

**MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL
Central Region Office
Robbinsville, New Jersey
March 14, 2023**

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 Frank Virgilio.

Chairman Virgilio read aloud the following notice: In accordance with P.L. 1975, c. 231 notice of this meeting was filed with and posted at the Office of the Secretary of State on March 7,2023 and delivered to the designated newspapers for Fish and Wildlife, the Newark Star Ledger and the Atlantic City Press.

Roll call was taken in attendance:

- Chairman Frank Virgilio
- Councilman James DeStephano
- Councilman Mitchell Jones
- Councilman Ed Kertz
- Councilman Rick Lathrop - Absent
- Councilman Rob Pollock - Absent
- Councilman Bob Puskas – Absent
- Councilman Loren Robinson
- Councilman Ken Whildin

Fish and Game employees included: D. Golden, L. Barno, G. Kopkash, C. Stanko, A. Ivany, S. Crouse, J. Hearon, J. Heilferty, K. Springer, M. Monteschio, and D. Bajek.

There were several members of the public in attendance.

Chairman Virgilio asked for a motion to approve the February 7th F&G Council minutes.

Councilman Robinson made a motion to approve the February 7 minutes, seconded by Councilman DeStephano. Vote taken. All approved.

Chairman Virgilio wanted to thank the men and women of the Cumberland County Federation of Sportsman Clubs, Nathan Figley, and New Jersey Fish and Wildlife for their enormous efforts towards environmental cleanups. Next Saturday, March 18th, the hunters of Cumberland County prepare to take to the woods and fields. Only, on this day, will they be armed with gloves and trash bags to clean the woods and fields of Cumberland County, removing trash and delivering that trash for proper disposal. For a second year, this 31st annual trash hunt is dedicated to the memory of Lee Widjeskog, a longtime member and secretary of the Cumberland County Sportsmen's Federation. The trash hunt is made possible by the Cumberland County Clean Communities Program. The enormous success of this trash hunt resulted in the collection and disposal of 20,822 tires in the years 1992-2014, when tires were counted, and 25.34 tons of tires from 2015 -2022, when tires were tallied by weight. Additionally, 989.51 tons of trash have been removed since 1992, along with 11.16 tons of concrete. That is over 2,000,000 pounds of trash, tires, and concrete removed from the State's woods and fields. The annual trash hunt has grown to include local environmental organizations, school groups, and individuals wanting to get involved and make a difference.

Assistant Commissioner Golden wanted to give a quick update on the Governor's budget address. We were happy to hear that they are committing additional funds to our bear outreach project and our deer community program. specifically in his address he announced an additional \$500,000 that would go to the bear project specifically to help communities with garbage management and bear safety trash cans. Our staff is working with staff within the Division of Solid Waste to develop a plan. Also, there was \$160,000 in funding that was for the community-based deer program where Carole and her staff are working on a plan to help communities utilize these funds for deer management. Additionally, we are working with our Office of Management and Budget, hopefully working towards some fringe exceptions that will help us balance our budget this year as well as in the fiscal year 2024. We are having internal discussions about trying to advance some new programs surrounding whale research and coastal habitat restoration work and adding some capacity to our Bureau of Law Enforcement for some of their special investigations. So, we are looking forward to this and its growth in our agency in areas where we think we need it and it's very exciting.

Agricultural committee:

Councilman Kertz reported it's beginning to be that time again to get back in the field as long as weather's permitting. Deer are starting to show up in the fields. Atlantic County Federation had their annual venison dinner last month which was very well attended with over 280 people.

Dr. Reist reported HPAI (High Path Avian Influenza) is active in PA with some detections in New York and surrounding states. The USDA has changed their mindset on how they handle HPAI mainly because they're running out of funds. An update from the Health Department, rabies is running about the same as it did in previous years and Hunterdon County is in the lead so far for this year. The total number of rabies cases in the state are about what they have been in previous years up to this point. They did find their first bat rabies case for the year which is a little earlier than usual.

New Jersey Federation of Sportsmen's Club:

Councilman DeStefano reported its venison dinner time, and he has attended a couple of dinners lately.

Councilman Robinson reported he attended in-person meetings at Somerset County, Hunterdon County, Middlesex County, Women in the Outdoors, and the Wild Turkey Federation dinner. He virtually attended the Central Region Federation, Law Enforcement Committee, and Union County Federation meetings. There were discussions about Game Code changes, waterfowl seasons, and some questions about the saltwater registry. He would like to thank Assistant Director Barno and Chief Stanko for getting back to him with answers to all of his questions.

