

THE MINUTES OF  
NJ FISH AND GAME COUNCIL MEETING  
GOTO MEETING JUNE 8, 2021

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

The meeting was called to order at 10:00 a.m. by Chairman Virgilio.

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 June 2, 2021 and delivered to the designated newspapers for the division, The Atlantic City Press and The Newark Star Ledger and published on June 4, 2021.

Roll call was taken in accordance:

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

Division employees included: D. Golden, L. Barno, G. Kopkash, C. Stanko, J. Hearon, S. Cianciulli, M. Monteschio, L. DiPiano, and D. Bajek.

There were numerous members of the public in attendance.

Chairman Virgilio asked if there were any changes or corrections to the May 11 minutes.

**A motion was made by Councilman Robinson to approve the May 11, 2021 minutes, seconded by Councilman DeStephano. Vote taken; motion carried.**

Chairman Virgilio reported Yesterday that he and Councilman Lathrop met with DEP Commissioner Shawn LaTourette and had an engaging dialogue on topics within our Fish and Game Council purview. The meeting was productive, and I look forward to future discussions with the Commissioner. Last month Director Golden mentioned that the Division of Fish and

Wildlife is trying to expand conservation inclusion into underserved urban communities. The Council recognizes the importance of diversity, equity, and inclusion and supports the Director's leadership in this important area of conservation inclusion. Thank you Director Golden.

Today Council will offer 3 opportunities to make public comment: 1, before the Community-Based Deer Management vote, 2, after the proposed Fish Code, and 3 at the end of our business meeting.

Director Golden mentioned he will be giving a full Division overview today. He would like to introduce our newest office bureau chief Kim Springer, who will be chief of the Office of Administration. This is a new bureau that we created.

### **Council Reports:**

**Agriculture:** No report

**Farmers/ Sportsman Relations:** No report

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

Councilman DeMartino reported that the legislature on the Duck Stamp will be discussed later in this meeting.

Councilman Whildin reported that he attended the Cumberland County meeting last month, and Green Acres had their anniversary at the Holly Farm, and it was a very nice event.

Chairman Virgilio reported he met with Jack Sworaski, Director of Camden County Open-Space Farmland Preservation, he attended a board meeting for farmers and the farmers on the board were very concerned with the explosion of the deer population and want to see more hunting on state properties, not WMAs. In the following weeks we will be looking at some of these state properties and bring them to the Division's attention and see if we can gain access. He also met with two marina managers on Greenwood Lake. He attended the Warren County Federation meeting discussing deer management problems. At the Cumberland County meeting, the president was concerned for the rail bird population and talked about possibly lowering the bag limits. He had a meeting with Lou from NJ State Turkey Federation with concerns on turkey

numbers dwindling. They are having a statewide meeting on the 27<sup>th</sup> they will be looking at habitat and harvest numbers.

Councilman Robinson reported he attended in-person meetings at Hunterdon and Middlesex Counties and virtual meetings at Union County and the State Federation. They discussed Game Code changes, waterfowl stamp increase, the new regulation set 7-8 permits, and the new CWD regulations in the Game Code. Union County's bow hunt is October 1, 2021. Middlesex discussed the selling of a 1,000-acre parcel to Hillsborough Township.

**Endangered and Non-Game Species Advisory Committee:**

Councilman Lathrop reported they met last month; they reviewed the status of threatened species using Delphi protocol. They reviewed the most recent reports and are moving through as part of the listing possibilities. Bald eagle populations have increased and are considered a candidate for delisting in the future.

**Fish Committee:** no report

**Game Committee:** No report

**Waterfowl Stamp Advisory Committee:** No report

**Public Member:**

Councilman Pollock reported he received a few questions from people regarding DEP and dam removals.

**Finance Committee:**

Councilman Robinson reported he would like to schedule a meeting to go over upcoming budget and Law Enforcement budget concerns.

## **Legislative Report:**

Mary Monteschio reviewed the legislative report, and this is the final month of the legislative season until after election day, so they are trying to get the budget done for next year. Bill A2070 S1016 directs DEP to classify neonicotinoid pesticides as restricted-use pesticides, has passed the assembly. Bill A4717 authorized issuance of “protect pollinators” license plates was received in the Senate and has passed both houses. The Waterfowl Stamp has been received in the Senate earlier this month. Bill S955 authorizes counties to reduce greenhead fly populations has passed the Senate. Bill S3618 supplemental appropriation for \$10 million for certain lake activities has passed the Senate. We now have 46 co-sponsors for the Restoring Americas Wildlife Act.

