

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
April 9, 2013

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

The meeting was called to order at 10:10 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 March 19, 2013.

Roll call was taken. In attendance were:

Acting Chairman David Burke
Councilwoman Cathy Blumig
Councilman Phil Brodhecker (arrived at 10:19 a.m.)
Councilman Joseph DeMartino
Councilman Agust Gudmundsson
Councilman Dan Van Mater

Absent: Councilwoman Barbara Brummer
Councilman Jeffrey Link
Councilman Robert Puskas

Division personnel included L. Herrighty, P. Nelson, A. Petrongolo M. Brown, L. Barno, T. Nichols and M. Dunne.

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

Minutes of the March 12, 2013 meeting were reviewed. **A motion was made by Councilwoman Blumig, seconded by Councilman Van Mater to accept the minutes as presented. A vote was taken with all in favor, and one abstention from Councilman Gudmundsson.**

Acting Chairman Burke noted that there would be a vote on the proposed 2014 Fish Code later today, a presentation on the Weldon Brook Wildlife Management Area Forest Stewardship Program, and review of the Tentative Migratory Waterfowl Season date recommendations.

Acting Chairman Burke commented on the opening day of the Spring trout season held this past Saturday, April 6, 2013. Also noted was even with increased numbers of fishermen seen out on opening day, license sales numbers are still down.

He also reported that the Forsythe National Wildlife Refuge has opened their 8-mile wildlife drive for weekend use. This area has been closed since Hurricane Sandy.

This past weekend, there were 42 forest fires reported in a press release from the Governor's Office, and Acting Chairman Burke commented the weather has made for dangerous conditions. He noted additional concerns in areas where the Southern pine beetles have killed off the pine trees.

Assistant Director Herrighty was in attendance to report for Director Chanda, who was at the Northeast Fish and Wildlife Directors Meeting. Other recent meetings attended by various staff were also noted.

Assistant Director Herrighty commented that the Division is still waiting to hear if the United States Fish and Wildlife Service would be providing funding for projects that were needed as a result of Hurricane Sandy. This information is expected to be received in the near future.

Sportsmen from the Gloucester County Federation of Sportsmen's Clubs and other counties volunteered their time and expertise this past Saturday by assisting with range pen repairs at the Rockport Game Farm. Assistant Director Herrighty commented that their assistance was greatly appreciated. Damage was from Hurricane Irene, the October 2011 Snow Event and Hurricane Sandy. The Division has applied for Federal Emergency Management Agency (FEMA) reimbursement repairs at this area.

(Councilman Brodhecker arrived at 10:19 a.m.)

Assistant Director Nelson reported that revenue is still short by \$300,000 which seems to be from a decrease in fishing license sales. It is hoped that as the season moves forward this shortage will be made up. There was some additional discussion on this matter.

There was some additional discussion relative to the Rockport Game Farm, and how the call for volunteer assistance came about. Assistant Director Herrighty also noted that two Wildlife Workers had been hired after the last request for critical backfills was granted, but one of those people had resigned. A worker from the Pequest Trout Hatchery will transfer to the Rockport Game Farm. Additionally, he reported that a worker from the Colliers Mills Crew will be transferring to the Upland Game Section to assist with quail management work.

The vote on Proposals for the 2014 Fish Code was noted, and the public commented period was opened. John Messeroll from the Middlesex County Federation of Sportsmen addressed the Council. They have reviewed the proposal for removing Farrington Lake, and agree with it. They also agreed to add Manalapan Lake in Jamesburg to the program, and will continue to write to the Freeholders of Middlesex County asking that they consider installing a boat ramp at that location. They would like the Division to consider trout stocking at the Church Lane bridge area since many people fish from that bridge.

Barbara Sauchau commented that when promoting fishing, there was a lack of information on diseases in fish, and that there is a lack of disease management in this group and no sufficient health focus.

Committee reports were given. Councilman Brodhecker reported for the Agriculture Committee. There have been many bear sightings in his area. Deer have been eating what little growth is in the fields. He

also noted that the crop growth season is somewhat behind. He's had some discussions with people regarding electric fencing to protect their beehives and chicken coops.

Acting Chairman Burke noted that Councilman Link was not present today due to the nature of his business as a landscaper and being very busy with the Spring weather.

