

# **MINUTES OF THE MEETING OF THE NJ FISH AND GAME COUNCIL**

**Central Region Office  
Robbinsville, New Jersey  
September 11, 2018**

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

The meeting was called to order at 10:05 a.m. by Acting Chairman Frank Virgilio.

The Flag Salute and the Pledge of Allegiance were completed.

Acting Chairman Virgilio 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 September 5, 2018, and delivered to the designated newspapers for the Division, the Atlantic City Press, published on September 7, 2018 and the Newark Star Ledger published on September 8, 2018.

Roll call was taken in attendance:

Councilman Phil Brodhecker (late arrival 10:15 a.m. )  
Councilman Joe DeMartino  
Councilman Jim DeStephano  
Councilman Agust Gudmundsson  
Councilman Dr. Rick Lathrop  
Councilman Jeff Link  
Councilman Bob Pollock  
Councilman Loren Robinson  
Councilman Ken Whildin  
Acting Chairman Frank Virgilio

Division employees included: L. Herrighty, B. Stoff, L. Barno, A. Ivany, S. Cianciulli, J. Heilferty, J. Bullock, and D. Bajek

There were numerous members of the public in attendance.

Acting Chairman Virgilio stated that the minutes from July will be ready for the October meeting due to the secretary dealing with a death in the family. There was no meeting in August.

Acting Chairman Virgilio started his comments by taking this opportunity to mention the activities over the past month or so with the Governor's order and our Commissioner's

Administrative order. He views this as a great opportunity to bring different groups together. These groups at times have been at odds over our bear policy and now they can work together and re-examine the non-lethal methods that we control wildlife within our policy. Talking about working within the scope of the policy, it still requires man power and funding requirements. “Finally, we have something to bring us together. My cup is always half full, so I don’t always look for the bad in an issue, I look at the good in an issue and areas where we can find common ground. I think this is an opportunity to do that.”

Acting Chairman Virgilio asked Director Herrighty for comments.

Director Larry Herrighty welcomed new employee Danielle Bajek to the meeting, she is Carole’s new Administrative Assistant. On Sept.8, he attended a memorial service for Madelyn Picone, who had passed away earlier this year. Madelyn was one of the rare Council people to serve 8 years, from 1981-1989 then took the mandatory 4 years off then came back to serve the Council for another 4 years. She was a very good councilwoman who had interest in fisheries and was chair of the Fisheries Committee for many years. On behalf of the division, Director Herrighty sent condolences to the family.

Acting Chairman Virgilio read the public comment statement. Public comment is limited to 3 min. per person and 15 min. total time. Today however there will be an additional public comment for black bear.

Acting Chairman Virgilio asked to move the black bear discussion up to before lunch, due to the Assistant Commissioner and the media having to leave early.

**Vote Taken. Unanimous consent**

### **COMMITTEE REPORTS**

Agriculture Report:

Councilman Link reported about the doe harvest prior to a buck harvest has been very successful. The archery guys are doing an excellent job in reducing our antlerless herds. People were questioning the bear hunt.

Disease Control:

Dr. Sebastian Reist from New Jersey Department of Agriculture reported on horses with encephalitis. There is also an increase in bird mortality. Testing is down due to funding. Dr. Reist mentioned that Somerset County was the “New winner” of the long-horned tick. He noted we were not overwhelmed with ticks this year. The public was bringing in ticks that they found, most of which were not ticks. Dr. Reist also commented that someone had even brought in a Pseudo scorpion. Anyone who finds an unusual tick on themselves or deer is urged to bring it to their county agricultural extension office for testing.

NJ State Federation of Sportsman's Club:

Councilman DiMartino reported that there were no meetings for the summer. There were a few complaints on fluke; there were not enough keepers. There have been some complaints on the Executive Order. Councilman Brodhecker reported that two farmers sweet corn was damaged by bears. More damage than they have ever seen. A land owner called and said they have damage in the fields due to the bears and have hunters lined up and ready for bear season. He also reported a lot of field damage due to bear rollovers in the field that you might not notice from the outside of the cornfield, but from the middle or above you could see all the damage that is being done.

