

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
August 13, 2013

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

The meeting was called to order at 10:21 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 July 18, 2013.

Roll call was taken. In attendance were:

Acting Chairman Dave Burke
Councilwoman Blumig
Councilman Brodhecker (arrived at 10:29 a.m.)
Councilman DeMartino
Councilman Gudmundsson
Councilman Van Mater (arrived at 11:15 a.m.)

Absent: Councilwoman Brummer
Councilman Link
Councilman Puskas

Acting Chairman Burke noted a change in the order of the agenda, and any items to be voted on would be held until enough members arrived to have a quorum. Additionally, those in attendance were advised that there would be a three minute comment period during the meeting on the proposed amendments to the Fish Code, and a second public comment period for general comments at the end of the meeting.

Acting Chairman Burke reported that he had attended a meeting of the Federation's Chronic Wasting Disease (CWD) Committee Meeting on July 11, serving as a representative for the Council. He gave a brief review, noting information links are available on the Division website.

Director Chanda reported that things have been quiet this past month. There was a small surplus of carry over monies from the last fiscal year, but the final numbers are still being worked on. A Finance Committee meeting will be scheduled at a later date.

Director Chanda attended a fisheries disaster meeting yesterday. There was a 2.3 million dollar allocation received from the Federal government for distribution to those affected by last years' storm. Staff also

met with representatives from the fishing industry regarding ideas for disbursement of these monies, since the Division does not have the resources to handle such a task.

Acting Chairman Burke noted an increased tick population in South Jersey this year.

Council reports were given. Councilwoman Blumig asked to comment on an agriculture related topic, advising that the National Christmas tree that is presented to the First Lady has been selected and will be coming from Wyckoff's Christmas Tree Farm in Belvidere this year.

(Councilman Brodhecker arrived at 10:29 a.m.)

Acting Chairman Burke reported that Councilman Puskas was currently attending the South Jersey Cattle Show.

Also for the Agriculture Committee, Councilman Brodhecker reported increased problems with bears eating corn in his area. He would like to see the depredation permits for bears more in line with the permits issued for deer.

There was some additional discussion on agriculture, including that the many recent rains have made it difficult for farmers to access their fields to harvest crops.

Acting Chairman Burke advised that while there was now a quorum, he would like to wait for the arrival of Councilman Van Mater before proceeding with items that needed to be voted on.

There was no new information to report for the Federation Committee, since groups have been quiet this Summer, but it was noted that both saltwater and freshwater fishing are active.

The Finance Committee did not meet earlier today as previously anticipated, but should be scheduling a meeting sometime soon.

There was no report for the Game Committee, who may not need to meet again until January. Assistant Director Herrightly advised that the Game Code is at the Governor's Office and should be published in the September 16, 2013 Register.

Assistant Director Nelson reported for the Legislative Committee. Things have been quiet over the Summer, but she reported on several items including:

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| S 1085 | Establishes forest harvest program on State owned land (in the Governor's Office now) |
| A 4036 | Establishes directed bait and human food fishery for menhaden, and clarifies existing law regarding taking of menhaden (was signed) |
| A 4319
S 2872 | Prohibits smoking at State parks, forests, beaches, and wildlife management areas. |
| ACR 202 | Proposes Children's Outdoor Bill of Rights |

There was no report from the Endangered and Nongame Species Advisory Committee.

There was no report from the Waterfowl Stamp Committee, but it was noted that their next meeting should be in October.

Councilman Brodhecker was not able to attend the last meeting of the Wildlife Rehabilitator's Committee. Assistant Director Nelson advised that work continues on the relocation policy and regulations.

Division reports began. Chief Barno reported for the Bureau of Freshwater Fisheries. The Nevius Street dam was removed this past month, and Chief Barno described this area of on the Lower Raritan River and the many fishing opportunities that are there. The many different types of species and populations of fish were also noted.

A report was received from a citizen of a dam that was constructed on the Big Flatbrook. Chief Barno reviewed the situation, and noted this is being investigated by the Bureau of Law Enforcement and Land Use Enforcement.

Two survey sites on the Big Flatbrook between Routes 206 and 560 were reviewed. Numbers of trout remain low, and staff are not seeing a lot of holdover fish.

A meeting of the Lake Hopatcong Citizen's Advisory Committee is scheduled for tomorrow. The 5-foot draw down of the lake is scheduled for September 22, with the refill process beginning on December 15. This matter was also reviewed, and Chief Barno reported that a survey was done by the Division of Parks this past Spring and 75 to 80 percent of the dock owners require this draw down to do maintenance.

Staff have been working on articles and photos for the 2014 Freshwater Fishing Digest. Chief Barno also reported that the 2013 version of the Digest took third place at the ACI Conference National competition recently.

