



STATE OF NEW YORK CONSERVATION FUND ADVISORY BOARD

625 Broadway, Albany, NY 12233-4750

Monthly Meeting Minutes

Four Hundred and Sixteenth Meeting – June 13, 2023
Department of Environmental Conservation, 625 Broadway, Albany

Call to Order – The meeting was called to order at 9:10AM.

Meeting Adjourned – The meeting was adjourned at 1:24PM.

Roll Call: 9:10am

Voting Board Members Present

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
Bill Conners	FWMB
Anthony Kordziel	NYSCC

Voting Board Members

Excused

Timothy Huss	Region 1
Dale Dunkelberger	Region 9

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:
Katharine Petronis, Deputy Commissioner
Logan Hardy, Legislative Analyst
Michael Schiavone, Assistant Director
Ben Sears, Administrative Unit
Steve Hurst, Fisheries
Division of Law Enforcement:
Brian Gillis, Major

Guests

James Daley, Guest DFW

Ex-Officio Members Absent

Senate Finance Committee

Correspondence: Letter from Federation of Dutchess County Fish and Game Clubs, Inc. discussing hunter education.



Federation of Dutchess County Fish and Game Clubs, Inc.

"Dutchess County's Voice of the Sporting Community"

P.O. Box 3201, Poughkeepsie, New York 12603

www.dutchessfishandgame.org

June 10, 2023

State of New York
Conservation Fund Advisory Board
625 Broadway, Albany, NY 12233-4800

Chairman Jason Kemper,

Jason, I recently assisted a Master Hunter Safety Instructor conducting a Hunter Education class. The gentleman leading the class had expressed frustration over the problems with the equipment that he was using to present the instructional material at previous classes.

By the time the class I was assisting with came to a close I understood why he was frustrated and annoyed.

There were three additional instructors in the class, with 25 students in attendance.

The laptop computer the Department provided continuously crashed and had to be re-booted nearly a dozen times. When the class was completed, we took some time to discuss our observations and our frustrations with the equipment.

As you know our instructors volunteers and it was painful to watch them struggle to keep the class moving and it made me wonder if we are going to be able to retain our instructors.

The question that came to mind is, why are we not using our Pittman- Robertson funds to provide necessary equipment to our instructors. Our understanding is that there are record revenues available for Hunters Education. Is there something that can be done to resolve this issue.

Sincerely,

Anthony Pittore
President

Minutes of Prior Meeting:

May CFAB minutes voted on and passed on June 13, 2023. May minutes were posted on June 13, 2023.

Executive Report:

Katharine Petronis, Deputy Commissioner

Katherine McNamara, Director, Legislative Affairs

- Katharine Petronis – Lead ammo – will not pass both houses. Passed assembly and did not pass senate.
 - Crossbow bill that would have allowed use of crossbows during bow season by those ages 16 and older passed in assembly but did not pass senate.
- Three bills passed for deer management.
 - Authorized rifle use for deer hunting in Onondaga County.
 - Bill Conners asked about process for amending ECL 11-0907 regarding implements allowed for deer hunting. Currently, ECL specifies that rifles are not allowed for deer hunting in Niagara, Erie, Monroe, Dutchess, Putnam, and Rockland counties. Allowing rifles for deer hunting in any one of these counties would require a bill to pass both houses and be signed by the Governor.
 - Two bills authorized expanded management options for reducing overabundant deer in Syracuse (Onondaga County) and Southold (Suffolk County). It is unclear whether the Legislature would consider a bill addressing current limitations on managing overabundant deer at the state level rather than on a town-by-town basis (see NYS Deer Plan, Appendix 8 for details on statutory changes to improve management capacity for overabundant deer).
 - Jason K asked for a summary of the number of times that “full inclusion” of crossbows or other modifications to crossbow use have been included in the State budget bill or been considered by the Legislature.
- Clean Slate Bill – passed by both assembly and senate at 10:30am Friday June 9, 2023.
 - Will there be impacts on the application review process and background checks currently done for hunter education instructors and licensed guides? DFW program staff are working with DEC’s General Counsel to assess potential impacts.
- Katherine McNamara – Discussed building a good relationship with Assemblywoman Glick’s office. Will be having a meeting with Assemblywoman Glick’s office to go over things in more detail and will keep us updated.
- Tom Williams – Asked about filling the Region 3 and Region 7 vacant positions. Assembly chooses who will be Region 3 and the Governor chooses Region 7 positions. There was no update on either as of June 13, 2023. Also asked about staffing in general, Mike S. did a presentation to show how staffing levels are reached. Katie P.

also included that they will be having more exams more often.

- Jason Kemper – Asked about telecommuting. State is currently telecommuting 50% of the time, there are some staff that have reasonable accommodations to work more than 50% home. Units are trying to get staff working in the office on the same day at least one day per week. Regional staff are 50% telecommuting as well, but the regions decide on how they work that out.

Division of Fish and Wildlife

Jacqueline Lendrum, Director

Michael Schiavone, Assistant Director

Ben Sears, Administrative Section Head

Steve Hurst, Chief, Fisheries Bureau

- Jacqueline Lendrum, Michael Schiavone
 - Pheasants will be arriving at the Reynolds Game Farm soon. Pheasants will be received through October. The number of adult birds stocked will be similar to last year (about 30,000 birds; see additional details below).
 - Staffing Update - In the process of assessing feasibility of a higher seasonal pay rate for Fish and Wildlife Technicians and Fish Culturists. This is ongoing and will provide an update once they hear the decision.
 - Briefly discussed the process used for prioritizing staffing needs during the critical fill process that was shared with the board during the May meeting.
- James Daley - Presentation of what major things have been happening at the hatcheries. (Presentation pdf is at the end of these minutes).
- Steve Hurst – Updated members about things going on at the hatcheries. (PDF's Trout Stream Access Project Plan and Trout Stream Access Verification are at the end of these minutes).
- Ben Sears – Presentation on Habitat Access Account. (Presentation pdf is at the end of these minutes).
- End of Year Items
 - Scott Faulkner mentioned the need for adult shotguns for classes.
 - Habitat Access money recap.
 - Young Forest – Pictures from beginning to most recent.
 - Exploring options for acquiring smart projectors to replace Hunter Education laptops as current laptops for instructors are aging and are not supported by the state IT system.

June 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. The transition to Gordon Darby is still moving forward but is not yet complete. In the meantime, Gordon Darby is maintaining a subcontract relationship with Kalkomey until reassignment is finalized.

