

Minutes of the Meeting of the NJ Fish and Game Council

Assunpink Conservation Center

Robbinsville, New Jersey

January 8, 2019

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 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 December 28, 2018 and delivered to the designated newspapers for the division, The Newark Star Ledger and the Atlantic City Press; published on January 4, 2019

Roll call was taken in attendance:

Councilman Phillip Brodhecker
Councilman Joe DeMartino (absent)
Councilman James DeStephano
Councilman Agust Gudmundsson
Councilman Rick Lathrop
Councilman Jeffery Link
Councilman Bob Pollock
Councilman Loren Robinson
Councilman Ken Whildin (absent)
Acting Chairman Frank Virgilio

Division employees included: L. Herrighty, P. Nelson, D. Golden, B. Stoff, L. DiPiano, S. Cianciulli, L. Barno, J. Hearon, S. Tesar, J. Saintvil, C. Stanko, and D. Bajek.

Also present was Assistant Commissioner for Natural and Historic Resources, Ray Bukowski.

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 DeStephano to approve the December 11, 2018 minutes, seconded by Councilman Brodhecker. Vote taken, all were in favor with one abstention by Councilman Pollock, none opposed, motion carried.

Acting Chairman Virgilio started his comments by announcing a procedural change for while we meet at the Conservation Center. All committee meetings, if scheduled prior to the Council meeting, must end 15 minutes before the start time of the scheduled meeting due to winter weather; this way no one will be standing outside waiting. Acting Chairman Virgilio brought two things to the attention of the Council. Sunday was National Law Enforcement Appreciation Day. If you see a Conservation Police Officer tell them, you appreciate them. They are on the front lines of all our problems dealing with wildlife. Most of the time they work in the shadows and never ask for any thanks or praise, but it would be nice to let them know from time to time.

In regard to the public trust doctrine, our United States Supreme Court has handed down multiple decisions on ownership of wildlife. We can cater to an arrangement of interest that benefit all people not just hunting and fishing. We must look at all stakeholders and be reminded of our objective as we look at non-lethal controls of wildlife.

Director Larry Herrighty mentioned that the Division is moving forward with the hiring process. The Division hopes to bring on 14 more people to Marine Fisheries and fill a half a dozen or more vacancies in other areas. Important positions we are trying to fill are the Deer Project leader and the wildlife pathologist. During the prior administration, there was a move to relocate the Marine Fisheries Administration to a new office. They purchased a school in Greenbank, NJ, but it is not big enough for them. We were able to convince the Department that it wouldn't be a good move for Marine Fisheries staff, but Law Enforcement along with Parks Police will still move. We have been in negotiation for many years with the US Fish and Wildlife Service about swapping the old Forked River Game Farm land that we have for the Federal property that we currently occupy. That is moving forward and should take at least a year. We invested a lot of money in the docks at Nacote Creek and that's where the boats are kept.

Acting Chairman read aloud the public comment statement. Public comment is limited to 3 min. per person and 15 min. total time.

Director Herrightly forgot to mention the other good news in the northern end of the state: the Division has been looking for a new regional office for many years and homed in on an office on Rt.173, a few miles away from Clinton. The original bid that Green Acres submitted was not accepted. We were outbid but that offer fell through. So, the seller contacted us and we are now actively moving forward with the purchase of that building. We will combine the Lebanon office, Northern Region Office, and Whittingham WMA office and bring in some of our other field staff.

Committee Reports:

Agriculture Report:

Councilman Link reported on sportsmen and women hunting chukars and that they are not very happy, saying there is a bag limit of 7 but they are lucky to get 1 or 2. He mentioned to the hunters to appreciate the attempt the Division is making to supplement and still provide hunters with opportunity out there. It comes with mixed reviews.

Assistant Director Golden also received a lot of complaints along with some good reviews and appreciates Councilman Link sending the message that we did not have to do it, but we did it to try to make the end of the year good in the absence of having other pheasants to stock.

Councilman Phil Brodhecker reported that it's been wet up north, people with livestock are having a hard time dealing with all the wetness and mud and trying to keep the animals comfortable this time of year. He heard some people are having raccoon and fox issues, but nothing out of the ordinary.

Dr. Sebastian Reist from the Department of Agriculture started with an update on African Swine Fever. China and Taiwan have blown up with it now. Taiwan is finding dead wild pigs around, they hadn't had it but now do. Exotic Newcastle Disease, the outbreak in CA, since last time previously there were no flocks effected in the past year, now two flocks have been infected since our last meeting. With Exotic Newcastle Disease, gallinaceous birds are most affected by it, but it affects all birds with waterfowl being the least affected. In the wild it is most commonly found in cormorants, parrots and pigeons and is a direct-contact disease. Texas has confirmed CWD in six counties with six different deer (3 mule deer and 3 white-tailed deer).

