

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Conservation Center

Robbinsville, NJ

December 15, 2015

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

The meeting was called to order at 10:03 a.m. by Acting Chairman David Burke

The flag salute and Pledge of Allegiance were completed. Acting Chairman indicated that the agenda was not posted on the website as there were statewide problems with the system.

Acting Chairman David 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 November 30, 2015 and delivered to the designated newspapers of the Division, the Newark Star Ledger and the Atlantic City Press.

Roll call was taken.

In attendance were: Acting Chairman Burke
Councilman Brodhecker (arrived at 10:12 a.m.)
Councilman DeMartino
Councilman Gudmundsson
Councilman Van Mater
Councilman Link
Councilman DeStephano

Absent: Councilman Conover
Councilwoman Brummer
Councilwoman Blumig

Division employees included D. Chanda, P. Nelson, L. Herrighty, M. Chicketano, J.S. Cianciulli; D. Golden, A. Ivany, M. Hencheck, C. Stanko, J. Matthews, L. Barno, J. Sloan, D. Ogonofski; B. Stoff

There were numerous members of the public in attendance.

Motion was made by Councilman Gudmundsson and seconded by Councilman DeStephano to approve the minutes of the October 13, 2015 meeting as emailed. Vote taken, All were in favor and no one opposed.

Motion was made by Councilman Gudmundsson and seconded by Councilman Link to approve the minutes of the November 10, 2015 meeting with the following edits-on page 3 change the word “Know” to “Knot” and on page 7, modify the date from September 21, 2015 to September 21, 2016. Vote taken to approve the minutes with the recommended edits, all were in favor and no one opposed.

Acting Chairman Burke had a few comments and mentioned that it was going to be a busy meeting with the Fish Code. The deer harvest was down due to the warm weather and abundance of the acorn crop and Carole Stanko to give her update later during the meeting. Weather had a positive effect on the bear harvest. Acting Chairman

Burke indicated that he read in the newspaper over the weekend about the project at the Higbee Beach Wildlife Management Area which is in the developmental stages to return tidal flow to 270 acres on the WMA. The Army Corp of Engineers looked over the project approximately 10 years ago but was deemed too costly and lack of funding. David Golden indicated that this was one of the first things became aware of when he became the Bureau Chief for Lands Management. Chief Golden indicated that he feels this is a great project and is looking for the Office of Natural Resources Restoration (NRR) to fund this project. They began some preliminary work last year and recently received spending plan approval and looking for a final design approval within a year to 1 ½ years to have the Pond Creek Marsh return tidal flow which is also tied into Magna Site Operation for tiding up. Chief Golden indicated that he is looking at a plan to get people to the Wildlife Management Area thru and around the area. The Council wanted to be kept up-to-date. Final cost may be \$10 million plus and looking to have ONRR back up the funding then bill for the project. They receive their monies from damages and then they fund restoration projects. Trails system and restoration to be included in the project and how they can come together upfront with varied interests. More discussion on the Fish Code and two license restorations later on.

Director Chanda congratulated staff for all their efforts during the week of December 7, 2015 thru December 12, 2015 for the Black Bear Hunt as well as the 4 day extension. Director Chanda indicated the season was a huge success and believes that this program is heading in the right direction. Director Chanda was at the check station on Saturday, December 12, 2015 and observed a minimal number of animal rights people protesting (50 to 60) some from New York and one from Canada. The Director could not believe the extreme vulgar language used by the protestors and leveled at Division personnel. Even the newspaper reporters were shocked by some of their vulgar comments. Overall the bear hunt concluded without incident and only one protestor arrested. Chief Stanko will give her report later. Director Chanda also reported on the activities of the final meeting of the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife. Their final report should be issued in March, 2016. Fish and Wildlife agencies around the country have recognized this funding effort as the single biggest piece of conservation funding in our lifetime. If successful, it has the potential to change how we manage wildlife in this country. Once the report is released Director Chanda will provide more information to Council.

Acting Chairman Burke advised that the Fish Code will be voted on under new business, however, we will provide the public comment period on the fish code now and comments will be limited to 3 minutes:

Barbara Sachau, Whitehouse Station, NJ - For the record – feels a lot of waste in aquaculture of fish; disease in aquaculture fish and waters in New Jersey are so polluted can no longer support fish. Does not believe that the entire operation in New Jersey is necessary and is fake.