Councilman Van Mater reported for the Federation. He noted recent meeting topics, including the Central Region hunters opposition to the proposal to change the earn-a-buck only season to an antlerless only season, repairs at the Rockport Game Farm, Operation Game Thief guideline changes, the upcoming Convention, the Atlantic Flyway Zone, trout conservation areas and fish size limits, restoration efforts of the Beach Buggy Association at Island Beach State Park, and the LPDV turkey disease.

Councilwoman Blumig also noted the upcoming conference, that the Beach Buggy Association has been recognized by the President for their restoration efforts, and that a Committee to be led by former Councilman Wolgast has been formed to address Chronic Wasting Disease (CWD) issues.

Councilman Gudmundsson reported that at the last Northern Region meeting he attended they discussed the Fish Code, and briefly reviewed some of the concerns they expressed to the other Council members.

Acting Chairman Burke reported that he would be attending the Cumberland County meeting this week, and had attended the Gloucester and Atlantic County meetings recently. Atlantic County recently held a youth sporting clays event. Several youth fishing tournaments are also scheduled.

Councilman DeMartino attended the Mercer County meeting this past month. There was some discussion regarding an individual who was caught in Chesterfield Township and the fines imposed against them. Assistant Director Herrighty explained that many of the fines were first developed in the 1950's, but that it is a Legislative matter to change them. Other options for charges were also reviewed. There was some additional discussion on this matter.

Councilman DeMartino also commented on a meeting that was hosted by Ducks Unlimited and the New Jersey Waterfowlers where Principal Biologist Nichols presented waterfowl hunting date information as mandated by the Federal government, but noted questions are still being made as to the season date structure.

There was no report from the Finance Committee representative. Assistant Director Nelson noted that the budget was down \$300,000, but that sales of guns and ammunition were increased which may provide additional funding from excise taxes through the Pittman-Robertson monies, and may offset the federal aid monies lost due to the sequester. Also, she noted that other Federal Dingell-Johnson funding may provide increased monies as well.

The Fisheries Committee noted that information would be provided by Chief Barno during her report.

The Game Committee has not met recently, and had no report. Assistant Director Herrighty advised that the public hearing on the proposed Game Code amendments was scheduled for April 30, 2013 at 6:30 p.m. at the State Museum in Trenton. The public comment period will end on June 15, 2013. All proposals will be posted on the Department's website. There was some additional discussion a scheduling a meeting to vote on these proposals once the public comment period has closed and comments are reviewed.

Assistant Director Nelson reported for the Legislative Committee. She noted two new bills that are being followed:

- A 3944 Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver.
- A 2953 Provided totally disabled persons with discount on fishing license fees.

This bill has been passed by the Assembly.

Assistant Director Nelson also followed up on a bill that was discussed at last month's meeting. A 1387 would impose a perimeter restriction of 1,000 feet around a school area for having a weapon. This should not affect those hunting because of an exception in the law. There was additional discussion on this.

There was no report for the Endangered and Non-game Species Advisory Committee.

The Waterfowl Committee meeting for this evening has been cancelled, and there was no additional information to report.

The Wildlife Rehabilitator's Advisory Committee will meet again on May 22, 2013. Their last meeting was cancelled, so there was no new information to report.

Assistant Director Herrighty commented that the North American Waterfowl Management Plan has been re-adopted and as part of this plan, states provide funds for habitat protection in Canada. New Jersey's funds were provided by the Waterfowl Stamp Advisory Committee. Councilman DeMartino described this has been done in the past, and that monies were given, then matched and given back. Assistant Director Nelson will be the contact to the North American Waterfowl Action Board. There was some additional discussion on this matter.

Division reports were given. Chief Barno reported for the Bureau of Freshwater Fisheries. She distributed handouts of the results from the angler surveys done on the opening day of trout season to the Council, and briefly reviewed this information for them. There were 38 surveyors at 35 lakes and ponds, and they counted 1,714 anglers. There was some additional discussion on this matter and the information reviewed today.

Councilwoman Blumig commented that she had the opportunity to assist the Pequest staff with pre-season trout stocking, and noted the staff's dedication to the program.