Farmer /Sportsman Relations: No meeting at this time

Councilman Brodhecker wanted to go over an idea he had for depredation permits, not for discussion right now but to think about for the future. He spoke about the idea of a depredation "season" that sportsman can buy a permit for farm land specific, like a zone that would help farmers who don't have the time to target the isolated population of deer that are hard to manage.

NJ State Federation of Sportsmen's Clubs:

Councilman DeStephano reported that he didn't make any meetings, but he received a phone call that Morris County is considering changing its meeting day from the first Tuesday of the month to the third Tuesday of the month. He also received a few complaints about the chukars and how they fly so low, hunters are nervous about their dogs.

Councilman Gudmundsson reported that he didn't attend any meetings but did get a few complaints as well from hunters, but they did appreciate the extra effort. The Sportsmen's show is coming up this weekend, he will try to attend.

Councilman Robinson reported that he attended the Somerset County meeting and discussed the all-waters fishing license, to combine fresh and salt water. Hunterdon County asked if we could stock some of the larger trout in the spring time and asked about posting the WMAs and if they could get an updated map of the WMAs in NJ. Hunterdon County. They also asked about the Wildlife Conservation Corps and how they can join.

Assistant Director Golden replied that all the maps are online and updated, but we don't have them all together state wide.

Councilman Robinson stated the Middlesex federation also talked about the all water fishing license and the three county federations, Somerset, Hunterdon, and Middlesex are in favor of it. They discussed the upcoming NJ State Sportsmen's Federation Convention and the Garden State Outdoor Show.

Also, a disabled hunter who has a permit to hunt from his vehicle, but on a lot of the park hunts they require elevated stands, was wondering if we could help him out and allow him to hunt out of a ground blind because his physical disability doesn't allow him to climb.

Barbara Stoff answered that if it is a park hunt then he will have to go directly to them.

Acting Chairman Virgilio said their requirement is an elevated stand because that casts the arrow down, so it's a safety consideration. We do have an elevated platform our sportsmen can use.

Councilman Robinson mentioned that Union County postponed their meeting last night, but he was able to get a report from them. Their archery hunt in the park was very successful, they took 101 deer through the end of December. Total for the year with archery and shotgun was 262. They started their permit shotgun part of the hunt yesterday in three parks and archery is continuing with winter bow on some of their parks. The freeholders and the municipality are very happy with hunt so far. We need to encourage other towns and counties to do the same.

Acting Chairman Frank Virgilio reported that he attended the Atlantic County meeting and the Friends of Forsythe National Wildlife Refuge are having their 80th anniversary. They haven't announced any activities yet. They are going to be updating the Freshwater Fishing Project. They also asked if the Division could, in the next Digest, have a nice concise article on how to

dispose deer carcasses curbside in ordinary trash, which is legal throughout the state which most hunters don't realize and dump them everywhere. It could be a simple fix and something we can accommodate them on. Camden County has concerns about information when they go to our website and sign in under CID, and how is that information protected, and is it shared with anybody. He told them no, other than the company issuing the license. They also wanted to know if the information was stored on a computer data base in Trenton where if someone hacked into it would they get all their personal information. Barbara Stoff answered with: no it is stored in a Level 4 secure site. Director Herrightly also mentioned that they are working with Responsive Management, there is a memorandum of understanding on confidentiality contract with around 1-million-dollar liability should there be any issue. Acting Chairman Virgilio also wanted to comment on Camden, the West Mill Rd. situation where the road was closed on the Wharton tract, they found out through some of our sportsmen representatives and working with the town of Hammonton and are in the process of having an order to try to vacate the road and possibly turn it over to the State of New Jersey. Not sure where that process is but at least they see some progress and are happy.

Finance Committee Report:

Councilman Link reported that we had a meeting this morning and fiscal year 2019 numbers look good with \$23.3 million revenue resources, expenditures are \$22.3 million with almost 1-million-dollar surplus. Next year 2020 looks OK, but some of the things to think about are that there has not been a license increase since 2000, some of the hunting numbers have decreased yet the permits increased.

Fish Committee: No meetings at this time

Game Committee:

Chairman Virgilio reported that Chief Stanko gave a PowerPoint presentation on CWD. It was the same presentation that was made to the CWD task force. Basically, there is a whole family of diseases which includes mad cow, scrapie in sheep and goats, domestic cats, and humans. It's transmitted two ways, infectious by animal to animal, or sporadic and pop up out of the blue. The more we learn we find out that it's highly transmittable. Prions can only be destroyed by extreme heat around 1800 degrees F, or by an alkaline digester. It remains in the soil for an undeterminable amount of time. They are seeing some evidence that it can be transmitted or absorbed through plants. This is some pretty bad stuff and is very important that we keep this out of New Jersey. The incubation period can last in an animal for years before it becomes symptomatic. We have a few proposals for changes to our Game Code that are just for discussion right now including banning the importation of all members of the deer family,

