

THE MINUTES OF
NJ FISH AND GAME MEETING
GOTO MEETING OCTOBER 13, 2020

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

The meeting was called to order at 10:00 a.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 October 8, 2020 and delivered to the designated newspapers for the division, The Atlantic City Press and The Newark Star Ledger and published on October 9, 2020.

Roll call was taken in accordance:

Chairman Virgilio
Councilman Phil Brodhecker – (late- 1:15)
Councilman DeMartino - absent
Councilman DeStephano
Councilman Dr. Rick Lathrop
Councilman Ed Kertz
Councilman Rob Pollock
Councilman Loren Robinson
Councilman Ken Whildin

Division employees included: D. Golden, L. Barno, G. Kopkash, C. Stanko, A. Ivany, J. Hearon, S. Cianciulli, M. Monteschio, J. Sloan, and D. Bajek.

There were numerous members of the public in attendance.

Chairman Virgilio asked if there were any changes or corrections to the September 8 minutes.

A motion was made by Councilman Robinson to approve the September 8 minutes, seconded by Councilman Whildin. Vote taken, all in favor; motion carried.

Chairman Virgilio stated that the purpose of this meeting is twofold; first, to conduct regular Council business and secondly, to preclude any misunderstanding about Governor Murphy's press conference where he announced a proposed amendment to the Game Code that would suspend the bear hunt following the conclusion of the 2020 bear season and remove the

current Comprehensive Black Bear Management Policy from the Game Code, all of this will be explained during the Game Committee portion of this meeting. Finally, on behalf of the Fish and Game Council, we would like to thank the Division of Fish and Wildlife and their entire staff for their hard work during these difficult times.

Director Golden provided updates on various items relevant to the Division, including a report on the Association of Fish and Wildlife Agencies meeting, which was held virtually this year. He provided a summary of the opening day harvest numbers from the 2020 black bear hunt and discussed the passing of the State FY21 budget.

Council Reports:

Agriculture:

Councilman Kertz reported that farmers are finishing up with field work and nursery stock. With everyone being home, mums are selling like crazy. He spoke to a few farmers about depredation permits.

Dr. Sebastian Reist reported there was a big meeting with state vets throughout the United States which had a big increase in participants due to it being held virtually. There was a lot of discussion about CWD with no resolution being put forward. Rabbit Hemorrhagic Disease is now in five states in the mid-west with considerations on import and export.

NJ State Federation of Sportsmen's Clubs:

Councilman Robinson reported the last month has been busy. Union County's November meeting will be a live meeting. The State Federation meeting was virtual, the county meeting talked about CWD, the bear hunt, Game Code, and the WMA stamp. We had the youth pheasant hunt, we had 24 veterans. We had a ton of donations to pay for everything. It was all around a great day. NJ Fur Harvesters meeting is in Chatsworth, NJ, November 1.

Councilman Whildin reported at the October meeting the big topic was bears, and interpretation on deer game laws, as well as the Fish Committee meeting.

Chairman Virgilio reported he attended meetings virtually.

Finance Committee:

Councilman Robinson reported that he met with the Director and Assistant Director Kopkash.

Assistant Director Kopkash mentioned that there will be a brief presentation on the state budget and federal grants under New Business later in the meeting.

Fish Committee: No meeting

Game Code Committee:

Chairman Virgilio reported on Wednesday, October 7, the Game Committee met to discuss confusion centered around the announced predetermined closure of the 2021 black bear season. The Committee wanted to take a step back and remind the Council what we did with the Game Code proposal published on Monday, October 5. As a matter of administrative law, our Game Code will sunset in June of 2021, along with our CBBMP. Council wanted to separate the Policy from the Code to move a previously stalled Game Code revision into passage with a suite of regulations to control the spread of Chronic Wasting Disease. Additionally, it moved King Rail off the game list and voted for listing as an Endangered Species, closed Ruffed Grouse hunting season, created changes for deer management zone for joint based McGuire-Dix-Lakehurst, along with a farmer requested regulation set permit and other code changes to preclude the introduction or stem the spread of contagious wildlife disease. Our CBBMP is a collection of actions to keep our black bear population at or slightly below their cultural carrying capacity and protect public safety while reducing human-bear interactions.

Although the Governor spoke of the proposed amendment as if it were a certainty, let me assure the public that Council's actions were not taken to set up a predetermined outcome; they intended to provide a discussion platform based on science-based black-bear management with the DEP Commissioner as ordered by the New Jersey courts. The proposed amendments are still subject to a public hearing scheduled for November 4 and a 60-day comment period. As you know, the current Game Code and Comprehensive Black Bear Management Policy are joined together as one (so the Policy is part of the Game Code). What makes the situation difficult and complicated is the Council has sole authority over the Game Code; however, the Comprehensive Black Bear Management Policy is drafted by the Council and signed off by the Commissioner. Council has always relied on evidence-based science for the protection of our black bear population along with the safety of our citizens in bear country.

Our Fish and Game Council will continue to work closely with Division biologists on evidence-based black bear management, along with prioritized nonlethal bear management strategies as requested by our Governor. We look forward to productive exchanges with the Commissioner

as directed by the courts to achieve a revised Comprehensive Black Bear Management Policy consistent with evidence-based science.

Endangered Non-Game Species Advisory Committee:

Councilman Lathrop reported that they had a meeting virtually on September 16 and the main discussion was on relevancy road map.

