

**MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL
Central Region Office
Robbinsville, New Jersey
January 14, 2025**

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 January 7, 2025, 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
Councilman Bob Puskas
Councilman Loren Robinson
Councilman Ken Whildin

Fish & Wildlife employees included: D. Golden, J. Hearon, K. Meistrell, G. Kopkash, A. Ivany, P. Winkler, M. Monteschio, S. Crouse, J. Oxley, K. Clark, and D. Bajek.

There were several members of the public in attendance.

Chairman Virgilio welcomed everyone to this meeting. Let us take a moment to reflect on the devastating wildfires in California. These fires have caused immense losses, affecting communities, wildlife, and vital habitats. Although New Jersey doesn't face the same scale of wildfires, we are responsible for addressing habitat challenges and protecting wildlife in New Jersey. These events remind us of the importance of our work here in New Jersey, ensuring that our forest lands and habitat projects support our state's wildlife populations. Let's keep those impacted by these fires in our thoughts as we move forward today, committed to protecting the forest lands, habitats, and species under our care.

Assistant Commissioner Golden wished everyone a Happy New Year! We took the opportunity yesterday as an agency to look ahead, we had a full management meeting where each bureau laid out their top 3-4 priorities for 2025. When I look at that, I get really impressed by the amount of work we accomplished. Maybe next month we will do an overview of highlights for the council. We are really looking forward to 2025

Council Reports:

Agriculture:

Councilman Jones reported that not in NJ, but bird flu was found in PA in snow geese. Farmers are nervous about what kind of protection NJ has with Warren County having the largest egg producer in the state. I had a talk with a farmer in West Windsor, asking about the possibility of increasing the bear zones with the bear population moving south. The NJ Agriculture Convention and Vegetable growers Convention will be February 4-6.

Councilman Kertz reported not much in the South. We had our county meeting last night with talk of the upcoming conventions and we will be organizing with new officers next month.

Councilman Puskas reported not much going on but has heard from farmers there is a lack of hunters. The Agriculture Convention is coming up, and we are seeing lots of geese.

Dr. Reist reported besides HPAI in all the states around us in wildlife and some domestic fowl, we had our first scare in Warren County with snow geese, with a level of the virus as high as we ever seen. Sussex County had a domestic fowl that had some def loss, it tested negative. It is here in Nj and everyone with domestic fowl should be concerned. Last month we had 2 H5 detections in wastewater. On the cattle side, HPAI is still a big deal and will be testing bulk tanks. Detection of tick born disease in Warren, Hunterdon and Somerset in the last 2 months which is mostly a bloodborne anemia in cattle.

Farmer/Sportsman Relations:

Councilman Jones reported with everything going on with the snow geese, guys are not hunting them like they usually would. We are still waiting for the Bear Damage Drone Survey.

NJ Federation of Sportsman's Clubs:

Councilman DeStephano reported he attended the Trappers, Morris County, and Sussex County meetings. One topic that came up was if the rifle permits could run out December 31st like all the others, it has been brought up before.

Barb Stoff replied that it is a statute issue and cannot do anything until there are statutory changes.

Councilman Robinson reported he attended the Game Committee meeting, Law Enforcement, and Union's virtual meeting. The Community hunt received 160 deer as of January 6th with 110 going to Hunters Helping the Hungry. The harvest rate is up 45% from last year. The club appreciates the \$9,000 from the Community Deer Grant. He also attended the combining Hunterdon and Somerset meeting, Safari Club International Formation meeting, and hunted at Tuck for the Waterfowl hunt.

Councilman Whildin reported he attended the Cumberland County meeting where they discussed deer and deer numbers and The Annual Trash Hunt for March 15th. He also attended the Law Enforcement meeting, which will be discussed later in this meeting.

Chairman Virgilio reported he attended the Game Code meeting where they discussed and decided our council's ability to protect public safety stems from NJ statutory law and in discussion the courts clarified that the councils statutory mandate includes managing wildlife in a manner that ensures public safety, including taking proactive measures to mitigate risk to the public by fulfilling its conservation responsibilities. He also attended the Southern Region Federation meeting, the Safari Club International Formation meeting, and the Cumberland County meeting. Southern County regions are concerned with the roll out of the Wharton map restricting 50% of roads that have been used over the past 100 years. They are even more concerned about the expansion of road closures that will mimic the Wharton closure. The south has set up a special access committee that represents the seven counties. They were concerned about how the state would allow members of the Pinelands Preservation Alliance and the NJ Conservation Foundation to block roads immediately upon the implementation of the map. They are asking where that authorization came from, who authorized it and why it was authorized.