There were no other public comments.

Committee Reports:

Agriculture Committee Report: Councilman Brodhecker attended the State Farm Bureau meeting a few weeks prior. Both Councilman Link and Brodhecker spoke to the farmers and the main issue was depredation permits and managing deer and the challenges farmers have getting them. Takes time to manage problems and issues. Geese were a big concern regarding the resident population. Looking for a yearlong depredation permit since the farmers have crops year round. Assistant Director Herrighty advised the Council that an internal meeting on depredation permits with Chief Stanko was held to discuss further and they are looking for some administrative changes which will be discussed during Chief Stanko's report. May be looking at a blanket certification or carry through a longer term. Councilman Link echoed Councilman Brodhecker comments regarding the State Farm Bureau Convention. Both he and Councilman Brodhecker fielded questions from farmers and it went well. Farmers did bring up geese at the end. The question and answer period was appreciated and Councilman Link is willing to do it every year. Councilman Link indicated that he had some farmers address him afterwards. Councilman Link did indicate that both Director Chanda and Assistant Director Herrighty were present in the back

of the room, but they fielded all the questions and did not point to program management for any responses. Councilman Link wanted to also speak about land ownership and an issue that happened recently. Maybe in the future, we can seek legislation to have changes regarding the posting of private property. Councilman Link was hunting on a private piece of ground next to a county park for which there is no hunting permitted. He found a stand and reported it to Lt. Rischer. Officer Kille met with him and stated that the park is not posted so there is nothing he can do. He wanted to make sure that the word got out that all property must be posted and they need to get to the entire perimeter posted and wanted this information taken to federation meeting to post their property. It is on the owner to have property posted. Some states have more property owner friendly rules. There seems to be many problems with absentee land owners in South Jersey. Officer Kille showed him a plot map – more in-depth than Google map which shows the owners of the property.

State Federation Reports:

Councilman DeStephano – Attended the Bergen County meeting. He indicated that they feel there should be more bucks available during shotgun season. They also felt that hunters are killing too many bucks during bow season. He was unable to attend the Warren County meeting due to the weather.

Councilman DeMartino – Has received phone calls from a number of clubs who are complaining about the number of deer taken and are questioning if we are doing the right management. He didn't receive anything from Burlington County.

Acting Chairman Burke – United Bow Hunters have conducted their own survey – taking too many deer.

Councilman Van Mater – He is also hearing about the lack of deer. He hunts in the pines and saw 3 bucks. He heard from 1 – 2 clubs with about 25 guys and they saw very few does. He noted that there were coyotes around and he could hear them. He mentioned that on December 14 he saw around 15 white geese in a field. He also indicated that the deer harvest in the pines was down.

Councilman Gudmundsson - Attended the Warren County Federation meeting and indicated that he also heard many deer complaints that too many are being taken during the archery season. He also heard more complaints about the Pequest changes which was nothing new. He went to Sussex County meeting last week and they were speculating on the bear harvest and they were talking about the number of bears with tags whether or not they would hit the 20% number. Big thing they are concerned about for Sussex County Federation is that they may not be able to attend the Sussex County Fair as the cost is \$1500 annually for a booth. There were no complaints about deer in Sussex County. Warren County complained about deer taken during the archery season vs. the shotgun season. Set the standards when we were overwhelmed with deer. Councilman Gudmundsson indicated that rebalancing can be discussed in the next Game Code.

Acting Chairman Burke indicated that the Atlantic and Cumberland counties meetings were going to meet the week of December 15, 2015. Parts of Atlantic, Burlington and Gloucester counties in the mid 20's – small clubs took some deer, however, the taking of deer was down due to weather and acorns. Burlington County does not have a December meeting, the next meeting is scheduled for January 14, 2016.