Principal Biologist Ivany reported for the Office of Information and Education. He also commented on the recent award received for the Digest from the Association of Conservation Information.

Staff recently manned the Division display at the New Jersey State Fair. The Sussex County Sportsmen's Federation Conservation Foundation works with the Division to secure space for us in the tent, but it was noted that costs may prohibit this in the future for the Federation.

The WILD Outdoor Expo is scheduled for September 14 and 15 at the Colliers Mills WMA. There are 102 organizations scheduled to participate, and last years' event brought 7,600 visitors. A \$2000 grant was received from the States Sportsmen's Alliance Trailblazer program. Principal Biologist Ivany added that the Green Acres Program, the Division of Parks and Forestry and the Conserve Wildlife Foundation all partner with the Division for this event and he was hoping for additional participation and support from the Department for future events.

Preparations are underway for the annual Governor's Surf Fishing Tournament in October. Invitations should be going out soon.

Preparations are also being made for the Fall trout stocking promotion.

As of July 23, the Hunter Education Unit is showing that numbers of graduates are up compared to this time last year, and numbers were reviewed for the Council.

Sedge Island programs are being held, despite the damage done by Hurricane Sandy. Repairs to the Sedge House are ongoing, and staff were able to utilize a building owned by the Division of Parks and Forestry on Island Beach State Park to host overnight attendees.

Principal Biologist Ivany commented that a new telephone system has been installed at the Pequest Trout Hatchery and Education Center.

Acting Chairman Burke inquired about the license purchasers' survey. Principal Biologist Ivany noted that it just ended in July, and had no additional information at this time but would be looking into the results.

Acting Chief Chicketano reported for the Bureau of Law Enforcement. He reviewed various highlights from each of the regions as noted in the monthly report.

Also noted was that Bureau of Law Enforcement staff would be meeting with the Council in Executive Session later today to review a license restoration request.

Assistant Director Herrighty reported for the Bureau of Wildlife Management. He noted a correction in the monthly report regarding Teterboro Airport and a permit that had been issued to them for deer control. They are allowed to use .223 or .243 ammunition, not regular .22's.

Dr. Chris Williams from the University of Delaware had previously presented information on a forest management plan for the Pinelands regarding bird diversity and habitat, and the Division has agreed to pay for his student assistant to continue this work for the next year or two.

Assistant Director Herrighty recently attended the Atlantic Flyway Council meeting in Connecticut. While there, he discovered that Texas was looking to secure Eastern wild turkeys to try to establish in their State. He noted that Texas has a strong quail population, and has assigned Supervising Biologist McBride to see if a swap could be done between the two states. He also reviewed information on quail and their reproduction in the wild compared to in captivity.

At the Atlantic Flyway Council (AFC) a report that has been 15 years in the making authored by the Fish and Wildlife Service on the effects of the release of captive mallard ducks was reviewed. This resulted in the AFC passing several new recommendations regarding captive mallard ducks, since there were concerns of disease and inter-breeding between wild and captive birds that may be released at hunting clubs and hunting preserves. He further reviewed this matter for the Council, and steps that may be considered to mark the captive birds before they are released so that they may be identified at a later time.

(Councilman Van Mater arrived at 11:15 a.m.)

There was also some discussion regarding the black duck harvest parity agreement between the United States and Canada.

Division Pathologist Stansley has had no reports of Epizootic Hemorrhagic Disease (EHD) as of yet in New Jersey, but yesterday a sick deer was reported trapped in an enclosed pool area. The homeowner did not want it dispatched. More information will be collected if the deer succumbs.

A notice has been posted on the Division's website with regard to sightings of sick deer.

As of mid-July, 899 bears calls have been received, which was down compared to this time last year. Assistant Director Herrightly noted that more urban bear sightings have been reported this year.

Recent improvements to the ventilation at the Rockport Game Farm seem to have helped, and all is well so far with the pheasant program there.

With all members attending today now present, Acting Chairman Burke asked for a review and vote on the minutes from the June 27, 2013 meeting. **A motion was made by Councilman Van Mater, seconded by Councilman Brodhecker to approve the minutes as presented. A vote was taken with all in favor.**

The September 10, 2013 Joint Councils meeting was noted. Suggestions for presentations were discussed.

There was some additional discussion on different bird species.

