

**MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL
Central Region Office
Robbinsville, New Jersey
June 13, 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 June 5, 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
- Councilman Rob Pollock
- Councilman Bob Puskas – Absent
- Councilman Loren Robinson
- Councilman Ken Whildin

Fish & Wildlife employees included: D. Golden, L. Barno, G. Kopkash, C. Stanko, A. Ivany, S. Crouse, J. Hearon, K. Clark, F. Panico, K., L. Quirk, Springer, and D. Bajek.

There were several members of the public in attendance.

Chairman Virgilio asked for a motion to approve the May 9th F&G Council minutes.

Councilman Robinson made a motion to approve the May 9th minutes, seconded by Councilman DeStephano. Vote taken. 4 approve, 2 abstain (Jones. Lathrop). Motion approved.

Chairman Virgilio welcomed everyone to the Assunpink Wildlife Management Area. June is bursting with inclusive opportunities: Pride month, a time to celebrate and recognize the LGBTQ communities in New Jersey; Juneteenth, an American holiday, also known as Emancipation or Freedom Day, commemorates the end of slavery in the United States. Our Fish and Game Council is committed to providing inclusive programs for equal opportunity that connect all New Jersey stakeholders and communities to our great outdoors. As New Jersey Fish and Wildlife designs its program, please consider any existing racial inequalities, the racial compositions of those who have access to or would be excluded from the division's program, and the program's impact on different racial groups.

Assistant Commissioner Golden reported there is a lot going on in the agency right now with program initiatives, updates, and personnel. We have 8 new-hire Conservation Police Officer recruits going into Cape May Academy. Law Enforcement has got a new intern, Sarah Hannah, and our new employee Dr. Joseph Groff, who is Dr. Jan Lovy's replacement. Next Tuesday, Marine Fisheries will vote on the emergency measure for striped bass.

Council Reports:

Agriculture:

Councilman Jones reported the hay harvest is underway, bears are around, and the deer are eating the soybeans. He is not noticing many turkeys around.

Councilman Kertz reported little rain, we need a lot more. The deer are chewing on the corn.

Dr. Reist reported there is not much going on with Avian Influenza. We did have a rabbit come through the lab through PA and it was a wild rabbit to get tested for Rabbit Hemorrhagic Disease.

Farmer/Sportsman Relations: No report

NJ State Federation of Sportsman’s Club:

Councilman Robinson reported he attended in-person meetings at Somerset County, Hunterdon County, Ocean County, and Middlesex County. He attended virtually for Union County, State Federation, Law Enforcement Committee, and Central Region meeting. Hunters Helping the Hungry has a list of municipal hunts if anyone wants to join in the hunts, the information is on their Facebook page.

Councilman Whildin reported he attended the Cumberland County meeting where they discussed bears. The Tuckahoe? boat ramp, everyone was pleased. He also attended the Law Enforcement Committee meeting which he will discuss later today.

Chairman Virgilio reported he attended the Trenton City Youth Fishing Derby with Assistant Commissioner Golden. He attended the Deer Classic Committee meeting and last night the committee selected the Crown Plaza Hotel in Princeton to be the location and held on March 1, 2 & 3, 2024. He attended a meeting at Hutton Hill Pistol Club, where they had some concerns about a certain firearm without a serial number being a violation and if we can possibly get it in the Digest. He also attended a working group meeting with Assistant Commissioner Golden.

Finance Committee: No report

Fish Committee: No report

Game Committee: No report

Endangered and Non-Game Species Advisory Committee:

Councilman Lathrop reported ENSAC had a meeting last month on May 18th, where there was a presentation on the first steps of the State Wildlife Action Plan which is going through the revision process right now.

Waterfowl Stamp Advisory Committee: No report.

Wildlife Rehabilitators Advisory Committee: No report

Law Enforcement Committee: Will discuss later under license restorations.

Public Member:

Councilman Pollock reported he discussed the Conservation Leadership program with Assistant Commissioner Golden to see if they are going to bring it back.