Finance Committee: Assistant Director Nelson reported that the committee had not met. Discussion ensued and there is going to be a Finance Committee Meeting on January 12, 2016 at 9 a.m. just prior to the Fish and Game Council Meeting. Councilman Link is the chairman of Finance Committee and location to be determined either at Conservation Center or Assunpink Wildlife Management Area depending on what is going with the re-siding of the main building. Members of the Finance Committee meeting are Councilman Link as Chairman, Acting Chairman Burke, Councilman Gudmundsson, Councilman Conover and Councilman Brodhecker. Assistant Director Nelson advised that the Division is moving forward with the credit card process for Pequest and

that the cost will be over \$400 per machine. We are currently buying one for Pequest and then we will get it up and running and then figure out how to bring other offices into the process. We are limited by the State contract on what we can purchase.

Fish Committee: A meeting was held before Council on December 15, 2015 and will talk about later in the meeting

Game Committee: No meeting held in December. Next meeting is scheduled for January 21, 2016 at 1 p.m. either at Conservation Center or Assunpink Wildlife Management Area. Agenda pretty much taken up, will hear about deer, however, any ideas/suggestions – make a listing of what is to be discussed. If a local county wants to provide input and anything related to Game Code changes, they should submit it through a councilman and give to Acting Chairman Dave Burke via e-mail and copy Carole Stanko. Game Committee members are Acting Chairman Burke; Councilman Van Mater; Councilman DeMartino, Councilman DeStephano and Councilman Brodhecker.

Legislative Committee: This is the end of the Legislative Session. The Legislature is going in lame duck. Most of the bills that had activating last month are mostly related to Marine Fisheries and Endangered and Non-Game Species. Assistant Director Nelson discussed the following bills:

S3416 – (companion bill A4773) – Prohibits possession, transport, import, export, processing, sale or shipment of certain animal species threatened with extinction – Fish and Wildlife opposes these bills. A4808 is a similar bill but relates to transporting any wildlife or parts through New York/New Jersey airport. U.S. Fish & Wildlife Service handles this already.

A4885 – New Bill - Authorizes use of tracking dogs to search for and recover wild deer during prescribed hunting season;

A4895 – New Bill – Permits individuals to possess pepper spray in large quantities for purpose of repelling aggressive bears. Basically if you are 18 years of older, you can release $\frac{3}{4}$ oz. of pepper spray;

A4839 (companion bill S3193) – Requires Department of Agriculture and DEP to work with US Army Corps of Engineers to establish joint permit application process for aquaculture projects. SR145 – This is a bill which urges US Fish and Wildlife Service and DEP to resolve conflict between protection of red know shorebird and economic viability of State's oyster industry;

A4840 - Companion bill – Requires Dept. of Agriculture and DEP to adopt Joint permit application and review program for aquaculture projects.

ACR250 (companion bill SCR175) – Determines that Fish and Game Council's proposal to allow use of enclosed foothold traps is inconsistent with plain language and legislative intent of 1984 law banning animal traps of steel-jaw leg hold type.

AJR130 (companion bill SJR95) – Declares aquaculture an important State economic driver and urges State to include aquaculture industry in its economic development plans;

AR255 (companion bill SR145) – Urges US Fish and Wildlife Service and DEP to resolve conflict between protection of red knot shorebird and economic viability of State's oyster industry. This is being worked on diligently to get it done without legislation.

S2057 (companion bill A4093) – Prohibits certain possession, sale, offering for sale, trade or distribution of shark fins. This passed the Assembly’s Environment and Solid Waste Committee on December 14, 2015;

A3352 – Establishes “Milkweed for Monarchs” program. This went through committee on December 14, 2015. This is basically establishes habitat for Monarch butterflies.

A3353 – Establishes “Adopt a Monarch Butterfly Waystation” program. This went through committee on December 14, 2015. This is basically establishes habitat for Monarchs.

Assistant Director Nelson suggested dates for the next Legislative Committee meeting to be in February or March. Councilman Gudmundsson; Councilwoman Blumig, Councilman DeMartino, Councilman Link and Councilman Conover are the members on this committee. A decision will be made in January when to hold the next Legislative Committee Meeting since a new session will start in January, 2016.

Endangered and Non-Game Species Committee: Dr. Bummer not available. Assistant Director Herrightly discussed the situation with the Bald Eagle being shot. He informed the council that the Bureau of Law Enforcement is investigating. Dave Jenkins and his staff is working on the State Wildlife Action Plan and trying to tie everything together.