banning the possession of urine-based lures, giving the Director the authority to limit APR and to change bag limits, seasons and or restrictions in the event of the discovery of CWD within the New Jersey or within 20 miles of the New Jersey border, banning the importation of semen from these animals, banning the importation of whole carcasses of any member of the deer family from any state by hunters, and change disease containment area to disease surveillance area as well as relaxing wonton waste regulations. There was also a discussion on simplifying the rules and regulations in the Digest so they are easier to understand at a glance rather than flipping back and forth through different pages. Selling deer permits for a bundled permit price is just a conversation right now, but it would allow hunters to get more permits at one time and pay a lower price than if they got them all separately. Ted Nichols will be putting together a PowerPoint presentation for April/May on the Tuckahoe waterfowl management plan based on R3 to improve the quality of hunting as it relates to waterfowl.

Legislative Committee:

Assistant Director Paulette Nelson reported that Bill S-1093 known as Nosey's Law was signed by the Governor. In a nutshell, what that means is no more circus or traveling animal acts. This will go into full effect June 30, 2019.

A-2732 and S-1391 which clarify that the use of a propane powered noise making device is allowed as a non-lethal method of wildlife control on farmland has passed both houses and has been sent to the Governor for signature.

AR-195 supports a seafood gleaning pilot program for using excess by-product from the fishing industry in Monmouth and Ocean counties has been passed by the Assembly and filed with the Secretary of State. There is nothing binding other than the Legislature supports the idea of this program.

Endangered & Non-Game Species Advisory Committee:

Councilman Lathrop mentioned there were no meetings and that they have one scheduled for next week with the agenda to get an update on Connecting Habitat Across New Jersey program.

Wildlife Rehabilitators Advisory Committee: Next meeting on Jan 23, 2019.

Public Member Comments:

Councilman Pollock wanted to mention that in the Marine Fisheries Council meeting minutes it talks a lot about our Governor's initiative for off shore wind and all the resources that are

lacking in Marine Fisheries abilities to do some of the things they need to do. Moving forward, personally, Councilman Pollock has a lot of involvement with some of these things and would like to welcome public comment on issues as they may relate to wildlife or fishery concerns. It would be a good idea for the public to pay attention to this because it's moving fast. Councilman Pollock also offered to sit in on other meetings to collect more information and relay it back to the council.

Division Reports:

License and Permits:

Barbara Stoff, Licensing and Permits, wanted to correct some information that Councilman Link had talked about, permit sales are not up, they are down, however everything is down. The permit sales just haven't decreased as much as the licenses sales. Some comparisons on 2018 and 2019 sales, deer season are still going on; some deer permits will still be sold so the number might be even smaller. Deer permit sales are down 1.8% and hunting licenses are down 3.6%. We are losing people buying hunting licenses, but we still have a good number buying permits. Fishing licenses are also down, license and trout stamp sales combined are down 5% , if you break it down then the fishing and buddy fishing license is down 5.82%, with trout stamps down 3.49%. Pheasant and quail stamp sales are down 5.2%. Deer and spring turkey permits are both down under 2%. Except for our wildlife management use area permits, horseback riding and boat ramp permit, those have increased 12.5%, however looking at the number it's only a few hundred more boat permits and 20 or so more horseback permits. We did increase with the apprentice licenses, they were up 40%. No new update on the new system yet but we have two full days of meetings this week. Barbara is very excited to move onto the new sales platform. The way the old system worked we were allowed a bank of hours each year to use to develop changes for the permits for hunting and fishing as well as Marine. Treasury will no longer let us bank hours which means when we develop everything this year and we sign off on it any changes later we will have to write a change request and we will be charged for everything.

Acting Chairman Virgilio asked if the new system will provide a colored card like New York.

Barbara replied that it will not, but we do have an option for a hard card like a credit card that we will be able to change images on if we want to make a collector's item with costs associated with that.

Freshwater Fisheries:

Chief Lisa Barno started her report with an update on Columbia Lake: the dam has been notched down to just above the apron at this point, so the river for all intents and purposes is

as wide open as it can be until the final apron and supporting concrete is dug out. This was done to alleviate the flows through the Rt. 80 underpass to allow them to start working on the main scour protection and fish passage. Lake Hopatcong update, the gates were closed on December 15 to start the refill of the lake. This year was the 5 ft. drawdown of the lake. This is where the high flows had helped the cause and the lake is now at 7 ft., so we only have 2 more inches to go before we reach the 22-inch winter drawdown at which time they will then hold the lake level to prevent ice damage to docks. On December 15, Chief Barno sent a letter to the Lake Hopatcong Foundation denying their request for the pilot stocking of grass carp in Lake Hopatcong. Allowing their use in the state's largest lake opens the door to their introduction in over 1100 additional large waterbodies in the state. Many are located or connected to streams and pose too much of a risk and would greatly expand the distribution of this invasive species throughout the state. Although containment would still be a requirement there is no containment that is infallible. These large lakes would require high numbers of grass carp to be stocked. Chief Barno will provide a copy of that letter to the Fish Committee and the Council.