Farmers/Sportsman:

Councilman DeStephano reported that on Saturday they had NJ Wild Outdoor Expo in Colliers Mills WMA. The event started out slow because of the very heavy rain, but as soon as the rain let up people were pouring in. In talking to a few people, it was reported that two people saw a bobcat. It will be handed over to the Endangered and Nongame Program this week. He mentioned that the state had two bear traps 150 yards from his mail box; in seven days they caught four different bears and three of them had never been tagged before.

Councilman Gudmundsson reported that he came back from Colorado to a lot of e-mails. He couldn't make the Morris County meeting due to jet-lag, but he did attend the Warren County meeting. There was a lot of discussion about the bear issues. He also stated that people are looking forward to fall stocking. He will hold off until the bear discussion.

Councilman Robinson went to a meeting in July where they discussed a bill to allow Council to set license and permit fees and discuss the R3 initiative. He mentioned the Hunterdon Hill Friends of the NRA dinner that is to take place on September 28, 2018. He also went to Middlesex where there was a lot of discussion about the bear hunt. The NJ State Federation Convention will take place on April 26-28, 2019, in Ocean City.

Law Enforcement:

No meetings in July and August

Chairman Frank Virgilio- No meetings in July and August, will be going to a meeting tonight in Gloucester County.

Chairman Virgilio would like to skip the committee reports and move into the Division reports before the bear discussion.

Division Reports:

Law Enforcement Report:

Acting Chief Sean Cianciulli reported that there will be a training seminar held on Thursday September 13, 2018 to train thirty officers how to handle bear complaints in their community. Chairman Virgilio thanked the Chief for following up on the recommendation and he appreciates

it. Most of the Park Police officers have had some bear training, they are offering a second class in the next few weeks to make sure to cover the officers that couldn't make the first class.

Acting Chairman Frank Virgilio commented that bear conditioning is important and appreciates the Chief following up on this. Another question was when baiting was illegal for white-tailed deer the CPOs used to actively engage in trying to apprehend the hunters. Baiting for black bear on the ground or elevated in a tree or structure is illegal, are there going to be any fresh eyes looking at that as a possible patrol thing in the north?

Chief Cianciulli replied with seven officers operating the northern region, we address complaints as they come in our office. Any complaint that can be investigated, will be. Public safety being our primary concerns.

Chairman Virgilio wants to make sure this issue is on the radar screen.

Chief Cianciulli also mentioned that adequate security and coverage takes up a lot of man-hours.

Councilman Gudmundsson asked if the thirty officers being trained are from bear country? The chief replied that he doesn't have the list, but all are from bear country, though it might not be as dense of a population.

#### Information and Education:

Chief Al Ivany, Information and Education, reported that they held the Wild Outdoor Expo this past weekend. Due to bad weather attendance was significantly down this year. He mentioned on Saturday they had 1,975 attend and 565 on Sunday, with a total of 2,540 people attending. Sunday's event had to be closed early due to the weather being so bad. The new Mobile Conservation Outreach Trailer was picked up last Friday, September 7. This trailer highlights the partnership between the Division of Fish and Wildlife and the US Fish and Wildlife Service's Wildlife and Sport Fish Restoration (WSFR) program. Chief Ivany reported that they had the trailer at the Expo, and 904 visitors walked through. We have representation from most division programs in the trailer and will be developing exterior displays to include programs that are not yet included like law enforcement, shellfish, and some of ENSP, as they do not receive WRSF funding. Chief Ivany would like to give thanks to everyone who contributed to the development of the trailer. Special thanks went to Jessica Griglak, the program coordinator for the trailer, Linda DiPiano, who oversees the Federal Aid outreach grant for the division, and Bob Longcor who oversees the Federal Aid program for our division and who played a key role in getting us the grant. Also, thanks to the Bureau of Land Management for their support and assistance moving the trailer.

