

NJ Endangered and Nongame Species Advisory Committee

Meeting Minutes

January 18, 2012

NJ Division of Fish and Wildlife
Central Region Office – Assunpink WMA
Robbinsville, NJ

ATTENDEES

COMMITTEE: Barbara Brummer-Chair, James Applegate, Joanna Burger, Emile DeVito, Howard Geduldig, Jane Galetto, Rick Lathrop, Erica Miller, and Dale Schweitzer and James Shissias.

Absent: David Mizrahi.

STAFF: Dave Jenkins (ENSP Bureau Chief), Dave Chanda, Kathy Clark, Amanda Dey, Dave Golden, Larry Herrighty, Tony Petrongolo, Amy Wells.

GUESTS: Kelly Mooij (NJ Audubon), Larry Niles (CWF-NJ), Margaret O’Gorman (CWF-NJ), Nellie Tsipoura (NJ Audubon)

The meeting was called to order at 10:00 a.m. Notice of the meeting date and location were posted on the DFW website, filed with the Office of the Secretary of State on November 29, 2011, and distributed to the Newark Star Ledger and Atlantic City Press.

Barbara Brummer noted due to an unforeseen meeting with Dave Jenkins (ENSP Bureau Chief) and Commissioner Martin, there would be a revision in the order of items on the agenda.

Minutes

Members requested Sean Crouse be added to the list of staff that had attended the November 2011 meeting and minor corrections in grammar.

A motion was made by Jim Applegate, seconded by Howard Geduldig, to accept the November 2011 minutes as amended. All in favor, none opposed, the amended minutes were approved.

Directors Report

Director Chanda reviewed the status of existing staff and the status of approvals to hire new employees followed by a review of income and expenditure requirements for funds originating from Corporate Business Tax (CBT) funds.

Director Chanda noted he will be attending the Teaming with Wildlife meeting in Washington DC. This event serves as an opportunity to increase communication with congressional representatives and demonstrate wildlife management success stories funded through the State Wildlife Grants program.

Land Management

Kim Korth, ENSP-Senior Biologist, gave a presentation titled “Review of Lands Management Activities on State Lands” and ENSP’s role in that review. Ms. Korth noted that internal discussions beginning in 2006 lead to the development of a pilot standardized operating procedure (SOP) for the review of land management activities; in 2008 it was adopted as a formal SOP. Land Management staff first screens proposed activities for impacts on rare animals (ENSP), rare plants (Office of Natural Lands Management), cultural resources (State Historic and Preservation Office), trees and forests (Forestry). ENSP staff then review any proposed activities that may have an impact on rare animals and may make recommendations to avoid impacts or abandon the proposed project. ENSP currently review approximately 100 projects each year. Goals included increased communication between programs, problem solving and proposed solutions

A motion was made by Joanna Burger, seconded by Jim Applegate, to send a letter to Assistant Commissioner Amy Cradic commending DEP’s proactive approach to creating an SOP to address the concerns at hand and encourage the next step which is to follow-up when the SOP is modified as it should include a post mitigation review and evaluation by those requesting activity. All in favor, none opposed. The motion was approved. Emile DeVito will draft the letter and distribute it to the committee for review.

Joanna Burger requested a presentation on the “Review of Lands Management Activities on Private Lands” and materials listed in the Action Items be numbered.

Discussions continued noting the need for adequate staff and funding necessary to implement follow-up post mitigation reviews and evaluations.

Nominating Committee (NC)

Rick Lathrop reviewed the list of member terms that will expire in April 2012, which include Public At Large representative current held by Emile DeVito (vice chair), Public At Large representative currently held by Howard Geduldig, Qualified Non-Profit representative currently held by Barbara Brummer (chair). All 3 members have expressed an interest in continuing their positions and the NC recommended each for reappointment to serve another 4 year term.

A motion was made by Rick Lathrop, seconded by Jim Shissias, to reappoint Emile DeVito (Public at Large), Howard Geduldig (Public at Large) and Barbara Brummer (Qualified Non-Profit). All in favor, none opposed, the motion was approved. This recommendation will be submitted to Commissioner Martin.

ENSP Bureau Chief’s Report

Rule Amendment - Dave Jenkins, ENSP Bureau Chief, noted the Department is adopting several changes to the list of endangered wildlife at N.J.A.C. 7:25-4.13 and to the list and status of nongame wildlife at N.J.A.C. 7:25-4.17 based on the Department’s analysis of recent data on species status in the State. These changes will become effective 2/21/2012. In addition, the Department has approved the release of Landscape Project (LSP) Mapping Version 3.1 which reflects the changes in the amended rule and applies the approach previously used only in the Highlands area to the entire state.

Discussions continued regarding the desire/need for developing a consistent approach for assigning population status of game and nongame species alike and extirpated species. Currently game species status review process involves: 1) a biologist noting concern about the status of a

species, 2) the biologist presents a recommendation to research the concern to the FGC; 3) the FGC requests gathering of more data and present the info to the FGC. Members requested the topic be an agenda item for the FGC/ENSAC joint meeting.

Sustainable Energy / Solar Fields-update - Dave Jenkins noted ENSP is well represented on the Wind Advisory Committee. While there is no direct ENSP representation on the Alternative Energy Committee, ENSP has reviewed and approved the final draft. Staff will circulate the two (2) guidance documents regarding alternative energy; and notify ENSAC of the release of the final version and public comment period.

Emile DeVito and Jane Galetto will draft the letter to Commissioner Martin regarding the development of alternative energy as it impacts e/t species and habitat, the negative impact of solar farms placed on agricultural and forested lands, and the need for permit applications to be reviewed by ENSP staff.

ENSP Staff update - Dave Golden, ENSP Principal Biologist, has taken a position with the DFW – Land management program and will be the superintendent for the southern region. Staff are re-prioritizing and reassigning projects to accommodate the change to the extent possible.

Atlantic Sturgeon - update

Dave Jenkins noted the NJ Delphi review process for Atlantic Sturgeon has failed to obtain a consensus. ENSAC will need to review the information gathered during the review and provide a final recommendation. The information will be distributed to members in advance of the next meeting.

The federal status determination for Atlantic sturgeon has now exceeded the statutory deadline. It is unclear whether NMFS intends to move forward with listing in the near future.

ENSAC Guidelines

Prior to the meeting, D. Jenkins drafted and distributed a document, the purpose of which will be to develop structure on the ENSAC's role in respect to the issue of horseshoe crabs/shorebirds, the goals defined by legislation, and a review of the status of achieving those goals. ENSAC members were asked to review and become familiar with this document as the HSC moratorium requires the development of a Shorebird Management Plan by Fall 2012 and that plan will need ENSAC approval.

Shorebirds- Review and Comment on ASMFC HSC Addendum

Dr. Amanda Dey provided a review of the Adaptive Resource Management (ARM) Addendum VII framework development and harvest allocations.

A motion was made by Howard Geduldig, seconded by Rick Lathrop, and approved by the Committee to make comments on the Draft Addendum VII to the Interstate Fisheries Management Plan for Horseshoe Crabs including recommendations that support those alternatives that the Committee considered the most risk adverse for Red knots.

Joanna Burger made a motion, seconded by Jane Galetto, to adjourn the meeting at 2:20 p.m. All in favor, none opposed, the meeting was adjourned.