

Endangered and Nongame Species Advisory Committee

Meeting Minutes

March 19, 2008  
Central Region Office

**ATTENDEES**

COMMITTEE: Jane Morton Galetto (Chair), James Applegate, Joanna Burger, Rick Lathrop, Erica Miller, David Mizrahi, James Shissias, Jessica Wilkinson.

STAFF: Dave Jenkins, Amanda Dey, Amy Wells

GUESTS: Rick Dutko (NJDEP-ONLM), Sarah Ritchie (NJDEP-ONLM), Roman Senyk (NJDEP-ONLM), Fred Akers (GEHRC), Wendy Walsh (USFWS), Elizabeth George-Cheniara (NJBA), Rick Reynolds (Dupont), Nancy Target (University of DE), Robert Hoke (DuPont), Margaret O'Gorman (CWF)

The meeting was called to order at 10:10 am. Notice of this meeting was filed with and posted at the Office of the Secretary of State on February 7, 2008.

Minutes

**A motion was made by J. Shissias, seconded by J. Applegate, and approved by the Committee to approve the minutes for January 16, 2008.**

Status of Action Items

J. Galetto noted, with the exception of the first three items, all items on the action list have either been completed or would be discussed during the meeting.

Horseshoe Crab Moratorium

J. Galetto reported A2260, which imposes a moratorium on the harvest and possession of horseshoe crabs, was approved by the legislature today and Governor Corzine is expected to sign the bill on March 25, 2008 at 2:30 pm at the State House. The bill will remain in effect until the Red Knot population fully recovers. Discussions revolved around the exact verbiage of the document, future efforts to regulate harvesting of the Horseshoe Crab, implementation of fines for violations, Marine Fisheries permitting program and development of a shorebird management plan. Dr. Amanda Dey is co-authoring a journal article in review for publication in the journal Bioscience. The article will include a review of data and the development of recovery targets.

Diamondback Terrapin Regulations

D. Jenkins provided an update on the draft proposal to close the Diamondback Terrapin season. Based on the biology of the Diamondback Terrapin species, the harvest of adult Diamondback

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Terrapins likely has an impact on the population. In addition, the species may be impacted by a recent increase in market demand. While the Diamondback Terrapin issue is important, the current status of the species does not demand immediate action. Staff will continue to seek MFC consensus while bringing the issue forward during the next year. Any proposal to require excluders in all recreational crab pots will be included with this discussion.

#### Champagne Island Management Plan

D. Jenkins provided an update on the Champagne Island Management Plan. Pending review/approval of the management plan, the Tidelands Resource Council approved assignment of management rights of the tidal areas of Champagne Island to the DFW at the March 4<sup>th</sup> meeting. Once the management plan is reviewed and approved by the Tidelands Resource Council, the assignment of management rights for uplands and tidelands must be approved, by signature of both the DEP Commissioner and the Governor, before becoming effective. The area will then become part of the Cape May WMA, closed to public access as needed, and posted and protected accordingly.

#### ENSAC Bylaws

ENSAC members discussed and amended the current draft of the revised Bylaws.

**A motion was made by J. Burger, seconded by E. Miller, and unanimously approved by the Committee to adopt the Bylaws with the agreed amendments.**

D. Jenkins will forward a copy of the approved document to ENSAC members.

#### Establishment of a Nominating Committee

The adoption of new Bylaws includes protocols for the election of officers and a need for the establishment of a Nominating Committee.

**A motion was made by J. Applegate, seconded by J. Burger, and approved by the Committee to dissolve the Bylaws Committee and reconstitute those members as the Nominating Committee.**

The newly established Nominating Committee will also extend an invitation to B. Brummer to join the Nominating Committee.

#### ENSAC Appointments

Janet Larson has submitted a letter of resignation. The Committee will extend an invitation to Ms. Larson to attend the next meeting so that she may be presented with a gift noting the appreciation for her many years of service as a member of ENSAC.

D. Jenkins has prepared, and will distribute for ENSAC review, a draft recommendation for reappointments to the ENSAC and the re-establishment of the rotation terms.

#### Off Road Vehicles

Fred Akers reported that the ORV bill (A823) is pending placement on the Legislative Committee agenda. Discussions included the need to further document the negative

environmental impacts associated with ORV use, MVC's resistance to incorporate registration and monitoring of ATV use, and expenses for DFW law enforcement efforts associated with illegal riders.

#### Synthetic Conch & Eel Bait

Rick Reynolds and Robert Hoke (from Dupont) and Nancy Target (University of DE) gave a presentation on current research and development for the production of artificial-bait substitute for horseshoe crabs, used in the conch and eel fisheries. This collaboration is funded under DuPont's "Clear into the Future" Program. Prior efforts have included the determination of baseline needs (natural derivatives, biodegradable, inexpensive, edible) and current status of field trials. Efforts in 2008 will focus on the identification of the chemical attractant/s followed by prototype enhancers, establishment of a supply chain and field trials on male eels. There have been no field trials on conch as yet.

#### Conserve Wildlife Foundation (CWF)

Margaret O'Gorman (Executive Director of the CWF) and D. Jenkins presented information seeking to clarify several issues surrounding the relationship between ENSP, ENSAC and CWF. Discussions included a review of the original purpose for CWF as it related to ENSP and ENSAC activities at the time of creation, evolution of the organization and its mission since the creation of CWF program, and CWF's desire to implement strategic planning that will allow CWF to continue supporting DEP, ENSP and DPF while remaining true to its origins and an independent 501(c)(3) pursuing its own programs and activities. On behalf of the CWF, Ms. O'Gorman is requesting ENSAC rescind the corporate powers provided in the CWF Bylaws - Article III, Section 3.3.

Committee members commended Ms. O'Gorman and Linda Tesauro for the successful development and continued expansion of the foundation to include items such as the Women in Wildlife.

**A motion was made by J. Burger, seconded by R. Lathrop and unanimously approved by the Committee to rescind ENSAC's Corporate Powers as defined in the Amended and Restated Bylaws of the Conserve Wildlife Foundation of New Jersey, Inc. Article III, Section 3.3 Corporate Powers dated March 11, 1998.**

#### Colonial Waterbird Monitoring

Chris Kisiel gave a presentation on the Colonial Waterbird Monitoring Project. Information included an overview of population distribution in coastal, marsh and inland areas. Information collected between 1985 and 2005 noted a decline in the number of colonies and counts for long legged species; differences between aerial and perimeter counts for terns and gulls due to vegetation cover; and continued efforts to develop partnerships.

#### Destruction of Bald Eagle Nest

J. Galetto noted the removal of the Bald Eagle from the federal endangered and threatened species list has left state and federal prosecutors facing a new challenge when confronted with an issue such as the pre-planned destruction of a nest and the outcome of the NJ case may affect future conservation efforts.

Approved - 5/21/08

White-nose Syndrome

D. Jenkins confirmed multiple bat hibernacula in the northeast region have been severely impacted by the "white-nose syndrome". While there are no signs of the disease/syndrome or mortality in NJ as of this day, reports indicate 90% mortality in effected hibernacula in the region. Health and safety protocols designed to prevent transmission have been established for researchers and recreational visitors.

The meeting adjourned at 3:00 pm.