The Association for Conservation Information (ACI) awards recently took place at its annual conference, and the Division of Fish and Wildlife won three awards. The conference was held in Springfield, Missouri. There were 28 categories and New Jersey entered 17. We placed 3<sup>rd</sup> in regulation publication for the Fresh Water Fishing Digest, 2<sup>nd</sup> in Audio Podcast, and 1<sup>st</sup> in Know the Bear Facts (a onetime publication). Chief Ivany mentioned that the black bear program has received several awards over the years. Staff is looking into a Spanish version of the brochure.

He also suggested that we get back into recording Public Service Announcements regarding bear safety for state-wide air time.

Acting Chairman Frank Virgilio talked about the public service announcements and human nature problems, you can give education but maybe a PSA to talk about the importance of it and why, would be a good one to air.

Chief Ivany Replied yes, to talk about the most important message to get out and expand more in social media in the future. He also stated that we are moving forward in the video area, and top-quality production about bear education.

Acting Chairman Frank Virgilio commented about the report that was published on the women's only hunting class in Sussex County and can we expand to other regions?

Chief Ivany replied that they are looking to further expand the program state wide.

Acting Chairman Frank Virgilio stated that there are two foundations willing to give scholarships towards different activities.

Wildlife Management:

Chief Carole Stanko reported regarding what Dr. Reist had mentioned about the longhorn tick that it is everywhere and has been found in CT for the first time. She gave an update on the pheasants, the weather has not been kind this year. We had 15,000 adults and remainder in six-week-old chicks. When we raised pheasants, we hardened them off, meaning we keep the door open for the chicks to be able to go in and out before they are moved to the range pens. The purchased 6-week old's didn't have that luxury of being hardened off and that, combined with the stress of moving them, resulted in a 16% mortality rate. We are not at stocking season yet and that with all the rains we might have an even higher rate. The bid on the adult pheasant contract was closed this past Thursday and were waiting to hear from Treasury to see who competed and who won that bid.

She also reported that they had the first CWD Task Force meeting. In attendance were Bureau of law Enforcement, Bureau of Wildlife Management, Bureau of I&E, and Wildlife Health and Forensics. Discussed was updating our response plan and any amendments to the game code for CWD prevention and response. Chief Stanko added that she plans on having the next meeting next month, when we do final updates to our response plan we will call in our external partners to a seat at the table and proceed from there. As far as bears go, we closed our Fall research trap line on the 6<sup>th</sup>. It must be closed one month in advance of the hunt to allow for the immobilization drugs to be metabolized out of the meat, so it is fit for human consumption. Chief Stanko was honored that Chairman Virgilio came out with the staff. This year they tagged 128 bears, 50% of which were tagged on state land. Last year we tagged 135 bears and 54% were tagged on state land. Staff is gearing up for opening day October 8<sup>th</sup> and looking forward to bear season.

Councilman DeStephano questioned if they concentrated the tagging on state property.

Chief Stanko replied that they spread it out as evenly as possible throughout bear country both private and state lands. The bears wander in and out of state lands all the time.

Chairman Frank Virgilio commented that on the day he went out with them, chief Stanko's staff impressed him. They were workaholics and very safety oriented. Chief Stanko stated that she knows how lucky she is to have the staff that she has and that they always do a great job.

Director Larry Herrighty mentioned that Jason Hearon the new Lands Management Chief, is working on signage regarding state land closure to post.

### **New Business:**

#### **Open discussion bear 2018:**

Councilman Gudmundsson stated that in Warren County they are receiving lots of calls about hunting on private land, if they shoot a bear and it then goes on public land are they allowed to recover the bear if it hasn't died and they must shoot it again? Are they in any violation since they started on private land?

Chief Cianciulli stated to call law enforcement, leave a message if no answer and advise them that you are attempting to recover a bear. It's imperative that the animal be recovered for data and so it's not left for waste. In the event that a bear goes on state property and still is not dead, have an officer to accompany them to comply with the order and recovery.

Chief Stanko mentioned that they are putting together a frequently asked questions list to be released soon to both the public and internal staff that answers the incoming phone calls.

A question was asked that if you were hunting on private property and did break the law, would it be a hunting violation, and if so, what kind of violation.

