



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

Four Hundred and Eighteenth Meeting – September 12, 2023
Department of Environmental Conservation, 625 Broadway, Albany

Call to Order – The meeting was called to order at 9:09AM.

Meeting Adjourned – The meeting was adjourned at 2:15PM.

Roll Call: 9:10am

Voting Board Members Present

Timothy Huss	Region 1
Gordon J Whiting	Region 2
Vacant	Region 3
Tom Williams	Region 4
Jason Kemper	Region 5
Scott L. Faulkner	Region 6
Vacant	Region 7
Marc Osypian	Region 8
Dale Dunkelberger	Region 9
Bill Conners	FWMB
Anthony Kordziel	NYSCC

**Voting Board Members
Excused**

**Voting Board Members
Absent**

Abbreviations

CFAB or the Board = Conservation
Fund Advisory Board
FWMB = Fish and Wildlife
Management Board
DEC or the Department = NYS
Department of Environmental
Conservation
DFW = Division of Fish and
Wildlife
DLE = Division of Law
Enforcement

Ex-Officio Members Present

Senate EnCon Committee
Assembly Ways and Means
Committee Assembly EnCon
Committee
Executive Deputy Commissioner

DEC Personnel

Division of Fish and Wildlife:
Jacqueline Lendrum, Director
Michael Schiavone, Assistant Director
Ben Sears, Administrative Unit
Executive:
Katherine McNamara, Director, Legislative
Affairs
Division of Management and Budget:
Andrew Rowinski, Chief Budget Analyst
Ann Melody, Chief Budget Analyst
Erin Hovish
Division of Law Enforcement:
James Boylan, Assistant Director

Guests

Arthur Wong, Excelsior Staff, Guest
DFW
Jeremy Hurst, Big Game Section Head,
Wildlife, DFW

Ex-Officio Members Absent

Senate Finance Committee

Correspondence: None.

Minutes of Prior Meeting:

June 2023 Meeting Minutes were corrected and approved on October 5 and posted to the website on October 10, 2023.

Executive Report:

Katherine McNamara, Director, Legislative Affairs

- Katherine McNamara - Still in a holding pattern on bills that passed both houses of the Legislature; the Governor has not called them up and may not do so until late in the calendar year.
 - Deer management – would create a “nuisance wildlife specialist” permitting process that lowers some of the barriers associated with culling overabundant deer for the City of Syracuse (Onondaga County) and the Town of Southold (Suffolk County).
 - “Derby Bill” prohibiting “wildlife killing contests” passed both houses; unknown what action Governor will take.
 - 60+ Crossbow Bill - would have expanded crossbow access during bow season for hunters ages 60 and older did not pass both houses.
 - Lead Ammunition Use on State Lands and Lands in the NYC Watershed – Bill that would have prohibited use of lead ammunition for hunting on state lands and lands within the NYC watershed did not pass both houses.
 - Departmental and Article VII (Budget) Bill Proposals –
 - Very early stage in Departmental and Article VII bill proposal process.
 - Hunting and Sporting License modernization -
 - DFW continues to recommend hunting-related Legislation include full inclusion of crossbows, making permanent the big game hunting opportunity for 12- and 13-year-old hunters, prohibition of wanton waste of game, and DMP authority in the Northern Zone.
 - With the transition away from Valeron licenses and tags to plain paper and electronic licenses and tags, some statutory changes needed to provide the option for electronic tagging for deer and bear.
 - Every division has Legislative proposals and the Department is only able to submit a few for the entire agency, so not all proposals will move forward.
 - Legislative Affairs will have a better idea on what Departmental and Article VII bills are likely to be moving forward by the December board meeting.
- Tom Williams asked what legislators are our allies – in the past, Legislative Affairs has worked with Sen. Tim Kennedy, Sen. Sean Ryan, Assemblymember Billy Jones, Assemblymember Carrie Woerner, and Sen. Michelle Hinchey on hunting-related bills.

- Legislative Affairs has made good progress building relationships with Assemblymember Glick's office (Environmental Conservation Committee Chair). Hoping to do some hands-on work with them (e.g., hunter education, crossbows). Glick's office seems interested.
- Derby Bill - Formal letters or memos from hunting groups will help Governor's office understand perspective of organized sporting groups opposed to this bill. Can send to Katie M. or direct to Chamber (with a cc to DEC Legislative Affairs - LegislativeAffairs@dec.ny.gov).
- Tom Williams asked for suggestions on how to get people engaged more.
 - Katie M - Ask for more meetings, invite to things going on in their areas. Need more letter from hunting federations.
- Tom Williams - Feels gun laws will end hunting shooting sports in outdoors.
- Jason Kemper asked about the number of times DEC proposed expanded use of crossbows through Departmental bill proposals or Budget bill (Article VII) proposals. Crossbows were first legalized for deer hunting in 2011 (it was restricted to seasons when shotguns or muzzleloaders are allowed), expired prior to the 2013 season, and renewed in 2014. The renewal in 2014 also allowed crossbows to be used during a portion of the bow season (last 10 days in Northern Zone; last 14 days in Southern Zone) and the setback distance for both bows (150 ft) and crossbows (250 ft) was reduced. Thereafter, legislative proposals were broadened to "full inclusion" of crossbows for all hunters or for hunters ages 60 and over.
 - For 2015-2018, based on a review of DEC's Legislative Affairs files, DEC pursued changes in:
 - 2017: Departmental
 - 2018- Senate pursued this as an Art VII
 - 2019- Departmental
 - 2020- Departmental
 - 2021- Article VII
 - 2022- Departmental
- Bill Connors - Wanton Waste departmental needs money to be added to be considered for an Article VII (budget) bill.
 - Jackie said DFW is exploring implementing a wanton waste provision through regulation rather than through statute. Share with board in January after knowing what happens with Derby Bill.
- Clean Slate Bill - Katie M. will check into it. Will this have impacts on hunter education instructor application and review process?
- Tim Huss - Saltwater Fishing License Initiative - Outreach is underway, getting a read on room.

