

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
March 8, 2011

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

The meeting was called to order at 10:09 am by Acting Chairman Burke.

Roll call was taken. In attendance were:

Acting Chairman Dave Burke
Councilman Phillip Brodhecker
Councilwoman Barbara Brummer
Councilman Agust Gudmundsson
Councilman Jeffrey Link
Councilman John Messeroll
Councilman Robert Puskas
Councilman Dan Van Mater

Absent: None

Division employees included Director Dave Chanda, Assistant Director Larry Herrightly, Paulette Nelson, Lisa Barno, Mark Chicketano and Barbara Stoff.

Members of the public included representatives of the Farm Bureau and others.

The flag salute and Pledge of Allegiance were completed.

The following was read aloud: In accordance with P.L. 1975, c. 231 notice of this meeting was filed with and posted at the office of the Secretary of State and sent to the designated newspapers of the Division, the Newark Star Ledger and the Atlantic City Press on February 22, 2011.

Acting Chairman Burke noted that there were two versions of the agenda for today's meeting, and which would be followed.

Minutes of the February 8, 2011 meeting were reviewed, and an error correction made. **A motion was made by Councilman Gudmundsson, seconded by Councilman Van Mater to accept the minutes as corrected. A vote was taken with all in favor, none opposed.**

Acting Chairman Burke noted that the recent freshwater fisheries meeting held at Batsto was a productive, good meeting. He also noted the March 1, 2011 started the striped bass fishing season, bass fishing tournaments, perch fishing, fishing flea markets being scheduled Statewide and the noted growth of vegetation starting in the southern portion of the State.

A news article from the Atlantic City Press about the demolition activities scheduled for the Ponderlodge was also reviewed. The article noted that this area will be known as the Cox Hall Creek WMA in the future.

Director Chanda addressed the Council, giving additional information on the Ponderlodge and future plans for the area.

Director Chanda reported that the saltwater registry bill was signed by the Governor and requires the Department to develop a free registry. This is being developed, but it was noted that until there is a signed Memorandum of Agreement with the National Oceanic and Atmospheric Administration (NOAA) anglers must still register through the Federal system.

Director Chanda also reported that \$60 million in the Federal State Wildlife Grant Program funding has been zeroed out. In the Division, the Endangered and Non-Game Species Program will be most affected. Conservation organizations from throughout the country are now working with the Senate to try and have some of these monies reinstated.

There was additional discussion on the information reviewed today.

Director Chanda noted that a joint meeting of the Fish and Game, the Endangered and Non-Game Species and Marine Fisheries Councils was being planned for some time in July.

Acting Chairman Burke opened the public comment period on the agenda item listed today, Executive Session to hear license restoration appeals.

Barbara Sauchau addressed the Council. She noted her concerns on the penalties for Fish and Wildlife offenses. She also expressed concerns on meetings behind closed doors, when the Executive Session portion of meetings was conducted, and the Council's lunch break and items discussed during that time.

Committee reports began. Councilman Brodhecker noted that the snow was gone, and the deer were starting to move around in the Northern Region. Councilman Link also reported that the snow was gone in the Southern Region, and in Cumberland County farmers had started working on cold weather greens. He has also been approached by some farmers regarding Senate Bill S-2649. Councilman Puskas reported that the snow was gone in the Central Region as well. He has been receiving many calls on geese devastating the crops in his area, adding that it is becoming an economic catastrophe. He felt that a pro-active approach was needed to push the Federal government to do something different for control. Director Chanda added that he had received a call from the Farm Bureau to schedule a meeting between them, the Division and the Department of Agriculture. There was additional discussion on this matter.

Councilman Messeroll reported for the Federation. He attended several county meetings last month. He noted that the convention will be held on June 18 in Edison, and will only be a one day event this year. The Union County Federation has been working with sportsmen on deer control programs. Middlesex County is also working on deer problems. Acting Chairman Burke reported that he attended the Cumberland County Federation meeting last month, and they are working on plans for their annual trash pickup on wildlife management areas. Councilman Gudmundsson commented that the one day convention might be a good idea. He plans on attending county meetings in the coming days. Councilman Van Mater noted difficulties in obtaining a quorum at the Burlington County meeting, where general business was discussed.

Acting Chairman Burke reported that the Finance Committee had met earlier today, and reviewed various accounts. He noted that the Marine Fisheries and Endangered and Non-Game Species Programs may have possible budget deficits. There were also concerns to make sure that no Hunter and Angler funds are used for the Saltwater Angler Registry. The Committee will meet again in May.

Director Chanda noted that the Office of Management and Budget's last quarterly meeting was missed, but they should be having another meeting in May. More information will be available after that meeting.

Councilman Messeroll reported that the Freshwater Fisheries Committee will meet next month, and there will be a presentation from Chief Barno at the regular meeting.

