

New York State FISH AND WILDLIFE MANAGEMENT BOARD



Minutes- NYS Fish and Wildlife Management Board 92nd Session, April 3-5, 2003 Albany, New York

The Meeting was called to order at 1:15 P.M. by Chairman Emory Green with roll call.
Invocation by Board Member, Bud Woodfield

Previous Minutes, Fall 2002 Meeting,
Motion by Bud Woodfield and seconded by Bill Pike. Motion Carried.

Present at part or all of meeting:

Board Members

Region	Landowner	Sportsman	Legislator
3	Robert Underhill	Joseph Molinaro	Raymond Merlotto
4	Homer Casler	Carlton Hatch	Dick Thompson
5		William Pike	Robert Banks
6	Judy Aldrich	Patrica Arnold	Kelly Dickinson
7	Eugene Blumer	Harry(Bud)Woodfield	James Corbett
8	Gary Evans	Emory Green	Glenn Larison
9	Chuck Coutere	Walt Hallbauer	

Advisors

NYS Dept. of Environmental Conservation- Gerry Barnhart, Jim Bertram
NY Farm Bureau- Judy Aldrich
NYS Grange- Dwight Widger
Izaak Walton League of America- Mathew Webber
NYSCC- Howie Cushing
NYS Forest Practice Board- Richard Fox
NYS Dept. of Agriculture & Market John Schumacher
NYS Soil & Water Conservation Committee- John Schumacher
Cornell University- Tom Brown
Suny College of Environmental Science & Forestry- John Farrell

Guests

DEC- Lynette Stark- Deputy Commissioner, Natural Resources and Water Quality
Dave Egelston- Deputy Director, Division of Law Enforcement

Welcome to the Spring Meeting and Region 4 was made by Steve Schassler, Region 4 Regional Director

Major Reports

Regional Reports

Region 3 - A Striped Bass seminar was held, which was well attended. The Cross Bow Issue and 14&15 Year Olds being able to hunt big game while under supervision issue was discussed and both issues were supported. The Sportsman March on Albany was not well attended this year.

Region 4 - Dave Mclean, was elected Region 4 FWMA Chairman.

Region 5 - The FWMA met in Dec.& Feb. The following were the most important topics discussed:

Access - Planning & permitting works continue for the Lake Champlain boat launch at Ticonderoga. Public Fishing rights work continues at Rock Falls, Unit Management Plans are in various stages of completion, with the goal to complete all of them by 2004. The Town of Queensbury plans to retain ownership of a parcel on the shore of Glen Lake and continue its present use as a public access to the lake. ATV use controversies and legal efforts continue, especially regarding use on town roads in the Forest preserve and on frozen lakes.

Species Management - Trap netting to assess South Bay, Lake Champlain walleye and spawning will be conducted in Spring 2003, depending upon staffing. Work on the Lake Champlain Sea Lamprey Control APA permit application continues. The work on the Battenkill last summer identified problems with lack of in-stream cover. Fisheries staffs have analyzed survey data collected on Piseco Lake resulting in proposed regulations to increase Lake Trout size limit and reduce stocking. Emergency Chronic Wasting Disease (CWD) regulations have been proposed as Permanent Regulations. Public Comment in Franklin and Clinton counties was overwhelmingly opposed to the proposed feeding ban.

Habitat - Stakeholders that are involved in UMP development for the Hudson gorge met regarding the Town of Indian Lake's water releases from Lake Ebenaceae for white-water rafting on the Hudson River.

Region 6 - Survey shows 16 new boat launch sites in Region 6 since last count in 1997. Unit Management Plans for a number of areas of the region are now in the work mode. New land purchases are being processed and finalized, including some gifts. Utica marsh property and Rome Sand plains are in states of completion. Tug Hill deer yards are monitored monthly as of February. Herd in good condition. Fisheries found two round whitefish survivors in Trout Lake, St. Lawrence County. The Black Crow problem in the city of Utica, Flock estimated at 11,000 +. Aerial surveys of Beaver population in St. Lawrence County shows a Marked increase. U.S. Fish and Wildlife Commission in process of turning control of Cormorant management over to NYSDEC. Region 6 is now short 5 ENCON officers because of retirement and military service.

