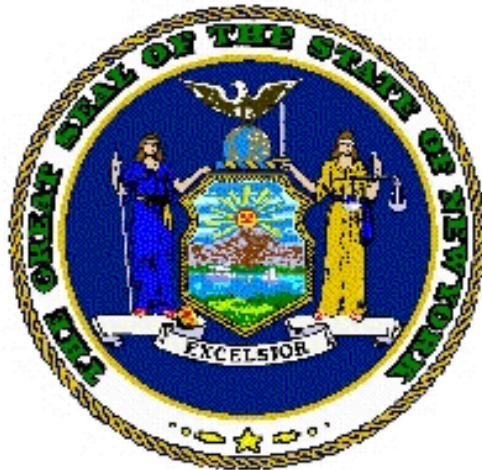


State of  
New York

# CONSERVATION FUND ADVISORY BOARD



Annual Report to the  
Commissioner  
and  
Sportsmen and Sportswomen  
April 1, 2005 to March 31, 2006



## CONTENTS

### Executive Summary

1.	A Message from the Chairperson.....	1
2.	About This Report.....	2
3.	What is the Conservation Fund Advisory Board .....	2
4.	Accounts in the Conservation Fund .....	3
	• Traditional Account.....	3
	• Marine Resources Account .....	3
	• Habitat Account.....	3
	• Migratory Bird Account .....	3
	• Guide License Account .....	3
	• Surf Clam & Ocean Quahog Account.....	4
	• Lifetime License Account .....	4
5.	Members of the Board.....	5
6.	Actions of the Board; FY 2005/2006 .....	9
7.	Resolutions of the Board .....	16
8.	License Fee Recommendation .....	21
9.	Projected Health of the Conservation Fund .....	23
10.	Conclusions and Recommendations.....	23
11.	Fiscal Report .....	27

## TABLES

Sporting License Fee Schedule .....	21
License Fee Comparison with Neighboring States .....	22
Projected Health of the Conservation Fund .....	23
Conservation Fund Comparative Statement.....	24
Summary of Expenditure of Funds .....	27
Summary of Sources of Funds .....	28
2004-05 Fish and Wildlife Level of Support Analysis - Expenditure of Funds .....	29
2004-05 Fish and Wildlife Level of Support Analysis - Sources of Funds .....	30

## APPENDICES

Appendix A: Methodology for Fish, Wildlife & Marine, Sources and Uses of Funds.....	33
Appendix B: Conservation Fund Advisory Board, Voting Member List .....	36
Appendix C: Conservation Fund Advisory Board, Committees.....	37
Appendix D: Conservation Fund Advisory Board, Member Attendance .....	38
Appendix E: DEC Organization Chart.....	39

## **Executive Summary**

The Conservation Fund Advisory Board (Board) held 11 monthly meetings in 2005-06 including a meeting at the Rome State Fish Hatchery in June, 2005 and a field trip to Region 1 in August 2005.

The Board received presentations and reports, and discussed a wide variety of topics of interest to sportsmen and women including: financial reports and statements regarding the Conservation Fund; chronic wasting disease; condition and operation of New York's twelve fish hatcheries and budgetary needs to maintain these important facilities; a wide variety of proposed regulatory actions and legislation; and protecting sportsmen and women's right to privacy.

The Board supported the Department of Environmental Conservation (Department) in its response to the unfortunate discovery of chronic wasting disease (CWD) in captive white-tailed deer in Oneida County in central New York in late March 2005 and in wild, white-tailed deer in the same area in April 2005. Board members toured the chronic wasting disease incident command center and field laboratory at the Rome State Fish Hatchery during the CWD intensive response and attended the public information meetings conducted by the Department. The Board advised the Department on public communication strategies and worked closely with the Department to successfully pursue supplemental funding to support CWD response.

The Board supported the Department's successful defense against an Article 78 lawsuit that would have required the Department to release sporting license buyers' personal information. The Department denied a request for this information filed under the Freedom of Information Law and was subsequently sued. The Board's efforts helped the Department win the lawsuit and ensure that license buyers' personal information will not be released.

The Board reviewed and analyzed Conservation Fund financial statements provided by the Department and worked closely with the Department to avoid a deficit in the Conservation Fund at the close of State Fiscal Year (SFY) 2005-06. This was accomplished by moving program costs from the Conservation Fund to the General Fund and by delaying payment of fringe benefit costs for employees funded by the Conservation Fund. Additionally, the Board supported the Department's efforts to procure a deficiency budget appropriation of \$7.5 million from the General Fund to completely cover the cost of CWD response.

Overall funding of the Fish and Wildlife Program increased \$18.5 million to \$106.1 million from SFY 2003-04 to SFY 2004-05. About \$4.8 million of this increase was a one-time charge to cover back overtime pay for Environmental Conservation Officers that was awarded as a result of settlement of Fair Labor Standards Act arbitration. Expenditures from the Conservation Fund decreased by \$1.3 million, reflecting shift of program costs to the General Fund.

The Board fulfilled its charge to review Department allocations and expenditures from the Conservation Fund and concluded the expenditures from the Conservation Fund were consistent with the requirements of Section 83 of the State Finance Law.

## **1. A Message from the Chairperson**

It was again my pleasure to serve as Chairman for the Conservation Fund Advisory Board from April 1, 2005 through March 31, 2006. The eleven volunteer members of the Board continue to work long and hard to protect the interests of New York's sportsmen and women. The Board continued a full schedule of regular monthly meetings, meeting 11 times, including a meeting at the Rome State Fish Hatchery in June 2005 and a three-day field meeting in Region 1 in August 2005. Individual Board members also attended innumerable rod and gun club, federation and Fish and Wildlife Management Board meetings in order to stay well informed on important issues.

The Conservation Fund ended SFY 2005-06 in the black as a result of hard work on the part of the Board, the Department, the Division of the Budget and Governor Pataki's office to reduce expenses charged to the Conservation Fund by shifting costs to the General Fund. These changes allowed the Conservation Fund to remain solvent even though revenue continued to erode, and the Department was faced with the difficult challenge of responding to the discovery of Chronic Wasting Disease in Oneida County in Spring 2005. The legislature helped by approving a deficiency budget of \$7.5 million to offset the cost of CWD response. The Board appreciates the efforts of the Department's leadership and professional staff, the Governor and the legislature to sustain the Conservation Fund. We have much more to do in this regard in 2006-07.

Sadly, long-serving Region 2 Board member John Matusewicz passed away this past year. "Big John" was a great contributor to the Board and had the distinction of being the only Region 2 representative to convince the Board to conduct our annual field trip in the urban environments of Staten Island and New York City. A great champion of urban fishing, firearms rights, and conservation law enforcement, John represented the sportsmen and women of New York City and the State with distinction. He will be sorely missed.

Lastly, the Board continued to work with other conservation organizations to increase youth hunting opportunities by seeking legislation that would allow licensed, junior hunters to hunt big game as well as small game. Governor Pataki continued to support our efforts, but, once again, the legislature failed to act on this important topic. With other states advancing programs, such as "Families Afield", to provide greater opportunity for closely supervised young people to participate in hunting with their families, New York has earned the dubious distinction of being the most restrictive state in the nation regarding allowing youth to hunt. We need your help to correct this inequity.

Robert J. Monacchio  
Chairman of the Board  
Region 5

## **2. About This Report**

The Conservation Fund Advisory Board is required to submit a report annually to the Commissioner of the Department of Environmental Conservation (Department) by November 15th of each year. The primary purpose of this report to the Department is to advise the Commissioner regarding the Board's assessment of the extent to which expenditures and appropriations from the Conservation Fund are consistent with the requirements of state law. The Board will make its annual report available to the public by posting it on the Department of Environmental Conservation's web site at:

[www.dec.state.ny.us](http://www.dec.state.ny.us). The Conservation Fund Advisory Board has no independent means to audit the report and relies upon the DEC for its accuracy and completeness.

## **3. What is the Conservation Fund Advisory Board?**

The New York State Conservation Fund Advisory Council (CFAC) was established by Chapter Four of the Laws of 1982 as a branch of the State Executive Department. It provided the license buying public of the State of New York with information about expenditure of Conservation Fund monies, thereby ensuring that the Fund was spent in accordance with the Environmental Conservation Law, specifically for the care, management, protection and enlargement of the fish and game resources of the State and for the promotion of public fishing, hunting and trapping.

Under Chapter 308 of the Laws of 1994, the Council was reestablished as the Conservation Fund Advisory Board (CFAB), removed from the jurisdiction of Executive Law and placed under the Environmental Conservation Law. The change allowed the addition of ex-officio members to the Board (Senate and Assembly Environmental Conservation Committees, Senate Finance Committee, Assembly Ways and Means Committee, and DEC Commissioner, or their representatives) in an effort to speed up communications and give the panel the ability to make more timely decisions.

All CFAB members are volunteers serving without salaries and having a long standing interest, knowledge and experience in fish and wildlife management, including hunting, fishing, trapping and related conservation activities. The members represent each of the nine DEC Regions with two statutory members representing the New York State Conservation Council, Inc., and the New York State Fish and Wildlife Management Act Board.

CFAB's function is to make recommendations to appropriate state agencies on plans, policies and programs affecting fish and wildlife. This function is accomplished by CFAB review of the DEC's Fish and Wildlife Program and Law Enforcement Program (Titles 11 & 13 only). The Board submits an annual report to the DEC Commissioner.

Board members can be contacted by writing the Conservation Fund Advisory Board, 625 Broadway, Albany, New York 12233-4750.

The specific duties of the Board are:

- Review the allocations and expenditures of the DEC for fish and wildlife programs.
- Periodically make reports and release information to sportsmen and women and the general public about the Conservation Fund and the Fish and Wildlife Program.
- Consult with fish and wildlife interests and report annually to the DEC Commissioner on fiscal needs and recommendations for meeting them.
- Assist the DEC in expanding sources of income to the Conservation Fund.

- Provide recommendations on the needs of fish and wildlife programs.
- Evaluate expenditures of the Conservation Fund by reviewing current and proposed fish and wildlife programs.

Fulfillment of these responsibilities is aimed at ensuring that Conservation Fund expenditures are in accordance with New York State Finance Law. The Conservation Fund was created under that law in 1925 requiring one half of all monies collected from the sale of sporting licenses be spent exclusively for fish and game related purposes. In 1933, the law was amended to require that all the monies from license sales be used for these purposes. For over seven decades, sportsmen and women have purchased sporting licenses - the principal source of Conservation Fund revenue - and ensured the stewardship of New York's fish and wildlife.

#### **4. Accounts in the Conservation Fund**

The Conservation Fund consists of several accounts. The following is a list of those accounts and a general description of the funding source. The revenue figures reported below for each account were obtained from the records of the Office of the State Comptroller (OSC) and are official figures.

##### **Traditional Account**

As the name implies, the "Traditional Account" generally consists of monies raised from hunting, fishing and trapping licenses. Other sources of funding for the Traditional Account include:

- Return a Gift to Wildlife;
- Deer management and other special permits;
- Fines from Title 11 & 13 violations;
- Certain rentals, royalties and miscellaneous sales; and
- Interest, including interest transferred from the Lifetime License Account.

During 2005/2006, the Traditional Account generated **\$38,282,765**.

##### **Marine Resources Account**

The Marine Resources Account generated monies from activities in the marine district of Long Island. Licenses and permits include the shellfish permits, tidal wetlands permits, charter boat permits, whelk permits, food fish/crustacean permits, fines and other revenues. During 2005/2006 the Marine Resources Account generated **\$2,107,922**.

##### **Habitat Account**

This account was newly created in 2002 and receives revenue from the sale of voluntary Habitat & Access Stamps. Funds from this account can only be used for habitat conservation and enhancing public access for fish and wildlife related recreation. This account generated **\$24,975** in 2005/2006.

##### **Migratory Bird Account**

This account is relatively small and funds are generated through the sale of collector stamps. During 2005/2006, this account generated **\$9,041**.

##### **Guide License Account**

Another very small account, the Guide License Account, generated **\$50,976** from the sale of guide licenses.

### **Surf Clam & Ocean Quahog Account**

This account generated **\$101,950** from per bushel fees associated with clam harvest.

### **Lifetime License Account**

The sale of “lifetime” licenses generates the monies in this very important account. The principal may not be touched by law and interest is transferred from this account to the Traditional Account annually. The formula for the transfer is designed to replace money lost from the sale of hunting and fishing licenses when a lifetime license is purchased. The most important feature of the account is the fact that a person’s lifetime license money continues to work long after the person has stopped hunting, fishing or trapping, or has died. Investment in this account is the ultimate long-term commitment that a sportsman or woman can make to his or her sport. During the year 2005/2006, the lifetime license account generated **\$87,714** and had a balance of **\$13,895,692**.

## 5. Members of the Board

**Region 1: Charles A. Bevilacqua** was born in Brooklyn and has been a resident of Nassau County since 1950. He is a veteran of the U.S. Marine Corps and attended Nassau Community College and the American Management Institute. He has been active in community affairs as a former Scoutmaster, fund-raiser and assistant coach for the Syosset Spartans Young Sports Program. He is an avid hunter, angler, competitive target shooter and Life Member of the National Rifle Association. Presently, Charlie serves on the Nassau County Forest Practices Board, the NYS Open Space Advisory committee for Region 1 and the NYS Conservation Council/NY Power Authority Joint Task Force on Energy and Natural Resources. He has been active with the Nassau County Fish and Game Association, holding offices as President, Vice-President and Director. He is a past President of the Manhasset Bay Sportsmen's Club. Charlie has held several offices with the NYS Conservation Council, including Vice-President, Regional Director and a member of several key committees. He is associated with Nassau Suffolk Realty. He has held various management positions with Lisa & Company, has been a Senior Field Engineer with TRW and a Sales Manager with Singer Business Machines. He was appointed in 1984 to serve as the representative of Region 1.