Councilman Whildin reported he attended the Cumberland County Federation meeting where the two topics of discussion were the WMA closures and the annual Trash Hunt.

Chairman Virgilio reported he attended the National Wild Turkey Federation Convention, where there were presentations on ammo. He also attended a meeting on marine resources with presentations on shared goals of marine resource management and recreational fishing. He attended the Law Enforcement Committee and the Cumberland County meetings.

Finance Committee: No report.

Game Committee: No report.

Waterfowl Stamp Advisory Committee: Meeting today.

Wildlife Rehabilitators Advisory Committee: No report.

Law Enforcement Committee:

Councilman Whildin reported law enforcement committee met last week and report later in this meeting.

Legislative Update:

Mary Monteschio reported bills S2967 and A5236 prohibit Fish and Game Council and Fish and Wildlife from requiring for deer management plans written consent of private landowners located in or within 2000 feet of deer management area. Both Houses have introduced it and amendments have already been opposed in the Senate. Nothing has happened in the House. The other bill is the Fishing Buddy License and both versions are sitting in the assembly and the Senate with no amendments or hearings yet.

Division Reports:

Business of Administration:

Chief Springer reported the license sales with a graphic comparison of license sales for calendar years 2019 to 2023. license sales through the end of February 2023 were up 2.5% as compared to the end of February 2022. Compared to 2019 which is considered a normal year pre COVID license sales were up by approximately 10.2%. Just a word of caution with these numbers that it's too early yet in the year to see any trends. The Wildlife Habitat Supporter programs total amount of donations for FY23 is 11,235. The total donations received since the program started in November 2021 is 36,890. She was also asked to report on the total Buddy fishing license sales for the past five years 2018-22 and in 2018 total sales were 3374 licenses while total sales in 2022 were 2581. 2020 saw the highest sales with 5194 licenses sold, while 2022 saw the lowest sales.

Freshwater Fisheries:

Chief Crouse reported the 3-week preseason trout stocking period will commence on March 20, as stocking trucks will distribute 184,000 Rainbow Trout across 85 lakes and ponds and 90 streams and rivers in all 21 counties. Most trout stocked waters will be closed to fishing until 8am on Opening Day, April 8th. Regulations, allocations, and schedule will reflect the normal, pre-pandemic program. Ten small ponds, primarily in highly populated areas, will be stocked with additional 3&1/2-year-old trout, measuring 18 to 24 inches as part of the Bonus Broodstock program. The spring stocking season will continue for an additional 7 weeks after Opening Day, with 386,000 more trout stocked for anglers to enjoy. Over the course of the last month, several changes have been made that differ from the number of trout reported in the 2023 Spring Trout Allocations memorandum dated February 2, 2023. As we get closer to the preseason stocking period, it is not unusual to receive new information (primarily on access), resulting in slight changes. The

changes below indicate changes in allocations that have occurred since the last memorandum. Updates are indicated in **bold** font below.

Blair Creek (Warren) - The Blair Creek trout stocking mileage was reduced from 2.1 miles to 1.15 miles. This small change in stream miles was found after using more accurate stream measuring technology (GIS mapping). This reduction results in a decrease of **150** trout in 2023.

Paulinskill River (Warren) - The Paulinskill trout stocking mileage was increased from 10.9 miles to 11.9 miles due to the addition of a new stocking point at Columbia Wildlife Management Area (WMA) in the former Columbia Lake area. This increase in mileage results in an additional **2,500** fish.

Raritan River S/B (Hunterdon) – The Raritan River South Branch trout stocking mileage decreased from 20.1 miles to 18.7 miles. The reduction in stream mileage was due to the loss of stocking point and the use of more accurate stream measuring technology (GIS mapping). This reduction in mileage results in a decrease of **2,550** fish.

Tenakill Creek (Bergen) – The Tenakill Creek trout stocking mileage was increased from 1.5 miles to 2 miles due to the gain of an additional stocking location in park above dam upstream of Hardenburgh Ave. This mileage increase results in an additional **170** trout in 2023.

Wanaque River Lower (Passaic) – The Lower Wanaque River trout stocking mileage was increased from 1.2 miles to 1.7 miles due to the gain of an additional stocking location at Carlough Field parking lot, off of Garden Rd/Ringwood Ave. This mileage increase results in an additional **780** trout in 2023.

