



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

Monthly Meeting Minutes
Two Hundred ninetieth Meeting
13 April 2009

Dept of Environmental Conservation, 625 Broadway, Albany, NY

Call to Order – Chairman Hancock called the meeting to order at 9:03 AM.

Roll Call

Voting Board Members Present

Charles Bevilacqua	Region 1
Gordon Whiting	Region 2
Dominick Scarzafava	Region 3
Alan Rosa	Region 4
Jason Kemper	Region 5
Linda Sicley	Region 6
Charles Pace	Region 7
Charles Hancock	Region 8
Dale Dunkelberger	Region 9
Howard Cushing	NYSCC
Jim Petreszyn	FWMB

DEC Personnel

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

Ex-Officio Members Present

NYS DEC Commissioner, represented by
Wallace John, Office of Natural
Resources

Guests

Patricia Arnold, CANY
Steve Piatt, Outdoor News

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.

Correspondence

1. The Board received a letter dated 23 February 09 from Dom Buttaccio with questions about the “Proposed Residence Licenses Only” pricing chart. Chairman Hancock asked Mr. Newell to draft a response for the Chairman’s signature.
2. The Board received a letter dated 24 Feb 09 from Assemblywoman Galef’s office, passing on the name of an individual in Region 3 to consider for the Board if a vacancy occurs.
3. Chairman Hancock received a letter dated 5 April 09 from the NYS Fish & Wildlife Management Board, appointing Jim Petreszyn as the new FWMB representative on CFAB.
4. The Board received a letter dated 6 April 09, to the Legislative Appointees, inviting them to a breakfast in the Legislative Office Building on Wednesday, 29 April 09 from 8:30 A.M. – 10: A.M.

Mr. Cushing asked if the Board ever received an answer to the question of whether CFAB is subject to the Open Meetings law. Mr. Newell said no. Chairman Hancock then instructed Mr. Newell to tell the appropriate people in DEC that an answer in writing was needed.

Minutes of prior meetings

Mr. Rosa made a motion to accept the 9 March 09 minutes as presented; seconded by Mr. Dunkelberger and passed unanimously.

Committee Reports

CF Expense Reporting – Annual Report: Structure and Content

Chairman Hancock offered some observations on the 2007 annual Report; it didn’t have the same level of information that was in prior reports; the Board needs to examine expenses, but the information received from DEC is not particularly user-friendly; what does the Board want to see in the 2008 report?; the CF financial report for 2008 needs to be in the Board’s hands by 1 July. Mr. Cushing said that none of this matters because no one understands the information they get from DEC or CFAB. Chairman Hancock said that is precisely why he is raising the issue; the Annual Report has included useful, basic info, and the Board can certainly work to ensure that it provides more; it should also have more on the use of federal funds. Mr. Kemper suggested that the structure and content of the report may need to be revamped. Chairman Hancock asked who wanted to work on this. A committee was formed of Chairman Hancock, Mr. Kemper, Mr. Newell and Mr. Rosa, who will serve as the committee chair.

Continuing the discussion, Mr. Cushing said it all goes back to DEC staff activity sheets. Chairman Hancock asked the Board’s regional representatives, which of you review work plans with the DFWMR regional managers? Only Chairman Hancock and Mr. Kemper do so, and the chairman said that all should. Mr. Cushing said it all boils down to, what are we [hunters, anglers & trappers] paying for, and first the Board has to decide what it wants to fund. Chairman Hancock said that work plans need to be on the agenda for the October meeting.

Mr. Rosa said, GF money comes and goes, which creates a problem deciding what should be paid from CF and what from GF; should be a certain amount of GF appropriated by the Legislature for DFWMR each year; however, in the end the Board can only make recommendations, others decide. Mr. John

pointed out that DEC bailed out the FWMR program with about \$20 million last year by shifting over 200 employees to other funding sources; this year there will be no GF help, there will probably be more cuts and it will be very difficult to provide enough staffing to do all the jobs in the work plan. Mr. Cushing said he understood that, but DEC policy is biased towards environmental matters, not fish & wildlife; the Board and the fishing/hunting/trapping constituency has to lay out what we want to pay for and stick to it; then if the State/DEC doesn't do what we want, vote them out. The Board is concerned about the allocation of expenses of the FWMR program between GF and CF. Chairman Hancock said CFAB is primarily a flag waving group, and can make recommendations only. Mr. Bevilacqua added that CFAB can disseminate information to the sport constituency, including the recommendations the Board makes.

Field Trip Update

Mr. Scarzafava gave the update. He was going to meet with DEC representatives from Region 3 the following Wednesday; there would be a Sunday dinner and public meeting; Monday's trip would stay near New Paltz and Norrie Pt.; focus will be on good & bad, i.e., what's worked and what hasn't. Chairman Hancock said the plans should be firmed up by the May meeting; all reservations made by June; and invite local politicians and Senate and Assembly EnCon Committee members from Region 3.

