

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL
Central Region Office
Robbinsville, NJ
October 13, 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 Councilwoman Barbara Brummer

The flag salute and Pledge of Allegiance were completed.

Councilwoman Brummer 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 October 1, 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: Councilwoman Brummer
Councilman Conover;
Councilwoman Blumig (arrived at 10:15 a.m.);
Councilman Brodhecker (arrived at 10:12 a.m.);
Councilman DeMartino
Councilman Gudmundsson
Councilman Van Mater
Councilman Link
Councilman DeStephano

Absent: Acting Chairman Burke

Division employees included P. Nelson, L. Herrighty, M. Chicketano, D. Golden, A. Ivany, D. Jenkins, R. Shramko, D. Roberts, D. Ogonofski

There were numerous members of the public in attendance.

Minutes of the September 9, 2015 meeting were reviewed. **A motion was made by Councilman Van Mater and seconded by Councilman Gudmundsson to approve the minutes. A vote was taken with all in favor, none opposed.**

Acting Chairman Burke was not in attendance. Councilwoman Brummer chaired the meeting.

Assistant Director Herrighty advised that there has been a lot of activity in Ramapo Mountain/State Forest and our staff have been trapping bears. Due to the numerous incidents that have been reported at Ramapo State Forest, the Department closed the area to the public. Assistant Director Herrighty spoke briefly on the few incidents that were reported in Ramapo. He also spoke about a bear that was trapped and euthanized on October 5, 2015. Assistant Director Herrighty indicated a report was received indicated that a bear kept pace with them and when they stopped the bear stopped, when they continued the bear followed them and at one point stood over the boy who tripped. The adult distracted the bear by throwing a box of crackers at it and they were able to escape. As they ran

past a man with a large dog, the bear stopped and paced back and forth and eventually left. This behavior is considered a Category 1 Bear as it was showing signs of pre-predatory behavior. Assistant Director Herrighty has expressed concerns that since the trails were these bears have been sited showing predatory behavior may be because people are feeding the bears and not intimidated by staff. These incidents have occurred on the border of Bergen and Passaic Counties, which is the Ramapo State Forest and the Ramapo Mountain is in Bergen County.

Assistant Director Nelson wanted to discuss the best way to get the information packages to the council members for the upcoming Fish and Council Meetings as there seems to be some concerns and duplication of documents. It was decided that the draft agenda and monthly Bureau reports would be sent electronically to all council members except for Councilwoman Blumig and Councilman Van Mater. They will receive copies in the mail. It was also decided that only a few printed packages (3-4) will be available for Council members on the day of the meeting. A folder with the same information that was sent out electronically will no longer be distributed to each council member on the day of the meeting.

Councilwoman Brummer went over the agenda briefly to provide a highlight of what the meeting will encompass. The information to be discussed – the review and approval of the 2015 Pheasant/Quail Stocking Schedule. The meeting scheduled for November 10, 2015 will begin at 1:00 and the Fish Code Hearing will be held in the evening.

Public Comment Period – 3 minutes/person:

Barbara Sachau, Whitehouse Station – Opposed pheasant stocking and open space and purchasing them out-of-state. She also expressed concerns that she could not find the agenda on our website.

Janet Pizar, Millburn, - Took exception to the Wildlife Services Section of the Bureau of Wildlife Management report. Bear Projects continues to set traps for tame/aggressive bears. Governor Whitman instituted the 3 category bear system in September, 2000 after the bear hunt was stopped in that year.

Agriculture Committee Report: Councilman Brodhecker reported that there has been a lot of bear activity in the North. Bow hunters are not seeing deer. Councilman Brodhecker indicated that he saw a black bear on his backporch. Farmers are seeing a lot of damage to their crops. In addition, Councilman Brochecker indicated that he is seeing a lot of acorns in the North. Councilman Link reported that harvest is continuing and no reported bear or pig activity. Councilman Link mentioned that the sportsmen ask that the council consider an additional youth day whether it be a Friday and Saturday or consecutive Saturdays for primarily deer hunting. This was part of a discussion for hunter recruitment and it should be a top priority for license sales. It was mentioned that this consideration should be taken up with the Game Committee. Councilman Link also indicated that the Division is doing as much forestry work where they can/should to avoid the same situation as the California fire. Foresters feel that grounds need to be managed. Councilman Conover mentioned that there has been no bear activity only deer activity and that the nursery guys are seeing a lot of damage from bucks and rubbing. Councilwoman Blumig mentioned that on the Christmas Tree Farm they use Wiff Bars (Hotel Soap – Cashmere Boutique). They put it on their trees and it reduces the buck rubs, however, the mice like to eat it. Councilwoman Blumig was surprised how well it worked.