In early to mid-May a survey was presented to the public to choose the next featured Habitat and Access Stamp species. With 50% of the vote, the opossum was the clear winner. The timber rattlesnake, yellow perch, and bobolink each ended with between 15%-18% of the remaining votes.

License Year Sales by Item Comparison

Overall Sales:

<u>Begin</u>	<u>End</u>	<u>Sales</u>	<u>Revenue</u>	<u>% Change</u> <u>(Revenue)</u>
August 1, 2022	May 18, 2023	2,266,485	\$36,566,678	-3.74%
August 2, 2021	May 18, 2022	2,324,890	\$37,985,462	

I Support Conservation Fund:

August 1, 2022	May 18, 2023	9,597	\$42,786	.49%
August 2, 2021	May 18, 2022	9,147	\$42,579	

Venison Donation:

August 1, 2022	May 18, 2023	5,625	\$21,123	-1.50%
August 2, 2021	May 18, 2022	5,711	\$21,444	

Habitat & Access Stamp:

August 1, 2022	May 18, 2023	30,626	\$153,015	-6.57%
August 2, 2021	May 18, 2022	32,784	\$163,775	

FILLED POSITION REPORT (as of 5/24/23)

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	55.70
Federal Fish & Wildlife Grants Account	47.80
Conservation Fund (Traditional Account)	202.65
Environmental Regulatory Account	3
Natural Resources Damages Account	0

TOTAL	316.15
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Conservation Fund (Main Account)

<u>Conservation Fund</u>	<u>Number</u>
Fish & Wildlife	202.65
General Counsel	0
Law Enforcement	0
Operations	3
Management & Budget Services	0
Office of Communication Services	0
Regional Affairs	3
TOTAL	208.65

Habitat Conservation and Access Account

Revenue to the HCAA comes from two sources: (1) the sale of lifetime licenses, up to \$1,500,000, can be deposited annually to the Habitat Conservation and Access Account pursuant to SFL 83 subdivision A, Paragraph 4 from the Fish and Game Trust Account; and (2) the sale of habitat and access stamps and pins. Roughly 10-15% of the annual revenue for the HCAA comes from the sale of habitat stamps and pins. Over the past five years (2018-22), an average of about \$200,000 per year was generated from stamp/pin sales.

As of May 31, 2023, the HCAA cash balance was \$3,341,557, with an appropriation and cash ceiling of \$1,500,000 for state fiscal year 2023-24.

To be discussed:

- Proposed work for 2023-24 for trout stream habitat restoration and fishing access site improvements.
- Process for identifying and selecting projects for future spending.

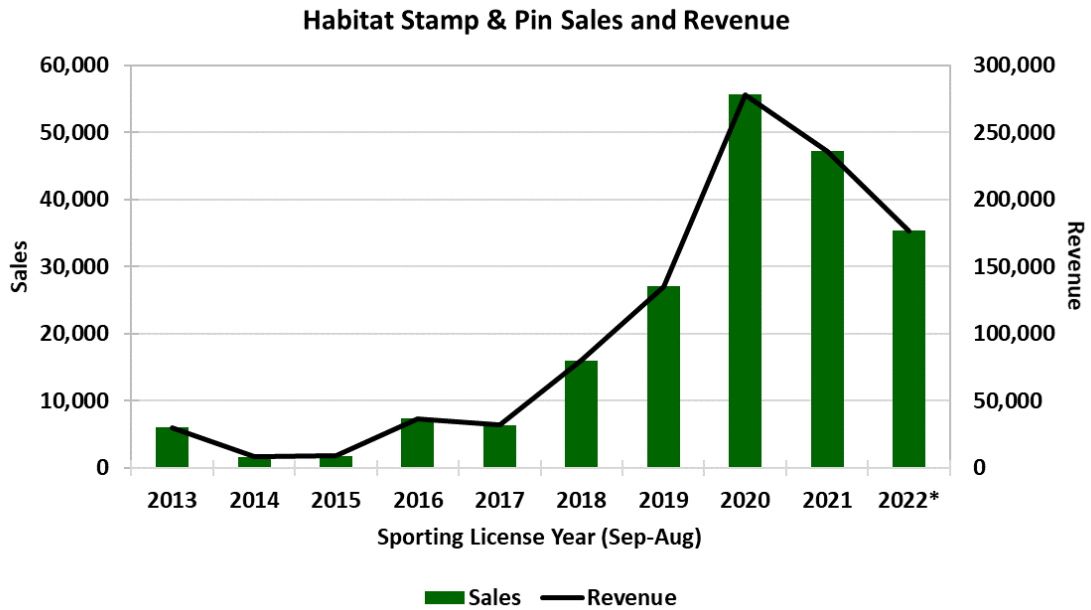


Figure 1. Habitat and Access stamp sales and revenue, 2013 through 2022. Sales and revenue for 2022 are for September 1, 2022 through June 7, 2023.

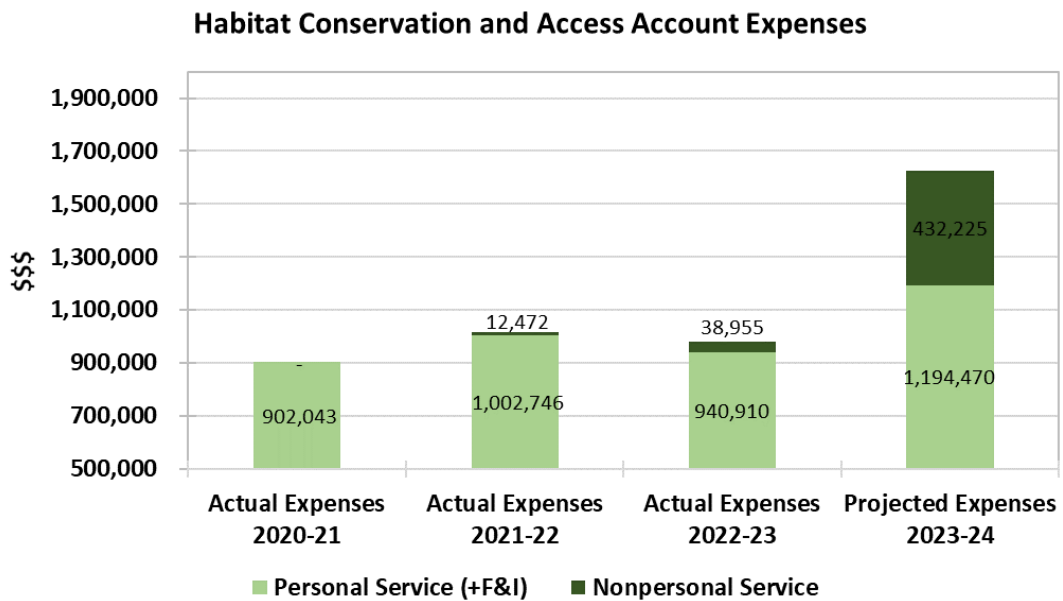


Figure 2. Habitat Conservation and Access Account expenses, 2020-21 through 2023-24. Personal service includes fringe and indirect costs. Non-personal service costs include supplies and materials for habitat and access improvements.

