

**Endangered and Nongame Species Advisory Committee  
Meeting Minutes  
September 20, 2024**

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

Members in attendance: Rick Lathrop (online), Russ Furnari, Howard Geduldig, Erica Miller, Catherine Tredick.

Absent: Ty Gould-Jacinto, Martha Maxwell-Doyle, Marion McClary, David Mizrahi, Eliot Nagele, Howard Reinert.

Staff in attendance: Jason Hearon (Assistant Director, NJFW), Kathy Clark (NJFW, ENSP chief); Kim Korth (NJFW-ENSP), Brian Zarate (NJFW-ENSP), Jeff Brust (NJFW-Marine Fisheries chief), Matt Heyl (NJFW-Marine Fisheries, online), Jim Angley & Colin Osborn (NJFW seasonals).

Public: Emile DeVito, Virginia Osnatu (Duke Farms; online), Jennifer Baron (online), Jessica (Woodbridge Twp; online), Jane Galetto.

Chair convened the meeting at 10:14 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**

Due to the lack of a quorum of members, there was no action taken on approval of the minutes from the July meeting.

**Report by Assistant Commissioner Dave Golden**

Assistant Director Jason Hearon reported on behalf of A.C. Golden:

The Northeast Transportation and Wildlife Conference held in early September gave their regional award to the NJ Fish & Wildlife for the Connecting Habitat Across NJ (CHANJ) project. Congratulations to the ENSP's CHANJ staff.

The long-awaited Pond Creek restoration project in Cape May is about half way completed. Should be completed in another year. It will restore functional salt marsh and upland habitats totaling about 290 acres.

NJ Fish & Wildlife's Game Code is being edited and will be presented at the October Joint meeting of the Fish & Game Council and the ENSAC.

## **Legislative Updates**

M. Monteschio reported that the NJ Legislature has been out of session so there are no new updates. Next month she will provide a full report.

## **Public Input**

Jess Tram from Tinton Falls, NJ, spoke about SeaQuest, a zoo-type facility in the Woodbridge Mall. She said over 100 animals have died; violations are reportedly sent to NJFW and she saw that NJFW cited them for a violation in June but no other action. It has not been closed. M. Monteschio responded that NJFW and sister agencies are aware of the situation and it is under investigation. Another commenter also asked how the exhibitor permit or endangered species permit is enforced.

Jane Morton Galetto asked for updates on the Holly Farm and East Point Lighthouse properties. AD Hearon responded that the Holly Farm update will be given at the October Joint meeting, but NJFW is waiting for Community Affairs sign-off and hopes that construction can begin in January. Regarding East Point lighthouse, NJFW proposed 6-8 lease agreements that were rejected by the leasee, including zero lease payments with in-kind contributions. NJFW made all accommodations possible but there was no agreement by leasee. Once renter is moved out, NJFW will work to keep it open.

Emile DeVito – asked for update on HPAI and eagles. K. Clark noted this is on today's agenda.

## **Old Business**

### **Nominations Committee**

At last meeting the committee noted that two terms (R. Lathrop and E. Miller) will expire in April 2025, and encouraged members to consider seeking candidates.

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

K. Korth reported on the Plan revision process, providing a presentation on progress toward meeting the required elements of the Plan.

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

*Species of Greatest Conservation Need* – Complete. ENSP developed a new screening tool that we applied to 1,254 native species. Also new standardized justifications for changing the screening results. And SGCN are categorized into 3 bins: Regulated SGCN, SGC, and Data Deficient SGCN. Results: 613 animal species and 128 plant/fungi species (741 total).

*Habitats* – Good progress, working on species/habitat associations at the regional level. Habitats are the foundation in this revision. There are now 9 regions, plus Urban as an unmapped region. There are 19 broad habitat types and species are associated with habitats and regions. We are exploring using Conservation Blueprint (by Rowan) and CHANJ (NJFW) mapping to create static maps showing relative condition and locations of key habitats.

*Threats* – Nearly complete. Threats are based on the Northeast Threat Lexicon for all NE states, a hierarchical system. New this time – Level 3 Threats prioritized for regions and statewide.

*Conservation actions* – Writing actions to address the regional priority threats. Prioritizing actions with the highest priority actions written to be effective and achievable (final by May 2025). “Statewide” priority actions will be drafted in a separate exercise by staff and TAG (Technical Advisory Group). One goal is to create mini-Regional Action plans for download.

*Monitor* – will be updated with new projects.

*Review and revise* – this is a simple statement. New-USFWS is preparing guidance for states with digital SWAPs to more easily make updates between major revisions.

*Coordination* – ongoing

*Public participation* – ongoing. The entire plan must be out for public comment for a minimum of 30 days prior to submission (planned for 5/12-6/30). We plan to release chapters as they are finalized. Element 1 has been out for public comment already on the website.

New technological advances: we are working toward a dynamic website where we can present all Plan info in one place.

#### Listing rule proposal and Bald Eagle status; Concurrent proposal for NJ Chorus Frog – Kathy Clark and Mary Monteschio

The listing rule adoption is in the draft stages and working toward adoption in late November or early December. NJFW are revising the Landscape Project mapping that includes the new species statuses (and other updates) and will make it available the same time as the rule adoption.