Acting Chairman Burke had no new information to report for the Game Committee. Assistant Director Herrighty noted that the Game Code process is behind schedule since it is still under attorney review.

Councilman Messeroll reported for the Legislative Committee. He noted concerns from farmers on S-2649, which excludes baiting for hunting. He also noted it also includes a check off item for Hunters Helping the Hungry. Farmers have concerns on the baiting issue since it may affect the crops that they plant. Assistant Director Herrighty gave a brief update on a meeting with Senator Smith. The Senator's Office had received many inquiries on this bill, and he has agreed to make amendments to it based on the concerns that exist. The bill will be amended when it reaches the Senate Finance Committee. This matter was further discussed among the Council with Assistant Director Herrighty.

Legislative Liaison Nelson briefed the Council on the newest bills, which included:

- A-823 Requires DEP to establish free recreational saltwater fishing registry. This passed and was signed by the Governor.

- A-3767 Provides totally disabled persons with discount on fishing license fees.

- S-2649 Permits certain deer control activities; prohibits deer feeding; and establishes check-off donation on hunting license applications to support venison donation program.

- S-2740 The "Wildlife Rehabilitation Act"; establishes Wildlife Rehabilitation Board, in, but not of, DEP; and establishes continuing education requirements and permit program for wildlife rehabilitation.

Also noted was that A-3695 (same as S-2740) was heard by the Assembly Agriculture and Natural Resources Committee on Monday, March 7, 2011 for discussion only and was not voted on. The sponsor is working with people who have made suggests or comments on this bill. There was some additional discussion on the information given today.

Councilwoman Brummer reported for the Endangered and Non-Game Species Committee (ENSAC), who will be meeting again on March 16, 2011. A presentation will be given by staff from the Deer Project. There will also be an update from the University of Delaware on conch bait as a substitute for horseshoe crabs. The feral cat stakeholders process is are still being defined and it is hoped to have more information on this after their meeting.

At the September 21, 2011 meeting there will be a speaker from the Lanza Company talking about horseshoe crabs materials that are used medically and work their efforts to develop testing that would not require the use of horseshoe crab blood. Work is being done on getting Federal Drug Administration

approval for use of alternative method of testing. A portion of a letter on feral cats from the Department of the Interior was also read and discussed.

Councilman Messeroll reported for the Waterfowl Stamp Advisory Committee. At their last meeting, they discussed several land purchases that are being considered in the Delaware Bay area. Also discussed was repair of a water structure in a black duck breeding area. Waterfowl Stamp Advisory Committee and Army Corps of Engineers monies were utilized to help with this project. The Committee also discussed taking steps to move forward towards a fee increase for waterfowl stamps, and this was reviewed by Councilman Messeroll.

The next meeting of the Waterfowl Stamp Advisory Committee will be April 12, 2011.

Division reports were given. Chief Barno reported for the Bureau of Freshwater Fisheries. Trout stocking will begin on March 21, and members of the Council are invited to Pequest to see the trucks being loaded on that day utilizing the new fish pump. The Spring trout season opens on April 9. Staff is working with the Bureau of Information and Education on website information.

Chief Barno also reviewed the February 26, 2011 fisheries forum that was held at Batsto.

A presentation will be given to the Council at the next meeting with proposed changes for the 2013 Fish Code. Two issues to be reviewed concern the January 1, 2012 moratorium on herring in saltwater, and the increase in permit issuance for commercial harvester permits for snapping turtles.

In the Research and Management Section staff have been busy working on the permit and trout seasons. Permits for dredging projects and water lowering have been extended due to the harsh winter.

Chief Barno also discussed items of concern that Acting Chairman Burke had regarding trout stocking numbers in South Jersey.

There was no report from Bureau of Information and Education Chief Sciascia. Director Chanda noted the Pequest Open House on April 2 and 3, and the recent turkey hunting seminar that he presented at Pequest.

Acting Chairman Burke noted that the trapping course in Cumberland County had filled quickly. Councilman Messeroll noted the art contest award winners are invited to Pequest on the opening day of trout season.

There was no report from Bureau of Land Management Chief Petrongolo.

Chief Chicketano reported for the Bureau of Law Enforcement. He gave a review of a major case on the illegal taking of deer which officers had been working on recently, that started on the Rutgers University campus in Piscataway and ended at a deli in Rahway. This case also included motor vehicle and weapons violations. Numerous charges have been filed from several different agencies against the two individuals involved. There was additional discussion on this matter.

At 11:40am Acting Chairman Burke suggested that Council go into Executive Session, followed by lunch, and return to the meeting at 12:30pm. **A motion was made by Councilman Gudmundsson, seconded by Councilman Puskas to adjourn to Executive Session. A vote was taken with all in favor, none opposed. At 12:02pm, a motion was made by Councilman Van Mater, seconded by Councilman Puskas to end the Executive Session. A vote was taken with all in favor, none opposed.**

The regular meeting was called back to order at 12:42pm.

