

**MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL
CONSERVATION CENTER
ROBBINSVILLE, NJ
JUNE 11, 2019**

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

The meeting was called to order at 10:02 a.m. by Acting Chairman 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 Secretary of State on June 3,2019 and delivered to the designated newspapers for the Division, The Atlantic City Press and The Newark Star Ledger and published on June 7, 2019.

Roll call was taken in attendance:

Councilman Phil Brodhecker (absent)

Councilman Joe DeMartino

Councilman Jim DeStephano

Councilman Agust Gudmundsson

Councilman Dr. Rick Lathrop

Councilman Jeff Link (arrived at 10:26 a.m.)

Councilman Bob Pollock

Councilman Loren Robinson

Councilman Ken Whildin

Acting Chairman Frank Virgilio

Division Employees included: D. Golden, P. Nelson, C. Stanko, L. Barno, J. Heilferty, A. Ivany, B. Stoff, M. Monteschio, S. Cianciulli, M. Hencheck, N. Figley, and D. Bajek.

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

A motion was made by Councilman Robinson to approve the May 14 minutes, seconded by Councilman DeMartino. Vote taken, one abstention (Councilman Lathrop), motion carried.

Acting Chairman Virgilio started his comments with discussing a joint briefing he attended May 28 on wind power in the State of NJ. The Commissioner's Office and DEP put together a meeting of all councils: Marine, Fish and Game, Atlantic Coast Shellfish, Delaware Bay Shellfish, and the Endangered and Non-game Advisory Committee. DEP was well represented by the Assistant Commissioners Ray Bukowski and Virginia Kopkash.

The Director of Fish and Wildlife, Dave Golden, was there as well as all senior staff. There were major bureaus with multiple presentations from Environmental Protection to NJ Board of Public Utilities and RODA (Responsible Offshore Development Alliance). After a year of public stakeholder meetings and listening to the concerns of our citizens, DEP reached out to the internal stakeholder groups for the purpose of planning, clarification, and to address the concerns of its councils. This was a direct outreach to all councils because they know councils receive concerns from constituent stakeholder groups. Chairman Virgilio thought that was unique and would like to see more of it. Commissioner McCabe attended the first part of the meeting and introduced topics, fielding questions from the council as well as the public attendees after each presentation. Chairman Virgilio's take away was that NJ residents strongly support offshore wind power by a margin of 76% which is a recent poll that just came out a few weeks ago by Monmouth University. That is an enormous portion of our population. Our DEP is approaching wind power with a proactive plan that includes balancing the enormous benefits of offshore wind while protecting our marine fisheries resources along with wildlife environmental impact. One question was that hasn't that train already left the station. The Commissioner replied that this train has not left and that's why we are doing these meetings and are concerned and why we are listening to you. This was the first DEP meeting that he attended where the presenters presented balanced sides and there was a lot of fairness, discussion, and debate.

Acting Director Golden gave a few updates, one being staff within NHR is preparing for a potential government shutdown on July 1, 2019. This is becoming more of a perennial experience, where leading up to the end of the fiscal year and beginning of the new fiscal year we work on contingency plans for the potential the budget won't get passed and the state will be shut down. As it relates to Fish and Wildlife, in the event there is a shutdown the Wildlife Management Areas will open for passive recreation, the facilities and services will be closed. We will have some essential services employees working. Our hatcheries will need to run, they are a 24/7 operation. Law Enforcement and some other staff will still be working.

Acting Director Golden recognized some employees; DEP has awards for employees who have worked a significant amount of time in DEP. Last month five of our employees received service awards. Patty Teixeira from our Permits Office and Cindy Kuenstner who is our Digest editor received service awards for 35 years of service. Three employees received awards for 40 years of service: Joe Garris who works in our Bureau of Wildlife Management, Diane Ogonofski who works in the Directors Office, and Pat Hamilton who works for the Bureau of Freshwater Fisheries. So, if you do the math, that would be 190 years of combined service to Department of Environmental Protection.

On the Assunpink building, we are looking forward to a potential final walk-through sometime this week on that renovation. We are hoping to have the Certificate of Occupancy by July 15, 2019, so for next meeting let's plan on having it here at the Conservation Center and if anything changes we will let you know. Last thing is that we have a really packed schedule, so we had a staff meeting yesterday had asked our bureau chiefs to be very brief in their updates, so we can try to make it through the agenda.

Acting Chairman Virgilio read aloud the public comment statement and added two changes to the agenda. Grouse Season Discussion requires a vote as well as the 2019 Pheasant Stocking Schedule, and we will postpone The Officer of The Year presentation until next month.

