

MINUTES OF THE MEETING OF THE
FISH AND GAME COUNCIL

Central Region Office
Robbinsville, New Jersey
April 8, 2008

The regular meeting of the New Jersey Fish and Game Council was held on the above date. In attendance were:

Councilman Dave Burke
Councilman Ed Kertz
Councilwoman Jane Morton-Galetto
Councilman John Messeroll
Councilman Robert Puskas
Councilman Dan Van Mater
Councilman Len Wolgast

Absent: Councilman Richard Culp
Councilman Fred Hough
Acting Chairwoman Jeanette Vreeland

Division employees included: Director Dave Chanda, Assistant Director Larry Herrightly, Paulette Nelson, Tim Cussen, Tony Petrongolo, Paul Castelli, Patrick Carr, Carole Kandoth, Andrew Burnett, Barbara Stoff and Jodi Powers.

Members of the public included representatives from the Farm Bureau, the Rutgers Extension Service, the Federation of Sportsmen's Clubs and others.

The meeting was called to order at 10:13 am by Councilman John Messeroll, who was sitting in for Acting Chairwoman Vreeland in her absence.

The flag salute and Pledge of Allegiance were completed.

In accordance with P.L. 1975, notice of this meeting was filed with and posted at the Office of the Secretary of State and sent to the designated newspapers of the Division, the Newark Star Ledger and The Press (Atlantic City) on March 20, 2008.

Roll call was completed.

A request was made to approve the minutes of the March 12, 2008 meeting. **A motion was made by Councilman Puskas, seconded by Councilman Wolgast to approve the minutes.** Two changes were made on Page 4, where it lists the nominees for office for the Federation of Sportsmen's Clubs. The first correction would be to change Ed Surlak to Tom Surlak, and the second correction was to spell Kuneo with a "C" to be Cuneo. There were no other changes. **A**

vote was taken with all in favor; none opposed to approve the March 12, 2008 minutes with changes.

Councilman Messeroll reported on his activities this past month. He attended five county meetings and the Open House at Pequest. He noted that there were 8,000 people at the Open House. He also attended the Youth Art Contest at Pequest on the opening day of trout season.

Director Chanda reported next. He noted that the Communications Team did a good job promoting the trout season.

Director Chanda also reported that there had been a computer error with the turkey permit sales. He gave a brief explanation what had happened, but noted it was quickly corrected. There was additional discussion on this matter.

He also noted that he attended the North American Fish and Wildlife Conference in March. He gave a brief review of the topics covered, and noted that he has information available from that conference for those members of Council who may want to review it.

Director Chanda reported that staff has been busy preparing for the upcoming Northeast Fish and Wildlife Conference. They are expecting between 400 and 500 people to attend, with attendees coming from 13 Northeast states and Canada. Council members are invited to stop by if they wish to.

The floor was now opened to public comment, however, no one asked to address the Council.

A request was made by the Bureau of Law Enforcement to go into Executive Session. **A motion was made by Councilman Burke, seconded by Councilman Van Mater to go to Executive Session. A vote was taken with all in favor.** Executive Session began at 10:25 am.

The meeting resumed at 10:50 am.

Councilman Puskas reported for the Agriculture Committee. He noted that things are progressing in the Central Region. He also noted the recent rally in Trenton to save the Department of Agriculture, adding that support is needed from all areas for people to contact their legislators asking for their help.

Liz Thompson from the New Jersey Farm Bureau was in attendance at the meeting today, and was able to help address some of the questions Council members had regarding the Department of Agriculture.

Councilman Kertz noted that the weather has been rainy and cloudy in his area. Farmers in the Vineland area have stock planted, and things are looking good.

Councilman Messeroll reported for the Legislative Committee. He noted that he has been watching the Legislative website for information, and things have been slow on his end. He asked Legislative Liaison Paulette Nelson for any additional information she may have, and she

noted the passage of the moratorium on the Horseshoe crab harvest that was signed by the Governor. She noted that the Legislature will be working on the budget now through June, so she does not expect too much activity to happen.