Division of Management and Budget

Andrew Rowinski, Chief Budget Analyst

Ann Melody, Chief Budget Analyst

Erin Hovish

- Level of Effort - feedback from last year.
 - Request for cash flow report.(to be provided by Division of Management

and Budget services after the meeting)

- Law enforcement - Was a decrease in 2022/2023, one-time retro agreement payment 2021-2022.
- Land and Forests - Significant increase, changed the methodology.
- Operations - Small increase.
 - Capital - Projects get quickly, some projects take time.
- Tim Huss – Wildlife Restoration (aka Pitman-Robertson) federal aid apportionment trends – trend information was provided in the September 2023 report. Robust firearm and ammunition sales in 2020-21 resulted in record federal aid receipts. State apportionments have begun to decline since this peak but are still above the ten-year average.
- Conservation Fund - \$2 million less. There was a significant increase during the pandemic and has gradually declined back to pre-COVID levels. .
 - \$31.3 million as of September 12, 2023.
 - August is usually lowest but starts to pick back up now due to license sales.
- Habitat Conservation & Access Account - Spending has been less than the apportionment, so cash balance getting a little high.
 - Bill Conners - Asked where does revenue line crash through expenditures if we're able to increase spending on habitat and access projects?
 - No structural deficit currently.

Division of Law Enforcement

James Boylan, Assistant Director

James Boylan

- Academy hiring - Recruitment is difficult.
 - 90 ECO candidates.
 - 12 Dual candidates.
 - Polygraphs - Will be finishing soon. A few candidates will be lost due to this.
 - Lost a few candidates due to the psychological screening but may gain a few back due to appeal process.
 - Two candidates are coming back to take the PAT.
- Upcoming school -Trying to hire 40 more.
 - Need 45 candidates.
 - Want 12 on hand for backfills.
 - Early 2024 start date. Vetting process will be completed.
 - Pulaski training.
- Operational - Gearing up for Salmon River detail. Establishing a schedule.
- Civil Service - Made the test common.
 - 2,100 Candidates.
 - Canvased the whole list. 700 responded with interest and booked physical ability test.
 - Large number of candidates did not show up.
 - Lost 50% during the physical ability test.
 - Lost some due to the background check.

- Polygraph is the last test - Will lose more candidates.
- Dale Dunkelburger - Asked how many ECO's there are
 - Statewide is below 300. Lowest numbers. Retirements are a part of that low number.

Division of Fish and Wildlife

Jacqueline Lendrum, Director

Michael Schiavone, Assistant Director

Ben Sears, Administrative Section Head

Jeremy Hurst, Big Game Section Head

Jacqueline Lendrum

- Youth Deer Hunting – discussed statutory and regulatory options for providing additional opportunity to junior hunters (ages 12-15) who are successful during the Youth Big Game Hunt but may not have a tag remaining for the regular season. Regulation revisions would occur for 2025 at the earliest.
- Dale Dunkelburger - Would like to see the deer harvest figures for WMUS 9A - 9F early hunt once they are concluded.
- NASP and ESEA Funding – NASP Coordinator, Kate Ritzko, and Hunter Education Program administrator, Kelly Stang are working with DEC Office of General Counsel on a message for NASP schools regarding potential impacts of federal Elementary and Secondary Education (ESEA) funding on school shooting sports programs. Currently, our understanding is that just because a school gets ESEA funding does not mean they cannot have NASP. Use of ESEA funds means that a school cannot use these federal funds to support NASP or other shooting sports programs. If board members hear from their local schools who may use ESEA funds to pay for their NASP or other shooting sports programs, they should direct them to Kelly Stang.
- Lead Ammunition and Eagles Study - DEC is partnering with the New York Cooperative Fish and Wildlife Research Unit at Cornell University, U.S. Geological Survey, and Conservation Science Global (CSG) on a study to determine the reduction in bald and golden eagle deaths that can be achieved from increased use of non-lead ammunition for deer hunting. The study area is 9 WMUs (3H, 4F, 4G, 4H, 4O, 4P, 4R, 4W, and 6G) selected based on deer harvest and eagle populations. CSG is offering a \$60 rebate to hunters who purchase non-lead ammunition for deer hunting within the study area and is also helping hunters find retailers who carry non-lead ammunition if they are having trouble doing so. This study was identified as a high priority in DEC's [Lead Ammunition Risk Minimization Report](#). Matt Palumbo is DEC's lead for this project and will provide an update at the December CFAB meeting.
- Crossbow Use - Reasonable Accommodation for use of an unmodified crossbow as per the ADA.
 - 1,400 received - 700 pending approval.
- WSFR Receipts - Down but still higher than pre-covid levels.
- License Sales – June – Suggestions on tags – Valeron tag paper supplies are limited so tag colors may vary this year in some locations. DFW staff are

developing a “rollout plan” (ROP) with messaging for the public to make them aware of paper and electronic licensing in 2024.

Michael Schiavone

- Pheasant Propagation Program Update – DEC secured a contract with a pheasant propagation facility in Pennsylvania to provide birds for the fall 2023 seasons. Reynolds Game Farm started receiving birds in July and will continue to receive birds through October. About 30,000 adult birds will be released on publicly accessible lands this fall, similar to previous years. In addition, the division received approval from the USFWS for a five-year federal Wildlife Restoration (aka P-R) grant to support the pheasant propagation program with the goal of using stocked pheasants to recruit, retain, and reactivate hunters (R3). The grant will support operations at Reynolds Game Farm, as well as R3 activities like sponsored hunts.
- Youth Deer Tags – DFW staff presented four options for increasing opportunity for junior hunters (ages 12-15) that were successful during the three-day Youth Big Game Hunt, including the pros and cons of each option. It was noted that there may be an error in the estimated number of participants in the Youth Big Game Hunt in the [2022 Deer Harvest Summary](#) (page 10). Jeremy Hurst confirmed that the value reported there mistakenly only represented the estimated number of 12-13-year-olds that participated during the youth hunt weekend. Including 14-15-year-old hunters increases that number to about 11,800 participating junior hunters (12-15-year-olds) during the Youth Hunt weekend, an increase from 2021. The values reported in [DEC's report to the legislature](#) represent 12-13-year-olds who could hunt at any time during the entire hunting season (9,400 - 9,800). That number was about 400 less in 2022 than 2021.

A question was asked about the number of youth hunters who were successful on youth weekend in all other areas of the state (areas with DMPs):

- 995 youth hunters (aged 12-15) reported a deer with their Regular Season Tag during the Youth Hunt (statewide) in 2022
- 52 youth hunters without a DMP reported taking a deer with their Regular Season Tag in a WMU where no DMPs were available (Adirondacks and Tug Hill)
- 169 youth hunters without a DMP reported taking a deer with their Regular Season Tag in a WMU where DMPs were not available or had low odds of selection; note, the 177 youth hunters referenced in the memo provided to the board included a few duplicate records, and upon review the correct number was 169.
- So, 826 youth hunters successfully filled a Regular Season Tag during the Youth Hunt in WMUs where DMP odds of selection were Medium or High

A question was asked about how many total eligible youth hunters didn't get a

DMP permit in 2022?

