

Minutes, July 21, 2021

**Endangered and Nongame Species Advisory Committee
Meeting Minutes
July 21, 2021
Remote meeting via GoToMeeting**

Members in attendance: Jane Morton Galetto (acting chair), Jim Applegate, Howard Geduldig, Jim Shissias, Erica Miller, David Mizrahi.

Absent: Rick Lathrop, Joanna Burger, Emile DeVito, Howard Reinert, Barbara Brummer (resigned, replacement member pending Commissioner approval)

Staff in attendance: Dave Golden (Director DFW), Lisa Barno (Assistant Director DFW), John Heilferty (Chief ENSP), Kathy Clark (ENSP), Kris Schantz (ENSP), Jeanette Bowers-Altman (ENSP), Mary Monteschio (DFW), Jeff Brust (Chief Marine Fisheries), and Joe Cimino (Administrator, MFA).

Public: Russ Furnari, Greg Honachefsky, Brian Williamson, Barbara Sachau

Meeting called to order at 9:03 am.

The public notice for this meeting was read by J. Heilferty.

Introductions of those in attendance.

Approval of Minutes

J. Shissias moved for approval of the May 19, 2021, minutes, seconded by J. Applegate. Minutes were approved by voice. Unanimously approved.

Director's Report

Director Dave Golden announced that staff will be returning to the office full time as of September. Staff are beginning to return now in a phased-in approach. Council/Committee meetings can be in-person, and currently there are still masking requirements in DEP facilities.

Upcoming retirements: Chief Law Enforcement (Sean Cianciulli), and ENSP's Jeanette Bowers-Altman.

DFW new website development is progressing, and a preview may be available to share at next meeting. The new Wildlife Habitat Supporter program is coming along and more news is expected next month.

Closures of six areas on five WMAs: In the face of very high use of outdoor areas in the last year, and based on concern from Bureau of Law Enforcement, the DFW closed these areas to protect public safety, DFW officers, and species and critical habitats. The 6 areas all had illegal activity and high levels of non-wildlife related activity. The closures will be lifted on September

15. Chief Cianciulli added his report: summonses were down from 900 in 2020 to 300 in 2021. Law is working to control illegal ATVs, addressed by the Assistant Commissioner's office, and aerial surveys reflected much less illegal ATV in these areas. Discussion followed on the problems, and the costs of law enforcement and land management responsibilities.

Legislative Updates

Mary Monteschio did provide the two recent months of legislative reports on the ENSAC portal. She reported on a few items: Months of May and June were very busy and the future months may continue to be busy.

RAWA has 91 cosponsors (only 1 from NJ). Just yesterday the Senate version of RAWA was introduced (S.2372) to accompany the House version (H.R.2773).

J. Shissias noted there is high legislative support for an increase in the Duck Stamp fee from \$5 to \$10, funds go to acquire habitat. M. Monteschio added that the legislation passed both houses and is awaiting the Governor's signature.

Public Input

B. Sachau commented that she would like all wildlife in NJ made "nongame" with no hunting because she feels hunting is wrong. She thinks preservation and protection should be the rule of law and land management.

Updates

J. Heilferty reported that the ENSAC nominations are moving forward per recent notice from the Commissioner's Office. He revised the nominations documents as needed and they are in Commissioner review. He suggested ENSAC could send a letter to support the appointments.

The upcoming terms for appointment or reappointment will start April 2022, and J. Burger's appointment will be subject to the new term limits clause. *J. Shissias will convene the Nominating Committee to address this.*

New Business

K. Schantz presented on her plan for Northern Copperhead study

K. Schantz is drafting a Request for Proposals for the design, test, and evaluation of survey technique(s) to identify critical features like dens and maternity areas. Northern copperhead is SC now but is to be proposed for threatened status. This species is associated with wetlands, so it is considered in land use regulations and permits. So, more information is needed on acceptable methods for surveying for presence/absence, and to identify critical habitat.

At this time, ENSP uses the same methods used for timber rattlesnakes: Habitat assessment during leaf-off; presence surveys are conducted during emergence, basking, and late gestation/birthing. Copperheads behave differently, making this survey technique insufficient and inefficient.

K. Schantz is seeking ENSAC assistance to 1) review the draft RFP and score sheet, and 2) review the submitted proposals. Discussion followed. It was recommended that any discussion of the RFP prior to it being public would be limited to non-bidders (subject to internal DEP review); review of submitted proposals in November could be a public ENSAC discussion. J. Applegate suggested that staff might work with experts to devise a survey technique, then contract the work and evaluate; K. Schantz responded that she has done that, but there has been one basic technique (the timber rattlesnake approach) that is not particularly effective. The RFP funding may stimulate more interest in the design of better techniques.

