

New York State FISH AND WILDLIFE MANAGEMENT BOARD



Minutes-NYS Fish and Wildlife Management Board 91st Session, October 24-26, 2002 Buffalo Marriott Niagara, Amherst, NY

The meeting was called to order at 1:15 PM by Chairman Emory Green with the roll call.
Invocation by Dr. John Tusch
Previous Minutes, Motion by Bud Woodfield and second by Judy Aldridge, Carried

Present at part or all of the meeting:

Board Members

<u>Region</u>	<u>Landowner</u>	<u>Sportsman</u>	<u>Legislator</u>
3	Robert Underhill	Joseph Molinaro	Ray Merlatto
4	Dean Winsor	Carlton Hatch	Absent
5	Don Sage	William Pike	Robert Banks
6	Judy Aldrich	Patricia Arnold	Kelly Dickenson
7	Absent	Harry Woodfield	Barbara Brown
8	Gary Evans	Emory Green	Glenn Larison
9	Jim Angle	Walt Hallbauer	Absent

Advisors

NYS Dept. of Environmental Conservation - Gerald Barnhart, James Bertram
NYS Farm Bureau, Judy Aldrich
NYS Grange, Absent
Izaak Walton League of American, Dr. John Tusch
NYS Conservation Council, Absent
NYS Forest Practice Board, Dick Fox
NYS Dept. of Agriculture & Markets, John Schumacher & Kelly Miklasz
NYS Soil and Water Conservation Committee, John Schumacher
Cornell University, Tom Brown
SUNY College of Environmental Science & Forestry, Ron Giegerich

Guests

Charles Johncox, Major DEC Division of Law Enforcement
David Green, Cornell Cooperative Extension
Mike Wilkenson, DEC Region 9
Jim Snyder, DEC Region 9

Guests continued

Herb Barrows, DEC Region 9

Paul McKeown, DEC Region 9

Gregory Tessman, District Conservationist

Board Welcome - Mr. Mike Wilkenson DEC Region 9

Mike Wilkenson was filling in for Region 9 Director Gerry Mikol and welcomed the Board to Region 9. He then told the Board that this is his first FWMB meeting he has attended. He then spoke about how Region 9 has some of the best steel-head fishing in New York State. He then spoke of two projects in Region 9.

1. Motor Island Project. This area was not used much in the past and it was a good nesting location for birds. A while back some individuals went into this location and killed a lot of birds. This got DEC's attention and department began looking at this island. DEC and the Nature Conservancy formed partnership, with the Nature Conservancy taking over the island. It is now protected.
2. Strawberry Island is used form hunting and fishing. The island is prone to heavy erosion and it was taking a very toll on the island before a \$1+ million bond and NYS Department of Transportation (DOT), and many other organizations helped take dredged materials and put it on the island to stop the erosion.

Mike reported that there were no new cases of botulism in Lake Erie in 2002 with many less dear fish found.

Regional Reports

Region 3 - Written. Ten Mile River area, 15,000 acres lost to the public for hunting. Now leased to private groups. Had 2 days for kids to fish and 2 days junior pheasant hunting - with 40 kids in attendance.

Region 4 - Written. Last years report being incorporated into this years report. Still working with Region 4 Director oin hiring Region 4 Resource Director. Deane Winsor gave notice that this was his last year on Board.

Region 5 - Fort Ticonderoga leased land to DEC for fifty years. Battenkill River - a whole year of age class trout missing from river. Held a Youth Pheasant hunt; a good experience for youth.

Region 6 - Written. Opening of certain campsites and parks in region for small game and deer hunting that were previously closed.

Region 7 - Written. Looking to fill vacant Region 7 DEC positions. This regional (FWMB) continues to work with the regional DEC staff to identify and develop areas of needed access in Region 7.

Region 8 - Written. Still working on the future of the Seneca Army Deport and the white-tailed deer herds. The legal battle involving the Cayuga Indian land claim is still hanging on. The Empire Farm Days was once again a prime summer project for Region 8.

Region 9 - Written. The "Access by Written Permission" sign project has gone well. The Carlton Hill Grassland Project has been completed. The Sunset Bay marina was finally opened this summer.

Advisory Member Reports

NYS Soil and Water Conservation Committee: Written. In rounds I-VIII of the AG Nonpoint Source Grant Program, the following funds were awarded.