Assistant Commissioner Golden reported when the implementation took place, I was getting all kinds of pictures of multiple areas, and I was doing my best to connect with Parks to ask what's going on here? The suspicion is that outside groups are posting. For every one of the blockages that I sent, what I got back was that was Park's staff and it was dealt with and handled.

Law Enforcement Committee: Councilman Whildin reported we met last week and will discuss under License Restorations.

Public Member: No report

Legislative Report: Mary Monteschio reported bill A3709 is being heard in the full Senate. This bill makes it so background checks must be done to ensure that people with animal cruelty charges do not end up working with animals. Also, a new invasive species bill is expected to be introduced in the Senate.

Fish & Wildlife Reports:

Office of Administration:

Barb Stoff reported that Hunting licenses are down just under 1%, fishing with all-around included is up 4.13% but all by themselves they are actually up 4.9% and trout stamps are up 2.64% over last year. The WMA use permits are up 40%. This will be the last update for the buddy license this year, starting with December they will only be looking back at 5-years of license purchases in order to define someone as a new angler or returning angler. In the digest that just came out, you will see a 2-page spread on the new Buddy license rules. The other packet you have is for the end of the year report for 1st time license purchases.

Freshwater Fisheries:

Chris Smith reported This week we are excited to launch the first of three virtual public meetings that we will be having. This year, instead of one Freshwater Forum and one Trout Meeting, we have broken down the meeting into three. The first of which will be this Thursday night, from 7-8:30pm. Please go to our website to register. Chief Crouse will present the proposed changes to the 2026 Fish Code. This will basically be the same presentation that was presented to and approved by Council. There will be opportunities for questions throughout the meeting.

The second virtual public meeting will be held on Thursday, February 20 from 7-8:30pm and will cover warmwater and coolwater species stocking program, management, and sampling results.

The third virtual public meeting will be our annual Trout Meeting and will be held on Tuesday, March 11 from 7-8:30pm. Come hear about the Pequest Trout Hatchery, 2025 stocking projections, and all things trout. Once again, anglers must register ahead of time. Please come and learn about our programs and have your voice heard.”

Lake Audrey Update 2024

- Located in Cumberland County.
- 120-acre borrow pit (aka. sand pond)
- The pond was first surveyed in 2003. The pH was 3.9 at that time.
- Acquired by the agency in 2004.
- It was a unique opportunity to create a one of kind fishing opportunity in South Jersey.
- To enhance water quality, members of the [South Jersey Bass Club Association](#) and [NJ State Federation of Sportsmen's Clubs](#), along with agency staff and other volunteers, added 136 tons of lime to Lake Audrey to neutralize the acidity of the water. The lime was paid for by a Grant from the Cumberland County Improvement Authority.
- Fish were stocked in 2007. Yellow Perch, sunfish, bullheads, Golden Shiner were introduced from a fish salvage to establish a forage base. Later that year Smallmouth Bass were introduced.
- In 2007 the lake was surveyed by electrofishing to document survivability and growth.
- Smallmouth continued to be stocked annually from 2007-2012.
- In 2010 Catch and Release regulations were introduced to protect the developing fishery.
- These regulations were later removed in 2018.
- Adult Smallmouth Bass were last collected in 2012 and the Largemouth Bass population increased.
- By 2013 pH levels had declined to levels where reproduction was unlikely to occur (4.75).
- From 2013 to 2018 electrofishing catch rates remained very low.
- During this period Largemouth Bass were stocked in 2014 to bolster the population.
- The lake was re-limed in 2019 by Land Management with 94 tons applied.

- In October 2019 we conducted our first survey with our new Smith-Root electrofishing boat. There was a significant increase in the catch rate but also an increase in the number of fish observed. A total of 121 LMB (69/hour)
- In August 2022 a non-standardized survey was conducted and 35 LMB were collected for a catch rate of (23/hour).
- In April 2023 a total of 108 LMB were collected (74/hour). At the time the pH was 8.19.
- In October 2024 54 LMB (42/hour) were collected. At the time the pH was 7.44.
- Bluegill and juvenile yellow perch were abundant during the 2024 survey and a good indicator of sufficient pH levels.

So ...What's Next??

We will continue to monitor the pH and re-lime if necessary and if the pH drops. Conduct another electrofishing and seining survey in 2025 to monitor the fish population. Since 2019 the lake has been one of the most popular WMAs for registered fishing tournament permits. With a resurgence in angler interest over the last five years and current conditions we plan to explore the possibility of re-introducing Smallmouth Bass in 2025. We also plan to organize another habitat improvement project.

Information & Education:

Chief Ivany reported that planning continues for the 2025 Association for Conservation Information conference being hosted by NJ in July. Work also continues on the new Fish & Wildlife Representative program.