Chief Barno from the Bureau of Freshwater Fisheries addressed the Council, noting that the proposed amendments to Fish Code were stalled at the Governor's Office. There were concerns on the removal of the in-season closure on the Black River. If the proposal was removed, the rest of the document would move forward and be published in the September 16, 2013 Register. Acting Chairman Burke invited any public comment on this item, but there was none. The removal of this proposal was further discussed and questions answered by Chief Barno, and other items in the proposal were also reviewed, after which **a motion was made by Councilman Gudmundsson to drop the proposal for the removal of the in-season closure on the Black River from the proposed Fish Code, and requested that a letter be sent to Commissioner Martin expressing Council's displeasure with usurping the public comment period on this. The motion was seconded by Councilman DeMartino. A poll vote was taken with all in favor, none opposed, and one abstention from Councilwoman Blumig.**

There was some additional wrap-up discussion on this matter, and Chief Barno advised that she would have just enough time to re-print, get signatures, and deliver the new proposal to the Office of Legal Affairs in Trenton in order to meet the deadline for a September 16, 2013 publication date.

The public hearing date was also discussed. Chief Barno suggested holding it on the evening of October 8, 2013, which would also be the date of the Fish and Game Council meeting. **A motion was made by Councilwoman Blumig, seconded by Councilman Brodhecker to have the public hearing on the Fish Code on October 8, 2013 at 7 p.m. in the meeting room at the Central Region Office.** Further discussion noted that the public comment period would be from September 16, 2013 to November 15, 2013, so it was also requested that the Council consider changing the date of the November meeting. **A vote was taken on the public hearing date, with all in favor, none opposed.**

A second motion was made by Councilman Brodhecker to change the date of the regular meeting of the Fish and Game Council from November 12, 2013 to November 19, 2013 at 10 a.m., and it was

seconded by Councilman Gudmundsson. A vote was taken with all in favor, none opposed, and one abstention from Councilman Van Mater who noted he would not be in available on that date.

The meeting broke for lunch at 12:04 p.m. and resumed at 1:01 p.m.

Regional Superintendent Porutski reported for the Bureau of Land Management. He reported that in the Northern Region, staff are in the process of developing habitat mowing plans for the Fall, which will begin after the nesting season. Statewide, mowing for safety zones will begin in September.

Other projects being planned include are Fall planting in the Northern Region, mowing in the Central Region, major road projects using Corporate Business Tax (CBT) monies this Fall, and habitat projects utilizing CBT monies that will be submitted for approval over the next several weeks.

A newly acquired parcel formerly known as Draper's Marina on the Great Bay Boulevard WMA road which was received as part of the Garden State Parkway wetlands mitigation was reviewed. With the help of Corporate Business Tax funds the Division was able to have a new bulkhead, walkway, railings and parking and concrete ramp. Regional Superintendent Porutski noted that this would allow for increased recreational opportunities, and was all at no cost to the Division. A similar opportunity for funding for improvements is expected from the New Jersey Turnpike expansion project.

Information from the Bureau's monthly report was noted, where the North American Wetlands Conservation Council proposal for \$1 million for restoration to the waterfowl impoundments at the Tuckahoe WMA was recommended for funding. This will still need to move forward through the United States Fish and Wildlife Service and Congressional Appropriations Committee. Assistant Director Herrigty noted that Ducks Unlimited was a partner with this funding effort.

The Union Sportsmen's Alliance recently completed work on and donated 50 pheasant transportation boxes to the Division. This project was coordinated by Southern Region Superintendent Golden.

A restoration project partnered by the Division and the Office of Natural Resource Restoration at the Pond Creek magna site on the Higbee Beach WMA was reviewed.

Regional Superintendent Porutski advised that a call would be placed to the Rockport Game Farm after Labor Day to get a projected number of available pheasants for the upcoming season. There was some additional discussion on the stocking of pheasants, and the possibility of changing language in the Game Code to allow stocking on areas not currently being stocked should a specified stocking area have to be closed for some reason.

Other discussion included the warm season grass fields where there were previous concerns at the Colliers Mills WMA, the public shooting ranges at the Stafford Forge WMA, and encroachment issues from private landowners onto state lands and plans to be considered to correct this matter.

At this time, Acting Chairman Burke opened the public comment period, advising that each speaker would be given three minutes to address the Council.

Andre Still from Middlesex addressed the Council regarding the Raritan River. He read from a letter that he had sent previously. He felt that with all the work done on shad on the river, things should move to the next level, and the Division should consider stocking sea run brown trout. He has noted many trout in the lower portion of the river, and added that the recent dam removal should help. There was some minor

discussion on this matter, and Mr. Still was advised that a copy of his letter would be forwarded to the Freshwater Fisheries Committee.

With no one else wishing to address the Council, members of the audience were advised that Council would go into Executive Session, followed by the meeting resuming again but only to adjourn. **A motion was made by Councilman Gudmundsson, seconded by Councilwoman Blumig to move forward to the Executive Session. A vote was taken with all in favor.**

Upon completion of the Executive Session, **a motion was made by Councilman Gudmundsson, seconded by Councilwoman Blumig to adjourn. A vote was taken with all in favor.**

Meeting adjourned at 1:33 p.m.