

**MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL with
ENDANGERED NON-GAME SPECIES ADVIORY COMMITTEE**

**Central Region Office
Robbinsville, New Jersey
October 17, 2017**

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

The meeting was called to order at 10:33 a.m. by Chairman David Burke.

The flag salute and pledge of allegiance were completed.

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 on October 6, 2017 and delivered to the designated newspapers for the Division, the Newark Star Ledger and the Atlantic City Press; published on October 11, 2017.

Chairman Burke informed the Council that Councilwoman Cathy Blumig sent in her letter of resignation and wished her well.

Roll call was taken in attendance:

Councilman Phillip Brodhecker (late arrival at 10:33 a.m.)
Chairman David Burke
Councilman Joseph DeMartino
Councilman James DeStephano
Councilman Agust Gudmundsson
Councilman Rick Lathrop (joined the meeting at 1:00)
Councilman Frank Virgilio

Absent:

Councilman Jeffery Link
Councilman Robert Pollock

Division employees included: L. Herrighty, P. Nelson, D. Golden, A. Ivany, F. Panico, B. Stoff, L. Barno, C. Stanko, A. Quirk, A. Burnett, A. McBride, J. Sloan, R. Longcor, G. Fowles, J. Heilferty, K. Clark, D. Jenkins, B. Zarate, M. Hall, P. Winkler, M. Woerner and S. Coltrain.

There were numerous members of the public in attendance.

Chairman Burke noted the new quorum is now five and the committees will have to be adjusted.

Chairman Burke asked if there were any corrections or additions to the minutes. There was a correction. He then asked for a motion to approve the minutes.

A Motion was made by Councilman Gudmundsson to approve the September 12, 2017 minutes as amended and seconded by Councilman DeStephano. Vote taken, six (6) all were in favor; motion carried.

Chairman Burke reminded everyone today would be a joint meeting with the Endangered Non-Game Species Advisory Committee and that Dr. Lathrop has to lead that meeting and will join the Council at 1:00. He reported 243 bears were harvested. His observation down south was the weather was not that good for hunting those days. The chairman stated the permit issuance appeared to be down. The mast crop was excellent this year. The harvest and the percentage of tagged bears in the harvested calculates the population to be estimated at 2,040; which is in line with what the Division previously estimated. The Chairman stated there was a news release where the Division's wildlife management area system now has 350,000 acres. It involves 122 different areas. Originally sportsmen paid for 100,000 acres of Wildlife Management Area (WMA) lands. Since then the Waterfowl Stamp program has paid for over 20,000 acres. New Jersey has a very good percentage of public land compared to many much bigger states.

Chairman Burke asked Director Herrighty for comments.

Director Larry Herrighty agreed with the chairman's observation of the bear season. The harvest was lower than last year based on the weather and abundance of natural food the bears were getting. Hunters were reporting a lot of bears on their camera up until two weeks ago when the acorns started coming down. He reported being out and seeing there was an abundance of hickory nuts. The tagged returned bears are half of what the Division had last year which indicates they are out there. If we had a much smaller population, we would have seen a higher percentage of tagged bears come into the harvest.

The Division is moving on with all of the hiring phases, scheduling interviews for various positions throughout the Division. Marine Fisheries received a \$1.2 plus million subsidy this year that will allow them to hire 18 or 19 positions. The Division is waiting for permission from the Governor's office to create the positions. By the time the authorizations come through, half of the fiscal year will be over so Marine Fisheries has submitted a budget to use some of the money to pay for a backlog of operating equipment they are going to need.

Unfortunately, the Division did not get any qualified candidates for Marine Fisheries Administrator position. The position was changed to Assistant Director, which makes it a little higher in the budget and announced it for any state employee. Five candidates applied, but did not meet the criteria. The Division will now will have to ask civil service to approve the posting again with it being open nationwide using that title.

Acting Assistant Director David Golden gave a follow-up to a request made at the last council meeting. It was stated that there was no deer zone description in the digest and requested that a link to the deer zone description be made to the regulation page on the website. This has been completed.