Wildlife and Sportfish Restoration Funds

Based on excise tax receipts through the first quarter of the 2023 federal fiscal year, Wildlife Restoration (WR) receipts show a year-over-year decline of 14% and Sport Fish Restoration and Boating Trust Fund (SFRBTF) receipts show a year-over-year decline of 16%. The decline in WR receipts is anticipated as the excise tax revenue associated with sporting arms and ammunition last year was a historic high that was unlikely to be sustained for the long-term.

WSFR excise tax receipts for the second quarter have yet to be certified and excise tax revenue can fluctuate during the summer and early fall so it is too early to predict the impact of the current trend on state apportionments. For reference, New York's Wildlife Restoration apportionment last year was \$30.5 million and the Sport Fish Restoration apportionment was \$9 million.

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 if 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 en-route

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 en-route

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 en-route

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 is in draft stage

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 is in draft stage

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 is in draft stage

Fish Hatchery Infrastructure Update

A full update will be provided by Bureau of Fisheries staff on the progress that has been made on hatchery infrastructure improvements. A copy of the presentation will be appended to the meeting minutes.

Pheasant Propagation Program Update

DEC issued an “Invitation for Bids” (IFB) to procure pheasants for the fall hunting season. The IFB period closed, a vendor was selected that met the bid specifications, and the necessary documentation was submitted to and approved by the Office of the State Comptroller. Reynolds Game Farm will begin receiving “started birds” (8-12 weeks old) on the south side of the farm in late June, with shipments of successively older birds received into the early portion of the hunting season. In addition, we will engage in outreach (e.g., press release, newsletters) to make hunters aware of plans for this fall. We anticipate stocking a similar number of adult pheasants as last year.

Staff in the Bureau of Wildlife’s Game Management Section consulted with US Fish and Wildlife Service’s Wildlife and Sport Fish Restoration (WSFR) staff to develop a federal aid grant to support the pheasant propagation program. Historically, pheasant propagation was not a federal aid-eligible activity, but recent changes to the Code of Federal Regulations allow for WSFR funds (specifically, the hunter education apportionment) to be used for this work when the goal is to recruit, retain, and reactivate hunters. The five-year grant (2023-28) is currently under review, and when approved will be used to cover costs for seasonal farm staff as well as for procuring birds, pheasant feed, and propagation supplies and materials.

Bureau of Wildlife staff are currently working with Division leadership to evaluate various pheasant propagation options for 2024 and beyond.



Department of
Environmental
Conservation

Habitat Conservation & Access Account

2023-24 Spending Plan and Proposed Project Selection Process

June 13, 2023

HCAA Revenue Summary

- About \$1,500,000-2,000,000 total per year.
- \$1,796,774 in 2022-23.
- Sale of lifetime licenses, up to \$1,500,000 per year.
- \$1,500,000 in 2022-23.
- Sale of habitat and access stamps and pins.
- \$226,280 in 2022-23.
- Interest.
- \$70,494 in 2022-23.

