



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

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**February 27<sup>th</sup>, 2018 Joint Legislative Public Hearing on 2017-2018 Executive Budget**  
**“Environmental Conservation”**

**Testimony Given by Jason Kemper, Chairman, New York State Conservation Fund Advisory Board**

**Conservation Fund Background**

The NYS Conservation Fund Advisory Board would like to thank members of the Senate and Assembly for taking their time to hear this testimony. 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). The Conservation Fund is unlike any other special revenue fund in the State. The Hunting, fishing and trapping community in New York State is the only interest group that funds the management of the resources that are important to them. It is funded by the sales of hunting, trapping, and fishing licenses. These sales generate approximately \$38 million dollars per year that is deposited into the Conservation Fund. Those license sales then leverage approximately \$30 million in federal aid. As of December February 1st, 2018 there are 327 employees at the NYSDEC that are paid out of the Conservation Fund. The license fees and subsequent federal aid also benefit species that are not pursued by sportsmen/women in New York State and benefit all residents of New York State, not just the sporting community.

A 2015 NYS Comptrollers Report estimated that consumer spending relating to hunting and fishing generated \$5 billion annually, this ranks New York 3<sup>rd</sup> in the nation. The report goes on to state “The revenue generated from the sale of licenses and permits for hunting and fishing, which totaled nearly \$50 million in State Fiscal Year (SFY) 2012-13, supports important fish and wildlife programs. Over the past five fiscal years, spending by the Department of Environmental Conservation (DEC) from the State’s Conservation Fund for fish and wildlife programs averaged \$44.3 million annually. In addition, two key federal programs provide grant support to State fish and wildlife programs. Over the past five years, federal Wildlife Restoration grants to New York State and Sport Fish Restoration grants have averaged a combined total of more than \$24 million annually.” The ripple effect of those expenditures amounts to over \$8 billion per year in NYS. The Congressional Sportsmen’s Foundation has stated that there are over 56,000 jobs across New York related to hunting, fishing and trapping (#5 in Nation).

**Recruitment/Opportunities for Youth**

There are some very alarming trends when you evaluate the age of hunters and anglers in New York State. The average age of a sporting license buyer in NYS is approximately 50 years of age. In addition, 57% of hunters are 45 years or older and 20 % are older than 65. The same for the angling community, 58% of all anglers are 45 years and older with 22% being older than 65 years. As this age continues to rise, recruitment of young individuals is crucial. CFAB encourages the NYS Legislature to take steps that encourage the youth in NYS to participate in all outdoor activities. The Board realizes that a portion of the youth participating in outdoor activities will then go on to pursue hunting, fishing or trapping. The CFAB along with the NYS Sportsmen’s Advisory Council and the majority of all other sporting groups support establishing a universal hunting age of 12.

New York requires you to be at least 14 years old to participate in big game hunting with a firearm. Every other state in the nation allows 12 year old hunters or younger, under the supervision of their parents or other licensed

mentor, to pursue big game with a firearm. Statistics have proven that youth hunters under the supervision of an adult are the safest group of hunters. Starting youth at a young age with a mentor over 21 results in an increased long-term retention rate and has proven to make them safer and more responsible hunters when they are old enough to hunt on their own.

Hunting provides quality time for parents to bond with their children in an outdoor setting and these excellent opportunities to introduce youth to nature, conservation, and responsible wildlife management. When children are deprived of these types of outdoor experiences some become entrenched in activities that disconnect them from the natural world around them. Hunting, especially at an early age, imprints in youth the mindset that game management and environmental stewardship go hand and hand along with proper gun handling and safety. In addition, NYSDEC's five year Deer Management Plan recommends that the minimum age for hunting Big Game with a firearm be lowered to 12.

Recent license sales information provided by NYSDEC to CFAB indicates that the number of youth hunters (age 12-15), purchasing a hunting license in New York state has decreased by an astonishing 19%. At the same time, a large number of these youth hunters are leaving New York state to pursue big game hunting opportunities in neighboring states that allow youth hunters 12-14 year old to pursue big game. If the State of New York continues to hinder the participation of youth hunters in the pursuit of big game, the number of youth hunters will continue this drastic decline. As overall license sales continue to decline, the revenues to the Conservation Fund will decrease leading to an increased pressure on the NYS General Fund to support these activities.