- 16,871 youth hunters aged 12-15 years were eligible to hunt ≥1 day during the Columbus Weekend Youth Deer Hunt in 2022
- 5,507 of these did not have a DMP, either because they did not apply or were not selected. For perspective, of all licensed hunters last year, 42% either did not apply or were not selected for DMPs. So youth hunters are getting DMPs at a higher rate than hunters broadly. And all hunters have opportunity to apply for DMPs in the areas where they are available or receive consigned DMPs.

The board will review the four options presented and submit questions, a preferred option, and/or alternative options to DFW leadership for discussion at a future meeting.

September 2023 CFAB Report:

Update on DEC's E-Licensing system and sporting license sales:

DECALS has not experienced any major issues or outages since the last report. Lifetime licenses and tags were mailed in June and July and any lifetime holders who have not yet received their tags should contact the DEC License Sales office at 518-402-8843 (M-F, 8am-4pm). License sales for the 2023-24 hunting season began on August 1 as usual and overall sales are similar to last year.

As in previous years, sporting licenses were sold at the NYS Fair this year. Overall sales at the State Fair were about \$104,000; compared to about \$105,500 last year.

Habitat and Access stamp sales remain strong in the new license year. Opossum promotional stickers have been distributed to license issuing agents in quantities relative to their previous year's stamp sales. We are again running an agent promotion where top stamp sellers from August 1 through the end of December will receive prizes as well as recognition in our annual agent newsletter.

Because of difficulties obtaining enough Valeron stock, licenses and tags for 2023-24 may be multiple colors, with orange (same as last year) likely the most common.

The vendor transition from Kalkomey to Gordon Darby is complete and Gordon Darby has now fully taken over DECALS operations.

License Year Sales by Item Comparison

Overall Sales:

<u>Begin</u>	<u>End</u>	<u>Sales</u>	<u>Revenue</u>	<u>% Change (Revenue)</u>
August 1, 2023	Sept 5, 2023	746,416	\$11,112,783	0.0036%
August 1, 2022	Sept 5, 2022	736,996	\$11,112,379	

I Support Conservation Fund:

August 1, 2023	Sept 5, 2023	3,337	\$13,868	-11.27%
August 1, 2022	Sept 5, 2022	3,541	\$15,630	

Venison Donation:

August 1, 2023	Sept 5, 2023	2,412	\$9,484	-4.67%
August 1, 2022	Sept 5, 2022	2,416	\$9,927	

Habitat & Access Stamp:

August 1, 2023	Sept 5, 2023	16,421	\$82,090	52.07%
August 1, 2022	Sept 5, 2022	10,801	\$53,980	

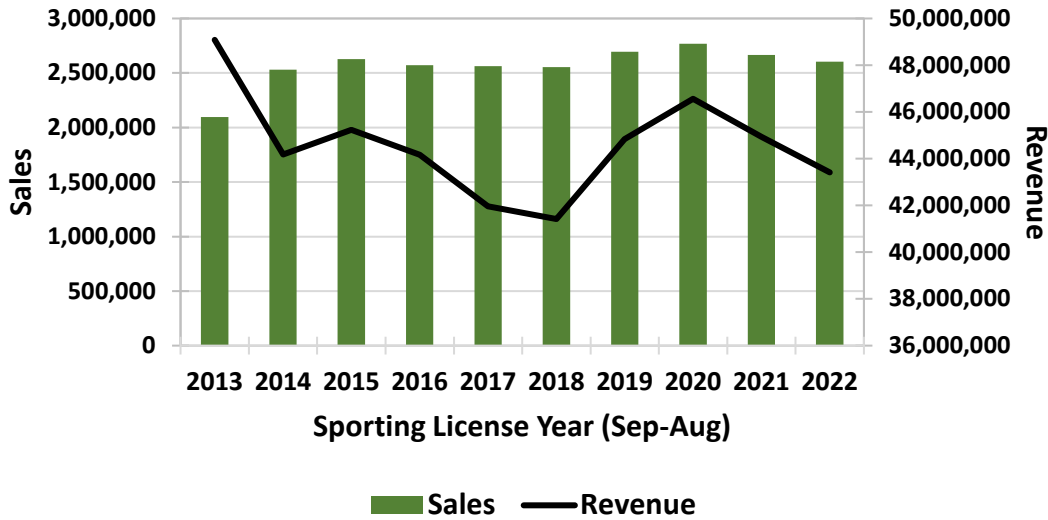
Updates for the Conservation Fund Advisory Board Annual Report 2023:

1. Actual and projected status of the Conservation Fund Traditional Account 2019-2024

	Actual (in 000's)				Projected (in 000's)
	SFY19-20	SFY20-21	SFY21-22	SFY22-23	SFY23-24
Opening Balance (4/1)	5.800	10.332	21.544	26.040	28.694
Revenue					
Revenue	40.771	47.081	42.384	40.608	42.190
Interest	0.400	0.150	0.193	.704	1.107
Total Revenue	41.171	47.231	42.577	41.312	43.297
Disbursements					
Personal Service	17.989	18.319	18.967	18.030	17.177
Nonpersonal Service	4.469	3.760	5.176	5.836	6.479
DECALS	0.000	0.000	0.000	0.000	0.000
E-Licensing	0.000	0.000	0.000	0.000	0.000
RAGTW	0.313	0.126	0.107	0.152	0.468
Fringe Benefits	11.422	10.972	11.479	12.212	12.123
Cost Allocation Recovery	0.613	0.495	0.516	0.594	0.494
Total Disbursements	34.808	34.184	36.246	36.825	37.741
Transfer to Indirect Account	1.831	1.834	1.834	1.835	1.835