Director Herrighty replied that it would be a WMA violation which would be a Title:23 violation. There will be similar provisions for parks and recreation areas as well. It's not a Title:23, but just park regulations. The website is being kept up to date on this topic. Always check the state website for any info or questions.

Councilman Link had asked, how is law enforcement prepared to handle and monitor all the properties that are off limits of the bear hunt?

Chief Cianciulli responded that to the best of their ability, they will address the complaints as they come in. Welfare is primary then go down the line from there.

Councilman Link also asked, if there will be additional officers at the check stations and would state police be involved?

Chief Cianciulli replied that they have always used the state police as well as the state park police. Chief Genardi of the State Park Police has offered their assistance to CPO's at check stations as well as on the field. They will handle most of the complaints on park properties.

Councilman Gudmundsson brought up the money issue, The science has backed us up, now who's paying for the changes in regulations? This is being imposed on us outside of hunters' control. The hunters find it intrusion on their revenue and fees that they pay.

Chairman Virgilio responded that the comprehensive bear policy is a good one. Funding by government and human personnel.

Councilman Gudmundsson asked if the Administration offered to pay for the consequences of their decision?

Director Herrighty responded that it's been discussed but does not anticipate any additional cost to hunters. Biologist will still be doing the same work at the check stations.

Councilman Gudmundsson also mentioned that those who want to hunt bear will be regulated to smaller spaces.

Chief Stanko replied that they are already hearing from hunters that they are approaching private land owners to get more properties opened for hunting.

Councilman Brodhecker commented that the bear population is from one end of the state to the other, but it is only focusing on the north. Farmers in the central and southern regions are seeing bear damage as well. They are concerned that without the hunt in the north, they might increase in other areas.

Chief Stanko replied that because there are sightings in every county does not mean we have a population in every county. If in the future it warrants opening it to southern and central regions, then it will be addressed at that time.

Director Herrighty replied to have farmers who are seeing bears to call in, so we can have a better assessment of where they are.

Chairman Virgilio would like to open the floor to public comment on black bear only at this time.

### **Public Comment on Black Bears Only: (3 mins.)**

Janet Pizar, Founder of Public Trust Wildlife Management, and a 19-year bear protector, stated that in 1956-1971 bears were depleted due to hunting. It took 29 years to call a hunt again in 2000. She then stated that Governor Whitman shut down the hunt 9 days before the hunt was to take place. She said Murphy lost all credibility and now he is back pedaling. He pledged to ban the hunt but only banned it on State property. Murphy is talking about more emphasis on non-lethal black bear management. The 1988 effort failed. Since there has been bear hunting we hear nothing about adverse conditioning, nothing about the use of dogs, nothing about pyrotechnics, or the violations. We know about the West Milford test about distributing bear proof garbage cans and how we came to see it was not at all effective. However, the photo documentation that was collected shows the bear proof cans with black garbage bags sitting on top and next to the

trash cans, so there was encouragement for the bears to come on to the property and take the garbage. Bear proof cans did not fail. The instructions to the West Milford community were non-explanatory that this was how the people used it, bear proof cans and garbage bags side by side. Governor Murphy has lost all credibility and trust from the people

Barbra Sachau, 20-plus years of animal protection. This council was told by the supreme court at least 5 years ago that it should be taking some humane steps with animals, and it has failed and done absolutely nothing. According to the Supreme Court of New Jersey, Governor Murphy does have the authority to shut down the hunt. She states that these hunters put out greasy donuts and things like that, and then they kill the cubs and mama bears. It's absolutely disgusting. She said there are 9 million people in NJ, and we are getting thousands of complaints to stop killing the bears. This council ignored their pleas. There are millions of people over this world calling to end hunting, and yet we have this 1860 thinking that goes on here in this council. This division keeps their own numbers and have their pals call in with made up problems with animals and you keep the records on those.

