

L Aid ON THE DESKS 8/14/2023
GOVERNMENT SERVICES & ADMINISTRATION

RESOLUTION NO. 2023154

RE: LOCAL LAW NO. ___ OF 2023, A LOCAL LAW TO EXTEND THE YOUTH
DEER HUNTING PILOT PROGRAM

Legislators PULVER, TRUITT, HOUSTON, GELLER, SAGLIANO, METZGER,
BOLNER, HAUSER, CAVACCINI, POLASEK, and D'AQUANNI offer the following and move
its adoption:

RESOLVED, this adopted local law shall amend Chapter 189 of the Dutchess County Code
of Local Laws and, be it further

RESOLVED, that the Legislature of the County of Dutchess adopted Local Law No. ___
of 2023, which has been submitted this date for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of September 2023, and that
the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of September 2023.



LEIGH WAGER, CLERK OF THE LEGISLATURE

RE: LOCAL LAW NO. ____ OF 2023, A LOCAL LAW TO EXTEND THE YOUTH DEER HUNTING PILOT PROGRAM

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

SECTION 1. LEGISLATIVE INTENT.

New York State Department of Environmental Conservation's Youth Deer Hunting Pilot Program has been extended from December 31, 2023, to December 31, 2025, and Dutchess County seeks to further its participation. NYSDEC's Report to the New York State Senate and Assembly *Deer Hunting by 12- and 13- Year-Old Hunters* dated February 1, 2023, found the state-wide program to be a success. During the two-year program, over 9,500 youth hunters participated and harvested over 3,300 deer. On safety, the report states, "no hunting-related shooting incidents, violations, or license revocations involving 12- and 13-year-old hunters were reported/occurred during the first two years of the pilot program" further determining that "youth hunters are the safest group of hunters."

SECTION 2. AUTHORITY.

This Local Law is enacted pursuant to § 11-0935 of Environmental Conservation Law of the State of New York.

SECTION 3. AMENDMING CHAPTER 189-1 SUBSECTION A OF THE DUTCHESS COUNTY CODE OF LOCAL LAWS TO READ AS FOLLOWS.

- A. Pursuant to Environmental Conservation Law § 11-0935, effective June 1, 2021, New York State instituted a deer hunting pilot program which authorizes a hunting license holder, who is 12 or 13 years of age, to hunt deer with a crossbow, shotgun or muzzle-loading firearm through December 31, 2025, if a county in an "eligible area" authorizes such action within its municipality during hunting seasons as designated by the state. The intent of this article is to authorize Dutchess County to participate in the new and safe hunting opportunity, as authorized by Environmental Conservation Law § 11-0935.

SECTION 4. AMENDMING CHAPTER 189-2 SUBSECTION A OF THE DUTCHESS COUNTY CODE OF LOCAL LAWS TO READ AS FOLLOWS.

- A. Pursuant to Environmental Conservation Law, ECL § 11-0935, Dutchess County elects to participate in the temporary program to allow for a hunting license holder who is 12 or 13 years of age, to hunt deer with a crossbow, shotgun, or muzzle-loading firearm through December 31, 2025.

SECTION 5. SEQRA DETERMINATION.

It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that the

adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(26) and (33) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required.” [6 NYCRR Section 617.5(c) (26) and (33) apply to: “(26) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and “(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list”]

SECTION 6. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 7. REVERSE PREEMPTION.

This article shall be null and void on the day that statewide legislation goes into effect incorporating either the same or substantially similar provisions as are contained in this law or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Dutchess.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS *(To be completed by requesting department)*

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

Source of County Funds *(check one)*: Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Nick Joseph, Assistant to the Chairman

Prepared On: August 14, 2023



Department of
Environmental
Conservation

Deer Hunting by 12- and 13- Year-Old Hunters

A Report to the New York State Senate and Assembly

February 1, 2023



Annie L. with her mentor, Jack, after the 2022 Youth Deer Hunt

Deer Hunting by 12- and 13-Year-Old Hunters

New York State enacted legislation in 2021 that created a new section of the Environmental Conservation Law (11-0935) authorizing a license holder who is 12 or 13 years-of-age to hunt deer with a crossbow, rifle, shotgun, or muzzleloading firearm under the supervision of an experienced adult hunter in eligible areas. The legislation established this new opportunity as a pilot program through 2023 and required counties to adopt a local law authorizing participation and to notify the DEC of such participation. Of the 54 counties eligible to offer the youth hunt across the state, 52 took advantage of the opportunity in both the first and second years of the program. Currently, all other states allow youths 12 years old or younger to hunt big game with a firearm.