**Region 2: John F. Matuszewicz**, a hunter and angler for more than 50 years, was born and spent all his life in Staten Island, graduated from local public schools and served in the US Army from 1952-1954 during the Korean Conflict as a Helicopter Mechanic and Crew Chief. He is an Honorary Life member and past commander of the American Legion, a member of the Veterans of Foreign Wars, the National Rifle Association (35 years), the Colonial Rifle & Pistol Club (35 years), Co-founder and Secretary of the Isle Wide Rifle & Pistol Shooting Club and a member and Past Exalted Ruler of the B.P.O. Elks, Lodge 841 serving as a State Trustee, National Foundation and Scholarship Chairman. He has also served as a DEC Hunter Education Instructor. In his professional life, John worked for the Food

Machinery & Chemical Corporation (9 years), Procter & Gamble Manufacturing Company as an Analytical Chemist (35 years), retiring in 1990. He was the recipient of the Outstanding Conservationist Award 2000, presented by the New York Chapter of The Wildlife Society. He was appointed Region 2 representative in 1997.

**Region 3: Wallace "Wally" H. John** was born in New York City on April 20, 1945 and grew up in West Shokan, Ulster County in the Catskill Park where he currently resides. He has hiked, camped, fished, and hunted throughout the Catskill Mountains, New York, Wyoming and Montana. Wally holds Bachelors and Masters degrees from SUNY New Paltz and did advanced graduate work at the University of Iowa. He was a teacher before working at the New York State Assembly. He is a life member and Legislative Vice President of the New York State Conservation Council and author of the "Albany Report" in Grassroot News. This year, Wally received an award from the NYS Conservation Council. He is active in the elk restoration project as a life member, habitat partner and past Catskill Mountain Chapter Chairman of the Rocky Mountain Elk Foundation. Wally is Vice-President of the Bushkill Rod and Gun Club, a member of Trout Unlimited, Ducks Unlimited, Nature Conservancy and other national conservation organizations. He has been a past Chairman of the Town of Olive Environmental Conservation Advisory Council and a member of the Ulster County Environmental Management Council. In 1985, the NYS Wildlife Society honored him with their outstanding Conservationist of the Year award. Wally's work for the Assembly for the Program and Council Staff included 16 years with the Environmental Conservation Committee and 8 years with the Agriculture Committee. He retired in 2000. In 2002 he was appointed to CFAB to represent Region 3.

**Region 4: Mark J. Storti** was born in Barre, Vermont. He has been a New York State resident for more than 29 years. As an avid hunter, trapper and fishing enthusiast, Mark has enjoyed the outdoors from the Adirondack Mountains to the western mountains of Maine. He is a graduate of SUNY at

Plattsburgh with a B.A. in geography and a minor in land use planning. Presently, Mark is employed by Schenectady County as the GIS System Coordinator at Economic Development and Planning. Thirteen years ago, Mark founded one of the largest youth fishing days in the Capital District Region. The Indian Kill Open House/Fishing Day has become one of the prominent outdoor educational and recreational experiences for Schenectady County youths. As the past President of the Schenectady County Conservation Council, Mark was instrumental in forming one of the first Adopt-A-Natural Resource programs with NYS DEC Region 4 at the Featherstonhaugh State Forest in the Town of Duanesburg. Mark is a member of the NRA, the New York State Trappers Association, the New York State Muzzle-loaders Association, Inc., Scotia-Glenville Kiwanis and the Town of Glenville Planning Board. He was appointed Region 4 representative to CFAB in 2001.

**Region 5: Robert J. Monacchio**, a New York State resident for more than 40 years, has fished and hunted in the state since the 1950s. He is a camp owner in the Adirondack Park for more than 30 years and a full time resident and property owner for more than 18 years. Bob spent six years in the Naval Reserve. In his professional life, Bob has served as Treasurer of Mountain Home Consulting Group Inc., President of Coordinated Components Inc., Vice President and General Manager of Production Services for Trans World Display Corporation in New York and Project Director for Snyder Black & Schlegel. He is a member of the NRA and Great Sacandaga Lake Fisheries Federation Inc. He was a negotiator in the FERC re-licensing of hydro facilities on the Great Sacandaga Lake and the Upper Hudson River. Bob is a member of the Great Sacandaga Lake Advisory Council. He is involved in stream stocking for DEC and has served on the Fulton County Water Quality Strategy Committee. He enjoys hunting, fishing and snowshoeing.

**Region 6: Linda S. Sicley** is a native New Yorker who has resided in the Town of Worth, Jefferson County, since 1979. She and her husband have two daughters and three sons and

raise beef cattle on their farm on the Tug Hill Plateau. Her memberships include the Fur Harvesters Association of Jefferson County where she has been Secretary since 1992, the New York State Trappers Association, and the National Rifle Association. She is a delegate to the Lewis County Association of Sportsmen's Clubs and received the Conservationist of the Year Award in 2002. She is a DEC Trapper Training Instructor and has participated in the Cornell Cooperative Extension Environmental Awareness Days since 1994 with a Furbearer Management Presentation. Linda is an active member of the Lorraine United Methodist Church. She is a former Delegate and Secretary of the Jefferson County Sportsmen's Federation where she served on the Legislative and Education Committees. She was appointed in 1998 to serve as Region 6 Representative to CFAB. Linda enjoys hunting, fishing, and especially trapping with her family.

**Region 7: Craig L. Tryon** is a lifelong resident of New York State and lives on the west shore of Otisco Lake in Central New York. He has been employed by the NYS Office of Parks, Recreation and Historic Preservation for more than 35 years. He is currently the Park Operations Supervisor for parks and historic sites in the ten county Central New York Park Region. Craig is a Life Member of the National Rifle Association, a member of the NYS Conservation Council, the Friends of Carpenters Brook Fish Hatchery, and the White Otter Fish and Game Club. He is currently the Vice Chair of the Region 7 Fish and Wildlife Management Board. Craig is a licensed NYS Outdoor Guide and Co-owner of Adirondack Wilderness Experiences Guide Service. He is a Past President and a Life Member of the NYS Outdoor Guides Association and currently serves the Association as treasurer. Craig is the editor of the Association's annual listing of member guides, *A Guide to the Licensed Guides of New York State*. In his recreational time, Craig is an avid hunter, fisherman, and fly tier. He enjoys wilderness camping, canoeing, and kayaking, as well as snowshoeing, hiking, and photography. He spends as much time as possible teaching his guide clients and grandkids to enjoy the outdoors. Craig is the Region 7 Representative to CFAB.

**Region 8: Charles (Charlie) O. Hancock** was born

in Massachusetts but has been a resident of New York State since 1964. He is married with three children and seven grandchildren. He served with the U.S. Army Security Agency as an analyst in Europe. He has received the United Nations Environment Programme "Citation of Excellence", the Canadian "Award of Merit", the U.S. EPA "Outstanding Professional", and the Regulatory Affairs Professional Society "RAC Certification" in 1999. Charlie is a practicing medical device sterilization consultant with his own firm and partners in a sterilization instrumentation and control company. He is a USA Representative to the International Standards Organization (ISO) Geneva. He is an Active Member of the Canadian Standards Association and the U.S. Association for the Advancement of Medical Instrumentation. He has served with the Genesee Conservation League as President and on the Board of Directors; Monroe County Conservation Council; Finger Lakes Conservation Council; and the New York State Conservation Council. He is President of the Genesee Conservation Foundation, Inc. and is a member of the Oatka Fish and Game Club. Charlie has also represented Monroe County with the New York State Fish and Wildlife Management Board. He is an initial member of the New York State Canal Recreationway Commission and of the NYS Open Space Planning Committee. He was appointed as Region 8 representative in 2004.

**Region 9: Fred Langdon** was born, raised and spent most of his life in Buffalo. He now resides in West Seneca, NY. He is a Veteran of the US Navy and attended Erie Community College. He served 23 years in the Buffalo Fire Department, retiring in 1985. Fred presently is Owner/Operator of the South End Marina Corporation located on Buffalo's Inner Harbor. An avid hunter, fisherman and conservationist, he served as President and Director of the Bison City Rod and Gun Club, Recording Secretary, Director and Delegate to the Erie County Federation of Sportsmen's Clubs, Director of the Niagara Musky Association and is a member of Safari Club International, Niagara River Anglers Association, Southtowns Walleye Association,

NYSCC, Niagara Chapter of the NWTF, SCOPE, and the NRA. He is a landowner in the Southern Tier (Cattaraugus County) and is actively pursuing a Quality Deer Management program. Fred expects to retire in a couple of years to spend quality time teaching his 13 grandchildren to appreciate and enjoy the outdoors.

**FWMB Representative: Harry C. "Bud" Woodfield** was born in Tarrytown, Westchester County, in 1923. He currently resides in Binghamton, NY. He attended Cornell University. He has retired from State service after 35 years with the New York State Department of Environmental Conservation and The New York State Office of Parks, Recreation and Historic Preservation. Bud is a member of the Board of Trustees of the Wyoming Conference and certified Lay Speaker of the United Methodist Church. Bud has been a hunter, angler and trapper all his life. He is a Life Member of the National Plott Hound Association and is a licensed UKC bench show judge. In 2000, He received the Outstanding Conservationist Award from the N.Y. Chapter of the Wildlife Society. During 2001, he was awarded a Lifetime Achievement Award from the NYS Conservation Council and an award for many years of service to the community from the Southern Tier Chapter of the National Wild Turkey Federation. In 2002, he received an award for Outstanding Services from the FWMB and an outstanding Member of the Year award from the NYS Chapter of the National Wild Turkey Federation.

**NYSCC Representative: John J. Long** was born in Niagara Falls in 1933. He holds a B.S. in Economics from Niagara University and is Vice President of United Insurance Agency, Inc. an insurance agency where he has been employed since 1949. He is a veteran of the U.S. Army. John has hunted and fished over most of North America and is President of Outdoor World Productions, Inc. He has been active in the NYS Conservation Council since 1955 and was presented the 1987 NYS Conservationist of the Year Award by the Council and the New York Power Authority. He is a past Chairman of the Fish and Wildlife Management Act Board in Region 9; Past President and Life Member of the NYS Outdoor Writers Association, past President of the Niagara County Federation of Conservation Clubs. John is a Life Member of The National Rifle Association and a

member of the Outdoor Writers Association of America and the Association of Great Lakes Outdoor Writers. He recently constructed a walleye rearing facility on his property for the Niagara River Anglers Association to stock the

Niagara River. He is Captain of the Niagara County Sheriff's Special Conservation Deputies. He was appointed to the Board in 1988 to serve as representative of Region 9.

## 6. Actions of the Board During FY 2005/2006

The Conservation Fund Advisory Board held 11 monthly meetings in FY 2005/2006 to discuss issues affecting sportsmen and sportswomen, and to formalize its recommendations. Each meeting was attended by the Commissioner who was represented by the Deputy Commissioner or the Director of the Division of Fish, Wildlife and Marine Resources (DFWMR), Bureau Chiefs and by other senior staff of the Department and by the representatives of the Fish and Wildlife Management Board and the New York State Conservation Council, Inc. Periodic reports were also provided by the Assistant Commissioner of Public Protection, the Director and Assistant Director of Law Enforcement and the NYS Division of Budget. The New York State Conservation Council also monitors NY bills and contacts NY Legislators to confer on bills of concern.

Although most of the Board's meetings were held in Albany, the Board also undertook a field trip to Region 1 and toured: the Carmans River, which is the only trout stream on Long Island with an entirely natural reproducing brook trout population; Roanoke Sand and Gravel, whose reclamation plan includes the creation of publicly accessible lakes, one of which will be over 150 acres in surface area and up to 100 feet deep; Peconic River headwaters, where DEC is overseeing an extensive cleanup of contaminated river sediments by the Brookhaven National Lab; Otis Pike Preserve Grassland Reclamation, where formerly cultivated land is being returned to native grass species to improve bobwhite quail populations, Camp Edey for a presentation of the I FISH NY program which is a joint venture between the DEC and NY Sea Grant to increase awareness of fisheries resources in the NY Metropolitan Area; and a visit to Connetquot River State Park and a tour of the State Park hatchery.

In order to discharge its duties under the Environmental Conservation Law, the Board engages in a comprehensive assessment of a wide variety of matters related to the financial condition of the Conservation Fund and the programs and activities of the DFWMR, and generally conducts a monthly discussion with representatives of the Department to address issues related to the current and anticipated income and expenditures for the fish and wildlife programs, including planned expenditures for the next fiscal year. The following discussion summarizes a number of the matters addressed by the Board throughout FY 2005/2006. For a more complete discussion of the financial report (**on revenues to and expenditures from the Conservation Fund and the Board's review of the allocations and expenditures of the Department for Fish and Wildlife purposes**) please refer to the section entitled "Fiscal Report" that appears later in this annual report.

### **Financial Statements**

The Board evaluates the Department's income and expenditures for Fish and Wildlife Programs by reviewing Comparative Statements, monthly license sales reports and work plans prepared separately by each Regional Office and a consolidated work plan prepared by the DFWMR.