We have our upcoming forum on January 19, the first topic will be on restoration project updates, including Columbia, the Rinehart's project, and Millstone River. There will also be a presentation on bass electrofishing survey results in our north and central lakes which include Lake Hopatcong, Mountain and Furnace lakes, work that Chris Smith and Pat Hamilton have done, along with a hatchery update. We will also be looking for any suggestions from our anglers for the 2021 regulation changes, which we will be starting that process the very end of this year beginning of next.

In response to Councilman Robinson's question regarding stocking large trout in the spring, Chief Barno responded that the Division stocks around 7,400 large broodstock and 2% of each load is made up of brood stock until we run out, usually around in-season weeks 2-3. We put out 2 1/2 to 3-year-old trout in the spring.

Information and Education:

Linda DiPiano started her report with reminding everyone that the Garden State Outdoor Sportsmen's Show is this Thursday, January 10 to Sunday, January 13. If you purchase tickets beforehand on the event website, \$2.00 will be donated to Hunters Helping the Hungry.

This past month, HOFNOD was invited to the NJOA educational caucus at the State House on December 17. Liz Jackson and Alanna Newmark represented the program and were able to talk to about 35 legislators about the program's successes and the need for increased funding. Assemblyman John Burzichelli spoke with Liz and was very interested in the program and recommended that we ask for \$250,000, more than the \$200,000 we are allocated presently so that the increased funding will help the program as it grows.

We are looking to do more printing this year with our outreach grant. We would like to start a Division calendar for 2020. We are combining the North, Central and South Places to Fish Map, into one map and are working with Freshwater Fisheries to get that done. Also, we are thinking about re-issuing the WMA guide, a Division brochure as well as a range brochure.

We are currently working on getting two of the Hackettstown stocking trucks wrapped. They will use the same background and wording as the Pequest trucks and instead of trout we are going to put a catfish and a bass on it.

I&E is working with everybody on getting the word out about CWD. Information for the website is almost complete and the website will be updated.

We will be working on an email campaign with Freshwater Fisheries to boost fishing license sales for this spring.

Land Management:

Chief Jason Hearon reported that yesterday we had a new southern region planner start, so we will have help with habitat planning. There is a lot going on in Land Management. Cumberland Co. Lake Audrey project is moving forward in making the pH more suitable for largemouth bass. There hasn't been any liming to the lake in years and the pH has slid back down.

Acting Chairman Virgilio asked if there will be any plans to monitor and keep up with maintenance.

Chief Hearon replied that yes, there is talk and they are developing a plan now. Land Management is in the process of trying to clean up after the stocking season. We are at the end of the process of an internal update of Wildlife Management Area regulations which we have been working on for over a year and a half. There is a meeting tomorrow to start the process for putting 2020 farm leases out for renewal; right now they have been under 5-year leases and we are looking to expand the lease.

Assistant Director Golden added that part of the new lease is to put in a requirement for winter cover and looking into prohibiting neonicotinoid coated seed, which is still being discussed. These are two major changes/additions to the lease that we didn't have in the past.

Chief Hearon also mentioned that we are in the process of upgrading and consolidating offices, making accommodations for Marine Fisheries with their expanding staff, as well as doing habitat planning for the pheasant stock areas and Wildlife Management Areas.

Law Enforcement:

Chief Sean Cianciulli reported a correction to the council report. The Southern Region report says that there is no communications operator, however, our agency service rep is replacing the

position and started on November 26, 2018. Sue Canale will be at the Southern Region Office answering the calls. The Bureau of Law Enforcement was able to review legislation in reference to our bear feeding statute, in keeping with the Governor's request for non-lethal control the bureau looked at the new legislation and supports it. It gives us more ability to address concerns with respect to people that aren't being responsible with their trash and are contributing to the feeding problems.

Acting Chairman Virgilio asked the Chief if he was satisfied with the new drafted legislation that he would feel comfortable or confident on successful prosecution under that legislation.

Chief Cianciulli replied yes, in keeping with the direction the courts are going with payables, having established fine schedules and being able to keep people out of court, it will be a lot more navigable for us. The courts are moving towards keeping people out of court, so they don't have to appear and negotiate deals with the prosecutor. This is accomplished by having complaints handled through the payable schedule. Our bear response training unit is still dealing with the Treasury hurdles and we haven't been able to pay for our ammunition yet. It's less lethal ammunition that the vendor has provided, and we should have it resolved in the next few weeks. We are waiting for confirmation on the next Bear Response Training for Law Enforcement Officers from Morris Co. Police Academy. The next training date is scheduled for mid-March and we're just waiting for them to confirm the date.

Acting Chairman Virgilio asked how many police officers you have trained so far in adverse bear conditioning.