Also noted today was the disbanding of the Newark Watershed Conservation and Development Commission. Their duties have been transferred to the City of Newark, who advised that there will not be problem for angler access. There was some discussion on this matter. Chief Petrongolo advised that he would speak with staff from the Green Acres program with regard to a Memorandum of Understanding that he believes exists for that area.

At the Hackettstown Hatchery, staff have been busy with broodstock collecting. Chief Barno advised that New Jersey will be providing Northern pike to Pennsylvania, New York and Connecticut. They had

experienced problems with their program due to lake freezes, and the Hatchery had a surplus of fish that they could provide. Additionally, tiger muskies have been sent to New York.

Centenary College has leased the old Information and Education Building at the Hackettstown Hatchery. They will utilize the building over the summer for field work, and classes should be starting there in the Fall of 2013.

Assistant Director Herrighty commented that he had attended the Youth Art Contest activities at the Pequest Trout Hatchery. Commissioner Martin was also in attendance. Assistant Director Herrighty noted a thank you to Trout Unlimited for their assistance with this program.

Chief Barno also gave a power point presentation and review of the proposals for the 2014 Fish Code. Each proposal was reviewed, discussed, and voted on. Proposals were:

1. On the Big Flat Brook, make the entire length catch and release only, and the use of artificial lures only. **A motion was made by Councilman Brodhecker, seconded by Councilman Gudmundsson to accept this proposal. A vote was taken with all in favor, none opposed.**
2. On the Ken Lockwood Gorge section of the South Branch of the Raritan River, the area would be mandated catch and release only (the use of artificial lures regulation is already in place). **A motion was made by Councilman Gudmundsson, seconded by Councilman DeMartino to accept this proposal. A vote was taken with all in favor, none opposed.**
3. Removal of the in-season trout stocking closure on the Black River. **A motion was made by Councilman Brodhecker, seconded by Councilman Gudmundsson to accept this proposal. A vote was taken with all in favor, and one opposition from Councilwoman Blumig.**
4. Trophy bass regulations would be imposed at Lake Audrey, with a three fish limit of 15 inches or greater each day, and the catch and release regulations removed. **A motion was made by Councilwoman Blumig, seconded by Councilman Brodhecker to accept this proposal. A vote was taken with all in favor, none opposed.**
5. Tilcon Lake would be designated as a holdover trout lake. **A motion was made by Councilman Gudmundsson, seconded by Councilwoman Blumig to accept this proposal. A vote was taken with all in favor, none opposed.**
6. Removal of Farrington Lake from the trout stocking program. There was additional discussion on this matter, with additional language suggested for this proposal. **A motion was made by Councilman Gudmundsson to consider extending stocking of the Lawrence Brook (which is downstream of Farrington Lake) to Church Lane, but remove Farrington Lake from the stocking program. This was seconded by Councilwoman Blumig. A vote was taken with all in favor, none opposed.**

7. Addition of Franklin Lake to the trout stocking program. **A motion was made by Councilman Gudmundsson, seconded by Councilman DeMartino to accept this proposal. A vote was taken with all in favor, none opposed.**
8. Addition of Manalapan Lake to the trout stocking program. **A motion was made by Councilwoman Blumig, seconded by Councilman DeMartino to accept this proposal. A vote was taken with all in favor, none opposed.**
9. Addition of Nomahegan Park Pond to the trout stocking program. **A motion was made by Councilwoman Blumig, seconded by Councilman Brodhecker to accept this proposal. A vote was taken with all in favor, none opposed.**
10. Removal of Shadow Lake from the trout stocking program. **A motion was made by Councilman Brodhecker, seconded by Councilman Gudmundsson to accept this proposal. A vote was taken with all in favor, none opposed.**
11. Incorporation of the migratory river herring closure on all freshwater streams and many lakes into the Fish Code. Increase the amount of alewife or blueback herring taken from freshwater lakes in Morris, Passaic, Sussex and Warren Counties to 35. **A motion was made by Councilwoman Blumig, seconded by Councilman Brodhecker to accept this proposal. A vote was taken with all in favor, none opposed.**
12. Clarification of the ice fishing regulations. **A motion was made by Councilman Gudmundsson to allow the regulation to be reworded as necessary. Councilman Van Mater seconded this motion. A vote was taken with all in favor, none opposed.**
13. Clarification on the float of traps used for the commercial harvest of snapping turtles. **A motion was made by Councilman Gudmundsson to allow the regulation to be reworded as necessary. Councilman Van Mater seconded this motion. A vote was taken with all in favor, none opposed.**
14. Miscellaneous items included:
 - Define set line in code 7:25-6.2.
 - Remove reference of sturgeon from freshwater tidal tributary.**A motion was made by Councilman Brodhecker, seconded by Councilman Gudmundsson to approve these changes. A vote was taken with all in favor, none opposed.**