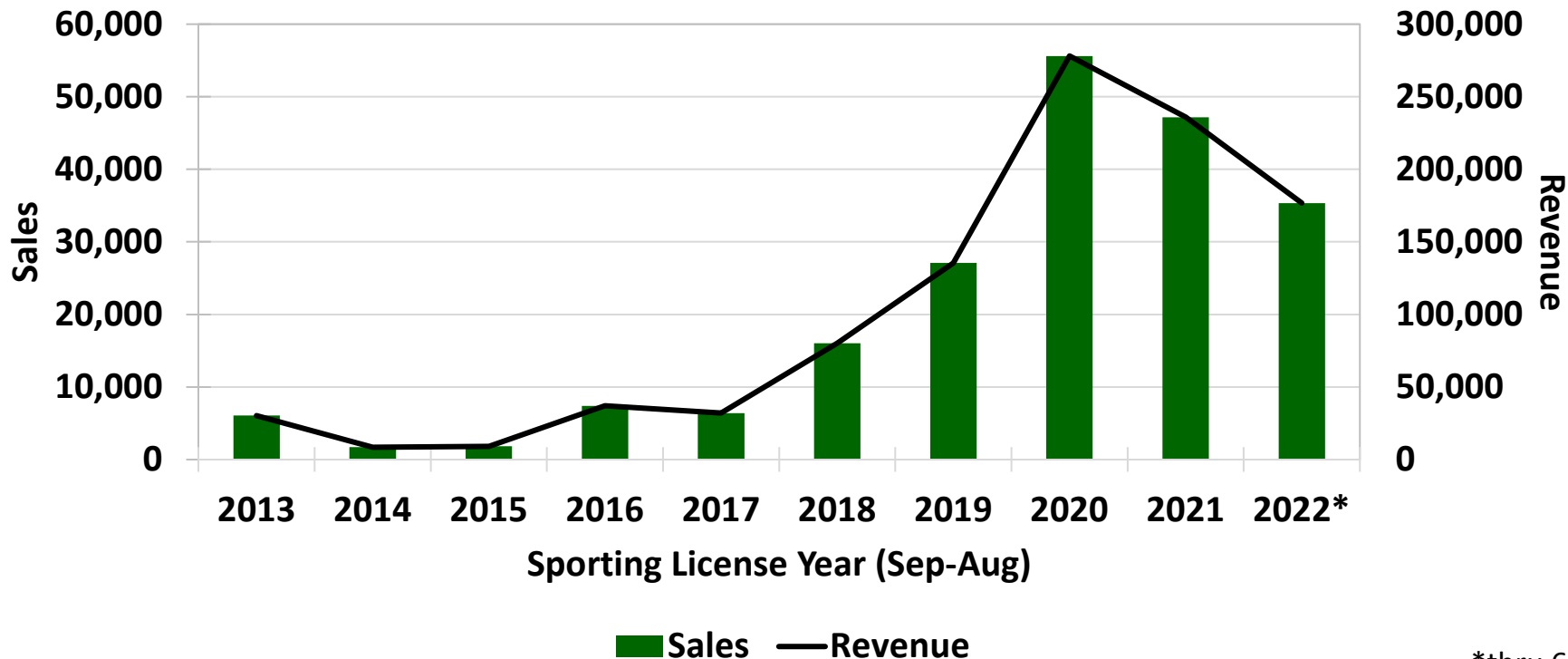


BE A HABITAT HERO
2022 Habitat & Access Stamp



Habitat Stamp Revenue

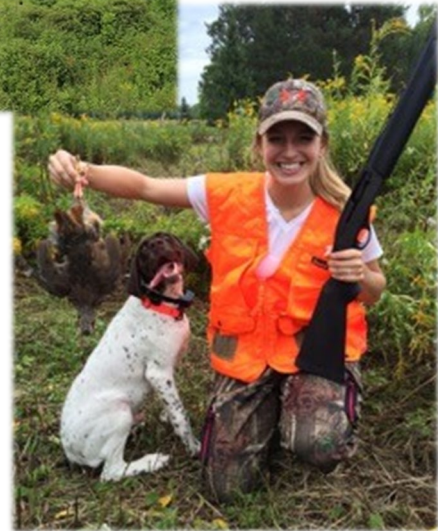
Habitat Stamp Sales and Revenue



*thru 6/7/23

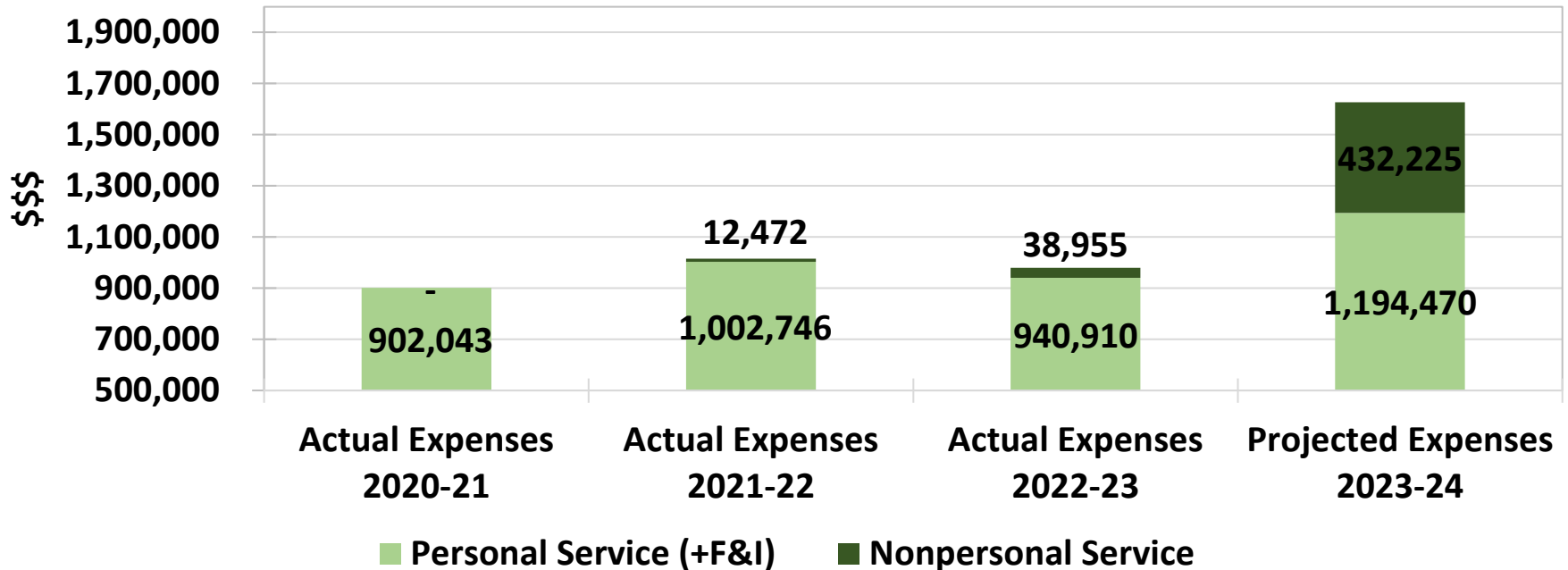
HCAA Expenditure Summary

- Personnel costs for permanent and seasonal staff.
- About \$1,000,000 per year.
- Non-personnel costs for habitat and access improvement projects.
- About \$500,000 per year.



HCAA Expenditure Summary

Habitat Conservation and Access Account Expenses



Planned HCAA Projects 2023-24

- Trout stream habitat restoration projects
- Fishing access site pavement sealcoating
- Highland River access site paving



Proposed Future HCAA Process

- Projects solicited annually by DFW program managers.
- Projects selected by DFW leadership
- On publicly accessible land
- Leverage other resources (i.e., partnerships and funding).
- Projects that are part of a larger state or regional habitat conservation initiative are encouraged
- Implementation within the state fiscal year (by 3/31) is preferred



HCAA Draft Selection Criteria

Habitat Conservation Projects

Specific target habitats and species; will not negatively affect other native New York fish and wildlife

Projects must manage, protect, or restore New York fish and/or wildlife habitat to:

- ❖ **benefit at-risk species; and/or**
- ❖ **benefit declining game species (specify locally, regionally, or statewide); and/or**
- ❖ **protect or enhance rare or at-risk habitat type(s); or**
- ❖ **benefit game species with stable populations to enhance fishing, hunting, or trapping opportunities.**

The greater the number of acres of habitat managed, protected, or restored, the more likely it is to be selected.

Access Projects

Create or enhance public access for fish- or wildlife-related recreation; must not negatively affect habitats or fish and wildlife.