Council Reports:

Dr. Sebastian Reist, NJ Department of Agriculture, reported the USDA released final CWD management program updates. They talked about mortality testing and increasing biosecurity. The CWD control area in Pennsylvania was expanded by 2000 square miles. The Pennsylvania Game Commission Executive Director made a dark statement saying we will never eradicate this, and we will never stop this spread of CWD in PA. One more case of Exotic Newcastle Disease was found in California this week. Tennessee is the newest state to find Asian longhorned tick in their state. Penn State released research last week on CWD showing northeastern deer are genetically more susceptible. The CDC is working on rabies issues with dogs imported from Egypt predominately and New Jersey seems to be one place the dogs are being imported by various rescues. Last year when these imports were legal there were about 80 imports of these dogs and because there were several of these dogs that came in and developed rabies after entering the United States they made it illegal. This year the number of animals being imported are around 300 plus that they found out about.

Regional Sportsman Representative:

Councilman Robinson reported that he attended the State Federation meeting and gave a council report. He attended Union and Middlesex counties meetings and they both talked about Coastal Wind Energy presentation by John Toth. NJ Fur Harvesters were at Middlesex and encouraged people to report coyote sightings and also will have demonstrations in the fall if any club or organization would like to have a skinning demonstration they are more than willing to come out. Middlesex had a presentation by US Law Shield discussing the gun laws in the State of New Jersey and how sportsmen are affected by them. Union also spoke about the Central Region Sporting Clay Shoot and that it was well attended and at both meetings they discussed the Reading Twp. proposed ordinance for expanding safety zones and having land owners send certified letters to their neighbors telling them that they have hunting on their property, which he contacted Chief Stanko about and wants to thank her and her staff for a quick response.

Acting Chairman Virgilio reported Cumberland County is winding down with not much on their agenda other than discussing things from the past. Camden County is putting up a petition through Change.org and are trying to generate as many signatures as they can. This has to do with a piece of property in Wharton State Forest that is closed on West Mill Rd. by gates through an agreement with the Township of Hammonton giving a piece of property to a private land owner. This road is closed on both sides of Wharton State Forest. Although the road is owned by the Township of Hammonton, and the road was deeded over to a private individual and he does have the right to put a gate up and block it, they are hoping that they can diplomatically convince the Township of Hammonton to open the road. They are looking for alternative and different approaches. Acting Chairman Virgilio also attended a meeting in Dallas Washington area on how to debate and communicate affectively about hunting, put on by Responsive Management. Acting Chairman Virgilio take away from this debate was a couple really good points, one is to respect the opposition groups and their voice is an important voice and the other is that 80% of Americas population in every state that they are serving is in favor of the state agencies that manage wildlife.

Legislature Committee:

Assistant Director Nelson reported that there is not that much activity, the Legislature has been busy doing budget however the can still introduce bills. A majority are Assembly and their companion bills.

A-5348 and S-3717 Eliminates shellfish license fee for veterans and active duty service members. This bill does not include the language for reimbursement for any licenses, so that would be a loss of money for Marine Fisheries.

A-5367 and S-3632 Establishes Triploid Grass Carp Commission to study use of triploid grass carp in freshwater lakes for weed control. We will be opposing this bill, we do not want triploid grass carp throughout the state.

A-5432 and S-3796 Requires DEP Commissioner to establish individual transferrable quota system for menhaden purse sein fishery.

A-5452 and S-3876 Provides that firearms purchaser identification card is valid for four years; requires training prior to issuance of firearms cards and handgun purchase permits; reviews procedures for passing of firearms to heir or legatee. This is not directly a hunting bill, but hunters will be interested in it if your Firearm ID card is expiring and need to get a new one.

A-5489 and S-3822 Allows persons 65 and older to operate all-terrain vehicles on certain State lands while hunting. Wildlife management lands are included. We do not want any additional ATVs on the Wildlife Management Areas.

A-5528 and S-3915 Allows the collection of seeds from wild native plants. We will be opposing this bill.

A5529 and S-3916 Creates "Pollinator Pathway" designation for municipalities.

A-5420 Authorizes hunters to ride in the bed of pickup truck under certain circumstances. You have to be going under 35 mph and have to be going from clubhouse to your hunting location but does not say that you have to be on dirt roads or regular roads. Not sure where this one will go.

S-3697 Authorizes local law enforcement officers to conduct certain alternative deer control methods. Likely to oppose this because law enforcement officers can already participate in community based deer management plans.

S-3828 Prohibits wildlife rehabilitators from euthanizing wildlife except as specified.

