

**Endangered and Nongame Species Advisory Committee  
Meeting Minutes  
July 24, 2024**

**Assunpink Central Region Office  
1 Eldridge Road, Robbinsville, NJ**

Members in attendance: Rick Lathrop (Chair), Russ Furnari, Martha Maxwell-Doyle, Marion McClary, Eliot Nagele (online), Howard Reinert.

Absent: Howard Geduldig, Ty Gould-Jacinto, Erica Miller, David Mizrahi, Catherine Tredick

Staff in attendance: David Golden (Assistant Commissioner, NJFW), Kathy Clark (NJFW, ENSP chief); Kim Korth (NJFW-ENSP), Kristen Meistrell (NJFW), Brian Zarate (NJFW-ENSP), Gretchen Fowles (NJFW-ENSP), Robert Somes (NJFW-ENSP).

Public: Emile DeVito, Aaron Guikema (USDA; online), Virginia Osnatu (Duke Farms; online), unknown caller (online)

Chair convened the meeting at 10:03 AM.

The public notice for this meeting was read by K. Clark. The meeting agenda was provided to the New Jersey Secretary of State's office and two NJ newspapers.

Introductions of those in attendance.

**Approval of Minutes**

M. Maxwell-Doyle made a motion to approve the minutes from the January meeting, seconded by R. Furnari. There was no discussion and the minutes were approved unanimously.

**Report by Assistant Commissioner Dave Golden**

A.C. Golden reported on some highlights:

NJDEP Fish & Wildlife (NJFW) continues to work on regional offices – the new office planned for the Northern Regional Office is fully designed and permitted, and it is scheduled to be complete in two years. In southern NJ, renovations and additions are being planned (and permitted) for the building at the Holly Farm in Millville; work should begin by end of year.

Other updates:

- NJFW has posted a job opportunity to replace retired Assistant Director L. Barno; the posting is open until 7/29.
- NJFW is seeking to add 20 electric vehicles to the NJFW fleet, funded by a DEP grant to replace older vehicles.
- NJFW has applied for three regional conservation partnership grants from NRCS. One would invest in restoration of community lakes to support recreational fishing. Another

would provide funding for conservation partners to create and maintain early successional habitat. A third project would support the removal of a dam on the Musconetcong River, improving aquatic wildlife passage and habitat.

- NJFW will be a partner on another grant under America The Beautiful grant program; a three-state project to benefit brook trout habitat.
- The NJFW Shell Recycling Program received a \$1.5 million NOAA grant. The program recycles oyster shells from many casinos and restaurants and gets shell back out to create and enhance oyster habitat.

With regard to current rules: ENSP will provide an update on the E&T listing rule later in the meeting. The Fish & Game Council acted on a revision to game code rules. NJFW staff took advantage of a window in a rule amendment to edit Site Remediation rules to shore up a loophole in wildlife habitat protection. Finally, the Shore Protection rule that would allow for better protection of intertidal habitats for E&T wildlife is in the Governor's Office for review prior to its proposal.

### **Legislative Updates**

M. Monteschio is absent but earlier provided the July 1 legislation report. The NJ Legislature has not reopened the session.

AC Golden noted in federal legislation, America's Wildlife Habitat Conservation Act was approved in the House; the Senate version is the RAWA version developed and nearly approved in recent years. Likely there will be no action on either until after the election and the new Congressional session.

NJFW is seeking a minor legislative change in the Ogden-Rooney Act to allow NJFW to swap some land parcels (which are occupied by a state office) with the USFWS, which has adjacent refuge lands.

### **Public Input**

None. As noted on the Fish & Wildlife website, public comment can only be given in person due to technological limitations at the CRO.

### **Old Business**

#### **Nominations Committee**

In the ENSAC tradition, Chair R. Lathrop introduced Emile DeVito who is at his last unofficial meeting, and presented him with a clapper rail decoy to thank him for his many years of service on the Committee.

R. Furnari announced that two other Committee members have terms that end in April 2025 (R. Lathrop and E. Miller), and advised beginning the search process early (in particular for E. Miller's position in the specialized veterinarian/public health seat).

R. Lathrop introduced and welcomed new member Eliot Nagele who is with The Nature Conservancy's NJ office.

### State Wildlife Action Plan (SWAP) Update – Kim Korth, ENSP

K. Korth reported on the Plan revision progress.

The list of fish and wildlife SGCN is finalized, which includes 613 species. Species are classified into three categories: Regulated SGCN (e.g., endangered or threatened status), SGCN, and Data Deficient SGCN.

The list of Plant and Fungi SGCN is finalized; the public comment period ended 7/12.

Current work: Staff are working on species-habitat associations that will form the basis of queryable data. Next is creating targeted, impactful actions that address the priority threats in each region. We are involved in reviewing the “paperless SWAP” guidance with the Association of Fish & Wildlife Agencies (AFWA). We are working with the NJFW’s contractor for the database, and the NJFW webmaster for the website.