Each month the Board reviews a Comparative Statement that sets forth by license type or other revenue source receipts of all revenue into the several accounts that comprise the Conservation Fund. The Comparative Statement is prepared on a monthly, quarterly, semi-annual and yearly basis. The Department's Division of Management and Budget Services generally furnish the data with respect to revenues and expenditures, and the Board is entirely dependent upon the receipt of timely, complete and accurate financial information in order to fulfill its obligations under the Environmental Conservation Law.

The representative Bureau Chief of each of the Bureaus of Fish, Wildlife and Habitat makes presentations of the work plans. Additionally, the Board periodically receives other presentations from DFWMR and from the Division of Management and Budget Services with respect to revenues to and expenditures from the Conservation Fund.

The Chairman noted that projected figures from the Department indicate that license sales are down over 25,000 from the same period last year resulting in a revenue loss of \$2,169,604.03.

### **Chronic Wasting Disease (“CWD”)**

Chronic Wasting Disease was discovered in New York State in April of 2005 and an aggressive program by the DEC and the Department of Agriculture and Markets was put together to try and learn how widespread it was. The Board went on record supporting the DEC Commissioner and the Department on their response to the discovery of CWD. It was the Board’s feeling that the DEC had been very forthcoming with plans and results for CWD surveillance testing which had occurred prior to the current outbreak of the disease.

Director Barnhart gave the Board a presentation that had been shown to the press in Rome. The presentation was designed to give people an overview of CWD, discuss the Department’s perspective, let people know what the Department is doing in response to finding CWD, and answer any questions that might arise.

Detailed discussion occurred on the cause and effects of CWD and specifically the effect the entire operation would have on the Conservation Fund. In regard to captive animals, the Board was concerned about record keeping for the 400+ game farms, what is being fed to these animals, the possibility of wild animals that are being rehabilitated sharing facilities with captive animals, and if there are records kept on the sale and distribution of doe urine and other deer products. A number of questions were raised by the Board, including the nature of the disease itself, regulations for captive herds, regulations for rehabilitators and taxidermists, distribution of deer products, and who should bear the cost for current investigations. The Board felt that their general lack of knowledge about these issues was interfering with the ability to make sound decisions. A list of questions was developed and presented to the Department to acquire the needed information.

Mr. John attempted to set up meetings with staff in Ways and Means and Finance to talk about the costs of the current outbreak of Chronic Wasting Disease (CWD), which was not included in this year’s budget. Mr. John mentioned that the State of Wisconsin spent \$13 million in the first year of their control program. In their case, the disease was found in wild deer first. The initial response in New York required the collection and testing of 400 wild deer within the areas surrounding the two farms where CWD was first discovered.

On Friday, April 29, 2005, the Board, represented by Chairman Monacchio, Mr. John and Ms. Sicley, Gary Bullis (Region 6 FWMB), Howard Cushing (NYSCC), and representatives from the Oneida and Herkimer Federation of Fish and Game Clubs toured the CWD response facilities at the Rome Fish Hatchery. The Rome Hatchery was set up as the emergency laboratory to process the deer carcass samples for Chronic Wasting Disease. A containment area was established, consisting of towns within a ten mile radius of the locations of the two farms where the disease had been detected in captive animals. Approximately 300 deer had been collected at the time of the tour and operations were being curtailed before the May 1 opening of spring turkey season.

By January of 2006 a total of 2,048 deer had been sampled in the containment area. Other than the two wild deer that tested positive during the initial sampling in April, no more positive samples were detected. Slightly over 6,000 deer were tested statewide outside the containment area and all samples came back negative.

Chairman Monacchio asked Director Barnhart what impact the Chronic Wasting Disease outbreak had been so far on the Conservation Fund. The Director indicated it was too soon to cite hard numbers and added that the Department was working closely with the Governor's office and the Division of Budget to come up with a solution.

### **Fish Hatcheries**

The budget called for \$300,000 for capital improvements in the hatchery system. This money will be used to pay for the cost of engineering and design services to move some projects forward that have had money available (Rome, South Otselic) and also to do cost estimating to determine the long term needs of the hatchery system. This information will be used to request a larger capital appropriation next year.

The Director reported about the Allegheny National Fish Hatchery in Pennsylvania, which is the US Fish and Wildlife Service hatchery that rears lake trout to be stocked into Lake Ontario and Lake Erie as part of the lake trout restoration program. In September 2005 they diagnosed some fish as having Infectious Pancreatic Necrosis (IPN), which is a highly contagious disease in salmonids. There is no treatment and the disease has a very high mortality rate. The only way to deal with the disease is to depopulate and sterilize the facility. This means that 600,000 lake trout destined for Lakes Erie and Ontario were destroyed. The Department will divert 100,000 lake trout yearlings from the Bath hatchery to Allegheny. The short term will result in reduced stocking but in the long term the program should be restored.

Director Barnhart stated that he would try to point out some of the highlights of the proposed budget. The most significant proposal is an increase in the Environmental Protection Fund (EPF) from \$150 million to \$180 million. There is a line in the EPF budget for Stewardship funds, which are used to manage lands and facilities. The proposed budget raises these funds from \$6.5 million to \$15 million. One million dollars is earmarked for hatchery modernization. There is also \$1 million in the Department's capital budget and \$3 million in the Urban Development Corporation's capital budget for a total of \$5 million for hatchery modernization. This money will be spent on three major projects. First is completion of improvements at the Rome hatchery. Second is rebuilding the Randolph fish hatchery in western NY and third is well field development at the Salmon River hatchery.

### **Visible Fishing License**

People fishing without a license are taking money away from the license buying public. The Board believes that a visible fishing license would reduce this illegal activity and could also generate a significant amount of money.

Director Barnhart stated that the proposed regulation would require display of the license above the waist. The wording of the regulation would allow it to be rescinded if needed. The Director informed the Board that the Regulatory Initiative Memorandum for the Visible Fishing License had been prepared and signed by him and is moving through the process.

## **Blaze Orange**

A blaze orange bill, (A6861), was introduced by Assemblyman DiNapoli. The bill contains a requirement for 400 square inches, including a hat. The bill is identical to the one that was vetoed last year. Chairman Monacchio restated the Board's position against requiring blaze orange, adding that this year was one of the safest hunting seasons in the State and perhaps the country, with 34 incidents, including three fatalities. This says a lot about Hunter Education and the need for people to identify their target instead of a color. Mr. John explained that Mr. Kolb introduced a bill last fall requiring 250 square inches but there doesn't seem to be a great deal of support for the bill other than in Mr. Kolb's district.

## **Free Licenses**

Free licenses not only directly reduce Conservation Fund revenue, but also reduce Federal Aid. Free licenses are traditionally allowed for senior citizens at 70 years of age and active duty, full time members of the military stationed in the state. In recent years, free licenses have been extended to include persons confined to nursing homes. The Board is concerned with the continuing drop in fishing license sales and is opposed to the creation of any new exemptions for license purchase. The privilege of hunting, fishing and trapping should involve an individual contribution to the support of the management and welfare of the state's fish and wildlife. The Board is committed to keeping the cost of licenses reasonable and within the reach of all residents no matter their income level. The gift of free licenses to special groups undermines the personal relationship to the state's resources and places an additional financial burden upon the remaining license buyers.

A fishing promotion bill, (5808A), was introduced by Assemblyman Morelle. The amended bill still contains a provision for a free fishing license. Mr. John has spoken to the sponsor about an amendment to the bill removing the free fishing license. If that occurs, the bill should be supported. Mr. Woodfield then stated that the FWMB did not support the bill because of the free fishing license clause. Mr. John stated that the New York State Conservation Council (NYSCC) had suggested to the Assemblyman that a Certificate of Appreciation be issued instead of a free license. Chairman Monacchio stated that each free license that is issued results in a reduction of Federal funds by 8 to 14 dollars. Therefore the issuance of free licenses of any kind for any reason should be closely examined. Mr. Long, as the NYSCC representative to the Board, stated that his organization was opposed to the legislation as long as it contained language offering free licenses. The fishing promotion bill had gone to the Governor and had not been amended to remove the free license provision.

A bill allowing free fishing for veterans in State parks stalled in the Assembly but looks like it will pass the Senate.

Chairman Monacchio asked Director Barnhart if free fishing days were already available. Director Barnhart stated that there were currently two statewide free fishing days, which are offered on the last Saturday and Sunday of June. Each region also has the option of offering up to a total of four free days. These one-day events are usually held at a specific site where a fishing clinic is taking place. All the regions are currently taking advantage of the four additional days.

## **Right to Privacy**

The Board supports a license buyer's right to privacy. The data collected on the application to purchase a hunting, fishing or trapping license is verified by the information on a person's driver's license. When the State began using the computer license system (DECALS), the tracking of individual license buyer information became very easy. Prior to 2002 the only computer list available consisted of the applicants for deer management permits. This list was made available by the state to private and public groups. When DECALS came into use, the Department decided that it would treat license buyer lists as confidential and they would not be for sale. Both the Senate and the Assembly asked for the deer management permit list in 2004, and when the DEC did not release the list, the Assembly filed a Freedom of Information Request for the list. When the DEC rejected the FOIL request, the Assembly went to Court with an Article 78 proceeding to have the Court order the DEC to release the list. Both sides submitted written briefs to the Court.

The Board affirmed its support of the submission of an affidavit, executed by Mr. Robert Monacchio on or about September 7, 2005, and submitted to the New York State Supreme Court in Albany County in opposition to the Petition, and the Board also authorized and directed the Secretary to provide a certified copy of this Resolution to said Court in opposition to the Petition. The Judge ruled in favor of the DEC and denied the request for the list.

Mr. Long asked what the final costs were for the defense of the Department in the Article 78 proceeding. Director Barnhart stated that the law firm of Hoguet, Newman & Riegle of New York City, represented the Department. The Department had paid \$30,000 so far and expected to be billed an additional \$20,000. None of the money used to pay the firm came from the Conservation Fund.

## **Other Matters**

### *Meetings with Legislators*

Board members met with various legislators in January, February and March. Topics of discussion included: a lower minimum age for big game hunting, use of crossbow, removing fringe benefit costs from the Conservation Fund, and reimbursement to the Fund for costs incurred from the CWD response, the Hadlock dam breach, and the Black River manure spill.

### *DECALS*

John Opezio gave a full report on the changes in the DECALS contract which can be found in the May 2005 minutes on the DEC website at <http://www.dec.state.ny.us/website/dfwmr/cfab/cfabmin0505.pdf>

### *Fishing and Hunting Regulations*

The Board discussed all the proposed regulation changes that the Department had proposed during the year.

### *Open Space Conservation Plan*

It was noted that every region would be having at least two Open Space meetings by the end of November. The CFAB Board members were urged to attend the meetings in their respective regions. Mr. Woodfield stated that he had reviewed the plan and was somewhat disappointed that there was little

reference to hunting, fishing or trapping. He added that there were about twenty people attending the public hearing in Region 7. Mr. Storti stated that he and Mr. John attended the afternoon hearing in Region 4. The Region 4 committee was the only one in the state that included hunting, fishing and trapping as part of the selection criteria for candidate parcels. Mr. Bevilacqua reminded the Board that acquisition of property is only one step in the process. Once land is acquired, a management plan must be developed and this is the time for hunting, fishing and trapping considerations.

#### Habitat/Access Stamp Program

Chairman Monacchio stated that beginning with the second quarter fiscal report there would be an entry for the Habitat Account including Habitat Stamp sales, income from marinas, and income from the sale of Habitat license plates. He noted that Habitat Stamp sales are up by almost 1000 over last year and life to date sales of the Habitat/Access plate, which was first made available on April 30, 2005, was \$4,175 through December 31, 2005.

#### Proposed Revenue Sources

Chairman Monacchio reminded members of the Board that the Conservation Fund faces a potential shortfall in the not too distant future and that part of the Board's duty is to suggest ways to keep the Fund solvent. There was a brainstorming session to list ideas to bolster the Conservation Fund. Some of the items would have an immediate impact on revenue generation while others are aimed at increasing the sportsman base, which would eventually bring revenue to the Fund. Certain items would require Departmental policy change while others would need changes in regulations or new legislation. Following are some of the ideas that were discussed.

Mr. Bevilacqua stated that an overlooked source of revenue is the taxes involved in the boating industry on Long Island and, for that matter, all over the state. There are registration fees, sales tax on gasoline, dock fees, sales tax on the purchase of boats, etc. He asked Director Barnhart how much money goes into the Marine Account from the General Fund. The Director stated that the General Fund provides about half of the funding for the Marine Program. Mr. Bevilacqua also pointed out that boaters pay a road tax on fuel purchased for boating. He asked where the money from this sales tax goes. Director Barnhart explained that this money goes into the Highway Trust Fund. He added that 34 of the fifty states direct marine fuel taxes into waterway access funding. In New York State that would amount to \$5-6 million and would not only pay for, but also enhance, the state's waterway access program.

Chairman Monacchio spoke about the need for a surcharge on environmental tickets. He added that restructuring of fines is another subject that needs to be examined. In many cases, the fines involved in violations are cheaper than the cost of the license itself, so many people will gamble on not getting caught.