Two potential Fish and Game Council members for appointment who have been referred to the Senate Judiciary Committee are Mitchell Jones and Alex Robert Puskas.

## **Division Reports:**

### **Central Services:**

Assistant Director Kopkash reported they are working on the Division’s website, which is a big undertaking and will take some time from staff. New employee Kim Springer will oversee a number of different groups in the Division.

### **Freshwater Fisheries:**

Assistant Director Barno reported Freshwater Fisheries is the first segment of the website, which is much cleaner and user friendly. The warm weather and thunderstorms we are moving into the perfect situation for Harmful Algal Blooms (HABS). So far, Mountain Lake, Spruce Run Reservoir, and Glen Rock Duck Pond are under advisory. Lake Hopatcong is under a watch status. We are waiting for confirmation of suspected HAB at Swartswood Lake. There are continuing concerns at Greenwood Lake with a letter containing 1296 signatures requesting public boat ramp. Anglers have provided pictures of signs at marines that says no day launches. Council Chair Virgilio interjected there is Senate bill S3618 where funds will be set aside for Greenwood Lake and other lakes but mostly targeting water quality. The Bureau finished Spring trout stocking with another 79,990-rainbow trout from May 10-14, with a total of 597,150 trout for Spring.

### **Information and Education:**

Linda DiPiano reported May 23 was the Governor's Fishing Tournament, we had 481 participants who signed up to fish. Thanks to Karyn Byrne for a job well done. We had 7-fish caught that day, 6-summer flounder and 1- bluefish, which the bluefish was the winner. DEP Commissioner Shawn LaTourette rode the beach with Acting Commissioner of Natural and Historic Resources Ray Bukowski. We also had high school teams with a total of 26 high schoolers. There was no official award ceremony due to Covid restrictions still going on in parks, but we had a modified award ceremony where they did receive their awards. Tyler Bender of Milford, NJ won the tournament with 21 ½ inch bluefish, and the Manasquan Highschool team took first place with a 20 5/8-inch summer flounder. Because of the tournament, more than \$145,000 has been raised for Conservation and Education programs as well as beach access at Island Beach State Park. The HOFNOD Youth Fishing Challenge was this past weekend and was one of our biggest years to date with 30 sites throughout 16 counties of the state. We received great feedback, and everyone had a great time.

### **Land Management:**

Nathan Figley reported in the South the staff completed Spring planting on 528 acres this year. Maintenance on boat ramps, dams and parking areas are all underway. Over the last three months, staff have spent the majority of their time preparing the building and grounds at the Holly Farm for Green Acres 60<sup>th</sup> Anniversary press event, which was last week. Road resurfacing will take place at Jakes Landing boat ramp on Tuckahoe Wildlife Management Area. 450 pheasant crates have been ordered and received and are being distributed amongst the three regions for pheasant stocking. Central region crews have completed Spring plantings and security cameras are being purchased as a trial for Stafford Forge and Colliers Mills center fire hunter training ranges. We are working with DOIT to finalize the purchase and they should be installed by mid-August. In the Northern region, land efforts have been directed to boat ramps. There was a large water leak in the bathroom at Round Valley that caused it to close the bathroom for Memorial Day weekend. At the request of Belvederes Mayor, extra efforts have been made at the boat launch. A port-a-pot was ordered, potholes were repaired, and extra stone was delivered so the ruts along the boat ramp could be repaired.

### **Law Enforcement:**

Chief Cianciulli reported there were closures of six small areas within five Wildlife Management Areas to address public and officer safety concerns as well as protecting the habitat. With our limited number of officers, this was the best choice of action to protect everyone. He would also like to thank the I&E staff for all their help getting this announcement out to the public as quickly as possible. CPOs are getting body worn cameras and this Thursday we are testing and evaluating a second system and should have a system selected by the end of summer. The

legislature dedicated \$58 million towards the purchase and maintenance of body worn camera systems and the Bureau was fortunate to receive \$116,000 to cover the 57 units requested in our grant proposal.