Preference will be given to projects at:

- ❖ **Popular, frequently visited sites where deteriorating infrastructure needs to be replaced or improved;**
- ❖ **Sites which have the potential to attract a range of recreation users if appropriate infrastructure and information is put in place;**
- ❖ **Sites accessible to population centers or other regions where public access to fish and wildlife resources is limited;**
- ❖ **Sites where recreational access from one area is linked to another (e.g., links between state and municipal lands).**



Department of
Environmental
Conservation

Hatchery Infrastructure Update

Conservation Fund Advisory Board

June 13, 2023

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Salmon River Hatchery

- Fish Ladder Completed
- Visitor Center Overhaul
- Spawn house lighting replacement and mold remediation
- Mission system – monitoring and alarms

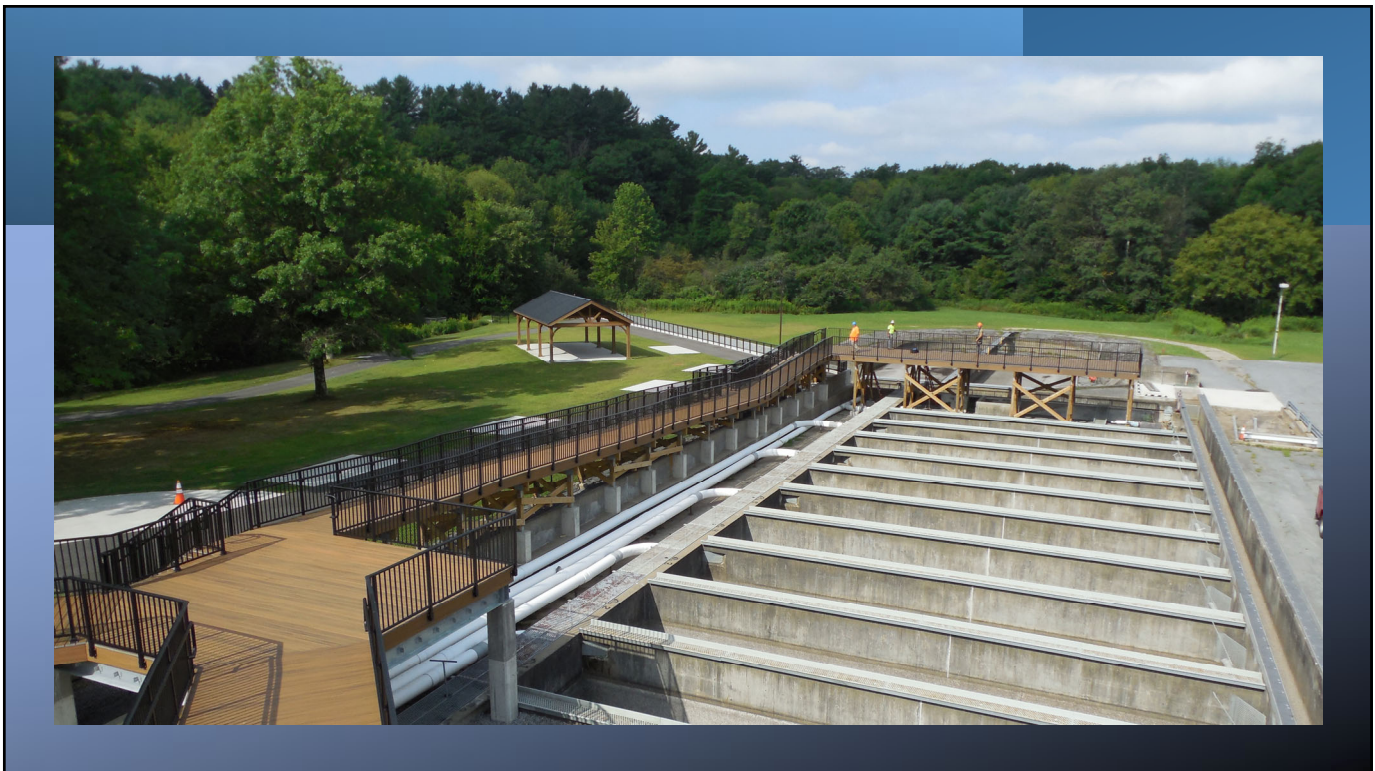


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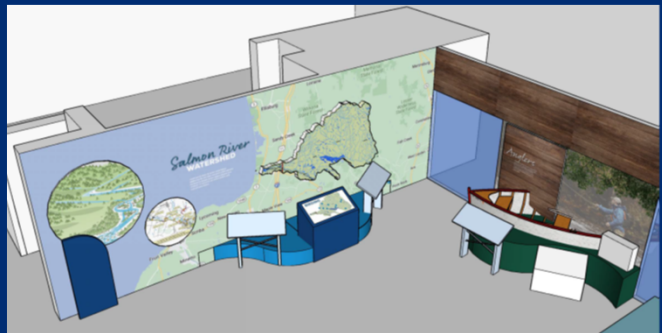


