

# **Minutes of the Meeting of the NJ Fish and Game Council**

**Conservations Center**

**Robbinsville, NJ**

**December 11, 2018**

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

The meeting was called to order at 10:01 a.m. by Acting Chairman Frank Virgilio

The flag salute and 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 November 30, 2018 and delivered to the designated newspapers for the division, The Atlantic City Press, and Newark Star Ledger published on December 5, 2018.

Roll call was taken in attendance:

Councilman Phillip Brodhecker

Councilman Joseph DeMartino

Councilman James DeStephano

Councilman Agust Gudmundsson

Councilman Dr. Rick Lathrop

Councilman Jeff Link

Councilman Robert Pollock (absent)

Councilman Loren Robinson

Councilman Ken Whildin

Acting Chairman Frank Virgilio

Division employees included: L. Herrighty, P. Nelson, D. Golden, C. Stanko, T. Nichols, B. Stoff, S. Cianciulli, J. Bullock, and D. Bajek.

There were numerous members of the public in attendance.

Acting Chairman Virgilio asked if there were any corrections or additions to the minutes.

A motion was made by Councilman Robinson to approve the November 13, 2018 minutes, seconded by Councilman Gudmundsson. Vote taken, one-abstention (Councilman Lathrop), motion carried.

Acting Chairman Virgilio started with thanking everyone for coming out to the last meeting and some special thanks for the Division of Fish and Wildlife. This is an open public meeting. Its purpose is to provide for regulation and oversight on our wildlife resources. Chairman Virgilio likes the job and input that everyone does as well as from our animal lovers who provide balance to our meetings and thoughtful insight. He appreciates the attendance and if you can get more people to come out, please encourage them to come.

Director Larry Herrighty stated that we had a very safe bear hunt so far this year as well as a safe deer season. We are down on the bear numbers and up on deer. There was an article last week about a Legislative hearing on deer. The Commissioner was invited to attend but could not go, Chief Stanko and Director Herrighty offered to go but they were not allowed. It is very unfortunate that they were not able to explain the science of deer management and the reality of the situation.

Acting Chairman Virgilio updated the Fish and Game Council Committees. He handed out a list. The only change is on the last page where he put together a director's search committee since Director Herrighty will be retiring in April.

Acting Chairman Virgilio read aloud the public comment statement. Public comment is limited to 3 min. Per person and 15 min. Total time.

### **Committee Reports:**

#### **Agriculture Committee:**

Councilman Brodhecker reported that the farmers are finishing up in the harvest up north, trying to get through the last of the muddy fields. He is seeing bears and deer while harvesting.

Councilman Link reported that agriculture in the south is the same as the north, the fields are very wet. Finishing up with beans right now. He is seeing a lot of deer all hours of the day but that could be because they are being disturbed.

#### **Disease Control:**

Dr. Sebastian Reist from New Jersey Department of Agriculture reported that we have now seen our second case of Rat Hemorrhagic Disease in the United States this year. It is not in this country officially. We did have one case in a neighboring state, a rabbit farm where all the rabbits are gone at this point and has been cleaned up. Both of the outbreaks we had this year seem to be associated with restaurants and the movement of animals out of this country.

#### **NJ State Federation of Sportsman's Clubs Committee:**

Councilman DeMartino reported that he did get to the Ocean County meeting. They were all gearing up for deer season.

Councilman DeStephano reported that Warren and Morris County meetings were cancelled because of the deer season. He did attend the Bergen County meeting, they are getting ready for their venison dinner in February.

Councilman Gudmundsson reported that the next meeting for Morris County is scheduled for January 1, they are probably going to reschedule it for January 8<sup>th</sup>.