There are 8 elements required in the Plan by the USFWS:

Species - complete

Habitats – complete, working on species/habitat associations at the regional level; also exploring using TNC’s habitat analysis.

Threats – complete: statewide and regional threats have been completed.

Conservation actions – currently working on actions to address the regional priority threats.

Monitor – not changed from the current SWAP.

Review and revise – this statement is complete (similar to last plan’s statement).

Coordination - ongoing

Public participation – ongoing

We are preparing Species Profiles for the E&T species in the Plan. We are seeking volunteers who can research and write some of those profiles.

### **New Business**

#### Proposed amendments to Endangered and Nongame Wildlife lists – Kathy Clark

K. Clark noted that the proposal to amend the lists of endangered and nongame wildlife was published June 3. The publication was announced in a DEP press release that provided links to the proposal and comment webpages. The DEP is accepting public comments through August 2.

There was discussion around what protections will remain after delisting. We may need to clarify how species are protected and the limitations that exist in the state regulations. Messages to the public: recovery is possible; additional species like those being added to the E list need more attention.

#### Highly Pathogenic Avian Influenza (HPAI) in NJ Update – Kathy Clark, Erica Miller

The current strain of HPAI has been documented since 2022. It is found in highest concentration in shorebirds and waterfowl, and seems to cause the highest mortality rates in raptors. Peregrine falcons in coastal areas have a diet heavy in shorebirds; bald eagles in coastal areas may, similarly, take more waterfowl than those in inland areas.

K. Clark reviewed data from the 2024 peregrine falcon nesting season that documented unusually high turnover in adults in the breeding population. NJ monitors nests and nesting birds by recording field-readable bands on individuals. The average turnover rate is about 15%. In 2024, we recorded a loss of 21 adults (that were identified in 2023), a loss of 48%; that rate jumped to 63% when only the coastal nests were tallied. Three coastal nest sites were unoccupied all season. The lost birds were aged 5-9 years, which is prime breeding age.

NJ results are similar to those found in coastal VA by researcher B. Watts: he documented a loss of 14 adults for a 40% turnover, but that rate was 70% in coastal nests.

K. Clark provided new information shared by Bill Bowerman, a Great Lakes researcher, who has documented a severe decline in the bald eagle nesting population in Michigan related to HPAI. He estimates the population has dropped between 50% and 68% since 2022. Nest productivity has dropped from 1.0 young/nest to 0.7-0.8 young/nest. In NJ, we have not detected any major declines in number of nests or productivity at this time, but HPAI has been documented in at least 5 eagles that have been tested. ENSP will be evaluating 2024 nesting season data in the next few weeks.

Discussion followed. One person mentioned that a vaccination for HPAI is in experimental use on California Condor by the USFWS.

#### Presentation on the Allegheny Woodrat project – Gretchen Fowles

G. Fowles described the status and historic and current distribution of this state-listed endangered species. She led the establishment of the Regional Allegheny Woodrat Working Group in 2020 and held a symposium at the 2023 NEAFWA conference.

Factors leading to their decline: decline in food availability, habitat fragmentation, parasite mortality (i.e., raccoon roundworm). Treatment available since early 2000 was effective in decreasing roundworm and infections in woodrats. Since 2007 to today, anthelmintic bait dispensers continuously distribute the dewormer to the raccoon population to reduce this threat to woodrats. Since 2015 the dispensers operating year-round have demonstrated high effectiveness.

Habitat fragmentation – the nearest population to NJ's is in central PA. Due to isolation of the NJ population, genetic heterozygosity became very low. NJFW worked with PA to obtain woodrats from the PA population, and 2 animals were translocated to NJ each year in 2015-2017, resulting in improved heterozygosity. A second approach is being developed now, with three zoos building captive breeding programs that could supply more animals to NJ and other states.

ENSP investigated food availability in 2021 using mast surveys that counted acorns from marked trees. A dietary assessment in 2022 began using DNA barcoding of scats collected over seasons. In PA, this analysis found woodrats used *Acer* (maple) in spring, summer, *Quercus* (oak) in fall, and *Castanea* (chestnut) in winter. In NJ, woodrats used *Celastrus* (bittersweet) in spring, *Ailanthus* (tree of heaven) in summer-fall, and *Celastrus* and *Ailanthus* in winter. This study identified over 400 dietary items used by NJ woodrats, indicating high diversity and richness including fungi. Next steps include evaluating use vs. availability in food resources; nutritional

analyses; identify how this information can inform habitat management, and assessment of reintroduction/translocation sites.

**Other Business**

None.

**R. Furnari motioned to adjourn, seconded by M. Maxwell-Doyle, and the meeting adjourned at 1:30 PM.**

**Summary of Action Items**

- 1) (Continuing item) Identify a longer-term strategy for ENSAC involvement in ASMFC's actions.