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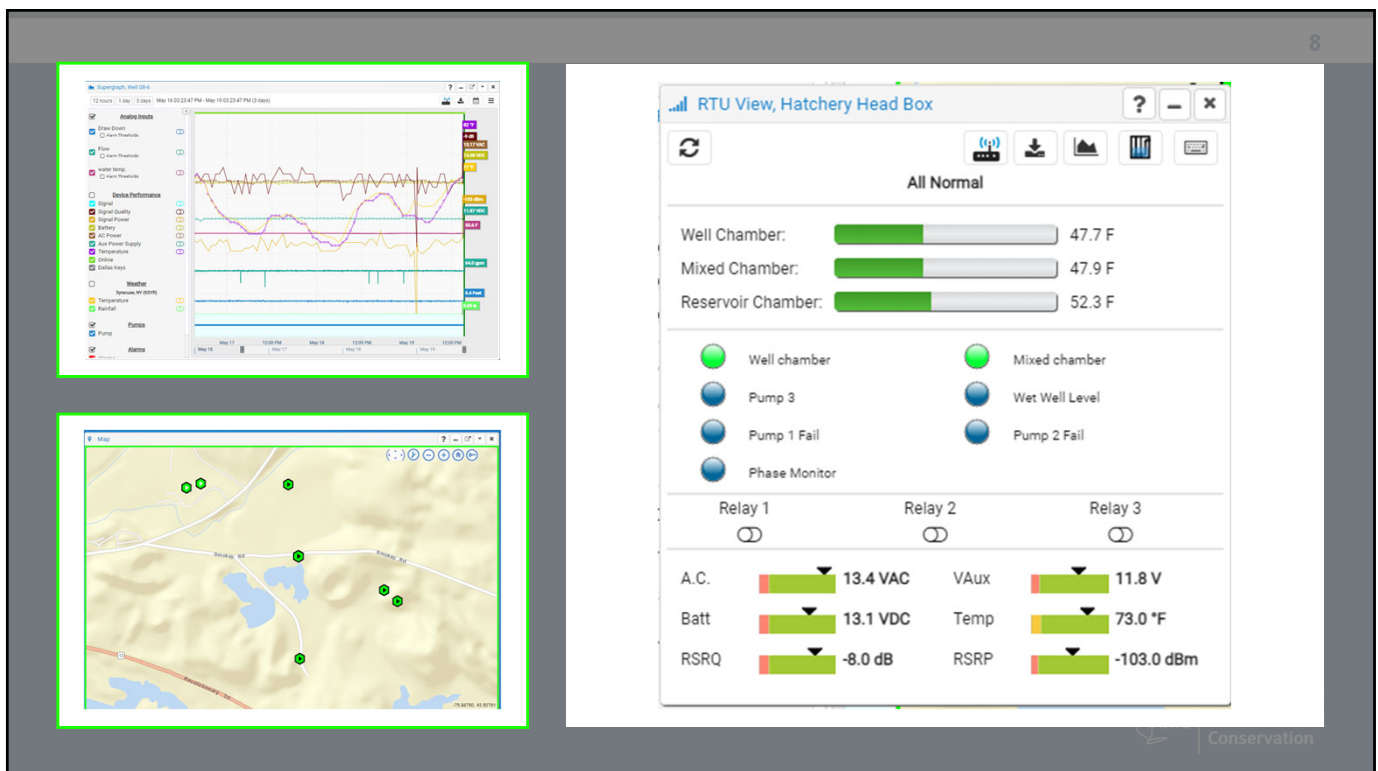
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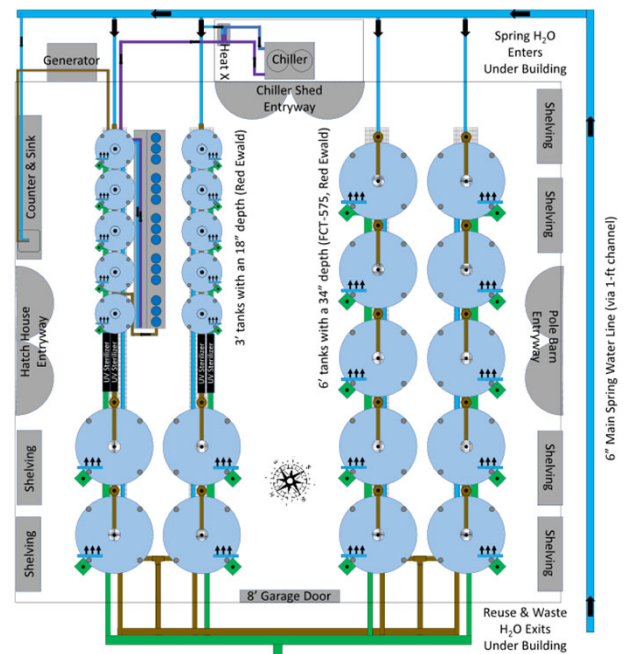
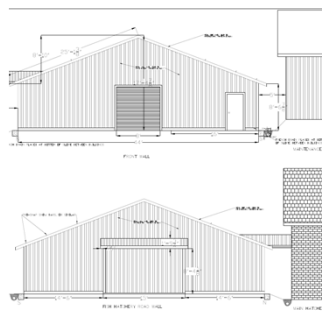
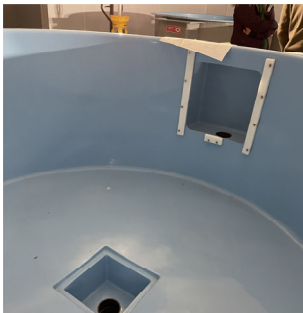
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Bath Hatchery

- New cisco rearing facility

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South Otselic Hatchery

- New well to support Adirondack brook trout program

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Oneida Hatchery

- Tiger muskies from South Otselic now at Oneida
- Ultraviolet water treatment



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Van Hornesville Hatchery

- Back stabilization project
- New hatchery manager residence

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Caledonia Hatchery

- New round pond
- Finishing up projects related to main hatchery renovation
- Pipeline
- Roofing





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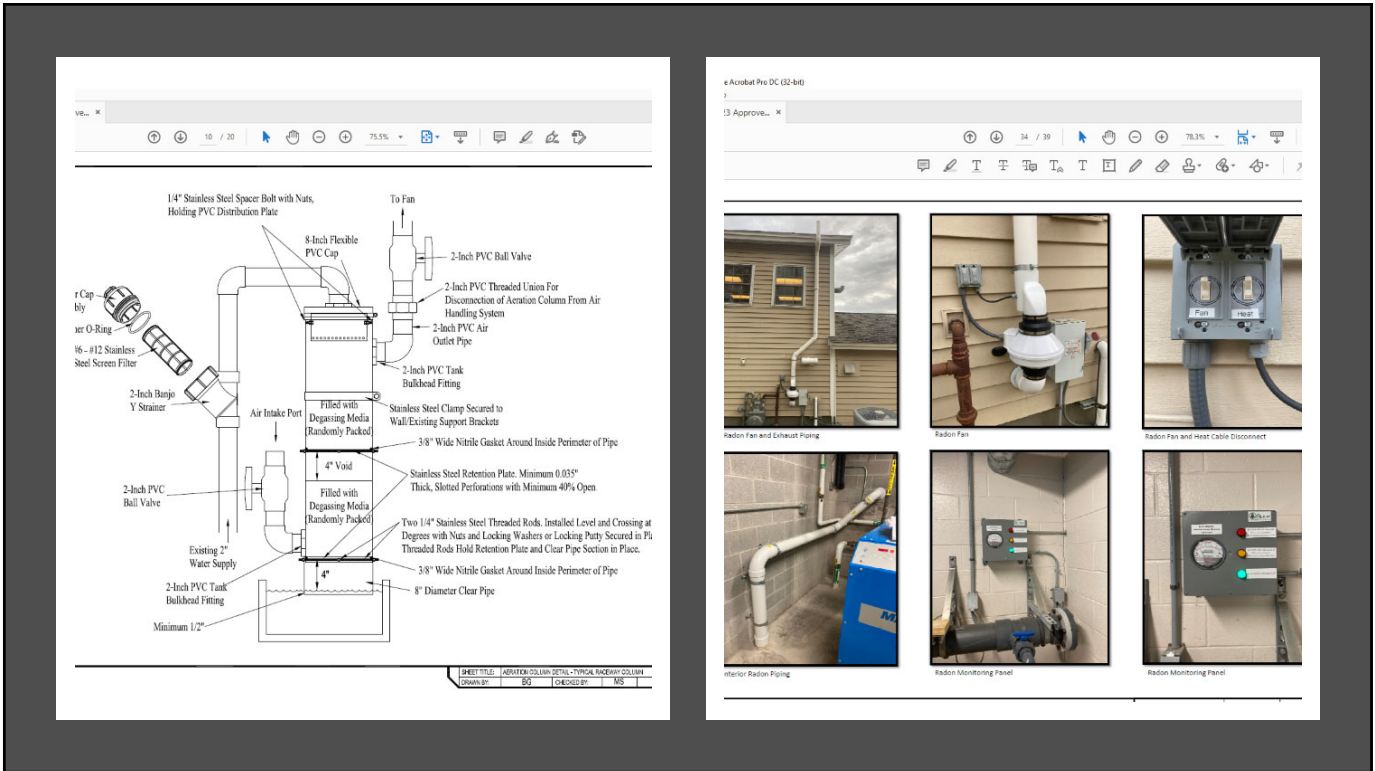
Rome Hatchery

- Zebra mussel impact
- Investigation into UV disinfection

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23



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Randolph Hatchery

- Dredged the spring pond – water supply
- Hatchery rebuild



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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 Milage
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.

