



Audubon NEW YORK



STATE AND FEDERAL

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**CONSERVATION  
POLICY RESOLUTIONS**

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**2008**



Presented by Audubon New York and the  
Audubon Council of New York State

PROTECTING NEW YORK'S  
GREAT NATURAL HERITAGE

The Audubon Council of New York State, Inc., is a federation of National Audubon Society chapters in New York State. The Council passes conservation resolutions, with the assistance and participation of Audubon New York staff (the state program of the National Audubon Society), each year at its spring assembly and council meeting. The priority focus of these resolutions is state legislation and funding actions needed to protect and enhance New York's natural resources. In addition, resolutions are passed which also call for regional and federal programs, where appropriate.

These resolutions provide the basis for Audubon New York's conservation efforts concerning birds, other wildlife and their habitats through education and advocacy. Audubon New York represents over 50,000 members and is supported by the activities of the National Audubon Society, the Audubon Council and Audubon Chapters, including their Boards, Committees and staff. These science-based policies are integrated into conservation campaigns focusing on birds, wildlife and their habitats, as well as funding for these initiatives. For further information on these resolutions, contact Audubon New York at 200 Trillium Lane, Albany, NY 12203, (518) 869-9731, fax (518) 869-0737, <http://ny.audubon.org>.

The back cover of this booklet lists the chapters and the inside back cover lists the leadership of the Audubon Council of New York State, as well as Audubon New York's Board of Directors, the Stewardship Committee and staff.

In the policy resolutions, the positions of the National Audubon Society and Audubon Council of New York State will be referred to as Audubon New York.



*Audubon New York is dedicated to the protection of birds, other wildlife and their habitats through advocacy and education, serving as the state program of the National Audubon Society. Through a state board of directors and council, 27 chapters, 50,000 members, a nature center network and sanctuary system, Audubon New York is providing conservation leadership based on sound science.*

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# CONSERVATION IN ACTION

## INTRODUCTION

In 2007, Audubon scientists released two reports that revealed a threatened state of the birds in New York and across the Nation. Through analysis of data from the last forty years, researchers found that populations of some of the most recognized and beloved birds have nosedived, and forty seven New York species join a full quarter of the nation's birds (178 species) on the Audubon Watchlist of the nation's most imperiled birds.

These dramatic population declines are attributed to the loss of grasslands, healthy forests, and other critical habitats from multiple environmental threats such as sprawl and changes in agricultural practices. The studies note that these threats may now be compounded by new and broader problems including the escalating effects of global warming and demand for corn-based ethanol. Now, more than ever, the active involvement of the Audubon Chapters and the Audubon Council of New York State is needed to bring these species back from the brink and address the precipitous declines of our common birds.


The conservation policy resolutions contained in this booklet are developed jointly by Audubon New York Staff and Board of Directors, the Audubon Chapters and the Audubon Council of New York State to address the major threats facing birds and other wildlife. The resolutions form the basis of our conservation efforts in the coming year, and are focused on of conservation funding, birds and wildlife conservation, and habitat conservation initiatives. Together, all levels of the Audubon family in New York make a renewed commitment to implement the resolutions in the coming year through advocacy and education campaigns.


In the coming year, Audubon New York will continue its leadership in New York State to advocate for adequate and sustained funding for broad environmental purposes, and for federal, state and local measures that protect birds, other wildlife and their habitats. Whether protecting a specific Important Bird Area, launching a new bioregional campaign, or pursuing new legislation, Audubon is well positioned to advance critical conservation measures to protect our great natural heritage in New York State.


## AUDUBON SUCCESSES


The policy resolution process sets measurable benchmarks for conservation action. Many issues that began as Audubon resolutions in previous editions of this booklet have been successfully completed. On many others, great strides have been made toward achieving them. Here are some examples from the past few years of successes/conservation actions that address the resolutions of Audubon New York.


### *On Conservation Funding Issues:*

 The Environmental Protection Fund was increased to an historic high of \$250 million in 2007, and the Environmental Protection Fund Enhancement Act was passed, which will increase the EPF to \$300 million by Fiscal Year 2009-2010. Audubon New York's strong advocacy voice along with that of the Friend's of New York's Environment Coalition of more than 200 organizations made this a success.


 With the successful passage of the Long Island Sound Stewardship Act by Congress in the fall of 2006, Congress made a firm commitment to the Act's implementation by appropriating nearly \$5 million for both the Stewardship and Restoration Acts in 2007.