J. Galetto requested a motion to form a subcommittee or an Ad Hoc committee, led by K Schantz, to assist with the review of the Copperhead survey RFP. J. Shissias made the motion, seconded by H. Geduldig. Discussion: J. Shissias suggested reviewing the Bylaws to determine if non-ENSAC people could be on this subcommittee, if the DFW desires. H. Geduldig asked if a non-ENSAC member could participate without being a subcommittee member; M. Monteschio said there may be rules about who can participate. H. Geduldig asked what expertise is desired, to which J. Heilferty replied there is a range of expertise that might be desired. J. Shissias noted the Bylaws and suggested this is really an Ad Hoc, not a standing subcommittee, and the DFW could include non-ENSAC members. The motion passed with J. Galetto abstaining.

J. Bowers-Altman presented on Diamondback Terrapin issues

Presentation on life history: hibernation in Nov-Dec until spring; mating in early spring, with egg laying in late May to late July. Females breed at 7-9 years and males at 3-5 years. Females cross intertidal zones to access dunes and upland sandy areas. Terrapins exhibit high nest site fidelity and have a small home range, which makes local populations vulnerable to impacts from crab pots or illegal actions. Threats include habitat loss, predations, road mortality, bycatch, derelict fishing gear, boat strikes, pet trade/illegal harvest, and climate change. The threat assessment done in a Regional Conservation study prioritized threats.

In NJ, terrapins are a SC species, and they are threatened in 1 state, endangered in 1 state, and SC in 4 states. Harvest was halted by Administrative orders in 2014 and 2015. In 2016 it was declared a nongame species.

Current regulations mandate excluders in waters less than 150' wide and all manmade lagoons; excluders are 2"x6". Excluders do not exclude juveniles or smaller males. The 72 hour soak time (that is, time allowed between checking pots) does not prevent terrapins from drowning. Compliance with excluders in NJ is unknown. On Delaware Bay there are regular reports of washed-up, drowned, terrapins.

Distance from shore: literature shows terrapins are caught in crab pots within 300 meters of shore. Crab pots without excluders kill terrapins that drown, and crabbers discard dead terrapins that can wash up on shore and be counted. Derelict or "ghost" pots are those that lost line or floats and remain submerged, trapping animals on the bottom. Some organizations have projects to find and remove these.

ENSP has a draft "white paper" that documents the problems and suggests solutions, such as:

- Require excluders on all pots, no matter where they are set;

- Expand excluder requirements;
- Add distance from shore requirement to existing rules;
- Reduce soak times to 24 hours;
- Mandatory lost pot reporting system;
- Other actions (Bycatch Reduction Devices [BRD] distribution, research, etc.).

Discussion: there is support for the actions identified. Also including: trap tags that stay with the trap and not the buoy; a standard-size excluder that could be coast-wide/multi-state. J. Heilferty noted the ENSP and Marine/Shellfisheries will review all the recommendations before this is final. B. Williamson of The Wetlands Institute commented that a standardized approach across the terrapin's range would be a good solution.

Action item: J. Galetto suggests the ENSAC review the "white paper" at the September meeting if it is completed and available.

Robert Somes presented on Pollinator Conservation

The Rutgers native bee project completed two years ago documented species and ranges. Approximately 350 species in NJ and most are linked to specific flower species. The Winfree lab at Rutgers began to classify species as to location, habitat, host species, range extent, and rarity. Some NJ species are dependent on cranberries, blueberries, willows, and dogwoods, so the range of pollen-producing plants is quite broad. Grasses and forest plants/trees are also essential to maintaining a wide diversity of species.

Habitat management by DFW: ENSP provides technical guidance on seed varieties and planting locations on wildlife management areas. In smaller scale areas, ENSP provides "pollinator kits" to make small pollinator gardens on, for example, Liberty Science Center, Cape May County Park & Zoo. Pollinator kits gardens provided 1,200 tubes of 26 species of plants in the last year, and planted 3,200 tubes for this upcoming season. These create opportunities for both pocket gardens and community involvement with local organizations.

"The war on invasive plants." One of the biggest threats for species like Northern Metalmark butterfly is invasive plants, especially where habitat management is challenging when the native host plants grow within areas dominated by invasives.

Discussion followed, including the potential importance of closed, herbaceous landfills, and fields used for solar energy. There are examples on the landscape of beneficial management, and opportunities for planting and mowing to create pollinator and grassland bird management.

Other Business

J. Heilferty reminded members that after the ENSAC September meeting, there will be an October meeting held jointly with the Fish & Game Council. That date is **Tuesday, October 12**, at 10:00 AM. J. Heilferty will advise about the agenda when that becomes available.

J. Galetto suggested the virtual meeting forum may be useful when it comes to winter meetings or other times when in-person meetings are difficult. J. Heilferty replied that may be considered.

Looking ahead

Next meeting will be on September 15, 2021. The Committee will continue to meet virtually but will consider meeting in person in future.

J. Shissias made a motion to adjourn, seconded by H. Geduldig. Meeting adjourned 12:28 pm.

Summary of Action Items

- 1) Action item: ENSP will report on the status of the “white paper” at the September meeting if it is completed and available.
- 2) DFW assessment of the WMA closure to be addressed in September or November meeting.
- 3) Status of the copperhead RFP.