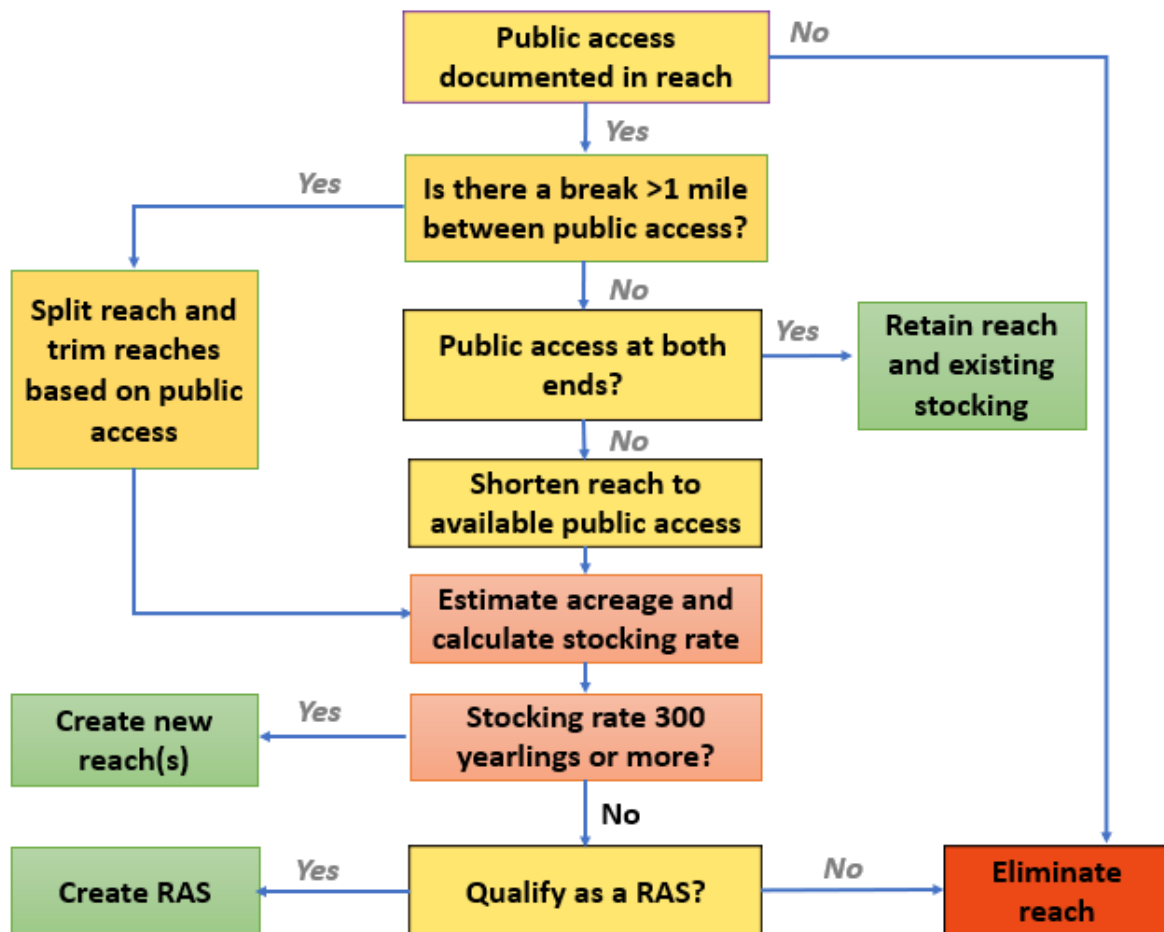
Steps:

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:	1 st round of letters of inquiry sent and Regional direct contacts begin.
June 29:	2 nd round of letters of inquiry sent.
July 27:	3 rd round of letters of inquiry sent.
August 25:	4 th 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).

Trout Stream Access Verification Plan FAQs

Why is the DEC conducting Trout Stream Access Verification?

New York and its partners stocked more than 950,000 yearling and larger trout into streams each year. Many of these fish are stocked in water that flows through private land where we do not have verified public access. Responsible government dictates that hatchery trout, which are the public's resource, are stocked into stream reaches that provide a benefit to the angling public in a transparent and unbiased manner.

What is the goal of the Trout Stream Access Verification Plan?

The goal of the [Trout Stream Access Verification Plan](#) is to ensure that trout raised with public funds are only stocked into stream reaches where public access is available, and anglers can be directed to those accessible fishing opportunities.

What are the objectives of the Trout Stream Access Verification Plan?

The Trout Stream Access Verification Plan has 4 objectives:

1. Determine where the public has fishing access on currently stocked stream reaches that flow through privately held lands.
2. Confirm that fishing access that is allowed on private lands is verified as open to all anglers.
3. Ensure that the number of trout stocked is commensurate with the amount of stream that is publicly accessible.
4. Let all anglers know where they have access to trout streams.

What is the basic approach the DEC is taking to verify access?

The basic approach the DEC is taking to verify access is to contact landowners to determine if they are interested in allowing public access or not. Once public access along a stream reach has been verified, the stocking policy for that reach is reevaluated and, if necessary, adjusted in accordance with the [Trout Stream Management Plan](#). The stream banks within verified accessible locations are posted for public fishing access. Additionally verified access is shown on map-based products such as the Tackle Box module of the HuntFishNY mobile App or the Trout Stream Fishing Map on DECinfo Locator.

Which counties had Trout Stream Access Verification completed in 2022?

