

CWC WOH Sporting Advisory Committee

April 12, 2016

MINUTES

Members Present: Alan Budine, John Casey, Michael Cullan (NYSDEC), Herbert DeWitt, Michael Giuliano, Peter Innes, Paul Lenz (NYCDEP), Joseph Liuni, Alan Martel, Steven Roff, and James Volker

Others: Alan Rosa (CWC), and Timothy Cox (CWC)

1. Called to Order at 6:00 PM
2. The October 27, 2015 minutes were moved as corrected by Herbert DeWitt and seconded by Alan Budine. Voice vote, approved unanimously.
3. Land Acquisition Update
Tim provided the updated DEP recreational areas maps to Committee members. Paul Lenz said that DEP is continuing to acquire lands. Paul noted that the default designation is open public access provided the parcel or parcels are 20 acres or greater. In addition, public access area designation may be applied to several flood buyout properties purchased in Shandaken and some other towns that provide stream access. DEP met with town supervisors to discuss recreation on these parcels, and most agreed. Some of the parcels are small half-acre lots in town and were purchased through the FEMA Flood Buyout Program. Some were kept by DEP and opened for recreation. Others were given to the Towns. Many of the smaller parcels in towns/villages such as Margaretville have become pocket parks, community gardens, and other uses. The Town could keep the parcels open for recreational uses, but on those properties there is a FEMA deed restriction, so nothing can be built on those parcels, except perhaps a pavilion or kiosk. There were a couple of flood buyouts in Fox Hollow (Shandaken) side by side, and there is a pull-off available. The Town Supervisor said that they might be open to public access. Because several parcels acquired are right in the hamlet, opening them to public access will depend greatly on what the desires of the neighbors are.
4. Boating Program Update
Paul stated that trolling motor use is underway for the Cannonsville for the fourth year of a pilot program. New recreation rules to allow expansion to other reservoirs continue to be worked on.
For the recreational boating season there is a new launch site being built at the Miller Hollow Cove Road on the southwest side of the Pepacton. Paul explained that the hope is the new site will take a lot of pressure off some of the other launch areas, such as Shavertown and Perch Lake. It will also draw people from Hancock and surrounding areas.

DEP will be purchasing more boat racks for some of the launch areas so people have more opportunity to store their kayaks and canoes.

Letters will be sent to the steam cleaning vendors to verify that they are able to give DEP a level of assurance that they are properly steam cleaning all of the boats. DEP feels that some providers are a little too casual about the requirements. Training and equipment inspections are done by DEP, and because of reports that some providers may not be properly training staff and meeting the standards at all times, DEP has offered to do on-site trainings. There may be spot checks done this year under cover as a precaution.

Last year was a record year, and there is hope that this year will be even better.

Paul asked that if anyone on the Sporting Advisory Committee goes out or knows someone who does, to please give some feedback as to their experience.

5. Recreational Use Program Update

Paul distributed copy of several maps of parcels that DEP has received pushback from Town Supervisors/property owners for discussion regarding whether the property should be open to recreational uses.

Halcott (Greene) – Property ID #8897 – This is a 31 acre parcel that DEP closed on in March and designated as public access. Driveway is marked on map. Property owner to the North uses the driveway along the Northwest side of DEP property. He is former NYPD, and is concerned about stray bullets while entering/leaving his property. Paul said that because there are no other houses around, it's only 31 acres, it fits well with the public access areas, and the public has wanted this parcel open, the uses wouldn't be changed. Paul did tell the property owner that he could go to the Town and see what they felt about it. If the Town felt strongly that this was a viable issue, the Town can put up for vote a resolution recommending the change the designation of this property. Paul stressed that a Town could only request DEP restrict hunting on property but final say was with DEP.

Paul said that his initial response to calls such as these is to calm the caller down, and point out that both the City and State have very safe records when it comes to recreational use on their public access properties. There has only been one incident, in the East of Hudson Watershed, since inception of the Land Acquisition Program. There are so many acres available now, that most use for hunting is by local residents, and those who do travel from downstate/out of area, aren't hunting on parcels that are this size. DEP believes that this property owner in particular is an avid deer hunter and wishes to protect his hunting grounds. Paul spoke to Alan White (Town Supervisor), and is waiting to hear if this becomes an issue that the Town will address.

Olive (Ulster) – Property ID #724 – 35 acre parcel closed on by DEP December 14, 2015 and recommended as public access area. At the time, the Town Supervisor said okay and signed off on that. The red lines on the map indicate the 500 foot no discharge area. DEP always takes into consideration location and layout of houses on adjoining parcels. The two houses indicated were not involved with the sale of this parcel. DEP has received a lot of complaints

about people hunting on this property. There is good access on Ridge Road (public road), but to get to the back of the property, the hunters are visible from the homes. Sylvia Rozelle, the Town Supervisor, feels that opening the parcel for bow hunting only would be a good compromise. Supervisor Rozelle is worried about public backlash if the parcel remains in use for rifle hunting, and she'd rather not allow that to become an issue. Paul believes the Town will be passing a resolution requesting the change in use. Paul noted that signing property for 500 foot setback from a residence is offered as an option, but not always requested. It is understood that bow setback is 150 feet, and crossbow is 250 feet, so the parcel may also have that restriction.