Not included in the February 2, 2023 memorandum:

Big Flat Brook (Sussex) – The Big Flat Brook trout stocking mileage was reduced **from 13.9 miles to 11.9 miles**. Multiple stocking points were dropped due to National Park Service Road closed to the public after Buttermilk Falls, the bridge at Walpack WMA is closed to vehicular traffic, and the closure of the property at the School of Conservation. Total stocked stream mileage was recalculated using GIS mapping software. **This reduction will result in 3,830 less fish in 2023.**

Pequest Trout Hatchery's Well #5 was re-built. The impellers were ready to disintegrate. The total cost of \$85,900 was paid with Corporate Business Tax funds. Freshwater Fisheries Forum was Saturday, February 25th with an attendance of 156 anglers and the Annual Trout Meeting was Saturday, March 4th with an attendance of 229 anglers.

Information and Education:

Chief Ivany reported following up on what Chief Crouse was talking about regarding trout season promotions. A news release is heading over to the DEP press office tomorrow and we're preparing all of our social media posts and GovDelivery messages to promote as much as possible. Staff continues to work with the recreational boating and fishing foundation along with

the Wildlife Management Institute and DJ case and Associates for the coordinator kickoff training for about 20 Fish and Wildlife staff from the Bureaus of freshwater fisheries, law enforcement, and our licensing unit. We will be holding this meeting on June 6th and 7th. The three organizations have worked with many states to get their R3 plans, and strategy started so we're really looking forward to getting this together and moving forward. This strategy will take about a year to develop, but having an agency wide R3 plan will allow us all to work in a joint effort to promote angling in New Jersey. We had a meeting recently with Endangered and Nongame Species program staff regarding the 50th anniversary of the New Jersey Endangered and Nongame Species Conservation Act and developing an outreach campaign to run throughout the year. This will include news releases, social media, and hopefully a press conference to celebrate this 50th anniversary. This very important legislation is going to highlight species spotlights, conservation success stories, and historic information. Chief Ivany is reaching out to the DEP communications office to bring them into the loop as well. Spring Hunter Education classes kickoff this weekend in both North and South Jersey and are all full. The two Turkey hunting seminars that we will be holding filled up very quickly with a total of 160 people registered within three days of posting. One of the seminars will be in the South at Batsto on March 25th at 1:00 pm. and the following Saturday April 1st up north at Pequest at 1:00 pm. As far as the digest production, we are on schedule for the marine digest and work has also begun on the hunting digest. Lastly, Chief Ivany wanted to mention for council, the Opening Day of Trout Season celebration at Pequest on April 8th and would like to extend an invitation to council to attend. We will again be hosting our veterans for a morning of fishing. More than 80 veterans are planning on attending so far.

Land Management:

Chief Hearon reported a couple WMA updates. This is the week our access gates close, typically more in South Jersey, but our gates will be closing since trapping season is over. This helps reduce trash dumping and let's turkeys breed a little more undisturbed without interruption and provides for better turkey hunts. At Tuckahoe they've been closed to increase waterfowl environment and on the return migration, those gates will be open so people can get in there and fish. My staff has been involved with trout stocking and trucks will roll out next week. On the Tuckahoe boat ramp, things are progressing well and hoping to be done in April. The plans for Holly farm is progressing. We are waiting for our final design and engineer plan for the geothermal to accommodate the building expansion. Staff has been working with Allaire State Park in Manasquan over the last few years we've had a lot of complaints with conflicting uses in the area between hunters and recreators, trying to create awareness with the State Park that our areas are used differently, and we are working to curb some of the complaints in the area. It's grant season and there's a lot of money out there for all kinds of programs. In Glassboro we are working on a 21-acre Woodcock project which lasted about three weeks. We are currently shut down due to some discrepancy on a wetlands line. There is a possibility we may need permits whereas our staff's interpretation was we did not need the permits. We are on hold until we work through this issue. We are working closely with Land Use Resource Protection to hopefully get back up and running shortly.

Law Enforcement:

Chief Panico reported on where we are with the new hire process, successful candidates went to Cape May police Academy and took a physical assessment. PTC is a requirement, and we have 18 candidates that moved forward so they're going to move into the background investigation phase. It will probably be another month and a half to two months, it's a new process that has just started this last Academy class and the candidates must pass otherwise they're not allowed in. Deputy Chief Applegate and AC Rep Nancy Fury have been working hard with HR to launch our first Law Enforcement internships and Deputy Chief Applegate is already collecting resumes. We're excited about targeting a more diverse pool of people to try to get them interested in what we do. It'll be a five-week internship starting in May, and we are putting together a curriculum and what they're going to be doing to give them exposure to what we do and how we relate to natural resources. In the field, our officers are working on the spring panfish run which is in full swing and we're working some big dumping cases here in central region. On the admin side, we've been making headway on our SOP. We are working with a group called Lexipol which was formerly the Rogers group. They are the premier consulting firm for law enforcement in New Jersey and we've been working hand in hand with them to rebuild and rewrite our SOP. It's a long process but it's a very important one and the latest policy that we are putting the finishing touches on is for our body cameras, which will be launched in May. Training tomorrow at Morris County police Academy where they're teaching 38 officers from different municipalities for black bear response, and we still have three other classes scheduled for Spring into early Summer.