Trout Stream Access Verification was conducted in the following counties during 2022:

- Putnam (Region 3)
- Montgomery and Schenectady (Region 4)
- Franklin (Region 5)
- St. Lawrence (Region 6)
- Tioga (Region 7)
- Stueben (Region 8)
- Erie (Region 9)

Which counties are planned to have Trout Stream Access Verification done in 2023?

Due to the magnitude of parcels/stream miles with unverified public access, DEC is taking an incremental approach of verifying access in 1-5 counties annually for each Region through 2025. Trout Stream Access Verification is planned to be conducted in the following counties in 2023:

- Dutchess, Rockland, Westchester (Region 3)
- Columbia, Rensselaer, Otsego (Region 4)
- Fulton, Hamilton, Saratoga (Region 5)
- Herkimer, Jefferson (Region 6)
- Broome, Cayuga, Chenango, Cortland, Oswego (Region 7)
- Chemung, Schuyler, Seneca, Yates (Region 8)
- Allegany, Chautauqua (Region 9)

What was the process for contacting landowners?

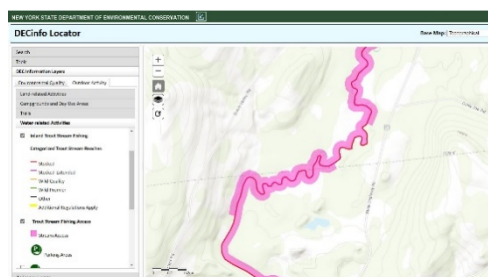
Landowners at potential access points such as bridge crossings or where stream reaches are close to the road will be sent a letter asking if they are interested in continuing to allow the public access to their land for the sole purpose of fishing. Landowners that do not respond will receive a second, follow up letter. Landowners that respond as interested in allowing public access are contacted by Regional Fisheries staff that will explain how and where signs will be posted and let them know that their parcel will be identified as accessible on DEC's "Tackle Box" module of the HuntFishNY App and DECinfo Locator. Once access is verified for a bridge crossing or roadside access parcel, adjacent landowners may be contacted to expand the length of verified public access available to anglers.

What is considered verified public access?

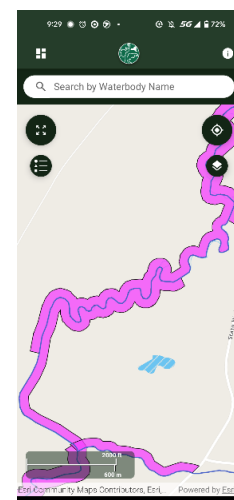
Verified access is when a landowner agrees to allow the DEC to post their property as open to anglers and allow the DEC to display fishing access in the "Tackle Box" App module of the HuntFishNY App and DECinfo Locator.



Posted sign



DECinfo Locator



*Tackle Box
(HuntFishNY app)*

How can I find where verified access exists on New York's trout streams?

New York has two map-based products that displays verified trout stream access:

- Trout Stream Fishing Map on DECinfo Locator (<https://gisservices.dec.ny.gov/gis/dil/index.html?cat=WRL>)
- Tackle Box module on the HuntFishNY Mobile App (<https://www.dec.ny.gov/outdoor/96470.html>) available for Apple and Android phones.

Why is there no access shown on some stocked trout streams?

An objective of the Trout Stream Access Verification Plan is to show anglers where they can fish stocked trout streams in New York. Due to the uncertainty surrounding the actual access on private property, we cannot confidently portray stream segments as truly accessible. This effort will ensure that properties are truly accessible and portrayable on our map-based products.

How are trout stream reaches adjusted after public access is verified?

The amount of public access along the reach is evaluated based on criteria established in the Trout Stream Management Plan. A stocked reach must start and end at public access. A reach may be shortened or eliminated if there is insufficient public access along the reach or may be expanded if public access is gained and angler use is sufficient to warrant that expansion. In some cases, a Roadside Access Stocking may be implemented at access points along streams with otherwise limited access to preserve fishing opportunity at that location.

Can additional parcels be added to streams that have existing reaches?

Yes. A new parcel can be added to a stream that already has an established reach or reaches. Depending on the location and length of the parcel it may be added to an existing reach or stand alone as an independent reach. The stocking rate will be adjusted and implemented the following year.

What is a Roadside Access Stocking (RAS)?

“Road Access Stocking” policies (RAS) are point stockings on a stream that 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. 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 Stocked reaches with limited public access, RAS policies will provide the public opportunities to fish on short, sections of private lands deemed publicly accessible within existing Stocked reaches.

What were the results after reaches were evaluated after the 2022 access verification was completed?

Forty-five reaches were evaluated after access was verified in 2022. The results were:

- 15 Stocked reaches were unchanged
- 10 Stocked reaches were dropped
- 20 Stocked reaches were shortened or split
- 19 Roadside Access Stocking points were created
- 1 Stocked-Extended reach will be converted to a Stocked reach

Where are the trout no longer being stocked going?

For decades DEC has had more trout stocking policies on the books than it had the capacity to raise. While trout streams have been stocked at 100% of policy since the implementation of the NYS Trout Stream Management Plan in 2020, pond stockings have not been able to be stocked at 100%. The trout no longer being stocked will allow DEC to stock remaining trout policies closer to 100%. Additionally, fewer trout raised in fish hatcheries allows the trout to be grown to larger sizes which will help meet the size objectives for stocked trout in the NYS Trout Stream Management Plan.

How many Roadside Access Stocking locations were implemented as a result of the 2022 access verification?

19 Roadside Access Stocking locations were implemented for the 2023 stocking season to preserve fishing opportunity in Stocked reaches with very limited access.

How many miles of stream does DEC stock into Inland Trout Streams?

New York and its partners stocked approximately 2000 miles Inland Trout Streams in 2022 (the start of the Trout Stream Access Plan).

How many miles of streams with private or unknown access did NY stock?

New York calculates access by miles of bank privileges. In 2022 at the start of the Trout Stream Verification Plan, the access status of approximately 2,537 of the 4,000 miles of banks along stocked streams was unknown (63%).

How many miles of stream was verified as truly accessible during the 2022 access verification process?

New York verified access to 164 parcels that were not previously mapped as public access for a total of 46.5 bank miles.

Is the DEC posting land with verified public access?

Yes. To be considered verified public access, permission was granted to allow DEC to post the property as “fishing permitted.”

Does NY have a plan to manage Inland Trout Streams?

Yes. New York implemented the New York State Trout Stream Management Plan in 2020. Information on the plan can be found at <https://www.dec.ny.gov/outdoor/111015.html>.