



Hunting Behind River Homes: Governor Should Adopt Responsible Policy

This ad was taken in behalf of those who have been rudely awakened for 20 years; whose winters and Christmas Eve holiday are spoiled by loud gunshots, from dawn to dusk, and for the children who cry. It is for the swans, ducks, gulls, geese and herons with whom we share this river. And yes, it is for Billie, one brave little runt of a duck.

But most of all, it is in behalf of good government, upon which all of the above depend, and which is more honored in the breach than the observance.

Today, the family of ducks who have made this lovely beach their home sleeps sweetly, in a row. The sight has become ineffably sad; with onset of the late November gunning season, the river's peace will be shattered. This trusting family, and other avian residents, will be among the first to be killed.

The hen, or mother, is a good one. Her runt, so tiny and unsteady, head listing to one side, struggled behind the rest of the brood, but she'd wait for him, swim back, and bring him up in the rear. He is a valiant little spirit—never once did he give up, and neither did she. He fought for his life, and he beat the odds.

What will it be for him? Shotguns release a spray of pellets toward the birds. If badly injured, the runt will fall heavily on the water. If wounded in the eye, or foot, he may linger, and die in the grass. Federal biologists place the wounding rate in Canada and the U.S. at "higher than 30%." Last year, a Fair Haven resident witnessed crippled ducks still dying on the ice, a full week after the season had ended, after the gunners had gone home.

The swans, ducks, geese, gulls, and solitary herons are welcomed by most everyone here. Residents know the rhythm of their daily lives; their big dramas, some comic, others tragic. A neighbor knows which birds are old, and will need "looking after" this winter.

"How hardening to the heart it must be to do this thing," wrote British novelist Iris Murdoch, "to change an innocent soaring being into a bundle of struggling rags and pain."

For these birds, and many of their human friends, the killing season can be likened, as the English say, to throwing a rock through a cathedral window.

Some Hit Harder Than Others

Last January, a visibly shaken mother told a reporter that her family had been prisoners in their own home, on the Navesink, since 4:30 a.m. That's when she'd heard two gunners yelling, and setting up on the river directly behind her house.

She'd kept her young children and dogs indoors all day. Her daughter had been crying, upset that she couldn't "tell the ducks" not to fly in, over the plastic decoys. The gunners were still there, visible from every window, and still firing, at 2 p.m., when the reporter left. The shooting season lasts 60 days.

Fearing reprisals, the family declined to be identified, so the episode did not appear in newspapers.

Examples of what the Asbury Park Press called "simmering discontent" abound.

In 2002, a Little Silver homeowner told the press: "Sometimes . . . camouflage boats are right out our back window. My husband has watched them turn the gun toward the house and shoot at ducks over the house." Awakened by rattling windows, the family breakfasted to the scene of men wringing ducks' necks.

Another objected, "During the season, I hear them [the hunters] constantly in the early morning . . . They wake us up . . ." "I have two young children," explained a father. "I find it difficult that I have to explain to them why local hunters are shooting the ducks that they enjoy feeding and watching off our dock." Others cannot use their own docks during the season.

Little Silver Mayor Susan Castleman noted, "In all the little peninsulas that stick out, there are a lot of little children, and it's dangerous." Her position would not hold.

The same article reported that local officials had a "laissez faire attitude" toward the problem.

Other Locales Grant Relief

Yet across the country, politicians are acting on gun-fire nuisance complaints. As the mayor of Brookhaven, New York, put it: "if you have houses on the water, you can't have shooting in their backyards."

The Connecticut Department of Environmental Protection has "closed certain areas to waterfowl hunting when the physical setting of a particular locality presents an unreasonable risk" that hunters may violate laws or "shoot towards dwellings." Duck shooting is kept away from homes in 23 areas, including Westport, Darien, Greenwich, and Branford.

On the Two Rivers, state and local officials tell homeowners they are on their own.

Birdlife Sanctuaries

On Long Island, Suffolk County trustees have designated certain waterways in Water Mill, Sag Harbor Cove, and other locales as wildfowl sanctuary and rest areas.

The Navesink estuary, home to wintering bald eagles, remains a shooting ground. The estuary is on the

Atlantic Flyway, where migratory birds require critical rest and feeding areas. Instead, hungry and tired migrants, lured by plastic decoys, are shot at, wounded, or killed.