The inaugural 2021 expanded youth hunt was a great success. Reports from participating families indicated participants were safe while afield and greatly enjoyed the opportunity to learn from experienced hunting mentors. Mentors reported having important experiences sharing long-held traditions with their youth partners and shared stories of the lessons taught regarding safe, ethical hunting and conservation. Further, this additional hunting opportunity increased conservation fund resources and provided another important tool to advance deer management objectives. The New York State Department of Environmental Conservation's (DEC) review of hunting-related shooting incidents (HRSIs) found that youth hunters are the safest group of hunters; the first year of the pilot continued that tradition with zero HRSIs.

The second year of the pilot has proven to be as successful, safe, and popular as the first. Once again, DEC heard from families across the state who were thrilled to share their longstanding tradition of wildlife conservation and food sustainability with young family members. DEC is pleased to provide the following report to the Legislature highlighting the success of this expanded season and recommendations to continue to capitalize on the economic and conservation importance of this program.

This report fulfills the requirement of Environmental Conservation Law 11-0935(3), which states, "*The department shall prepare a report by February first of each year including the following information at a minimum: number of violations; hunting related incidents and revocations pursuant to section 11-0719; the number of counties participating; the number of minors participating; and the number of deer taken.*"

Safety and Compliance

No hunting-related shooting incidents, violations, or license revocations involving 12- and 13-year-old hunters were reported/occurred during the first two years of the pilot program.

County Participation

ECL 11-0935(2) defines eligible areas as: "a county that has passed a local law authorizing participation in the pilot program and has notified the department of such participation, however, that the following counties: Westchester; Richmond; Bronx; New York; Kings; Queens; Nassau; and Suffolk shall not be deemed to be eligible." Thus, 54 of New York's 62 counties were eligible to participate in the pilot program. Of the 54 eligible counties, only Erie and Rockland counties did not pass a local law to allow 12- and 13-year-olds to hunt deer with a firearm or crossbow.

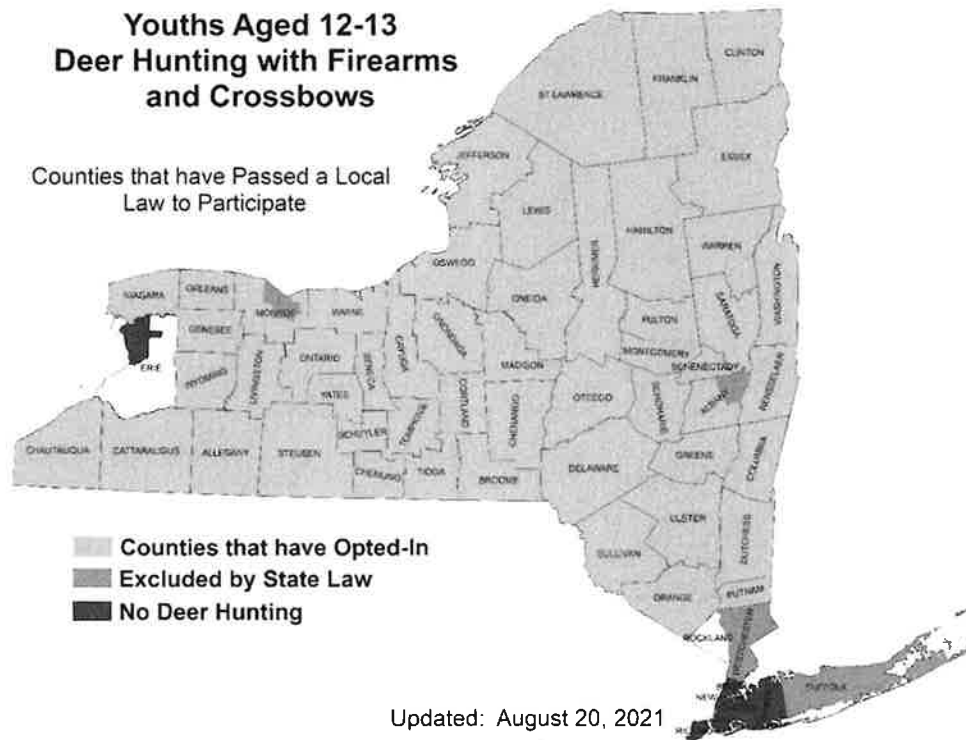
Preliminary Results from the 2022-23 Deer Hunting Seasons