Chief Cianciulli did not have an exact number but he believes it approached 1,300. We try to get as many people through a class as possible but considering that we are doing live-fire on our ranges we also have to keep the numbers manageable. We do a moving target, demonstrations with pyrotechnic rounds, and not every officer that comes to these trainings has the same level of confidence with shotguns as our officers who shoot and handle shotguns on a regular basis. We do a lot safety prep with everyone that comes to our class or is invited onto our range. As a general overview of the bear season, it was a very safe season. The sportsmen were very compliant with the Governor's and Commissioner's orders. We had no complaints of individuals driving bear off of State property onto private property and didn't have to address any complaints with individuals not abiding by the orders on department-controlled property.

Acting Chairman Virgilio stated that he appreciates the concern Law Enforcement has when it pertains to bear and the constant updates each month.

Wildlife Management:

Chief Carole Stanko reported that we tested quite a few symptomatic wild deer this year for CWD and we think those numbers went up due to the Division getting the word out more for the public to look and report to us, but all the tests came back negative, thankfully. We are still

sampling our hunter harvested deer, we do that through game butchers and we sample about 550 hunter-harvested deer a year. In the Northern region we have over 300 deer and will continue in the Southern region until it reached its quota. Tennessee has now joined the states with CWD; they first reported it in December and it's on its southwestern border adjacent to Mississippi. It is in adjacent states so no surprise they have it now as well. We are having an internal meeting next week to discuss the quail habitat assessment that staff has been conducting for the past year to determine if we will be considering the restocking of quail in the wild. We will update you on that when the presentation is completed. As far as Rockport and what's to become of the property now, Director Herrighty is going up to a meeting in Mansfield Township tomorrow night. We are currently writing a RFEI (Request For Expression of Interest) to see if there are any members of the public who would have an interest in using the property for agricultural or other minimal-development uses; that should be released soon and anyone who is interested will do a walkthrough of the farm with Chief Stanko and her staff to show them the facility to see if it suites their needs and answer any questions they might have. If the proposals get out in time they will be due back in 6 weeks. The RFEI will also be going out to Mansfield Twp. and Warren County. We have been in contact with them, so they have been apprised of the progression of our consideration of that property. Chief Stanko went over some deer numbers, six-day firearm is up 22%, fall bow is up 5% over last year which equals 663 additional animals taken. The permit bow season which closed December 31 was up 2% over last year for an additional 211 animals and overall year-to-date we're up almost 4% from last year at almost 41,000 with 5 ½ weeks to go and would expect to exceed last year's harvest.

Lunch: 11:45 – 12:30

A motion was made by Councilman Gudmundsson to go into executive session, seconded by Councilman DeStephano; all were in favor, motion carried.

Executive Meeting: 12:30 – 1:15

A motion was made to approve the notice of vacancy to select a director with a nationwide search by Councilman Brodhecker, seconded by Councilman Robinson; vote taken, all were in favor, non-opposed. Motion carried.

A motion was made by Councilman Link to schedule an extra Fish and Game Council meeting for Feb 26 to start with an executive session at 10 a.m. and then to open to public at 1:30 p.m. for license restorations, seconded by Councilman Robinson; vote taken, all in favor, non-opposed, motion carried.

Old Business:

Update on Farm Decommissioning:

Director Herrighty reported on the Farm. The crew will be spending the next month or so cleaning up. We will not dismantle anything until the RFEI comes in. Chief Stanko is meeting with staff tomorrow to talk about where we will be moving them to, no one will be laid off. We had talked internally about how we could use the buildings if we do not lease the property out. We have one employee living in employee housing on the farm and will keep that as employee housing. We will be storing equipment in the new catch building because there will be fewer personnel around as we move them to other bureaus. The possibilities are that if we don't lease out the farm for agricultural lease then we do a farm auction to try to recover the cost of some of the equipment there like the feeders and silos. Director Herrighty will be attending the town meeting tomorrow night to discuss the options.

Non-Lethal Bear control: No update at this time.

Acting Chairman Virgilio asked Chief Stanko to please look into that for next month.

Educational efforts directed at urban areas and southern counties:

Linda DiPiano mentioned that Michelle Smith will be coming back to work on January 17 and they will be meeting with her to discuss the expansion and the promotion of those programs.

Plans for stakeholder's meetings in bear country: No meeting at this time.

Plans for bear-resistant garbage cans: Al Ivany is communicating back and forth with DEP on this issue.

New Business:

Division range updates:

Chief Jason Hearon reported that we have several things moving at once. First, we have been talking about the covered shooting ranges throughout the state, Office of Resource Development is the lead on that. We were hoping to have most of our ranges covered with the new shooting benches installed in the fall, but our engineer passed away, so we had a little set back but are back on track. We should have all the ranges completed this calendar year. The Central and Southern regions are hung up because of Pinelands issues but are close to working through them so we should see some on the ground work in a couple of months. On a range front, we also have a lead remediation project going on at Flatbrook, the first range that's being attempted to having the lead reclaimed, the project should be wrapping up or is close to it.