Region 7 - Discussed the letters of support and a proposed Otisco Lake Boat launch. The Nature Conservancy has purchased more than 45,000 acres in the Tug Hill area. Cayuga County feels that the waterfowl feeding issue is both an access, as well as a management issue. Cayuga County submitted a resolution to the NYSCC requesting the State put more emphasis on its

warm water fisheries and expand the walleye fingerling-stocking program. Region 7 FWMB purchased 1000 aluminum "Fishing Permitted" signs. There was a long discussion on the Habitat Access Stamps funds. Madison county said they would continue to petition the State and the elected officials of Cazenovia for a resolve to use the McNitt property as an access point to Cazenovia Lake.

Region 8 - The Region 8 Board has actively promoted the use of the crossbow as a hunting implement in NYS. The status of the Seneca Army Depot Conservation Area remains up in the air, a decision is expected at any time. The Indian land claims battle is another item of continued concern. Depending on how legal decisions fall, this land issue could have an impact on regional sportsman by placing lands and water of the region under reservation status. The Empire Farm Days will be a prime summertime project for Region 8 Board members. The Dates for this event are August 5-7, 2003. Ron Schroder, Region 8 FWMB Secretary was thanked for his Thirty-five years of service to the program. Ron will retire at the end of March, 2003. Ted Konieczka was elected Chairman and John Taylor, Vice-Chairman of the Region 8 FWMB for 2003.

Region 9 - The habitat project on Carlton Hill Multiple Use Area appears to be successful. Positive response has been received from area pheasant hunters. Region 9 DEC is working on several fishery and access programs: Chautauqua Creek, Wiscoy Creek, Elton Creek, Canadaway Creek, Buffalo River Walleye Project, and the Stow Property along Chautauqua Lake have been purchased from the Chautauqua Conservancy. The Board discussed the Habitat Stamp and projects in the region that could be funded from the Stamp revenue when it becomes available.

Access signs are still being purchased by Sportsman's clubs and distributed free to landowners. This is a way to develop a good relationship between sportsman and landowners. Region 9 Fishery Manager, Steve Mooradian, is retiring this spring. Steve has received national recognition for his work on the restoration of the Paddlefish.

Advisory Members reports

NYS Soil and Water Conservation Committee

Handed out report showing Ag NPS Funding in rounds I-IX . In Round IX for Fiscal Year 2002-2003, EPF, \$5,925,325, Bond Act. \$259,640.

Izaak Walton League of America

Discussed how important wetlands and other isolated waters are in providing a vast array of ecological services benefitting man and the natural world. A major concern of the (IWL) is a 2001 Supreme Court decision that determined that the Federal "Clean Water Act" did not intend to protect small isolated waters including wetlands. Knowing that the opponents of wetland protection are building their case, the IWL at the National, State and Chapters levels have dug deep and raised the considerable amount of money necessary to fund the efforts toward extending the CWA's jurisdiction to include the protection of the greatest number possible of these valuable resources.

The Army Corps of Engineers, with the strong backing of some Midwestern state politicians, is proposing the expansion (widening and deepening) of the St. Lawrence Seaway along with the expansion of the Great Lakes Navigation System thus allowing larger ocean-going ships access to the ports of the Great Lakes. Included in this project would be the year-round use of the

seaway. The NY IWL has been sending information to all the other Great Lakes State Divisions keeping them informed of the issue so that they might fight this in their respective states. We in NY (the environmental community and the politicians) are in the lead in trying to stop this senseless project before more taxpayer money and effort is wasted.

Farm Bureau

The Farm Bureau submitted 16 Policies for consideration by the NYS Fish and Wildlife Management Board.

Cornell University

Deer Damage to Agriculture Survey, A survey should be going out this week to a sample of 4,000NY farmers. The study focuses on deer damage but also obtains enough information on other types of wildlife damage to place deer damage in proper perspective. Other work being done concentrate on both on deer and black bear management, a joint NY- Mass. Study investigation public attitudes toward beaver management in key areas and a survey is being sent out for the annual small game and trapper take.