State Federation Reports:

Councilwoman Blumig discussed many concerns. The sportsmen are upset by the Wharton State Forest Road closures. Hunters are not seeing a lot of deer. There are complaints about the Round Valley boat ramp and the paddleboard/kayak concession. She received calls that a lot of people are having birthday parties and leaving a lot of garbage behind. Fishermen are complaining that the people who are coming to Round Valley are blocking the ramp access for fishermen. They expressed concerns about the concessionaire who runs the paddle boarder only

having to pay \$100 for the year. The Federation was also questioning the pilot program for the when credit card system will begin and they are willing to take up a collection to buy readers.

Councilman DeMartino indicated that at the federation meeting he attended, they discussed the Wharton State Forest issues. Followed by the issues surrounding Round Valley boat ramp and that it would be best if it was moved to the State Park Service side. They have a better rate system and they can obtain the required permits for paddleboards and/or kayaks. This would remove these concessioners from the Wildlife Management Area. After speaking to Jeff, from the Round Valley Association, he said this looks doable. Chief Dave Golden indicated that the division collects \$500 from the concessioners. Chief Golden spoke to a representative from the Division of Parks and Forestry, who indicated that the concessioners can go to the parks side of Round Valley to rent kayaks and paddle boats and they are planning on moving it forward. Chief Golden indicated that there still may be congestion at the boat ramp as people may use the ramp for car-top launch. Chief Golden is planning on meeting with Water Authority to further discuss.

Councilman DeMartino was approached at the Expo from an individual who wanted to volunteer for the division. What is the process to accept volunteers? Assistant Director Nelson responded that volunteers need to fill out an application for the Wildlife Conservation Corps (WCC). An email is sent out to one or more of the listservs requesting volunteers as needed. Council members requested to receive those emails as well so that they could reach out to people and tell them about an upcoming project. Councilman Gudmundsson cautioned that people often want to do projects on a river but some may not be beneficial. Projects are vented thru the Wildlife Conservation Corp. People also want to run equipment to help Land Management to main roads, etc. Chief Golden stated that volunteers cannot use State equipment for liability reasons. They can bring their own and the Division can issue a special use permit/waiver and release form to allow them to use their equipment. This is only for a managed project. People cannot just come out and do what they want. Councilman DeMartino indicated people will see this as an opportunity to assist in Land Management in managing their roads.

Councilman DeMartino advised that the Ocean County Trust (OCT) is banning deer drives on their property and it is becoming a concern. Dan Roberts spoke about the Ocean County Natural Land Trust and made this decision. He wanted to address this with Acting Chief Carole Stanko and Assistant Director Larry Herrighty and see if we can address this with them. They otherwise fall within our regulations. Daniel Roberts is going to follow-up on this issue and report back at next meeting.

Councilman DeStephano – Unable to attend the County Meetings because of work. He did speak on the Trapper Education Program (67 went thru), 50 people scheduled and they had a lot of walk-ins. Councilman DeStephano attended the Trappers Association Convention. Two concerns were discussed, he was able to answer the first one, however, questions were raised regarding the change in the snare regulations indicates that it must be a “relaxing lock” and which is not and how are the Conservation Officers going to know the difference. Councilman DeStephano wanted to how the word going to get to the Conservation Officers. Assistant Director Herrighty advised that this issue was discussed in the Game Committee meeting and Andy Burnett is going to the various field offices to show the differences in the locks and educate them. Councilman DeStephano indicated that he had seen a magazine (Chubbs – Snare Company Magazine) that clearly identified various locks and under each picture indicated whether or not it was a “positive locking” or “relaxing lock”. He was going to see if he could obtain copies of this catalog and send to the different F&W regional offices so that the Conservation Officers know which is a relaxing lock or regular lock. Councilman DeStephano is going to make a point to obtain copies and get it to Assistant Director Herrighty.