Scores of federal studies report that aside from direct death and crippling, hunting forces birds away from prime feeding areas and habitat, depletes their energy, and reduces feeding time, thereby crippling the ducks' ability to store fat reserves necessary for migration and breeding. Shooting destroys pair and family bonds and diminishes the diversity and number of birds using a site.

Disputes are so widespread that the NRA has increased, from 7 to 44, the number of states that have passed bills exempting shooting ranges from noise, and even lead pollution, laws.

"Consideration and Responsibility"

Former duck hunter Richard Smith, of Red Bank, lends perspective:

"Years ago I was a responsible duck hunter and boat operator in the Two River and Sandy Hook Bay area. I did not hunt for ducks on the rivers at the time out of respect for neighbors (noise, etc.). That was when the human population was a fifth of what it is today. Like everything else, inconsideration and irresponsibility rule! I have grown to almost hate the area in which I was born and raised. But how can you legislate human decency, consideration, and responsibility?"

This is a question that Governor Corzine, the Department of Environmental Protection (DEP), and mayors still must answer.

River Residents Sign Petitions

On the Navesink, in Fair Haven, the number of hunters ranges from one to four. For years, a single blind has been disturbing neighborhoods. No one, local or state, has done anything about it.

Certain gunners on the rivers are from out of the area. Residents suspect that at least one blind may be rented to customers.

Legitimate concerns about shooting include not only strong cultural differences and reactions to live gunfire and animal suffering (which is one reason why hunting had long been relegated to outlying areas), but inappropriateness, disturbance of the peace, and potential safety risks. Common sense safety precautions are why we reduce speed limits in school zones.

In late fall of 2007, and with little time, 94 riverside residents from Fair Haven, Rumson, Locust, Blossom Cove, and Monmouth Beach signed petitions demanding that elected officials move legal hunting away from their neighborhoods. Officials in other states have acted on far fewer complaints. Indeed, municipalities have moved gunners based on eight or fewer impacted homes.

A Chronic Problem, Apparent Impunity

In Fair Haven, a shooter who acknowledges that he is the source of complaints anchors his blind just beyond the public pier, and behind his parents' neighbors' homes, prompting a New Jersey 12 reporter to observe that there was no warning to visitors that the pier held risks. There still isn't.

As the camera panned the densely housed neighborhood, the gunner evoked his "God-given right." A young mother, holding her infant, said, fine, but gunfire doesn't belong here, in a residential area. She mentioned waking up to gunshots. "If you don't like hunting," said the shooter in another forum, "move."

Families in like towns, in other states, are not expected to move. Responsible local and state governments move the gunners away from families, instead.

The Division of Fish and Wildlife (DFW) said the above incidents – the pier, the family on the Navesink – were legal. That is the point. As residents noted in a cover letter to Governor Corzine, the DFW decides where duck hunting is legally permissible. And that is the problem.

Under federal laws drafted by gun manufacturers in the 1937, DFW salaries are paid by hunter license fees. Within the Department of Environmental Protection (DEP), DFW represents solely its clients' interests, at town meetings, and in the Legislature, to reduce, not extend, bow safety zones near occupied dwellings, and to expand, not restrict, gunning in residential areas. The general public, and the general interest, possesses no such lobbyists.

Extended no assistance by local politicians, who appear to wilt at the slightest gunner resistance, residents' only recourse is a partisan agency. On its face, this is neither fair, nor right.

In Trenton, besieged homeowners got no help from the state, either. "It's unsafe. I can't walk my dog," fumed one to a local paper. "If I were standing outside, I could get shot." One woman woke up shaking. A mother worried about her 8-year-old son at the bus stop—in the dark. A hunter fired a warning shot over another man's head.

The DFW's response was twofold: the shooting is legal (only because the DFW allows it), and residents were free to call a DEP hotline - to report shooting violations. The latter nullifies legitimate complaints about inappropriate, yet legal, and live, gunfire. The transla-

tion, in the vernacular, is "tough luck."

After following due process, Two River residents met the same fate. The petitions, said the DEP, didn't count. Having specifically objected to inappropriate legal gunfire, we were instructed to call the hotline – about illegal shooting. We responded that this made no sense; the petitions counted.

