

Approved
9-10-13

**Endangered and Nongame Species Advisory Committee
Meeting Minutes
March 20, 2013
Central Region Office
Robbinsville, New Jersey**

Members in attendance: B. Brummer (chair), J. Applegate, J. Burger, H. Geduldig, R. Lathrop, E. Miller, D. Mizrahi, J. Shissias

Absent: E. DeVito, J. Galetto, D. Schweitzer

Staff in attendance: L. Herrighty, D. Jenkins, K. Clark

Guests: A. Wells, A. Scherer, J. Scherer, M. van Rossum,

The public notice for this meeting was read by D. Jenkins.

Introductions of those in attendance.

Approval of Minutes

J. Applegate moved for approval of the November 2012 minutes, seconded by E. Miller. Minutes were approved.

E. Miller moved to approve the January meeting minutes, seconded by J. Applegate. Minutes were approved.

Legislative report

B. Brummer requested again that the Division's legislative report be presented at every meeting. Having that report would help to keep the Committee informed as to current legislative proposals and actions, allowing the Committee the opportunity to take action.

H. Geduldig requested more information on the status of the legislation proposed to lift the horseshoe crab moratorium. D. Jenkins reported that the legislation is still an active proposal, and that this will be a topic in today's meeting.

Status of Action Items:

NJAS report on mortality at Atlantic County Utilities Authority wind turbines is expected to be completed in early June. D. Mizrahi confirmed that bat mortality is higher than bird mortality, and primarily affects forest bat species. **Action:** D. Mizrahi will update the Committee at the July meeting.

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The letter to those who regularly handle snakes has been sent out, notifying them that they should notify ENSP when they find snakes that have disease symptoms.

Director's Report:

L. Herrighty reported that the Division developed and submitted to the USFWS a list of projects to repair and monitor wildlife and habitats damaged by Sandy. The list of projects is not yet been made public. D. Jenkins added that the projects include a mix of work that would repair and monitor damages, and some aimed at building resiliency in coastal ecosystems. In addition, ENSP has been required to build a review system to make sure repair projects are in compliance with endangered species act laws and the federal Migratory Bird Treaty Act.

Before lunch, L. Herrighty provided the members with a copy of the most recent legislative report provided to the Fish and Game Council, and discussed some of the laws that were considered. There was discussion on some of the topics. D. Jenkins drew attention to the proposals for marine fisheries license plate, a striped bass license plate, and a new tax check-off; these are presenting increasing competition for the Wildlife Check-off and license plate.

Nominations

R. Lathrop reported that the Nominations Committee discussed the vacancy created by D. Schweitzer's plan to resign from ENSAC. The Committee drew up criteria to help guide the new selections and created a list of candidates who were contacted for their interest in serving. Based on the resumes and background of a short list of four candidates, the committee is recommending Dr. H. Reinert of the College of NJ based on his experience in NJ wildlife, especially venomous snakes. R. Lathrop made a motion to recommend Dr. Reinert, seconded by J. Shissias. Discussion followed. One point made was the desire to include on ENSAC experts in mammals and insects. The motion was passed unanimously. R. Lathrop will reach out to Dr. Reinert and B. Brummer will follow up.

Recognition of Annette Scherer

D. Jenkins joined with the Committee to express our appreciation of Annette's career with the U.S. Fish and Wildlife Service in NJ since 1988. She promoted a cooperative working relationship between the NJ Field Office and the ENSP's staff. B. Brummer added that Annette gave valuable contributions to the discussions in the Committee. Annette was presented with a red knot decoy carving.

Recognition of Amy Wells

B. Brummer led the Committee in thanking Amy for her service to the Committee. Amy was the right-hand person to D. Jenkins and kept the Committee's business well organized and further, was engaged in what the Committee discussed and accurately reflecting their work. Amy was presented with a shorebird decoy carving.

New Business

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Mammal Delphi Status Review

D. Jenkins referred the Committee to the revised report on this status assessment, which had originally been presented at the September 2012 meeting. There were two species for which consensus was not reached: meadow jumping mouse and southern bog lemming. The Committee had asked for a staff opinion on these species, which was included in today's materials. B. Brummer called for a motion; J. Burger made a motion to accept the recommendations of the Delphi review panel report on mammals for all species for which consensus was reached. The motion was seconded and **it was passed unanimously.**

J. Burger moved to recommend Undetermined/Unknown status for southern bog lemming and Special Concern status for the meadow jumping mouse. D. Jenkins requested that members review the justifications that staff provided on these two species. Discussion followed about the Delphi panel results, and comments provided by the reviewers and staff. **The motion was passed unanimously.**

Some discussion followed on the guidance provided to Delphi status reviewers during the review process. The Committee has the leeway to consider regulatory or research implications of the status/listing recommendations, but that should not be a concern of the biological status assessment. The review moderator may need to clarify the assessment guidance and identify the most important points in a cover letter, including the fact that the final report document will be part of the administrative record. D. Jenkins noted the DEP has received OPRA requests for the names of Delphi reviewers and that information has remained protected to keep reviewers anonymous. Members reiterated their support for the process and how it works.

Shorebirds-Red Knots: Update

ENSP Principal Zoologist, Mandy Dey provided a presentation to update the Committee on the current status of red knots, shorebirds, and the horseshoe crab egg resource in Delaware Bay, focusing on the proposed goals and recovery metrics to meet the requirements of the 2008 legislation establishing a moratorium on horseshoe crab harvest in New Jersey waters. A pdf file copy of the presentation is included as part of these minutes by reference.

Committee discussion on the presentation followed including discussion of bills (S2376 and A2653) currently under consideration in the New Jersey legislature to repeal the moratorium. The committee voted unanimously to send a letter to Commissioner Martin urging Department of Environmental Protection oppose these bills on the basis the significant additional progress needed in recovery of red knots and their food resources (horseshoe crab eggs) and the role and responsibility of Delaware Bay and New Jersey in the conservation of shorebird populations and our consequent need to pursue a risk averse management strategy.

Summary of Action Items

R. Lathrop will reach out to Howard Reinert regarding the recommendation from the Committee that he be appointed to fill the post being vacated by the resignation of Dr. Dale Schweitzer. B. Brummer will follow up.

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B. Brummer requested the Division's legislative report be presented at every ENSAC meeting.

D. Mizrahi will update the Committee at the June meeting on the ACUA wind turbine report.

Provide ENSAC members with a copy of the letter notifying permitted snake researchers to alert ENSP when they find snakes that have disease symptoms.