Councilman Kertz had a question on the Horseshoe crab moratorium, and there was some discussion on this matter.

Councilwoman Galetto reported for the Endangered and Non-Game Species Committee. She noted that the by-laws have been passed by the Committee, and new to the by-laws was the setting of term limits for the Chairperson of the Committee.

There was a report on Colonial beach nesters and the plus' and minuses of doing surveys on these birds given by one of the biologists at their recent Council meeting.

There was also a report on artificial bait for Horseshoe crabs. It was presented by the University of Delaware and Dupont. She briefly reviewed this report for the Council.

An update was made by Conserve Wildlife to clear up some public confusion regarding their funding source. She noted that they are a separate, non-profit group who's mission is predominantly helpful to the Non-Game Program. She also noted they are changing some of their by-laws, and noted that it was noted in their by-laws that any changes had to be approved by the Endangered and Non-Game Species Council. To avoid any further confusion, the ENSP Council has voted to remove themselves from needing to approve any changes to the by-laws of the Conserve Wildlife Program, and they now control themselves.

Councilman Messeroll asked when the ENSP Committee might be putting on a new Chairperson, and would that person have to be approved by the Governor's Office? Councilwoman Galetto was not sure of the timeframe for appointing a new Chairperson, but noted that Legislation specifies that the Chairperson sits on the Fish and Game Council, so approval from the Governor's Office should not be necessary. There was additional discussion regarding this matter.

The Federation report was given by Councilman Messeroll. He noted that they discussed matters covered at the Council meeting, including such topics as legislation and fishing derbies. Councilman Wolgast asked if the Federation groups have picked up any of the fishing derby activities since the Division is not able to provide that program this year, and Councilman Messeroll noted that many of them have been picked up by many other groups and organizations. He briefly reviewed some of the other groups involved and the areas where derbies are being hosted. Councilman Kertz asked that it be stressed to these other groups that the program was cancelled by the Division due to personnel issues, not funding issues.

Assistant Director Herrighty asked to clarify an article in the Federation newspaper concerning the Division's Deputy Conservation Officer Program. It was reported that the Division claimed that the Deputies are liabilities, however, that was incorrect. The Division's concern is for the personal liability of the volunteers in the Deputy program, and this will be addressed in a letter to

the editor. He further explained this matter to the members of the Council. The future of this program is being reviewed.

Councilman Messeroll also reported for the Freshwater Fisheries Committee. He noted that the opening day of trout season and the Pequest Open House were both good events.

Assistant Director Herrighty distributed an opening day trout season survey that he received from Chief Barno, and gave a brief review of same. He also noted that he had heard several of the Public Service Announcements that were made to promote the trout season, and hoped that they along with the advertising signs created by the I&E staff helped to encourage angler participation.

Assistant Director Herrighty presented the Bear Activity Report and gave a brief review of same.

The proposed changes to the Game Code were presented. Research Biologist Paul Castelli and Supervising Biologist Andrew Burnett distributed information concerning changes to 7:25-5.4 for Ruffed grouse, and gave a brief review of these changes. They are proposing to create two zones for Ruffed grouse hunting, which would be split by Route 70, and the days of hunting available in the South Zone would be reduced by approximately three weeks. Councilman Wolgast noted that the Game Committee voted unanimously to approve this change. After some brief discussion and review, **a motion was made by Councilman Puskas, seconded by Councilman Van Mater to support this change. A vote was taken with all in favor, none opposed.**

Information on the final results of the 2007-2008 deer seasons was presented by Principal Biologist Carole Kandoth. She noted that the second page of the binders had one small error, and asked that members switch the column headings on the harvest years listed. She also noted that data forms were now being mailed in from the check stations, and that data from five stations in the Central Region had not been received and were most likely lost in the mail. Due to the lack of information for these stations, estimates were made from last year's data, and these were noted on the graphs presented in the binders today.

