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**RENSSELAER COUNTY ENVIRONMENTAL MANAGEMENT
COUNCIL'S COMMENTS ON CATCH AND RELEASE
FISHING ON THE UPPER HUDSON**

I. Introduction

The Rensselaer County Environmental Management Council (RCEMC), a governmental advisory body on issues regarding our natural resources, applauds the overall spirit and intent of the program designed to open the Upper Hudson to Catch and Release fishing. In fact, some of our members have been actively working on this issue for more than five years, and we praise this open process and diligent effort by the Department to solicit broad public input before making a final decision.

As you know, there are over 64 waterbodies in New York State that contain fish with contaminant levels greater than federal standards. The DOH recommends either limiting or avoiding consumption of a specific type of fish from particular lakes, ponds or rivers. These "health advisories" are spelled out clearly in the annual Fishing Regulations Guide made available to those who apply for a fishing or sportsmen license.

It is sad testimony to the way we used to do business that we have lost valuable fisheries and freshwater food resources. However, it is worth pointing out that there are many other waterbodies in this state that are much more polluted than the Upper Hudson, yet it is only the Upper Hudson which still remains closed to catch and release fishing. Indeed, Onondaga Lake, which has been touted as one of the most polluted lakes in the nation, is open to catch and release fishing, and the sport remains a valuable hub in the recreational economy of that region. In Rensselaer County, we have Nassau Lake, also polluted with PCB's leaching from the Dewey Loeffel landfill. Even though PCB levels in fish from that Lake are far above federal limits, the users of that waterbody safely practice catch and release fishing, and the lake remains a valuable recreational resource.

II. Comment

We have heard the concerns from a small part of the environmental community that, once people are allowed to fish the Upper Hudson, two events are likely to occur. First, they feel that more people will keep and eat the fish from the contaminated waterway. Second, they feel that GE will be let off the hook (pardon the pun) once the river is restored to life. We would like to briefly respond to both points.

First, the program to open the river, as we envision it, is hinged on a broad and aggressive public outreach and education program that lets the user of the fishery know 1) that the fish are unfit for human consumption 2) why the fish are unfit for human consumption, and 3) what measures are being taken to remediate the problem and what those concerned about the river's future can do to speed the rivers

recovery. It is this three-part program that we promote, and our support for lifting the ban is conditional on these components.

During the years of 1989-1992, members of the environmental community, including myself, conducted informal yet indepth surveys of those using the Upper Hudson. To our amazement, among the 50-60 people found fishing in the Stillwater-Schuylerville area (between Lock 4 and 5), the vast majority did not know that the fish in that portion of the river were unfit for human consumption. Indeed, many that had locked through had no idea that it was illegal to fish the river. Why? Because there was no outreach, no signage to speak of, and no active educational programs. We believe that once new signs are posted on the access points, and on the locks, there may be less people keeping and eating their fish than exists today.

And as for absolving GE of their responsibility to clean up the river, we believe that once people start using the river again and become aware of the contaminant levels in the river, they will become interested in the ongoing EPA\DEC remediation process, and more pressure will be applied to speed the rivers recovery. I sat on the Citizen Advisory Committee of the EPA Reassessment Program for many years, and I was amazed at the lack of public participation in that process. As anyone in government knows, the attention given to a particular problem is directly related to the number of people who show concern. Little attention was paid to the remediation plan because the river, in the minds of the recreational fisherman, was dead and off-limits. With the proposed program, that will change and the change will be refreshing and healthy for the future fate of the river.

The EMC believes that, once we remove the cloak of shame from the Upper Hudson, and the marinas, bait stores, and eateries are revived, it will be much easier for environmental organizations like the EMC and NYPIRG to interact and enlist the support of recreational users of the Upper Hudson in the effort to speed the clean-up of this stretch of river. We invite NYPIRG and other environmental organizations to unite with the EMC in this outreach effort.

To summarize, we make the following recommendations for inclusion in the informational signs, material, and outreach campaign now under consideration. 1) The signage program should include a graphic depiction that lets those either unable to read or read English to easily grasp the restriction on keeping the fish caught in the Upper Hudson; 2) The informational brochure include a discussion of how the river slipped into this untenable position, and describe the ongoing EPA reassessment program currently underway. This section should include a contact number for those interested in participating in the remedial process. 3) Signs clearly informing river users about the restrictions should be placed at several strategic points at each lock; and 4) emphasis must be placed on the fact that catch and release fishing on the Upper Hudson is allowed on a conditional and trial basis, and, if it is found that people are keeping the fish they catch, the river will be closed again. This will encourage anglers to promote the release of fish by their associates on and along the river.

In closing, trusting that the department will consider and implement our reasonable refinements to the proposal before us tonight, we enthusiastically and whole-heartedly support opening the Upper Hudson to catch and release fishing, and thank Governor Pataki and the department for their efforts in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ken Dufty', written over the typed name.

Ken Dufty Executive Director
Rensselaer County Environmental
Management Council