S-3829 Provides immunity for caring for wildlife without license under certain circumstances.

Endangered and Nongame Species Advisory Committee:

Councilman Lathrop reported that they met in May in Cape May County. It was timed with the migratory shorebird season. He got the opportunity to go out with the shorebird team at the end of May, the last day of their trapping season; they had a pretty good season this year. One interesting thing that has been going on there with the Agriculture Working Group which is a combination of the State and Feds trying to balance the interests of the intertidal oyster aquaculture and the horseshoe crabs and the shorebirds. One of the findings from the shorebird team was that they had a lot of usage by shorebirds in the conservation zone, which is the northern part. Part of their strategy of the Agriculture Working Group is to try to move oyster aquaculture out of the northern zone and into the southern culture development zone and that has been moving along and the shorebirds seem to be responding.

Acting Director Golden wanted to add one thing they talked about at the meeting was the American Value Report that this council has also reviewed, and in that report, it divided Americans into four categories of how they viewed wildlife. The discussion at the Advisory Committee revolved around I wonder what that test looked

like and what category you would fall into. Dr. Applegate reached out to the authors of the report and he got the questionnaires that put you in these different categories, so we have that digitally and would like to know if the council is interested in taking it to see what category you fall in. Acting Director Golden will send it out to anyone who is interested.

Waterfowl Stamp Advisory Committee: Next meeting will be September 10, 2019.

Wildlife Rehabilitators Advisory Committee: Next meeting in July.

Law Enforcement: Had a meeting yesterday.

Division Reports:

License and Permits:

Barbara Stoff reported that she is busy building the new system and we are on target with our August 8, 2019 launch date. She pulled some reports and fishing right now compared to last year all license sales up to June 1 were up 6.1% with the greatest increase being non-residents, we believe that's due to some targeted e-mails. Hunting licenses right now are up a total of 2.17% and of that the archery licenses are up 4.2%. The archery licenses were part of the ATA/RM (Archery Trade Association and Responsive Management) study that was done last year. We just got a preliminary draft of that study results and even though we are seeing that increase this year, the year they did the study they were seeing no significant increase for New Jersey.

Acting Chairman Virgilio asked if the August launch date was statewide.

Barbara replied that it will be a hard launch, all stores should be getting their new equipment in the next few weeks.

Councilman Robinson asked how were the turkey permits sales.

Barb replied the last she looked they were pretty much on par with last year.

Councilman Gudmundsson asked if Barb could send an e-mail on where the non-resident licenses are coming from.

Chief Barno replied that the non-resident sales are mostly residents in the bordering counties of Pennsylvania and New York.

Information and Education:

Chief Ivany wanted to follow up regarding what Barb said about the new license system, I&E is working with Barb and a lot of bureau staff will be assisting with testing the system. We have developed some materials including a frequently asked questions page which are now up on the website. We have also done our first social media post and will be doing regular updates, as well as a state-wide news release through the

Department. Aspira will also reach out to the hunters and anglers in the state at the appropriate time. We are doing our best to try to reach everybody and let them know about the new system.

Update on the Spanish black bear brochure: we got our first translated version back from the DEP communications office just before Memorial Day, so it was a little later than we were hoping but again they don't have anybody on staff that does this regularly. However, they were able to find someone in the department to translate the brochure for us. Once Chief Ivany received it back, he provided it to Michelle Smith who oversees our bear education program. She sent it to her cousin who is a Spanish teacher of 30 years to take a second look at it and she is actually the one who did the translation for our first brochure. Once received from there, it was then given to Acting Director Golden who also sent it out for a third pass and we got a few more edits back, so we now have what should be the final edited version. We wanted to have this looked at several times for accuracy. Chief Ivany will put this together and get it to our graphics person to design and then out to print.

This Saturday, we are hosting our first "First Catch Center." The Recreational Boating and Fishing Foundation (RBFF) has a program called First Catch Center and Texas and Pennsylvania are the other two states in the country that started these centers. New Jersey is going to be the anchor here in the Northeast. We are going to be holding this program out of the Hackettstown Hatchery, utilizing the ponds and the education center there. RBFF has contracted with an organization called Fishing's Future in Texas and they came up and met with us and they are providing all the equipment. This will be a volunteer run program with Division oversight. The program teaches fishing basics and gives people the skills they need to learn fishing for the first time and then go out as a family to do it on their own. We are obligated to do three programs, with the next one on July 20, 2019 and then the last one on August 17, 2019.