Councilman Gudmundsson – He mentioned that Round Valley issue and that there is currently a similar user conflicts on the Muscontecong River. A lot of swimming and partying seems to be going on and people are parking on river bank leaving garbage and people appear to be upset. Disparity of users on WMA – don’t want to prevent splashing in the rivers – doing it while fishing is a problem want to find a way to avoid conflict. Need to

enforce some of the problems. Organization is placing rocks in front of driveway to the River and this has helped a little.

Councilman VanMater – He mentioned that there is a lot of concern regarding the road closures in Wharton State Forest. Few deer being killed as he has only seen them dead on the road. A lot of acorns and walnuts are falling.

Finance Committee: Assistant Director Nelson report that no meeting held. Finances are on schedule. It is up to the committee when they wish to meet, but so far revenue is right on target.

Fish Committee: Councilman Gudmundsson advised that no meeting held, but people have been calling about the fish code regulations. He indicated that they will meet after the public hearing.

Game Committee: No meeting held. Nothing scheduled as of this meeting. Assistant Director Herrightly indicated that it is generally a two (2) year process and recommended that they possibly meet in January to discuss next Game Code

Legislative Committee: Nothing new.

Endangered and Non-Game Species Committee: Councilwomen Brummer indicated the last meeting was a joint meeting with the Fish and Game Council went reasonably well and she is interested in hearing feedback. It was felt that the presentations were well done and the content was very rich.

Waterfowl Advisory Stamp Committee: Duck Stamp Committee approved sending \$100,000 project in Stillwater regarding a Beaver Marsh. \$400,000 for 100 acres of property it was close to the Delaware River Gap and close to another WMA, it was money well spent. Approved \$60,000 for piece of marsh property in Lawrence Township in Cumberland County along Delaware River. Discussion on criteria for property being purchased going forward ask Ted Nichols – moving forward why are we buying property that cannot be developed. Why is Green Acres pursuing this property, there were 3 other properties they asked to consider 2 in Cape May and 1 in Bass River that cannot be developed, we should not be buying these properties. Biologist will be moved to the Duck Stamp Committee to know if a property is protected.

Wildlife Rehabilitators Committee: Nothing to report. Next meeting will be held on October 28, 2015 full report at the November meeting.

Ross Shramko reported for the Bureau of Freshwater Fisheries on behalf of Chief Lisa Barno. Mr. Shramko advised the council members that Pat Hamilton received an awarded from Conserve Wildlife Federation in Women in Wildlife in Leadership for Brook Trout. The Conserve Wildlife Federation meeting is on October 29, 2015 honors women in wildlife - Makenzie Hall and Pat Hamilton are both being honored at the dinner at Duke Farms. The Fish Code was published on October 5, 2015 in the New Jersey Register starting the sixty-day public comment period which will end on December 4, 2015 with the public Hearing being held on November 10, 2015 at 7 pm Assunpink Conservation Center. Due to the delay in fish code, the Digest will be delayed this year. Fall Stocking started on October 13, 2015 and some of the waters are lower than the past five (5) years and being looked at by our biologists for stocking. We are back to stocking the 2 year old fish - 14 to 17" fish. American Eels first survey released in 2007 and another done recently both time the findings indicated that that it did not warrant for the Endangered Species listing. Eastern Brook Joint Venture on its 10th Anniversary. Drought watch declared for the State's 3 regions.

Bureau of Fish Production. Chief Jeff Matthews was not available and Assistant Director Herrightly indicated to rely on the reports submitted. Fish being stocked on October 13, 2015 are back to the 2 year old scheduled with about 20,000 14 ½" fish being stocked.

