

**Endangered and Nongame Species Advisory Committee
Meeting Minutes
March 11, 2020
Assunpink Wildlife Management Area, Robbinsville, NJ**

Members in attendance: Rick Lathrop (Chair), Jim Applegate, Emile DeVito, Jane Morton-Galetto (by phone), Howard Geduldig, Erica Miller, David Mizrahi, James Shissias

Absent: Barbara Brummer, Joanna Burger, Howard Reinert

Staff in Attendance: John Heilferty, Kathy Clark, MacKenzie Hall.

Guests: Russ Furnari

Meeting was called to order by R. Lathrop at 10:25 am. The public notice for this meeting was confirmed by J. Heilferty.

Approval of minutes

There was a motion to approve the January minutes made by E. Miller, seconded by J. Applegate. Minutes approved; R. Lathrop and H. Geduldig abstained.

Director's Report

Director Golden could not attend today's meeting. R. Lathrop attended yesterday's Fish & Game Council and reported on some news. There are six new conservation police officers, among 33 new hires in the Division in the last year. Assistant Director P. Nelson announced her retirement in May. A new hire in the ENSP in the future will be a planner position to work on division and ENSP planning, including the State Wildlife Action Plan. P. Nelson reported that the funding formula for RAWA (Recovering America's Wildlife Act) was changed, that would result in a decline to approx. \$10.4 million per year. The DFW mobile outreach trailer is being used across the state.

Update from the Nominating Committee

J. Heilferty provided this background: last year's memo to the Commissioner recommended ENSAC reappointments, and in January J. Heilferty amended that memo to address B. Brummer's upcoming retirement and changing E. DeVito's shift in position from Public to Non-profit, leaving opening in Public At Large slot. Also waiting for appointment of R. Furnari to replace J. Shissias.

J. Shissias provided this update: the Nominating Committee identified five candidates for Public At Large slot, the top possible choice being Robin Dougherty who has 20 years of experience in urban environmental stewardship in the Greater Newark Conservancy. Ms. Dougherty is interested in the position on ENSAC.

E. DeVito made a motion, seconded by E. Miller, to recommend Ms. Dougherty for the position. Discussion followed. Other candidates were considered that work in suburban areas,

environmental consulting, and urban areas, but who did not reply to inquiries. Members would like to review her resume.

Motion restated as this: The Nominating Committee will speak with Ms. Dougherty and circulate her resume, then request ENSAC members agree by consensus on her nomination. Motion passed unanimously.

Status of Action Items

No updates.

Presentation by MacKenzie Hall on Bats and Wind Energy

Nine bat species in NJ: cave-hibernating bats and more solitary species that migrate for winter. Northern long-eared bat (NLEB), a federally threatened species, is found statewide but only maternity and hibernacula are protected (federal 4D rule). Forest management recommendations for bats considers their types of roost networks in tree crevices and bark. Other bat species tend to be solitary and may roost off branches. Now some bats are using the crevices and expansion joints in bridges (e.g., little brown bat maternity colony in a bridge); this spurred work with NJDOT staff to survey bridges statewide.

Bats in buildings: M. Hall conducts outreach to homeowners and pest control community to help accommodate bat usage of buildings wherever possible, and safe exclusion guidelines. Acoustic detectors allow for monitoring locations and species. NJ participates in the North American Bat Acoustic Program, with 12 grid cells part of the national survey program. White Nose Syndrome has been affecting bat populations for the last 10 year, hit NJ in 2009. NJ winter hibernating bats were the most hard-hit species (little brown was among the most common NJ species, now among the most rare). Some bats do survive: big browns less affected; bats that enter hibernation fatter do better; bats that hibernate in colder sites do better; there seems to be a “survivor genome.”

