

Issue:

New York and its partners stocked 952,118 yearling and larger trout into 332 *Stocked* and 62 *Stocked-Extended* reaches in 2022 in accordance with the Trout Stream Management Plan (NYSDEC 2020). Many of these fish are stocked in waters that flow through private land. Many of these stocking policies originated during a time when landowners were more permissive about allowing anglers to fish on their land and under the assumption of open access based on informal “handshake agreements” with Bureau staff. These stockings have continued despite changes in land ownership, or lands became subdivided. Historically, the Bureau of Fisheries protocol was to discontinue stocking at a location where public access is prohibited by means of a written notice, typically a “Posted” sign. However, the Bureau has lacked standards to confirm that unposted property, or properties adjacent to stocking points are unbiasedly accessible to anglers. Given this uncertainty, the Bureau cannot currently identify privately held lands that allow fishing access and cannot assess if stocking policies are commensurate with truly publicly accessible stream miles. An accounting of true public access along *Stocked* and *Stocked-Extended* reaches is needed to ensure that hatchery trout are being stocked into stream reaches that provide a benefit to the angling public. Furthermore, having clearly identified accessible reaches will better serve both landowners and the angling public by reducing occurrences of trespass on stream reaches where anglers are not welcome.

Status of stocked Trout Stream Access Information in 2022

An analysis of 2022 parcel data using GIS revealed the following:

Table 1. Public Accessibility analysis of tax parcels along Stocked and Stocked-Extended trout streams.

Stocking Category	Number of Tax Parcels		
	Publicly Accessible	Unknown Access	Total
<i>Stocked</i>	3,598	13,442 (79%)	17,040
<i>Stocked-Extended</i>	2,300	3,661 (61%)	5,961

Table 2. Public accessibility analysis of bank mileage along Stocked and Stocked-Extended trout streams.

Stocking Category	Miles of Stream Bank		
	Publicly Accessible Bank Mileage	Unknown Access Bank Mileage	Total Reach Miles*
<i>Stocked</i>	962.9	2,110.9	1,536.9
<i>Stocked-Extended</i>	506.5	425.9	466.2

* Available bank mileage is assumed to be double the total reach miles

For the purposes of this plan, lands accessible to public fishing include county and municipal park lands, DEC lands, NY City Dept. of Environmental Protection recreational lands, Federal Recreation lands, lands accessible by agreement, and properties with existing NYS-owned Public Fishing Rights (PFR) easements. Based on this analysis, DEC is stocking many miles of streams with ambiguous access, potentially stocking fish in areas where anglers cannot fish for them. Additionally, this uncertainty limits DEC's ability to manage angler expectations regarding where they can access fishing resources.

Goal:

Trout raised with public funds will only be stocked into stream reaches where public access is available, and anglers can be directed to accessible locations on those reaches by DEC.

Objectives:

1. Determine where the public has fishing access on currently stocked reaches that flow through privately held lands.
2. Ensure that fishing access that is allowed on private lands is verified as open to all anglers.
3. Adjust stocking policies to accurately reflect the actual number of trout needed based on the amount of stream that is publicly accessible.
4. Transparently let anglers know where they have access to trout streams.

Approach:

Due to the magnitude of parcels/stream miles with unknown public access, the Bureau will take an incremental approach in determining where private landowners will continue to allow unrestricted fishing access on trout stream reaches. Access verification during the first pilot year (2022) was limited to one or two counties per DEC Region to allow staff time to work out any unexpected problems encountered during the effort. The schedule for the remaining counties (Table 3) was developed after the first year was completed. For all years, access verification will be completed early enough to allow for any changes in stockings to be implemented the following year (e.g. 2022 results will adjust 2023 stockings). DEC Regions will have until October 15, 2025, to complete the access verification process for all counties and adjust stocking policies for their remaining stocked reaches.

Table 3. Schedule for Access Verification

DEC Region	Year Planned for Access Verification	Counties	Miles of stocked reaches within county(s) in 2022	% of Total Regional Mileage
3	2022	Putnam	24.6	7.8%
3	2023	Dutchess, Rockland, Westchester	124.2	39.7%
3	2024	Orange, Ulster	80.0	25.5%
3	2025	Sullivan	84.5	27.0%
4	2022	Montgomery, Schenectady	4.3	1.5%
4	2023	Columbia, Rensselaer, Otsego	119.2	42.3%
4	2024	Albany, Delaware	80.9	28.7%
4	2025	Greene, Schoharie	77.8	27.6%
5	2022	Franklin	75.1	20.2%
5	2023	Fulton, Hamilton, Saratoga	93.3	25.1%
5	2024	Clinton, Warren	69.9	18.8%
5	2025	Essex, Washington	134.0	36.0%
6	2022	St. Lawrence	65.3	18.8%
6	2023	Herkimer, Jefferson	107.7	31.1%
6	2024	Lewis, Oneida (partial)	75.9	21.9%
6	2025	Oneida (finish)	98.0	28.3%
7	2022	Tioga	23.8	7.6%
7	2023	Broome, Cayuga, Chenango, Cortland, Oswego	96.7	30.7%
7	2024	Madison, Tompkins	84.6	26.8%
7	2025	Onondaga	110.1	34.9%
8	2022	Steuben	45.3	41.5%
8	2023	Chemung, Schuyler, Seneca, Yates	35.1	32.2%
8	2024	Ontario	14.0	12.9%
8	2025	Genesee, Livingston, Monroe	14.6	13.4%
9	2022	Erie	21.6	8.3%
9	2023	Allegany, Chautauqua	118.0	45.2%
9	2024	Cattaraugus	80.4	30.8%
9	2025	Wyoming	41.0	15.7%

* Note: reaches that extend into the adjacent county will be done at the same time as the rest of the reach.