2. Annual sporting licenses sales and revenue 2013-2023

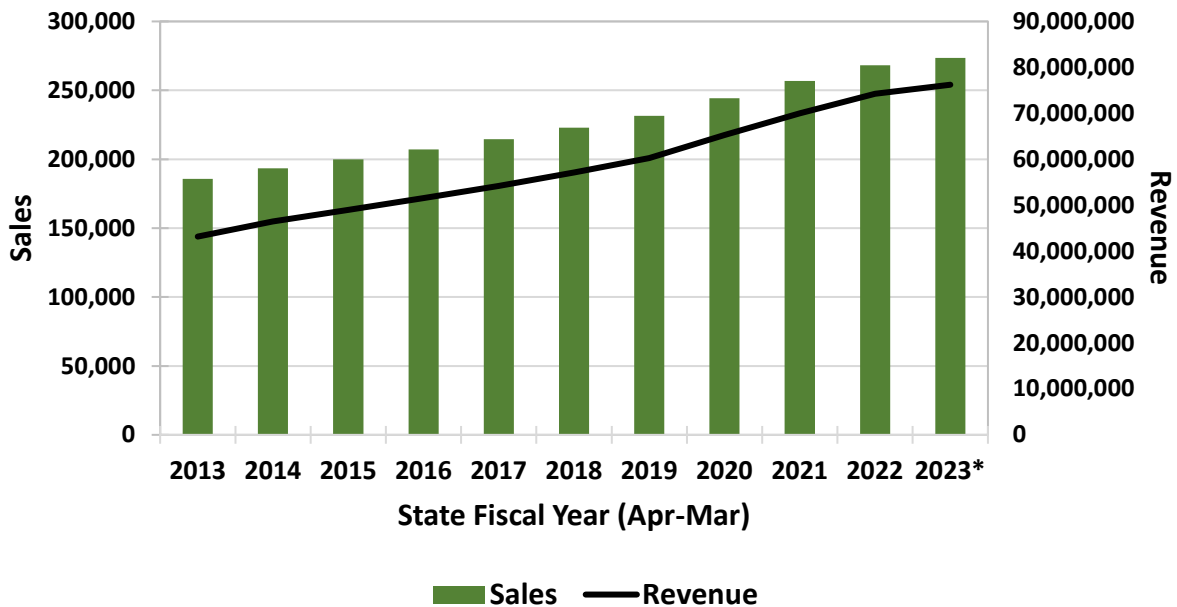
Gross Sporting License Sales and Revenue



On average, over the past three years (2020-21 through 2022-23), about 2.7 million licenses were sold each year and \$44.9 million was generated in annual gross revenue.

3. Cumulative Lifetime Sporting License Sales and Revenue 2013-2023

Cumulative Lifetime Sporting License Sales & Revenue



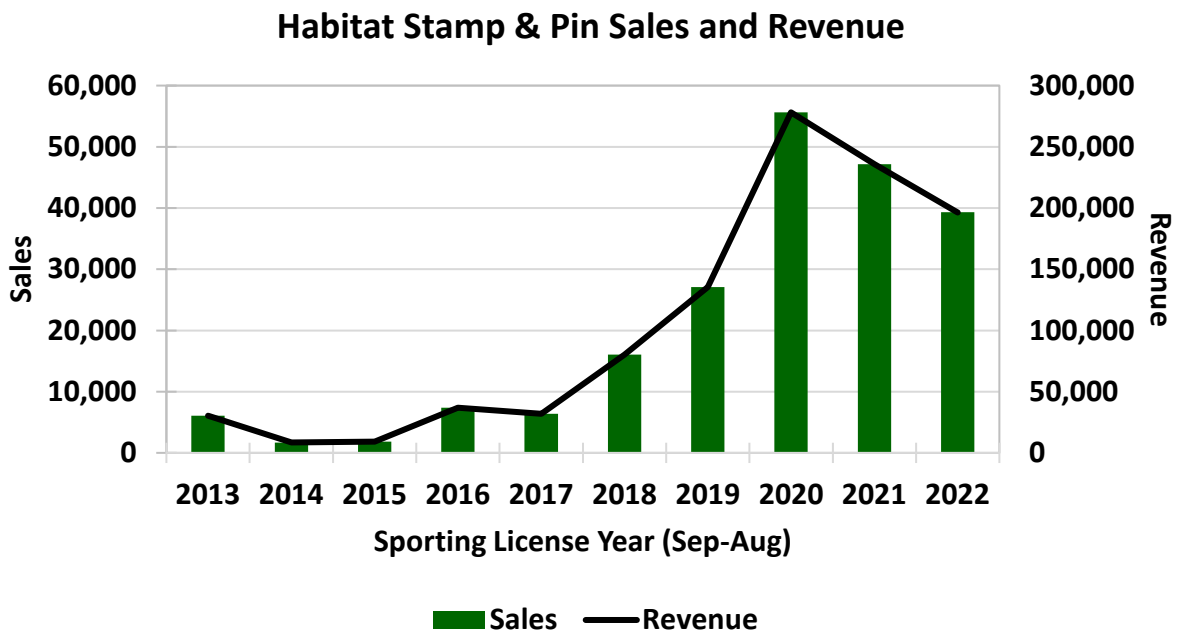
On average, over the past three years (2020-21 through 2022-23) about 12,000 Lifetime Licenses were sold each year and \$4.6 million was generated in annual revenue. This is higher than the previous three-year average of 8,100 Lifetime Licenses and \$2.9 million per year. So far in 2023, almost 5,500 lifetime licenses have been sold, generating almost \$2 million in revenue through September 4th.

4. CF sub-account allocations 2019-2024

Allocations include both temporary/seasonal personnel costs (salary, fringe, indirect), and non-personnel costs (travel, supplies, equipment, contracts).