Ed Markowski, NJ Outdoor Alliance, said there is a lot of disappointment in the path the Governor and Commissioner took by managing wildlife with politics and without science. The bear policy of Fish and Wildlife has been both effective and monitored in harvesting animals from interfering with human property. We see an 85 % reduction in the Category One bears. He can only attribute that to the nuisance bears in close proximity have been harvested because they are the easiest ones. Secondly, we look at the other bears that have been educated. The Governor's decision was met with a 9-1 ratio. The areas that are not being hunted are putting other people at greater risk because these bears won't be adversely conditioned. This will affect the overall bear population, by harvesting these animals we keep a healthy population. He looks at this as the first step towards regulating hunting in the state of New Jersey. He would like for the Governor and Commissioner to take responsibility for any increase in Category One bear incidents that take place whether its destruction of property or an injury to a person.

Sue, Jackson, NJ, stated farmers know her as the current president of the Horse Council and she was raised as a farm girl. She stated that bear and deer are no friend to a farmer. There are a lot of incidents that are not reported anymore. She encourages others, especially from the north, to make a report if they see a bear. Damage to property and livestock has increased.

Ed Karecki, President of Riverside Gun Club, stated that he is a hunter and he hunts for bear on state, federal and private land in north Jersey. He also hunts for deer and everything gets eaten. He agrees with the biologists and thanks the Council for keeping the bear hunt.

Liz Thompson, Farm Bureau, stated that the NJ Farm Bureau supports the black bear management policy that was adopted. She stated that all wildlife populations should be managed by science and not by public opinion. She agrees that education and adverse conditioning is important and helpful, she mentioned that trash management and education is not helpful in farm country. The only thing that makes a difference in a cornfield is lowering the population.



**Chairman Virgilio concluded the comment section on black bears and returned to the committee reports.**

Finance Committee:

No Meeting, nothing to report

Fish committee:

Councilman Pollock reported that they met on August 15<sup>th</sup> at Columbia Lake Dam site to discuss two items. The first, was a proposal for a pilot program for stocking grass carp in Lake Hopatcong to consume aquatic vegetation. This was coming in front of the fish committee for two reasons. First, the Fish Code only allows triploid grass carp in contained lakes less than ten acres and no more than 100 fish. The Lake Hopatcong Foundation is requesting 140 fish. Council Pollock indicated that we do not feel that the committee can make a decision on this because of the containment issue. We don't think a dam would be ideal right now. Additional information concerning the proposed pilot is also expected as such. There is no motion being made right now. To allow the stocking of grass carp in Lake Hopatcong would require us to change the Fish Code, both the requirements with the 10-acres size restriction as well as the stocking limit of 100 fish.

The second item concerns a conservation easement by a land owner, Mr. Cotton. Chief Lisa Barno explained that the easement goes back to early 1990s. There is a 1200 ft. section of the Musconetcong River that Mr. Cotton owns on both sides. The easement is only for 1200 feet of the Warren County side, so it only goes to the mid line of the river. The remaining side on the Hunterdon County side of the river, he runs a private fishing club that is not included in the easement. There were some difficulties in the beginning as the public tried to use the property. Mr. Cotton went back to court and was given the option to buy back the easement, but he did not choose to do so. In 2002 a consent order that included fishing regulations and for the Council to consider regulating this easement as a Trout Conservation Area. There is a one 15-inch trout per day limit for TCAs. If the Council did not opt to adopt trout conservation regulations then within the consent order there is a default of two trout per day limit, fly fishing only. The fish committee reviewed the options to regulate this easement as a conservation area. They felt it would be impossible to enforce.

**Councilman Pollock motioned to not take action on the court order in regard to trout conservation regulations for the easement resulting in a default 2 trout per day fly fishing only for this section on the river, seconded by Councilman DeStephano, vote taken, all in favor, none opposed, motion carried.**

Licensing and permits:

Barbara Stoff, Licensing and Permits, reported that this was the first year there were no phone calls on harvest report opening day, so that's a good thing. The program was put in place two months ago, they are using a driver's license validation. What was happening for years was that if you went to a license agent that had the VeriFone machine, you would type in your driver's license in your profile and it wasn't checking anything so if there's an error in your driver's license or if someone reversed your name in the system then you might have created a second

profile. She also reported that there were some programming issues, they are finding little glitches here and there. For instance, people were having difficulty clicking on active duty. She stated they are trying to figure out a fix for the future. Yesterday was opened for permit sales for deer, turkey, and bear. Sales are slow across the board this year. Working with I&E and Archery Trade Assoc. in part two of a study regarding communication and e-mails for recruitment. E-mails went out on the 6<sup>th</sup>, that was the first batch and the second batch will be going out in January. She did receive a copy of the report from the first study and it's over 300 pages long, so she hasn't finished going through it yet. There is some interesting information regarding all the states that participated and what communication styles seem to work best. The evaluation committee for RFP will meet in October and we should be seeing some presentations at that time. It's been difficult working with Treasury and she hopes to have a new contract by the end of October.

Council Gudmundsson had a call about hunter education with a hunting license issues. Barbara is aware of some of the issues with the hunter education proof. She is receiving some calls from license agents who need to re-read the instructions, which usually answers their questions. Councilman Gudmundsson suggested sending an addendum to explain how to solve the problems they are encountering. Barbara mentioned that they should call the Trenton office if more information is needed.

**Chairman Frank Virgilio would like to thank the Assistant Commissioner for attending the meetings.**

**Lunch: 12:00- 12:48**

Conservation Officers Presentation:

Acting Chief Sean Cianciulli, Bureau of Law Enforcement, awarded the Officer of the Year Award to Jordan Holmes. Chief Cianciulli talked about how when he talks to applicants that this is not just a job, it's a lifestyle. He stated that Jordan has been with the force approaching 10 years this September. He has adapted and worked with everyone in the bureau and the division and has accepted the role and responsibility. He said Jordan always took on extra work, he is a self-motivated and dedicated officer who never complained. Jordan is always the first to volunteer on assignments, who always puts himself on the front lines as much as possible. Jordan took over an undercover operation that took several years and once the investigation was over, he took the case on in which he had to conduct over 70 interviews. In just a short amount of time he was able to successfully complete the job and have the case prosecuted for over \$25,000 in fines and restitutions. Chief Cianciulli noted that you can't usually get the prosecutor to invest that much time for a wildlife crime. Congratulations Jordan!

Game Committee:

Councilman DiMartino missed the meeting due to someone having an accident. Chairman Frank Virgilio discussed with the bureau chiefs the letter that he wrote to the Governor regarding bear management and that we want to take a proactive stance on that. We have more work to do in the game code committee and will schedule another meeting.

Councilman Gudmundsson asked about the changing from a 2-year cycle to a 3-year cycle for Fish Code game since it takes so much time to get things through administratively.

Chief Herrighty replied that we should understand that we used to be able to get this done in six months, now it's two years and in some cases three years. We have a new administration and we really don't know how they are going to handle rule-making. They seem to be very accommodating and fast tracking more than the regular department.

Chief Lisa Barno added that we talked about going to a three-year cycle at least for the Fish Code, they have been more accommodating about moving things through.

Director Herrighty mentioned that there are some things we are discussing in the CWD committee we might want to adopt in the code that gives flexibility when disease comes in. There are some grey areas there, we are not there yet. Several states have adopted regulations to ban urine-based lures, Virginia being one and Vermont as well. He asked staff to purchase some samples of artificial lures to hand out to the Council for the sportsmen to try. They are no more expensive for being a new product and they don't deteriorate like a urine-based lure. Will hand out to the Council and at the next federation meeting.

Legislative Committee:

Chief Herrighty stated that Dave Golden and Paulette Nelson are at the AFWA meeting in Florida. Nothing much on the legislative area currently

Endangered and Nongame Species Program:

Dr. Lathrop reported that during the summer months there was a large effort for NJ coastal birds. Staff is working in this area of beach nesting. This past seasons data was especially hard hit with major losses by predation.

Land Management Committee:

Dave Golden and Jason Hearon are out.

Waterfowl Stamp Committee:

Councilman DiMartino added that he will have more to report later. There is a meeting Tuesday night.

Finance committee:

Councilman Link said there has been no meeting in a while. Next meeting will be on October 24.

Wildlife Rehabilitators Advisory Committee:

Next meeting October 24<sup>th</sup>.