Chief Al Ivany reported for the Bureau of Information and Education. The WILD Outdoor Expo was held on September 12 and 13 and was very successful. There were 7213 attendees which was up over the previous year plus an additional 400 staff members and vendors for a total of 7600. The Hooked on Fishing, Not on Drugs (HOF-NOD) Program is doing well. There is a training for HOF-NOD Instructors November 6 thru November 8, 2015. A news release is being prepared to announce the training. A video is being produced to promote the program, as well as public service announcements will air on television and radio. Council members requested copies of the video when complete. The Bloustein Center has been contracted to develop a three (3) year follow-up study with the program to check the effectiveness of HOF-NOD. Council members were questioning how many students went thru the program and what are the goals for the program. Additional information will be provided at the next meeting. Councilman Gudmundsson suggested putting the video on U-tube if possible. The 25th Anniversary of the Governor's Surf Fishing Tournament will be held on May 15, 2016 and the bureau will be looking to expand promotion of the tournament, as well as activities on the day. A promotional post-card for Pheasant Stocking is in production and will be mailed to approximately 17,000 stamp purchases. Chief Ivany indicated that they are in the process of developing plans for use of Track Chairs recently purchased by the Division.

Chief David Golden reported for the Bureau of Land Management. He spoke about the project he presented at the Joint Council meeting and that the project has received the Army Corp of Engineers permits last week and now he is working with the Department of Transportation to present a bid package to move the project forward. Permit will expire on March 31, 2016. Staff heavily involved for the pheasant stocking and the maps are available on-line for pheasant stocking on WMA's. Going to track this – number of stamps purchased, we are tracking the visitation to website to show a correlation and up-tick in pheasant sales. Lenape Farm Track – Tuckahoe track – purchased four (4) years ago, clean up lead on site. Clean-up started on Monday, October 12, 2015. Once completed and the ranges will be officially closed. Piloting out partnering with Audubon Society on Invasive Species Team training starting in South Jersey, train staff to be able to identify a few species in each region. Currently working to train staff in identifying 4 species – 1 woody and 3 grassy species (Mile-a-minute; Japanese Stiltgrass). Working internally with staff to spot train to apply herbicide on site. Good volunteer initiative with licensed herbicide to treat (J. Link). Posting for a temporary lateral opportunity for a Habitat Planner to work on Forest Management and with CBT Funding – allocated to Parks and Forestry for Forest Stewardship Plans for approximately \$350,000, based on how they make out this year, we may have an opportunity to ask for funding for Forest Stewardship Plan in the future.

In the past, Councilwoman Blumig, Councilwoman Brummer and Councilman DeMartino questioned the Pheasant Rockport cost and redirect staff from there to the Bureau of Land Management and explore the option. What is the cost to run the facility and staff at Rockport – all involved vs. purchase pheasant as an obligation. Can we get the total cost for the council – around \$1 million. Can put together a draft evaluation on the best way to do it better. **Motion made by Joe DeMartino full accounting of pheasant program to include number of people/staff involved and the overall cost (total breakdown benefit, time, salaries) to produce a Pheasant in New Jersey, seconded by Councilwoman Blumig. Further discussion on the motion, by Councilman Gudmundsson wanted to amend the motion so that when preparing the cost analysis, to keep in mind even if birds are purchased elsewhere, staff time is still required to stock the birds – not just purchase the birds. Vote taken, all in favor, none opposed.**

Friendly motion made by Councilman Gudmundsson and seconded by Councilwoman Blumig to have the information requested in the Pheasant Cost Analysis available for the Game Code Meeting to be held in January, 2016. Vote taken, all in favor, none opposed.

Eagle Manner site 12 acres – put up for auction and closing will be coming up together in the next 30 days; limited land use. Duran Glass – still in a holding pattern because state house commission has to hold a public hearing on it.

Chief Mark Chicketano reported for the Bureau of Law Enforcement. He reviewed several highlights as listed in the Bureau's monthly report with the Council. Numerous citations were issued in the various regions. Significant amount of problems on WMA's in the Central Region. In addition to the information presented in the monthly report, Chief Chicketano indicated that 42 additional summons were issued over the weekend of October 10 and 11, 2015 and impounded 3 ATV's in the Central Region. 10 Conservation Officers worked the Wild Outdoor Expo each day and only have 3 minor incidents. In-depth investigations performed by Southern Region Conservation Office James on dump sites and does an exceptional job.