Legislative Report:

Mary Monteschio reported there is no new State update. On the Federal side, Recovering America's Wildlife Act is under new congress in Senate and waiting for 10 co-sponsors. As of today, there are 8 co-sponsors with 2 other identified and will move forward for vote.

Fish and Wildlife Reports:**Office of Business Administration:**

Chief Springer provided members of the Council with graphic comparison of the license sales through the end of May 2019-2023. License sales as of the end of May 2023 were up 1.16 % as compared to May of 2022. As compared to 2019, sales were up by .24 %. the total number of donations for the Habitat Supporter Program for FY 23 are \$25,180 and the total number of donations since the program started in November 2021 are \$50,835. She also was asked to give a report on the waterfowl stamp for the 2022 season, which is a comparison from 2017-2022. For 2022 this season we sold 11,956 stamps, with 2,040 being purchased by non-residents and 9,916 purchased by NJ residents. The revenue generated by the Waterfowl sales are calculated based on fiscal year, July through June and not the calendar year. In 2022 the cost of the waterfowl stamps increased for resident stamps from \$5 to \$10 and non-resident stamps from \$10 to \$15. In 2022 the sales of waterfowl stamps generated \$129,760.

Freshwater Fisheries:

Chris Smith reported the potential Striped Bass change (NOAC) to be presented to Council and pending the approval by the NJ Marine Fisheries Council, we will be drafting an NOAC to present to the Fish and Game Council to keep the Striped Bass regulations in freshwater consistent with regulations in marine waters.

Pequest Hatchery: Funding for significant improvements has been secured via the Corporate Business Tax (CBT).

- During a recent power outage, the diesel backup system for Well 5 malfunctioned, leaving the hatchery vulnerable. Fortunately, hatchery staff were able to avert catastrophe, but the backup remains inoperable. \$125K was secured to fix the direct drive and/or purchase a dedicated generator.
- The gravel well road has continued to deteriorate and needs repair. It is essential that staff vehicles as well as contractors and the power company have access to the well houses. \$87K was secured to tar and chip the road.

- Paving throughout the hatchery and environmental education center has also deteriorated over time. Hatchery staff got quotes on a 3-phase project to pave the entire facility. \$800K was secured for Phase 1, to be completed this summer.

Trout Stocking Surveys – Now that Spring Trout Stocking is complete, we will be releasing the first in a series of short online surveys to obtain angler feedback concerning our Trout Stocking Program throughout the state. In particular, the opinions of anglers who fish on trout-stocked waterbodies during the stocking season is sought. The information collected will be used to inform future stocking, management, and regulation decisions. We urge all trout anglers to participate in upcoming online angler surveys that will help guide future program changes.

Millstone River Restoration Project - The Weston Mill Dam, previously located just downstream of the Wilhousky Street bridge in Manville, was the first impediment to fish passage on the Millstone River. This dam was 133 feet long and 5 feet high. Originally a mill dam at the Weston Mill, this site included a gristmill, sawmill, dam, and associated waterpower features. The dam had no current purpose and in recent years the dam had partially failed. It was removed in August of 2017 through a Natural Resource Damage Assessment settlement agreement reached between the Trustees for Natural Resources - the NJDEP, the U.S. Department of Interior's Fish and Wildlife Service, and the U.S. Department of Commerce's National Oceanic and Atmospheric Administration - and the party potentially responsible for contamination related to the American Cyanamid Superfund site in Bridgewater Township. NJDEP Fish and Wildlife (with partial funding from the settlement agreement and assistance from the US Fish and Wildlife Service and the Watershed Institute [formerly known as the Stonybrook-Millstone Watershed Association]), committed to monitor changes to the fish assemblages above and below the dam, before and after dam removal.

On May 10th and May 11th, with assistance from NJDEP's Office of Natural Resource Restoration, the Watershed Institute, and NJDEP's Watershed Ambassadors, a total of 5 electrofishing surveys were conducted to assess the freshwater fish assemblage related to the dam removal.