### **Wildlife Management:**

Chief Stanko reported there were several urban bears so far this spring including a black bear the first week in May in Irvington Park in Essex County. The bear was in a very tall oak tree and we were unable to dart it. Fortunately, it climbed down, and staff was able to free-dart it and it ran into the trap. The bear was a 135 lb. untagged male that was relocated. There also was a black bear in Patterson, NJ up a tree on a median on Tr. 20. We received the call late in the day and instructed the local police department to leave the bear alone and it relocated himself. Right now, we have a bear that is traveling through Westfield, Greenbrook, Somerville, South Brunswick, and Milltown Borough in Middlesex County. We thought it was heading in a good direction, but we just got an update that the bear is in New Brunswick. He is causing a little bit of a stir, so we will see if we have to respond. Chairman Virgilio asked Chief Stanko to respond to Janet Pizar's deer management comments from the last meeting. Mrs. Pizar made a claim that former Council Chair Vreeland stated 170,000 deer is the ideal number for population stabilization and that if you took the deer harvest from 2016-2019 it amounts to 194,000 proving deer hunting does not work for population control. Since Councilwoman Reland was the Chair over 14-years ago, Chief Stanko cannot confirm or deny she may have stated 170,000 was goal population. However, the Division of Fish and Wildlife does not, and never does declare an ideal number for deer in NJ on any scale, so it's unlikely that Council did. Regardless, our deer population estimates have always been a partial estimate of the entire state deer herd. Our population model is a mathematical formula that extrapolates off an sample and the sample we use is the hunter harvest. Since there are deer in areas where no hunting occurs, those deer are not included in the estimate. We always issue a disclaimer that our estimate is for the huntable portions of the herd only. Mrs. Pizar also referenced two citations which reportedly backed up this allegation. One was Richter and Labinski's Reproductive Dynamics Disjunct in White-tail Deer Herds in Florida, and William Robinson in Wildlife Ecology and Management. She also sent a third citation by email, Joanne Ehler's the Hierarchy of Deer. Chief Stanko only was able to find the i Richter and Labinski's article as a secondary citation in a 2010 newspaper written by a board member of the Fairfield County Animal Rights Alliance, entitled "Hunting has increased deer population not reduced it" which was also cited on other anti-hunting sites and articles. She was not able to find the article in the comprehensive New Jersey State Library and the Robinson book is out of print. She would like to state that yes, hunting does effectively manage deer populations where we have access to those herds.

### **Endangered and Nongame Species:**

Chief Heilferty wanted to follow up on Chief Cianciulli, he is very thankful for Law Enforcements assistance, it is very critical in our main missions and goals. We have had two projects that had a tough month, the Memorial Day storm had a really devastating impact on Piping Plovers and beach nesting birds. We lost almost all of the nests that were active, over 100 turn nests and the only good news is that this storm happened early enough in the season that a lot of the pairs will try to renest. The downside to them renesting is it resets the clock, so now they will be incubating and trying to tend to the chicks during the hotter season where the beaches will be more active, and the heat is more of an issue. Those are just some of the challenges and hopefully the species will rebound. Similarly, on the Delaware Bay, the migratory bird season is showing some dramatically lower numbers, the Red knots are at the lowest reported in the last 4-years.

### **Old Business:**

#### **Comprehensive Black Bear Management Plan Update:**

Chairman Virgilio reported that a draft CBBMP was submitted to the Acting Commissioner back in March. The Acting Commissioner met with him yesterday, which he made no indication if he will approve it as written.

#### **Hunting Digest Update:**

Assistant Director Kopkash reported she just received back the Digest and our teams are meeting tomorrow to go over the new updated version of the Digest.

### **New Business:**

#### **Director's Update:**

Director Golden gave a brief presentation on the 2021 Division Review.

**Lunch: 12:05 – 12:43**

### **Community Based Deer Management Application – Joint Base MDL:**

Jodi Powers went over the application for CBDMP for Joint Base McGuire Dix Lakehurst for Council. The purpose is to reduce the local deer population on base. Council approved the application.

### **Public Comment on CBDMP:**

Barbara Sachau is against proposal of Joint Base MDL deer management.