The future of hunting, as well as the conservation of our natural resources, is directly tied to the recruitment and retention of our youth to these time-honored traditions. Providing New York State the legal opportunity to enact a uniform hunting age of 12 years old will have a positive impact on youth, families, hunting safety, hunter recruitment and retention, local and statewide economies, and conservation funding. This legislation has passed the NYS Senate and we urge the Executive and Assembly to help move this initiative forward to create a better future hunting in New York State and take full advantages of the economic opportunities that the sport provides.

### **Lifetime License Account**

When a lifetime sporting license is purchased in NYS, those funds are deposited into the Fish and Game Trust Account. The principal from this account cannot be touched however, the interest is transferred to the Conservation Fund on an annual basis. Historically, the interest rate earned on this account has been less than .1% percent. The Conservation Fund Advisory Board has worked with the NYS Comptroller's office to diversify the principal investment to a point where the interest revenue has increased from approximately \$70K per year to over \$570K in 2016 (8 times the historical average).

However, the board has been advised that some minor changes to the State Finance Law would allow the Comptroller to invest the principal in the Fish and Game Trust Account similarly to the NYS Pension Fund. This change would be in paragraph 4 of subdivision A of Section 83 of the State Finance Law. This change would give the Comptroller's Office more options to invest the Lifetime License funds. It is estimated that this change would increase the interest revenue to the Conservation Fund to several million dollars. As expenses to the Conservation Fund continue to increase this simple solution will help ensure that the fund stay solvent for a longer period of time.

## **Staffing Levels within the Division of Fish and Wildlife**

Staffing levels within the NYSDEC Division of Fish and Wildlife remain a concern. In August of 2009, there were 351 staff persons assigned to the Division of Fish and Wildlife. 189 DFWMR staff were being paid under the Conservation Fund and an additional 14 other NYSDEC employees outside of that division were also being supported by the Conservation Fund. In February of 2018, there are 310 staff persons in the Division of Fish and Wildlife. Of those, 242 are paid for under the Conservation Fund Main Account. However, there are now an additional 89 NYSDEC employees who don't work for the Division of Fish and Wildlife – that's a total of 331 DEC staff under the Conservation Fund.

Since 2009 (last major license fee increase) there are 41 less staff in the Division of Fish and Wildlife. In short, since 2009, the sportsmen have lost the services of 41 staff persons from the Division of Fish and Wildlife, there are 53 more positions in the DFW being charged to the CF Main Account, and there are 128 more total DEC Staff being funded out of the Conservation Fund. In essence, what is happening is the sportsmen in this state are paying for more of DEC's fish and wildlife program, paying more for staff outside of the Division of Fish and Wildlife. As this trend continues the Fish and Wildlife Program begins to suffer.

### **August 2009 Filled Position Report**

412 Total Staff in DFWMR (351 DFW, 61 Marine)  
189 DFWMR staff on CF Main Account  
203 Total DEC Staff on CF

### **February 2018 Filled Position Report**

310 Total Staff in DFW  
242 DFW Staff on CF Main Account  
331 Total DEC Staff on CF

## **Conclusion**

I have presented a number of important items here today, with respect to the Conservation Fund and how important it is to the future of hunting, fishing and trapping in NYS. Here are some important things to consider;

Sportsmen and women continue to make an important contribution to the economy of our state, the benefit to the business community is significant. In addition, the benefit provided by the sporting community serves all residents of NYS in addition to large number of user groups.

Engaging youth in traditional outdoor pursuits is one of our most important agenda items, but we need support from the legislature and the Governor to help make the 12 year old universal hunting a reality. The declining participation of youth hunters underscores the need for action on this now, before we lose any more ground.

Financial solvency of the Conservation Fund relies on steady and hopefully increasing license sales...that has not been the case lately, we are going backwards. Better outreach along with expanded opportunities is critical for the financial health of the Conservation Fund. This can also be helped with a more robust investment model for the Lifetime License Account. As the revenue to the Conservation Fund decreases then there is an increased pressure on the NYS General Fund to support these activities.

Finally, there needs to be more fairness to the staffing and expense burdens that are paid for by the fund, especially with the respect to the Division of Fish and Wildlife. A business model where the sporting community pays for more of the costs and receives less DFW staff and resources is not healthy for the future of the outdoor community.

Let me again thank the members of the legislature for the opportunity to present this report and share our views on these important issues. Hopefully we can work together to improve opportunities for all sportsmen and women in New York State.