Mr. Storti stated that discussions with many of the sportsmen and women in his region are very negative about additional fees, stamps or licenses. They wonder why other outdoor enthusiasts are not contributing to support DEC programs that are not specifically related to hunting, trapping or fishing. Director Barnhart pointed out that Missouri currently devotes 1/8th of 1 percent of all sales tax monies to conservation, generating approximately \$200 million. This revenue supports fish and wildlife, lands and forests, and open space management. Arkansas has a similar program in place and Minnesota is working on a program. Chairman Monacchio stated that a surcharge on outdoor equipment is an area the Board should really be examining closely. This would provide a constant source of revenue that would adjust

automatically to inflation. It would also spread the cost among all users of outdoor recreational resources, rather than concentrating on individuals that purchase hunting, fishing or trapping licenses. For this type of program to be adopted in New York, it would require a concerted effort by many organizations including those that are not normally considered environmental organizations.

Chairman Monacchio asked if out of state sportsman's shows should remain on the list. Mr. Storti stated that while the idea of out of state sportsman's shows may look like a good way to raise revenues, marketing within the state is sorely needed. Director Barnhart stated that promoting outdoor opportunities may be a sound idea but out of state sportsman's shows may be the wrong approach. Mr. Bevilacqua stated that the Department should be working with the I Love NY advertising campaign to promote outdoor opportunities. Mr. John suggested working with existing tourism programs rather than trying to create a new campaign. Mr. Hancock stated that money might be better spent on staff preparing materials for distribution by tourism programs than to man booths at out of state shows. Mr. Bevilacqua talked about the Lake Ontario fishery. He pointed out that when that resource first became "hot", people were traveling there from all over the country. There was not a great deal of promotion but rather word of mouth that brought people to the area. He strongly believes that providing opportunities is much more important than promoting them. He suggested that the Board survey all county clerks to determine what they feel are the best recreational opportunities in their respective counties. Mr. John suggested using the Internet. When DECALS has the ability to sell licenses to all applicants through the Internet, promotional materials can be included in the design.

Director Barnhart explained that the Magnuson-Stevens Fishery Conservation and Management Act, which sets rules for fishing in marine waters, was due for reauthorization. Studies by the Pugh Oceans Commission and the United States Commission on Ocean Policy found that one of the biggest obstacles to management of marine fisheries is a lack of good information on recreational harvest because anglers are not identifiable and therefore can not be surveyed with any degree of precision. Both commissions have recommended some type of registration or licensing for marine recreational anglers and these recommendations have been incorporated in the language to reauthorize the Act, which would impose a federal registration or license if a state does not already have or subsequently adopt a provision that would comply with the federal statute. Director Barnhart added that there is no official Department or Administration position at this time. Mr. Langdon stated that the Board should take a position on this subject. Chairman Monacchio felt the Board needed more information before making a decision.

Chairman Monacchio asked if anyone had comments on the proposed Hudson River fishing license. Director Barnhart pointed out that such a license would require legislation. Mr. John felt that the Department should pursue the issue.

Board members agreed that one solution to the Hudson River and saltwater fishing issues would be a statewide fishing license, which would require all anglers in New York State to purchase a fishing license.

Fringe benefit and indirect costs to the Conservation Fund are in the \$10-12 million range and rising. The Board would like to see these costs moved permanently to the General Fund, freeing up funds for fish and wildlife programs.

## 7. Resolutions of the Board

### April 11, 2005

Mr. Woodfield received an invitation to attend a kickoff reception for the Montezuma Audubon Center at the Sherwood Inn in Skaneateles on Friday April 22, 2005. A motion was duly made by Mr. Matusewicz and seconded by Mr. Hancock to send Mr. Woodfield to the reception for the Montezuma Audubon Center as a representative of the Board. The motion was unanimously approved.

A motion was duly made by Mr. John and seconded by Mr. Bevilacqua to amend the earlier motion to allow Mr. Woodfield to attend the reception, and to clarify that no funds from the Conservation Fund are to be used to reimburse Mr. Woodfield for any expenses incurred in connection with his travel or attendance at the reception. The motion was unanimously approved.

A motion was duly made by Mr. Tryon and seconded by Mr. Langdon to approve the February minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. Matusewicz and seconded by Mr. Bevilacqua to approve the March minutes as submitted. The motion was unanimously approved.

Mr. John recommended that the Board subscribe to the legislative reports that are issued by the NYSCC. A motion was duly made by Mr. Matusewicz and seconded by Mr. Storti to authorize the NYSCC to bill the DEC for a subscription to the Legislative Reports for each member of the Board. The motion was unanimously approved.

Chairman Monacchio reiterated the importance of the upcoming meeting with the Senate and Assembly. Mr. John felt it was an opportunity for the Board to represent all regions of the state, showing a unified presence. He believes that 90% of the members of the legislature don't know

about the Board or what it does, and that all members should be present. A motion was duly made by Mr. Bevilacqua and seconded by Mr. Long that all Board members try to be present at the legislative meeting on May 17th as a show of statewide unification. The motion was unanimously approved.

A motion was duly made by Mr. John and seconded by Mr. Bevilacqua that the Board agrees with the response by Commissioner Sheehan and the Department to control the current outbreak of CWD. The motion was unanimously approved.

A motion was duly made by Ms. Sicley and seconded by Mr. Langdon that a letter be sent to the Governor recommending the immediate quarantine of all facilities that contain captive whitetail deer or any other animals susceptible to CWD. The motion was unanimously approved.

A motion was made by Mr. John and seconded by Mr. Woodfield that due to the facts that 1) In the last three years no wild deer have been tested in the Town of Westmoreland and now 420 or more wild deer must be tested in this area and 2) the DEC will incur extraordinary costs for the investigation of CWD as it relates to captive and wild deer and other susceptible animals within the State of New York, the Conservation Fund Advisory Board (CFAB) is requesting that Commissioner Sheehan assist in providing a list of facilities that harbor captive animals, a map showing the location of these facilities, any associated records, and a list of which facilities have been tested and corresponding test results since the announcement of the CWD moratorium by the Department of Agriculture and Markets. This request is within the Board's authority because of its potential impact on the wild deer and the Sportsmen and Sportswomen of New York State. The motion was unanimously approved.

A motion was duly made by Mr. Bevilacqua and seconded by Ms. Sicley to request from the Department a copy of any analysis and projections of sales of all stamps, licenses, and permits issued

by the Division of Fish, Wildlife and Marine Resources that relate to hunting, fishing and trapping for the fiscal year beginning April 1, 2005 and for any succeeding fiscal years, such copy to be provided to the Board as soon as possible and in any event by the meeting of the Board to be held in May 2005. The motion was unanimously approved.

A motion was duly made by Mr. Matuszewicz and seconded by Mr. Hancock to request that the Department provide a list and description of any and all agreements with parties outside the DEC for analyses, studies or reports that are pending, or contemplated to be delivered to the DEC with respect to, or that may affect participants engaged in hunting, fishing, and trapping, and the cost of which is to be paid directly or indirectly with monies from any account in the Conservation Fund, such list and description to be provided to the Board as soon as possible and in any event by the meeting of the Board to be held in May 2005. The motion was unanimously approved.

A motion was duly made by Mr. Langdon and seconded by Mr. John to accept the report of the Nominating Committee and nominate the slate of candidates recommended by the Committee to hold the officers' positions set forth beside their respective names. The motion was unanimously approved.

A motion was duly made by Mr. Langdon and seconded by Mr. Woodfield to vote on the slate of candidates and that the Chairman of the Nominating Committee be instructed to cast one vote to elect the slate of candidates to hold the positions set forth beside their respective names for the fiscal year that began April 1, 2005 through March 31, 2006 and until their successors have been elected and shall have qualified. The motion was unanimously approved.

#### **May 2, 2005**

A motion was duly made by Mr. Langdon and seconded by Mr. Woodfield to approve the April minutes subject to the minor changes suggested

by the Chief Counsel. The motion was unanimously approved.

A motion was duly made by Ms. Sicley and seconded by Mr. Langdon that a letter be written to the Assembly in regard to Assembly bill 5808A indicating the Board's position that any language recommending the issuance of free licenses for hunting, fishing, or trapping should be omitted from this legislation. The motion was unanimously approved.

A motion was duly made by Mr. Matuszewicz and seconded by Mr. Tryon that the meeting scheduled for June 6, 2005 be moved to June 13, 2005. The meeting will be held at the Rome Fish Hatchery in Rome, NY. The motion was unanimously approved.

#### **June 13, 2005**

A motion was duly made by Ms. Sicley and seconded by Mr. Woodfield to accept the May minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. Bevilacqua and seconded by Mr. Langdon that a letter be sent to the Governor stating the Board's opposition to the fishing promotion program bill which offers free fishing licenses to individuals who take youngsters under the age of 16 fishing. Board members are concerned that the issuance of free licenses will have a negative impact on the Conservation Fund. The motion was unanimously approved.

A motion was duly made by Mr. Hancock and seconded by Mr. Tryon to oppose bills S1964 and A6428, which would create a special task force for deer management. The task force was suggested by the Farm Bureau and includes farmers, landowners, and insurance representatives, but excludes sportsmen. It is aimed at severely reducing the number of deer statewide. Chairman Monacchio stated that another group is unnecessary because the Department is currently responsible for managing the deer herd. Mr. John added that the Legislature gives the authority of managing the herd to the Department. Director Barnhart stated that the Department convenes citizen task forces in each of the wildlife management units on a regular basis to

help the Department set deer population objectives and that those task forces include all of the stakeholder groups that are referenced in these bills. The motion was unanimously approved.

A motion was duly made by Mr. Hancock and seconded by Mr. Bevilacqua to send letters to the Legislature and the Governor stating the Board's opposition to bills S1964 and A6428. The motion was unanimously approved.

### **July 31, 2005**

Due to the fact that a number of Board members were not present and that most had not had adequate time to review the June minutes, a motion was duly made by Mr. Hancock and seconded by Mr. Bevilacqua to table the June minutes until the September meeting. The motion was unanimously approved.

### **September 12, 2005**

A motion was duly made by Mr. Storti and seconded by Mr. Langdon to accept the June minutes subject to correction of spelling and grammatical errors by Counsel. The motion was unanimously approved.

A motion was duly made by Mr. Storti and seconded by Mr. Bevilacqua to accept the July minutes subject to correction of spelling and grammatical errors by Counsel. The motion was unanimously approved.

A motion duly made by Mr. Storti and seconded by Mr. Long the Board by unanimous vote adopted the following resolution:

**WHEREAS**, the Chairman of the Board was advised on or about August 5, 2005 that a petition was filed, pursuant to Article 78 of the Civil Practice Law and Rules of New York (the "Petition"), on May 11, 2005 against the Department of Environmental Conservation (the "Department") in connection with its decision to refuse to release certain records to the petitioner, a taxpayer and an employee of the New York State Assembly, subsequent to her request

originally made pursuant to the Freedom of Information Law (Public Officers' Law § 85 et seq.) ("FOIL"); and

**WHEREAS**, the records sought in the FOIL request was for the latest copy of the Department's computer file, containing information with respect to the Department's Deer Management Permit applications; and

**WHEREAS**, such information is set forth in a computerized database that contains, among other things, personally identifiable information about hunters, anglers and trappers who are licensed to hunt in New York State, including their individual names, home addresses and home telephone numbers; and

**WHEREAS**, the Board has historically been advised, and understood, that personally identifiable information about hunters, anglers and trappers licensed to hunt in New York State would not be disclosed by the Department to any person outside the Department, unless required by law or pursuant to a final court order; and

**WHEREAS**, the Board believes that the disclosure of such personally identifiable information would have a materially adverse effect on the revenues to, and financial condition of, the Conservation Fund and, therefore, would result in less money available for the Department's programs for the care, management and protection of New York's fish and wildlife;

Now, therefore, be it and it hereby is

**RESOLVED**, that the Board is strongly opposed to the release of information set forth in any database, however maintained by the Department, to any person outside the Department (other than information provided by the applicant or licensee, to him or her, or to his or her respective agent or legal representative who is specifically authorized to receive such information), that contains personally identifiable information with respect to any sportsman or sportswoman, now or previously licensed by the Department, unless required by law or pursuant to a final court order; and

**FURTHER RESOLVED**, that the Board affirms its support of the submission of an affidavit, executed by Mr. Robert Monacchio on or about September 7, 2005, and submitted to the New York State Supreme Court in Albany County in opposition to the Petition, and the Board also authorizes and directs the Secretary to provide a certified copy of this Resolution to said Court in opposition to the Petition.

**October 3, 2005**

A motion was duly made by Mr. Bevilacqua and seconded by Mr. Langdon to postpone consideration of the September minutes until the next meeting. The motion was unanimously approved.

**November 7, 2005**

A motion was duly made by Mr. Tryon and seconded by Mr. Langdon to accept the September minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. Woodfield and seconded by Mr. Langdon to accept the October minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. Bevilacqua and seconded by Ms. Sicley to accept the Annual Report subject to corrections of spelling and grammar by the recording secretary. The motion was unanimously approved.

**December 5, 2005**

A motion was duly made by Mr. Woodfield and seconded by Mr. Bevilacqua to accept the November minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. John and seconded by Mr. Woodfield to send a letter to Commissioner Sheehan supporting land acquisition for development of new Wildlife Management Areas or State Forest Land, expansion of existing areas, and purchase of in-holdings within existing areas and reemphasizing the stated goal in the Open Space Plan “to

protect habitat to sustain the traditional pastimes of hunting, fishing, and trapping and viewing of fish and wildlife”. The motion was unanimously approved.

