

**THE MINUTES OF THE
NJ FISH AND GAME COUNCIL
GOTO MEETING MAY 12, 2020**

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

The meeting was called to order at 10:04 p.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 May 7, 2020 and delivered to the designated newspapers for the division, The Atlantic City Press and the Newark Star Ledger and published on May 8, 2020.

Roll call was taken in attendance:

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

Division employees included: D. Golden, L. Barno, C. Stanko, A. Ivany, J. Hearon, S. Cianciulli, B. Stoff and D. Bajek.

Also, in attendance was Assistant Commissioner Ray Bukowski.

There were numerous members of the public in attendance.

Chairman Virgilio asked if there were any changes or corrections to the March 10th minutes.

A motion was made by Councilman Whildin to approve the April 14th minutes, seconded by Councilman Gudmundsson. Vote taken, all in favor; motion carried.

Chairman Virgilio wanted to start with viewing our state as a cup half full that struggles to right itself from this dreaded COVID-19 disease. “I continue to call upon all sportsman stakeholders to encourage social distancing, especially at pinch points on our state forest and wildlife management areas where it’s hard to meet social distancing rules such as; parking lots, boat ramps, and trailheads.

“We must continue promoting opportunities directed towards; hunting, fishing, trapping, birdwatching, hiking, horseback riding, canoeing, boating, and camping opportunities for stakeholders as the best form of relief for this medically imposed lockdown.

“Once again, I thank all New Jersey residents for rising to the challenge during these difficult times God bless!”

Director Golden mentioned that we are on week 10 of working remotely. We have mostly everyone working from home, with a few out in the field as long as they are solitary. There has been no date set as to when we will be getting back into the offices.

Last month we discussed the turkey permit and refunds for certain zones, and out of 22,000 available for refunds only 238 asked for a refund. We estimate around a \$1,00 to \$4,500 cost to the Division. One thing that is moving forward is the New Northern Region office building. We have been able to continue to use contractors on state properties. The scope of work has been put out for bid and the preliminary proposals are due back. A WMA stamp package is being put together and presented to the Commissioner with the purpose of getting donations from some users that are not license buyers.

Council Reports:

Agriculture Committee:

Councilman Brodhecker reported that farming is in full swing. The freeze last week might impact produce. As far as wildlife, bears have been raiding bird feeders and deer have been spotted in the field grazing on hay.

Councilman Kertz reported that there are concerns for when the vegetables come in, how are we going to handle the social distancing. There have been a lot of bear killed on the side of the roads. We are moving along as well as we can.

Dr. Reist, Disease control, reported that the Asian giant killer hornet, at this point there has only been one confirmed sighting in Washington. We have had lots of calls of sightings, but only one confirmed. It usually turns out to be the European hornet, which is not known to attack people unless threatened. There have been two new confirmed cases of hemorrhagic disease in rabbits in Texas. We are still bracing here in the US for the African Swine Flu.

Farmer Relations:

Councilman Brodhecker reported that a meeting needs to be scheduled.

NJ State Federation Sportsmen's Clubs:

Councilman DeStephano reported no meetings due to COVID-19.

Councilman Gudmundsson reported that a lot of sportsmen called regarding how good fishing has been and if it could be permanent. Also, his house is under contract so his last meeting might be in June.

Councilman Robinson reported that he attended the State Federations telephonic meeting. He received a lot of happy calls about the early season opening and compliment on the new system with the turkey permits and harvests.

Councilman Whildin also attended the State Federations telephonic meeting. The division did an excellent job at the light house and would like to give thanks to everyone involved.

Chairman Virgilio reported that he was able to provide zoom teleconference meetings for two regions along with a State Federation meeting; he continues to work with county federations setting up zoom meetings for the future. Additionally, he made a PowerPoint presentation to Dr. Nancy Helprin's Rutgers university Fish and Wildlife Policy and Law-enforcement class: on state and federal law along with the regulations that Govern wildlife in New Jersey.