Assistant Director Golden mentioned that we are trying to get all our active ranges on a rotation for lead management, starting up north next year and adding in ranges on a 10-year rotation.

Chief Hearon added that we are at full operation at Millville range. It's the only range we are allowing centerfire rifles up to .30 caliber. We redid the archery range and it's been getting a lot of use. There are some volunteers there engaging with the public to encourage the public to clean up after themselves. It's made a huge difference and it's clean.

Assistant Golden mentioned that Chief Hearon and his staff did a phenomenal job at that range. The old range was short, down a dead-end street, they realigned and expanded the range and put it on the main road. Chief Hearon and staff continue to put work into it and it looks great.

Acting Chairman Virgilio mentioned that he really liked that Chief Hearon moved the range close to the road, it cut back on a lot of vandalism and thinks it was a real smart move.

Humus Property Conveyance:

Assistant Director Golden reported that in Title 23 the Council is given the opportunity to make recommendations on any land transfers that the division is proposing to do or new leases. What Chief Hearon is going to talk about is a proposed land conveyance. Property that is currently a WMA is going to be sent somewhere else. This is the Council's opportunity to make a recommendation on it.

Chief Hearon reported a 619-acre tract in Stafford, Ocean Co. This property is surrounded by USFWS property and currently there is a management agreement in place with the USFWS to manage the property as it stands. We bought this property back in the early 2000s and it makes sense for this to be part of the 48,000 acres of USFWS property that surrounds it. There is no access to our property without going through the USFWS and they offered to reimburse us in full for the property. Green Acres funds were used to purchase this property and if reimbursed then that money will go back into future Green Acre purchases.

Director Herrighty asked if it was wetlands.

Chief Hearon replied that there is a lot of wetlands but not completely.

Director Herrighty added that they met with the Fish and Wildlife Service last October, when there was an initiative at the Federal level to re-examine access to all the refuges and make suggestions for turkey hunting and squirrel hunting and increase deer hunting on the refuge and they complied.

A motion was made by Councilman Lathrop to convey the Humus property to the US Fish and Wildlife Service, seconded by Councilman Gudmundsson; all in favor, motion carried.

Community Based Deer Management Proposals:

Jodi Powers, Deer Project biologist, handed out packets to Council of all the proposals. In the memos this year she included the number of deer that have been culled and deer accidents over the past couple years. For Bernards and Princeton townships she included the number of deer that have been harvested during the regular season over the past couple years.

Bernards Twp. Application was received on December 3, 2018. The township resolution was passed in July 2018. They are applying for a six-week extension to regular winter bow and the firearm seasons ending March 1, 2019. Hunting does occur during the regular deer season, this past year 210 deer were harvested during the regular deer season and 31 were culled during the extension for a total of 241 deer. The purpose of the application is to reduce deer-vehicle accidents, they had 53 deer-vehicle accidents in 2017 and as of Nov 1, 2018 they have had 45. Their goal is to reduce the number of deer accidents to 40-50 per year. They have not had a spotlight count done in the past few years, so she is requesting that one be done to try get an estimate of what the population density is. The program will use the same two township authorized hunting groups, Whitetail Solutions and the Bernards Twp. Protective Association. Participants will use temporary tree stands while hunting over bait. Whitetail Solutions utilizes archery exclusively and Bernards Twp. Protective Association Utilizes firearm and archery. The membership stands at 68 and they are seeking new qualified participants. Bernards Twp. Administrator has approved all the sites and will administer the controlled hunting schedules and monitor all activities. All sites will be posted. Based on the number of deer vehicle accidents the Division is recommending the approval for Bernards Twp. Community Based Deer Management. The permit would allow the extension of permit shotgun, permit muzzle loaders, and winter bow season through March 30, 2019 on township, county, and private properties throughout Bernards Twp. The exemptions to the Game Code the Council would approve are the seasons dates listed 7:25-5.26 whitetail bow season, 7:25-5.28 the whitetail deer muzzle loader rifle season, and 7:25-5.29 whitetail deer permit shotgun season.

A motion was made by Councilman Gudmundsson to accept the Community Based Deer Management Proposal, seconded by Councilman Brodhecker; all in favor, non-opposed, motion carried.