Department Reports

Fish, Wildlife and Marine Resources

Gerry Barnhart, Director, Division of Fish, Wildlife and Marine Resources introduced Jeff Loukmas from the Cooperative Fish and Marine Research Unit Department of Natural Resources Cornell University. Jeff made an excellent presentation on the Progress Report on Hudson River Mammals: (PCB) Levels in Mink, Otter, and Muskrat and Trapping Results for Mink, the Upper Hudson River Drainage, 1998-2000. There are two publications in reference to these subjects on the DEC Web-Site.

Gerry then introduced Dick Henry, from the Deer Management Unit. Dick reported on the 2002 Deer Season results. A record take was recorded for the 2002 season. There was a total of 300,200 deer taken. Winter deer loss reports will be out shortly. (CWD), Dick gave the presentation that was given at the statewide (CWD) meetings. All of the statewide meetings are completed and the information from the meetings is being reviewed. Before a final determination is made for the final permanent regulations, Sportsman groups will be included in the discussions. Information is available on (CWD) on the DEC web-site. Gerry Barnhart discussed how the Board can help the Department by communication and to encourage patience with its (CWD) program. There have been some dramatic actions on the Departments part, as it looks to protect the long term interest of New York's deer herd.

Lynette Stark, NYSDEC Deputy Commissioner, Natural Resources and Water Quality apologized to the Board for having to cancel being a guest speaker for the Friday night banquet and thanked the Board for letting her speak during the Friday afternoon meeting. Lynette started by indicating that she has only been on the job for two months and that she would like to meet the Board members that she doesn't already know. She discussed how the State Budget Issue is the biggest problem faced by the Department. She however indicated that the Budget as presented by the Governor is sufficient and healthy. Lynette went on to say, during the eight years that the Governor has been in office, \$10 Billion has been spent on the Environment. Even in a tough budget year we are able to devote the full \$125 million left from the 1996

Environmental Quality Bond Act and still do the Stewardship activities, purchase more land for recreational

opportunities and maintain our workforce. Lynette also discussed other Department initiatives, such as, Opportunities/Access, Public Fishing Rights, Boat launch Sites, Open Space Acquisition, Education, DEC Education Camps, I Fish NY Program, and the Empire State Outdoors. She also spoke about the 14 & 15 year Olds being able to Hunt Big Game Bill and the Crossbow Bill. Panfish being sold from Lake George and Lake Champlain was discussed and the Department is looking at new regulations to prevent abuses that are occurring.

Law Enforcement

Dave Egelston, Assistant Director, Division of Law Enforcement, reported that the DECALS has been a real plus for Law Enforcement and will be even better in future years. Dave then indicated that they are working very hard on having a new law enforcement academy this year, The Commissioner is supporting a new academy. They are down 23 people at this time. Background Investigations are going on at this time so that when they get approval for a new academy, they will be ready. Dave then reported on the new dispatch number for calling into law enforcement and how it works. People calling in now will get a dispatcher, either a DEC person, or the State Police in off hours. Dave reported that four safe boats have been ordered, two with state money and two with federal funds.

DECALS, Habitat Stamp

Gerry Barnhart, Discussed DECALS and the problems that occurred when the system went on line in August 2002. He indicated that most of the problems have been worked out and that the system should be working well when this license year begins. A Conservation Fund Revenue Draft report was handed out for 2001-2002 and for 2002-2003. There was an increase in sales, in almost all license categories. Gerry indicated that the inter-net sales of licenses should be operational by this summer.

Sale of Habitat Stamps was the next item that Gerry discussed. He indicated that there was a total of 6,452 Habitat Stamps sold. That money has gone into the Habitat account in the Conservation Fund. Other revenue streams have been looked into and the money will go into the Habitat Account. The Habitat License Plate revenue will also go into the Habitat Account. New Posters are going to be used to promote the Habitat Stamp statewide.

Gerry Briefly discussed the State Budget and positions lost to the retirement incentives.