Also noted in the information presented today were the areas impacted by the outbreak of Epizootic Hemorrhagic Disease (EHD) that occurred this year. Estimates are still pending as to how many deer may have been lost due to this EHD outbreak. Further information relating to this issue was reviewed by Principal Biologist Kandoth.

A power point presentation was given to the Council with the harvest summaries, and questions and concerns were addressed. Supervising Biologist Patrick Carr reviewed how hunter activity can now be tracked through the new electronic licensing system since each individual is issued one Conservation Identification Number (CID number) that carries with them each year. This enables the Division to get a better look at season data by license and permit type to see how many individuals are hunting multiple seasons and what their success rates are. Individual deer harvest records can also be traced using the check station deer mortality database. Using the CID number from both the license and deer mortality databases, hunter participation and success can be tracked for through all of the six deer seasons. He noted that the farmer information may

not be complete because some farmers do not report their CID number on their own transportation tag for those seasons that do not require permits. Supervising Biologist Carr also noted that due to the size of the databases, the analysis presented today tracks hunters through the bow and firearm seasons separately. He then addressed any questions that the Council had regarding the information presented today. Members who wished to have the total summary break down were informed that they could have that information e-mailed to them by Supervising Biologist Carr.

The meeting broke for lunch at 11:55 am.

The meeting then resumed at 12:52 pm. Principal Biologist Kandoth continued with the presentation of proposed changes to the Game Code as noted in the binders provided to the Council. Proposal 1 would allow the Fish and Game Council to shift Deer Management Zones (DMZs) up or down one regulations set, provided certain criteria are met (N.J.A.C. 7:25-5.29). She gave a detailed review of why this was being proposed. Assistant Director Herrighty noted that this proposal will clearly be defined in the rule making process, and resulting Game Code and during discussions with the DAG's office, was found to be acceptable.

Councilwoman Galetto asked that that wording be changed to allow changes to go beyond one set, not just up or down one set. Assistant Director Herrighty added that changes that broad may not be possible, however, Councilwoman Galetto asked about emergency situations. Councilman Kertz asked if emergency situations weren't something that was already in the code. There was additional discussion on this matter. After review of their concerns, **a motion was made by Councilman Kertz to approve this proposal with the wording changed to "go up or down regulation sets"**. Councilman Wolgast noted that the Director is not mentioned in this proposal, and that was discussed at the Game Committee meeting to include that this change could be made after consultation with the Director. There was additional discussion regarding this, and Assistant Director Herrighty added that Council could approve changes in regulation sets if recommended by the Division. **The motion was then seconded by Councilman Van Mater. A vote was taken with all in favor, none opposed, to approve this proposal with the wording change as noted above.** The Council voted that if the DAG believed that moving up and down multiple regulation sets was not possible, the original proposal of "up or down 1 regulation set" be proposed.

Proposal 2 would add "Regulation Set 9" to the list of existing regulation sets (N.J.A.C. 7:25-5.29). This proposed change was explained to the Council by Principal Biologist Kandoth. She noted that it would add four days to the permit muzzleloader and permit shotgun seasons. Assistant Director Herrighty also gave details of this proposal to the Council. After some additional discussion, **a motion was made by Councilman Puskas, seconded by Councilman Kertz to approve this change. A vote was taken with all in favor, none opposed.**

Proposal 3 would Implement a Deer Management Assistant Program (N.J.A.C. 7:25-5.32). The DMAP is for landowners or administrative agencies/organizations that can not adequately manage the deer population on their property within the available deer season structure in those deer management zones with restricted bag limits. A detailed explanation of this proposal was made by Principal Biologist Kandoth. The proposal was further discussed, and questions were

addressed. **A motion was made by Councilman Puskas, and seconded by Councilman Kertz, to accept this proposal change. A vote was taken with all in favor, none opposed.**

Proposal 4 would “Add Regulation Set 0” to the list of existing regulation sets (N.J.A.C. 7:25-5.29). It was explained that this regulation set would be more restrictive than Set 1, the most restrictive existing set. It would reduce the permit muzzleloader season by four days and change the bag limit to one antlerless deer. Details of the proposal were reviewed and discussed. Councilman Burke asked that Zone 34 be included in this regulation set, along with those zones named in the details of the proposal. The proposal will be amended to include Zone 34.