Essex Co. The application was received September, 2018 and we received the proficiency results on their shooters on November 21, 2018. The Twp. Resolution was passed on August 22, 2018 they are going to allow culling by volunteer sportsmen on the South Mountain Reservation and Hilltop property during the afternoon to evening daylight hours on Tuesdays and Thursdays during a 7-week period starting January 15, 2019 and ending March 7, 2019. The purpose of this application is to curtail over-browsing of native vegetation to allow forest regeneration, to minimize browsing of residential landscaping on properties surrounding the park, and to minimize the incidents of deer-related motor vehicle accidents. A forest health evaluation was completed in August 2017 with findings showing some regeneration of native species is occurring, so progress is being made. The deer vehicle accidents are still significant in

that area, with 242 in 2016, and 259 in 2017, and through Nov. 2018 the number was 221. It's well below the 363 in 2008 but it is still above what their goal is. Spotlight counts were done in May 2018 for both areas. The density was estimated to be 151 deer or 47 deer per sq. mile on the South Mountain Reservation and 90 deer or 204 deer per sq. mile on Hilltop. The program will utilize 16 volunteer sportsmen, all of which completed a proficiency test and background checks. They will only use slugs and shoot from tree stands over a baited site. Essex Co. is requesting the use of unplugged guns again this year and the division is recommending that the council approve this request. Based on the need to reduce the deer population to 20 deer per square mile to reduce the significant amount of damage done to the forest area and to allow the forest to recover, it's recommended the Fish and Game Council approve the application for the Essex Co. Dept. of Parks Recreation and Cultural Affairs. Exceptions the Council would approve are title 23:4-45 hunting by daylight and at designated times only, 23:4-24.1(a) the transport or procession of firearms in a motor vehicle, 23:4-13 regulations concerning guns which covers the unplugged shotgun, 23:4-13.1 the outer garment of orange, 7:25-5.23 firearms and missiles, and 7:25- 5.29(c) the whitetail deer shotgun permit season bag limit.

Councilman Pollock asked if we are aware of any safety incidents and if there were any enforcement issues we had as a result specifically around the management of these plans.

Director Herrighty replied that we have had no safety issues in any of these hunts and that is the reason we are recommending allowing un-plugged shotguns. They strictly patrol the area and close the park to civilians.

Acting Chairman Virgilio mentioned that our minutes from the Council meeting last year dated 12/17/17 what we said was Council asked the following provisions to be addressed or we will not approve a Community Based Deer Management Program for Essex Co. next year, which is this year. Those conditions were including a hunting component as part of the community based deer management project, the division and staff and Council will meet with Essex Co. and Essex Co. should provide educational materials to a successful hunt. Since our minutes reflect these provisions be addressed at the meeting and we did address them, and they weren't sure at that meeting that they were going to open it up to the public, but what they did assure us was that they would cast their nets wide, so the public could respond back to them and make application. That's why there are a couple questions there.

A motion was made by Councilman Gudmundsson to open for discussion, seconded by Councilman Brodhecker.

A motion was made by Councilman Brodhecker to approve the Community Based Deer Management Proposal with the notes requesting further information on how they are advertising and how many are in the pool of replacement shooters, seconded by DeStephano; vote taken, 5 in favor, 3 opposed, motion carried.

Princeton the application was received on October 29, 2018. The Twp. Resolution was passed on October 22, 2018. They are applying to allow Princeton to hire White Buffalo to cull deer

using silenced bolt-action .223 centerfire and .22 rim-fire rifles on seven private semi-municipal and one county property. The Division is again **not** recommending the approval of .22 rim-fire rifles. Permission to use suppressors has been granted by the Mercer Co. Prosecutors Office on December 3, 2018. Use of alternative methods will begin upon the approval of the permit through March 31, 2019. Operations will begin in the late afternoon with most of operations taking place after sun down. Shooting will take place on the locations of baited sites either elevated tree stands or the back of pickup truck mobile units. No chemical control fertility measures will be administered this year. Net and bolt methodology will be utilized this year. The township has had as many as 342 deer vehicle accidents in 2000, they have decreased that number to average 106 per year over the past six years. The goal is to reduce the number to 60-70 per year. Based on sampling conducted in March 2018 the post-fawning population estimate is 690 deer or 49 deer per square mile. The goal is 340 deer or an average of 20 deer per square mile. Last year 196 were culled. Princeton continues to contract a group of hunters that have successfully manage the deer herd at Duke Farms. Based on a significant number of deer accidents caused by an overabundance of deer, it's recommended that the Fish and Game Council approve the Princeton application. Exemptions to the N.J.S.A. the Council would approve are: 23:4-13 regulations concerning guns; 23:4-44 weapons authorized for hunting deer; 23:4-45 hunting by daylight and at designated times only; and 23:4-13.1 outer garment of fluorescent orange.

Councilman Gudmundsson asked why they keep asking for a .22 rim-fire and that we keep denying it, do they really use a rim-fire.

Director Herrighty mentioned that was the concern was that it would not be lethal and could ricochet.

Councilman Robinson asked if in the past have they ever requested anything like Bernards where they allow people to hunt on private property to extend the permit season to regular hunters who ate not on this permit.

Jodi responded that no they haven't because that would interfere with the work that they are doing with trying to bait those deer off those properties.

A motion was made by Councilman Gudmundsson to approve the Community Based Deer Management Project, seconded by Brodhecker; vote taken, 7 in favor, 1 opposed, motion carried.