COMMITTEE REPORTS

Agriculture Committee Report:

Dr. Sebastian Reist from New Jersey Department of Agriculture reported his department is watching an insect called the spotted lantern fly which is found on the border of Pennsylvania expected to make it to New Jersey. It is an invasive species for which there are no known predators. It is hard on fruits and tree fruits and native trees in our areas.

In Texas, in the last couple of weeks, there was an outbreak of brucellosis in people. This outbreak has been traced back to the vaccine strain of brucellosis. The cattle are vaccinated with a strain of brucellosis called RB51 to protect them from brucellosis. It is a live vaccine. When RB51 was designed there was not thought given to the fact that people would start to drink raw milk. The outbreaks are in areas where raw milk is bought and cattle farms are vaccinating their cattle to protect them. The effect on the people are not yet know. Dr. Reist noted if you start to hear of brucellosis in the near future, it probably is not from wildlife crossover, it's probably the vaccine strain.

Liz Thompson from the Farm Bureau reported the Bureau undertook an activity where the president created an ad-hock committee to discuss crop damage caused by deer. This was done because there were many more phone calls and many more issues. The group has met once and will probably meet a second time to formulate thoughts, ideas and plans. They plan to engage the Division. Ms. Thompson noted that Councilman Brodhecker was a part of the first meeting along with two former council members. The committee will try to find some solutions and work on some education for landowners.

Chairman Burke stated that Councilman Link could not attend the meeting today because of his busy work schedule.

State Federation Reports:

Councilman Virgilio stated he and Councilman Brodhecker have discussed putting together their first meeting for the Farmer/Sportsman Relations Committee and setting an agenda by next month.

Councilman Virgilio reported meeting with two counties, Cumberland and Gloucester. Cumberland is advertising their annual trash hunt to be held on March 17, 2018. It is a county-wide trash hunt on all properties. In the past, there has been 500-600 people, there are dumpsters and it is supported by the Municipal Utility Authority in Cumberland County. The MUA donates money toward this effort. It has been going on for about 20 years. Cumberland also had concerns of pheasants being stocked on Thanksgiving Day this year. They were told there was a reduction of stocking on Thanksgiving Day. Acting Assistant Director Golden confirmed that fewer birds are stocked on that day due to the restructuring of the stocking schedule in order to bring standardization and consistency across the state, but for the season they still get the same percentage of birds as in the past. Councilman Virgilio stated the reason for the concern is in South Jersey is because Thanksgiving Day is the biggest hunting day of the year.

They were pleased to see New Jersey Parks and Forestry liberalize tree stands on state parks.

Chairman Burke asked Acting Assistant Director Golden to review the new rules for tree stands. He stated during the season, hunters can leave stands unattended without risk of losing them and paying a fine as was in the past. This is consistent with Fish and Wildlife rules.

Gloucester County was very pleased with conflict resolution relating to field trials and cutting grass. They are also pleased that the Division is looking into the range on Piney Hollow Road. They want to know if the Division plans to bring one of the track chairs to the southern region. The response was yes. There is interest in the two counties for the R3 Programs. Councilman Virgilio reported he attended a dinner for the R3 Program given by Morris County and they raised \$11,000 to be transferred to the Sportsman Federation to be used for R3 Programs. The pheasant problem was discussed and how to come to a resolution and the need to supply quality birds and maintain reasonable cost with reasonable personnel.

Councilman Gudmundsson stated he was happy to see the pheasant numbers. Morris County was concerned that the Flatbrook numbers were down even though they are the same as last year.

Councilman DeStephano stated he attended the R3 dinner. It was a nice job and they had a good turnout. The event was attended by past directors from other states as well as New Jersey. He has been getting numerous phone calls regarding the pheasant situation and Rockport.

Councilman DeMartino reported he attended the Burlington County meeting they are looking for clarification why they cannot use #4 buckshot for coyote at night. Chairman Burke responded to report back that the Council would look at it during the next game code revision and it probably had something to do with deer hunting.

Chairman Burke reported he attended the Atlantic County Federation meeting and it was routine. Conservation Officer Dan Faith attended and gave a presentation with a question and answer period with a lot of deer questions.

