was opened. Apolonia "Pola" Galie from Waretown addressed the Council regarding the letter mentioned earlier in the meeting on reduced fees for senior licenses. She noted that the letter came from an individual, not the Federation, and reviewed the Federation's process for how they would handle matters of concern.

Janet Pizar from Millburn addressed a question to Supervising Biologist Stanko regarding the buck goal for zones such as 6 and 16, and the deer management strategy. Ms. Pizar was reminded by Assistant Director Herrighty that she had OPRA'd the deer zone charts previously and those goals were noted on the charts, but, she noted there was no legend to refer to as a guide for those charts. Acting Chairman Burke also



noted that the information she was referring to was in the Game Code, and Ms. Pizar commented back that the deer information was a stand-alone document for which there was no legend.

Barbara Sauchau stated her comments regarding the deer survey and about people killing animals.

Milton Hutchinson from Robbinsville, who is also the President of the Woodruff Rod and Gun Club of Hightstown spoke about his club not wanting to see any change to driving deer while hunting. He added that personally, he'd like to see the bow season not be carried into the six day firearm season, adding that having hunter orange on is a big plus to other hunters.

There was no one else wishing to make comment, and **a motion was made by Councilwoman Blumig, seconded by Councilman Puskas to adjourn. A vote was taken with all in favor.** Meeting adjourned at 4:00 p.m.