Freshwater Fisheries:

Chief Barno reported that our spring trout stocking is completed. Throughout the season we distributed 592,000 Rainbow Trout that averaged 11.3 inches, and we had over 11,000 broodstock that were 16-20 inches in length. The temperature has been great for an extended season, anglers are still catching trout in the river. Our trout stocking is a true Division-wide program, there are a lot of bureaus involved to make this happen. Outside of us just raising the fish, Lands Management does all the distribution. That equates to 275 runs over the 10-week season that's handled by the Lands Management staff and they do an outstanding job dealing with the wet, the muck, and sometimes the snow, and for the occasional angler that feels there should be a time allotted to a particular site. Kudos to Lands Management staff, we couldn't do it without you, and also, I&E for getting all the information out to our anglers, for the outreach that occurs for highlighting the program and for responding to all the inquires and complaints and definitely to Law Enforcement who are out there dealing with the field aspect of enforcement. It's a huge program and we could not pull it off without all the other bureaus involved with it.

Pat Hamilton has rescinded her retirement, so her 40 years keeps going. She was retiring due to some health benefit changes, but there were some changes last minute and she would like to see the completion of the Coldwater Plan that is scheduled to be completed towards the end of this year. An update on Largemouth Bass Virus: last fall we had to destroy largemouth bass over at the West Hatchery that tested positive, we shifted our production over to the east and unfortunately testing showed that they too are positive for LBV in three ponds. We promptly destroyed 200 broodstock. We also destroyed the fry, even though the virus is not transmitted vertically into the fry, just the fact of having positive adults in the same water with the fry, bass do parental care, so you already have that mix and blend with the virus. We have drained those ponds. We will start

segmenting sections at the hatchery, based on water supply, off one area to the next and systematically drain and dry those ponds and refill to start again. These are bass we had on site except for one pond which we brought some bass in from Canistear Reservoir and those came into the building went to Dr. Lovy the next day for testing and they all came back positive, which still leaves the question as to what the prevalence is of the virus in the wild population. We will be following up this summer with additional testing throughout the state.

Land Management:

Chief Hearon wanted to update on the chainsaw class, we sent a follow up email on May 31 to Tom Weeast from Gloucester County Federation saying we are approaching our fiscal year so there will be a delay and Tom asked us to still hold off because he is still trying to gather participants, and he has reached out to other Federation chapters in the South. Tomorrow we will be doing an aerial seeding at Tuckahoe Wildlife Management Area on a total of just over 400 acres and the seeding will be a mix of annuals and perennials of red panic grass and Japanese millet for the waterfowl habitat. We have also expanded this kind of waterfowl management over to Heislerville WMA in the third impoundment, so you may hear a little push back from the crabbers in that area. The water control structures were funded the same way the Tuckahoe project was and we should really be doing some kind of waterfowl management, which we have not been in recent years.

Acting Director Golden mentioned that at our September meeting we will be talking about the potential waterfowl management hunt plan at Tuckahoe. We will also talk about a proposal on how we provide managed access to that site for hunters.

Chief Hearon reported that they are working on a beach replenishment in Money Island in Bay Point. The state bought the properties after Hurricane Sandy, with Blue Acres funding. This is the first time Blue Acres has received restoration funding associated with a buyout program. As we bought the property, Blue Acres would take the houses down and the properties are left as they are, but we are going to do a beach replenishment in both areas. With that we're also tying in DOT to try to provide sand for the beach replenishment, which will potentially be dredge Nantuxent Creek, and this will tie in Shellfisheries, Land Management, Blue Acres and DOT. Stockton University will have the contract to do the work. In the north we are continuing to rectify the mine issues as they pop up. We were able to complete our first lead cleanup on our Clinton range and we got more lead out than anticipated, we were over 9,000 pounds. The way it works is some of that money will come back to the division to offset the cost of the contractor to do the work. Our goal right now is one range per year.

Law Enforcement:

Chief Cianciulli started with the wrap up of a very successful and safe turkey season and transitioning into Wildlife Management Area season. We had a bear class scheduled for May 24 that we had to cancel due to only having five officers registered by the 20th. There is a class with the NJ Park Police scheduled for October, it will run 2 days and 20 officers a day will come into our facility to get trained and certified. We will attempt to schedule another class for the fall out of Morris County Police Academy, if we don't have great registration we will push it back till late winter February/March to try to beat the snow and get everyone trained before Spring. There were a lot of questions on our recruit exam and they should have a list by the end of June.

Acting Chairman Virgilio asked how many are we hiring off that list.

Chief Cianciulli replied that he is not certain. There will be discussions with the Director and Assistant Commissioner. Currently we are down nine officers and Southern Region Captain Scott Risher is scheduled to retire August 1, 2019.