- A total of 51 freshwater fish species have been documented in the Millstone River since the monitoring began in the fall of 2016, including 2 species of Special Concern (Comley Shiner and Shield Darter) and 4 invasive species (Flathead Catfish, Grass Carp, Oriental Weatherfish, and Green Sunfish).
- Prior to dam removal, both adult and juvenile American Shad were documented downstream of the Weston Causeway dam.
- During the Spring of 2018, adult American Shad were documented at the base of the next impediment upstream, the Blackwells Mills Dam.
- 5 juvenile American Shad were captured below the Blackwells Mills Dam during the fall of 2018, following the first unimpeded migratory season after dam removal. This is the most upstream location they have been documented.
- This May (2023), 2 Adult American Shad were once again found at the base of the Blackwells Mills Dam.

- USFWS indicated these spring surveys had fulfilled the fish monitoring associated with the grant.

Information and Education:

Chief Ivany reported Pequest is doing concrete work on sidewalks to take care of any trip hazards. The Angler R3 workshop was held on June 6-7th at the Central Region Office. We had a meeting last night for the Deer Classic. He met with staff that were part of the Division Rep program and will schedule a broader meeting soon with additional F&W staff. We will also reach out to the NJ State Federation of Sportsmen's Clubs to get their opinions on the program. Pass number 2 of the Hunting digest has been received and the target shelf date is August 15th. The Governor's Surf Fishing Tournament was held on May 21st, the winner was David Koenigstein . from Toms River, NJ. with a 37 1/8-inch striped bass. The high school winner was Manasquan High School, with a 33-inch bluefish.

Land Management:

Chief Hearon reported that staff will be mowing fields in July and preparing stocking and training areas. There is a big push preparing for annual dam inspections. He wanted to make the Council aware of the Abbots Meadow, wetland restoration project. We received state and federal permits for marsh restoration work there, which will also offset flooding to local communities. Delaware Water Gap has a new Superintendent. Fish & Wildlife staff met with DWG staff to discuss several topics including FWs pheasant stocking program and where it would go in the future. Summer use on the WMA's starting to increase and trash continues to be an issue. South Branch WMA is getting a lot of attention from out access road. We got a ton of complaints, and if you hear any issues please reach out.

Law Enforcement:

Chief Panico reported Menantico Ponds feedback is very positive from the public. Last week we made job offers and they all excepted. We are waiting on the Replacement Value of Wildlife to come back.

Assistant Commissioner Golden mentioned that the draft AO is with the Commissioner to review, and it is on his list.

Wildlife Management:

Chief Stanko reported the number for the Spring Gobbler Season is 2,545 which is up 10% from last year's 2,317. It was a decent year for turkeys. Since the last Council meeting there have been 12 Category 1 bear reports: 2- Hunterdon County, 1- Monmouth County, 6- Sussex County, 1- Union County, and 1- Warren County. We still have three traps out. Staff just finished bear

research, with 70 bears captured. The rule-making process is underway with two Game Committee meetings scheduled.

Endangered and Nongame:

Kathy Clark, Supervising Zoologist reported that work is ongoing with the State Wildlife Action Plan revision. To recognize the 50th anniversary of the NJ Endangered & Nongame Species Conservation Act, F&W social media, our staff and BI&E are doing videos that highlight species projects, including Fly the Detection Dog, the Bald Eagle Project, and Timber Rattlesnake research. This spring has had good stream conditions and staff have been surveying for freshwater mussels, finding two new listed mussel populations. We are working with Monmouth University on Eastern box turtle population studies and using the F&W detection dog to detect Box Turtles. Surveyors on Delaware Bay beaches are finding dead diamond-backed terrapins that wash up on beaches after entrapment and drowning in crab pots. Staff is coordinating with NJ Natural Lands Trust on a new acquisition of habitat in Sussex County for Bog turtles. We are continuing with Bat surveys on bridges with NJDOT, and we found 5 more bridges with bats, which include the tri-colored bat, a federally listed species. The weather in May was great but ended with flooding in early June, so all the colonies of beach nesting birds were flooded out and are now starting over. We have a fully executed Management Rights Agreement for Horseshoe Island, so it is officially closed to the public from March through September. The June storm also washed-out Horseshoe Island nesting birds. This year, there is a new eagle nest in Wharton State Forest, which is putting a walking trail project on hold.