Verifying public access

For a parcel to be considered verified access, the landowner must consent to allow the DEC to post the property as open to anglers and allow the DEC to display fishing access in the Tackle Box feature in the HuntFish NY App and DECinfo Locator.

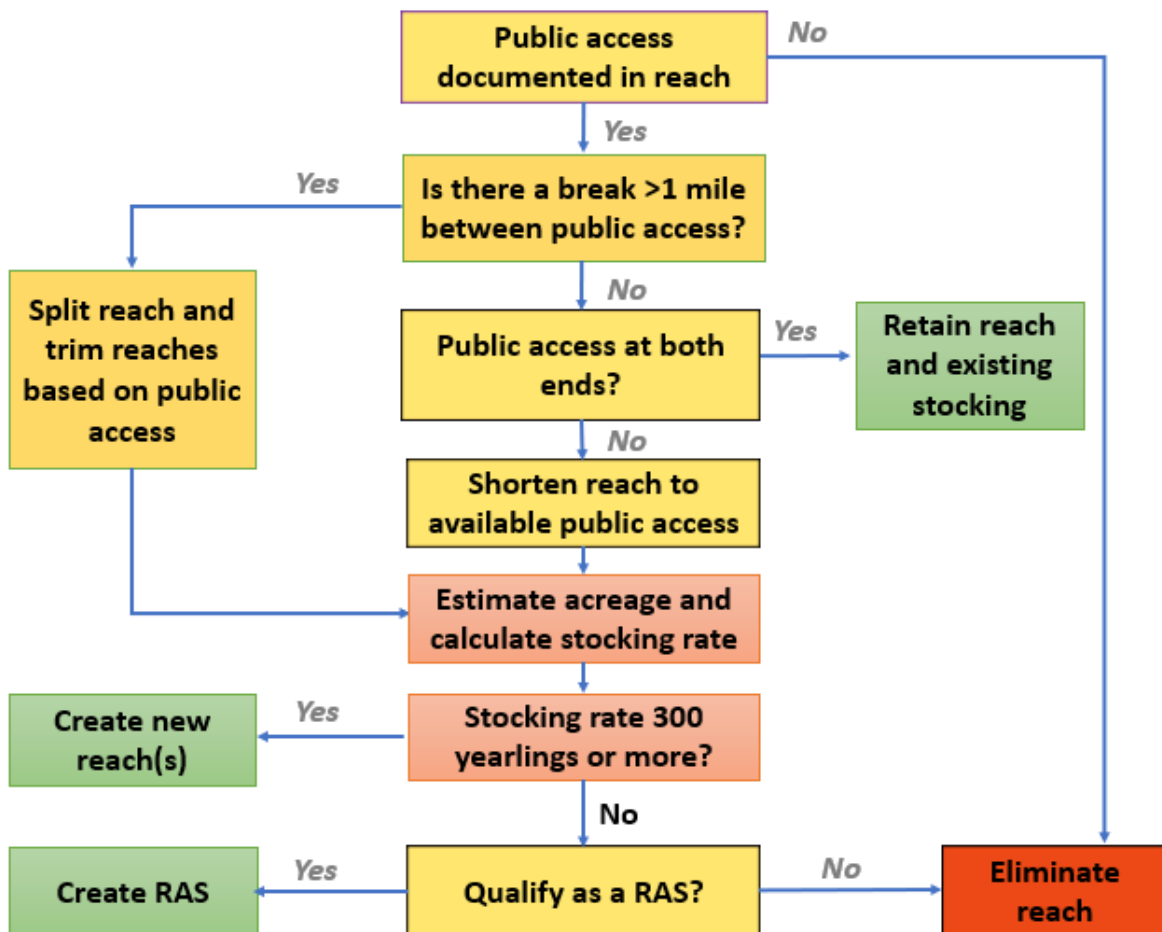
Steps:

1. Letters of inquiry are sent to private landowners at bridge crossings and immediate roadside access. Government entities or large corporations holding multiple parcels will be contacted directly by DEC via email or telephone call.
2. Landowners that do not respond to the first letter will receive a follow up inquiry 4 weeks after the first correspondence.
3. Regional Fisheries Managers will contact all positive replies to explain the program and secure access.