Proposal 5 was described next. It would move Deer Management Zones (DMZs) within regulation sets as shown:

DMZs 22 and 26 would be deleted from Regulation Set 4 and moved to Regulation Set 3.

Within Regulation Set 3, DMZs 22 and 26 would be added, and DMZ 18 would be deleted and moved to Regulation Set 2. DMZ 34 would be deleted and moved to Regulation Set 0.

Regulation Set 2 would add DMZ 18.

There was some additional discussion on these proposed changes. **A motion was made to vote on Proposal 4, which would create Regulation Set 0, by Councilman Burke, and seconded by Councilman Kertz. A vote was taken with all in favor, none opposed. The next vote was made on Proposal 5, and a motion was made by Councilman Kertz, seconded by Councilman Puskas, to approve this proposal. A vote was taken with all in favor, none opposed.**

The next proposal to be heard regarded a zone boundary change between DMZs 23 and 25. The boundary would move approximately six square miles from DMZ 25 to DMZ 23. Councilman Burke reviewed the details of this proposal request for the Council, noting that this request was made by the Camden County Sportsmen’s Federation in hopes of increase the deer population in that area, which is below the population goal. He also pointed out that the existing boundary is marked by small rivers and creeks, and is often not correctly identified. The proposed boundary change would be more identifiable because it would use Routes 30 and 206 as borders. **A motion was made by Councilman Wolgast, seconded by Councilman Van Mater to approve this boundary change proposal.** This matter was discussed further between the members and staff. **A vote was taken, with all in favor, and one abstention from Councilwoman Galetto.**

Assistant Director Herrighty addressed the Council regarding a proposal received from the Quality Deer Management (QDM) Association last month to make zones 28, 30, 31, 34 and 47 Earn-A-Buck areas. He noted that it is the Division’s recommendation that they do not move those zones at this time. They would like to have the time to survey hunters in those zones to see what they may want. Councilman Wolgast noted that more data would be good, and

recommends that a survey be done to collect more data, and then this matter could be reviewed further. There was some additional discussion on this.

Councilman Messeroll asked if there was any more information regarding Doves as requested by the Federation, and Assistant Director Herrighty noted that the Division recommended that they not move forward with that proposal at this time, and gave an explanation as to why. Councilman Wolgast added that the Game Committee concurs with the Division's recommendation.

This concluded the presentation of proposed changes to the Game Code.

Assistant Director Herrighty reminded members that the next meeting would be on May 13, 2008 at 10 am. The start time had previously been listed at tentative for 1 pm, and he asked members to note this change.

There was no old or new business to discuss.

Councilman Van Mater noted that he would not be able to attend the next State Federation Meeting, but Councilman Messeroll added that he would be in able to attend.

Councilman Kertz reported the Atlantic County Youth Day was held this past Saturday. This is the 10th year for this event, and there were over 75 participants who all had a good time.

Councilman Messeroll noted that the Quinton Gun Club would be hosting a Statesmen's shoot for the Legislators of the State. Councilman Burke noted that this is not a media event, just an opportunity to introduce them to the shooting sport.

Councilman Van Mater noted the Federation Convention in June. Information on the convention should be available on the Federation's website.

A call was made for any public comments, but there were none presented.

A motion was made by Councilman Puskas, seconded by Councilman Wolgast to adjourn the meeting. Meeting adjourned at 2:16 pm.