A motion was duly made by Mr. Langdon and seconded by Mr. Tryon to accept the 2004-2005 Annual Report subject to any corrections of spelling or grammar submitted by Mr. Hancock or Ms. Sicley. The motion was unanimously approved.

**January 9, 2006**

A motion was duly made by Mr. Woodfield and seconded by Ms. Sicley to accept the December minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. Long and seconded by Mr. Langdon that Mr. Bevilacqua and Bill Magurski, accompanied by a uniformed Conservation Officer, deliver the plaque to Mrs. Matusewicz. The motion was unanimously approved.

**February 6, 2006**

A motion was duly made by Mr. Langdon and seconded by Mr. Hancock to accept the January minutes as submitted. The motion was unanimously approved.

A motion was duly made by Mr. Hancock and seconded by Mr. John requesting the Department to draft legislation that would require a license for fishing any waters of the Hudson River or its tributaries north of the Tappan Zee Bridge. Ayes 8, Nays 1, the motion was approved.

A motion was duly made by Mr. John and seconded by Mr. Woodfield that the meeting be adjourned in memory of William D. Moxon Sr. of Nassau. “Billy”, past President of the Rensselaer County Conservation Alliance, passed away last week. The motion was unanimously approved.

**March 12, 2006**

A motion was duly made by Mr. Woodfield and seconded by Mr. Tryon to accept the February minutes as submitted. The motion was unanimously approved.

approved.

A motion was duly made by Mr. Bevilacqua and seconded by Mr. Langdon to support the

inclusion of hunting activities in the Unit Management Plan for Stony Kill Environmental Center. The motion was unanimously approved.

The complete minutes of any of the meetings are available upon request from CFAB and may be viewed at:

<http://www.dec.state.ny.us/website/dfwmr/cfab/>

## 8. License Fee Recommendation

In 2002 a comprehensive resident and non-resident license fee increase was enacted into law as part of a budget bill. These fees took effect for the license year beginning October 1, 2002. The fees have not changed in 2004/2005. The Board's initial estimate that the new fees would raise \$38 to \$40 million dollars for the Conservation Fund has now been reduced to just over \$37 million dollars due to a reduction in gross sales. In addition to reduced license sales revenue, the Division of Fish, Wildlife and Marine Resources has suffered significant cuts in General Fund appropriations in each fiscal year. Because annual costs continue to increase, the revenue trend indicates a shortfall of nearly \$10 million dollars will occur by the 2006-2007 fiscal year. Please refer to the following projected revenue/cost charts for additional information.

The Board does not recommend a license fee increase at this time. The Board has examined possible revenue additions to negate the coming projected shortfall. The preferred way to resolve this deficit would be a restoration of General Funds to pay for staff fringe benefits. Health and retirement charges will soon equal 50% of personnel costs. This budget change would reduce the burden on license fees by \$10 million dollars. The only other sources that could raise this amount involve creating new taxes.

<b>SPORTING LICENSE FEE SCHEDULE</b>			
<u>License Type</u>	<u>Fee</u>	<u>License Type</u>	<u>Fee</u>
<b>New York Resident</b>		<b>Resident Lifetime Licenses</b>	
Senior Sportsman.....	\$5	Sportsman <sup>4</sup>	
Seven-day Fishing .....	\$12	child under 5 yrs old.....	\$300
Fishing .....	\$19	child 5-11 yrs old.....	\$420
Small & Big Game.....	\$19	12-64 yrs old.....	\$600
Small Game .....	\$16	65 yrs and older .....	\$50
Trapping.....	\$16	Small and Big Game.....	\$350
Jr. Trapping.....	\$6	Fishing .....	\$350
Sportsman .....	\$37	Trapping.....	\$300
Bowhunting .....	\$16	Bowhunting .....	\$180
Muzzleloading .....	\$16	Muzzleloading .....	\$180
Super Sportsman <sup>1</sup> .....	\$68		
Turkey Permit.....	\$5	<b>Resident &amp; Nonresident</b>	
Conservation Legacy <sup>2</sup> .....	\$76	Jr. Small Game.....	\$5
		Jr. Archery .....	\$9
<b>Nonresident</b>		One-day Fishing .....	\$15
Fishing .....	\$40	Conservation Patron <sup>3</sup> .....	\$12
Hunting .....	\$55	Habitat & Access Stamp .....	\$5
Big Game.....	\$110		
Seven-day Fishing .....	\$25	<b>Notes:</b>	
Muzzleloading .....	\$110	<sup>1</sup> Allows the bearer to hunt small game and big game, bow	
Bowhunting .....	\$110	hunt, muzzle-loader hunt, hunt turkeys and fish.	
Bear Tag .....	\$30	<sup>2</sup> Includes Super Sportsman license, Habitat and Access	
Turkey Permit.....	\$30	Stamp and "The Conservationist".	
Super Sportsman.....	\$250	<sup>3</sup> Includes "The Conservationist" and a Habitat and Access	
Trapping.....	\$255	Stamp.	
		<sup>4</sup> Lifetime turkey permit included with Lifetime Sportsman	
		license.	

The Board will work with the Legislature and the Governor to explore the enactment of possible revenue enhancements before considering any increase in basic license fees. Historical evidence from prior budgets points to a General Fund increase by the Legislature as the favored method of reversing deficits in the Division of Fish, Wildlife and Marine Resources budget.

The 2002 license fee increase fee package kept the Conservation Fund solvent through FY 2005-06, and sustained critical conservation programs, increased opportunities for resident deer hunters and junior hunters, created new opportunities to manage habitat and increase public access, and made life simpler for license issuing agents. The Conservation Fund Advisory Board, New York State Conservation Council and many other conservation organizations strongly supported this package.

The following table shows New York’s sporting license fees are a great bargain compared to the Northeast and Great Lakes States. The table shows what a resident or non-resident must pay to engage in the particular fishing or hunting activities listed.

LICENSE FEE COMPARISON WITH NEIGHBORING STATES												
LICENSE TYPE	NY	NJ	PA	CT	MA	VT	ME	WI	MI	MN	AVG	NY DIFF.
<b><u>RESIDENT</u></b>												
<b>FISHING</b>												
Season Fishing	\$19.00	\$22.50	\$22.00	\$20.00	\$28.50	\$20.00	\$22.00	\$20.00	\$15.00	\$18.00	\$20.70	(\$1.70)
Trout & Salmon	\$0.00	\$10.50	\$9.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00	\$13.00	\$10.00	\$5.25	(\$5.25)
Great Lakes	\$0.00	NA	\$9.00	NA	NA	NA	NA	\$10.00	\$0.00	\$0.00	\$3.80	(\$3.80)
Combo Trout & GLs	NA	NA	\$15.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
Saltwater	\$0.00	\$0.00	NA	\$0.00	\$0.00	NA	\$0.00	NA	NA	NA	\$0.00	NA
Fishing, all species & waters	\$19.00	\$33.00	\$37.00	\$20.00	\$28.50	\$20.00	\$22.00	\$40.00	\$28.00	\$28.00	\$27.55	(\$8.55)
<b>HUNTING</b>												
Basic Deer	\$19.00	\$55.50	\$20.00	\$28.00	\$28.50	\$16.00	\$22.00	\$24.00	\$15.00	\$53.00	\$28.10	(\$9.10)
Archery Deer	\$35.00	\$59.50	\$36.00	\$30.00	\$34.60	\$33.00	\$22.00	\$24.00	\$15.00	\$27.00	\$31.61	\$3.39
Small Game	\$16.00	\$27.50	\$20.00	\$14.00	\$27.50	\$16.00	\$15.00	\$18.00	\$15.00	\$20.00	\$18.90	(\$2.90)
Turkey	\$21.00	\$48.50	\$20.00	\$42.00	\$27.50	\$33.00	\$28.00	\$48.00	\$45.00	\$61.00	\$37.40	(\$16.40)
Waterfowl	\$31.00	\$47.50	\$38.00	\$39.00	\$48.50	\$38.00	\$38.50	\$40.00	\$35.00	\$42.50	\$39.80	(\$8.80)
Pheasant	\$16.00	\$67.50	\$20.00	\$28.00	\$27.50	\$16.00	\$34.00	\$28.00	\$15.00	\$27.50	\$27.95	(\$11.95)
<b><u>NON-RESIDENT</u></b>												
<b>FISHING</b>												
Season Fishing	\$40.00	\$34.00	\$52.00	\$40.00	\$38.50	\$41.00	\$53.00	\$50.00	\$34.00	\$35.00	\$41.75	(\$1.75)
Trout & Salmon	\$0.00	\$20.00	\$9.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00	\$8.00	\$10.00	\$5.70	(\$5.70)
Great Lakes	\$0.00	NA	\$9.00	NA	NA	NA	NA	\$10.00	\$0.00	\$0.00	\$3.80	(\$3.80)
Combo Trout & GLs	NA	NA	\$15.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
Saltwater	\$0.00	\$0.00	NA	\$0.00	\$0.00	NA	\$0.00	NA	NA	NA	NA	NA
Fishing, all species & waters	\$40.00	\$54.00	\$67.00	\$40.00	\$38.50	\$41.00	\$53.00	\$70.00	\$42.00	\$45.00	\$49.05	(\$9.05)

LICENSE FEE COMPARISON WITH NEIGHBORING STATES												
LICENSE TYPE	NY	NJ	PA	CT	MA	VT	ME	WI	MI	MN	AVG	NY DIFF.
<b>HUNTING</b>												
Basic Deer	\$110.0 0	\$163.5 0	\$101.0 0	\$117.0 0	\$100.5 0	\$90.00	\$88.00	\$160.0 0	\$138.0 0	\$136.0 0	\$120.4 0	(\$10.40)
Archery Deer	\$110.0 0	\$163.5 0	\$127.0 0	\$100.0 0	\$106.6 0	\$115.0 0	\$58.00	\$160.0 0	\$138.0 0	\$136.0 0	\$121.4 1	(\$11.41)
Small Game	\$55.00	\$135.5 0	\$101.0 0	\$67.00	\$66.50	\$40.00	\$58.00	\$85.00	\$69.00	\$80.50	\$75.75	(\$20.75)
Turkey	\$85.00	\$156.5 0	\$101.0 0	\$95.00	\$66.50	\$65.00	\$101.0 0	\$125.2 5	\$138.0 0	\$146.0 0	\$107.9 3	(\$22.93)
Waterfowl	\$70.00	\$160.5 0	\$122.0 0	\$92.00	\$87.50	\$60.00	\$81.50	\$107.0 0	\$89.00	\$102.5 0	\$97.20	(\$27.20)
Pheasant	\$55.00	\$175.5 0	\$101.0 0	\$81.00	\$66.50	\$40.00	\$77.00	\$95.00	\$69.00	\$88.00	\$84.80	(\$29.80)

## 9. Projected Health of Conservation Fund

The table below reflects the projected status of the Conservation Fund.

Fiscal Year	Actual Cash Balance 4/1	Projected Carry In	Uncommitted Balance	Projected Receipts	Total Available	Projected Disbursements	Cash Balance 3/31	Projected Carry out	Uncommitted Balance
2003-04	\$4.47	\$4.00	\$0.47	\$39.54	\$40.01	\$36.97	\$3.04	\$2.99	\$0.05
2004-05 <sup>1</sup>	\$3.04	\$2.99	\$0.05	\$40.52	\$40.57	\$37.55	\$3.02	\$4.15	\$-1.13
2005-06 <sup>2</sup>	\$3.02	\$4.15	\$-1.13	\$38.28	\$37.15	\$25.85	\$11.30	\$11.62	\$-0.32
2006-07 <sup>3</sup>	\$11.30	\$11.62	\$-0.32	\$38.20	\$37.88	\$43.34	\$-5.46	\$4.41	\$-9.87

<sup>1</sup> Actual FY 04-05 Receipts and Expenditures

<sup>2</sup> Actual FY 05-06 Receipts and Expenditures

<sup>3</sup> Projected 2006-07 Carry-In

## 10. Conclusions and Recommendations

The Board has reviewed the estimates of projected income and expenditures from the Conservation Fund that were provided by the Department and shown in the table above.

We conclude that, to the best of our knowledge, expenditures from the Conservation Fund are consistent with Section 83 of the State Finance Law. The license fee increase enacted in 2002 will keep the fund solvent to April 1, 2007. This is due to severe reductions in General Fund appropriation, reduced license sales and higher than anticipated non-personnel service costs. The Board is working with the Department to identify new funds so that the present level of programs can be maintained. Thus the Board has fulfilled its charge to review allocations and expenditures of the Department and to advise the Department with respect to the needs of various fish and wildlife programs.

**REVENUE TO THE TRADITIONAL ACCOUNT OF THE CONSERVATION FUND**

The Table below depicts the revenue for fiscal years 2004-2005 and 2005-2006 to the Traditional Account to the Conservation Fund. The figures reported here were compiled from the monthly comparative statements issued by the Department and may differ slightly from the official figures maintained by the Office of the State Comptroller due to delays in reporting deposits and audit adjustments. The comparative statements do provide useful information for monitoring trends in sales of specific license types.