The Committee raised concerns after the July meeting about delisting Bald Eagle (from endangered to special concern) in the context of recent reports of Highly Pathogenic Avian Influenza (HPAI). HPAI is known to affect raptors including eagles and peregrine falcons, and in 2024 ENSP recorded unusual level of population turnover in the coastal peregrine falcon nesting.

Questions raised by ENSAC members after the July meeting included:

- 1) The potential ramifications of delisting of bald eagle as a T&E species on subsequent actions on the part of ENSP; i.e., possible limits on funding for HPAI-related monitoring and possible management actions (e.g., vaccinations). K. Clark responded the ENSP plans to continue bald eagle population monitoring to remain alert for problems such as HPAI, and we continue to collect data on all sources of eagle mortalities. In addition, many protections for eagle nests will continue in the form of USFWS [Bald Eagle Management Guidelines](#), the federal Bald & Golden Eagle Protection Act, and NJ’s ENSCA. In DEP land use regulations, special concern status wildlife are considered in Highlands and Flood Hazard regs; all statuses are reflected in Landscape Project mapping.

- 2) The feasibility of emergency rulemaking to relist bald eagles in the future or would a normal Delphi review be needed if eagle populations were to decline. M. Monteschio discussed the potential for re-listing by emergency action under the Governor's emergency rule making authority. Also, normal rulemaking could be done for a single species status change.
- 3) What are other states and/or the federal government doing in response to HPAI? USDA is testing but only up to a quota. E. Miller noted HPAI infections are cyclical and lowest during summer months due to higher temperatures and lower concentrations of birds that harbor the virus. K. Clark noted there will be more information sharing at conferences in October.

### **New Business**

#### **Work toward minimizing Diamondback Terrapin bycatch – Jeff Brust and Brian Zarate**

Background: Presently Bycatch Reduction Devices (BRDs) are only required in creeks less than 150' wide.

Bureau of Marine Fisheries (BMF) fully supports efforts to reduce terrapin bycatch. The bureau is also charged with supporting a biologically and economically sustainable blue crab fishery. BRDs reduce bycatch of terrapins but often reduce harvest of blue crabs. BMF staff are investigating BRD sizes that achieve DBT reduction without affecting harvest.

Staff collected morphometric data of terrapins and blue crabs to identify BRD dimensions to test. Field and tank trials and evaluate "novel" 5x9 cm size.

They fielded 36 commercial crab pots, 18 in bay, 18 in river, using 2 different size BRDs used in pots, plus pots without BRDs. Tests used a 24 hour soak time (time between checks). BRDs that were used in tests included the NJ size 5x15 cm (only in May-June); the Chesapeake Bay size 4.5x12 cm; and the SC size 5.1x7.3 cm (hard to obtain but used since July). A new "novel" size is not yet available.

Preliminary results: all BRDs reduced catch of crabs relative to no BRD. Terrapin captures were very reduced but not zero. Terrapin mortality increased with water temperature. Still to be analyzed: September and October data; possible correlations with distance from shore and water depth. BRDs didn't exclude other bycatch species except whelk (which is a legal commercial take).

Next steps – sampling continues through October. Additional studies will be done by John Wnek at MATES (in-tank studies). BMF and ENSP will work together on next steps. Staff will be seeking stakeholder feedback and involvement. The goal is to create the perfect BRD.

B. Zarate followed up to discuss distance from shore and water depth as variables that, if included in regulations, make law enforcement in the field difficult. Another issue is lost pots that continue to trap for years; biodegradable O-rings are required but take time and act to release one side of the 6-sided pot. Comment regarding the terrapin white paper and recommending circulating to the newer ENSAC members; that white paper included a list of possible options for management.

NJ is part of the current Mid-Atlantic RCN research project on terrapins that got underway in 2024. NJ is also the site of the 2025 national meeting on Diamondback Terrapins hosted by MATES.

Presentation on Eastern Box Turtle repatriation project – Brian Zarate

NJFW has been working with regional partners and the Collaborative to Combat the Illegal Trade in Turtles (CCITT). Turtles are particularly long lived and slow to reproduce. There is increasing attention to turtles and reducing illegal take to improve their long-term population viability. The confiscation of turtles results in the need to determine outcome for seized animals. In NJ, seizure cases by Fish and Wildlife Conservation Police Officers and USFWS Law Enforcement resulted in 72 box turtles that were candidates for release.

Release considerations included health/condition, genetics, release location, monitoring logistics, and adaptive response. All turtles were evaluated for health and condition, and 68 were deemed releasable and tagged with radio-transmitters. Staff are tracking all animals daily for the first 2-4 weeks and weekly afterward, with the goal of identifying settling time of released turtles, reproduction activity, and survivorship of released and resident turtles.

Adaptive response: Turtles that move too far out of the safe area are moved back into the safe zone. Health assessments will continue at intervals.

As of 9/19, 65 of 68 turtles still being tracked (1 transmitter failure, 2 deaths). Telemetry has shown that the majority of turtles settled into an area about 200m from the release sites. This project is laying the foundation for future repatriation projects both in NJ and elsewhere.

**Other Business**

October 8<sup>th</sup> is the Joint meeting with the Fish & Game Council and the ENSAC: at the Central Region Office (Assunpink) at 10:00 AM.

November 20<sup>th</sup> next regular meeting of the ENSAC.

**C. Tredick motioned to adjourn, seconded by H. Geduldig, and the meeting adjourned at 2:20 PM.**

**Summary of Action Items**

**None.**