Councilman Robinson reported that he went to Somerset and discussed the Wildlife Management Area survey. They felt that mandatory fees were the way to go. They also discussed the combined freshwater/saltwater license to support our marine fisheries. He went to Union County last night and they talked about the deer archery hunt in the park. They have taken 78 deer so far; feeders and corn were provided to the hunters by the county who also donated to the food bank there to process the deer. Between bow and shotgun for the year they have taken 250 deer, their 5-year average previously with just shotgun was 122. The archery part of the program ends December 31, then there is a shotgun segment that starts January 7 and will be opening three parks for winter bow. The freeholders in Union County are very happy with the program and results so far, they are seeing fewer deer in those parks and have also had requests from other communities in the county to open hunting in their community.

Acting Chairman Virgilio asked about the combo fishing license.

Councilman Robinson replied that we are looking to get some money for the marine fisheries and they thought maybe instead of a plain saltwater license, have a combo for fresh and saltwater that some states already have which might make it a little easier to get that through to the fishermen.

Councilman Whildin stated that he was out of town and didn't make any meetings.

Councilman Virgilio was also out of town and didn't make any meetings.

**Finance Committee:** No report at this time

Assistant Director Nelson suggested that we schedule a meeting in January.

**Game Committee:** Will be meeting this week

**Legislative Committee:**

Assistant Director Paulette Nelson reported that there was not much happening. SR-112 was the resolution that opposes the Endangered Species rules that is a companion bill for an assembly bill. Also, the shark finning bill which prohibits the sale of the possession of shark fins passed out of the Senate Environment Committee and the only amendment to that was that they changed the effective date from January 1, 2019 to January 1 following its enactment. The New Jersey fishing and boating week resolution was introduced into the assembly. We have two bills having to do with propane-powered noise makers, both the assembly and the senate version went through the senate Environment Economic Growth Committee, so it just needs to be heard by the senate then the Governor.

Acting Chairman Virgilio asked if the Division has a position on that?

Director Herrighty stated that the Division supports it but that it is redundant to what already exists. What it does is that it clarifies when we say noise cannon it includes propane cannons which is what everyone is using.

**Endangered and Nongame Species:**

Councilman Dr. Rick Lathrop reported that at the last meeting the Endangered and Nongame Species Advisory Committee reviewed five species of upland game birds. The committee recommended listing of four of the species and leaving quail for further review. That recommendation is going to the Division.

Director Herrighty mentioned that one of the things they discussed was making the breeding population of rail and gallinule a special concern species and protect the habitat and breeding population. The non-breeding population including migrants would remain game birds and not special concern. As far as quail goes ENSAC has asked us to come back and look at the data more in depth and do more research over the next year and provide to them that so they can re-evaluate.

**Waterfowl Stamp Advisory Committee:** No meeting

**Wildlife Rehabilitators Advisory Committee:** Next meeting in March

**Law Enforcement:** No meeting

**Division Reports:**

**Licensing and Permits:**

Barbara Stoff, Licensing and Permits, reported that 2019 license sales started last week so they are available across all agents and online as well. We had one little problem with the coyote permit but that was fixed within a few hours. Everything for 2019 has been out and ready. Monday morning at 10:00 the beaver and otter permits went on sale and went out flawlessly. First day of six-day firearm buck week, Active noticed a huge uptick in calls that they were not expecting. They base coverage for phone calls for harvest reporting off of previous year's results and the first day shocked them, so they ended up calling in extra support later on in the day. No major complaints and everyone is pretty satisfied. We are trying to get people to shift from calling to using their smart phone and go on-line and this way they will receive an e-mail and a text message with a confirmation number. Our RFP, after almost 5 years has finally been awarded. They are still doing the final paperwork and there has to be a meeting internally before she can give the specifics. It was awarded to Aspira which has the current contract.