Finance Committee: No meeting

Fish Committee:

Councilman Pollock reported a lot of phone calls about the early opening of trout season.

Endangered & Non-game Species Committee:

Councilman Lathrop reported that May is shorebird migration season. The Delaware Bay Shorebird project trimmed down, the most effort will be on re-sighting to scope previously banded birds.

Waterfowl Stamp Committee: No report

Wildlife Rehabilitators Committee: No report

Public Comment:

Councilman Pollock would like to thank the division for a job well done across the board. Dealing with an early trout stocking and season. We had lots of calls and it was a great success. He would like to recognize the entire division in public assistance and all work done behind the scenes as well. On a personal level, normally the vast majority of people would be running all over the place and don't always have time to enjoy all the resource's like we would like to. Recently Councilman Pollock was able to take his son out fishing and he caught a nice size trout.

Division Reports:

Freshwater Fisheries:

Acting Assistant Director Barno reported that trout stocking, based under the accelerated trout stocking schedule, retained 50,000 fish at Pequest for late May stocking. Cooler water temperatures provide us opportunities that we wouldn't usually have. Stocking should take place May 18-21 with a finalized scheduled waterbody list not yet complete. We should have the list later in the week. We are looking at stocking 15 rivers, and with cooler temperatures we are looking to add 16 ponds throughout the state where we could put additional opportunities but are still verifying some locations to make sure there is access. The Division will not be releasing the locations ahead of time, it will be posted the afternoon of stocking to alleviate pressure and keep with social distancing. All stocking trucks are wiped down and sanitized daily. Yearling musky went out. Waters stocked with muskies get yearlings every other year musky. This year broodstock collection was cut short due to COVID-19, but we did get some walleyes from Pennsylvania. Biologists continue to work on the two fisheries management plans and continue to make progress. We have some field staff out deploying temperature loggers.

Information and Education:

Chief Ivany reported that it has been a very busy time providing information on COVID-19, Division programs and hunting and fishing updates through social media, the website, GovDelivery messages and e-mail responses. Since March 19, 2020, Paul Tarlowe has responded to over 2,000 e-mails as well as referrals and Facebook messages. Katie Paey is the Division's new administrator for all social media. She has taken over Facebook and Instagram. Our Facebook followers have increased to over 33,000 and our Instagram followers to more than 7,000. We had our first post go viral, with over 727,000 people it reached. It was a Law Enforcement striped bass case. This is by far the biggest post ever. We have been busy designing signs and got them out to Law Enforcement for area closures, range closures, and

social distancing. All education programs remain on hold, however we are developing online virtual learning on the website. The Governor's Surf Fishing Tournament has been postponed to Sunday, October 25 at Island Beach State Park. The Marine Digest is now available online and out on shelves today.

Land Management:

Chief Hearon reported that Land Management has been very busy with the increase in use of the WMAs. Trash collection is on an uptick and we are getting prepared for the fish stocking next week. We have made progress on the ranges projects that have been on hold. The latest lead remediation project produced 4,000 pounds of lead from Stafford Forge range. Central region is adding a crossbow range to Colliers Mills WMA. The Millville range is in full swing construction, with a mid-summer completion anticipated. The Bay Point area has received improvements to the ramp and dock. The Winslow Federation will be completed and moved into pheasant stocking this year. We are making progress on the Holly Farm property acquisition and moving towards a new office location. The East Point Lighthouse is always on our list, we have been battling sea level rise to save the lighthouse.

Law Enforcement:

Chief Cianciulli reported that officers are working hard and diligently to keep Wildlife Management Areas open and maintain social distancing. The increase in use at the WMAs has generated more violations. Information and Education staff did a great job getting information out to the public on acceptable behavior at WMAs. Dumping has become a major issue as well as ATVs. People are home so they're taking advantage of the WMAs and using ATVs unlawfully. Officers have selectively closed WMAs on the fly in areas that are crowded and as they reach capacity, this restricts additional access until vehicles leave the parking lots. Turkey season was successful and will wrap up in the next week and a half. Staff are helping the Endangered and Nongame Species Program staff and stewards on Delaware Bay with beach access to prevent people from disturbing migrating birds.

