



STATE OF NEW YORK CONSERVATION FUND ADVISORY BOARD
625 Broadway, Albany, NY 12233-4750

Monthly Meeting Minutes
Two Hundred Eighty-Ninth Meeting
9 March 2009

Dept of Environmental Conservation, 625 Broadway, Albany, NY

Call to Order – Chairman Hancock called the meeting to order at 9:01 AM.

Roll Call

Voting Board Members Present

Charles Bevilacqua	Region 1
Gordon Whiting	Region 2
Dominick Scarzafava	Region 3
Alan Rosa	Region 4

Linda Sicley	Region 6
Charles Pace	Region 7
Charles Hancock	Region 8
Dale Dunkelberger	Region 9
Howard Cushing	NYSCC
Gerald Bierker	FWMB

DEC Personnel

Steve Hurst and Arthur J. Newell, Division of
Fish, Wildlife and Marine Resources
Peter Fanelli, Director, Division of Law
Enforcement

Voting Board Members Excused

Jason Kemper	Region 5
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Ex-Officio Members Present

NYS DEC Commissioner, represented by
Douglas Stang, Asst Director,
Division of Fish, Wildlife and
Marine Resources; and Wallace
John, Office of Natural Resources

Guests

Harold Palmer, NYSCC
Dick Nelson, Hudson Valley Newspapers

Ex-Officio Members Absent

Senate Finance Committee
Senate EnCon Committee
Assembly Ways and Means Committee
Assembly EnCon Committee

Chairman Hancock stated that a quorum of voting members was present and opened the meeting for the conduct of business.

Mr. Rosa made a motion to accept the 12 January 09 minutes as revised; seconded by Mr. Scarzafava and passed unanimously.

Mr. Rosa made a motion to accept the 9 February 09 minutes as revised; seconded by Mr. Scarzafava and passed unanimously.

Legislation

Mr. Cushing described his visit to Assemblyman Sweeney's office to discuss the Board's license fee proposal. The Senate and the Assembly want to see a bill with the proposal.

Mr. Cushing distributed his notes on the Stakeholder's meeting with the Commissioner on 11 February 09. He added that after the meeting, thus not reflected in his notes, NY Bowhunters told him that they wanted some changes made to the fee proposal, and both the Ruffed Grouse Society and NY Bass opposed the proposal.

Chairman Hancock said that is key for Board members to understand the presentation by Mr. Stang on how DEC spends money, and if they don't, questions should be asked. Ms. Sicley asked for a version with larger slides because some slides were unreadable. Mr. Stang said he would distribute a larger version to all [Note: hard copies of the presentation were handed out by the conclusion of the meeting]. Mr. Cushing said that many people don't understand the distinction between CF expenditures and the overall DEC budget, including what is paid for with funds other than CF.

Mr. Bevilacqua commented that bow hunters oppose the bow fee increase because the bow season is too short; Mr. Stang pointed out that the bow season varies with the date on which Columbus Day falls. Chairman Hancock and Mr. Cushing said the Board should not focus on this side issue, and Mr. Cushing suggested that some Board members could meet with NY Bowhunters.

License Fee Proposal

Chairman Hancock said he received some comments on the Board's license fee proposal, including a question about Deer Management Permits (DMP), and he referenced an e-mail exchange with Mr. Stang on 1 and 2 March. In sum, there no longer is a free DMP. Mr. Stang said that probabilities of getting a DMP will change with the fee increase because fewer people will now want to pay a DMP application fee. Chairman Hancock said he queried people at the Rochester fish & game show, and no one opposed the license fee increases.

Mr. Dunkelberger said a 1-day non-resident fishing license fee increase will adversely affect charter boats, particularly in the Great Lakes and Niagara River, and other Board members said they received similar comments. Mr. John pointed out that the Governor's proposal for a marine recreational license included a one-day fee for all fishing licenses (resident, non-resident, marine and freshwater) for \$5. A discussion ensued on alternatives and the pros and cons. Mr. Nelson suggested a 3-day instead of a 1-day; Ms. Sicley thought charter boats might lose people who are not that interested in fishing; Mr. John said that the Senate, Assembly and Governor will want to make changes to the license fee proposal, so the Board should be flexible in any further deliberations; Mr. Pace said that any changes made should help increase fishing in NY.

Mr. Pace made a motion to include in the Board's license fee proposal a one-day resident fishing

license to cost \$5 and the one-day non-resident to stay at \$15; seconded by Mr. Dunkelberger; passed with nine yeas and one abstention.

