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STATE OF NEW YORK CONSERVATION FUND ADVISORY BOARD
625 Broadway, Albany, NY 12233-4800

**January 29, 2014 Joint Legislative Public Hearing on 2014-2015 Executive Budget
"Environmental Conservation"**

Testimony Given by David Corr, NYS Conservation Fund Advisory Board

On behalf of the Conservation Fund Advisory Board, New York State Conservation Council, and Fish and Wildlife Management Board, I would like to thank the Committee for the opportunity to provide testimony today on the budget.

The Conservation Fund is unlike any other special revenue fund in the State. The purpose of the Conservation Fund is "the care, management, protection and enlargement of the fish, game and shell fish resources of the state and for the promotion of public fishing and shooting" (NY Finance Law § 83). It is funded by the sales of hunting, trapping, and fishing licenses. The members of CFAB are from the very community that provides the revenue deposited into the fund.

The New York State Fish and Wildlife Management Board also serves in an advisory capacity to NYSDEC. Its members are the local sportspersons, landowners, and county legislatures from regional boards. In addition, numerous state agencies are represented in non-voting positions on the Board, including NYSDEC, Ag and Markets, Transportation, SHPO, Cornell College, among others. The purpose of the Fish and Wildlife Management Board is to "approve or disapprove the fish and wildlife management practices formulated by the regional boards" as well as recommend "uniform fish and wildlife management practices for similar ecological types within the various ecological regions of the state."

Our organizations have a common aim – to advise the State on practices and issues that affect sportspersons and landowners who harvest wildlife, are a primary segment of users of State owned land, and who are the most knowledgeable on these issues from our direct experience in the outdoors. You recognized the need for this expertise in passing laws to create our board and commissions.

Staffing Levels within the Division of Fish, Wildlife, and Marine Resources

We remain concerned with the number of staff that are now solely supported by the Conservation Fund. For instance, 31 additional environmental conservation officers have been added to the Conservation Fund line. Many of these enforcement office positions and duties have little to no involvement with game species or promotion of public fishing and shooting. Rather, their duties in larger metropolitan areas have no relation to the purposes of the Conservation Fund and have no impact on the license holders whose fees are supporting their position. In fact, since 2009 the Conservation Fund is supporting more and more staff, approaching now 350 people, yet programs and staff to work with game species, be it coyote or grouse or any others, are lacking. The shifting of staff is often at odds with Department of Environmental Conservation 5 year plans on staffing levels that would be supported by the Conservation Fund.

Our organizations recognize the budget restrictions that all agencies in our State are facing. You are the ones who are the most familiar with these fiscal realities. Our organizations continue to work closely with

NYSDEC and the Governor's Office on these times. We have also been open to creative solutions. When the number of license sales decreased and the Conservation Fund balance stabilized - we supported the Governor's plan to reduce license fees to spur sales and tourism.

However, our support for current license fee levels remains grounded in the understanding that hunting, fishing and trapping license fees do not go to the general fund but rather remain dedicated in the Conservation Fund for specific purposes. As we have in the past, we again request that the Conservation Fund only be used to support staff positions that are in line with the purposes of the fund, namely "the care, management, protection and enlargement of the fish, game and shell fish resources of the state and for the promotion of public fishing and shooting".

Budget Allocations

Secondly, our organizations remain concerned with the differences between the appropriated amounts approved by the legislature and the lower amounts that are ultimately allocated by the Division of Budget. These differences, as well as slowness of making such allocations, are directly impacting the fish and wildlife of our State. A simple delay in approving a budget allocation can result in a one year delay in program rollout. For instance, Cayuga Lake has a sea lamprey problem. For those who aren't aware, lamprey are a type of invasive species. They have no enemies and feed off of fish, especially trout in freshwater lakes. The trick to control of the population is yearly treatment. If a year is missed, you have a whole generation of lamprey that will be able to spawn, allowing the lamprey to continue to spawn and feed. Although funding for sea lamprey control has been authorized in the State budget, actual allocation of the funds has not occurred, and therefore Cayuga Lake has not received lamprey treatment. This is directly due to lack of funding and staff at NYSDEC. Sea lamprey continue to have a noticeable impact on trout in Cayuga Lake. Invasive species simply do not wait for budget allocations. Our organizations request that Division of Budget recognize that funds approved by you for these programs should be allocated and available as soon as possible.

Other Priorities:

To provide access for all New Yorkers to NYS lands while maintaining current roadways and access. Provide access and support for the full funding to reopen some of the sixty currently closed or partially closed roads on State lands to include funding for access to historic fire towers. Current DEC operational staffing and funding levels have not kept pace with many maintenance issues such as culvert and bridge replacements. This is despite the assistance from local government in many areas. This situation has been further aggravated by the recent cycle of storms. Future land acquisitions must have viable plans for ongoing maintenance while addressing the concerns of local government and the local economies that are affected.

Further, we are asking that the legislature insure that budgetary language insure that the Conservation Fund be protected so as to insure current and future assets and continued funding thru Federal Funding sources such as Pittman-Robertson.

Support for Current Legislation

Our organizations also want to express our support for other initiatives from the Governor's Budget. Deferred maintenance at fish hatcheries is proposed to be addressed with \$4 million from NY Works. Public access points would now be funded with an additional \$6 million.

In addition, the proposed budget, which would allow for safe crossbow hunting and reduced setbacks for bow hunting, is appreciated. In more suburban areas, deer control is simply not possible with traditional firearms.

Bow and crossbow hunting provide effective alternatives to rifles for deer control and realistic setbacks for bow and crossbow hunting make even more of an option. Lastly, the Executive Budget provides for legal protection for property owners/lessees or occupants who allow their property to be used for public recreation uses.

I can recall no other Governor in recent memory who has so vigorously supported and personally participated in the outdoor activities that New York State has to offer.

Closing

Lastly, I want to thank you for your time today. Our organizations remains committed to working with you and the Governor on behalf of all of the Sportsmen and Women of New York.

Current DEC Staffing Levels

Division of Fish, Wildlife, and Marine Resources	Aug. 2009	Dec. 2009	Dec. 2010	Dec. 2011	Dec. 2012	Dec. 2013
Natural Resources Damage Account	2	2	2	1	1	1
Hazardous Waste Cleanup Account	2.85	2.85	2.85	3.6	2.7	2.7
State Purposes Account	96.8	12.8	9.5	35	34.85	34.35
Fish, Wildlife, and Marine Grants Account	78.9	77.9	66.65	66.75	66.5	63.75
Conservation Fund (Main Account)						
Conservation Fund (Traditional Account)	189	262.5	235.05	228.45	238.55	236.25
Environmental Monitoring Account					2	2
Environmental Regulatory Account	5.8	5.8	5.8	5.8	5.8	5.8
Conservation Fund (Marine Account)	37	37	35	9	9	11
Total	412.35	400.85	356.85	349.6	360.4	356.85
Conservation Fund Marine Account						
Division of Fish, Wildlife and Marine Resources	37	37	35	9	9	11
General Counsel	1	1	1			
Law Enforcement	6	6	6			
Regional Affairs	1	1	1			
Total	45	45	43	9	9	11
Conservation Fund Main Account						
Fish, Wildlife, and Marine Resources	189	262.5	235.05	228.45	238.55	236.25
General Counsel	1	1	1	1	1	1
Information Services		1	1	0.9		
Law Enforcement	1	3	3	22	64	86
Operations	3	3	3	3	2	2
Management and Budget	3				2	2
Public Affairs and Education	3	3	3	2	2	1
Regional Affairs	3	3	3	2	3	3
Total	203	276.5	249.05	259.35	312.55	331.25