Waterfowl Advisory Stamp Committee: No meeting held. Next meeting is scheduled for March or April, 2016.

Wildlife Rehabilitators Committee: Nothing to report. Last meeting was canceled and the next meeting is scheduled for January 27, 2016.

Division Reports:

Chief Lisa Barno reported for the Bureau of Freshwater Fisheries. Winter stocking was just completed and Chief Jeff Matthews will provide numbers during his report. Freshwater Fisheries staff is currently packing up field sampling equipment and winterizing boats as field season is over. 271 fisheries surveys were completed in 2015. A two-year data collection effort on designated and potential Wild Trout Streams was completed and the BFF will be reviewing current Wild Trout Regulations which have been on the books since 1996. Stream temperature data is also being collected on Trout Maintenance Waters that are trout stocked as well as waters with reproducing trout populations. Temperature data is being overlapped with fisheries data at several streams to assess the growing period for trout as well as temperature stressors. Although will need a few years for a nice data set to be developed. Rainfall is still 10” below average in six areas of the state, and for 4 areas of the state the 90-day stream flow is rated as severely dry with reservoir levels still dropping. Chief Barno also attended the Knowlton Township Environmental Commission’s December Meeting with regards to the removal of the Columbia Lake Dam. Another public meeting with the Town Council is scheduled for the end of this month. The review of the second pass of the Fish and Wildlife Digest was completed. The release of the Digest is delayed until late February due to the delay of the Fish Code Proposal. Chief Barno noted that the Snapping Turtle Identification Article recommended by Acting Chairman Burke is included. She thanked Brian Zarate, ENSP Biologist and Natalie Sherwood, Montclair State graduate student for the information and photos included in the article. Wished Chief Chicketano well in his retirement.

Chief Jeff Matthews, reported for the Bureau of Fish Production. The Pequest Hatchery monitors the aquifer (underground water levels) throughout the valley. During the drought period this fall there was no concern on water levels or pumping issues. We do need rain, but the aquifer at Pequest only showed a .3 to one foot drop. Lab services documentation resulted in all fish that were tested at both hatcheries were negative in all viral and

bacterial parameters. We will look at Rainbow Trout again in March, 2016 before the spring stocking season. Both the 2016 and 2017 trout are looking good and we are still on all Rainbow Trout for now. This time of the year staff is going over all propagation equipment and re-sterilizing and making repairs as needed. Also empty raceways are being cleaned and sterilized for the 2017 production stock to be moved outside from the nursery building. Final winter stocking was 5600 rainbow trout, for 8700 pounds, fish were from 12" to 16.2", with the average size being 14.6". A lot of positive comments on the fish received. Hatchery staff is in the process of working with the Office of Information Technology staff to produce 2 promotional videos. One is regarding the hatchery production starting with the egg to adult to stocking. The second is currently being edited and it is regarding the promotion of fishing license sales and is to be aired before next spring stocking season. Hackettstown Hatchery is holding 1200 Landlocked Salmon; the salmon stocking program has triggered a lot of interest to the anglers of the state. Warren County Mosquito Commission loaned the Hackettstown Hatchery two machines and an operator to help with earthen pond management. Director Chanda advised Chief Matthews to draft a letter for his signature to the Mosquito Commission thanking them for allowing us to use their services and equipment.

Chief Al Ivany reported for the Bureau of Information and Education. Chief Ivany introduced Matthew Hencheck, Public Information Assistant to the council and he provided a brief overview of his background. Mr. Hencheck will be helping with the marketing and outreach effort and conservation initiative. Chief Ivany is looking forward to rekindling our relationship with NJ Network. Chief Ivany has been working with the Press Office on bear issues and has been on-site at Whittingham Wildlife Management Area. He was also shocked at the language that was used by protestors as he was ashamed and the way our staff was addressed by the protestors. There was a lot of nastiness going around. Chief Ivany also commented on the good work being performed by Paul Tarlowe on updating our website with the number of bears harvested. Mr. Tarlowe has been working diligently to get this information up timely and has assisted the DEP Press Office. Garden State Outdoor Sport Show and Deer Classic is scheduled for January 7, 2016 thru January 10, 2016 in Edison, New Jersey, with 49 entries for Deer Classic. Setting up staff schedules and invited all to attend.