Wildlife Management:

Chief Stanko reported preliminary deer harvest numbers for 2022-23 hunting season and they're up 4% from last year with the preliminary number being 38,324. On the personnel front, we did an interview for wildlife worker position for the black bear project, this was one of the positions that came out of the \$1.5 million. We had interviewed and offered it to somebody and at the 11th hour in the beginning of the year he pulled out so we didn't have a full allotment of staff from that allocation, but we will now hopefully when this person is offered and accepts. We announced internally an opening for Principal Biologist in our Bureau, which will function in administration and kind of be in assistant to the chief to free up the chief from some administrative duties to let them oversee the Bureau better in the future. Dr. Nicole Lewis's replacement for wildlife pathologist is finally moving along, we were just informed that it's going to be included in the next hiring blitz. As far as the Bear Rule Comments we are in the home stretch. There still a couple of thousand postcards to enter and we are not sure how many postcards we had in totality as some were mailed, and others were delivered by the boxful directly to Trenton, so probably upwards of four to five thousand of those in total so we're more than halfway there.

Endangered and Nongame:

Kathy Clark reported that we had the public release of the New Jersey Wildlife Tracker. NJ Wildlife Tracker is the online application for reporting sightings of endangered and rare wildlife and having it now online as a digital system is going to streamline the data handling by our Bureau for the Biotics database. NJ Wildlife Tracker can be used on mobile devices or on computers. This application can handle any species data including roadkill data, which is useful to us and to NJ DOT for identifying areas where wildlife crossings should be considered in road improvements. This website application can also direct users to enter data such as game species of interest to NJFW. NJ's State Wildlife Action plan is up for revision to meet a 2025 deadline set by the US Fish and Wildlife Service. This plan is a requirement of the US Fish and Wildlife Service for the agency to remain eligible for some federal funding in endangered and nongame species, and ENSP is leading the process to revise the Plan. We will soon have a new biologist on staff that is going to handle and lead a lot of our planning duties: Kim Korth, who worked for ENSP for almost 10 years (and left five years ago) is back so she will be able to hit the ground running. All wildlife bureaus are going to contribute to the Plan, as this is an agency plan, we'll be leading to make sure we meet the 2025 deadline. The Sparta Mountain WMA management is ongoing, with the goal to open the forest canopy to benefit endangered and rare species that require younger forest habitat. Our results so far show that our management has more than doubled the average number of bird species detected during surveys. For example, bird surveys in the shelterwood treatment in 2022 detected 7 bird species before management and 19 species after management. When we looked at all managed sites, there were 55 bird species documented, bringing the total response to 84 bird species overall years; more than half of those are SGCN (species of greatest conservation need). It's a very successful project and these results are the reason we persist in getting it done.

Old Business:

Greenwood Lake Update:

Assistant Director Barno reported we had a meeting with Land Use concerning parking and they are working with us on some possible solutions to some of the issues we are running into.

Comprehensive Black Bear Management Policy and Black Bear Management:

Chief Ivany reported our 2023 marketing campaign is scheduled to launch tomorrow through November 15th and will coincide with the DEP news release that will be going out. Some of our fiscal year 22 content from last year will be updated and will be used for the first phase of the program. Throughout the campaign there will be a focus on garbage management to focus on removing trash cans and securing garbage to prevent conflict with bears as they emerge from their winter dens in the summer there will be an additional focus on outdoor recreation. 3000 pieces of bear safety literature were distributed to various organizations which included three private campgrounds, one Police Department and one public school. An e-mail promoting black

bear literature was also sent to 111 private campgrounds and camps statewide. We will be going back on the road in a limited fashion so the bear educational seminar and exhibit will be offered on a limited basis beginning in April to schools, summer camps, campgrounds, nature centers, scouts, hiking clubs and municipalities with posting that information and its availability up on the website. We're developing a toolkit for municipalities, and it's being created and will be shared through DEP's office of local government assistance information for communities including basic information about bears in New Jersey, guidelines for reducing wildlife attractants, implementing garbage ordinances, and utilizing Fish and Wildlife's bigger media publications and their web page resources. As far as the website information for black bears is concerned, a second draft of the bear response web page for local law enforcement was completed and is pending review. Lastly, I wanted to just briefly mention our partnership with DEP's Division of Sustainable Waste Management responsibilities for official wildlife and sustainable waste management are being worked out.