Election Of Officers

Walt Hallbauer, Chairman Election Committee ran the Election of Officers

Officers Elected with no Opposition:

Chairman, Robert Banks
Vice-Chairman, Kelly Dickinson
Secretary, Jim Bertram
Delegates to Executive Committee,
Emory Green
Joseph Molinaro

Walter Hallbauer

Access Signs

Walt Hallbauer , Reported that \$2,400 has been paid, less than \$1,000 owed for the access signs. The Town of Busti has ordered 1000 signs.

Payment for Access by Permission Signs should be made payable to Friends of Fish & Wildlife Inc. Attention Jim Bertram, NYSDEC 625 Broadway, Albany, NY 12233-4800

Guest Speakers Included

Howie Cushing. President New York State Conservation Council
Carmella R. Mantello, Executive Director, Hudson River Greenway Council
John Potter, Director of Land Management, New York City Department of Water Supply
Jeffrey Williams, Assistant director of Public Policy New York State Farm Bureau
Patrica Arnold NYSFWMB Region 6 Member and Lifetime Trapper
Dan Stockton, Region 7 Sportsman and Trapper.

Resolutions Voted on:

NYSFWMB Resolution #031-01, Proposed by Region 6

Title: Resolution Requesting Adequate Manning of Positions Supported By The Conservation Fund (Resolution Voted on and Passed)

Whereas, a hiring freeze and a retirement incentive have resulted in many vacancies in the Department of Environmental Conservation, and

Whereas, many of these vacant positions are funded by the Conservation Fund, and

Whereas, many of these vacant positions must be filled in a timely manner to maintain an adequate level of programs and services within the Department, and

Whereas, the conservation license buyers requested and received license fee increases to fully fund the Conservation Fund, now therefore be it

Resolved, that the NYSFWMB requests that NYSDEC and the Division of Budget review the vacancies in each Region, and insures that all Conservation Fund supported positions required to at least maintain the current level of services and programs are adequately filled.

NYSFWMB Resolution #031-02, Proposed by Region 6

Title: Resolution in Support of Region 6 Animal Feeding Recommendations (Resolution Voted on and Defeated)

Whereas, While Region 6 approved the immediate emergency action taken by DEC, it now feels that at this point the current situation allows for a less stringent restriction. And recommends the following suggestions be implemented in their stead:

1. That the current feeding ban for deer imposed under emergency rules by DEC to prevent spread of chronic wasting disease be relaxed since a widespread sampling of deer in the state has failed to show any evidence of the disease.
2. That DEC institute a ban on feeding any processed feed allowing the feeding of deer with grains that are unprocessed, or other natural fodder such as hay.
3. Work with USDA, Agricultural and Markets, and Public Health to continue to test and ensure the safety of the deer herd.
4. Begin joint efforts to study the disease, methods of transmission, and develop tests that are reliable and can quickly identify affected animals.
5. Work with other states and the Federal Government to determine what if any action can effectively contain and/or eliminate the disease.
6. Continue the ban on importing suspect species into the state.
7. Continue testing the deer herd and captive animals.

Now be it Resolved, that NYSFWMB supports the Region 6 position on the feeding of deer.

NYSFWMB Resolution #031-03, Subject of Izaak Walton League Presentation

Title: Resolution Opposing Expansion of the St Lawrence Seaway (Resolution Voted on and Passed)

Whereas, the Army Corps of Engineers is proposing the expansion of the St Lawrence Seaway and the Great Lakes Navigation System, and

Whereas, taxpayer-funded studies of expanding these systems were conducted in the 70's and 80's that concluded that the proposed expansion was a bad idea, and

Whereas, any such expansion would be done with the aim of accommodating larger vessels and using the systems year round, and

Whereas, larger vessels and year round use of these systems could adversely affect the Great Lakes and St Lawrence River as well as the tributaries, marshes and wetlands adjacent to these systems with the inevitable disruption of the frozen surfaces and potential increased introduction of non-native invasive plant and animal species, now therefore be it

Resolved, that the NYSFWMB opposes the expansion of the St Lawrence Seaway and the Great Lakes Navigation System.