Wildlife Management:

Chief Stanko reported that field staff are still doing their jobs, following all safety standards with no out of state travel. Migratory breeding bird banding was canceled that takes place up in Canada. We have extensive long-term data that we will base our harvest decisions on for this year, it shouldn't be too greatly impacted. A lot of hard work and preparation went into turkey season and setting up a hotline for problems hunters have reporting the birds by Barbara Stoff and Tony McBride. We had only 17 calls on the Hotline and only one was a real problem. This

went very well. Chief Stanko is serving on a non-lead Northeast Wildlife Administration Association to reduce the use of lead ammunition. The council was supposed to have a demo last month at the NEFWA conference, but it was canceled due to COVID-19. The northeast chiefs are working on getting that message across to our constituents.

Endangered and Nongame: No report

Old Business:

Aspira Update:

Barbara Stoff gave a brief update on the new license system and an overview of how the agents have adapted. At this point we have no new information and we have a lot of agents still closed. Turkey harvest reporting: there were a couple of complaints of a 2-hour long wait time. Aspira is dealing with many states that are also closed due to the COVID-19 virus. The system status, everything that was mandatory in the contract has been completed. There are some things that need to be addressed, but they are on the back end, so it should not disrupt the public. Some problematic issues were in deer harvest reporting, and this had to do with the screen the call center was using. Commercial marine is fixed, but we will always have to do some tweaks. The print at home license are great, no need to wait to get it in the mail. The number of permit holders has bumped up. There will be some changes and upgrades coming up in the next 2 months, but it will be behind the scenes and nothing that the public will see.

Hunting Digest Update:

Chief Ivany reported that we continue to work on the hunting digest and would like to acknowledge Cindy Kuenstner for a lot of hard work. The digest committee is looking at some changes. He would also like to acknowledge the Bureau of Land Management for their work in updating the range tables to simplify the Digest. Chief Stanko has also provided a simplified deer regulations chart that condenses the current 6-7 pages of regulations to two pages.

2019-20 Deer Harvest Results:

Chief Stanko would like to thank the Council for their patience in getting the harvest data and will get the binders out to them when we reconvene. Chief Stanko gave a brief presentation on the 2019-20 Deer Harvest Reports. We started off good in the fall and then had a lot of rain, especially during six-day firearm which was a washout and expected to take a big hit to the antlered deer harvest. A lot of zones have permit season open at the same time that run concurrently with the six-day, so we did take a lot of antlerless harvest during that week as

well. Last year our harvest was 45,650 and was the third lowest in the past 5 years and down 6% from the 5-year average. The only season up during last year was permit bow season and everything else was down. All together it was down over 10% or 5,200 animals. By weapon type, the normal since 2009 seeing a significant increase in the archery harvest because in 2009 not only did we introduce crossbow as a legal bow for all bow seasons, but the legislature also reduced the safety zone from 450 to 150 and allowed for Sunday bow hunting on wildlife management areas and private property. We are at our all-time high at 63% of harvest being taken with bows and arrows last year. It was an all-time low for muzzleloader with only 9%. In 2009 crossbow took 33% of the total archery harvest and has almost doubled since. Primitive weapon types are also at an all-time low. Long term harvest by antlered and antlerless are tracking pretty well over the last couple of years, still taking significant more antlerless by design out of the system with 26,800 for antlerless and 19,000 for antlered. Our community-based deer management permits took 265 deer out on three permits. Antlerless deer permit sales were down except for archery sales which were up. Muzzleloader permits were down 18%, shotgun permits were down by 10% and bow permits were up by 8%. Total zone permits sold were 67,714 which is a 5% decrease from the previous year. Buck permit sales were all up with a 30% increase in bow permits, 6% increase in shotgun and 18% increase in muzzleloader permits. The total buck permits sold were 56,357 an overall increase of 20% from the previous year. Deer related hunting license sales have a slight increase in bow license sales and a slight decrease in firearm license sales, both added up to over 101,000 which is down less than 1% from the previous year

Comprehensive Black Bear Management Plan Updates:

Chief Ivany reported that staff are in the process of updating graphs and charts for data and will not be changing the content of the plan itself, just updating policy data.