<b>NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION                      CONSERVATION FUND - TRADITIONAL ACCOUNT                      COMPARATIVE STATEMENT</b>						
	<b>4/01/04 - 3/31/05</b>		<b>4/01/05 - 3/31/06</b>			
<b>TYPE OF REVENUE</b>	<b>SALES</b>	<b>RECEIPTS</b>	<b>SALES</b>	<b>RECEIPTS</b>	<b>Change in Sales</b>	<b>Change in Receipts</b>
<b>Hunting, Fishing and Trapping Licenses</b>						
Res. Fishing	333,270	\$6,195,527.00	345,371	\$6,406,301.00	12,101	\$210,774.00
Res. Fishing Senior/Disabled	36,120	\$180,590.00	37,542	\$187,710.00	1,422	\$7,120.00
Res. Small & Big Game	99,095	\$1,804,544.00	99,939	\$1,814,370.00	844	\$9,826.00
Res. Junior Small Game	20,079	\$100,310.00	19,506	\$97,410.00	-573	(\$2,900.00)
Res. Trapping	8,708	\$133,040.00	8,683	\$130,752.00	-25	(\$2,288.00)
Res. Trapping Senior/Disabled	1,348	\$0.00	1,381	\$0.00	33	\$0.00
Res. Junior Trapping	521	\$3,108.00	577	\$3,414.00	56	\$306.00
Res. Junior Archery	4,378	\$39,348.00	4,261	\$38,295.00	-117	(\$1,053.00)
Res. Sportsmen	231,773	\$8,552,503.00	208,777	\$7,701,254.00	-22,996	(\$851,249.00)
Res. Super Sportsmen	119,040	\$8,080,832.70	120,755	\$8,196,293.45	1,715	\$115,460.75
Res. Sportsman Senior/Disabled	79,844	\$399,315.00	80,361	\$401,865.00	517	\$2,550.00
Res. Hunting	6,084	\$97,376.00	6,128	\$98,048.00	44	\$672.00
Bowhunting	63,963	\$1,015,360.00	56,595	\$896,304.00	-7,368	(\$119,056.00)
Bowhunting Senior/Disabled	7,900	\$0.00	8,561	\$0.00	661	\$0.00
Muzzleloading	63,686	\$1,009,201.00	65,249	\$1,033,520.00	1,563	\$24,319.00
Muzzleloading Senior/Disabled	14,769	\$0.00	16,749	\$0.00	1,980	\$0.00
Resident Turkey	152,110	\$760,730.00	140,473	\$702,415.00	-11,637	(\$58,315.00)
Res. Fishing 7-Day	17,218	\$206,616.00	15,751	\$189,012.00	-1,467	\$40,651,984.02
<b>Subtotal Resident</b>	<b>1,259,906</b>	<b>\$28,578,400.70</b>	<b>1,236,659</b>	<b>\$27,896,963.45</b>	<b>-23,247</b>	<b>(\$681,437.25)</b>

**NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CONSERVATION FUND - TRADITIONAL ACCOUNT  
COMPARATIVE STATEMENT**

4/01/04 - 3/31/05

4/01/05 - 3/31/06

TYPE OF REVENUE	SALES	RECEIPTS	SALES	RECEIPTS	Change in Sales	Change in Receipts
Non-Res. Fishing	57,308	\$2,292,320.00	55,407	\$2,216,160.00	-1,901	(\$76,160.00)
Non-Res. 1-Day Fishing	24,047	\$360,705.00	23,814	\$357,210.00	-233	(\$3,495.00)
Non-Res. Hunting	8,686	\$477,730.00	8,436	\$464,090.00	-250	(\$13,640.00)
Non-Res. Jr. Small Game	498	\$2,490.00	523	\$2,615.00	25	\$125.00
Non-Res. Big Game	28,919	\$3,181,310.00	25,868	\$2,845,480.00	-3,051	(\$335,830.00)
Non-Res. Trapping	31	\$7,905.00	35	\$8,925.00	4	\$1,020.00
Non-Res. Super Sportsman	7,137	\$1,784,250.00	6,543	\$1,635,750.00	-594	(\$148,500.00)
Non-Res. Muzzleloading	1,334	\$146,740.00	1,354	\$148,940.00	20	\$2,200.00
Non-Res. Bowhunting	2,276	\$250,360.00	2,063	\$226,930.00	-213	(\$23,430.00)
Non-Res. Jr. Archery	89	\$801.00	73	\$657.00	-16	(\$144.00)
Non-Res. Bear Tag	1,896	\$56,880.00	2,121	\$63,630.00	225	\$6,750.00
Non-Res. Turkey	4,712	\$141,360.00	4,468	\$134,040.00	-244	(\$7,320.00)
Non-Res. Fishing 7-Day	69,540	\$1,738,500.00	67,522	\$1,688,050.00	-2,018	(\$50,450.00)
<b>Subtotal Non Resident</b>	<b>206,473</b>	<b>\$10,441,351.00</b>	<b>198,227</b>	<b>\$9,792,477.00</b>	<b>-8,246</b>	<b>(\$648,874.00)</b>
<b>Total Resident and Non Resident</b>	<b>1,466,379</b>	<b>\$39,019,751.70</b>	<b>1,434,886</b>	<b>\$37,689,440.45</b>	<b>-31,493</b>	<b>(\$1,330,311.25)</b>

One Day Fishing	635	\$9,525.00	630	\$9,450.00	-5	(\$75.00)
Attorney General Adjustments		\$39.00		\$0.00		(\$39.00)
Suspense Adjustments						\$0.00
License Refunds		(\$12,509.68)		(\$6,040.00)		\$6,469.68
Revenue Accounting Audit Adjustments						\$0.00
Transfer from Lifetime Account		\$1,374,397.00				\$1,374,397.00
<b>TOTAL</b>	<b>1,467,014</b>	<b>\$40,391,203.02</b>	<b>1,435,516</b>	<b>\$37,692,850.45</b>	<b>-31,498</b>	<b>(\$2,698,352.57)</b>

**NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CONSERVATION FUND TRADITIONAL ACCOUNT  
COMPARATIVE STATEMENT**

TYPE OF REVENUE	4/01/04 - 3/31/05 RECEIPTS	4/01/05 - 3/31/06 RECEIPTS	CHANGE
<b>Special Licenses &amp; Permits</b>			
Deer Management Permits	\$389,960.00	\$274,210.00	(\$115,750.00)
Res. Conservation Legacy	\$9,513.68	\$9,512.86	(\$0.82)
Res. Habitat License Sales	\$30,213.44	\$35,480.76	\$5,267.32
Res. Conservation Patron	\$116.16	\$83.82	(\$32.34)
Non-Res. Habitat Stamp	\$3,393.64	\$3,198.24	(\$195.40)
Non-Res. Conservation Patron	\$73.92	\$27.72	(\$46.20)
Lost License Certificates	\$158,630.00	\$164,165.00	\$5,535.00
Special Licenses	\$113,024.60	\$168,102.15	\$55,077.55
<b>TOTAL</b>	<b>\$704,925.44</b>	<b>\$654,780.55</b>	<b>(\$50,144.89)</b>

<b>Misc. Receipts &amp; Federal Reimbursement</b>			
Fees	\$3,889.00	\$1,750.00	(\$2,139.00)
Refund of Expenses	\$63,795.85	\$534.24	(\$63,261.61)
*Fines - Court Administration and Justice Court	\$376,236.33	\$490,134.70	\$113,898.37
Fines - Article 11	\$33,555.00	\$82,860.00	\$49,305.00
Fines - Article 13	\$24,000.00	\$35,991.73	\$11,991.73
Fines - Other	\$110,685.60	\$139,730.50	\$29,044.90
Assessments	\$0.00		\$0.00

<b>Rentals &amp; Royalties</b>			
Timber Royalties	\$451,852.47	\$533,567.65	\$81,715.18
Oil & Gas Lease Delay Rentals	\$7,095.03	\$7,201.11	\$106.08
Oil & Gas Lease Royalties	\$4,027.44	\$4,202.91	\$175.47
Oil & Gas Storage	\$109.00	\$125.19	\$16.19
Oil & Gas Bonus Bids	\$0.00	\$0.00	\$0.00
Acreage Rentals	\$9,519.50	\$8,884.90	(\$634.60)
Rentals & Leases Habitat	\$9,441.24	\$7,650.88	(\$1,790.36)
Miscellaneous Sales	\$27,127.02	\$50,903.14	\$23,776.12
Gifts & Donations	\$9.66	\$25.00	\$15.34
Sundry General	\$1.00	\$1.00	\$0.00
<b>TOTAL</b>	<b>\$1,121,344.14</b>	<b>\$1,363,562.95</b>	<b>\$242,218.81</b>

<b>Other Revenue &amp; Adjustments</b>			
Interest	\$87,362.17	\$210,538.65	\$123,176.48
Gifts to Wildlife	\$490,504.25	\$490,689.84	\$185.59
<b>TOTAL</b>	<b>\$577,866.42</b>	<b>\$701,228.49</b>	<b>\$123,362.07</b>

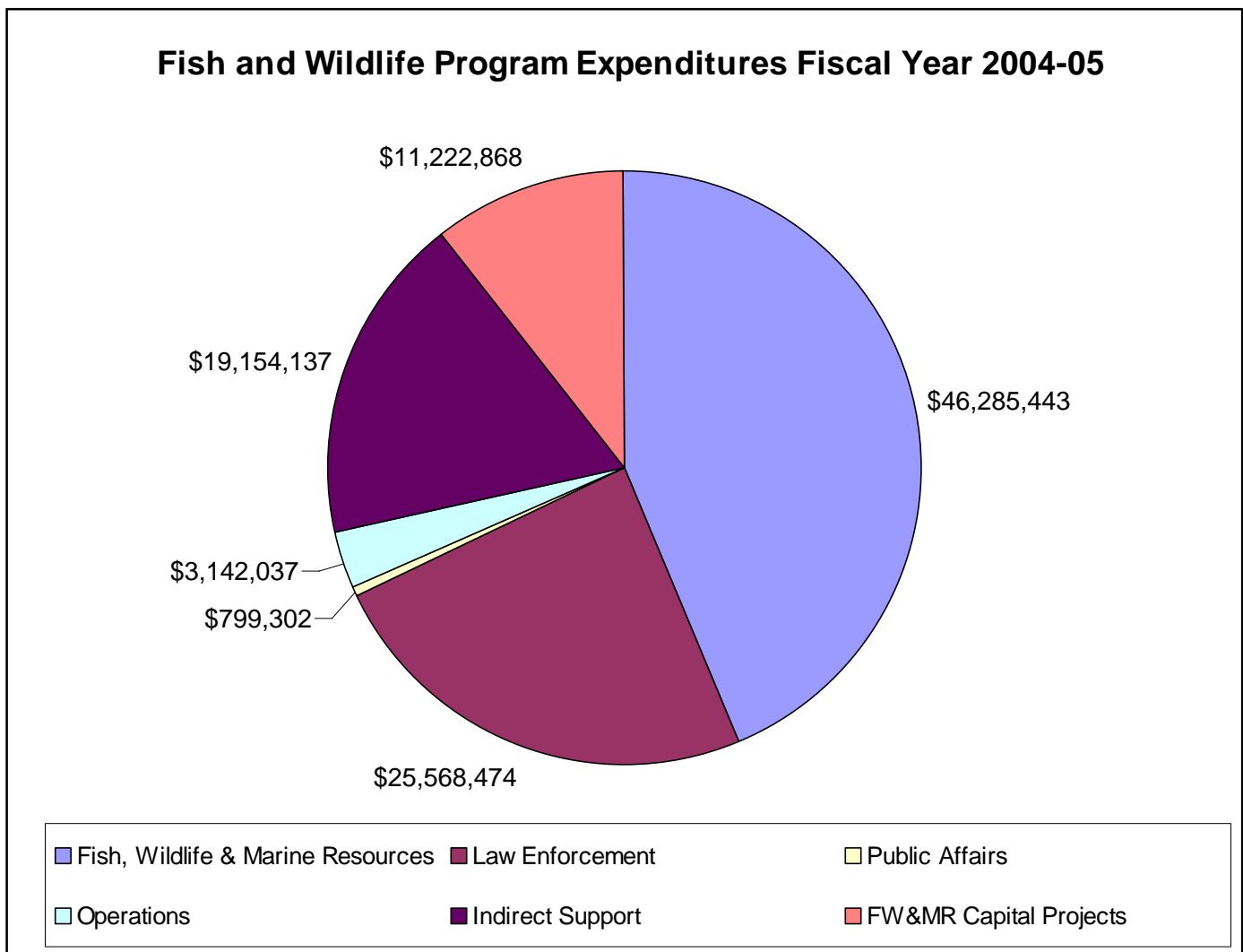
Unidentified Funds			
<b>TOTAL TRADITIONAL ACCOUNT</b>	<b>\$42,795,339.02</b>	<b>\$40,412,422.44</b>	<b>(\$2,382,916.58)</b>

\*Justice Court fines are received in May, August, November and February.

## 11. Fiscal Report

The total level of expenditures for 2004-05 programs was \$106,172,261. This level reflects an increase of \$18,529,307 from the amount reported in 2003-04. The changes are summarized in Tables 1 and 2 below.

