

THE MINUTES OF THE  
NJ FISH AND GAME COUNCIL  
ROBBINSVILLE, NJ  
MARCH 10, 2020

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 Chairman Virgilio.

The flag salute and Pledge of Allegiance were completed.

Chairman Virgilio read aloud the following notice: In accordance with P.L.1975, c. 231 notice of this meeting was filed with the office of the secretary of state on March 3, 2020 and delivered to the designated newspapers for the division, The Atlantic City Press and The Newark Star Ledger and published on March 6, 2020.

Roll call was taken in accordance:

- Chairman Frank Virgilio
- Councilman Phil Brodhecker
- Councilman Joe DeMartino
- Councilman Jim DeStephano
- Councilman Agust Gudmundsson
- Councilman Dr. Rick Lathrop
- Councilman Ed Kertz
- Councilman Rob Pollock (absent)
- Councilman Loren Robinson
- Councilman Ken Whildin

Division employees included: D. Golden, P. Nelson, C. Stanko, A. Ivany, L. Barno, J. Hearon, M. Monteschio, S. Cianciulli, and D. Bajek.

There were numerous members of the public in attendance.

Chairman Virgilio asked if there were any changes or corrections to the February 11, 2020 minutes.

**A motion was made to approve the February 11 minutes by Councilman Robinson, seconded by Councilman Lathrop. Vote taken, all in favor; motion carried.**

Chairman Virgilio attended the 1<sup>st</sup> NJ Predator Convention this past Saturday and said there was a strong following. It was built as a family day, filled with delicious food, great displays, and a lot of fun.

Director Golden mentioned that there is a travel ban on all State employees due to the Corona Virus, and all travel for Division of Fish and Wildlife employees is being reviewed. The NEAFWA Conference is still on as of now and so is the non-lead demonstration on Friday April 17, 2020. Council, if you have not yet signed up please do.

Assistant Director Nelson announced that with 33 years with the Division, she will be retiring as of July 1, 2020.

Director Golden mentioned we had our Division staff meeting last week and we think about the flow of the staff and division in general. Assistant Director Nelson who has worked for the Division for 33 years is retiring and recently, at the end of January, Patty Teixeira who worked for DFW retired after almost 40 years and they have over 70 years of collective knowledge about to leave the Division ranks. The reason for connecting these thoughts to our Division meeting is because he presented a graph at the Division meeting of the number of new employees that we brought on in 2019 as an end of the year review. In 2019 we brought in 32 new employees to the Division and when you think about a staff of 230 people, that is a significant number of staff. We also have 11 additional new hires in the works.

## **Council Reports:**

### **Agriculture:**

Councilman Brodhecker reported that we have been having nice weather up north and the farmers are getting out in the fields. He has heard of a few bear sightings but no calls. Deer are being seen all clustered all over the place. We have so much un-hunted land and we need to get creative on how to get to those isolated areas.

Councilman Kertz reported field work has started and there are groundhogs coming out of hibernation that are doing damage to the crops. We haven't had a board meeting this month, but Atlantic county is having a Legislators' Night, where they invite all the legislators to come up to dinner and discuss our concerns. Last year a couple of the other counties asked if they can

join, so we had 4 counties last year and this year we believe it will be every county from Burlington and south.

Dr. Sebastian Reist, NJ Department of Agriculture, reported on the COVID 19 and a push to not call it the Corona Virus. The USDA is expanding testing for African Swine Fever. A stock show in Texas had a rabid cow. The cow was not visibly sick during the fair but was infectious during the time the fair took place.

**Farmer/Sportsman Representative:** No report

**Regional Sportsman Representative:**

Councilman DeMartino reported he had a meeting with a bunch of waterfowl people to talk about the change in zones and they want to keep it the same.

Director Golden reminded Council that Ted Nichols had previously presented the Tuckahoe Plan to Council and it was approved.

Councilman DeStephano reported he attended Sussex, Essex, Morris, and Warren County meetings. Bergen's meeting was canceled. He also went to the NJ Predator Hunters Convention and NJ Trappers meetings. Bergen and Morris County venison dinners were fantastic and had great prizes.

Councilman Gudmundsson attended Morris County's 40<sup>th</sup> dinner. The MC for the dinner went to the first dinner as a project when he attended Rutgers and has been going every year since. Last Saturday at Rahway River, 60-70 people attended to make flies to donate to the Wounded Warriors, Casting for Recovery, and over three thousand flies were split between the three organizations.

Councilman Robinson attended Hunterdon meeting last month where they discussed gun laws and red-flag laws. Union County deer management wrap-up meeting. They had a very successful archery hunt this year with a total of 190 deer harvested with crossbow, 35 with shotguns for a total of 225 deer. Their goal is to reduce the population to 5 deer per square mile. They had 46 hunters in their archery program, 34 in their shotgun and 18 new hunters this year. The cost for deer management program was \$7,650 and donated 1,846 pounds of venison. Union Counties regular meeting they spoke about the deer management and discussed water quality monitoring and restoring habitats and addressing flooding issues.

Councilman Whildin attended Cumberland County meeting and discussed the striped bass/bluefish changes. The annual trash hunt is March 21, 2020.