**Freshwater Fisheries:**

Chief Lisa Barno reported that as we are winding down we finished up the last of our winter trout stocking on November 19 and 20. We shipped out 4,400 rainbow trout that measured 14- 18 inches. Chief Barno mentioned the 5 trucks that were wrapped with Division logos through a grant with I&E. The trucks really stand out, you can see them a half a mile down the road. The company did an excellent job and we are now moving over to Hackettstown to have their trucks similarly wrapped in time for their stocking programs next year. Update on Columbia Lake, they have been under water for over a month,

but they are back at work. They have three days of completion of the Warrenton Rd. bridge scour protection, if flows hold then they will be working on Rt. 80 corridor which is a fish passage and additional bridge scour there. The project right now is several months behind, so they are reviewing their construction sequence to see when they may be taking the dam out. It looked at first like they might be moving it up in the sequence, but it looks like we are back into January for the dam removal and tied into that is the power house removal part of the project. Chief Barno will have more information next month on the scheduling. Our Freshwater Digest should be hitting the shelves any day now, Cindy Kuenstner with I&E did a great job working with the staff and getting the most out of the publisher and producing a document. The on-line version is now in our possession, which means that probably early next week it should be hitting the shelves with the actual publication. We are starting the planning now; Research and Management is now into report mode which will take them into mid-January and also prepping for our upcoming public meetings. January 19 is our North Jersey Fisheries Forum at Hackettstown, February 23 is our South Jersey Forum at Batsto, and March 2 is the Trout Meeting at Pequest. Part of these meetings are to every few years take a step back from our sampling and get some of the reporting work done. The focus for 2019 is going to be finishing the upgrades on the cold-water management plan and the warm-water management plan so that we can be in line to have that reviewed and get public input on that for the 2020 meetings on fisheries forum. One aspect that we are going to be adding to both plans that have been lacking in the previous plans is information and prioritization projects for the folks on the outside that are looking to do some work to benefit fisheries work, it will include that information in both plans. We will be reaching out to a lot of the organizations for ideas and suggestions of things they would like to see on that list.

Acting Chairman Virgilio asked about the solar project at Pequest.

Chief Barno replied that the RFP has been finalized and is now going through the series of approvals and going back through the process and will then be released.

### **Information and Education:**

Chief Al Ivany reported that we are coming into the winter sport show season. The Garden State Deer Classic and Garden State Outdoor Sports Show is coming up January 10 – 13 in Edison NJ. We are working with the show promoter and there will probably be some changes to the display this year. After some discussion with the show promoter we might be opening it up to draw more attention to the deer head display where they will be more prominent on the outside. We are looking at 63 entries for this year, so we are up around 20 over last year. The Bureau is continuing to work with Chief Stanko and the Bureau of Wildlife Management on updating Chronic Wasting Disease information on the website, as well as getting our social media team up to date. Should we ever have any issues with CWD, we want to be as prepared as possible to give as much accurate information as possible. In May, the Governor's Surf Fishing Tournament will take place. We have been meeting a lot with the Surf Tournament Committee in recent months who consist of The Jersey Coast Anglers Association, The New Jersey Beach Buggy Association, and the State Federation of Sportsmen's Clubs. The Committee itself has been lacking a few members in recent years. Chief Ivany is pleased to announce that Maureen Bailey from The New Jersey Beach Buggy Association will be the new committee chair. They have also filled other spots on the committee, so it is completely staffed again. Also, to follow up on what Chief Barno mentioned about the Digest, the hard copies should be on the shelves December 18 and be up on the web by this Friday.

**Land Management:**

Jason Hearon, Land Management, reported that its pretty much been all about pheasants the past month, and has not been a very fun pheasant season due to the weather. The CRO addition is moving along, we can expect that to be completed sometime in April. We have just completed all our Federal Aid reporting, that's how we operate out of the grants. A lot of time was spent in the last week or two keeping roads open for the six-day season due to the winter storms. The Southern region will be getting a planner to help with habitat projects at the 1<sup>st</sup> of the year.

**Law Enforcement:**

Acting Chief Sean Cianciulli reported that we had a very safe season with no incidents with the second segment of the bear season. One morning an individual possessed unauthorized projectile buckshot. There were no arrests so far during the second segment at the check station, but we have four additional days to go. The individuals from the first segment that were arrested have been to court and their sentencing has been established, with the highest sentencing being 20 days but haven't determined when that will start. We are scheduling additional training for police officers to train more officers to handle bear response and bear problems. We are running into hurdles through the Treasury requirements to procure ammunition which we pretty much have a sole source vendor, there are not that many vendors producing that kind of ammunition and the pyrotechnics that we need. We just picked up that second shipment last week of what we need, and we anticipate starting after the winter weather slows down in March. These classes will continue to run until we see that there aren't enough officers to attend and it becomes cost prohibitive for us to run. We will do at least a handful of classes each year.