Councilman Brodhecker reported farmers up north are in the process of harvesting corn which brings in the geese. A couple of days before bear season, it was reported a bear killed a sheep. He attended a committee meeting with the Farm Bureau for deer problems and issues. The meeting is in its early stages of identifying issues and what can be done or how they can move in to evaluate the situation. One of the issues farmers identify, which is the same problem here on the Council, is access to land. The landowner who owns the farm may not allow hunting or they have a hunting club and the hunt club is very exclusive in what they manage their deer for. It was emphasized to the farmers, when they get a new contract on their land they need to get the right to use depredation permits separate from hunting rights. Since that meeting, the Cooperative Extension up north, Steve Comar, reached out to Rutgers, who has a new drone, and put in for funding and availability to do a program on doing drone scouting fields for bear and deer damage.

Finance Committee:

Assistant Director Paulette Nelson reported the finance committee has not met but is willing at any time.

Fish Committee:

Councilman Gudmundsson reported there was no meeting but Chief Barno reported later for the Fish Committee.

Game Committee:

Chairman Burke reported there was a meeting on pheasant production. A presentation and discussion will be at the November meeting.

Legislative Committee:

The legislative activity report was distributed. Assistant Director Nelson stated there has been no activity as legislators are campaigning.

Endangered & Non-Game Species Advisory Committee:

Councilman Lathrop is chairing the Committee and will join after lunch.

Waterfowl Stamp Advisory Committee:

Chairman Burke reported the Committee met on September 19th. The Committee reviewed three different properties. Lately, since the committee does not have a big budget, the Committee has been contributing a portion of the price for the property if they like it. At the previous meeting in March, the Committee had interest in three properties. One is being purchased, one is still pending and the third property was lost due to another company coming in and buying the whole piece.

Wildlife Rehabilitators Advisory Committee:

Councilman Brodhecker reported their next meeting will be held on October 25th.

Public Member:

No report, Councilman Pollock was absent.

DIVISION REPORTS

Barbara Stoff, Licensing and Permits reported that two weeks ago she attended the Conservation Business Manager Association along with Assistant Director Nelson and staff member Steve Tesar. She attended the licensing committee for all three days and received a lot of ideas based on what others are doing in their states. Ms. Stoff spoke about an e-mail campaign to help increase licensing sales in conjunction with the Archery Trade Association, Responsive Management and Active Network. She stated hunting licenses are down, but the weather is still warm and she expects sales will start to increase soon. The beaver and otter application period is open now.

Chief Lisa Barno, Bureau of Freshwater Fisheries reported the Fish Code went out for comment on October 2nd and have received 20 comments so far. At least 17 of them had to do with drinking water rules because the drinking water rules and the Fish Code rules docket numbers were one digit off. The public hearing is scheduled for November 14th at 7:00 pm at the Assunpink Office conference room and on December 12th, public comments will be reviewed and a vote to adopt the Fish Code will take place.

Fall trout season is underway. The water levels are a lot better than last year, but still on the low side. Upper South Branch is still a problem above Long Valley. Fishing started off a little slow but has picked up with anglers catching two- and three-year old fish. The last day for fall stocking is October 18th. Winter stocking will start on the Monday and Tuesday before Thanksgiving. Deputy Commissioner David Glass did filming on Facebook Live at Pequest with Ed Connelly going over the culture operations showing how the trucks are loaded all the way to stocking the Pequest River.

A vehicle accident occurred near Spruce Run Creek sending 10 gallons of diesel fuel into the creek. It has been cleaned up and hazmat is satisfied with the process. As a result, the quarry clean-up was suspended and waiting for approval from hazmat to continue. Site Remediation has given approval to do clean up through several barriers but will need a pool area to vacuum out the sediment. The target date for completion is October 31st, but will probably go until 2 weeks after that.

Columbia Lake dam removal project is moving forward with a Dam Safety permit potentially being issued. As a result of the dam safety permit application, there is a public hearing requirement because there have been voiced opposition about the dam removal. That hearing has been scheduled for November 20th from 6 – 9 pm at the North Warren Regional High School. We are moving closer to approving the fish passage design through the Route 80 culvert with the US Fish and Wildlife Service.