Assistant Director Herrighty reported for the Bureau of Wildlife Management. Harvest totals for the deer season were not completed yet, but it looks as though the harvest may be up by 7%. There was additional discussion on this.

Assistant Director Herrighty reported that a presentation would be given to at the ENSAC meeting on deer management and deer herbivory.

It was noted that of the 139 harvested coyotes listed in the monthly report, only one was taken at night with a special permit.

The proposed project for pheasant population restoration at the Six Mile Run Reservoir State Park by Pheasants Forever was reviewed. The Meadowlands Commission has been contacted to determine if they could provide a source for birds. Traps were received from a member of the New Jersey Outdoor Alliance, and attempts will be made to band birds and get population estimates at the Meadowlands area for a population assessment.

Assistant Director Herrighty noted three articles in the Wildlife Society Bulletin on bobwhite quail, one which was on the New Jersey population research program conducted by DFW and the University of Delaware.

The mid-winter waterfowl survey as noted in the monthly report summary showed 414,000 birds. Assistant Director Herrighty added that the deep snows may have kept the birds South. There were also less than normal resident Canada geese reported this Winter.

Assistant Director Herrighty reported that black bears have been slow to come out of hibernation. One bear was removed from under a deck last week in Pompton Lakes. He noted that others have been removed from underneath the decks and porches of residences; with one bear has going to the same house for the past three years.

Bear den work is currently underway. Any Council member interested in attending should contact Assistant Director Herrighty.

Suburban wild turkey complaints are being received. In Edgewater Park, 32 birds were removed last week.

Councilman Messeroll had concerns on barge duck blinds being left anchored by commercial duck hunters on wildlife management areas along the Atlantic, and was advised to contact the Bureau of Law Enforcement on this matter. Councilman Puskas had additional comments on the pheasant program for Six Mile Run which Assistant Director Herrighty addressed.

Also noted were the retirements of Research Scientist Castelli, Wildlife Pathologist Roscoe and the medically related retirement of Wildlife Technician H. Madonia.

Old Business was discussed. Acting Chairman Burke presented suggestions for Council members and alternates to serve on the various committees. Final information will be sent.

There was no new business to discuss.

The public comment period was opened. Those wishing to address the Council were reminded that they would be limited to three minutes each, with a total time allotment of 15 minutes.

Liz Thompson from the New Jersey Farm Bureau addressed the Council. She noted they are looking forward to working the Division, the Department of Agriculture and the United States Department of Agriculture on goose problems. She will also keep in touch with Assistant Director Herrighty on the deer feeding ban listed in the Senate bill, noting that the Farm Bureau understands there are concerns regarding CWD (Chronic Wasting Disease), but they hope baiting remains a tool that can be used.

Barbara Sauchau was next to address the Council. She had concerns that the word “authority” as used by Assistant Director Herrighty was being used too liberally and had State agencies gone too far with regulations. Ms. Sauchau also noted a letter to the Hunterdon Democrat, a report on compensatory rebound, and that she felt the Division was growing deer on wildlife management areas to attract hunters. Ms. Sauchau added she had received no feedback on the Interstate Wildlife Violators Compact she mentioned previously. Lastly, Ms. Sauchau commented on ruling from a Rutgers lawsuit on how meetings are held.

Ron Diehl from the New Jersey Fur Harvesters commented on the trapper education courses. He noted that the instructors will take walk in students, and that more people were getting involved with trapping and license sales were increasing.

Janet Pizar from Essex County was the final public commenter. She noted she wanted to repeat her previous concerns on the compilation of the deer harvest data, and felt that her concerns were also applicable to the bear harvest. Ms. Pizar also commented on the minutes of the May 2010 ENSAC meeting and information she says was given on the cost of the black bear hunt by Director Chanda. She has put in Open Public Records Act (OPRA) requests for but not received any information on this. Ms. Pizar also felt that minutes of committee meetings should list all staff members in attendance.

Director Chanda commented on the ENSAC meeting Ms. Pizar referred to. He added that he may have commented that there was a \$600,000 State appropriation to do black bear control, but gave no estimate on the cost of having a hunt.

Acting Chairman Burke noted that the April 12, 2011 meeting would begin at 1:00pm pm. Councilman Messeroll asked that the Fisheries Committee meet beforehand at 11:30 am.

The May 10, 2011 meeting listed on the calendar for 1:00pm was switched back to 10:00am. The Finance Committee will meet at 9 am that same day.

With no additional information to report **a motion was made by Councilman Messeroll, seconded by Councilwoman Brummer to adjourn. A vote was taken with all in favor, none opposed.** Meeting adjourned at 1:12 pm.