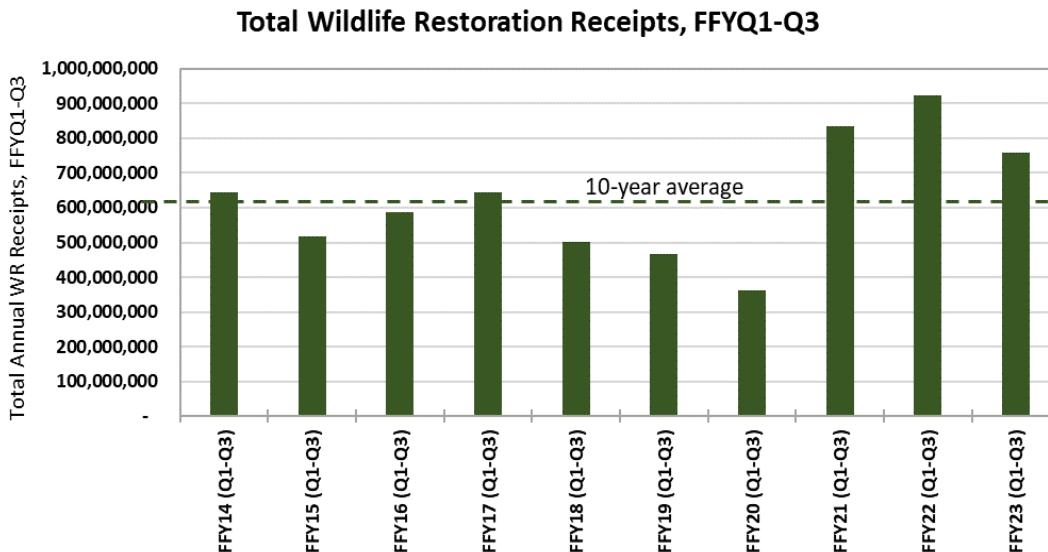
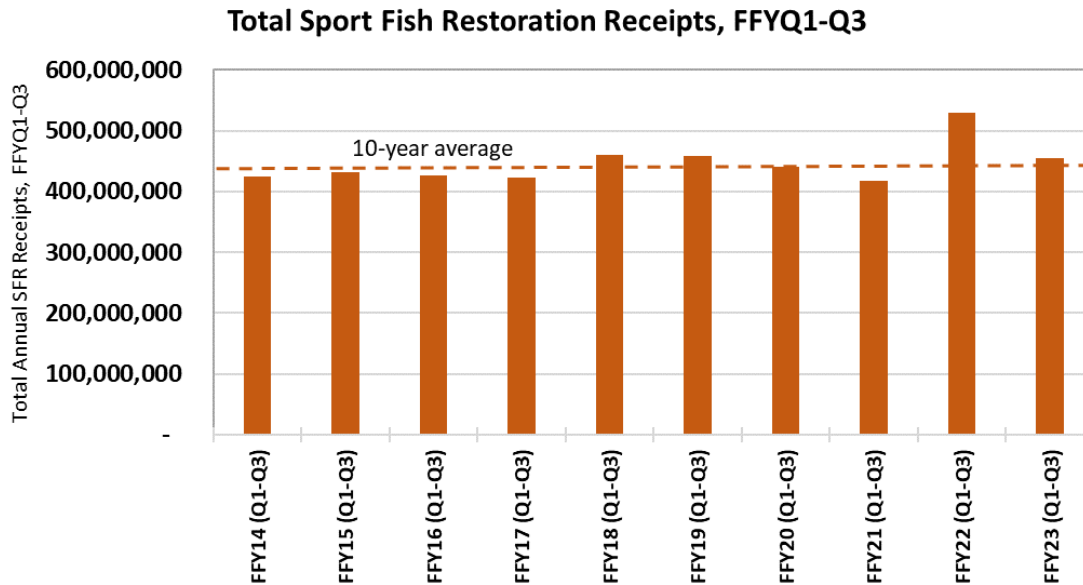
Fund/Account	Allocation				
	2019-20	2020-21	2021-22	2022-23	2023-24
GF - E-Licensing	3,919,600	2,758,659	3,231,200	3,231,800	3,234,300
General Fund	868,424	453,351	557,855	554,955	579,300
Habitat & Access	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Haz Waste Remedial Fund	10,600	10,600	10,600	10,600	11,500
CF - E-Licensing	0	509,088	0	0	0
CF - RAGTW	359,861	247,000	364,556	365,856	388,700
CF - Main Account	4,596,245	3,848,594	4,617,839	4,651,800	4,921,500
CF - Venison Donation	4,000	4,000	10,000	20,000	21,600
CF - Migratory Bird	35,587	0	0	0	0
CF - License Guide Account	0	0	0	11,000	11,900
Totals	11,294,317	9,331,292	10,292,050	10,346,011	10,688,800

5. Habitat and Access Stamp Revenue 2013-2023



On average, over the past three years (2020-21 through 2022-23) about 47,000 Habitat Stamps were sold each year and \$237,000 was generated in annual revenue.

6. National Wildlife and Sport Fish Restoration (P-R/D-J) FFY2023 receipts and trends



Through the first three quarters of the 2023 federal fiscal year (FFY), Sport Fish Restoration receipts were down about 14% compared to the same period last year, but receipts for FFY2023 were slightly above the ten-year average.

Wildlife Restoration receipts were at historic highs in FFYs 2021 and 2022. Through the first three

quarters of FFY2023, Wildlife Restoration receipts were down about 18% from the previous year but still above the ten-year average. (Note: the low observed in FFY2020 was due to a delay by the federal government in collecting excise taxes and does not reflect sporting arms, ammunition, and archery tackle sales during that year).

7. NY Works Fish Hatchery Improvements

This list does not include projects for which NY Works funding approval is still pending.

Hatchery NY Works Funding for Fish Hatchery Improvements (ca.7/31/23)

NY Works 3	\$	4,000,000.00	\$	4,000,000
NY Works 4	\$	3,780,905.00	\$	4,000,000
NY Works 5	\$	2,864,359.14	\$	3,000,000
NY Works 6	\$	2,926,299.68	\$	3,000,000
NY Works 7	\$	2,503,421.18	\$	3,000,000
NY Works 8	\$	5,178,860.65	\$	7,476,000
NY Works 9	\$	884,103.60	\$	7,160,000
NY Works 10	\$	1,248,425.76	\$	7,500,000
NY Works 11	\$	1,774,000.00	\$	4,450,000
	\$	25,160,375.01	\$	43,586,000

NY Works Funded Fish Hatchery Projects (ca. 8/31/23)

Facility	Funding Source	Project	Status
Adirondack Hatchery	NY Works 7	Residence Reconstruction	Completed
Adirondack Hatchery	NY Works 4	New pole barn	In-progress
Adirondack Hatchery	NY Works 6	Well Rehabilitation	In-progress
Bath Hatchery	NY Works 4	Feed storage building	Completed
Bath Hatchery	NY Works 5	Feed storage building - additional funding	Completed
Bath Hatchery	NY Works 5	Well Rehabilitation	Completed
Bath Hatchery	NY Works 7	Pond Rehabilitation and main building winterization	In-progress
Bath Hatchery	NY Works 8	New cisco rearing building	In Construction Phase
Bath Hatchery	NY Works 9	New cisco rearing building - additional funding	In Construction Phase
Caledonia Hatchery	NY Works 3	Purchase fiberglass replacements for concrete raceways in main hatchery building	Completed
Caledonia Hatchery	NY Works 3	Paint exterior of hatchery buildings	Completed