Chairman Virgilio attended a few meetings and some of the counties are complaining about ATV and ORVs messing up their hunt. He received a phone call at 5:30 this morning from a guy who was very aggravated, he was predator hunting and ATVs were going through all day Saturday messing up his hunt. On the other hand, he has Camden County and sometimes Atlantic County complaining about road closures in Wharton State Forest. Chairman Virgilio would like the Division to put together for council a presentation on land use and why we close roads and how important it is to close roads certain times of year and why we sometimes do it seasonally. Assistant Director Nelson mentioned we need a presentation from Parks as well.

**Finance:** No report

**Fish Committee:** Meeting March 25, 2020.

**Game Committee:** Meeting scheduled for this month

**Legislative committee:**

Assistant Director Nelson reported on the current legislature from last year.

A-3221 and its companion S-1403 Establishes program authorizing lease of historic buildings and structures in State parks, forests, and wildlife management areas. This would be beneficial to us.

A-2848 Prohibits application of neonicotinoids on State, county, or municipal property.

A-3086 and its companion S-2001 Establishes forest stewardship program for State- owned lands and wildlife management areas are included in that.

RAWA is at 180 co-sponsors.

Director Golden mentioned an update on RAWA that didn't make it to the Council was that they changed the funding formula, so in the past if this got approved then NJ would get \$17.4 million dollars in Federal funding. That formula changed to States of lower population and who have more Federally listed species, so our estimate went down to \$11.8 million.

**Endangered and Nongame Species Committee:** ENSAC has a meeting tomorrow.

**Waterfowl Stamp Advisory Committee:** No meeting

**Wildlife rehabilitators Advisory Committee:** No meeting

**Law Enforcement:** No report

**Division Reports:**

**License and Permits:**

Assistant Director Nelson reported there was an issue with the turkey permits and an email went out that Aspira made a mistake and it is now fixed, they also made a change in the program, so it won't happen again.

**Information and Education:**

Chief Ivany wanted to follow up on the NEAFWA conference: we are very busy and going forward as if it is still going to take place. Last week we wrapped up the World Fishing and Outdoor Expo in Suffern NY and for the first time we had more marine fisheries questions on saltwater species such as striped bass and bluefish. We would like to let Council know we will be scheduling the Outdoor Writers Workshop here at the Central Region Office on April 8, 2020. On Opening Day, April 11<sup>th</sup> military veterans and their families will be coming out and enjoying a day of fishing at the Pequest Fishing Education Pond. So far, we have 73 people attending. Getting into trout season we are gearing up for a push on social media and other media outlets as well as the website. We are in the process of scheduling events with the Mobile Conservation Outreach Trailer including a Family Day at Branch Brook Park in Newark, Atlantic County Utilities Authority in Egg Harbor Township, and at Scotland Run Park in Clayton. We will be doing interviews the next two days for 3 principal biologist promotional positions. We have the approval for YouTube. The Division will be able to steer viewers directly to our content on the DEP site. Matt Hencheck is designing the page and we are up to approximately 23 videos produced so far.

**Freshwater Fisheries:**

Chief Barno reported we had our trout meeting at Pequest where 46 anglers were present where we went over production and allocations and discussed storm water temperature surge issues and their effect on trout. The South Jersey fishing forum also had 46 anglers present and information on harmful algae blooms were presented along with an update on fish production at Hackettstown and a discussion on the Warmwater Fisheries Management Plan. We have a Fish Committee meeting scheduled for March 25. With the warm weather, last week we did our

Northern Pike netting up at Budd Lake with 36 females and within the five days we got the 650,000 eggs that we need to meet our goal. We plan to be setting at Swartswood next week for Walleye. Update on Round valley Reservoir Habitat project, we looked at the trees and most of the stumps are green ash and in poor shape. We have a good number of stumps in good condition that we will stockpile and use for habitat. The Pequest solar project's first bid engagement should be going out in the next few weeks, we should see engagement bid by solar companies by the end of the year. The trout

stocking trucks roll out March 23, 2020. We are working with a class from Rutgers and having them come out to the hatchery. There will be another field trip in May for students to participate in electrofishing.

### **Land Management:**

Chief Hearon reported that he is spending a lot of time on East Point to protect the lighthouse. We are in the process of field burnings. We should be breaking ground at Millville range on March 18<sup>th</sup>. The Flatbrook range is currently on hold. One issue we have is no CBT money, any money coming in this year will not be available until August. All of our Fall projects we had planned, we could not do and are about to lose a majority of our Spring projects such as habitat improvements, including the prep for pheasant fields. This has been a setback for us. New superintendent for the south, Nate Figley, is settling in nicely. We are working with the southern federations with their trash hunt. The ATV's continue to be an issue, we continue to work across the board with Law Enforcement.