Director Golden mention that the appendix within game code is up for re-adoption next June, with talks of our Council and staff to be approved.

Lunch: 12:05 – 1:02

New Business:

License Restorations:

Sean Crumley- not present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Crumley who was not present. Mr. Crumley was convicted of a violation on April 21, 2018 for NJSA 23:7-9. a(4)

hunting/fishing on a WMA after hours. A second violation on December 28, 2019 for NJSA 23:4-24.1a. Uncased shotgun in cab of truck.

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

A motion was made by Councilman Gudmundsson to open the floor for discussion and seconded by Councilman Whildin. Vote taken, all in favor; motion approved.

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

A motion was made by Councilman Gudmundsson to close the floor for discussion, seconded by Councilman Whildin. Vote taken, all in favor; motion carried.

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 Gudmundsson made a motion not to reinstate Mr. Crumley's license, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.

Jason Jaffre- Not present- (got on call at end of meeting)

Captain Quirk read aloud the statement for the revocation appeal for Mr. Jaffre who was not present. Mr. Jaffre was convicted of a violation on December 4, 2017 for NJSA 23:4-13, hunting with a firearm capable of holding more than 3 shells, and convicted on January 8, 2018. A second violation on December 14, 2019 for NJSA 23:4-13.1 for no hunter orange and NJSA 23:4-13 hunting with a firearm capable of holding more than 3 shells.

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

A motion was made by Councilman Gudmundsson to open the floor for discussion and seconded by Councilman Kertz. Vote taken, all in favor; motion approved.

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

A motion was made by Councilman Gudmundsson to close the floor for discussion, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.

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 Gudmundsson made a motion not to reinstate Mr. Jaffre's license, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.

Vasily Marach – Present, Andrea Marach (son, interpreter)- Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Marach who was present. Mr. Marach was convicted of a violation on March 11, 2015 of NJSA 23:3-1. b(1) Failure to display a fishing license. A second violation on March 30, 2017 NJSA 23:3-1. a Fishing without a license. A third violation on February 21, 2019 NJSA 23:3- 1.a, NJSA 23:3-22, and NJSA 23:10-5.

The council asked Mr. Marach questions.

Mr. Marach testified as to why the council should restore his license.

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

A motion was made by Councilman Gudmundsson to open the floor for discussion and seconded by Councilman Robinson. Vote taken, all in favor; motion approved.

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

A motion was made by Councilman Whildin to close the floor for discussion, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.

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 Gudmundsson made a motion not to reinstate Mr. Marach's license, seconded by Councilman Robinson. Vote taken, all in favor; motion carried.

Harry Moore- Not present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Moore who was not present. Mr. Moore was convicted of a violation on July 3, 2019 NJSA 23:2B-6 for 2 mutilated finfish. A second violation on January 9, 2020 NJSA 23: 3-21 Nonresident procuring a resident license.

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. Vote taken, all in favor; motion approved.

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

A motion was made by Councilman Whildin to close the floor for discussion, seconded by Councilman Gudmundsson. Vote taken, all in favor; motion carried.

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. Moore's license, seconded by Councilman Gudmundsson. Vote taken, all in favor; motion carried.

Public Comment:

Barbara Sachau, she tried to call in on both lines and was blocked out by Verizon. She mentioned that the 877-phone number does not work. She feels it is not fair to the public to be shut out of the meetings and that there has to be a better way.

Joyce Rudden wanted to know who owns the animals at the zoo and if they are regulated by the Division of Fish and Wildlife.

Jason Jaffre could not get through for his license restoration hearing and wanted to know the outcome.

The next meeting will be held June 9, 2020 at 10:00 a.m. telephonically.