Acting Chairman Virgilio asked if Chief Cianciulli could patrol the artificial reefs where fishermen are putting pots down in the water on the reef for lobster in Sandy Hook.

Chief Cianciulli replied that we get very few complaints, but recently there have been a lot more calls about this. Now that we have a vessel capable of finding and hauling gear we made a few cases. Up in that area, there are more people getting involved with recreational lobster fishing, so a lot of these complaints tend to be commercial type gear and these recreational fishermen are setting in areas where they are restricted. In the last couple of months, we made several pretty big lobster cases there. As we are out we always try to get on top of the reef and look for gear that's not supposed to be there. It's tough because for years we didn't have a boat capable of doing this and it takes three people to run the vessel with only ten field officers in the Marine unit. They leave at the crack of dawn and get home late at night. Chief Cianciulli also mentioned that if anyone has complaints or observes violations to call 1-877-WARNDEP.

Endangered and Nongame Species:

Chief Heilferty reported a few updates: we expect the proposed Federal regulation Recovering America's Wildlife Act (RAWA) may drop next week. The original language wasn't acted upon during the 115th Congress. The 116th Congress is putting forth a revised version. The language may change a little bit. We don't think changes will be dramatic but may draw from a different funding source. Chief Heilferty doesn't believe the intended use of the money will change, it's designed to assist states in implementing its wildlife protection plans and working on Species of Greatest Conservation Need which are not just species that are endangered and nongame and range across the whole division. It's a potential funding source on the horizon that we are hoping comes through. Some recent activity in the program, we recently daylighted our long anticipated Connecting Habitat Across NJ project. We will have one of our staff come in and talk to the council. Basically, we use GIS mapping to identify cores of remaining habitat and the corridors that connect them. There is a link on the Division's website and if you click on it, it will bring you to a dedicated page for the project which includes a 10-minute introductory video on what the project is all about. The goal is to help the state or non-profit or private entities preserve properties that are instrumental in connecting some of these core habitats to manage and maximize those properties and their use by wildlife to pass through them. We will have Amanda Dey come in July and do a presentation on 2019 Shorebird Season. Chief Heilferty met with the Game Committee yesterday and wanted to thank them and the Chairman's interest in appreciation for coordinating between our programs and talking about some of the game and nongame issues coming up.

Wildlife Management:

Chief Stanko reported the preliminary number for the spring turkey season harvest was 2,739 which was 4.4% down from last year. It's broken down by zone in the monthly report. In July we will be having a full Council vote on the 2020 Game Code amendments.

Update on quail in NJ: we have been working with NJ Audubon and LSA (Landis Sewer Authority) and have four properties under consideration, those two as well as two of our WMAs, Buckshutem and Dix. We did a whole analysis for a possible relocation of each site. Originally Buckshutem came up #1 in the analysis for the

best site, then we presented that information to NBCI (Northern Bobwhite Conservation Initiative). They reviewed and found something off with the habitat acreage, so we went back and reviewed our inputs. It wasn't the data collection that was off, it was the input into the model that was done incorrectly so when we re-evaluated the three out of the four sites Dix WMA now came up as the #1. We did not do any corrections to Pine Island because Audubon had collected that data. Which wouldn't matter anyway because the factor that we are concerned with is the land acreage of habitat on that site which needs to be at a minimum of 1,500 acres as required by NBCI and that wouldn't have changed, they got a zero for that part of the evaluation because they fell under the 1,500 acre minimum.

We had a meeting with our partners last month to tell them about these changes. Audubon was understandably upset because they put a lot of time, energy, money, and effort into the Pine Island project, which was never meant to be a translocation, but a test on how birds from Georgia would survive this far north. They had some concerns of the model itself so, they invited NBCI up here to walk all four properties to give an on-site evaluation and we were fine with that. This is a living document, it's changing as we get new information and more experience with quail translocation.

The next step is that the Director will reach out to NBCI and that letter is already drafted for his signature requesting them to come up sometime in August to walk all four properties. We are going to start putting out feelers for donor states for birds and drafting letters for his signature to the directors in the donor states and follow all the protocols NBCI is putting out for habitat. There are several states in front of us, PA being one of them, which don't have their habitat up and running yet but they are hoping to have it done by 2021 which is the year were hoping to have it done as well. We feel that our habitat is ready to go, so we will be putting in an application for the Dix WMA for relocated quail.

Councilman Gudmundsson asked how many birds are we looking to acquire.

Chief Stanko replied 1,500 to 1,800, about 500-600 a year for three years.