 The Long Island Sound Restoration Act, which was first enacted in 2000, was reauthorized in December 2005 allowing up to \$40 million annually for the next 5 years to further clean up and restore the Sound, and meet the goals of the CCMP and the Governor's Agreements.


 The Great Lakes Regional Collaboration Implementation Act was introduced in Congress, and had the strong bipartisan support from the New York Congressional Delegation. This important Act would implement the \$20 billion restoration strategy for the Great Lakes. Increased EPF funding for Ocean and Great Lakes funding will help New York address these restoration goals.


 The Department of Interior Appropriations included \$73.8 million for State Wildlife Grants, a significant increase for wildlife conservation funding in the 2008 federal budget.


### ***On Bird and Wildlife Conservation:***


 The Audubon New York supported Invasive Species Council was enacted by the legislature, which creates a council of state Agencies to address the spread of Invasive species in New York and implement the recommendations of the Invasive Species Task Force. EPF funding for Invasive Species eradication was increased in 2007


 The New York State Department of Environmental Conservation developed guidelines for locating and operating wind power facilities in New York State, including site assessment and post-construction avian fatality studies.

 The Great Lakes Fish and Wildlife Restoration Act, a major component of the Great Lakes Regional Collaboration, was reauthorized in 2006 at \$16 million per year for five years, doubling the previous authorized level of \$8 million, for on-the-ground projects to restore fish and wildlife.


 In May 2005, Audubon New York released the second edition of the book “Important Bird Areas of New York” to provide the most current information about critical habitat for the state’s breeding, wintering, and migrating birds of conservation concern. In total, 136 sites were identified using standardized, scientific criteria through a collaborative effort among national, state, and local conservation interests. The new IBA book serves as a reliable, scientific blueprint for conservation of the state’s priority bird habitat.


 Audubon New York convened a meeting with Audubon Chapters, New York State Office of Parks Recreation and Historic Preservation, the DEC and other stakeholders to discuss long term management options of stray and free ranging domestic cats on state owned lands, and our new Long Island Bird Conservation coordinator has initiated efforts with local Towns address growing cat colonies.


 In 2002, Audubon successfully led an effort to enact state legislation banning the sale of certain lead fishing sinkers, which will protect loons and other waterbirds from toxic lead poisoning.

 In 1997, New York State passed the Bird Conservation Area (BCA) law, which is modeled after Audubon’s Important Bird Areas program. In 2002, the law was amended to expand the lands on which bird conservation areas can be designated to include all state lands. This program has been fully funded by the state since its inception despite state budget constraints in recent years.


The total number of BCAs designated by the state has increased to 49.


 The Montezuma Wetlands, a globally significant IBA, continues to be protected through habitat acquisition and restoration projects with monies received from the federal Land and Water Conservation Fund and the State’s Environmental Protection Fund, and the Montezuma Audubon Center opened to the public in 2007.


 100% of Sterling Forest was purchased by the State of New York and protected from development. Portions of Sterling Forest State Park, a designated BCA, are being managed for successional habitat for Golden-winged Warblers and efforts continue to protect the integrity of the Park’s natural resources.


 Jamaica Bay Wildlife Refuge was designated as a globally significant IBA and the National Park Service received federal funding to conduct research on Jamaica Bay’s disappearing wetlands and marsh loss and to implement pilot restoration projects there. Several research and restoration projects are underway and this IBA continues to receive considerable conservation attention.

### ***On Habitat Protection:***

 The Great Lakes Compact was enacted by New York State early in 2008, making it the fourth Great Lakes State to ratify this important water conservation measure. Audubon New York led the charge to ensure successful passage of this measure.


 The Audubon New York supported Hudson River Valley Community Preservation Act was enacted in 2007 allowing Towns in Westchester and Putnam Counties to create this important open space conservation tool which provides significant resources to municipalities to protect habitat and improve parklands.


 Audubon New York supported legislation creating the Sea Level Rise Task Force was enacted in 2007. This task force will develop strategies to address the threats to coastal ecosystems and infrastructure posed by a rising sea level.


 A comprehensive conservation strategy was created to protect the Washington County Grasslands Important Bird Area. The Strategy was developed by the DEC in partnership with Audubon New York’s bird conservation staff.