Councilman Gudmundsson introduced discussion on Mountain Lake, and asked that it be reconsidered as a trout stocked water. After some review of improvements that the town has made to the area to have this added to the stocking list again, **a motion was made by Councilman Gudmundsson, seconded by Councilman Brodhecker to add Mountain Lake to the stocking program for the pre-season only and to monitor angler activity. A vote was taken with all in favor, none approved.**

This concluded the presentation on proposed changes to the 2014 Fish Code.

The meeting broke for lunch at 12:32 p.m. and resumed again at 1:15 p.m.

Chief Sciascia was not in attendance to report for the Bureau of Information and Education, but Assistant Director Herrighty commented that the license buyers' survey being done by Southwick Associates will be starting soon. He briefly reviewed this information for the Council.

Chief Petrongolo reported for the Bureau of Land Management. He noted information that he had reported last month regarding forest management and forest stewardship, and advised that Assistant Commissioner Boornazian had met recently with the new Executive Director of the Pinelands Commission who has agreed to further meetings to try to make improvements to the permitting process for projects in the Pinelands.

In the Northern Region, staff have been very busy with forestry projects utilizing Corporate Business Tax (CBT) funds. Chief Petrongolo noted several projects that are occurring, including one at the Weldon Brook Wildlife Management Area (WMA). Principal Biologist Dunne, who has been coordinating these projects, was in attendance today and gave a power point presentation to the Council on the Weldon Brook project. This project encompasses over 1,500 acres, mostly in Sussex County, and focuses on imperiled species, with a target on golden-winged warblers. At the conclusion of the presentation, there was some additional discussion on the information that was given today.

In other matters, Councilman Gudmundsson inquired if any progress had been made at the Ken Lockwood Gorge for road improvements. Assistant Director Herrighty advised it would be restored to how it was before Hurricane Sandy. Chiefs Petrongolo and Barno added additional information on access, and there was some additional discussion on this matter.

Deputy Chief Brown reported for the Bureau of Law Enforcement. He gave a brief review of some of the highlights listed in the Bureau's monthly report.

Conservation Officers have received forensic training which will better enable them in the field.

The four most recent police training academy graduates are now in the field training officer program. Three of these officers are assigned to the Northern Region, and one to the Marine Region.

Assistant Director Herrighty deferred his report but advised that Supervising Biologist Nichols was in attendance to review and present the 2013-2014 Waterfowl Season recommended dates to the Council for review, and vote at a later time.

A handout was given to the Council, which was reviewed by species, date and zone. It was noted that the dates for the Canada goose season are still to be determined. The recommendations will also be listed on the Division's website. A vote on these recommended season dates will be taken at the May 14, 2013 meeting.

Other items for today included discussion on the June meeting, which was scheduled for the 11th. The meeting date may be switched to the 27th. This will be considered again and voted on at the May 14, 2013 Council meeting.

There was no old or new business to discuss.

The public comment period was opened. Barbara Sauchau addressed the Council, commenting on Chronic Wasting Disease, oil drilling on the tundra in Alaska and its effect on birds, read from an article on grasslands converted to farmlands and birds loss relative to pesticides, and noted her concerns on Pitman-Robertson funds, Corporate Business Tax funds, felt that there was unfair discriminatory spending from these sources against wildlife watching and that monies were going to a male dominated activities. (Ms. Sauchau went over her time of three minutes and was asked to stop)

There was no one else wishing to make public comment.

A motion was made by Councilman Van Mater, seconded by Councilman Gudmundsson to adjourn. A vote was taken with all in favor. Meeting adjourned at 2:35 p.m.