Bond Act	57 projects	\$7.9 million
EPF	218 projects	\$18.2 million
	Total	\$26.1 million

Izaak Walton League: Written. As of this past years, over 82 million people are involved in outdoor activities which generates one percent of the total national economy. Fishing remains about the same, hunting is on the decline. A small group of IWLA members went to Guatemala, the most poverty stricken country in Central American to study the relationship of poverty to the environment. The League worked hard to maintain environment as a high priority in the Farm Bill. It was also reported that wind energy is the fastest growing source of electricity. Our NYS division participated with regional groups of State Divisions in sponsoring a program of forest management in May of this year. This took place in Maryland and West Virginia. Professional foresters showed us many cities where areas are managed for different forms of wildlife, as well as various forest products.

Sea Grant New York:

David Greene, Community Issues Specialist

Sea Grant is a state and federally-funded program providing science-based information to people making and influencing decisions for the wise development, management and use of our coastal resources now and in the future.

Sea Grant has offices statewide and is headquartered in Stony Brook, Long Island.

Farm Bureau: Written. The Farm Bureau submitted fourteen policies for consideration by the FWMB.

Cornell University: Written. College of Agriculture and Life Sciences (CALS) report to the FWMB, Fall 2002.

Annual reports from Department of Nature Resources, Quality Deer Management (QDM) at Kings Ferry, Suburban Management - "Learning by Doing", Economic Assessment of Deer Damage in NY, Economic Impacts on declines in the Sport Fisheries of Eastern Lake Ontario. A PDF file of this report is on the HDRU website [HTTP://www.dnr.cornell.edu/hdru](http://www.dnr.cornell.edu/hdru). Click on 2002 publications for this publication.

Access Committee:

Region 3 - Mongaup Valley Wildlife Area has opportunities for expansion.

Region 4 - Sterling Forest remains open for hunting and fishing.

Region 5 - Battenkill Corridor Preserve. The variety of open space resources, such as working farmland, scenic views, wetland, unique areas and significant fish and wildlife habitats. Work to enhance public recreation such as hunting, fishing, birdwatching and canoeing in this river corridor, in the towns of Salem, Jackson, Greenwich and Easton Washington county. The McLenithan property, a 550 acre property in the Battenkill Corridor in Washington county, Town of Jackson. This ecologically important parcel consists of 2800' of frontage on the Battenkill, 175 acres of Gldridge swamp, which is a valuable wetland complex and a mixture of open and forested fields. The project would protect the watershed of the Battenkill and provide recreational opportunities in the Battenkill Corridor.

Region 6 - Moose River Corridor Preserve. The open space character and enhance public use of the Moose river corridor in Herkimer, Oneida and Lewis counties from Rondaxe lake and the Fulton Chain downstream to the Black River Acquisition many consist of a combination of fee and easement holdings.

Region 8 - Rattlesnake Hill Wildlife Management area, acquired more land for better access. This area is managed for wildlife. Any land that can be bought, should be. Seneca Army Depot Conservation Area - should be bought to protect the white-tailed deer herd and have access for hunting.

Region 9 - Chautauqua Lake Access. Buy shore lands and vistas.

Resolutions

Went over Council resolutions and 3 resolutions from Farm Bureau. More to come later in meeting.

Publicity

No report.

Legislation and Resolutions

With the 14 and 15 year old youths being able to hunt big game bill turned down last year, new legislation will be forth coming this year.

Habitat Reserve Program

DEC is looking for Board support.

Federal Legislation

None of the Bills have been acted upon, yet.

Bud Woodfield complimented the DEC staff for all the hard work that they put into the new DECALS.

Pheasant Program- Written material distributed

Herb Barrows distributed a Ten Year Management plan for ring-necked pheasants in NY. An evaluation of activities scheduled for fiscal year 2001-2002 (year 3 activities). He also distributed 2002/2003 pheasant release sites. This information is also available on the DEC web site.

Presentation on Restoration of Paddle Fish in Allegany Reservoir by:

Paul McKeown, Sr., Aquatic Biologist NYS DEC Region 9 Fisheries. Life history of the paddle fish was given and what is being done now with the paddle fish in New York State. Also provided was the DEC Fisheries Mission statement, "Conserve and enhance New York State's abundant and diverse populations of freshwater fishes while providing the public with quality recreational angling opportunities."

Presentation of Grassland Habitat Enhancement by:

Gregory Tessman, District Conservationist, USDA Natural Resources Conservation Service.

Greg distributed a very informative habitat information packet. He pointed out that grasslands are very important to pheasant restoration. He spoke on what is needed for primary nesting and brood and summer nesting cover and what is considered best for winter cover. He states that private property management is one of the best ways to go. It was also pointed out that more pheasants are being seen in the western part of the state.