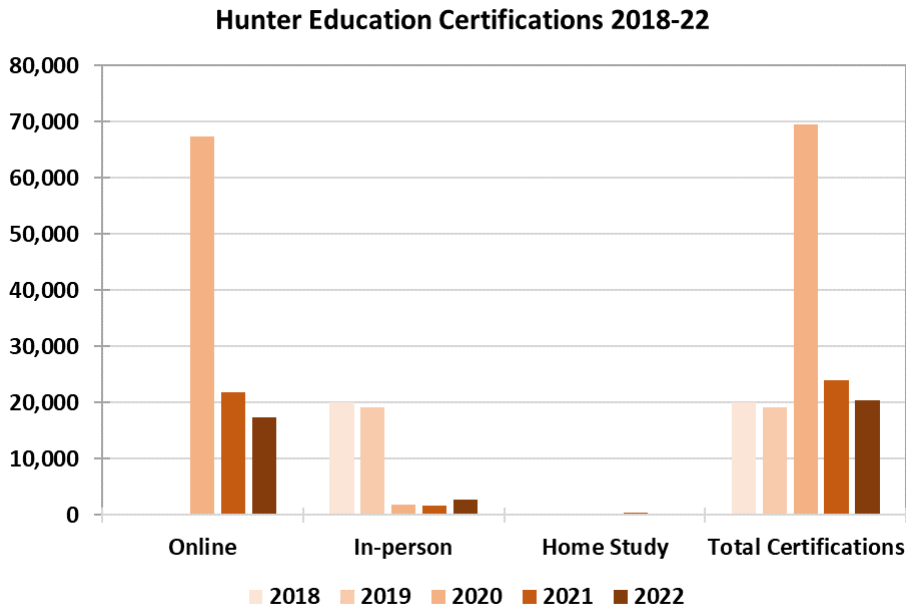
Caledonia Hatchery	NY Works 3	Repair and repave roadways and parking areas	Completed
Caledonia Hatchery	NY Works 4	Address structural deficiencies in main hatchery building; install new raceways.	Completed
Caledonia Hatchery	NY Works 4	New office and drain line repair	Completed
Caledonia Hatchery	NY Works 5	Outfall Reconfiguration - SPDES Compliance	Completed
Caledonia Hatchery	NY Works 5	Additional work on main hatchery building	Completed
Caledonia Hatchery	NY Works 6	Install garage at Manager's Residence	Completed
Caledonia Hatchery	NY Works 6	Replace old concrete raceways with new fiberglass raceways (already purchased).	Completed
Caledonia Hatchery	NY Works 7	Replace 24" leaking pipe between upper and lower ponds	Completed
Caledonia Hatchery	NY Works 10	Round pond rehabilitation	In Construction Phase
Caledonia Hatchery	NY Works 6	Install spillway valve and reinforce Spring Creek valve.	In-progress
Caledonia Hatchery	NY Works 11	Predator Exclusion	Approved
Catskill Hatchery	NY Works 4	Repair outdoor concrete rearing ponds	Completed
Catskill Hatchery	NY Works 5	Managers residence renovation	Completed
Catskill Hatchery	NY Works 7	New generator for manager's residence	Completed
Catskill Hatchery	NY Works 7	Electrified bear fence	Completed
Catskill Hatchery	NY Works 7	Paving around manager's residence	In-progress
Chateaugay Hatchery	NY Works 3	Replace 13 outside concrete raceways	Completed
Chateaugay Hatchery	NY Works 4	Replace 13 outside concrete raceways, additional funding	Completed
Chateaugay Hatchery	NY Works 6	Address settling pole barn foundation and cracked slab	Completed
Chateaugay Hatchery	NY Works 6	Hatch house foundation repair	Completed
Chateaugay Hatchery	NY Works 7	Repaving of the hatchery roadways and parking lots	Completed
Chautauqua Hatchery	NY Works 10	Stabilize bank of Prendergast Creek, which is threatening hatchery	Approved - Planning Phase
Chautauqua Hatchery	NY Works 5	Main Hatchery Roof, associated repairs	Completed
Chautauqua Hatchery	NY Works 3	Replace boilers used to heat fish production water	Completed
Chautauqua Hatchery	NY Works 3	Replace UV purification system	Completed
Chautauqua Hatchery	NY Works 7	Chautauqua Hatchery Well Water Improvements	Completed
Chautauqua Hatchery	NY Works 11	Manager's Residence	Approved - Planning Phase

Multi-Hatchery	NY Works 10	Hatchery Trucks	DPAT/Specs with DOB
Multi-Hatchery	NY Works 9	Modernize/rebuild Rome and Randolph Hatcheries	Approved, Planning Phase
Multi-Hatchery	NY Works 3	Purchase 16 six-tank stocking trucks	Completed
Multi-Hatchery	NY Works 5	Small stocking trucks (4; 1-ton flatbeds)	Completed
Multi-Hatchery	NY Works 5	Equipment - Forklifts (2) - Bath and Salmon River	Completed
Multi-Hatchery	NY Works 5	Equipment - Fish Pumps (4) - Catskill, Van Hornesville, Bath, Salmon River	Completed
Multi-Hatchery	NY Works 5	Sludge Trucks (2) - Chateaugay and Rome	Completed
Multi-Hatchery	NY Works 5	Equipment - Pond Aerators	Completed
Multi-Hatchery	NY Works 5	Equipment - Misc. Small Equipment Purchases	Completed
Multi-Hatchery	NY Works 5	Rome/Caledonia/Randolph - Hydrogen Peroxide Storage for DHS Compliance	Completed
Multi-Hatchery	NY Works 5	Tanks and aeration for small stocking trucks	Completed
Multi-Hatchery	NY Works 6	Various large machinery and equipment	Completed
Multi-Hatchery	NY Works 10	Renovation of hatchery residences at multiple hatcheries	In-progress
Multi-Hatchery	NY Works 10	Hatchery Equipment (e.g., fish pumps)	In-progress
Multi-Hatchery	NY Works 5	Hatchery Manager Residence Repairs	In-progress
Multi-Hatchery	NY Works 5	Paving: Bath, Chautauqua, South Otselic, Caledonia	In-progress
Multi-Hatchery	NY Works 5	Predator Exclusion - Randolph, Bath, Cedar Springs	In-progress
Multi-Hatchery	NY Works 7	New Alarms, sensors, and meters	In-progress
Multi-Hatchery	NY Works 7	Stocking Vehicles (Flatbed @ Randolph; Pickups @ Rome & Van Hornesville)	In-progress
Multi-Hatchery	NY Works 7	Various large machinery and equipment.	In-progress
Multi-Hatchery	NY Works 7	Repaving	In-progress
Multi-Hatchery	NY Works 9	Replacement of hatchery vehicles.	In-progress
Multi-Hatchery	NY Works 11	Stocking Trucks	In-progress
Oneida Hatchery	NY Works 7	Replace fish feeder electronics	Approved, Planning Phase
Oneida Hatchery	NY Works 3	Replace rotating drum water filter	Completed
Oneida Hatchery	NY Works 3	Replace boilers in hatchery building	Completed
Oneida Hatchery	NY Works 4	Improve water intake settlement/screening	Completed