Deer hunting season		2021-22	2022-23
# Licensed 12- and 13-year-old hunters ¹		9,859	9,416
Estimated Participation ²	Regular Firearms Deer Season	85%	85%
	Youth Big Game Hunt over Columbus Day Weekend	62%	70%
	General Muzzleloader Deer Season	21%	16%
	Holiday Hunt portion of the Late Muzzleloader Season	26%	18%
	Bowhunting Season	31%	25%
	With a Crossbow During any Season	18%	22%
Deer Harvest Reports submitted by 12- and 13-year-old hunters ³		1,564	1,824

¹ License holders who were 12- or 13-years-old at any time during the deer hunting season.

² Data for 2022-23 are preliminary results from an ongoing post-season survey.

³ Raw harvest reports. All reports for 2022-23 were not available as seasons continue in parts of NYS until Jan. 31.



¹ Portions of Albany and Monroe counties were excluded by state laws (ECL 11-0907(5)(a) and 11-0907(7)(b)) that restrict deer hunting in those areas to use of longbows only.

Testimonials and Satisfaction

Testimonials from Youth Hunters and their Mentors on the 2022 Big Game Seasons

"I hope it can keep going so my brother can do it when he is 12. He is 10 now and very excited to start hunting with my dad. I had a great time." – Piper H., age 15, Seneca County

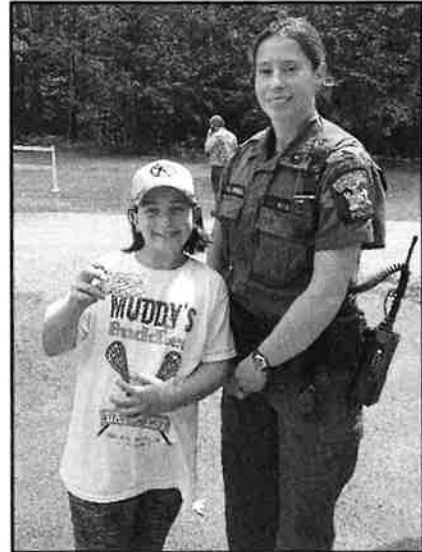
"The youth hunting season was one of the most memorable and best shared moments I have had with my son. It was amazing to be with him, coach him through the moment, and witness his first success in the field." – parent/guardian of Brennen R., age 15, Erie County

"I love that I can hunt with my daughter from age 12. If my daughter had to wait until 16, I doubt she would be hunting." – parent/guardian of Alexandra P., age 15, Ulster County

"The youth hunting season is great to introduce young hunters into the world of using firearms while the parent can be there to make sure everything is done safely." – parent/guardian of Easton L., age 14, Cortland County

"It's a great program. My son has benefited for the last 2 years, and it has allowed him to really learn so much, but also, I believe he will be a lifelong hunter." – parent/guardian of Luke J., age 14, Putnam County

"The special Youth season is a wonderful addition to the NYS hunting opportunities." - mentor of Mason W., age 15, Wayne County



Amelia M. with a DEC Environmental Conservation Officer after receiving her hunter education certificate.



Cooper C. with his grandfather James, during the Southern Zone regular deer season

How satisfied were you with your youth big game hunting experiences?