The following updates were provided regarding the Fish & Wildlife black bear outreach program:

The FY25 statewide black bear multi-media outreach campaign is scheduled to commence in March, with peak marketing periods coinciding with the spring, summer and fall bear activity periods. Millions of residents will be reached in their homes and on their mobile devices with bear safety information.

Know the Bear Facts Presentations are once again being conducted and the education exhibit staffed statewide. Education materials for the bear program were updated with the purchase and

creation of several new items to enhance the presentations and exhibit. Since September, 22 presentations and 4 bear outreach exhibits were conducted, reaching a total of more than 1,800 people statewide.

Six bear publications were updated including the English and newly designed Spanish brochure, the Spanish information card, camper card, Tyvek safety sign and the kids' activity booklet. Four of the publications are in the process of being printed for statewide distribution. Since September, more than 16,000 pieces of bear literature were distributed throughout the state.

Multiple original and New Jersey-centric bear education lesson plans are in development to provide teachers with classroom activities about black bears in New Jersey. When done, these activities will align with current State Learning Standards and be made available on the agency's website and promoted statewide to educators.

Updates were made to the bear webpages to contain the most current bear safety information. A new BearWise partnership webpage was created to house new outreach materials from BearWise.

Land Management:

Chief Winkler reported that pheasant and quail stocking has been completed. We began planning Freshwater Fisheries for the Spring Trout stocking season. Glassboro- final planting activities were completed right before Thanksgiving. Plantings were delayed due to the drought in late summer/early fall. We will be coordinating with WSP, to create monitoring plans later this month. Winslow, we have a Restoration Plan, off of Sikorski Road. Staff will create new high-quality 3.5-acre scrub/shrub habitat by removing high density woody vegetation. A small permeable parking lot will be built, improving access for constituents and preventing unwanted parking of vehicles in surrounding habitats. Staff will make improvements to the access road leading to the parking area. Project plans are completed and an application for funding has been submitted (CBTM). Central – contractor has maintained 29 acres of early successional habitat for Woodcock. North- staff reestablished access to two ponds at Black River WMA and worked with Freshwater Fisheries to get those ponds on warm water stocking program and potentially trout stocked with new fish code. Round Valley docks- we are waiting on NJDOT for an update on contractor.

Law Enforcement:

Chief Panico reported that las Friday we attended the graduation ceremony for two CPO's, our one officer Michael Rea won the Directors Award, the highest award they give out at Cape May and our other officer Dylan Bates won the physical fitness award and they both were in the top 3 for all the other categories as well. On the 27th we have two more to start. In the field, its WMA stuff and ice fishing which is kind of a break for field staff.

Chief Panico reviewed title 23:7A-2 Hindering or preventing the lawful taking of wildlife.

Anytime you want to charge someone, you have to meet one or more of these elements:

- hindering or preventing the lawful taking of an animal
- block, obstruct or impede a person lawfully taking wildlife
- erect a barrier with the intent to deny ingress to or egress from area where wildlife may lawfully be taken
- make/ attempt to make unauthorized physical contact with a person lawfully taking wildlife
- engage in, attempt to engage in theft, vandalism or destruction of personal or real property.
- Alter the condition or authorize placement of personal or real property intended for use in the lawful taking of wildlife.
- Enter or remain upon public lands or waters, or upon private lands or waters without permission of the owner/agent/landowner where wildlife may be lawfully taken.
- Make or attempt to make loud noises or gestures, set out or attempt to set out animal baits, scents, or lures or human scents use any other natural or artificial visual, aural, olfactory, or physical stimuli
- Interject himself into the line of fire
- Operate an unmanned aircraft system

Wildlife Management:

Chief Oxley reported staff have been very busy with the trapping season. On the 20th staff trapped 16 female and 11 male turkeys in Salem County and we have 15 new transmitters. On December 26th staff trapped 12 female and 6 male turkeys in Cape May County, 12 new transmitters were deployed on the females there. We also went out Christmas Eve, but couldn't get the females in. January 8th we had 10 females and 6 males in Sergeantsville. Staff are currently looking for spots in the north. We will integrate those two new receivers once we receive them from the Wild Turkey Federation. Waterfowl was also out trapping; they trapped 63 Brant last week and banded 56 of them and put out 6 backpack transmitters. We are in the process of sending out bait and cameras for the Fischer project. On the bear front, we had 0 CAT 1 bear calls this past month.

Chief Oxley gave a presentation on the four zones that were of concern.