Daniel Roberts reported for the Bureau of Wildlife Management as Acting Chief Stanko who was away at Training. Briefly mentioned the bear incidents that were recently mentioned by Assistant Director Herrighty. He also mentioned the Waterfowl Project being performed by Ted Nichols Black Belly Whistling Ducks – more closely related to geese. Waterfowl tracked 3 ducks that are federal banding for Black Belly Whistling Ducks – not include in non-game listing or in the game code. They have been seen in South Jersey in Cape May. Deer numbers harvested has been 3100 less thru the last season. Last year 11,419 in 2014 and just under 8300 in 2015. Hard time finding deer. Bears – Pedals the bi-pedal bear in Oakridge – known about for over a year, don't believe we don't believe it needs any attention yet there is a sanctuary in New York, we don't think we will move the bear to New York.

Chief David Jenkins reported for Endangered and Non-Game Species: The Association of Fish and Wildlife Agencies' (AFWA) Thomas Seton Project Award was given to the NJDFW for the Connecting Habitat Across New Jersey (CHANJ) project. Project Leaders Gretchen Fowles and Brian Zarate were recognized for their role at the September AFWA Meeting. Mackenzie Hall (of ENSP) receiving the Women in Wildlife Award for Inspiration along with Pat Hamilton (BFF) who will be receiving the Women in Wildlife Award for Leadership.

The Connecting Habitat Across New Jersey project is continuing. Mapping for the Highlands has been completed and are working on a guidance document. Three Delphi Species Status Reviews being worked on. Chief Jenkins has been working with US Fish & Wildlife Service and the Army Corps of Engineers regarding oyster aquaculture and Red Knot. They have issued the permits issued and it involves federal action, working together to go thru the appropriate process. Stakeholder meetings are scheduled for October 15, 2015 with growers and another with conservation organizations to be held on Monday October 19, 2015. DFW is looking to submit the consultation package by mid-November because there is 135 day clock on reviews by the Fish and Wildlife Service. Councilman DeMartino questioned why there is not a Fish and Game Council representative on Marine Fisheries Council so they can see the other side of the coin. Chief Jenkins noted that as is the case with the Fish and Game Council, the composition of the Marine Fish Council is set by statute. Work on updates to the Landscape Project Maps have been delayed by the loss of Peter Winkler to Bureau of Lands Management and priority being given to the Wildlife Action Plan revision. ENSP is planning to re-engage and release updated maps within the next several months. The US Fish & Wildlife Service was notified about New Jersey's delayed Wildlife Action Plan submission and indicated that the revised plan would be submitted by July, 31, 2016. New deadline means that the revised plan needs to be substantially complete by April so that we can build in time for internal and public reviews.

Old Business: Councilman Gudmundsson questioned on the agenda when should the public comments be heard. Councilman DeMartino questioned a few notes from the June Council minutes regarding the new Bureau Chief for Fish Production, Jeffrey Matthews. He questioned why another bureau chief was needed when you have Lisa Barno over the Bureau of Freshwater Fisheries now. Assistant Director Herrighty briefly spoke on this issue and

advised that it was done in keeping with Director Chanda's long-term plans for the Division. Councilman DeMartino asked if Director Chanda could present the case and the master plan for the structure of the division.

Motion made by Councilwoman Brummer and seconded by Councilman Gudmundsson to adjourn for lunch at 12:30 a.m. and return at 1:00. Vote taken, all in favor, none opposed.

Returned from lunch at 1:00

Bobwhite Quail and Pheasant Stocking Schedule was presented by Chief Dave Golden. He indicated that the numbers are the same as past several years back to 2012. Total number is the same as last year 55,000 birds. Maps are new for this year and are on-line as to where the birds are stocked. Chief Golden indicated that staff stocks at night – two (2) weekdays then one (1) weekend, 3 days a week, 15 times per year. Discussions to change stocking procedure and pheasant formula to be presented at the Game Committee meeting in January, 2016. Council members indicated that this may be an opportunity for volunteers to help the full-time staff engaging the public. Chief Golden indicated that he will pursue it. When put out to bid in accordance with procurement procedures, only 1 response was received and it was from a Pennsylvania – paying \$3.48 per bird.

Motion made by Councilman Gudmundsson and seconded by Councilman DeMartino to approve the stock schedule as presented. Vote taken, all in favor, none opposed

License Restoration/ Suspension:

Mary Monteschio was available to answer any questions.