By-Laws

Chairman Hancock distributed a draft revision of the by-laws with the updates made by Mr. Stang to reflect current laws and some changes made by the Chairman, and he added that the objectives are straight out of the ECL. The Chairman said the Board should consider this draft; it will be voted on at the next meeting. Mr. Rosa said the by-laws need to reflect how CFAB is affected by the Open Meetings Law.

Legislation

Mr. Cushing said there doesn't seem to be any point to the Legislative Committee since the Board is ignored by legislators and Executive policy makers; the sport constituency got "trashed" by the legislature and Governor on the license bill. Mr. John pointed out that the Legislature did what the Board asked for on FW licenses and what it wanted on the SW license. Mr. Cushing added that SW anglers got the deer management rules upstate to suit them, and then he asked Mr. Hurst what capital was in the budget for hatcheries. After some discussion Mr. Cushing requested an update next month on hatchery capital. Mr. John said that when complaints about the hatcheries reach the level they were for Reynolds Game Farm, then something will be done about hatcheries.

Nominating Committee – Election of Officers

Mr. Bevilacqua (chair of the committee, which also included Ms. Sicley and Mr. Whiting) said the committee nominated Mr. Hancock for chair, Mr. Bevilacqua for vice chair and Mr. Kemper for Secretary. Mr. Bevilacqua asked for additional nominations from the floor, and none were offered.

Mr. Bevilacqua made a motion for the Board to elect officers as nominated (Mr. Hancock for chair, Mr. Bevilacqua for vice chair and Mr. Kemper for Secretary); seconded by Ms. Sicley and passed unanimously.

Department Reports

Fish, Wildlife and Marine Resources

Mr. Hurst, Bureau of Fisheries, said, now that the budget and the license fee bills have been passed and adopted, he and other staff are spending a great deal of time on personnel and fiscal issues arising from the budget.

Mr. Batcheller and Ms. Bailey reported on DECALS. With the license fee bill there is a need to make a number of catalog changes. There is a bit of a problem caused by the new saltwater (SW) licenses running at on a different cycle than the hunting, fishing and trapping licenses, i.e., January through December. It will be difficult for Verizon to make this change to DECALS. Mr. John said the new SW license will require DFWMR to issue a SW fishing guide, and that DEC recommended the Jan-Dec SW license because of the considerable cost to modify DECALS, as well as an additional monthly operating cost. Mr. Petreszyn said CFAB should send a letter recommending that the SW license year be changed. There was then considerable discussion on the matter. Mr. John said the 1-day licenses may be too low to bring in federal funds and maybe other licenses are too low for other reasons, e.g., can expect many people to buy the low cost lifetime (LT) SW license, which will reduce regular annual revenue, and revenue will be lost by exempting people who fish on party/charter boats. Mr. Rosa said the SW license is outside of CFAB's purview. Mr. Pace said it is CFAB's business if the implementation of the SW license will result in charges to the Traditional CF. Mr. John pointed out that the SW LT license revenue will go into the existing F&W Trust Fund, and earnings from that fund go into the Traditional CF. Ms. Sicley noted that the combined SW/freshwater(FW) fishing LT license costs less than the FW LT license, which would likely affect FW license sales and federal allocations for FW programs. Mr. John said that the CF would pay up front for SW license costs until the Marine Account gets enough revenue to pay. Mr. Newell said that the current Marine Account balance was about \$6 million and the costs of the new license could be paid in the first instance from Marine Account. Mr. Rosa said that whatever costs are incurred to implement the SW license, they should be paid from the Marine Account. Mr. John said that if a letter is sent it should go to the EnCon Committees chairs and to the leaders of the Senate and Assembly.

Mr. Petreszyn made a motion for CFAB to recommend against a saltwater recreational fishing license start date of 1 January because it would needlessly cause an expenditure of CF money; the start date should be the same as the freshwater fishing, hunting and trapping licenses. The motion was seconded by Mr. Pace and was passed unanimously.

Mr. Batcheller and Ms. Bailey then continued their DECALS report. There will be a new and better license issued that will be more visible in low light; DEC just got the contract for the hunting guide; changes to the CFAB page need to be made within a month. Chairman Hancock told Mr. Kemper to work with DEC to make the changes. Clerks may now opt out of selling licenses; DEC will develop a policy to implement this. Internet sale of hunting licenses for first time buyers is in development and will be available for the new license year.

Mr. Batcheller also reported that the Bureau of Wildlife is initiating the development of a new plan for pheasant management. He distributed a handout on the process for the new plan.