Oneida Hatchery	NY Works 7	Residence Reconstruction	Completed
Oneida Hatchery	NY Works 6	Oneida Hatchery Roof and UV system	Roof completed; UV near construction phase
Oneida Hatchery	NY Works 7	Oneida Hatchery Roof	Completed
Randolph Hatchery	NY Works 10	Basement windows and drainage around house	Completed
Randolph Hatchery	NY Works 6	Painting and Structural Repairs	Approved, Planning Phase
Randolph Hatchery	NY Works 6	Rebuild "B" ponds	Approved, Planning Phase
Randolph Hatchery	NY Works 8	Hatchery Reconstruction	Approved, Planning Phase
Randolph Hatchery	NY Works 8	Spring Pond dredging	Completed
Randolph Hatchery	NY Works 11	Randolph Hatchery Rebuild	In-progress
Rome Fish Health Unit	NY Works 6	Resolve reduced flow of lab water supply	Completed
Rome Fish Health Unit	NY Works 6	Repair mixing box	In-progress
Rome Hatchery	NY Works 10	Cover main spring, construct degassing tower	Approved, Planning Phase
Rome Hatchery	NY Works 3	Repair/replace walls of main spring	Completed
Rome Hatchery	NY Works 4	Repair/replace walls of main spring, additional funding	Completed
Rome Hatchery	NY Works 6	Rome test wells and drilling into bedrock	Completed
Rome Hatchery	NY Works 6	Feed Barn Repairs	Completed
Rome Hatchery	NY Works 6	Outside Raceway Roof Replacement	Completed
Rome Hatchery	NY Works 6	Pave Visitor Parking Lot	Completed
Rome Hatchery	NY Works 7	Demolition of second residence	Completed
Salmon River Hatchery	NY Works 6	Pole Barn Construction	Completed
Salmon River Hatchery	NY Works 3	Repair roof on main hatchery building	Completed
Salmon River Hatchery	NY Works 6	Fourth Residence Demolition	Completed
Salmon River Hatchery	NY Works 6	Fish Crowder Replacement	Completed
Salmon River Hatchery	NY Works 6	Cell/Wi-Fi Coverage	Completed
Salmon River Hatchery	NY Works 6	Denil Tower Removal	Completed
Salmon River Hatchery	NY Works 6	Generator Replacement	Completed
Salmon River Hatchery	NY Works 6	Heating System	Completed

Salmon River Hatchery	NY Works 6	Overhead Door Replacements	Completed
Salmon River Hatchery	NY Works 6	Visitor Center Upgrades/Interpretive Signage, Phase 1	Completed
Salmon River Hatchery	NY Works 6	Resolve Water Infiltration into Hatchery	Completed
Salmon River Hatchery	NY Works 6	Production well water testing - 2021	Completed
Salmon River Hatchery	NY Works 6	Third Residence Improvements; Manager's residence shed and fence	Completed
Salmon River Hatchery	NY Works 7	Concrete Replacement	Completed
Salmon River Hatchery	NY Works 6	Generator Replacement For Wells	Completed
Salmon River Hatchery	NY Works 6	New wells for potable water	In-progress
Salmon River Hatchery	NY Works 6	Repair of Existing Meters and Control Systems	Completed
Salmon River Hatchery	NY Works 8	Fish ladder replacement	Completed
South Otselic Hatchery	NY Works 3	Replace earthen pond outlet structures and combine ponds	Completed
South Otselic Hatchery	NY Works 4	Replace earthen pond outlet structures and combine ponds, additional funding	Completed
South Otselic Hatchery	NY Works 4	Emergency generator replacement	Completed
South Otselic Hatchery	NY Works 7	Garage rehabilitation - overhead doors, chimney, and roof	Completed
South Otselic Hatchery	NY Works 10	New tanks, plumbing, feeding equipment	In-progress
South Otselic Hatchery	NY Works 6	Dam Repairs	In-progress
South Otselic Hatchery	NY Works 7	Pole Barn for equipment and vehicle storage	Completed
South Otselic Hatchery	NY Works 11	Hatchery Well	In construction phase
Van Hornesville Hatchery	NY Works 9	Bank erosion behind pole barn	Completed
Van Hornesville Hatchery	NY Works 4	Repair and Repave roadways and parking areas	Completed
Van Hornesville Hatchery	NY Works 6	Enlarge feed building and install new septic system.	Completed
Van Hornesville Hatchery	NY Works 6	Pointing and parging of stone-walled buildings at the hatchery.	Completed
Van Hornesville Hatchery	NY Works 6	Address health and safety issues: new hatch house stairway, railing, door and roof extension.	Completed
Van Hornesville Hatchery	NY Works 7	Replace pole barn roof	Completed
Van Hornesville Hatchery	NY Works 6	Construction of new hatchery residence	Completed

8. Hunter Education Course Certifications 2018-2022



Except for 2020, when the response to COVID-19 shutdown all in-person courses and online certification became available, roughly 20,000 people are certified annually. For 2023, through August almost 8,000 people have gotten their hunter education certification; we expect the final numbers to be similar to or slightly below 2022.

9. Young Forest Initiative Update

From 2015 through the first quarter of 2023-24, almost 2,200 acres of young forest have been created, over 300 acres of timber stand improvements have been completed, and there has been 210 acres of shrubland management. In addition, there are 45 on-going timber management projects totaling almost, 1,800 acres. A forest inventory has been completed on 82 WMAS, encompassing 74% of WMA system acres. Finally, 72 WMA-specific habitat management plans have been completed and another 14 are in progress.

A fact sheet, five-year summary report, WMA-specific habitat management plans, and the strategic forest management plan are all available on the [YFI website](#).