### **Wildlife Management:**

Chief Stanko reported the class at Rutgers that Chief Barno reported on is an upper level class for people who are interested in going into this profession of wildlife management and she gave a lecture on deer and did some case studies on the challenges a manager faces in today's society. The deer harvest is down 10% from last year, where we were at 50,861 and this year is around 45,655. This could be because of the six-day firearm season being a total washout statewide. Looking at the data base we show a 3.2% systematic error rate which is high, and this is in addition to any corrections that law enforcement might have to make. Our biggest correction has been where hunters put the incorrect season and with the new system we cannot go back in and change that, we have to delete the old record and create a new one which in addition to being time consuming, generates a new confirmation number so at some point we will be sitting down with law enforcement, Barbara Stoff and Aspira on ways to fix this. We are working on digest simplifications. Chief Stanko presented a set of deer regulations to the State Federation and got applause, so we are heading in the right direction. Deer is moving along well, and we are still working on the small game stuff.

## **Law Enforcement:**

Chief Cianciulli reported northern region had two individuals caught at night with crossbows and lights and they had harvested a quit a few deer. That case has been adjudicated and fines were one individual paid \$4,000 and the second individual involved paid \$2,000.

Deputy Candice McLaughlin swore in Jonathan Mulinski as a NJ Conservation Police Officer.

Congratulations Jonathan!

## **Old Business:**

### **Hunting and Trapping Digest Review:**

Chief Ivany reported that we are moving along with the digest revisions, and the first pass review has been sent out. We reached out to WMI (Wildlife Management Institute) and they did not do an entire review for other states digests, what they did was contracted with Pennsylvania to do a specific review about the regulations only.

## **Non-Lethal Bear Control**

Chief Ivany reported that Michelle Smith is working on a rough draft of the video. Very shortly we will be doing a blast to let schools know that the bear programs are available for the Spring.

## **Lunch: 12:00 – 12:35**

## **New Business:**

### **Community Based Deer Management**

Jodi Powers, Senior Biologist, went over the application for Joint Base McGuire-Dix-Lakehurst (JB MDL) Community Based Deer Management Program Permit. They are applying for two airfields and two adjacent areas. If approved, the permit will be used on two military airfields (McGuire and Maxfield) to reduce the risk of white-tailed deer strikes to military aircrafts, and to operate within the Bird/Wildlife Aircraft Strike Hazard guidelines. The JB MDL already possesses a Special Wildlife Permit to shoot deer off the runways. This CBDMP permit will allow them to use suppressors and to shoot from elevated tree stands and vehicles or mobile units. All deer will be field dressed and delivered to participating NJ Helping the Hungry butchers.

**A motion was made by Councilman Gudmundsson to approve the Community Based Deer Management Permit, seconded by Councilman Kertz. Vote taken, all approved; motion carried.**

**2020 Spring Trout Stocking Schedule and Allocations:**

Chief Barno reported that this was a follow up from last Council meeting regarding changes to the trout stocking allocations. We previously had the public meeting and there were no concerns expressed based on these allocations presented and we also have this year's Bonus Broodstock lakes. We need the council to vote.

**A motion was made by Councilman Gudmundsson to approve the Trout Stocking Schedule and Allocations, seconded by Councilman Robinson. Vote taken, all approved; motion carried.**

**Early License Restorations:**

**Zachary Craft – Present**

Captain Quirk read aloud the statement for the revocation appeal for Mr. Craft who was present. Mr. Craft was convicted of a violation on February 13, 2018 for N.J.S.A 32:4-16(d) having a loaded firearm within 450 feet of a dwelling and a second conviction on November 12, 2019 N.J.S.A 23:4-12 and N.J.A.C 7:25-5.13(b) he was issued a manner of means summons rather than a safety zone violation. The council asked Mr. Craft questions. Mr. Craft testified as to why the council should restore his license.

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

**A motion was made by Councilman Gudmundsson to open for discussion, seconded by Councilman Robinson. All were in favor, motion carried.**

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

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

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

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



**Public Comment:**

Barbara Sachau, Whitehouse Station, NJ, would like to see on the agenda, the person who is applying for Community Based Deer Management Permits. Mrs. Sachau is also against the logging at Sparta Mountain.

**A motion was made by Councilman Gudmundsson, seconded by Councilman DeMartino to adjourn the meeting at 1:05 p.m. Vote Taken, all in favor; motion carried.**

**Chairman Virgilio asked for a vote to open an emergency session to vote on the striped bass regulation. Vote taken, all in favor; motion carried.**

**Emergency Session:**

**Striped Bass Regulations in freshwater for ASMFC:**

Chief Barno discussed the new proposed recreational limits for striped bass. This regulation would be reducing the harvest by 18%. The Marine Fisheries Council has approved a 28 inch to less than 38 inches for one fish from May 1 to December 31. Current regulations for freshwater are 28 to less than 43 inches. This is a significant reduction in the Striped Bass Regulations. These actions need to be taken to comply with the Atlantic States Marine Fisheries Commission management plan for striped bass and for consistency with NJ marine fisheries regulations.

**A motion was made by Councilman Gudmundsson to accept the Stripped Bass Regulation, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.**

**A motion was made by Councilman Lathrop and seconded by Councilman Gudmundsson to adjourn the meeting at 1:15 p.m. Vote taken, all in favor; motion carried.**

**Next meeting will be held on April 14, 2020 at 10:00 a.m. at the Central Region Office.**