Wind energy development and bats: our migrating bats are very vulnerable to terrestrial wind turbines, with projected mortality rates at 90% in the next 10 years. Most bat impacts happen in fall migration when they are interacting, mating and swarming. July 15-Sept 30 is the migration period but also when wind speeds are lower. Making turbines that do not operate until wind speed reaches 6.5 m/s (“cut-in speed”) reduces bat casualties by up to 93%; ultrasonic acoustic deterrents may reduce fatalities by >60%. Offshore wind turbines effects are unknown. Upcoming research will include applying nanotags to be detected by MOTUS towers; NJ has a MOTUS network that is mostly coastal now, but will be expanding in the coming years. Offshore acoustic studies have detected bats wherever searched (up to 30 miles offshore) but with fewer locations as distance increases.

Offshore Wind Energy

J. Heilferty showed the online “ignite talk” by DFW Bureau of Marine Fisheries’ biologist Colleen Brust.

R. Lathrop reported on the Ocean Data Portal (MARCO: Mid-Atlantic Regional Council on the Ocean) developed for planning purposes. The site includes data layers on fishing, marine life

(pelagic species), renewable energy existing and proposed areas, helpful for identifying potential conflict areas. The marine life library provides species specific information (<https://portal.midatlanticocean.org/>). There is a YouTube video online (<https://www.youtube.com/watch?v=hlcH4iVFy2M>). D. Mizrahi notes there is also the Northeast Ocean Data website that is a compilation of data on wildlife, habitats, and multiple ocean uses: <https://www.northeastoceandata.org/>.

Discussion on Wind Energy and Wildlife

1. State jurisdiction: most of the proposed projects are in federal waters (beyond 3 miles), so they would require federal consistency determination (e.g., with Coastal Zone Mgt rules). BOEM (Bureau of Ocean Energy Management) may be the jurisdictional agency; NEPA process allows state input. DM notes the state also has jurisdiction in the procurement process (buying energy), and where the transmission comes onshore.
2. Consideration of resources under federal and state permitting processes. Locations for data compilation: the Mid-Atlantic Region Ocean data portal (MARCO, noted above, at <https://portal.midatlanticocean.org/>), and the Northeast Regional Data Portal (www.northeastoceandata.org), which consolidate data from agencies. NYSEERDA (NY State Energy Research & Development Authority) also has an environmental working group (environmental data) that has produced a BMP document.
3. Best Management Practices
4. Monitoring for impacts: technology on the turbine platforms (MOTUS receivers, etc.), impact detectors, flock detectors, and possible tie-ins to turbine operations.
5. Compensation for unavoidable impacts.

Current proposed projects (eg, Orsted) would tie into infrastructure Oyster Creek in Forked River, and B.L. England in Marmora.

On the Atlantic coast, only Block Island Sound has offshore turbines in place at this time. Deputy Commissioner D. Mans looking for wildlife input for offshore wind development, and DFW will be providing but also identifying resources such as professional and university people.

Other Business

Diamondback terrapin: J. Heilferty reported that DFW jurisdiction over blue-claw crab trapping relates to bycatch of terrapins and mortality from ghost (abandoned) traps. ENSP will continue to pursue a proposal to require terrapin excluders (“bycatch reduction devices”) on all crab traps (vs. current regulation requiring them only in creeks <100 ft wide).

Terrapin head-starting is done under permit by The Wetlands Institute and MATES.

B. Zarate wrote a turtle biosecurity protocol to guide handling of turtles including terrapins.

Upcoming:

Next meeting May 20 will likely be held by Skype.

The July 15 meeting is scheduled to be at the Sedge House at Island Beach State Park.

Meeting adjourned at 1:40.

Suggested agenda items

J. Burger to present on N. pine snake research.

Update on horseshoe crab conservation initiative.

DFW forester presentation regarding forest stewardship?

Robert Somes re: ENSP insect work.

NJ Conservation Blueprint by either NJDEP or NGO partner, or John Hasse of Rowan

Action Items

- Nomination Committee will provide information on a prospective nominee for ENSAC by (approx.) March 13, seeking consensus vote on nomination.
- Staff will see about getting the ENSAC updated Bylaws available on the ENSAC portal.