Ronald Whitehead: Mr. Whitehead attended and presented his case to the Council members. Assistant Director Herrighty read the violations, which are as follows: N.J.S.A 23:3-56.2, dated 02/19/15 – Did archery hunt wrong deer management zone, permit not transferable. N.J.S.A 23:4-1, dated 01/02/13 – Did possess a shotgun capable of holding more than three (3) shells. Mr. Whitehead spoke to the Council, questions raised. Options were provided to the Council members. Council can table the matter since there are two offenses, can vote to restore with the recommendation that individual would have to take a Remedial Hunter Education course, or can deny Mr. Whitehead's request. Discussion ensued. Last offense was February, 2015, if denied restoration, he would be reinstated in February, 2017.

Motion made by Councilman Brodhecker and seconded by Councilman Gudmundsson to reinstate Mr. Ronald Whitehead's license after he attends the Hunter Education Remedial Course. Vote taken, all in favor, none opposed. License Restored with the stipulation that he attend the Hunter Education Remedial Course.

Aaron Lake: Individual did not attend the session. Assistant Director Herrighty read the violations, which are as follows: N.J.S.A 23:5-10, dated 05/14/14 – Did take/possess herring during emergency closing. N.J.S.A 23:4-1 dated 12/18/14 – Hunting before legal hours.

Motion made by Councilman Brodhecker and seconded by Councilman Gudmundsson to open the discussion to reinstate his license. Discussion involved the 7 month time frame between violations and types of violations. Vote taken – 1 in Favor, 8 Opposed. Request for restoration of license was denied.

Craig Kalucki: Individual did not attend the session. Assistant Director Herrighty read the violations which are as follows: N.J.S.A 13:3-1(b) dated 07/28/11 - Failing to exhibit a fishing license upon request. Did not have a valid fishing license at the time. N.J.S.A 13:3-1(b) dated 02/15/14 - Failing to exhibit a fishing license upon request. Did not have a valid fishing license at the time.

Motion made by Councilman DeStephano and seconded by Councilwoman Blumig not to restore Mr. Kalucki to open the discussion on the violations. Vote taken, all in favor to not reinstate his license, none opposed. Request for the restoration of license was denied.

Christopher Bernardo: Individual did not attend the session. Assistant Director Herrighty read the violations, which are as follows: N.J.S.A 23:3-56.2 dated 11/19/13– Did hunt for deer (bow) without valid permit; N.J.S.A 23:4-16.d dated 01/06/15 Did possess loaded firearm within 450 ft. of a building

Motion made by Councilman Gudmundsson and seconded by Councilman Brodhecker to open the discussion to reinstate Mr. Bernardo’s license. Vote taken, all in favor, none opposed. Request for restoration of license was granted.

Thomas O’Connor: Individual did not attend the session. Assistant Director Herrighty read the violations, which are as follows: N.J.S.A 23:2B-6 dated 06/17/14 – Size, possession and sale of marine fish – short fluke; N.J.S.A 23:4-1 – Did hunt wild turkey within three-hundred (300) feet of a baited area (corn).

Motion made by Councilman DeMartino and seconded by Councilman DeStephano not to restore Mr. O’Connor to open the discussion on the violations. Vote taken, all in favor to not reinstate his license, none opposed. Request for the restoration of license was denied.

Assistant Director Herrighty advised that they captured 2 more bears at Ramapo State Forest and they were euthanized. The Park was to remain closed for a little longer. Hunting in the area is being discussed with Director Mark Texel. Council members requested to be kept in the loop and to follow-up with them in an e-mail.

Public Comment (3 minutes):

Janet Pizar, – Bears predatorily, hunting license restoration setting a precedence and creating a loop whole. Addressed concerns about relocating Pedals the bear.

Barbara Sachau, Whitehouse Station, NJ – Ms. Sachau agreed with the comments made by Ms. Pizar and added that she felt that council was not counting all comments. She also stated that she could not locate the agenda.

Charles Henderson, Jackson, NJ – Was concerned about the Ocean County Natural Lands Trust document that was presented by Councilman DeMartino.

Motion made by Councilman VanMater and seconded by Councilwoman Blumig to adjourn meeting. Vote taken; all in favor; no opposition;

Meeting adjourned at 2:07 p.m.