FILLED POSITION REPORT (as of 8/30/23):

Division of Fish & Wildlife

<u>Account</u>	<u>Number</u>
Access Land Acquisition	0
Habitat Conservation & Access Account	6

Hazardous Waste Cleanup Account	1
State Purposes Account	61.40
Federal Fish & Wildlife Grants Account	44.60
Conservation Fund (Traditional Account)	203.65
Environmental Regulatory Account	3
Natural Resources Damages Account	0
TOTAL	319.65

Conservation Fund (Main Account)

<u>Conservation Fund</u>	<u>Number</u>
Fish & Wildlife	203.65
General Counsel	0
Law Enforcement	0
Operations	3
Management & Budget Services	0
Office of Communication Services	0
Regional Affairs	3
TOTAL	209.65

STATUS OF REGULATIONS:

Notice of Proposed Rule Making(s):

6 NYCRR Part 182, Endangered and Threatened Species Mitigation Bank Fund. The Endangered and Threatened Species Mitigation Fund (Fund) Package is required to implement the new laws that created the Fund to be an alternate method for large scale renewable energy projects to use to meet their mitigation requirements inf they take listed species. The regulation package outlines the intent of the fund, the process for the Department to develop a cost basis for evaluating appropriate payments into the fund, and the general approach on how the Department may utilize the Fund to provide a Net Conservation Benefit to listed species.

- NOPR Drafted and with Tom Berkman as of 9/1/2023

6 NYCRR Part 182, Endangered and Threatened Species Repromulgation Package. The Part 182 Repromulgation Package is required as a result of a legal decision stating that the rule change adopted in 2010 did not include a public hearing, and therefore needs to be re-noticed, with a public hearing, to be officially adopted. This package would repost the 2010 language, along with the changes legally adopted in 2021, to ensure that Part 182 in its entirety was adopted correctly.

- NOPR Drafted and with Tom Berkman as of 9/1/2023

6 NYCRR Part 182 Endangered and Threatened Species. The List Revision Package begins the process of updating the list of endangered and threatened species, a process that has not been done since 1999. The first step in the process is focused on updating the freshwater fish

species based on expert review and ensuring that all species listed under the Federal Endangered Species Act are also captured in the regulatory list. The rest of the species will be addressed in subsequent rules over the next three years, with reptile, amphibians, marine species, invertebrates, mammals, and birds to all be addressed by the end of 2025.

- NOPR Drafted and with Tom Berkman as of 9/1/2023

6 NYCRR Part 664, Freshwater Wetlands Maps and Classification. The legislation contains three fundamental changes to the Freshwater Wetlands Act that will need to be reflected in regulation. First, beginning in January 2025, maps depicting freshwater wetlands will no longer be relied upon to determine DEC's permitting jurisdiction. Under the new legislation, freshwater wetlands maps will continue to be maintained by DEC but will be used for educational purposes. Second, smaller wetlands (less than 12.4 acres) of "unusual importance" will be regulated if they meet one of 11 newly established statutory criteria. Third, the acreage threshold for regulated wetlands will decrease from 12.4 acres to 7.4 acres (3 hectares) in 2028.

- NOPR in progress

6 NYCRR Part 10 Trout Stream Sportfishing Regulations Changes. These regulation changes are proposed on several stream reaches to update and align management consistent with the criteria documented in the Trout Stream Management Plan (TSMP). They include clarification of trout fishing seasons in tidal and inland waters of Nassau and Suffolk counties. Additionally, in response to new biosurvey and angler use information, management category changes are proposed as follows: Camden Creek (Region 5) from *Wild* to *Wild-Quality* and Goose Creek (Region 9) from *Stocked-Extended* to *Stocked*.

- NOPR Drafted and with Christina Curran for edits as of 9/6/2023

6 NYCRR Fishing Tournament Permit and Reporting System. 6 NYCRR Part 10, licensing and reporting of sportfishing (freshwater) tournaments. The Department may propose the creation of a sportfishing (freshwater) tournament registry and reporting system for select fish species. These amendments may require a Regulatory Flexibility Analysis for Small Businesses or a Rural Area Flexibility Analysis.

- NOPR Drafted and with Christina Curran for edits as of 9/6//2023

Black Bass Tournament Registry / Permitting Regulations Update

BACKGROUND INFORMATION:

New York has become a national destination for black bass fishing tournaments and information suggests that the number of these events has increased significantly over the past decade. The increase in the number of these competitive events may place valuable black bass fisheries at risk and pose a social challenge regarding competing uses of this resource. A better understanding of the scope and scale of tournaments in New York is needed to identify and respond to potential tournament-related issues and impacts such as user conflicts, overuse of the resource, and concerns about fish populations, including health, displacement and reproductive success.

APPROACH

Based on this need DEC is investigating the development of a regulatory strategy that will allow for registering black bass fishing tournaments and requiring information from those tournaments to inform management. DEC Fisheries staff have met with tournament organizers of national and statewide tournaments to better understand how these events are scheduled and operated. This information is being used to inform a potential regulation that will provide fisheries managers with the information needed but not at a cost that constrains the tournament

industry. This potential rulemaking:

- Allows the scope and scale of black bass tournaments to be known, providing information necessary to identify and respond to potential tournament-related issues and impacts
- Allows tournament directors to review an updated list of permitted fishing tournaments to assist them in scheduling and avoid conflicts with other tournament organizers
- Provides a continuously updated list of permitted fishing tournaments to the public on DEC's website
- Provides data on black bass populations that will help monitor and manage black bass resources in New York

CURRENT STATUS

The proposed regulatory strategy has been submitted to Office of General Council for review.

IMPACTS TO LICENSE SALES

DEC does not believe there will be any impacts to fishing license sales based on this potential action. Many recreational anglers have expressed concern about the number of tournaments taking place in the state and the impacts they may be having on black bass populations and the general angler population. These concerns may be quelled should this strategy be adopted, resulting in the retention of non-tournament anglers that fish for black bass.

Reasonable Accommodation for Use of an Unmodified Crossbow

DFW recently finalized development of an online application form to process requests for a Reasonable Accommodation for use of a crossbow during the regular bow season in compliance with the Americans with Disabilities Act (ADA). We have posted instructions on our [Permits for Hunters with Disabilities](#) webpage. If you receive requests or inquiries from the public, you may direct them to this page.

Note: this reasonable accommodation is not for people who may *prefer* a crossbow over a modified longbow. Rather, it is specifically for hunters whose injury or disability prevents them from using a modified longbow but who also are not eligible for a modified crossbow permit. Additional information on these permits can be found in the attached.

Through the first week of September, the Special Licenses Unit has received about 950 requests through the reasonable accommodation process (about 300 paper applications; 650 through the new online system).