Non-Lead Alternatives:

Nate Figley, project leader on Hunter Education Program and Matt Hencheck, videographer, gave a brief presentation on Hunting with Non-Lead Alternatives. This presentation will be put on our internal Division SharePoint site. There are five basic points: what are non-lead alternatives, when did hunters begin using it, what are the benefits of using it, the concerns hunters have, and the cost.

Non-lead alternatives are any shot type that does not cause sickness and death when ingested in migratory game birds and include copper, bismuth, steel, zinc, tin, tungsten, and alloys of those metals.

In 1976 there was a regulation enacted in NJ in a small portion of eastern Atlantic County, when hunters were perusing migratory waterfowl had to use non-lead ammunition. Over the next 14 years, more and more areas were added to that regulation until in 1990 it was mandated state-wide for all waterfowl hunters to use non-lead ammunition. The very next year there was a nationwide ban US Fish and Wildlife passed and recently California just this past year passed legislation that whenever hunting, hunters must use non-lead ammunition.

The benefits hunters and shooter will see by using non-lead ammunition is for shooters using single projectile, the bullets are designed for controlled expansion, so they are going to create large wound channels providing a quick clean kill of the animal. They pass through the animal leaving a good blood trail and allowing hunters to easily recover the shot game animal. Hunters that will be using fine shot or buck shot are going to see more consistent patterns because these metals are typically harder and don't deform and therefore stay on target

better. It also reduces lead exposure to wildlife and people. There is little to no fragmentation in single projectiles, they do mushroom out but retain almost 100% mass from time fired to when they come to rest after passing through an animal and going into the ground, they contain approximately 100% of their mass. There is also no concern in inadvertently ingestion whether it be by wildlife or humans.

The concerns among the hunter and shooters with this type of ammunition is it could damage gun barrels due to the hardness of the pellet. There is a loss of velocity, some of these metals are lighter than lead, there is a possibility of ricochets and the overall cost of them. There is reduced cost in certain types of shot. The first thing engineers came up with to protect the firearm barrel was to increase the thickness of the wad itself. Wads will also increase the accuracy by cushioning pellets, so you have less deformities of those pellets, create a very tight gas seal by keeping all the pressure behind the shot and also hold the shot together a little longer down range as it's going towards its target. The sabot is very similar to the wad, it protects the barrel from the hard metal and helps grip putting spin on the bullet making it more accurate and also increases the muzzle velocity of the projectile.

All bullets ricochet, so that's a concern when you are taking a shot no matter if it is non-lead or not. The way we treat this is through education. One of our primary safety rules when you are at hunter education safety class is know your target and beyond, before you take a shot positively identify your target and know it's a safe shot before you squeeze the trigger.

Acting Director Golden mentioned that next month Fish and Game meeting we will have a talk on 2019 Shorebird Season and a talk on immunocontraception.

2019 Pheasant Stocking Schedule:

Chief Hearon reported there is a deadline of today or tomorrow to get the pheasant schedule into the Digest. When we were trying to look at this the Delaware Water Gap National Recreation Area presented a problem the last couple of years with complaints that some of it's planted with soybeans or some with corn and some not planted. We had our staff go out and take a look, so we could make some decisions. We do not own the Water Gap, that is federal property. Our staff made several attempts and the Water Gap still was not planted due to weather. Some of it is anticipated to be planted this week and some of it is unknown. With that the pheasant formula is based on available fields to be stocked. The north will be planted with soybeans, the south will most likely not get planted in full. Chief Hearon asked the staff to run the numbers a couple different ways and we have a problem with acreage. Last year we used 400 acres in the formula, and essentially it was the middle region fields that were stocked with pheasants. If we include all the areas, we would be looking at 1,100 acres total of available stock there. Chief Hearon is making a recommendation that we leave that out but include some of the lower portion of this acreage. If we go with this recommendation we will be looking at an additional 500 birds to the Water Gap this year over last year. We will be looking at 20,360 birds total for the north and of that 4,850 of them will be going to the Delaware Water Gap, with 24% of the birds stocked in the northern region would end up on the Water Gap property.

Acting Director Golden mentioned that we are in the process of putting together a survey to stamp buyers from the past three years and ask them some directed questions on how they feel about the new formula and how it affected their hunting.

Councilman DeMartino made a motion to move forward with the recommendation of Pheasant Stocking, seconded by Councilman Robinson. Vote taken, all in favor, non-opposed; motion carried.