Joint Base McGuire Dix Lakehurst (MDL) - we are still waiting for the US Attorney General's Office to sign off on the suppressors and Commander in Chief of the base to sign off on the resolution that normally the municipality would, everything else is in there. Jodi asked if she should hold off until we receive those signed papers.

Director Herrighty mentioned we could conditionally approve for the Division to issue the permit once Jodi receives those documents. This is a unique case where the statute calls for

resolution from the Township or freeholders and a county prosecutor to sign off on the suppressor. We had the Attorney General's Office review this and it's a federal base that they rely on the federal counterparts to issue those documents.

Joint Base MDL's application was received on December 21, 2018 and if approved the permit will be used on two military airfields, McGuire and Maxfield and two areas adjacent to those airfields, the Northeast section of runway 6-24 and areas west of runway 18-36 both of which are on McGuire Airforce Base section of the joint base. They are applying for this permit to reduce the number of whitetail deer strikes to military aircraft and to operate within the Bird Wildlife Aircraft Strike Hazard or BASH guidelines. This application will utilize USDA Wildlife Service staff who are stationed at the base to bait and shoot deer on and around the runways 24 hrs. a day year-round. They are applying to use unplugged shotgun and rifles with suppressors using .223 and .243 ammos. Staff will shoot from elevated tree stands, stationary vehicles, or mobile shooting units on the back of pickup trucks. Joint Base MDL is a Federal property and asked that the US Attorney General and not the prosecutor has authorized the use of suppressors and a memorandum to be provided prior to implementing the permit if agreed upon. A memorandum from the Commander will act as the resolution allowing the Joint Base to apply for the Community Based Deer Management permit. In October 18, 2018 55 deer were removed and are in the process of fencing this property of the airfield to try to prevent deer from running onto the runways which is scheduled to be completed in 2020. In summer of 2018, USDA Wildlife Services staff conducted spotlight counts in areas adjacent to the airfield and determined the deer population was 30 deer per square mile, but no deer are tolerated on an airfield at any time. Based upon the number of deer in and around the airfields located on Joint Base, it's recommended the council approve this permit. Exceptions to the game code the council would approve are: season dates listed in 7:25.28 whitetail deer muzzleloader rifle permit season, 7:25-5.29 whitetail deer shotgun permit season, and exceptions to the N.J.S.A. the Council would approve are: 23:4-13 regulations concerning guns, 23:4-44 weapons authorized for hunting deer, 23:4-45 hunting daylight and at designated times only, and 23:4-13.1 outer garment of fluorescent orange.

A motion was made by Councilman Gudmundsson to approve the Community Based Deer Management Project with the proper documents needed, seconded by Brodhecker; vote taken, all in favor, non-opposed, motion carried.

Public Comment:

Janet Pizar, Millburn, NJ said last week residents of Essex Co. received a postcard from the County Executive with the dates of all the deer management that would be done at South Mountain Reservation and Hilltop. South Mountain, in the summer time, a letter was written to the editor that they were very unhappy with the outcome of the deer management program in the county and wrote that now it's time to get serious about deer management which is why

she believes County Executive DiVincenzo Jr. added so many extra days to this year's deer management as opposed to last year. She believes if there is ever testament that hunting does not work, this is it. You can do more of it, you can do it harder and faster, but the deer come back stronger than before. The goal is to reduce deer vehicle accidents, we are getting the number which has always been an accumulative figure, there needs to be a study of where these accidents are occurring. For two consecutive years there were reports where the number of deer accidents numbers increased and what we now from an Erie, PA study is that most deer vehicle accidents occur on the first day of deer hunting and the first Saturday of deer hunting season. We must make sure that the hunters are not causing the accidents that they are seeking to reduce. So, we need to know a lot more than just that one number of how many and we need to know where to see if it is on the perimeter roads of these reservations. These roads are highly congested. As far as net and bolt, it doesn't always work the first time, so they have to do it a second or third time. It is horrible to watch. There are studies that show when you kill by net and bolt the cortisol level is so high, which means it's very stressed.

Sue of Jackson, NJ stated that when discussing safety of the people participating in the hunts, one of the things she knows is that in Union Co. there was a hunter ed. instructor who tests all the people who sign up and participate in the hunt to make sure they are proficient enough to go out there and hunt. That could also be done in Essex or any place else. She has watched animals put down with the net and bolt and if done properly it's done and over where as people that want to do the euthanasia, that is many times an agonizing way to go. Any animal put down with chemicals presents a problem with being disposed of.

Barbara Sachau, Whitehouse Station, NJ stated the lack of compassion has her in shock. We are here to live in harmony with animals. They were here way before us and we are all animals. You hide and keep information from us and are sneaky.

A motion was made by Councilman Brodhecker and seconded by Councilman Gudmundsson to adjourn the meeting at 2:52 p.m. vote taken, all in favor, none opposed; motion carried.

The next meeting will be held on February 12 at 10 a.m.