DEC Report - Presented by:

Gerald Barnhart, Director, NYS DEC, Division of Fish, Wildlife and Marine Resources.

Gerry reported that good gains were made in the past legislative session. The Conservation Fund package was passed, with the exception of the 14 and 15 year old youths being able to hunt big game. This part may have a better chance of passing this year. Other gains were made in the expansion of Regulatory Authority. There was real strong support from the Farm Bureau. Looking to next year, lower the age to hunt big game to 14, Habitat Resource Program (85% of land ownership is private), and most regulatory authority will have to be re-authorized.

Report on DECALS:

Gerry went through the process of how the vendor was selected. DECALS went on line August 22, 2002 at the State Fair and worked fairly well. The system went on line state wide August 26, 2002. The system was swamped by the heavy volume of use and crashed. There were technical problems that took 3 days to repair. There were some equipment problems encountered, with 1,200 - 1,300 outlets on line per day. Most of the problems have been taken care of with some minor problems lingering.

Report of license and permits sold and sporting license sales gross revenue was distributed covering total transactions by date, week and total licenses sales by date, week, total active outlets by date. Average active outlets by week and resident license sale through October 20TH vs all of 2001/2002. It looks like the figures will meet and exceed anticipated revenue from license sales. The problems encountered with the reporting system are being worked on. Second generation software will be put into the system after the major license sales season is over, around the first of the year. If anyone hears of problems, call in with them. It took a number of people pulling together to make the system work and the cooperation has just been outstanding.

Chronic Wasting Disease (CWD):

Director Barnhart reported DEC is currently collecting tissue samples from the white-tailed deer populations throughout NYS to test for the presence of CWD. A sampling scheme was developed to determine the number of deer needed from each county, based upon the calculated deer populations. There have been over 900 samples taken, 324 negative for CWD, 513 pending and 21 samples un-usable. There have been no cases of CWD within a month. Handouts were distributed on current results from the NYS chronic wasting disease surveillance project and questions and answers on chronic wasting disease for hunters. More information on CWD can be found on the DEC web site.

Director Barnhart handed out information in regards to new federal funding for fish and wildlife conservation. The Division of Fish, Wildlife and Marine Resources is in the mist of planning for the use of new federal dollars from the new State Wildlife Grants (SWG) program. The purpose of the program is to provide funding to state wildlife agencies for conservation of fish and wildlife species in greatest need of conservation. The funding was a direct result of the "Teaming With Wildlife" efforts sustained for more than an decade by fish and wildlife conservation interest across the country. New York is eligible for \$3.7 million of SWG funding

this year.

Habitat Access Project Selection

Director Barnhart stated that small, highly visible projects should be brought forward. He suggested that Board members should go back to their regional boards for suggestions. Gerry distributed the report to the fall convention of the NYSCC, Inc.

Division of Law Enforcement

Major Charles Johncox, Region 7, 8 & 9 (Director Johnson regrets that he can not attend).

Major Johncox reported on the following:

1. Division structure.
2. Staffing, in total, when all promotional opportunities are filled, there will be eleven ECO vacancies as of mid October 2002.
3. DECALS, Law Enforcement Officers have been advised to exercise the maximum amount of discretion when encountering sportsman, what may otherwise be a violation of law - the violation maybe the result of legitimate confusion over regulations or the results of license issuing errors. The system is coming up to speed quickly but here are some problems with license tags. All Division of Law Enforcement officers will soon be on line with the DECALS system so officers can call in and have the dispatcher run queries.
4. Specialized Teams. Marine and Off Road Enforcement teams (MORE Teams). Bureau of Environmental Conservation Investigation (BECI).
5. Equipment. New ATV's, snowmobiles and PWC's have been issued to the MORE teams. Once these machines are a few years old they will be cycled to the sector officers and the MORE teams will receive new equipment. In spring 2003 the division boat fleet expects to take delivery of 5 new safe-boats which are 31 feet, twin engine vessels. Three of these vessels will be deployed in the marine district and one each will be deployed on Lakes Erie and Ontario. Small and mid-size boats will be replaced as money allows. The intent is to go to fewer boats which are more mobile and receive more use.

Other Topics:

Salmon run. Offset trigger study (trapping).

Total number of activities sectors and MORE team officers was distributed.

Guest Speaker for Banquet

Mr. Will Smith, Outdoor writer with the The Buffalo News.

Access Signs

Walt Hallbauer reported that the access signs were going real good in Regions 8 and 9.

Contact Walt for the remaining signs that are available.