Mr. John summarized differences between the adopted license fee bill and the CFAB proposal. In the adopted all Seniors are now defined as 70+; discussion on how some changes will affect sales and

revenue, e.g., waiving the DMP fee for Super Sportsman; “silliest” change was to make the combined SW/FW LT license \$10 less than the FW LT license. Mr. Cushing said that people who complain about the adopted bill should be told to call the leaders of the Senate and Assembly.

Mr. Rosa made a motion for CFAB to recommend that DEC not waive Deer Management Permit fees for the Super Sportsman license; seconded by Mr. Petreszyn and passed unanimously.

Division of Law Enforcement

The report was given by Director Fanelli, starting with the distribution of a report entitled ECO and Forest Ranger Staffing Levels. Currently DLE is at full strength. There are additional ECOs assigned to Region 2 (known as “overbooked”) in anticipation of transfers to other regions.

Mr. Cushing said he is concerned that the Law Enforcement salary settlement could be back charged to CF for several years worth of the settlement and that the settlement may stimulate a decision by DEC to put some costs of ECOs back onto the CF; adding that the ECL needs to be changed to increase F&W fines, they are too low.

Director Fanelli continued, guidance is expected Wednesday [15 April] on layoffs. If DLE will have layoffs, they will all be in Region 2, where all the new recruits are stationed. 225 layoffs in DEC are required in FY 09.

Commissioner

At about 2 PM Commissioner Grannis joined the meeting. He thanked the Board for its help in getting the license fee bill considered and adopted. He said he knows it still needs work, and he asked the Board for its advice on changes to propose. Chairman Hancock said the Board would do that. The Commissioner acknowledged that there might not be clear solutions to some problems, and DEC, the Board and hunting, fishing and trapping constituents should work together to find alternatives.

Mr. Bevilacqua asked if Board members could be allowed to park in the garage when meetings were at DEC. The Commissioner said he would look into that.

Board Member Reports

Region 4: Re the antler restrictions, Mr. Rosa said some counties supported and some didn’t; businesses generally support them. As a general rule, the more points harvested, the less number of deer. Mr. Hurst asked about the survey in Delaware County. Mr. Batcheller said about 67% supported and less than 20% opposed; and added that it is really a social issue, not a deer management issue.

Region 5: Mr. Kemper commended the department for the actions they have taken to address the issue of heavy hunting pressure on the winter deer yards between the 5H and 5J boundary. Although closing the season in 5J during the late blackpowder season is a short term solution that is strongly supported by the sportsmen, he recommended that the department evaluate the possibility of amending the boundary between 5h and 5j as a long term solution to this issue.

Mr. Kemper also informed the board that this year is the 25th anniversary of the Great Sacandaga Lake Fisheries Federation. In 1998, the trout stocking program was initiated by the federation and to date

they have stocked over 100,000 adult fish at a cost in excess of \$450,000.00. He will be bringing more information forward in a future meeting to have CFAB formally recognize their efforts.

Region 9: Mr. Dunkelberger reported that Niagara River Anglers acquired John Long's property for the purpose of rearing walleye.

Region 7: Re feral hogs, Mr. Pace said Region 7 supports new regulations, and Dept of Ag & Markets is sympathetic to the need for regs. Mr. Batcheller stated that the Department intends to publish a small informational bulletin in this year's Hunting Guide clarifying the legal status of feral swine, and that DEC has been actively working with Ag and Markets in their initiative to develop appropriate regulations. Mr. Dunkelberger said traps don't work because pigs avoid them. Mr. Batcheller said that there is a strong consensus within the Department that we need feral pigs off the landscape.

Mr. Pace also reported that Sandy Pond access is moving forward, and he described the results of the first Annual NYS State National Archery in Schools Program (NASP) Tournament which is a DEC run program in the schools.

Region 1: Mr. Bevilacqua reported that there will be a 5-day turkey season on Long Island. Mr. Batcheller said that it would start on the first day of southern zone deer season; this season will be evaluated and changed as necessary in future years.

Region 8: Chairman reported that there was exceptional coverage in the media on fishing, including promotions for fishing; stimulated a lot of interest by the public in fishing.

FWMB: Mr. Petreszyn reported that in the future Habitat Stamp funds may be distributed to the regions for use on projects recommended by the regional FWMBs. Mr. Cushing said there was supposed to be a meeting to revise the process for allocating the funds and "what to do about the Habitat Stamp" in general – why didn't it happen? Chairman Hancock said he has observed that local groups get more money for habitat projects via legislative member items than the Habitat Stamp

Chairman Hancock adjourned the meeting at 2:30 PM.

Upcoming CFAB meetings

NYSDEC, 625 Broadway, Albany: 11 May 09

NYSDEC, 625 Broadway, Albany: 8 June 09

Jason Kemper, Secretary