Replacement Value of Wildlife:

Assistant Commissioner Golden reported our staff was working to try to finalize the replacement value for wildlife. A couple meetings ago we presented some of our thoughts on what those values would be based on comments and feedback. Internally we made some adjustments and then finalized our recommendations which we then passed on to the Commissioner's Office along with the draft of an Administrative Order for consideration by the commissioner that would really implement those replacement values. We just got an update on this yesterday and it seems like the Commissioner is still on board with this general approach to do this through an Administrative Order, but it's still being reviewed through our Office of Legal Affairs.

New Business:

Wildlife Management Area Emergency Closures 2023:

Deputy Chief Applegate gave a brief presentation of the closures of five Wildlife Management Areas. The closures will be in effect from May 25 through September 4th. The following WMAs will be closed: Winslow WMA, Cedar Lake WMA, Greenwood Lake WMA, Wildcat Ridge WMA, and Menantico Ponds WMA. The area closure for Menantico was reduced from previous years.

Shad Limit for the Delaware River:

Jeff Brust gave a brief presentation on updates to the American Shad limit for the Delaware River. Atlantic States Marine Fisheries Commission is requiring a reduction in the creel limit from 2 American Shad instead of 3 American Shad. The creel limit has already been changed in marine waters.

Public Comment on Shad Limit:

No comments were made on American Shad limit.

Chairman Virgilio asked for the council to make a motion for a vote.

**Councilman Robinson made a motion to accept the above recommendation as stated
Seconded by Councilman DeStephano. Vote taken, all in favor. Motion carries.**

Artificial Reef Program:

Peter Clarke gave a presentation on the artificial reef program.

Public Comment Period:

Janet Pizar commented that if we are going to look at category 2 bear nuisance complaints it shows failure and that you are not reaching people and changing people's behaviors. She asked what the non-lethal black bear program is actually doing and how you're spending \$1.5 million. She also feels the Fish & Game council should be provided with the science behind every proposal handed to them.

Barbara Sachau commented on the recent presentation of Delaware Bay, she questions drought and the depths of the river and are these reefs being cleaned properly and stripped of all plastic. She is also against all logging in WMAs.

Lunch: 12:20 – 12:45

License Restorations:

Jeffery Ort- Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Ort who was present. Mr. Ort was convicted of a violation on January 15,2019, for **N.J.S.A/N.J.A.C 7:25-5.27(b)** Fail to register deer killed during 6-day firearm. **N.J.S.A/N.J.A.C 23:4-47** Possession of untagged/unregistered deer. **N.J.S.A/N.J.A.C 23:4-16(a)** Hunt with aid of motor vehicle

N.J.S.A/N.J.A.C 23:9A-2 Careless discharge of a firearm while taking wildlife. A second violation on December 13,2022, for **Kentucky title 12, Chapter 150.235(3)** Non-resident guiding without license (17 counts).

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 DeStephano. Vote taken, all in favor; motion approved.

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

A motion was made by Councilman Robinson to close the floor for discussion, seconded by Councilman DeStephano. 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 Whildin made a motion Not to reinstate Mr. Ort's license, seconded by Councilman Robinson. Vote taken, all in favor; Motion carried.

Wyatt Tolles- Not Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Tolles who was not present. Mr. Tolles was convicted of a violation on December 13,2022, for **N.J.S.A/N.J.A.C** Non-resident guiding without license (17 counts). A second violation on April 12,2022, for **N.J.S.A/N.J.A.C 7:25-5.27(b)** Fail to register deer killed during 6-day firearm.

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 DeStephano Vote taken, all in favor; motion approved.

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

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

Kenneth Konopka- Not Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Konopka who was not present. Mr. Konopka was convicted of a violation on December 6,2018, for **N.J.S.A/N.J.A.C 7:25-5.25(b)** Fail to produce a head of harvested deer upon inspection. A second violation on January 24,2023 for **N.J.S.A/N.J.A.C 7:25-5.6(a)2** Fail to report bear recovered after 7pm to Northern region office.

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 DeStephano Vote taken, all in favor; motion approved.

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

A motion was made by Councilman DeStephano 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 Whildin made a motion Not to reinstate Mr. Konopka's license, seconded by Councilman Robinson. Vote taken, all in favor; Motion carried.

A motion was made by Councilman Jones to adjourn the meeting at 2:00 pm, seconded by Councilman DeStephano. Vote taken, motion carries.

Next meeting will be on April 11th at 10:00 am at the Robbinsville Office.