4. Regional Fisheries Staff complete the verification process by confirming the agreement via an email or written correspondence.
5. Regional Fisheries Staff have the option of contacting adjacent landowners or implementing a Road Access Stocking policy (see below) if bridge crossing or immediate roadside access is secured for stream reaches categorized as *Stocked*.
6. All adjacent landowners to verified public access must be contacted along *Stocked-Extended* stream reaches.

Assessment and adjustments of *Stocked* reaches

Once the locations of verified public access have been documented, each *Stocked* reach will be assessed and adjusted. Reaches may remain unchanged, split, shortened or eliminated based on the amount and location of verified public access. The number of fish stocked is predicated on suite of variables, including the stream reach area (acres). The section of stream in consideration must have enough acreage to receive 300 or more yearling trout to be designated as a *Stocked* stream reach. If stocking calculations call for less than 300 fish, a RAS will be considered.



Assessment of *Stocked-Extended* reaches

Verify that the *Stocked-Extended* reach meets the 3 miles or more of public access criterion established in the Trout Stream Management Plan and that reach endpoints are on publicly accessible parcels. If not, make reach adjustment recommendations to the Coldwater Unit Leader. Any *Stocked-Extended* reach adjustments require a regulation change.

Implementing Road Access Stocking (RAS) Policies

“Road Access Stocking” policies are point stockings on a stream that would allow for the stocking of a limited number of trout at both bridge crossings and areas where roadways are immediately adjacent to a stream reach (hereafter termed “roadside parcel”). The intent of this new stocking practice is to provide for short-term, put-and-take fisheries within short sections of pool habitat with access posted as “Fishing Permitted.” Instead of eliminating stockings in reaches with limited public access, RAS policies will provide the public some opportunities to fish on short, sections of private lands deemed publicly accessible.

RAS Rules

The following are a set of rules to aid in the implementation of RAS policies:

- a. These policies can only be implemented within the boundaries of stream reaches currently categorized as *Stocked*. RAS policies cannot be implemented outside of an existing *Stocked* reach.
- b. RAS policies can only be used when either an independent upstream or downstream reach policy exists or when two or more RAS points total at least 300 yearling equivalent trout.
- c. Number of fish stocked at RAS points cannot exceed numbers stocked in previous stocked reach.
- d. At least one landowner on one side of a bridge crossing must consent to allowing access. Standard width highway Right-of-Ways do not constitute sufficient access for use of a RAS.
- e. A RAS Policy can only be implemented if it meets the following criteria:

RAS Category	Minimum Criteria	Stocking Rate
Default	<ul style="list-style-type: none"> • 50 feet contiguous access to a pool for bridge crossings, or • 150 feet contiguous access to a pool for roadside parcels; and • Access to a pool with a minimum of 750 square feet, have an average water depth of 3' or greater. 	<ul style="list-style-type: none"> • 75 yearlings • 8 12" trout
High	<ul style="list-style-type: none"> • 100 feet contiguous access for bridge crossings • 300 feet contiguous access for roadside parcels • The pool must have a minimum of 1,500 square feet, have an average water depth of 3' or greater. 	<ul style="list-style-type: none"> • 150 yearlings • 15 12" trout

Posting of verified access locations

Following completion of the access verification initiative in each county, the Regional Fisheries Manager will be responsible for ensuring that all sites with access are posted with "Fishing Permitted" signs (see example to the right). Hatchery staff will be responsible for notifying the Regional Fisheries Manager if Fishing Permitted signs have been removed. Regional Fisheries Manager will follow up on hatchery reports by contacting the landowner to determine the status of access at the site.



Updating angler access on DECinfo Locator and Tackle Box feature in the HuntFishNY App

DEC will update the DECinfo Locator map and the HuntFishNY App annually to show where fishing access is permitted on each stream.

Timeline for 2023-2025

The timeline has been revised from lessons learned from the 2022 pilot year. Dates shown below are for 2023. Dates for 2024 and 2025 will be adjusted slightly (1 or 2 days).

- June 1: 1st round of letters of inquiry sent and Regional direct contacts begin.
- June 29: 2nd round of letters of inquiry sent.
- July 27: 3rd round of letters of inquiry sent.
- August 25: 4th round of letters of inquiry sent.
- October 15: Descriptions of finalized stocking reaches and RASs completed, including calculating the numbers of fish to be stocked in each.
- January 2: Revised reaches, new access polygons, and adjusted stocking numbers available for Regional review.
- January 31: Regional review of revised reaches, new access polygons, and adjusted stocking numbers completed, and all needed corrections sent to CO.
- February 21: Revised reaches, new access polygons, and adjusted stocking numbers finalized by CO.
- March 1: Data ready for submission to DECinfo Locator and Tackle Box feature in the HuntFishNY App.
- March 15: DECinfo Locator and Tackle Box feature in the HuntFishNY App updated with verified access and stocking information.
- March 31: Verified access sites are posted with fishing permitted signs.

Literature cited:

[NYSDEC. 2020. New York State Trout Stream Management Plan](#). Albany, NY: New York State Department of Environmental Conservation.

NYSDEC. 2023. Stocked Trout Stream Access Project: Year 1 Report. Albany, NY: New York State Department of Environmental Conservation (forthcoming).