NYSFWMB Resolution #031-04, Proposed by the Farm Bureau

Title: Resolution in Support of Farm Bureau Policies (Resolution Voted on and Passed)

Be it Resolved that the NYS Fish and Wildlife Management Board supports the following New York Farm Bureau 2003 Policies

1. The opposition of the importation of any species susceptible to chronic wasting disease.
2. The recommendation that a crisis education and response team of agricultural and disaster experts be assembled.

3. The recommendation that trails, both new and existing on state, county and local lands which are now considered multiple use be preserved as such.
4. The support for "Project Learning Tree", sponsored by the Department of Conservation, which provides funding to support the forester's expenses connected with the program.
5. The recommendation that the Department of Environmental Conservation act promptly in assigning a forester to the Alleghany State Park.
6. The encouragement of the development of safe feeds for non-traditional livestock.
7. The belief that private property rights should be protected when dealing with wetlands and endangered species.
8. The support of regulation within the DEC that requires regional offices to operate with uniform standards and practices.
9. The recommendation that the DEC encourage sportsman to take does as well as bucks and issue adequate permits to balance the herd.
10. The recommendation that the age limit for a big game license be reduced from 16 to 14 years of age.
11. That New York State should encourage an increase in the number and availability of hunter safety courses.
12. The recommendation that Regular Big Game Season in the Southern Zone start on a Saturday

NYSFWMB Resolution #031-05, Proposed by Region 9

Title: Resolution Calling for Public Participation and Sportsmen's Consideration in the Creation of Lake Protection and Improvement Districts (Resolution Voted on and Passed)

Whereas, it appears that the Town Supervisors of Busti, Chautauqua, Ellery, Ellicot, and North Harmony have written a 22 page legislative act that would create the Chautauqua Lake Protection and Improvement District, and Whereas, it appears that, at this point in time, little or no public participation or input from local sportsmen's groups has been solicited in this endeavor, and

Whereas, the creation of such districts should be an open process with input from all interested parties, now therefore be it

Resolved, that the NYSFWMB calls for public participation and sportsmen's consideration in the creation of any lake protection and/or improvement districts in the State of New York.

The Habitat Committee forwarded four projects for consideration.

- # 1 - From Region 9, A proposal requesting funds to implement a project in Chautauqua County positively affecting both habitat and access. There exists in Chautauqua County, an important recreational opportunity that is cared for by the County Parks Department.

This is named the Marden E. Cobb Waterway Trail. The grant total requested for Region 9 is \$8,690 This amount will be spent exclusively on the clearing of the Marden E. Cobb Water Way Trail.

2 - From Region 5, A proposal requesting funds for the Carter Pond WMA to plant pine trees and fruit bearing trees to provide a barrier and to provide food for pheasants, grouse and turkey. Amount of funds requested is \$5,000.

The second area in the proposal is the Battenkill State Forest. Funds requested are for Planting White Pines for a visual screen, the planting of fruit trees and manage at least four fields for food and shelter for pheasants and turkeys.

3 & 4 From Region 3, Request funds for Silver Lake access. Remove trees and scrubs and chip up same- \$500.00 , Level part of site and cover with item 4-\$500.00 and create and install access signs-\$150.00, Total \$1,150.

DEC Wildlife Management area located on Route 199, Town of Milan, Mow property-\$300.00, Turn soil, disc and plant wildlife cover- \$ 700.00 for a total of \$1,000.

Meeting Adjourned at 10:30AM

Respectfully Submitted,
Secretary, James E. Bertram
NYSDEC, 625 Broadway
Albany, NY 12233-4800
518-402-8968—jebertra@gw.dec.state.ny.us

Minutes Approved 9/11/03 at Executive Meeting in Cortland.

Members: Representatives of County Boards of Supervisors/County Legislators, Landowners and Sportsman

Advisory Members: New York State Department of Environmental Conservation, New York State Department of Agriculture and Markets, New York State Conservation Council Inc., Farm Bureau of New York, New York State Grange, New York State Forest Practice Board, Izaak Walton

League of America; New York State Division, New York State Soil and Water Conservation Committee, New York State College of