Summary of Expenditures of Funds			
Table 1 - Level of expenditure by program for FY 2004-05 and FY 2003-04:			
Program	2004-05	2003-04	Change
Fish, Wildlife & Marine Resources	\$46,285,443	\$42,661,238	\$3,624,205
Law Enforcement	\$25,568,474	\$18,285,561	\$7,282,913
Public Affairs	\$799,302	\$753,709	\$45,593
Operations	\$3,142,037	\$2,688,779	\$453,258
Indirect Support	\$19,154,137	\$15,872,697	\$3,281,440
FW&MR Capital Projects	\$11,222,868	\$7,380,970	\$3,841,898
<b>Total</b>	<b>\$106,172,261</b>	<b>\$87,642,954</b>	<b>\$18,529,307</b>



**Summary of Sources of Funds**

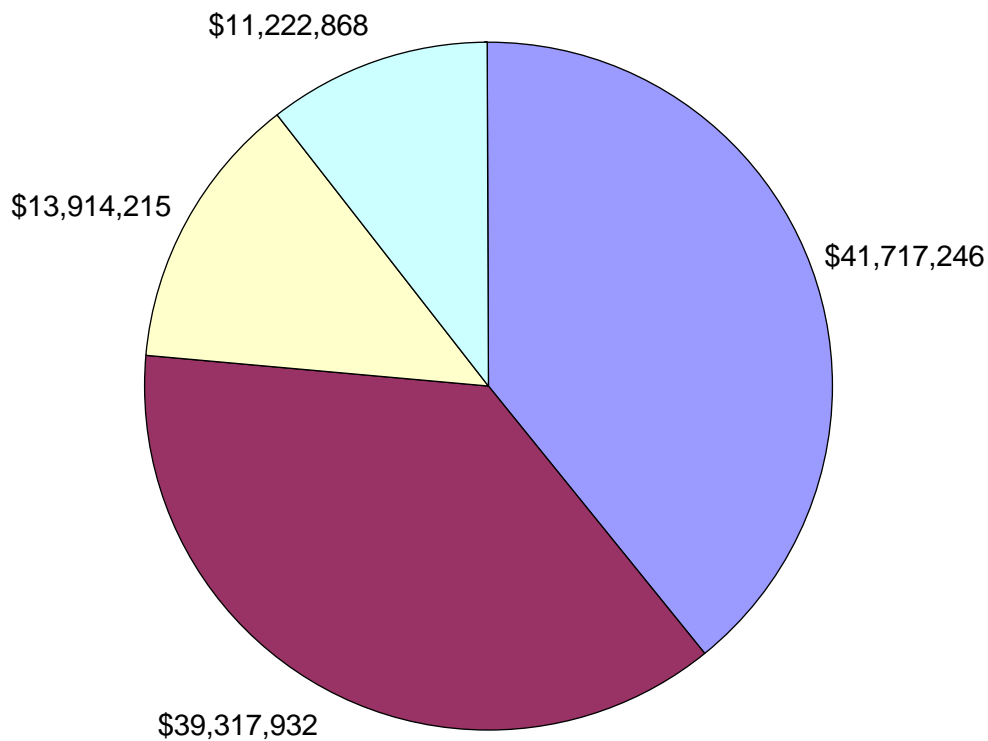
**Table 2 - Level of expenditure by funding source for FY 2004-05 and FY 2003-04:**

<b>Fund</b>	<b>2004-05</b>	<b>2003-04</b>	<b>Change</b>
Conservation Fund	\$41,717,246	\$43,058,721	<b>(\$1,341,475)</b>
Other Operating Funds <sup>1</sup>	\$39,317,932	\$24,718,984	\$14,598,948
Federal <sup>2</sup>	\$13,914,215	\$12,484,279	\$1,429,936
Capital Projects	\$11,222,868	\$7,380,970	\$3,841,898
<b>Total</b>	<b>\$106,172,261</b>	<b>\$87,642,954</b>	<b>\$18,529,307</b>

<sup>1</sup> Other Operating Funds include: the General Fund; Utility Regulatory Account; Site Investigation & Construction Account; Environmental Monitoring Account; Environmental Regulatory Account; and Onondaga Lake Account

<sup>2</sup> Federal includes: Federal Aid in Wildlife Restoration (Pittman-Robertson); Federal Aid in Sport Fish Restoration (Wallop-Breaux); State Wildlife Grants; Atlantic Coast Fisheries Conservation and Management Act Grants; and miscellaneous National Oceanographic Atmospheric Administration, and Environmental Protection Agency Grants

**Sources of Funds for Fish and Wildlife Fiscal Year 2004-05**



■ Conservation Fund     
 ■ Other Operating Funds     
 ■ Federal     
 ■ Capital Projects

**2004-05 FISH, WILDLIFE & MARINE LEVEL OF SUPPORT ANALYSIS  
EXPENDITURE OF FUNDS**

<b>Category</b>	<b>Personal Service</b>	<b>Fringe Benefits</b>	<b>Subtotal</b>	<b>Non-Personal Services</b>	<b>Total</b>
<b>DIRECT PROGRAM COST</b>					
Fish, Wildlife & Marine	\$17,816,067	\$7,480,967	\$25,297,034	\$9,611,338	\$34,908,372
Federal Aid (FW&M)	\$4,699,865	\$1,894,516	\$6,594,381	\$4,782,690	\$11,377,071
<b>Subtotal Direct Program</b>	<b>\$22,515,932</b>	<b>\$9,375,483</b>	<b>\$31,891,415</b>	<b>\$14,394,028</b>	<b>\$46,285,443</b>

<b>DIRECT SUPPORT COST</b>					
Law Enforcement	\$15,896,766	\$6,675,052	\$22,571,818	\$2,996,656	\$25,568,474
Public Affairs & Education	\$401,894	\$168,733	\$570,627	\$228,675	\$799,302
Operations					
Design & Construction	\$253,151	\$104,232	\$357,383	\$11,771	\$369,154
Field Operations	\$1,125,691	\$472,678	\$1,598,369	\$345,743	\$1,944,112
Transportation	\$583,683	\$245,088	\$828,771	\$0	\$828,771
<b>Subtotal Direct Support</b>	<b>\$18,261,185</b>	<b>\$7,665,783</b>	<b>\$25,926,968</b>	<b>\$3,582,845</b>	<b>\$29,509,813</b>
<b>Total Direct Cost</b>	<b>\$40,777,117</b>	<b>\$17,041,266</b>	<b>\$57,818,383</b>	<b>\$17,976,873</b>	<b>\$75,795,256</b>

**INDIRECT SUPPORT**

**Total Indirect Cost** **\$19,154,137**

**CAPITAL PROJECTS**

	<b>Personal Services</b>	<b>Fringe Benefits</b>	<b>Subtotal</b>	<b>Other Capital</b>	<b>Total</b>
Construction, Reconstruction, Improvements	\$46,879	\$19,684	\$66,563	\$1,121,528	\$1,188,091
Rehab. & Improvement	\$270,450	\$113,562	\$384,012	\$499,187	\$883,199
CW/CA Bond Act	0	0	0	\$1,544,678	\$1,544,678
Env. Protection Fund	0	0	0	\$7,083,880	\$7,083,880
Natural Resource Damages	\$73,522	\$30,872	\$104,394	\$46,101	\$150,495
Federal Projects	0	0	0	\$372,525	\$372,525
<b>Total Capital</b>	<b>\$390,851</b>	<b>\$164,118</b>	<b>\$554,969</b>	<b>\$10,667,899</b>	<b>\$11,222,868</b>
<b>GRAND TOTAL</b>	<b>\$41,167,968</b>	<b>\$17,205,384</b>	<b>\$58,373,352</b>	<b>\$28,644,772</b>	<b>\$106,172,261</b>

**2004-05 FISH, WILDLIFE & MARINE LEVEL OF SUPPORT ANALYSIS  
SOURCES OF FUNDS**

Category	Conservation Fund	Other Operating Funds <sup>1</sup>	Federal <sup>2</sup>	Capital	Total
<b>DIRECT PROGRAM COST</b>					
Fish, Wildlife & Marine	\$22,794,851	\$12,113,521			\$34,908,372
Federal Aid (F,W&M)			\$11,377,071		\$11,377,071
<b>Subtotal Direct Programs</b>	<b>\$22,794,851</b>	<b>\$12,113,521</b>	<b>\$11,377,071</b>		<b>\$46,285,443</b>
<b>DIRECT SUPPORT COSTS</b>					
Law Enforcement	\$10,456,752	\$14,942,143	\$169,579		\$25,568,474
Public Affairs & Education	\$137,677	\$653,917	\$7,708		\$799,302
Operations	\$2,300,573	\$668,926	\$172,538		\$3,142,037
<b>Subtotal Direct Support</b>	<b>\$12,895,002</b>	<b>\$16,264,986</b>	<b>\$349,825</b>	<b>\$0</b>	<b>\$29,509,813</b>
<b>Total Direct Cost</b>	<b>\$35,689,853</b>	<b>\$28,378,507</b>	<b>\$11,726,896</b>	<b>\$0</b>	<b>\$75,795,256</b>
<b>INDIRECT SUPPORT</b>					
<b>Total Indirect Cost</b>	<b>\$6,027,393</b>	<b>\$10,939,425</b>	<b>\$2,187,319</b>	<b>\$0</b>	<b>\$19,154,137</b>
<b>CAPITAL PROJECTS</b>					
Construction, Reconstruction, Improvements				\$1,188,091	\$1,188,091
Rehabilitation & Improvements				\$883,199	\$883,199
CW/CA Bond Act				\$1,544,678	\$1,544,678
Environmental Protection Fund				\$7,083,880	\$7,083,880
Natural Resource Damages				\$150,495	\$150,495
Federal Projects				\$372,525	\$372,525
<b>Subtotal Capital</b>				<b>\$11,222,868</b>	<b>\$11,222,868</b>
<b>TOTAL</b>	<b>\$41,717,246</b>	<b>\$39,317,932</b>	<b>\$13,914,215</b>	<b>\$11,222,868</b>	<b>\$106,172,261</b>

<sup>1</sup> Other Operating Funds include: the General Fund; Utility Regulatory Account; Site Investigation & Construction Account; Environmental Monitoring Account; Environmental Regulatory Account; and Onondaga Lake Account

<sup>2</sup> Federal includes: Federal Aid in Wildlife Restoration (Pittman-Robertson); Federal Aid in Sport Fish Restoration (Wallop-Breaux); State Wildlife Grants; Atlantic Coast Fisheries Conservation and Management Act Grants; and miscellaneous National Oceanographic Atmospheric Administration, and Environmental Protection Agency Grants

## Highlights of Program Expenditures

This report covers expenditures occurring between April 1, 2004 and March 31, 2005. This period includes expenditures from FY 2004-05 appropriations and FY 2003-04 appropriations for the carry-out period April-June 2004, as well as expenditures from various fiscal year Capital appropriations. Methodology is included in attachment A.

### FISH, WILDLIFE & MARINE

Total direct expenditures for the Division of Fish, Wildlife and Marine Resources were \$46,285,443 in 2004-05 compared to \$42,661,238 in 2003-04. Fish, Wildlife & Marine Resources expenditures funded by the Conservation Fund decreased from a FY 2003-04 total of \$24,540,656 to a FY 2004-05 total of \$22,794,851. Other Operating Funds, including the General Fund, contributed \$12,113,521 in support of the Division of Fish, Wildlife and Marine Resources compared to the FY 2003-04 total of \$8,210,502. Expenditures from Federal Aid, excluding indirect support and Capital, increased from \$9,910,079 to \$11,377,070. Primary sources of Federal Aid include Wildlife Restoration grants, Fisheries and Marine Restoration grants, Section 6 (Endangered Species Act) grants and other grants from such federal agencies as Environmental Protection, Commerce, and Interior.

### LAW ENFORCEMENT

The Division of Law Enforcement's direct support expenditures associated with Fish, Wildlife and Marine activities totaled \$25,568,474 after the Time & Activity of 64.35% of the total Law Enforcement hours worked was applied. Source of funds were as follows: Conservation Fund \$10,456,752, Other Operating Funds \$14,942,143 and Federal funding of \$169,579. A significant increase in Law Enforcement "Other Operating Funds" was due to General Fund personal service costs. Payroll expenditures of \$4,783,940 were disbursed in December 2004 for back overtime pay covering the period January 1995 to August 1998. This was a result of arbitration in the NYS/Fair Labor Standards Act (FLSA) case which ended in substantial overtime settlements for ECOs and Rangers. Correspondingly, the increase in fringe benefits occurred at the 2004-05 rate of 41.99%.

Services provided by the Division of Law Enforcement for the Fish, Wildlife and Marine Resources program include enforcing fish and wildlife laws, conducting special investigations regarding license issuing officers and hunting accidents, and hunter safety instruction.

### PUBLIC AFFAIRS & EDUCATION

The Division of Public Affairs and Education is a support division to all agency programs at DEC, including Fish, Wildlife and Marine Resources. Of the Division of Public Affairs and Education's total time and activity in support of all agency programs, the percentage devoted to Fish, Wildlife and Marine Activities was 24.36%, comparable to FY 03-04. Fiscal Year 2004-05 expenditures in support of Fish, Wildlife and Marine Resources totaled \$799,302. Source of funds were as follows: Conservation Fund \$137,677, Other Operating Funds \$653,917 and Federal funding of \$7,708.

Services provided by Public Affairs and Education toward Fish & Wildlife efforts include: producing agency publications; writing and design of reports; design and production of interpretive signs and displays; design and maintenance of the DEC public website; publishing the *Conservationist* magazine; providing information to the public through various outreach services including public participation meetings, fairs, outdoor shows, festivals, clinics, etc; providing photographic services; providing environmental education to the public on F&W issues; and stewardship of natural resources through our education centers and our

summer youth camps.

## OPERATIONS

Total expenditures by the Division of Operations in direct support of Fish, Wildlife and Marine activities for fiscal year 2004-05 totaled \$3,142,037, an increase of \$453,258. The Conservation Fund contributed \$2,300,573 of the total expenditures incurred by Operations in support of Fish, Wildlife and Marine activities during this time period. Other Operating Funds and Federal paid the balance of \$841,464.