Chief David Golden reported for the Bureau of Land Management. Only have two issues to discuss, first, staff is in the final stages of stocking of Pheasant underway 12,200 birds are left to stock, which is 22% of total stocking numbers. Chief Golden is working with Acting Chief Stanko and her staff to see if there are any other birds from Rockport Game Farm to stock. Next, Chief Golden discussed modifications to Makepeace Lake range, located in Hammonton. Changes to the muzzle loader range are being made, the side berms are being raised to 8' and the back berm to 20'. The range will be closed in the mornings and re-open in the afternoon. Anticipated closure for a period of 2 months as we are around the holidays. The range will be available on the weekends.

Chief Mark Chicketano reported for the Bureau of Law Enforcement. Chief Chicketano and Sean Cianciulli provided their report. He reviewed several highlights by region as listed in the Bureau's monthly report with the Council. Numerous citations were issued in the various regions. There were two notable incidents during buck week. The first was a hunter fell out of a tree stand in the Assunpink WMA and the individual had extensive medical issues. The 2nd incident was at the Ken Lockwood Gorge where someone committed suicide on opening day of buck week. Conservation Officers along with the State Park Police have received directive to provide security at the main building located at 401 East State Street, Trenton, New Jersey. Lastly – Friday will be his last day in the office. Chief Chicketano thanked council for their support along with the Director's Office support for his Bureau over the past 5 years. Chief Chicketano has worked for the division for 32 years of service. The Director advised the council that Chief Chicketano has put together a successional plan, Matt Brown will be the Acting Chief and his backup will be Sean Cianciulli.

Acting Chief Carole Stanko reported for the Bureau of Wildlife Management. Acting Chief Stanko distributed copies of the Game Code and advised that the Bear Code was also posted on the website as well. Acting Chief Stanko advised the council that Patrick Carr will be retiring after 30 years of service; some of his significant contributions was his Bear Research in New Jersey. Ted Nichols has stepped up for the bureau to work on the

budget. Deer depredation permits touched upon earlier. So that the process works smoother and gives customers quicker service, a meeting was held with Chief Chicketano, Wildlife Management will do the paperwork and Law Enforcement will do the field work and investigations. Deer project staff will be sending out and reviewing the applications and all of the required paperwork. Chief Stanko advised that a meeting was held with Assistant Director Herrighty, Jodi Powers and Department of Agriculture representatives regarding Alpacas and minigial worms and getting deer depredation permits for some of these facilities. Assistant Director Herrighty and Chief Stanko have not heard about the minigial worm problem except maybe 1 time within their careers with the agency. It was discussed that there will be an integrated management approach. Agreed to have a few case farms where there is a problem, issue them a depredation permit and following other protocols, letter confirming minigial worms from the vet, current worming practice by the vet, make sure that there is deer fencing, and their current practice for slug, snail and worm. Contact person in Wildlife Management for Fish & Wildlife is Dan Roberts. Dr. Reist involved and is working with Department of Agriculture on this issue. Bear: a lot of permits were issued over 8,200. The harvest for the 6-day firearm was 7,023 deer. There were some issues with automated harvest system and service provider issues and excessively slow and issue with confirmation number. Harvest to date for all seasons was requested. Bear season staff great and amazing. On first day, checked in 83 bears on first day big guy came in at 658 dressed weight, his live weight would have been about 698 or so. Extended season – did not reach 20% of bears tagged in previous year – reached only 18% - season continues Wednesday through Saturday – if reach 30% - shuts down season. Permit sales reopened. A question was raised about if permit sales would be considered the same season. Ms. Stoff replied that bear permits are only available at licensed agents who use our web point-of-sale. Many of the web-based are Walmart and 20 out of 55 Walmarts are not selling licenses. Councilman Gudmundsson commented that Acting Chief Stanko came across positively, clear consistent delivery of the message.