Endangered and Nongame Species Program:

Chief Clark reported as of January 6th, changes were adopted for the Endangered Species and Nongame Species lists, including the delisting of Bald Eagle from endangered to special concern. In 2024, we monitored 293 eagle nests, of which 264 were active (laid eggs); out of 241 known-outcome nests, 76% successful with 1.2 chicks per nest productivity rate, which is

slightly lower than our 10-year average. We had a slightly higher failure rate in 2024, but it was not a dramatic change. As of January 7, New Jersey had our first incubating eagle nest.

The State Wildlife Action Plan Staff: our Plan is due to the U.S. Fish and Wildlife Service in September of this year. Right now, we have staff and some of our key partners working on the action prioritization. We are releasing draft products at each stage in order to get public input.

The regulation changes informally called the Shore Protection rule was proposed mid-December is now in the public comment period until Feb 13.

Lunch: 12:10 – 12:34

License Restorations:

John Fleming- Present

Captain Soell read aloud the statement for the revocation appeal for Mr. Fleming who was present. Mr. Fleming was convicted on January 30, 2023, of violation N.J.S.A/N.J.A.C. 7:25-5 (b)1, Fail to properly fill harvest report as required. N.J.S.A/N.J.A.C. 23:4-47, falsely register a deer. A second violation on March 16, 2023 for N.J.S.A/N.J.A.C. 7:25-5:25, falsely register a deer. N.J.S.A/N.J.A.C. 7:25-5:25 (b), take over the limit antlered deer during fall bow. N.J.S.A/N.J.A.C. 7:25-5:25(b) 2, harvested antlered deer with less than 3 points on one side. A third violation on April 6, 2023 for N.J.S.A/N.J.A.C. 7:25-5:26 (b), fail to fill harvest report as required.

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, seconded by Councilman Jones. Vote taken, all in favor; motion approved.

After the council discussed Mr. Fleming'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 approved.

Chairman Virgilio stated that the council has three options, reinstate, continue 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. Fleming's license, seconded by Councilman Kertz. vote taken, all in favor; motion carried.

Philip Moor- Present

Captain Soell read aloud the statement for the revocation appeal for Mr. Moor who was present. Mr. Moor was convicted on November 29, 2022, of violation N.J.S.A/N.J.A.C. 23:3-56.2, Hunting permit archery without a valid permit. A second violation on June 10, 2024, of violation N.J.S.A./N.J.A.C. 23:7-9.a (4) Using WMA contrary to posted rules and regulations.

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, seconded by Councilman Kertz. Vote taken, all in favor; motion approved.

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

A motion was made by Councilman Puskas to close the floor for discussion, seconded by Councilman Jones. vote taken, all in favor; motion approved.

Chairman Virgilio stated that the council has three options, reinstate, continue revocation, or delay for additional information. If there is a motion to reinstate, for the record justification is needed.

Councilman Puskas made a motion To reinstate Mr. Moor's license, seconded by Councilman Jones. vote taken, 3-in favor; 5-oppose. Revocation will continue.

Fabio Dos Santos- Not Present

Captain Soell read aloud the statement for the revocation appeal for Mr. Dos Santos who was present. Mr. Dos Santos was convicted on July 24, 2020, of violation N.J.S.A/N.J.A.C. 7:25-2:9(a), swimming in the reservoir. A second violation on December 11, 2023, of violation N.J.S.A./N.J.A.C. 23:3-1.b(2), Failure to exhibit a valid hunting license upon request.

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, seconded by Councilman DeStephano. Vote taken, all in favor; motion approved.

After the council discussed Mr. Dos Santos 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 Pollock. vote taken, all in favor; motion approved.

Chairman Virgilio stated that the council has three options, reinstate, continue revocation, or delay for additional information. If there is a motion to reinstate, for the record justification is needed.

Councilman Puskas made a motion To reinstate Mr. Dos Santos license, seconded by Councilman Jones. vote taken, 2-in favor; 6-oppose; Revocation continues.

Old Business:

Game Code:

Chief Oxley reported that unfortunately, this year it is too late and the changes will be for next year.

Brendan T Byrne:

Assistant Director Meistrell gave an update on the agriculture lease in response to inquiries we got about hunting access. Parks and Forestry was able to review there is an agricultural lease in parts of Whitesbog area. It is a cranberry farm. Because this is a unique lease, they decided to close the section. There are still some areas open to hunting.

Southern Region Office (Holly Farms) Update:

Assistant Director Hearon gave an update on the Southern Region Office, all documents have been released DCA, they review all but two pages the fire alarm/civil pages. We are working on addressing that within the next few days. They then will have 30 days to advertise for construction. Once the bid is out, it is a 70-day process. We are looking at a July timeframe for work. Special restricted area.

Public Comment:

Janet Pizar commented that she will address her comments higher up.

The meeting was adjourned at 1:19 pm.

Next meeting is February 11, 2025, at 10:00 am. at the Robbinsville Office.