Paul noted that the DEP didn't want to begin chopping up what uses are accepted on parcels. They have a couple of properties in Neversink that are designated for bow hunting only, and they are constantly finding hunters entering/exiting with rifles. The more special regulations, the more issues there will be.

SAC members agreed with Paul that to begin partial restriction of parcels could cause significant issues with determining and regulating recreational uses on all parcels.

Walton (Delaware) – Property ID #3193 – 46 acres to be closed on by DEP April 30, 2016 and recommended as public access area. There is a house located in the center of the property due to layout of the parcel, and there are houses around it. The 500 foot discharge areas are marked on the map. There is huntable area on this property. The Town originally agreed to the parcel being open to rifle hunting. However, recently elected Town Supervisor Charles Gregory has been contacted by an adjacent property owner and several others, and he agrees with their request that the parcel should be restricted to bow hunting only. The property owners did admit that they allow people access to the parcel, but probably friends and family.

Paul noted that this parcel, along with the Olive parcel and others, are ones where new Supervisors are now in office. Alan Rosa expressed frustration that these parcels are being looked at as a way to secure private individuals' hunting grounds. There are already State regulations involved with distance of discharge of firearms. He recommended that DEP and SAC members from Delaware County be in contact with Supervisor Gregory, as he has always shown support of public access areas in the past.

Again, the question is, how would DEP enforce these restrictions? And just because a Town passes a resolution requesting restrictions does not guarantee a change in use. Most adjacent owners are concerned about non-locals being unaware of surrounding structures and discharge of firearms within the 500 foot setback areas.

SAC members reiterated their support to not agree to partial restriction of parcels.

Lexington (Greene) – Property ID #4108 – 23 acres. DEP has not closed on the property, nor has a community review fact sheet been sent out yet. The northwest corner of the property has 9 acres of discharge-safe area, so DEP will be recommending bow-only and hiking access. Due to size of parcel and location of access road, there is too much proximity to

houses, and DEP would rather see it open for limited use than not at all. DEP has received offers for properties with the condition that they be closed to hunting, and they refuse those offers, citing that there is a process for determining use and the results are based on certain criteria. They will not promise to restrict use because of a property owner's request prior to sale.

SAC members agreed that the DEP is correct in its determination that it would be best to restrict activities to bow hunting and hiking.

Denning (Ulster) – Property ID #3015, 3010, 3079, and 4494 – 314 acres total closed on by DEP in 2003. A Land Use Permit was given to the Red Hill Fire Tower Committee to access the fire tower for repairs via a dirt road which runs through parcel #3010. The fire tower is located roughly north of the parcel. Originally the Town wanted the parcel closed to recreation because of the access to the fire tower. A group of fire tower supporters is concerned that if this parcel is opened to public access there will be damage to the character of the fire tower by the public. In discussion with Town Supervisor David Brooks, it seems that while he is in favor of opening the parcel for public access, the Town Council was not in favor. DEP feels that they could open the parcel to the south of Red Hill Road without risking access to the fire tower.

SAC members pointed out that Red Hill Fire Tower was restored and that the committee promotes public visitors. There should be no reason to keep the entire parcel closed, nor even part of it. Access is already available to the fire tower, so the likelihood of hikers trying to access the property via bushwhack through the public access area is slim. It was also recommended that the bottom of the dirt road be gated, with signs advising access via the marked footpath at Dinch Road.

DEP is communicating with DEC Region 3 about some access issues that they are having and additional parking they requested. There will be a meeting with the Red Hill Fire Tower Committee during which they will discuss this further. The Committee is concerned about excessive numbers of hikers going to the fire tower. They have not expressed concerns about hunters. The concern is overuse and vandalism, much like what happened with Blue Hole. Public and private funding was used to restore the fire tower. Trails promoting hiking to the fire tower are posted on the DEC website. There are marked trails from Dinch Road, going through State land. DEP would like to open the entire parcel for public access, but not advertise the proximity to the fire tower.

6. Other

Members discussed rumors of DEP restrictions on weight limits for logging.

Paul responded that DEP cannot enforce any local law regarding weight restrictions that a town has set in place via local law and that. DEP has not interfered at all. They don't bother with many small parcels because of permit ordinances invoked by the Towns.

Committee also briefly discussed Parcel #3630, Town of Roxbury, Jump Brook, on Poley Road, was closed on by DEP in 2013, and at that time, due to proximity and other concerns, it was not opened to recreational use/public access. There was a request via written letter to open the parcel. Paul will look into the request and get back to the Committee.

Committee also noted that comments from an audience member at last meeting were incorrect regarding large predator restoration. In short, there is no State focus on large predator restoration.

Tim Cox informed the committee that in this year's State budget, \$500,000 in funds have been allocated for the region for Recreational Use Plans Strategy, similar to what was completed in the Adirondacks, and will be administered through the CWC. Once the State contract is received, CWC will be going out for an RFP to hire a consultant. In addition, there's a list of projects that CWC will be administering having to do with lean-tos, parking areas, trail construction, etc. throughout the Catskill State Park pursuant to a State priority list and review by an advisory group

7. Schedule Next Meeting – October 18, 2016, 6:00 pm
8. A motion to adjourn was made by Herb DeWitt and seconded by John Casey.