Old Business:

Greenwood Lake Update:

Assistant Director Barno reported that the architectural firm has been secured to revise original concept plans for a ramp at Brown's Point.. Senate bill 987 requires boat access on state owned lakes, passed out of committee unanimously.

Comprehensive Black Bear Management Policy and Black Bear Management:

Chief Ivany reported our Outreach Campaign continues. The spring bear activity message was about garbage control as bears come out of the den. The summer bear activity message will be outdoor recreation and what to do if you encounter a bear. This week is bear safety week and we have a series of posts on our social media page that will run all week. Bear presentations and exhibits; a registration form has been developed for the public to request our black bear exhibit or presentation, which is available on the F&W website. More than 10,400 pieces of Black Bear Safety literature has been distributed to 3 State Parks in Southern NJ, 3 County Parks, 1 Township, 1 camping resort, and attendees to our exhibits and presentations. We have developed a tool kit for municipalities, which will provide municipal officials with quick access and information to help

their communities, homeowners and businesses co-exist with black bears. The tool kit includes videos and photos with captions that will post on social media platforms, content for emails, and newsletters and links to resources, and it is available on the Fish and Wildlife website. NJ has joined other states in being a “Bear Wise” state.

New Business:

Fall Flight Program:

Sarah Fleming and Deanne Drouillard from DU Canada, presented on the Fall Flights and NJ Partnership Update.

Lunch: 11:55 – 12:33

License Restorations:

Albert Swick- Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Swick who was present. Mr. Swick was convicted of a violation on December 15,2020, **N.J.S.A/N.J.A.C. 23:4-43 and N.J.S.A/N.J.A.C. 23:3-56.2**. A second violation on December 20,2022 for **N.J.S.A/N.J.A.C. 23:2 B-6** Possession of undersized sea bass.

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. Swick’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 Kertz. 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. Swick’s license, seconded by Councilman DeStephano. Vote taken, all in favor; Motion carried.

Paul Deal- Not Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Deal who was not present. Mr. Deal was convicted of a violation on February 12,2018, **N.J.S.A/N.J.A.C. 23:4-42.** Harvesting a doe during closed season 6-day firearm. A second violation on January 4,2023 for **N.J.S.A/N.J.A.C. 7:25-5.30C** Fail to tag deer immediately upon harvest.

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. Deal’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 Jones. 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 To reinstate Mr. Deal’s license, seconded by Councilman DeStephano. Vote taken, all in favor; Motion carried.

Andrew Dopkin- Not Present

Captain Quirk read aloud the statement for the revocation appeal for Mr. Dopkin who was present. Mr. Dopkin was convicted of a violation on September 21,2021, **N.J.S.A/N.J.A.C. 23:3-1.B(2)** Fail to exhibit license upon request. A second violation on May 25,2022 for **N.J.S.A/N.J.A.C. 23:7-1** Trespass for the purpose of taking wildlife.

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. Dopkin’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 Kertz. 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. Dopkin's license, seconded by Councilman DeStephano. Vote taken, all in favor; Motion carried.

Public Comment:

Allen Black, Deer processing owner, commented he lost 70% of his business due to not being allowed to transport whole deer carcasses. He is hoping for changes in NJ.

Barbara Sachau commented horseshoe crabs are being taken by big pharma. She also feels that animals are public trust and shouldn't be killed.

Lou Martinez commented thanks for the support on Bill S987.

Chairman Virgilio asked for a motion to adjourn the meeting.

Councilman Jones made a motion to adjourn the meeting at 1:19 pm., seconded by Councilman Pollock. Vote taken; all in favor. Motion carries.

Next meeting will be on July 11, 2023, at 10:00 a.m. at the Robbinsville office.