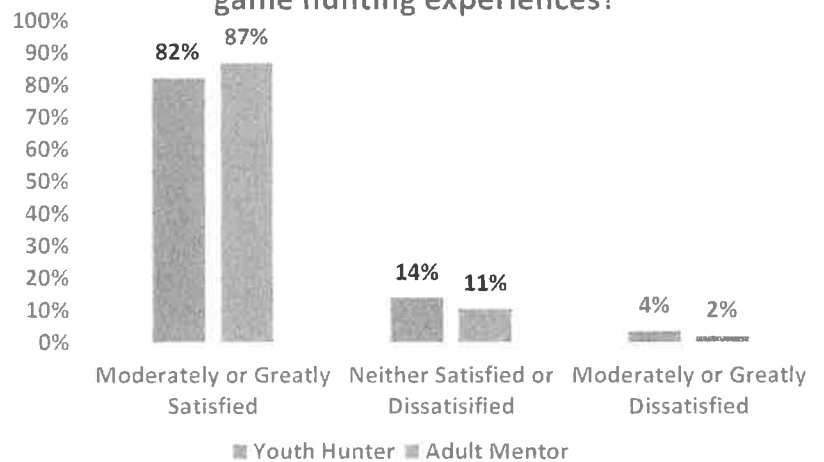


Figure 1 Results from DEC post-season survey of youth hunters and their adult mentors about their youth big game hunting experiences in 2022. More than 9,400 young hunters (12 and 13 years old) were eligible to hunt deer with a firearm or crossbow in 2022.

Recommendations

As with any new hunting opportunity, DEC evaluated the expansion of deer hunting opportunities for 12- and 13-year-olds by assessing the level of interest by youth hunters and mentors, evaluating safety concerns related to allowing 12- and 13-year-olds to pursue deer with a firearm or crossbow, measuring interest and satisfaction, and gauging popularity within the broader hunting community. As evidenced by the first two years of the pilot program, there is broad and sustained interest in the program with 96% of eligible counties opting in to participate. In addition, the hunt has proven to be safe with zero safety incidents. Interest by youth hunters and mentors has also exceeded expectations with more than 8,000 participants.

Over the two years of the pilot program, 12- and 13-year-old hunters and mentors have proven they can safely and successfully hunt deer with a firearm or crossbow and should be authorized to retain this opportunity. To continue to cultivate the next generation of safe and responsible hunters and capitalize on the success of this program, DEC provides the following recommendations to expand youth hunting opportunities in New York:

- 1- Make permanent the authorization for 12- and 13-year-old hunters to hunt deer with a firearm and crossbow.** DEC assessed participation and harvest by junior big game hunters through a post-season survey and asked about participants' level of satisfaction with their big game hunting opportunities in 2021 and 2022. More than 9,400 young hunters (aged 12 and 13), representing approximately 9,170 families were eligible to hunt deer with a firearm or crossbow in 2022. These hunters were safe and successful, and satisfaction levels were extremely high. In 2022, 82% of these young hunters and 87% of their adult mentors reported being moderately or greatly satisfied with their youth big game hunting experience (see Figure 1, above). Existing state law permanently allows hunters aged 12 and 13 to hunt small game with a firearm or long bow and big game with a long bow, when properly supervised. Establishing the same permanent provisions for 12- and 13-year-old hunters to hunt big game with a firearm would make New York consistent with other states. Currently, all other states allow youths 12 years old or younger to hunt big game with a firearm, and most states have no set minimum age for youths when hunting with an adult mentor.
- 2- Extend the authorization for 12- and 13-year-old hunters to hunt deer with a firearm or crossbow to all of New York State (subject to other provisions of ECL) and remove the requirement for counties to pass a local law opting into the program.** Throughout New York State, hunters aged 14 years or older can hunt deer and bear with firearms and crossbows. A short-term program for 12- and 13-year-old hunters with county-by-county opt-in creates a potential patchwork of regulations and hunting opportunities, creates additional work for county legislatures, increases the likelihood for confusion among participating hunters, and cedes DEC's regulatory authority to manage hunting seasons. With a proven track record of safe and responsible hunting and with all the social, economic, and conservation benefits provided by this activity, 12- and 13-year-old hunters should have the same opportunity to hunt deer in the same locations and in the same manner as their peers, family members, and other hunters throughout New York State.
- 3- Allow 12- and 13-year-old hunters to also hunt black bear with a firearm and crossbow.** Youths aged 12 and 13 have been legally able to hunt black bears with a longbow in New York since 2011

and have done so without incident. Hunting black bear with a longbow is unquestionably more challenging than hunting black bear with a firearm. Nonetheless, 12- and 13-year-old hunters have routinely demonstrated they can safely and successfully harvest a black bear with a longbow. These same hunters, and all 12- and 13-year-old hunters, should be given the opportunity to also hunt black bear with firearms and crossbows providing another incentive for program participants.