Ms. Barbara Stoff gave a quick update on the Fishing Buddy license. All 2016 licenses, including the Fishing Buddy license, go on sale on Thursday, December 17, 2015. Buddy Fishing licenses are only available at the license agents, not online. A packet of information was sent out to all license agents. Both individuals purchasing Fishing Buddy licenses must be present at time of purchase. A few complaints were received that senior citizens and disabled veterans cannot participate. Ms. Stoff reminded Council that these individuals already receive discounted licenses.

No one was available to give a report from the Bureau Endangered and Non-Game Species

Lunch break at 12:06 p.m. and returned from lunch at 12:40 p.m.

New Business:

James Sloan, Bureau of Wildlife Management, gave a presentation on Quail Management with a slide presentation. New Jersey hosted the 2015 Northern Bobwhite Technical Committee Meeting in Galloway. There are 4 focal areas in Cumberland County, broken down further, there are 42 on public lands and 6 on private lands management. Habitat management processes were discussed. Pine Island did their own survey and presented their findings to the division.

Fish Committee Meeting was held that morning and best approach to address review of public comment and the proposal was determined to be item by item and then vote on each proposed amendment individually. Councilman Gudmundsson is the Chair of the Fish Committee. Chief Lisa Barno will discuss each item presented.

Chief Barno presented public comment on proposed amendments to the 2016-2017 Fish Code. She reported that there were a total of 186 written comments, 171 exact same form letters and 15 were individual letters or e-mails were received. At the public hearing held on November 10, 2015, a total of 26 persons were in attendance and 17 provided comments. Some commenters provided both written and oral comments. She distributed a copy of the

proposed regulation changes and related Comments to the Council members. There were 195 comments on the proposed Fish Health Regulation; 7 on the Snapping Turtle Regulations; 2 on the Crossbows for Bowfishing and 7 were for items not proposed for any regulation change and outside the scope of the proposal. In addition there were general comments on the Fish Code.

Chief Barno read each section, explained the comments and discussions followed by council members.

N.J.A.C. 7:25-6.1 General Provisions

- (i) Atlantic State Marine Fisheries Commission Compliance - the Council proposes that the New Jersey Fish and Game Council, may modify fishing season, minimum size limits and possess limits, of migratory species of Alewife, American Eel, American Shad, Blueback Herring, Hickory Shad, and Striped bass, by notice in order to maintain and/or come into compliance with any fishery management plans approved by the Atlantic States Marine Fisheries Commission (ASMFC) pursuant to 16 U.S.C. 5104 (b) or to maintain consistency with any Mid-Atlantic Fishery Management Council (MAFMC) plan adopted by the National Marine Fisheries Service.

No comments.

Motion made by Councilman Van Mater and seconded by Councilman DeMartino to approve the General Provision. Vote taken, all in favor, none opposed.

N.J.A.C. 7:25-6.2 Definitions

Opening day, preseason and in-season dates set for 2017 to 2020

April 8, 2017
April 7, 2018
April 6, 2019
April 11, 2020

No comments.

Motion made by Councilman Gudmundsson and seconded by Councilman DeMartino to approve the seasons for the period of 2017 to 2020. Vote taken, all in favor, none opposed.

N.J.A.C. 7:25-6.3 Trout Season and angling in trout stocked waters

(c) Trout no longer to be used as bait for the Pequest Watershed

Opposed - 171

Discussion on public comment followed.

Councilman Gudmundsson believes that it is a solid proposal and made a motion to approve this proposal and then seconded by Councilman Link. Vote taken, all in favor, none opposed.

(i) Trout Stocked Waters

Lokatong Creek - extend the upstream boundary of the trout-stocked section of Lokatong Creek from Opdyke Road Bridge to the Route 12 bridge.

No comments.

Passaic River – extend the upstream limit of the trout-stocked section of the Passaic River from the White Bridge Road to the confluence with Black Brook.

No comments.

Trout Brook (Hackettstown) – Remove from the trout stocking program.

No comments.

Motion made by Councilman DeMartino and seconded by Councilman Gudmundsson to approve the Trout Stock Waters. Vote taken, all in favor, none opposed

N.J.A.C. 7:25-6.13 Warmwater Fish

(q) Striped Bass – one fish, at least 28 inches and less than 43 inches in length, and one fish at least 43 inches in length in compliance with Addendum IV of the Interstate Fishery Management Plan.