**Wildlife Management:**

Chief Carole Stanko, Wildlife Management, reported that we had got a call over the holidays, a New Jersey hunter got a mule deer out of Colorado that was CWD positive. He had the meat in his freezer and called us to ask what he should do with it. We took the meat and are going to incinerate it. On this past Sunday she got a call from the investigating officer and he was at the taxidermist, who had the skull plate from the same deer which the hunter did not clean before he removed it from Colorado. Chief Stanko walked the taxidermist through the steps on what to do and how to clean all his equipment and to bag everything up and collect that material to be incinerated as well. We will be sending out letters to all licensed hunters on our recommendations since there are not any regulations yet, but there will be, and also to taxidermy shops to make them aware of what they should be looking for when they receive deer from CWD-endemic states. As far as the bear hunt, all went well. Our state lands were closed to hunting so our segment A which was in October saw a harvest of 140 bears compared to 244 bears last year. For segment B which was last week we took 70 bears compared to 165 bears last year. The total so far for this year is 210 and last year was 409, and because we are only at 13.3% harvest rate automatically the 4-day extension kicks in, starting tomorrow through Saturday. As far as deer, opening day 6-day firearm was up 16% this year and the estimated harvest on opening day was 2,561. The total

estimated harvest for six-day firearm was 7,556, which is a 22% increase over last year, and year-to-date we are about 35,333 which is up 10% from last year.

### **New Business:**

#### **Pheasant Purchasing and Rockport Game Farm:**

Chief Carole Stanko reported that we did not raise our own birds this year, we did not keep any breeders from last year and we did not hatch eggs out. The whole purpose of that was to avoid using breeder houses where we had an unusually high mortality rate last year that we were not able to figure out. This year we purchased 15,000 adult birds and about 43,000 six-week-old chicks which went straight into the outdoor pens. We have had a very wet year this year. In Warren County rainfall totals were 20% above average and as of the 3<sup>rd</sup> of this month we were at 66.6 inches up in that area. This had a big impact on the farm because of the frequent heavy rainfall, instead of a 10% mortality rate we were averaging around 30% mortality rate which resulted in a small shortage of birds. We found out yesterday that we have 1,000 more birds than we initially thought. The Purple Heart Veterans Hunt will not be affected by any of this because that is a separate purchase. After careful consideration and many discussions, we thought the best way to handle the shortfall was to purchase additional birds, so we looked to see if there are any pheasants available and unfortunately the bad weather that affected us was country-wide this year. Not only did the local producers not have any extra birds (they experienced the same high mortality that we did), but they reached out to farms in the Mid-West and they were all short as well. No more pheasants are available to offset the short fall. We will be purchasing chukars instead and stocking them on the very last day of stocking, so they are not mixed in with the pheasants because the bag limit is 7 for chukars and 2 for pheasants so we felt that would create some conflict. This will give hunters a new upland bird to try. We heard a lot of positive things from our dog training areas where we put out chukars this year. We are doing what we can to ensure that everybody has birds to hunt. The shortfall itself is not significant and spread across all three regions and all the wildlife management areas, it will be barely noticeable. In the North it is a reduction of 880 birds spread over 8 WMAs over six days of stocking, the Central region is 620 birds spread over six days over six WMAs and the South is 720 birds spread out over six days and over 9 WMAs.