 In 2006, The State Legislature passed the Audubon New York supported New York Ocean and Great Lakes Ecosystem Conservation Act, which was


established to ensure coordination in the conservation of the state's important coastal ecosystems, and sets up a Council of State Agencies to coordinate the management of these resources, and issue a report to the legislature and executive on what changes to state law are necessary to improve management of these important habitats.


 After years of negotiation, New York City and New York State finally reached agreement over the City's nitrogen reduction plan, which will reduce nitrogen flowing into Long Island Sound by 58.5% by 2017, greatly improving the water quality of the Sound. Audubon New York was the lead conservation voice behind making this agreement happen.


 In 2004, Congress enacted the Audubon-supported Highlands Stewardship Act that establishes a federal and state partnership to conserve priority lands and waters in the four state highlands region and authorized \$10 million annually for the next decade.

 The Long Island Sound Comprehensive Conservation and Management Plan was adopted; \$200 million dollars were allocated through the Clean Water/Clean Air Bond Act for clean-up actions, and the Long Island Sound Coastal Commission was created.

 The KeySpan property in Jamesport Long Island, which includes over one mile of shoreline on the Long Island Sound, was acquired by the State of New York for a State Park, and in 2006 the State Senate announced \$1 million in support of a visitor and education center at the Park.

 Priority Audubon land acquisition projects in the Adirondacks were completed, including the Whitney Estate, Champion lands, selected International Paper lands, the Tahawus/National Lead tract in the High Peaks and Lake George shoreline, and the Domtar tract. In addition, The Nature Conservancy and the Open Space Institute purchased the Finch Pryun lands, protecting a significant portion of Adirondack wilderness.

 Audubon New York, in 2004, published *Wildlife and Forestry in New York Northern Hardwoods*, a guide for forest owners and managers to harvest timber in a sustainable manner for the benefit of birds and other wildlife.

 Drilling for oil and gas in the Finger Lakes National Forest was opposed by key federal elected officials and has not occurred. Audubon continues to advocate against oil and gas exploration in IBAs within the Finger Lakes region, such as Bear Swamp.

## CONCLUSION

These and other accomplishments speak to the importance of Audubon leaders from across the state coming together to establish policy resolutions based on sound science and experienced leadership. With this common ground established, Audubon dedicates significant resources to ensure these policy resolutions are pursued. Audubon New York will continue to advocate for state and federal funding for education and science programs, including many specific programmatic, research and capital projects at Audubon Centers. Audubon New York is committed to continuing this tradition to meet the conservation needs still before us.

Resolutions are removed when there is no anticipated action expected on those issues in the upcoming year. Even though those resolutions, such as the Croton Watershed, are not listed, they still exist as the positions of Audubon New York and the Audubon Council in a separate compilation that is maintained by Audubon New York. Additionally, some specific resolutions relating to land acquisition, including Montezuma Wetlands, Western Catskills Watershed and others, have been combined in a more generic open space protection section that has been added under the Open Space Funding Resolution.

A variety of conservation actions are called for throughout this document. Many of these items are part of Audubon's bird conservation initiatives and our forest, wetland, and grassland campaigns. In addition, our smart growth activities link many of these critical issues to the local communities across New York. All of these resolutions are the basis for the advocacy work of Audubon's grassroots activists, chapters, Council, Board of Directors, and professional staff.

It is Audubon's hope that these conservation policy resolutions will help guide the policy makers of New York State as they continue the leadership this state has demonstrated in conservation. Thank you for considering these critical issues as part of New York's Conservation Agenda in the year 2008 and beyond.

## CONSERVATION FUNDING

Securing adequate and sustainable funding for environmental programs is a central theme of Audubon's annual conservation funding policy resolutions. Audubon supports dedicated funding streams, reasonable fee increases to support state programs, and extraordinary, one-time funding sources, such as bond acts, when they are necessary to meet the increasing environmental and economic challenges to save habitat.

Over the past few years, Audubon has consistently supported the expansion of funding for the environment from the state Environmental Protection Fund (EPF). Funded by a portion of the growing Real Estate Transfer Tax, the EPF remains the key state source for funding open space and farmland protection, solid waste recycling, and biodiversity research. Each year, state environmental funding issues are revisited as the budget debates alter the amounts and emphases of the EPF funding allocations. Expanding the revenue base for the EPF, opposing off-loads and the addition of new programs without new funding, are consistently supported positions of Audubon and its State Council.