No comments.

(s) Hybrid Striped Bass – one fish, at least 28 inches and less than 43 inches in length, and one fish at least 43 inches in length.

No comments.

Motion made by Councilman Gudmundsson and seconded by Councilman DeMartino to approve the Warmwater Fish regulation as written. Vote taken, all in favor, none opposed

N.J.A.C. 7:25-6.15 Bow and arrow fishing

(a) Crossbows allowed when bowfishing

Opposed - 2

Motion made by Councilman Link and seconded by Councilman Gudmundsson to approve Crossbows allowed when bowfishing as written. Vote taken, all in favor, none opposed.

N.J.A.C. 7:25-6.20 Delaware River

(a)(1) Channel Catfish – 12 inch minimum size limit and creel limit of 5 day

No Comments.

(a)(1) Striped Bass and Hybrid Striped Bass – one fish, at least 28 inches and less than 43 inches in length, and one fish at least 43 inches in length

No comments.

- (a) Establish daily creel limit of 25 for species that do not have a specified creel limit.

No comments.

- (a) (4) Allow crossbows when bowfishing.

No comments.

Motion made by Councilman DeMartino and seconded by Councilman Van Mater to approve the Delaware River section as written. Vote taken, all in favor, none opposed.

N.J.A.C. 7:25-6.22 Snapping Turtles

- (a) Prohibit the use of traps by recreational harvesters.

Opposed – 3

- (b) 12 inch minimum carapace length and reduce recreational limit from 3 to 1.

Support – 1

Opposed – 2

Oppose any harvest - 1

- (c) To expand the existing nesting season closure from May 1 to June 15 to May 15 to July 15.

Opposed - 4

- (c) No harvest from October 31 to April 1

Support – 1

- (c) Turtles may not be taken from land and eggs may never be taken.

Support – 1

- (d) Limited entry - Only harvesters who have been issued a permit from January 1, 2010 to December 31, 2014 and have submitted harvest reports, prior to January 1, 2015 indicating harvest of at least one turtle will be issued permits in the future.

Support – 1

Opposed - 2

- iv. Set no more than 30 traps.

Support – 1

Opposed – 1

Opposed to traps entirely - 1

xi. 12 inch minimum carapace length.

Support - 2

xii. Written explanation for failure to trap or harvest

No comments.

(e) Must report sightings of State endangered or threatened species of turtles.

Support (for commercial harvesters only) – 2

Opposed - 1

Discussion on public comment followed and proposed regulations for snapping turtles in particular, nesting season closure, required reporting of threatened and endangered species, and use of traps by recreational harvesters. Additional information from Brian Zarate and Natalie Sherwood was also provided for consideration.

Motion made by Councilman Gudmundsson and seconded by Councilman Link to approve this section with the following changes and/or amendments: Remove (a) Prohibit the use of traps by recreational harvesters: (e) Must report sightings of State endangered or threatened species - clarify this language to be for Commercial Harvesters only; Amend dates in section (c) To expand the existing nesting season closure from May 1 to June 15 to May 15 to June 30 instead of to July 15 as originally proposed. Vote taken, all in favor, none opposed.

N.J.A.C. 7:25-6.26 Fish Stocking

(i) Pequest Trout Hatchery the only source of trout for Pequest Watershed.

Opposed - 186

Numerous comments received from the public and read by Chief Lisa Barno. Discussion among Council members on public comment followed.

(1)(3) Provide documentation that all non-salmonid stocks of fish have been found free of viral diseases such as VHS, IPN and SVS, and bacterial disease enteric redmouth and furunculosis.

No comments.

(1)(4) Provided documentation that all salmonid stocks of fish have been found free of IPN, IHN, VHS, MKD, BF, BRM and whirling disease.

No comments.

(1)(5) Provide documentation that a complete health inspection, including parasitological examination, has been performed on all stocks of fish that have been obtained from the wild.

No comments.

(1)6i. An accredited inspector as defined by the American Fisheries Society Fish Health Section Blue Book, must select and submit sample lots of fish.

No comments.

Discussion among council members and division staff was that in the future, for clarification purposes, may want to identify date of blue book.