Governor's Memo Leaked; State Gun PAC Opposes Residents, and Wins

Citing "years and years of frustrating attempts to stop waterfowl hunting along the Navesink River," Governor Corzine's aide sent an e-mail to the Council of Two River Mayors. The aide planned to attend a January 5 meeting of the Council to discuss the problem, and asked the mayors to, in the future, meet with concerned constituents—a number of whom did not want to confront men shooting behind their homes.

Residents were unaware of the meeting and the e-mail. Hunters were not.

Someone on the Mayors' Council leaked the memo, which was then posted on a local duck-shooting blog. By the time residents accidentally discovered the post, it was too late to organize constituents. Moreover, the Governor's aide advised us not to attend.

A new and controversial gun-fur political action committee (PAC), called the New Jersey Outdoor Alliance, had been busy, orchestrating statewide hunter-trapper bulletins urging turn-out at the meeting. About 30 appeared, including local gunners. Also invited were commercial duck shooting guides from Hamilton Square, in Mercer County. A member of a duck shooting group advised hunters not to worry about the Navesink. The DEP had been on the hunters' side in Trenton.

In an October 27, 2008 press release, Republican Congressional candidate Chris Meyers (3rd District) charged: "Excerpts from a taped phone conversation between New Jersey Outdoor Alliance (NJOA) Chairman, Anthony Mauro . . . expose the seedy, underside of New Jersey politics . . . The recording provides a glimpse into how Trenton works when you're connected, and how the concerns of ordinary taxpayers and citizens get ignored." Mr. Mauro's PAC gave \$9,000 to the Beck-Casagrande-O'Scanlon ticket in 2007. Residents will find no assistance there.

After the meeting, the out-of-town PAC leader wrote our mayors: "The officers and trustees in attendance [from various gun groups] also asked me to convey their satisfaction with the proceedings...With respect to the petition, it was interesting to note that several of the Mayors disputed the number of complaints associated with their towns."

Satisfaction, indeed. The mayors hadn't met with their constituents, nor had they seen the actual petitions.

After the meeting, Mayor Castleman, quoted years earlier alongside constituents complaining about gunfire, told the local press that "this [2008] is the first year she has received complaints." She added, "Hunting has been here forever."

When The Asbury Park Press ran an article on the petition effort, a handful of local hunters anonymously attacked quoted participants on the Press's comment page.

"Let's put her back in the hole she crawled out of," wrote a blogger, about a resident. After reading the comments, a river homeowner wrote that she and her husband didn't think opposing shooting was worth the risk. On SurfTalk, a nameless blogger called a homeowner who objected to gunning a "lying sack of sh*t." All not born here were denigrated as "Bennies" – with grotesque photographs.

And there it is, isn't it? Bullying, of any kind, thrives when its targets will not, or cannot, stand firm. That is why gunning persists on the Two Rivers.

Business as Usual

For years, small gun clubs and individuals had wielded, and still boast of, undue influence, diminishing the quality of river life for many humans and birds alike. Last winter, citizens made progress. As the gun-fur PAC wrote, this time, the matter had reached the Governor's office. It was "serious."

And so, as the liaison with the Governor's office, the undersigned immediately became the personal target – on the internet, in the press -- of one Karl Buch, identified by the Two River Times as "a Rumson resident who is an avid hunter and spokesman for the New Jersey Outdoor Alliance," – the gun-fur PAC, an association he later denied.

Mr. Buch, it turns out, is also a former Assistant U.S. Attorney for New Jersey, carrying the influence the position confers. The mission to discredit - by whatever means - was based on my actual credentials, which include working with, and being commended by, former legislative leaders to obtain New Jersey's Wild Bird Law and statute prohibiting cruel steel-jaw leghold traps, and apparently a threat.

At the same time, and after being assured that gunning would continue, the PAC made much of a vague, public proffer to the press, the Governor's office, and local officials that they would "be willing to discuss" policing violators with residents. Given the above antics, and given that most disturbances were caused by legal hunting, steering residents said thank you, but no.

We were taken aback that the DFW, which can move hunting away from homes any time it likes, as Connecticut has done, instead handed the matter right back to the few hunters on the rivers.