Chief Al Ivany, Information and Education, reported he checked with employee Nate Figley and confirmed two of the track chairs will permanently be stationed at the Southern Region Office. He gave an update on the Pocket Ranger app that was asked about at the last meeting. He stated the app will no longer be available. There is no contract with the State and the Division will not promote it any longer. Chief Ivany announced a new staff member, Ryan Risher, will start on November 13th and he will work out of the Assunpink office.

GovDelivery or Granicus, the company contracted to dress up the Division's e-mails and do promotions, will have a training in Trenton on October 18th. Pequest improvements continue on the infrastructure. The pond bathrooms have been redone with new sinks and counters. In the near future, there will be other improvements to the pond handicap access site, a new set of stairs and other improvements. The breakroom in the natural resource education center is currently being renovated and the lobby will be painted soon. There has been a lot of issues with a leaking roof. Contractors have been looking to see what is needed in order to fix it. There has also been a lot of improvements on the grounds.

As mentioned by Chief Barno, the Bureau did a Facebook Live from the Pequest and Hackettstown recently. It worked very well and the staff did a tremendous job getting an amazing amount of information out to the public. So far there have been 18,000 views. While live on Facebook, people were sending in questions. The Division's Facebook page continues to grow with 17,500 likes.

The annual report for fiscal year 2017 is now available on the website. Four major news releases have been sent out on black bear season, fall trout stocking, wildlife management area system

350,000 acres and the deer and motorist. There was a record attendance at the Wildlife Expo with approximately 8,500 people in attendance. The Division's Instagram page is now up and running with 461 followers and is growing steadily.

Chairman Burke, on behalf of the Waterfowl Committee, asked Chief Ivany how many people will see the waterfowl duck display recently install at Pequest. Chief Ivany responded it is in the exhibit hall but will ask for an estimate on number of people who have visited.

Acting Assistant Director Golden reported on behalf of the Bureau of Land Management and gave an update on working with the Sportsmen Federation on planting some field with winter cover as part of the farm lease program. The goal was 300 acres, as of now we have four farmers willing to volunteer to be a part of the program. One is in northern New Jersey, Clinton WMA, and will plant 42 acres and the other three are in Central, at the Assumpink WMA, and will plant 100 acres each.

Acting Assistant Director Golden gave information of pheasant stocking in the Delaware Water Gap making reference to two maps that were passed around. After a brief discussion, **Councilman Gudmundsson made a motion to implement the plan (to distribute pheasants) as proposed with an early season in the red areas with the opportunity to refine by doing site visits, seconded by Jim DeStephano. Vote taken, all were in favor; motion carried.**

Acting Chief Matthew Brown was not present and Deputy Chief Frank Panico made a report on his behalf. Deputy Chief Panico reported the marina received delivery of a 36-foot Calvin Beetle patrol boat named Integrity. It is temporarily docked in Atlantic City. It will be moved from port to port wherever they need it. There were 5 arrests at the bear season protest and 12 summonses related to bear offences during the week. The Bureau's new COs are in their 3rd and 4th week of field training program learning their areas with their coaches. Deputy Chief Panico confirmed there were two officers at the last Warren County Federation meeting, one at the last Essex County Federation and someone was just assigned to be the representative for Sussex County Federation meetings.

Chief Carole Stanko, Bureau of Wildlife Management reported there are still 4,174 bear permits available and they will go on sale November 1st. No zones were sold out in segment A as compared to last year where zones 1 and 2 were sold out. As reported previously, opening day of deer season was off to a really good start, harvesting was up 71% over last year. When numbers were polled yesterday, they were down 21%. It is expected it to pick back up when the weather starts getting cold. The number of deer taken to date is 9,498 compared to 11,998 to the same date last year. There was a report of EHD from the biologist in Wallkill. She reported 12 – 14 deer died recently near water. Unfortunately, she did not contact the Division in time so that serum samples could be taken. Last night's hard frost probably took care of the problem.

Early License Restoration Appeal Hearing

Captain Linda Quirk read the statement for revocation appeal for Mr. Michael Williams who was present. Mr. Williams was convicted of a violation on January 7, 2015 of having an uncased gun

and on July 24, 2017 of failing to wear florescent orange visible on all sides while firearm hunting and the statements of the issuing officers.