(1)6ii. 60 fish per species per lot must be inspected in the facility or alternatively a site inspection of 150 total fish, representative of the species reared at the facility.

No comments.

(1)6iii. For facility rearing both salmonid and non-salmonid species on site either 60 fish per species per lot must be inspected, or a site inspection of 300 fish is required, including a representative sample of 150 salmonid and 150 non-salmonid fish. For whirling disease testing, if fish are held in a shared water supply, then only 60 of the most susceptible species need to be tested.

No comments.

(1) 6iv. A separate health inspection is required for imported lots of fish not represented on facility's annual fish health inspection report prior to, and within 12 months of, stocking.

No comments.

(1)6v. Facility personnel must notify the Division of imported lots of fish not represented on the current year's annual fish health inspection.

No comments.

Motion made by Councilman Gudmundsson and seconded by Councilman DeMartino to adopt the Fish Stocking section as discussed. Vote taken, all in favor, none opposed.

Motion made by Councilman Link and seconded by Councilman Gudmundsson to approve the Fish Code in its entirety with the amendments and/or changes as approved. Vote taken; all in favor, none opposed.

License Restoration – There are 2 and both individuals are here.

Glenn C. Resch – Conservation Officer Quirk read the following violations: N.J.S.A. 23:3-1.b – Failure to exhibit fishing license upon request – 05/1/14; N.J.S.A. 23:4-47 – Untagged deer and N.J.S.A. 23:4-16.c – shooting from or across the road on 02/12/13. Appeal has been in the process for some time. Mr. Resch was available and spoke to the Council to provide an explanation regarding issues surrounding his violations.

Motion made by Councilman Brodhecker and seconded by Councilman Gudmundsson to open discussions about reinstating his licenses. Vote taken, all in favor, none opposed.

Questions and answers between Council Members and Mr. Resch.

Motion made to reinstate his licenses due to the fact that he had the trout stamp at the time of ticket by Councilman Brodhecker and seconded by Councilman Gudmundsson. Vote taken, five (5) in favor and two (2) were opposed. Motion passed.

Acting Chairman Burke and Assistant Director Herrighty advised that he has to take the remedial course designed specifically for the individual.

Alec Yanish - Conservation Officer Quirk read the following violations: N.J.S.A. 23:4-24 – Hunting on a Sunday prohibited dated 12/11/14 and N.J.S.A. 23:4-16.d - Safety Zone Violation dated 1/13/14. Mr. Yanish was available and spoke to the Council to provide an explanation regarding issues surrounding his violations.

Motion made by Councilman DeMartino and seconded by Councilman Gudmundsson to open discussions about reinstating his licenses. Vote taken, all in favor, none opposed.

Questions and answers between Council Members and Mr. Yanish.

Motion made by Councilman Gudmundsson and Councilman Brodhecker to reinstate his license with the stipulation that he take the remedial course designed specifically for the individual. Vote taken, all in favor, none opposed.

Acting Chairman Burke and Assistant Director Herrighty advised that he has to take the remedial course designed specifically for the individual.

Acting Chairman Burke provided a Public Comment period for the public to speak for a total of 3 minutes per person.

Public Comment (3 minutes):

Janet Pizar, Millburn, NJ – Office in Chatham – Wanted additional time to present another individual's comments. She expressed her support for the bear protestors' language and use of freedom of speech.

Barbara Sachau, Whitehouse Station, NJ – Does not agree with the baiting to attract bears and deer, feels this is a slaughter; also voiced her concern about the agenda posting not being available 3 days prior to the council meeting.

Dr. Reist (Department of Agriculture) – Board of Agriculture. He spoke about the Alpaca farmers and he appreciates the efforts being made to get something in place and is appreciative of the pilot program for the special use permit would be good for the alpaca farmers.

Assistant Director Herrighty introduced Aaron Guikema, State Director of USDA, APHIS Wildlife Control Office. By MOA, his office handles bird control and other wildlife issues including feral pig management.

Acting Chairman Burke wished everyone a Happy Holiday.

Motion made by Councilman Brodhecker and seconded by Councilman Gudmundsson to adjourn meeting. Vote taken; all in favor; no opposition;

Meeting adjourned at 2:55 p.m.