Chief Stanko mentioned that as previously reported in past meetings, our plan was to purchase adult birds from here on out, so we put out a bid for a contract and we broke out the bid by region, so each potential vendor could bid for any or all three regions. That is to purchase 56,000 adults and it was finally awarded in mid-November. This higher number of birds also includes adding a possible January stocking date. We got two vendors who bid, one on the northern region at \$13.70 a bird, and Trace Pheasantry was awarded the southern region at \$ 12.95 a bird. Treasury tells us that no one bid on the central region, but we can use our northern or southern vendors for the central region birds. We expect to spend about \$750,000 on the purchase of these adult pheasants compared to about \$1 million that is usually budgeted to run the farm (actually farm expenses typically exceed \$1 million due to emergency repairs). Therefore, savings will be around \$250,000 for this year; salary costs will revert to Federal Aid instead of the Hunter and Angler Fund, so that is an additional \$250,000 savings to the Hunter and Angler account. As far as purchasing those birds we are exploring the possibility of using R3 funds for that. The purchase of the birds would still be coming out of the Hunter and Angler account but if we could use R3 funds the expense could be transferred into a Federal Aid account that would be an

additional savings to the H&A account. That is being handled by the division's R3 coordinator Ryan Risher. The Bureau of Wildlife Management and Bureau of Lands Management will have input into the development of this grant. If the grant is approved, the entire amount we have budgeted for running the farm would revert back to Hunter and Anglers account, over \$1 million a year.

As far as the farm closure and the future of the farm, after our last stocking day, December 29<sup>th</sup> the farm will officially be closed but since it's a 492-acre facility, decommissioning is going to be done incrementally and will take time. Staff is compiling lists of buildings and equipment/vehicles and we are looking to see what we can use within the division and then how we can disperse the rest of it. We are also working with the State Historic Preservation Office to see if any of the buildings there are historic. For some of the newer buildings, we are looking into other possible uses. Being considered for the farm are leasing, repurposing for recreational activities, or reverting back to WMA fields. The farm staff will remain on the farm for 4 -6 months during the decommissioning period and afterwards they will be reassigned throughout the division and this will enable some programs that are short staffed to add to their staffing numbers.

Acting Chairman Virgilio asked if the Division was making any plans to reach out to the township and at least advise them as to what is occurring at the pheasant farm, there are some concerns within the township and township committee.

Director Herrighty replied that after an e-mail last week he had called the municipal clerk's office and he didn't receive a return phone call, yet they requested a meeting to discuss our plans.

Councilman Robinson asked if the contract was more than 1 year.

Chief Stanko replied that yes it was 3-year contract with two 1-year extensions.

Assistant Director Golden wanted to thank Chief Stanko and the Council for being able to bring this whole transition together. It represents a huge change within state government and is really challenging to make such a change, especially when you're dealing with live products and you have to plan a year and a half in advance. Chief Stanko did a great job and the support from the Council was important to get this all done. The fact that we were able to do it over a course of 3 years, which included putting together a Treasury contract in that short period of time and maintain a seamless operation of the stocking program is a huge accomplishment for the Division and the Council.

Chief Stanko replied that she couldn't have done it without the help and guidance of Assistant Director Golden and Director Herrighty.

**2018 ATA Bow Hunter Reactivation Report:** Barbara Stoff, License and Permits, gave a presentation on the effectiveness of various e-mail campaign messages. Participating states included Florida, Georgia, Indiana, New Jersey, and Oklahoma. There were two study groups; avid bowhunters and sporadic bowhunters and two times that differed by state; Beginning of season and midway through the season. There were four different themes/messages with images with 18 different groups with controls and the timing of the emails and images were state specific and followed up with an online survey. The four themes with accompanying images where: **Social Message-** Quality time, make memories this season



with the image of people together having a good time.

**Aesthetic Message-** Connect to nature, go bowhunting with the image of scenic wildlife, landscape.

**Hunting/Recreation-** Join the excitement, go bowhunting with the image of an individual actively participating in hunting.

**Hunting/Success-** Big game, good meat, go bowhunting with an image of someone preparing a steak and grilling meat.

The results were 50% of recipients opened the e-mail and shows that the treatments work. Some themes worked better in some states than others. Sporadic bowhunters seemed to respond better with middle of season timing. Avid bowhunters seemed to respond better with the beginning of the season timing. E-mail timing was difficult to interpret due to inconsistency. Overall 18% remembered the e-mail. Take away from this survey was that images and themes are more important than timing of messages and avidity of hunter. Sending any type of email reminder will be better than not sending anything and photos depicting social, recreational aspects and aesthetic themes of hunting seem to do best.