**A motion was made by Councilman DeStephano to accept the proposal of Community Based Deer Management for Joint Base MDL, seconded by Councilman Kertz. vote taken, all in favor; motion carries.**

### **License Restorations:**

#### **Billy Wilborn- Present**

Captain Quirk read aloud the statement for the revocation appeal for Mr. Wilborn who was present. Mr. Wilborn was convicted of a violation on February 3, 2020 for N.J.S.A./N.J.A.C. 7:25-5.30(c) Hunt over the limit of deer, and N.J.S.A 23:4-47 deer tagging/registration violation. A second violation on February 4, 2021 for N.J.S.A. 23:7-1 Trespassing for the purpose of taking wildlife.

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

**A motion was made by Councilman DeMartino to open the floor for discussion and seconded by Councilman Robinson.**

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

**A motion was made by Councilman DeMartino to close the floor for discussion and seconded by Councilman Robinson.**

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 Robinson made a motion Not to reinstate Mr. Wilborn's license, seconded by Councilman Kertz. Vote taken, all in favor; motion carried.**



### **Christopher Demott- Present**

Captain Quirk read aloud the statement for the revocation appeal for Mr. Demott who was present. Mr. Demott was convicted of a violation on January 10, 2019 for N.J.S.A. 23:4-13.1 for no hunter orange. A second violation on February 20, 2021 for N.J.S.A. 23:4-13.1 no hunter orange.

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

**A motion was made by Councilman Robinson to open the floor for discussion and seconded by Councilman Kertz.**

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

**A motion was made by Councilman Robinson to close the floor for discussion and seconded by Councilman Whildin.**

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 Robinson made a motion Not to reinstate Mr. Demott's license, seconded by Councilman Whildin. Vote taken, all in favor; motion carried.**

### **Joe You - Not Present**

Captain Quirk read aloud the statement for the revocation appeal for Mr. You who was not present. Mr. You was convicted of a violation on October 15, 2020 for N.J.S.A. 23:2B-6 for possession of undersize fish. A second violation on December 9, 2020 for N.J.S.A. 23:2B-6 for possession of undersize fish.

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

**A motion was made by Councilman DeStephano to open the floor for discussion and seconded by Councilman Robinson.**

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

**A motion was made by Councilman DeStephano to close the floor for discussion and seconded by Councilman Whildin.**

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 Robinson made a motion Not to reinstate Mr. You's license, seconded by Councilman Whildin. Vote taken, all in favor; motion carried.**

### **Rodenticides:**

Erica Miller, of the Endangered and Nongame Species Advisory Committee gave a brief presentation on rodenticides.

### **Overview of Environmental Review:**

Assistant Director Kopkash gave a brief overview of the Office of Environmental Review.

### **Proposed 2022- 2025 Fish Code:**

Assistant Director Barno gave a brief review of public comments received on proposed amendments to the 2022-2025 Fish Code. The comments were provided to the Fish and Game Council prior to the meeting.

### **Public Comment on Fish Code:**

Barbara Sachau is against the 2022-2025 fish code.

**A motion was made by Councilman Kertz to accept the proposed 2022-2025 Fish Code, seconded by Councilman Robinson. Vote taken, all in favor; motion carries.**

**Public Comment:**

Lou Martinez wanted to thank the Fish and Game Council for their work for the sportsmen and protecting the habitats. He has a problem with the access at Greenwood Lake boat ramp. He is disabled and can only fish from a boat but cannot launch from the ramp and most of the property around the boat ramp is private with no access. this has been an issue since the beginning of the season.

Barbara Sachau feels that all presentations being given at the meetings should be online for everyone to see. It was noted that all presentations and Bureau monthly reports are made available to the public on the Division's website each month.

Liz Thompson mentioned the NJ Farm Bureau contracts with Fairly Dickenson to do polling, we submit questions to be asked. This year we will ask their opinions on deer and population counts and hunting.

Paul Schmidt, President of NE Bass Masters, wanted to thank Lou for the input with Greenwood Lake as well as Assistant Director Barno for taking the petition that was signed.

**A motion to adjourn was made at 2:43 pm by Councilman DeStephano seconded by Councilman DeMartino. Vote taken, all in favor; motion carries.**

**Next meeting will be on July 13, 2021 at 10:00 am. Location to be determined.**