Chairman Report

Chairman Green thanked Walt Hallbauer and Jim Angle for their assistance in arranging this session. Chairman Green also welcomed Pat Arnold to the Board and noted that she was the first active female Sportsman Education trapper instructor. Chairman Green acknowledged the session was well attended. Chairman Green has decided to continue with the Board, he had been contemplating this would be his final meeting.

No Unfinished Business

Adjourn

Motion to adjourn by Joe Molinaro and second by Ray Marlatto.

Meeting adjourned at 9:40 A.M.

Respectfully submitted,

James E. Bertram

Secretary

RESOLUTIONS

NYS FWMB Resolution #022-04, Proposed by Farm Bureau

Resolution requesting the Commissioner of the Department of Environmental Conservation, the Governor of the State of New York, the State Legislature and all other entities involved to take whatever actions are required to permit and direct the state of manage stated owned forests in a manner that maximized recreational availability and provides a sustainable productive wildlife habitat.

Whereas, the current rules, regulations and/or the interpretation thereof prevent or hinder the State from employing sound forest management practices, including the selective harvesting of timber within many state owned forests and

Whereas, the utilization of such practices would increase recreational availability as well as provide an enhancement of wildlife habitat, now therefore be it

Resolved, that the NYS FWMB requests that the Commissioner of the Department of Environmental Conservation, the Governor of the State of New York, the State Legislature and all other entities involved taken whatever actions are required to permit and direct the State, to manage state owned forests in a manner that maximizes recreational availability and provides a sustainable, productive wildlife habitat, and be it further

Resolved, that such management should not preclude the selective harvesting of timber where appropriate.

Motion by Mr. Walt Hallbauer, Second by Ms. Judy Aldridge to accept.
Carried.

RESOLUTION

NYS FWMB Resolution #022-03, Proposed by Farm Bureau

Resolution requesting that the Department of Environmental Conservation in concert with the Commissioner of Agriculture seek a determination that the raising of game birds and game fish for release be considered agriculture for the purpose of determining agriculture assessments on real property

Whereas, the raising of game birds and game fish for release aids in the management of fish and wildlife, and

Whereas, the raising of game birds and game fish for release is certainly an agricultural endeavor, now therefore be it

Resolved, that the NYS FWMB requests that the Commissioner of the Department of Environmental Conservation in concert with the Commissioner of Agriculture seek a determination that the raising of game birds and game fish for release be considered agriculture for the purpose of determining agriculture assessments on real property.

Motion by Ms. Barbara Brown, Second by Ms. Judy Aldrich
Carried.

RESOLUTION

NYS FWMB Resolution #022-02, Proposed by Region 5

Resolution requesting determination that the Department of Environmental Conservation has the authority and mandate to use appropriate vehicles and equipment, including aircraft to perform those functions necessary to manage fish, wildlife and state owned property statewide

Whereas, the current interpretation of regulations by DEC preclude the effective use of aircraft by DEC staff and contractors to carry out those tasks necessary to manage fish, wildlife and state owned property in many areas of the Adirondack Park, and

Whereas, aircraft provide the least destructive means of accessing remote areas in the State for any activities and

Whereas, the DEC must not ignore its obligation to properly manage the fish, wildlife, and lands of the State, now therefore be it

Resolved, that the NYS FWMB requests that the NYS DEC properly determine that the Department has the authority and mandate to use appropriate vehicles and equipment, including aircraft, to perform those functions necessary to effectively manage fish, wildlife and State owned property statewide, including in all areas of the Adirondack Park.

Motion by Ms. Judy Aldrich, Second by Mr. Don Sage to accept.
Carried.

RESOLUTION

NYS FWMB Resolution #022-01, October 26, 2002, Proposed by Farm Bureau

Resolution requesting regulation of animal feed to prevent the possible introduction of Chronic Wasting Disease (CWD) or similar diseases to the State of New York

Whereas, CWD has been recognized to be present in an ever expanding area, and

Whereas, CWD has yet to be found in the State of New York, and

Whereas, certain commercial feeds are suspected to be a cause of the spread of CWD and similar diseases (i.e. Mad Cow Disease), and

Whereas, many commercial feeds are consumed by the wildlife of the State of New York, now therefore be it

Resolved, that the NYS FWMB recommends that DEC and the Department of Agriculture and Markets adopt and enforce current USDA rules and regulations on ruminant feed manufacture and distribution to apply to all feed available for consumption by animals, including wildlife, in the State of New York.

Motion by Mr. Don Sage and Second by Mr. Walt Hallbauer to accept.
Carried.

Copied: Governor
Assembly
Senate
DEC Commissioner
Ag&Markets Commissioner