Lunch: 12:20 – 1:03

Grouse Season Discussion:

Chief Stanko reported that the Division has had discussions both internally and with the Game Committee on Ruffed Grouse and their status in NJ. Andrew Burnett presented to the Council and ENSAC during the joint meeting back in October of last year on Grouse. In that he basically said all the information we have on Grouse show a drop for the past couple of decades, so we looked at flush rates and we took hunter harvest surveys and they all showed the same thing. As discussed at our Game Committee meeting yesterday and agreed upon by the Committee, the Division is recommending that the Council invoke a section of the Game Code which allows the director in consultation with the Council to close the season. Chief Stanko read aloud the language: “The Director with the approval of the Fish and Game Council can close any hunting and trapping season state-wide or in a designated area when necessary to respond to an emergencies or special circumstances when it is deemed necessary to protect wildlife or human health for safety. Such closure shall be announced by press, radio, division website and listservs.” We have a deadline for the Digest, so that’s why we are presenting this vote today in order to get it in before the season closure. The closure will be made permanent in the Game Code in 2020. We will also be writing a recovery plan and doing work on wildlife management areas for habitat.

Acting Chairman Virgilio read aloud what the Game code Committee came up with: The Game Code Committee met and unanimously voted to close Ruffed Grouse season as allowed under 7:25-5.1(g). This closure shall also include Grouse habitat restoration.

Before we call the vote Acting Chairman Virgilio wanted to get public comment because this is an important topic. He would like to get comment on Ruffed Grouse and the Pheasant stocking.

Public Comment:

Janet Pizar, Millburn, NJ, is in favor of closing the Grouse season and opposed to the pheasant stocking because it epitomizes the manipulation of numbers purely for recreational hunting. She feels this is not population control.

Barbara Sachau, Whitehouse Station, NJ, is opposed to the pheasant stocking and the purchase of animals just to be killed. She also wonders why it took this long for anyone to see the Grouse numbers were down this much, why wait this long before doing anything until it gets so bad they are almost gone.

Chief Stanko clarified for the record that we determined that hunting is not a factor in the reduction of the Grouse population. It is loss of habitat due to forest maturation and also diseases like West Nile Virus.

Sue Rockermell, Jackson, NJ, is a member of the NJ State Federation Sportsmen club Upland Game Committee. She brought in a letter for the Fish and Game Council from the NJ State Federation Sportsmen Club in favor of the closing of the Grouse season and read it aloud to the council.

Councilman DeStephano made a motion to close the Grouse season until sustainable again, seconded by Councilman Gudmundsson. Vote taken, all in favor, non-opposed; motion carried.

Early License Restoration Appeal Hearings:

Jefferey Ross - present

Captain Quirk read the statement for revocation appeal for Mr. Ross who was present. Mr. Ross was convicted of a violation on September 8, 2018 N.J.S.A 23:4-42 Antlered deer over limit and a second convicted violation on February 11, 2014 N.J.S.A 23:3-56.2 Deer permit violation. The Council asked Mr. Ross questions. Mr. Ross testified as to why the Council should restore his license.

Acting Chairman Virgilio stated that the Council has three options: reinstate, continue the revocation or delay for additional information. If there is a motion to reinstate, for the record, justification is needed.

Acting Chairman Virgilio asked for a motion to open the floor for discussion.

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

After the council discussed Mr. Ross's violations, Acting Chairman Virgilio asked for a motion to close the floor for discussion.

Councilman Gudmundsson made a motion to close the floor for discussion, seconded by Councilman Robinson. Vote taken, all were in favor; motion carried.

Councilman Gudmundsson made a motion not to reinstate of Mr. Ross's license, seconded by Councilman DeStephano. Vote taken, all in favor, none opposed; motion carried.

Nicholas Rothman – not present

Acting Chairman Virgilio and Councilman Whildin will be recusing themselves from this case due to knowing the individual.

Captain Quirk read the statement for revocation appeal for Mr. Rothman who was not present. Mr. Rothman was convicted of a violation on April 2, 2019 N.J.S.A. 23:4-13.1 hunting after hours and failure to wear hunter orange and a second violation on August 3, 2015 N.J.S.A. 7:25-2.4 & 7:25-2.1 Damage to vegetation and Possession of an alcoholic on a WMA.

Acting Chairman Virgilio asked for a motion to open the floor for discussion. **Councilman DeMartino made a motion to open the floor to discussion, seconded by Councilman Gudmundsson. Vote taken, all in favor; motion carried.**

After the Council discussed Mr. Rothmans's violations, Acting Chairman Virgilio asked for a motion to close the floor for discussion. **Councilman Robinson made a motion to close the floor for discussion, seconded by Councilman DeMartino. Vote taken, all in favor motion carried.**

Councilman Gudmundsson made a motion to not reinstate Mr. Rothmans license, seconded by Councilman DeMartino. Vote taken, 2 abstentions. Motioned carried.