Services provided by the Division of Operations for Fish, Wildlife and Marine include:

- ♦ Design and Construction which is responsible for the planning and coordination of the engineering and architectural design program as it relates to the development, rehabilitation, and maintenance of Department facilities such as dams, boat launch sites, fish hatcheries, and wildlife management areas.
- ♦ Field Operations which covers a range of services including the construction permitting, construction quality control and maintenance of a very diverse and expanding range of Department assets which include, dams, bridges, laboratories, boat launch sites, wildlife management areas, game farms and fish hatcheries.
- ♦ Transportation Services which involves responsibility for the Department's automotive equipment management program on a statewide basis. In support of all Department programs, Transportation Services assists in the acquisition and assignment of automotive equipment, plus provides cost and use analysis, maintenance and disposal of all automotive equipment, i.e., cars, vans, pickup trucks, dump trucks, construction equipment, boats (large inboards to small outboards), etc.

Indirect support costs provided by this Division are addressed in the Indirect portion of this narrative.

## CAPITAL

Capital expenditures, including personal service, totaled \$11,222,868. This is an increase of \$3,841, 898 from the 2003-04 amount of \$7,380,970. Of the Capital Environmental Protection Fund expenditures of \$7,033,504, \$3,541,821 was for projects relating to the Hudson River Estuary Management Plan. There were also Federal Capital Project expenditures of \$372,525, which includes grants to private marinas.

## INDIRECT SUPPORT

Indirect support service includes the Divisions of Executive, Management and Budget, Public Affairs and Education, Operations, Regional Affairs, Environmental Permits and Office of General Counsel activities (see methodology section for details). Indirect support service expenditures totaled \$19,154,137 for 2004-05. Indirect is calculated as a percentage of direct personal service and fringe benefits. Therefore, increases in these categories correlates to an increase in indirect costs.

Of the total, the Conservation Fund contributed \$6,027,393 toward indirect support services; federal aid contributed \$2,187,319; and the balance of \$10,939,425 was paid by other operating funds, including the General Fund. Contributions from the Conservation Fund increased by \$747,398. Federal aid contributions increased by \$279,020. Contributions from all other funding increased by \$2,254,441.

**APPENDIX A**

Methodology for Fish, Wildlife & Marine  
Sources and Uses of Funds  
FY 2004-05

1. Methodology to determine the total cost of the Fish, Wildlife & Marine (FW&M) program during fiscal year 2004-05 follows. Costs were classified as either direct or indirect in nature.
  - a. If direct, various methods and formulae were used to determine the cost of Fish, Wildlife & Marine activities.
  - b. If indirect, the Department's federally approved indirect rate of 33.16% of direct personal service and fringe benefits for 2004-05 was applied to account for indirect expenditures.
2. The following programs expended effort for Fish, Wildlife & Marine activities and were classified accordingly:

<u>Direct</u>	<u>Direct Support</u>	<u>Indirect Support</u>
Fish, Wildlife & Marine Resources	Law Enforcement  Public Affairs and Education Operations	Executive  Office of Management & Budget Public Affairs and Education Operations Regional Affairs Office of General Counsel Environmental Permits

Cost allocation recovery charges for costs incurred by central service agencies, such as the Division of Budget, the Department of Civil Service, the Office of the State Comptroller, and the Office of General Services, which provide indirect support services to all state agencies, were included as indirect support.

3. The direct and direct support components include:

Direct

Fish, Wildlife & Marine - All costs attributable to the program including costs for the Return a Gift to Wildlife, Migratory Bird, Freshwater Wetlands Appeals Board, Delmar Lab, Marine district costs, the Hudson River Estuary programs are considered as Fish, Wildlife and Marine.

Direct Support

Law Enforcement - A study of the time and activity codes was used to determine a percentage of time spent by Law Enforcement personnel on fish and wildlife activities. Time & activity codes were provided by program. All titles, sworn and civilian were used, as were all activities related to Fish, Wildlife & Marine resources. Administrative codes were excluded as well as hours for code 8921, Resource Protection. This exclusion (as requested by Law Enforcement) is due to the fact that this code is extremely variable as it pertains to FW&M. The percentage developed was 64.35% and was applied to total Law Enforcement expenditures of personal service, fringe benefits and non-personal service including Resource Protection (8921) expenditures.

Public Affairs and Education - As with Law Enforcement, a study of time and activity codes was used to determine a percentage of time spent by Public Affairs personnel on Fish, Wildlife and Marine activities. Time & activity codes were provided by program. Administrative codes were excluded. Of the codes identified in support of FW&M, Code 1927 was determined to be 100%. The remaining FW&M T&A hours were pro-rated, and then the regular T&A methodology was applied yielding 24.36%. This percentage was applied to the expenditures of Public Affairs and Education's personal service, fringe benefits and non-personal service.

Operations - The following portions were considered as direct:

- Design and Construction
- Field Operations
- Transportation Services

A study of the time and activity codes, as provided by program, was used to determine the percentage of time spent on Fish, Wildlife and Marine activities by the Design and Construction and Field Operations sections. Field Operations also spent a percentage of time on Law Enforcement activities. Administrative codes were excluded. The percentages developed were applied to the direct cost expenditures of personal service, fringe benefits and non-personal service for those sections. The percentages are as follows:

Design and Construction	23.51% for Fish & Wildlife
Field Operations	9.01% for Fish & Wildlife
Field Operations	6.17% for Law Enforcement

Since 64.35% of Law Enforcement's effort is devoted to Fish, Wildlife and Marine activities, Field Operations' level of effort was calculated at the same percentage of Operations' percent of effort for Law Enforcement.

The time and activity methodology was not used for Transportation Services due to the availability of mileage data for program charge backs. The Division of Operations does not fund equipment management costs for programs. All costs are recovered by Operations through the charge back system. A ratio from the mileage data for program charge backs gives the percentage of time spent on Fish, Wildlife and Marine activities. These percentages were applied to the direct cost expenditures of personal service and fringe benefits. Since costs are charged back to programs, the percentage is not applied to non-personal service. Non-personal service consists of only those purchases, if any, made by Operations for the Fish, Wildlife and Marine program.

As with Field Operations, Transportation Services supports both Fish, Wildlife & Marine and Law Enforcement. The percentage of time spent on Law Enforcement's efforts by Operations was developed from mileage data available for program charge backs. As with Field Operations, transportation service's level of effort on behalf of Fish, Wildlife & Marine Resources was calculated at a percentage of Operation's percent of effort for Law Enforcement.

4. Indirect Support was based on the federally approved indirect rate of 33.16% applied to total direct personal service costs of the agency, plus fringe benefit costs. The portion of indirect support funded by the Conservation Fund includes personal service and associated fringe benefits for Executive, Management and Budget, Public Affairs and Education, Operations, Regional Affairs, Environmental Permits and Office of General Counsel.

Indirect Support costs from DEC for Fish, Wildlife & Marine activities:

- ♦ Executive - Fish & Wildlife's proportionate share of Executive Office efforts, including Deputy Commissioner for Natural Resources, Legislative Affairs office which works on legislation, and the Bond Act office.
- ♦ Management and Budget - includes staff which process personnel transactions, pay vendors, approve travel advances, process travel reimbursement, recoup funding from Federal grants, prepare spending authorizations for State Operations and Capital funds. This report also includes Fish, Wildlife & Marine's proportionate share of Departmental leases for regional and sub-regional offices, as well as central offices. Telephone services, hunting & fishing license accounting, payroll processing and contract approval are other essential services provided.
- ♦ Public Affairs and Education - audio-visual is the part of PA&E that is considered indirect and includes displays for state fair, etc.
- ♦ Operations - Electronics is indirect.
- ♦ Regional Affairs - includes regional directors and secretarial/clerical staff throughout the regions which provide a proportionate share of support to regional Fish, Wildlife & Marine activities.
- ♦ Office of General Counsel - includes Division of Legal Affairs' direct part for such activities as natural resource damages, counsel for rules, regulations, statutes, and contracts.
- ♦ Environmental Permits - permitting.

Cost allocation recovery charges for central agencies for programs funded by the Conservation Fund are also reflected as indirect support.

Costs actually paid for by the Conservation Fund were deducted from the total costs, less Federal and Capital, and the balance was determined to be funded either by Federal, Capital, or Other Operating Funds.

## 5. Capital Projects

All Capital project expenditures, including Capital, EPF, Natural Resource Damages Capital and Federal Capital projects in support of FWMR activities for all programs were summarized.

**APPENDIX B**

<b>STATE OF NEW YORK CONSERVATION FUND ADVISORY BOARD VOTING MEMBER LIST</b>	
<b>Nominating Authority</b>	<b>Representative</b>
Governor	<p>JOHN MATUSEWICZ Residence - Region 2</p> <p>MARK STORTI Residence - Region 4</p> <p>CRAIG TRYON Residence - Region 7</p>
Senate	<p>CHARLES BEVILACQUA Residence - Region 1</p> <p>LINDA SICLEY Residence - Region 6</p> <p>CHARLES O. HANCOCK, Secretary Residence - Region 8</p>
Assembly	<p>WALLY JOHN Residence - Region 3</p> <p>ROBERT J. MONACCHIO, Chairman Residence - Region 5</p> <p>FRED LANGDON Residence - Region 9</p>
Statutory	<p>JOHN J. LONG, Sr., Vice Chairman NYS Conservation Council Residence - Region 9</p> <p>BUD WOODFIELD NYS Fish and Wildlife Management Board Residence - Region 7</p>
<b>Ex Officio Members</b>	
<p>Commissioner of NYS Department of Environmental Conservation</p> <p>Senate Finance Committee</p> <p>Senate Environmental Conservation Committee</p> <p>Assembly Ways and Means Committee</p> <p>Assembly Environmental Conservation Committee</p>	

**APPENDIX C**

<b>STATE OF NEW YORK CONSERVATION FUND ADVISORY BOARD 2005 COMMITTEES</b>	
<b>Committees</b>	<b>Members</b>
Bylaws, Rules and Procedures	Charles Bevilacqua, Chair Craig Tryon • Fred Langdon • Charles Hancock
Computer Licensing	Charles Bevilacqua, Chair Robert Monacchio • John Long Sr.
Fiscal/Fiscal Distribution	Robert Monacchio, Chair Charles Bevilacqua • John Long Sr. Shawn Keeler /Ann Harrison (DEC)
Fish	Mark Storti, Chair Craig Tryon • Wally John • Fred Langdon
Hunting	John Long Sr., Chair Bud Woodfield • Fred Langdon • Charles Hancock
Legislation	Wally John, Chair John Matuszewicz • Charles Bevilacqua • Bud Woodfield
Marine District	John Matuszewicz, Chair Charles Bevilacqua • Wally John
Open Space	Bud Woodfield, Chair Mark Storti • Charles Bevilacqua • Linda Sicley
Annual Report	Fred Langdon, Chair Wally John • Craig Tryon • Bart Wu
Wish List	John Long Sr., Chair Wally John • Fred Langdon • Charles Bevilacqua
Sportsman Education	Linda Sicley, Chair Mark Storti • Charles Bevilacqua
Nominating	John Matuszewicz, Chair Bud Woodfield • Linda Sicley

**APPENDIX D**

**P = Present • E = Excused • A = Absent**

<b>CFAB Member Attendance at Monthly Meetings</b>											
<b>Voting Members</b>	<b>Apr 11 2005</b>	<b>May 2 2005</b>	<b>Jun 13 2005</b>	<b>Jul 31 2005</b>	<b>Sep 12 2005</b>	<b>Oct 3 2005</b>	<b>Nov 7 2005</b>	<b>Dec 5 2005</b>	<b>Jan 9 2006</b>	<b>Feb 6 2006</b>	<b>Mar 12 2006</b>
Charles Bevilacqua <i>Region 1</i>	P	P	P	P	P	P	P	P	P	P	P
John Matusewicz <i>Region 2</i>	P	P	E	E	E	E	E				
Wally John <i>Region 3</i>	P	P	P	P	P	P	P	P	E	P	P
Mark Storti <i>Region 4</i>	P	E	P	P	P	P	P	P	P	P	P
Robert Monacchio <i>Region 5</i>	P	P	P	P	P	P	P	P	P	P	P
Linda Sicley <i>Region 6</i>	P	P	P	E	P	P	P	P	P	E	P
Craig Tryon <i>Region 7</i>	P	P	P	A	P	A	P	P	E	P	P
Charles O. Hancock <i>Region 8</i>	P	P	P	P	E	E	E	P	P	P	P
Fred Langdon <i>Region 9</i>	P	P	P	E	P	P	P	P	P	P	P
John Long Sr. <i>NYSCC</i>	P	P	P	P	P	P	P	P	P	P	P
Bud Woodfield <i>NYFWMB</i>	P	P	P	A	P	P	P	P	P	P	P
<b>Ex-Officio Members</b>											
DEC Commissioner Represented by Gerald Barnhart	P	P	P	P	P	P	P	P	P	P	P
Senate Finance Committee	A	A	A	A	A	A	A	A	A	A	A
Senate EnCon Committee	A	P	A	A	A	A	A	P	P	P	A
Assembly Ways and Means	A	A	A	P	A	A	A	A	A	A	A
Assembly EnCon Committee	A	A	A	A	A	P	P	P	A	A	A

APPENDIX E

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