After months of effort, this was the extent of Governor Corzine's assistance. The matter reverted to the DEP. When asked, what shall residents do? DEP spokesperson Amy Cradic responded with silence. When asked if residents could meet with Commissioner Lisa Jackson, she said "No." It was Trenton, "tough luck," redux. When asked what, exactly, had constituted the PAC's offer to address the problems, she said, "I'll ask Karl," see Karl Buch, above. We heard no further from the DEP.

A later effort to obtain help from Fair Haven officials achieved nothing.

Correcting the Record on Complaints

The record irrefutably shows - via news accounts, letters to the editor, hunter's own blogs, and police logs - that local gunners have long been all too aware of strong resident resistance and complaints. Yet spokesmen energetically promoted the idea that there had been none. 2008 news accounts featured longtime residents speaking out against the shooting; scores of riverside residents were represented on the petitions.

Nevertheless, Mr. Buch wrote: "Mayors from Rumson, Little Silver, Red Bank and other towns directly on the river noted that they had received no complaints from residents and that the activity is already regulated by the state."

This information is incorrect. Since 2003, Rumson alone received 26 gunfire/hunting complaints. In at least six of the cases, police reported "negative results" in locating the hunters. At least seven complaints appeared to be about legal hunting, and a minimum of 3 related to illegal hunting. Others were unconfirmed, or, anecdotally, ascribed to firecrackers – in one case, during the hunting season. Still others involved "handheld cannons" ("no projectiles"), bow hunting in backyards, an explosion at Fort Monmouth, and a rifle (Open Public Records Act request, August, 2008).

Fair Haven claims eight. Of these, a Hance Road resident complained of duck hunters shooting "almost every morning." (Shooting commences one half hour before dawn.) The police heard the shots, but did not locate the gunners. In 2002, an anonymous caller pinpointed the exact location of the Fair Haven gunner, whose blind is fully visible. The police responded: "No one home at the [redacted] residence. Firearms discharge possibly coming from Duck Boat on river, will check back." Possibly?

According to Mr. Buch, "She has not brought her noise complaints to local officials." This is inaccurate. I had contacted both the Fair Haven Borough Hall, by phone, and the police, in person, and by phone (a matter of record). All said shooting was legal and regulated by the state. State purview is precisely why residents properly approached the Governor in the first instance. In fact, a U.S. Senator requested that the issue receive state, not local, attention.

A Closer Look at Tradition

Likewise, tradition is a dual-edged sword. During the shooting heyday, much of the community was absent during the fall and winter gunning season. In the late 19th century, Fair Haven hosted "summer cottages and hotels" near the river. "Today," writes a historian, "the charming summer cottages of the past are year-round abodes" - with an urban population density of 3,559.3 people per square mile.

Many waterfront areas in Monmouth Beach, Little Silver, and Rumson were undeveloped until the 1960's. A waterfront lane in Little Silver, for example, has grown from one to 22 houses. Gunning once thrived on Wall Street, in New York City. Should it today?

The gunning itself is rooted, sadly, in the Era of Over-Exploitation, when firearms manufacturers began serious cultivation of animal-killing markets. Repeated shotguns and automatic loaders made spectacular kills possible. On the wing, and in their nests, birds were cut down en masse for the restaurant, millinery, and fashion trades. On this coast, hunting for sport was "unheard of before this time."

Market hunting thrived on Long Island, and the New Jersey coast, where, during the 1920's, gunners at anchored locations in Barnegat Bay used 8 gauge shotguns to kill thousands of ducks and seabirds. When market gunning was finally outlawed, and birdlife decimated, Atlantic coast gunners formed the precursors of today's duck shooting clubs.

Governor's Leadership Required

Local mayors note, correctly, that it is a state issue, knowing the Division of Fish and Wildlife will not budge. The Governor's office, which should have directed the DEP to emulate Connecticut and move hunters away from densely housed areas, instead sought the political cover of local mayors. It didn't get it. This unique estuary, these beautiful rivers, should be designated what iNature created them to be: a wild bird sanctuary and rest area. Governor Corzine should take the high road and responsibly pursue Connecticut's policy.

By Susan Russell

Residents for a Peaceful River. If you'd like to help, please contact us at: peacefulriver@verizon.net

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