Mr. Williams testified as to why the Council should restore his license.

Chairman Burke asked for a motion to open the floor for discussion.

Councilman Gudmundsson made a motion to open the floor for discussion, seconded by Councilman Virgilio, all were in favor, motion carried.

After the Council discussed Mr. Williams' violations, **Councilman Gudmundsson made a motion to close the discussion, seconded by Councilman DeStephano.** Chairman Burke moved the hearing to table, restore or not restore.

Councilman Virgilio made a motion not to restore Mr. Williams license due to the seriousness of both violations, there is nothing minor and there were no extenuating circumstances in either case, seconded by Councilman Gudmundsson, all were in favor, motion carried

Chairman Burke informed Mr. Williams that his request has been denied.

PUBLIC COMMENT (3MINUTES)

Janet Pizar, Millburn, NJ expressed her thanks of clarification of public comment period on agenda items. The way it was previously written gave the appearance the public would have two opportunities for public comments.

Barbara Sachau, Whitehouse Station, NJ commented she wanted to put on the record the fact that there was a killing of a family dog in Readington Township. It was in a lot of local newspapers. It showed how there was negligence on the part of the hunter in that he could not tell the difference between a dog and a coyote. The family was devastated. It was a very important dog for that family. Sometimes, I don't know if you people even understand, some people regard dogs as part of their family. Along the same line, right about the same time, the same thing happened in Canada. A woman was walking her therapy dog and a hunter took aim. It's happening all over hunters can't see straight. They can't seem to see what they are firing at. That is one of the first things they are supposed to be doing is telling what they are shooting at. In this township and surrounding areas, they not only killed a dog, they killed two horses, they killed another hunter. It's a very ominous place for the public to live. It's a disgusting, vile habit to go out and shoot an innocent animal just trying to stay alive. And to make money off its death is even worse. And a lot of people feel that way. None of you seem to pay attention to them. To me is vile. And I know a lot of other people who feel the same way. Two hundred forty-three (243) bears killed for no reason at all, most of them babies who didn't even know how to live. A lot of them were babies, it's disgusting. I'd like my comments to be in the public record because you need to acknowledge that that's happening. That the people are upset about what goes on here. We don't like it. Thank you.

Chairman Burke asked for an update on State Wide Action Plan (SWAP). Director Herrightly reported SWAP is being reviewed at the Commissioner's office. The intention is to post it on the website and then submit to the USFWS. There will not be a public comment period.

Lunch: 11:56 am – 12:50 pm

After lunch, the Fish and Game Council and the Endangered Nongame Species Advisory Committee came together and gave the following Presentations.

Chief Stanko announced the Division of Fish and Wildlife in conjunction with USDA Wildlife Services will host a Trapping Matters Workshop in New Jersey. It will be schedule for early March. It is put on by Association Fish and Wildlife Agencies (AFAWA). They will provide the instructors and deal with different types of trapping that are both allowed and not allowed in the State of New Jersey. More importantly, it teaches us how to speak to the public about trapping and what an important wildlife and resource tool this is. We intend to have some of our employees attend. The invitation is also extended to both ENSAC and Fish and Game Council.

Chairman Burke asked everyone on the Council and the Committee to introduce themselves and tell a little about themselves.

The following presentations were made:

New Jersey WMA User Survey, presented by Catherine Tredick, PhD and Dan Moscovici, PhD from Stockton University.

Joint presentation between the Wildlife Management and Non-Game programs, presented by Gretchen Fowles, Bureau of Endangered and Non-Game Species Program and Anthony McBride, Bureau of Wildlife Management

Bat Conservation Project presented by Mackenzie Hall, Bureau of Endangered and Non-Game Species Program

Quail Project presented by Andrew Burnett, Bureau of Wildlife Management

Wildlife Road Crossing Projects presented by Brian Zarate, Bureau of Endangered and Non-Game Species Program

A motion was made by Councilman DeStephano and seconded by Councilman Brodhecker to adjourn the meeting at 3:35 pm. Vote taken, all in favor, none-opposed; motion carried.