Mark Shakarjian – not present

Captain Quirk read the statement for revocation appeal for Mr. Shakarjian who was not present. Mr. Shakarjian was convicted on November 1, 2018 PACS 2711.A.1.A and PACS 2321.A.2 and a second violation on March 19, 2019 23:4-42. Unlawful Act Concerning Licenses and Unlawful Killing or Taking of Big Game.

Councilman Gudmundsson made a motion to open the floor for discussion, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.

After the Council discussed Mr. Shakarjian's violations, Acting Chairman Virgilio asked for a motion to close the floor for discussion. **Councilman Robinson made a motion to close the floor for discussion, seconded by Councilman DeStephano. Vote taken, all in favor; motion carried.**

Councilman Gudmundsson made a motion not to reinstate Mr. Shakarjian's license, seconded by Councilman Link. Vote taken, all in favor; motion carried.

Richard Jones – not present

Captain Quirk read the statement for revocation appeal for Mr. Jones who was not present. Mr. Jones was convicted on August 8, 2017 7:25-2.9(a) swimming on a Wildlife Management Area and a second on April 2, 2019 23:4-13.1 hunting after legal hours and not wearing hunter orange.

Acting Chairman Virgilio asked for a motion to open the floor for discussion. **Councilman Gudmundsson made a motion to open the floor for discussion, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.**

After the Council discussed Mr. Jones violations, Acting Chairman Virgilio asked for a motion to close the floor for discussion. **Councilman Gudmundsson made a motion to close the floor for discussion, seconded by Councilman DeMartino. Vote taken, all in favor; motion carried.**

Councilman Gudmundsson made a motion not to reinstate Mr. Jones license, seconded by Councilman DeMartino. Vote taken, all in favor; motion carried.

Joseph Comerford – not present

Captain Quirk read the statement for revocation appeal for Mr. Comerford who was not present. Mr. Comerford was convicted on August 3, 2017 N.J.S.A. 23:7-9. a(4) and 7:25-2.2(b) operated vehicle over closed road or prohibited area, and a second violation on December 18, 2018 N.J.S.A. 23:4-16(d) hunting within 450 feet of a building and hunting with a firearm without the required fluorescent orange.

Councilman Gudmundsson made a motion to open the floor for discussion, seconded by Councilman DeMartino. Vote taken, all in favor; motion carried.

After the Council discussed Mr. Comerford's violations, Acting Chairman Virgilio asked for a motion to close the floor for discussion. **Councilman DeMartino made a motion to close the floor for discussion, seconded by Councilman Gudmundsson. Vote taken, all in favor; motion carried.**

Councilman Link made a motion not to reinstate Mr. Comerford's license, seconded by Councilman DeMartino. Vote taken, all in favor; motion carried.

Nicholas Commisso – not present

Captain Quirk read the statement for revocation appeal for Mr. Commisso who was not present. Mr. Commisso was convicted on September 14, 2018 N.J.S.A. 23:2B-6 NJAC 7:25-18.1(c) 1 possession of undersized marine fish and a second violation on January 14, 2019 N.J.S.A. 23:4-13.1 and 23:4-16(d) hunting within 450 feet of a building and hunting with a firearm without the required hunter orange.

Councilman Gudmundsson made a motion to open the floor for discussion, seconded by Councilman DeMartino. Vote taken, all in favor; motion carried.

After the Council discussed Mr. Commisso's violations, Acting Chairman Virgilio asked for a motion to close the floor for discussion. **Councilman DeMartino made a motion to close the floor for discussion, seconded by Councilman Lathrop. Vote taken, all in favor; motion carried.**

Councilman Gudmundsson made a motion not to reinstate Mr. Commisso's license, seconded by Councilman DeMartino. Vote taken, all in favor; motion carried.

Public Comment:

Barbara Sachau, Whitehouse Station, NJ, on the hearings we just heard, why are the charges being dropped? She would like to see more vigorous prosecution than what we are having. The Sparta Mountain people are upset on the logging on the open space that taxpayers pay for. She would like to know why we never get an update or follow up to all the tests Dr. Reist does. She also would like to know why farmers don't take the steps to keep the animals out instead of killing them.

Dr Reist wanted to mention that the tests that he does, they do send the results to the Division.

A motion was made by Councilman Gudmundsson and seconded by Councilman DeMartino to adjourn the meeting at 2:20 p.m. vote taken, all in favor; motion carried.

The next meeting will take place July 17, 2019 at 10:00 a.m. at the Central Region Office.