Mr. Pace asked a question about trapping: do holders of a nuisance wildlife Special License need a trapping license to take fur bearers, and are there any non-resident nuisance wildlife Special License holders? Mr. Rosa said he is aware of farmers who obtain nuisance deer permits who sell them to deer hunters; Director Fanelli made a note of this. Mr. Newell then read standard conditions E and N of a nuisance wildlife Special License:

“E. The licensee shall not take, possess or transport any white-tailed deer, black bear, beaver, otter, mink, muskrat, fisher, marten, bobcat or wild turkey EXCEPT under an additional valid permit issued by the Regional Wildlife Manager in the Region where such animal is found to be a nuisance.

N. The licensee shall possess a fur-trapping certificate or a valid New York State Trapping license when using body gripping traps greater than 4.75 inches or when using any foothold trap pursuant to this license. All such traps must meet the provisions of Environmental Conservation Law Section 11-1101(6).”

Chairman Hancock referred the matter to the Trapping Committee, with direction to report at a future meeting.

Chairman Hancock then asked the Board if there were other changes it wanted to make to the license fee proposal. A number of changes were discussed, e.g., age of a Senior (70 vs. 65), bow hunter and muzzleloader lifetime license fees for Seniors, which were made on the spot, on the fee table and projected on the wall; and effects of the various changes on revenue were discussed.

Mr. Cushing asked how the proposal would get to the Legislature since it is now too late propose it through DEC. Chairman Hancock said the Board could send the proposal to the two EnCon Committees. Mr. Rosa reminded all that the Governor and the Commissioner said they would work with the hunting, fishing, and trapping (h/f/t) constituents on fee increases when the closure of the game farm was reversed. Mr. Cushing commented that there was general agreement on the need for fee increases at the Commissioner’s meeting with the h/f/t stakeholders; now the Board needed to finalize a proposal. Mr. Rosa said the Board should submit a proposal to the Commissioner and seek adoption by the EnCon Committees. Mr. Stang said the Governor may be able to substitute CFAB’s proposal for the one he submitted. Mr. Cushing offered that Harold Palmer has agreed to take the CFAB proposal to legislators, including a letter of support, and that he (Mr. Cushing) has already talked to Mr. Kemper about doing this after this meeting. Mr. Stang asked the Board if it wanted bill language for the fee increase; Chairman Hancock said yes, and Mr. Stang replied that in anticipation of that he drafted some language which now only need some changes per today’s decisions. Mr. Cushing raised the issue of the program that would be delivered with the increased fees. Mr. Rosa replied that the intent of the fee increase is to make the fund solvent for a couple years; FWMR programs need a share of GF sales tax to pay for FWMR work that does not solely benefit h/f/t programs. Mr. Cushing said parameters should be placed on how CF is spent.

Mr. Rosa made a motion to adopt revisions to the Board’s license fee proposal, which are reflected in the attached table; seconded by Mr. Scarzafava; passed unanimously.

There was then a discussion on the bill language, and general agreement was reached on some changes.

Ms. Sicley asked the Board to return to Mr. Rosa's earlier point, i.e., there is a need to get funding support for FWMR programs from the non-h/f/t public. Mr. Cushing agreed and added that the Board should describe those activities should be paid for with CF, in whole, partial or not at all and that the Board needed to receive more detail on categories of expenditures than has been provided by DFWMR so far. There was further discussion on how this review of activities and their costs would be done, including participation by DEC staff. Chairman Hancock said that this matter should be a standing item on the CFAB agenda for some meetings to come.

Field Trip Update

Mr. Scarzafava said that he will be meeting with Region 3 staff, and he needs know the scope of the meeting. After discussion it was decided that the Board would arrive Sunday early afternoon, conduct some business in the afternoon, have the public meeting in the evening and conduct field trip activities on Monday. Chairman Hancock said to plan on a 1.5 day agenda and that he wanted to see how money was spent in the region; successes and failures; and projects funded by CF.

Department Reports

Division of Law Enforcement

Director Fanelli said he had to leave for another appointment. Chairman Hancock asked him for a detailed report on DLE staffing, and Director Fanelli said he would do so.

Division of Fish, Wildlife & Marine Resources

Mr. Stang gave the report.

Three new hatchery trucks were received.

The final 2008 bear and deer harvest numbers are on the web site.

Active Outdoors Network (AON) gave a presentation on what it can do to support DECALS. AON now provides automated licensing services in 22 states and could provide to NY services that Verizon provides, although AON is probably not cheaper than Verizon. The current plan is to put out a Request for Information by the end of April, then utilize that information to develop and release a Request for Proposals in fall/early winter of 2009.

Verizon is close to finalizing an Internet sales application that can be used by first time license buyers. DFWMR is re-working the tags, color and the print, to make the tags more readable.

Messrs. Stang and John met with Office of State Comptroller regarding the OSC audit of the CF. Upon being asked Mr. Stang said he would find out if DFWMR was being charged for the audit. [Note: after the meeting Mr. Stang learned that DEC would not be charged for the audit.]