#### **Public Comment:**

Ron Hayes, Mansfield Township Committee, stated that it is a little disheartening that the Game Farm is going to be closing. A quarter of Mansfield Township is state land between Fish and Game and Green Acres. It is a pretty big economic hit. It used to be a place for kids to go on class trips. His father-in law was at the farm for 40 plus years and was the superintendent the last 15 years. It was always talked about that when he retired a biologist would come in and take over the farm and that never happened. As soon as he left the farm started going downhill, he's not sure if it was economic reasons or personnel reasons. The town is really losing a gem.

Barbara Sachau, Whitehouse Station, NJ, stated she would like to see this Division stop altering habitat. She attended the Legislative hearing for the Agriculture Committee where 3 farmers came and spoke about their concern of too many deer. Her side of the argument is that this Division is altering habitat to grow deer because hunters won't buy licenses unless they see deer to kill. The animals that we have left seem to be getting sicker and sicker.

Scott Ward, NJ, was asked by the mayor of Mansfield to come to the meeting to see if there is anything we can do historically to keep the Game Farm. The Game Farm is the heart of Mansfield Township. He would like to see some part of it salvaged and keep pheasant breeding.

**Lunch: 12:05 – 12:50**

**Emerging Issues for Migratory Game Birds:**

Ted Nichols, Supervising Biologist, Wildlife Management, gave a presentation on status updates on black ducks and eastern mallards in the Atlantic Flyway, 2019 multi-stock duck harvest management, New Jersey Canada goose zone designation, and NJ migratory bird research updates. Migratory game birds are different as they are managed in a Federal arena. In 2019 for Black Ducks the AHM model allows retention 2-bird bag limit in US. Third year with 2-bird bag limit and is a 2 -bird bag sustainable in US over long term.

The Eastern Mallard implications are the Atlantic Flyway duck hunting season 2000-2018 driven by Eastern Mallard AHM. Mallards are not representative of other Atlantic Flyway duck species and are declining at 1.5% annually and 20 plus other duck species are stable or increasing.

The 2019 Atlantic Flyway begins multi-stock AHM duck harvest management based on 4 species derived from 50% of the Atlantic Flyway harvest. It represents a wide range of species life histories. Expansive breeding and wintering distribution. Our objectives for AHM Multi-Stock approach is to sustain Atlantic Flyway duck populations at a level that meets legal mandates and demands for recreational use and to maximize hunter satisfaction with harvest opportunity and regulations. In 2019 the new duck season ending framework date of January 31 with the mallard bag limit to go from 4 birds to 2 birds throughout the Atlantic Flyway and work under harvest strategy.

As for Canada goose for 2019 the regular season will go from 50/3 to 30/2 in NJ north and south zones and other Mid-Atlantic states. Chesapeake (MD, DE, VA) will go from 50/2 to 30/1. The September and Special Winter season are not impacted. Coastal Zone will go from 80/5 to 60/2 and coincide with ducks. The north and south zones (Atlantic Population Geese) will go to 30/2 in 2019 with September and winter seasons having no change.

The Atlantic Brant is one of the least common birds that we hunt, with a population of around 150,000 birds. We have partnered with New York Department of Environmental Conservation and the Canadian Wildlife Service and have working on this 5-year study using geolocaters attached to females to get information during the breeding season.

The American woodcock migration ecology study will assess patterns of fall and spring migration using GPS tags and determining landscape patterns affecting migratory stopover. We will evaluate survival during migration/wintering areas and relate mortality patterns as well as combine telemetry data sets.

**A motion was made by Councilman DeMartino and seconded by Councilman DeStephano to adjourn the meeting at 1:40 p.m. Vote taken, all in favor, none-opposed; motion carried.**