Law Committee: No meeting

Public Member:

Councilman Pollock wanted to thank and compliment the Marine Law Enforcement unit with all the enforcement. You are doing a great job and a lot of illegal activity is being resolved very quickly.

Legislative Update:

Mary Monteschio reported one change on the neonicotinoid bill. The Assembly made changes and then it goes back to Senate, then Assembly has to vote.

Division Reports:

Freshwater Fisheries:

Acting Assistant Director Barno reported Fall Trout stocking began on October 6. There were 17 streams stocked the first week. The water levels were low, but all streams were able to be stocked. Twenty-three lakes were stocked the second week. Due to trout held over from the spring each water received 25% more trout. Four additional waters were also stocked for 2020, Dahnerts Lake (Bergen), Holmdel Park Pond (Monmouth), Manny's Pond (Hunterdon), and Pohatcong Lake (Ocean). Due to COVID, waterbodies stocked were not posted until the end of the day. Hatchery staff are already working with the 2022 fish, we have 1.5 million eggs and they are starting to hatch. Super Cats 2020 took place last week. Large broodstock Channel Catfish were stocked from the Hackettstown Hatchery. Every three years we change out broodstock. 545, five-year-old + channels averaging 28 inches and 6.5 pounds each were stocked in 28 waters. Each water received 15 to 20 of these trophy fish. These stockings are very popular among anglers. Also, she gave updates on the Rinehart Brook Trout Restoration project and the supplemental environmental project at Spruce Run Creek.

Information and Education:

Chief Ivany gave a brief presentation on Hunter Education. As of the end of September 3,152 students have completed the on-line program. Statewide, we had 1,304 complete firearms and 1,244 complete archery. Everything seems to be running smoothly.

Land Management:

Chief Hearon reported Colliers Mills and Stafford Forge range are in the final improvements and getting great reviews. Dam maintenance is being performed at Stone Tavern Lake and it is being drained, there is an additional boat ramp. We are in the process of stocking dog training areas every Friday.

Law Enforcement:

Chief Cianciulli reported there was one complaint about baiting on a WMA during the first segment of the bear season. The bait was located, and it was determined that it was placed on private property and there was no active hunting taking place. Bear response classes will resume in March at the Morris County Police Academy and we will try to get a second class in August or September.

Wildlife Management:

Chief Stanko reported that the new mobile bear checking system necessitated by Covid-19 precautions went very smoothly for Segment A of the 2020 black bear hunt. The 2020 deer harvest to date for the first month of the season is up 26.7% over the 2019-20 harvest. For the period of September 12 through October 12, 2020 the estimated preliminary harvest is 13,352 compared to 10,536 for the same period last year. If weather continues to cooperate, 2020 should be a good harvest year for deer in New Jersey.

Endangered and Nongame Species:

Chief Heilferty reported a lot of work has been getting done. The Red Knot survey went smoothly. The Delaware Bay water temperature delayed the crab spawning but still had a good spawn.

Old Business:**Hunting Digest Update**

Assistant Director Kopkash reported we are working on the Fishing Digest.

ELS Update:

Assistant Director Kopkash reported we sold 4,654 bear permits with 4,160 being sold to residents and 494 to non-residents. Out of the residents, 246 were farmers.

Comprehensive Bear Management:

Chief Stanko gave an update on Black Bear Incident Reports to compare 2019 and 2020 from January 1 to September 1. We are up 66.9% from last year, sightings Category 3 bears are up 87%, and Category 2 damage/nuisance bears are up 61%. Category 1 – bears that present immediate danger - are up 4%.

Game Code:

Chief Stanko gave a brief update on the status of the 2020 Game Code proposed amendments.

Lunch: 11:28 - 12:30

New Business:**Budget Update:**

Steve Tesar gave a brief update on the State funds annual report for the entire Division. Bob Longcor gave a brief report on the federal funding program.

2021-2022 Fish Code Proposal:

Acting Assistant Director Barno gave a brief presentation on proposed changes to the 2021-2022 Fish Code.

Councilman Kertz made a motion to accept the proposal on Emergency Closure Notice, seconded by Councilman Robinson. Vote take, all in favor; motion carries.

Environmental Justice:

Chief Ivany gave a brief presentation. The Bureau offers several programs that increase outreach into communities throughout the state, some examples include Trout in the Classroom, National Archery in the Schools, Hooked On Fishing – Not On Drugs and the Mobile Conservation Outreach Trailer. Environmental justice is an important issue and we plan on reaching out to communities across New Jersey as much as possible.

Acting Assistant Director Barno gave a brief presentation on how environmental justice is integrated into freshwater fisheries programs including trout stocking, channel catfish stocking, Passaic River Northern Pike fishery, and an upcoming urban fishing/stocking program.

Ruffed Grouse Update:

Jimmy Sloan gave a brief presentation on Ruffed Grouse.

Public Comment:

Barbara Sachau, Whitehouse NJ, talked about the public trust doctrine that all animals belong to all of us.

Stephanie, a 13-year-old wanted to express that she would like for the bear hunt to stop.

Councilman DeStephano made a motion to adjourn the meeting at 1:50 p.m., seconded by Councilman Lathrop. Vote taken; all approve; motion carries.

Next meeting will be November 10,2020 at 10:00 a.m. Location to be determined.