Law Enforcement Committee:

Next meeting in November.

Public Member Comments:

No comment.

#### Freshwater Fisheries:

Chief Lisa Barno, Freshwater Fisheries reported that Mark Boriek, one of our fish biologists retired September 1, 2018 after 41 years with the division. He had the lower Passaic and the coastal drainages, so his regions have been divided amongst the remaining biologists. She stated the we recently had our Expo. The weather was bad, but even so kids were out fishing in the kiddie trough and having fun. It's nice to see the aspect of the work that we do. There were a lot of return visitors, there were a few kids that were back and forth 3-4 times throughout their visit to catch some more fish. The fishing at the pond was the best we had in years. Chris Lido had made some doughballs from fish food to be used as bait that were a big hit.

The Columbia Dam removal project is coming along. They are moving on to the Warrington Rd bridge scour protection. Since the fish committee was there on the 15<sup>th</sup>, the notch has been cut another two feet down. There is more turbidity downstream of the dam and it is monitored several times a day by the contractor. The limit for adaptive measures or to stop the work have not been reached in regard to turbidity or erosion. Most of Route 80 work will be done in September through December.

Chief Barno handed out the fall stocking information. Fall trout stocking begins October 9, 2018, they will stock 21,000 trout in 36 water bodies.

USFWS is assembling information from states on the impact of cormorants on free swimming fishes. We are providing them with some of our opening day angler count information along with our catch rates from opening day. It's just the beginning of the process. We have a depredation permit for cormorants at the hatchery but are not allowed beyond the hatchery settings.

Acting Chairman Frank Virgilio had asked if there will be solar panels on opening day. Chief Barno mentioned that we are progressing, no date yet, but we are moving towards getting a date for the release the proposal to potential bidders. After that it will move faster. It is not the bid for the solar panels at Pequest, it's for the energy companies to bid for the power associated with it.

Chairman Frank Virgilio questioned what is the attraction with people wanting to break in to the Columbia Lake Dam. Chief Barno responded that some are local naysayers to the project, and others are just curious, the area is prone to it. Law Enforcement has put up trail cams. Jonathan Carlucci is working on getting additional drone footage of the progress being made with the dam removal including footage over Route 80.

Director Larry Herrighty forgot to mention during the Endangered Species report that the state has joined six other states opposing the executive interpretation of The Migratory Bird Treaty Act by the federal government where taking of wildlife, incidentally to other activities which used to be considered a violation, will no longer be a violation. Several federal district courts including the Eastern District have ruled incidental taking of wildlife, i.e., birds killed by windmills, when the necessary preventive measures are not taken is a violation. We oppose the new interpretation, that this is no longer the case. Basically, they are interpreting very narrowly that the Migratory Bird Treaty Act strictly deals with hunting, doesn't address any taken by developers.

**Public Comment (3 Minutes)**

Janet Pizar, Millburn, NJ,

She Stated that there are a lot of produce to welcome wildlife to eat, but how are they supposed to know it's not for them. Deer and bear have always been an issue because Fish and Wildlife needs to have a surplus to retain and recruit hunters. Herds are kept young and reproducing and it's a chronic issue because of fish and wildlife.

Barbra Sachau, Whitehouse Station, NJ, is asking for the bear slaughter to stop. Hunters think they spend the money and it's theirs, so it entitles them to kill. So much money comes Pittman Robertson and from open space from everyone in NJ. She noted that the fines are to low and that the system's corrupted. The biggest problem is humans not animals. The public defender never has anything to say for the general public.

**Acting Chairman Frank Virgilio announced that the next meeting will take place on October 17,2018 at 10:00, it's a joint meeting on the 3<sup>rd</sup> Wednesday of the month.**

**Director Herrighty announced that by this time he thought they would be closing this part of the building for construction, but doesn't believe the bids come in until early October so if it's not here it will be around the corner at the conservation center. Pay attention to the agenda.**

**A Motion was made by Councilman Brodhecker and seconded by Councilman Link to adjourn the meeting at 1:30 pm. Vote taken, all in favor, none-opposed; motion carried.**