Mr. Stang distributed DFWMR's portion of the DEC 2009 Action Plan and a shorter version of Priority Actions.

At the request of several groups interested in expanding antler restrictions in portions of Dec Regions 3 and 4, DFWMR staff conducted a mail (and follow-up telephone) survey of deer hunters that hunt in the DMUs where antler restrictions are purportedly desired by a large portion of hunters. DFWMR is willing to accommodate public desires as much as possible and developed criteria for moving forward with a regulations change proposal: at least a super majority ($\geq 67\%$) of hunters are in favor of antler restrictions and no more than 20% of hunters are strongly opposed to antler restrictions. The results of the survey indicated that the criteria were met so DEC has initiated the formal regulations change proposal for antler restrictions (at least 3 points ≥ 1 inch on one side) in 3A, 4X, 4G, 4O, 4P, 4W, 4R and 4S.

Upcoming CFAB meetings

Chairman Hancock said the Board had to pick new times and places to meet. Locations were discussed, including DOT on Wolf Rd or Ag & Markets, Region 4 DEC main office, the State Campus and back to the Best Western. There seemed to be general agreement that although DEC headquarters in downtown Albany was a bit more difficult for parking and a little more costly for overnight stays, for now the benefit of access to staff and the Executive at DEC HQ outweighs the disadvantages.

Mr. Scarzafava made a motion for future meetings of the Board to be at NYSDEC headquarters, 625 Broadway, Albany, unless another location is selected for certain dates; seconded by Mr. Bierker; passed with nine yeas and one nay.

Chairman Hancock said the meetings should continue to be the second Monday of the month, and he reminded DFWMR staff that this day was selected to ensure that the Board would receive the previous month's license sales and CF status reports in time for the meeting, which has not always occurred and asked DFWMR staff to assure that it did. Below are the next three meeting dates, which will bring the Board to its summer field trip meeting in Region 3, for which dates have not yet been selected.

NYSDEC, 625 Broadway, Albany: 13 April 09

NYSDEC, 625 Broadway, Albany: 11 May 09

NYSDEC, 625 Broadway, Albany: 8 June 09

Mr. Scarzafava made a motion to adjourn at 2:53 PM; seconded by Mr. Bierker; passed unanimously.

Jason Kemper, Secretary

Conservation Fund Advisory Board License Fee Proposal

Resident Licenses

License / Permit Type	Current Fee	Proposed Fee
Conservation Legacy	\$76	\$96
Super Sportsman	\$68	\$88
Sportsman	\$37	\$47
Sportsman (Sr. 70+)	\$5	\$10
Small and Big Game	\$19	\$29
Fishing	\$19	\$29
Fishing (Sr. - 70+)	\$5	\$5
Fishing (Blind)	\$0	\$5
DMP - (instant)	\$0	\$5
DMP (fcfs)	\$0	\$5
DMP (fcfs)	\$10	\$10
DMP (instant)	\$10	\$10
Military Disability	\$5	\$5
Bow Hunting	\$16	\$21
Bow Hunting (Sr. 70+)	\$0	\$0
Bow Hunting (Jr.)	\$9	\$9
Muzzleloading	\$16	\$21
Muzzleloading (Sr. 70+)	\$0	\$0
Small Game	\$16	\$26
Junior Hunting	\$5	\$5
Turkey Permit	\$5	\$10
Trapping	\$16	\$21
Trapping (Sr. 70+)	\$0	\$5
Trapping (Jr.)	\$6	\$6
7-day Fishing	\$12	\$15
1-day Fishing	\$15	\$5

Lifetime Licenses

License / Permit Type	Current Fee	Proposed Fee
Sportsman (age 0- 4)	\$300	\$380
Sportsman (age 5-11)	\$420	\$535
Sportsman (age 12-69)	\$600	\$765
Sportsman (age 70+)	\$50	\$65
Small and Big Game	\$350	\$535
Fishing (age 0-69)	\$300	\$460
Fishing 70+	\$50	\$65
Trapping	\$300	\$395
Bow Hunting	\$180	\$235
Muzzleloading	\$180	\$235

Non-Resident Licenses

License / Permit Type	Current Fee	Proposed Fee
Super Sportsman	\$250	\$280
Big Game	\$110	\$140
Bow Hunting	\$110	\$140
Bow Hunting (Jr.)	\$9	\$9
Muzzleloading	\$110	\$140
Bear	\$30	\$50
Small Game	\$55	\$85
Junior Hunting	\$5	\$5
Turkey	\$30	\$50
Trapping	\$255	\$310
Fishing	\$40	\$70
7-Day Fishing	\$25	\$35
1-Day Fishing	\$15	\$15
Conservation Patron	\$12	\$12