Audubon New York has joined with the Friends of New York's Environment in advocating for a \$500 million EPF by 2010. To reach this goal, Audubon New York strongly supports increased appropriations of Real Estate Transfer Tax Revenue, as well as exploration of new revenue sources such as expanding the State's Bottle Deposit Law to include non carbonated beverages.

In addition, Audubon has supported the augmentation of open space and farmland preservation funds through a series of environmental bond acts, the most recent being the Clean Water/Clean Air Bond Act of 1996. Funds from this bond act were totally committed with the adoption of the state FY 2002-03 budget, and Audubon has continually advocated for a new Bond Act to meet these, and other, needs.

Federal funds contribute a significant portion of the funding for wildlife habitat. The Land and Water Conservation Fund has been the backbone of national conservation programs for more than three decades, yet the federal government consistently fails to fully allocate and appropriate the legally authorized \$900 million a year generated by federal leases of oil and gas offshore reserves. Audubon New York will continue to advocate for full funding for the LWCF and for increasing the allocations to state initiatives.

In addition to open space program funding, a portion of the federal Conservation Trust Fund (a mechanism for

authorizing LWCF funds) has been dedicated to State Wildlife Programs. These funds can serve as a match to state funds and augment our efforts to study and protect non-game wildlife, those hundreds of species that are neither hunted nor fished for, nor threatened or endangered. Several key sources of state funds for wildlife and wildlife habitat programs are the State Conservation Fund; general fund tax revenues in the state budget; Return a Gift to Wildlife Funds; and federal funds from a variety of sources that contribute to the state DEC's wildlife management programs. Opportunities to enlarge the funding stream for all conservation programs exist through a variety of programs, such as the Forest Legacy program and the federal Farm Bill, which has authority to provide millions of dollars for wildlife enhancement programs on farmlands, grasslands, and wetlands.

Audubon and its State Council have consistently supported resolutions, which call for the enlargement and/or full allocation of revenue streams that enhance all of these conservation programs. Funding and investment in conservation in New York State by federal, state and local governments are critical components of our policy resolution booklet and overall conservation program.

## ENVIRONMENTAL PROTECTION AND OPEN SPACE FUNDING

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**WHEREAS**, New York State established a dedicated Environmental Protection Fund (EPF), funded by a portion of the Real Estate Transfer Tax, in 1993 to help fund open space and farmland protection, recycling and other worthy environmental programs in New York State; and

**WHEREAS**, revenues associated with the Real Estate Transfer Tax have increased exponentially in recent years, total state spending has grown from \$80 billion to well over \$120 billion, and funds to the EPF have not risen accordingly; and

**WHEREAS**, the 1996 \$1.75 billion Clean Water/Clean Air Bond Act, which provided in part \$150 million for state open space and farmland protection projects and \$200 million in municipal brownfields redevelopment, has been entirely committed; and

**WHEREAS**, the New York State Open Space Conservation Plan has been serving as the blueprint for the investment of over \$700 million in EPF and Bond Act funds since 1995, protecting more than 1 million acres of open space; and

**WHEREAS**, Audubon New York and many Audubon Chapters have participated in the development of Open Space Conservation Programs and the most recent revision of the Open Space Conservation Plan; and

**WHEREAS**, open space protection is a top priority for many communities across the state, but can be difficult due to small municipal budgets and high land values; and

**WHEREAS**, the open space funds from the Clean Water/Clean Air Bond Act are fully committed and the demand for land protection funds and other environmental programs from the EPF far exceeds the amounts appropriated each year; and

**WHEREAS**, over the last decade, staffing levels at the Department of Environmental Conservation (DEC) have decreased, causing many projects and activities to go unfinished or be delayed, putting strain on this agency and its regional offices; and

**WHEREAS**, State Agencies, like the DEC, Department of State (DOS), and Office of Parks, Recreation and Historic Preservation (OPRHP), must have sufficient staff to implement critical environmental programs, but funding for these positions should not come from the EPF; and

**WHEREAS**, in 2007, the final Executive Budget provided 109 new positions at the DEC, 52 new positions at OPRHP, 7 new positions at DOS, and 5 new positions at the Adirondack Park Agency, restoring critical positions that had been lost over the last several years; and

**WHEREAS**, environmental funding in the state needs increased revenue sources to implement New York's Open Space Conservation Plan and other worthy land protection and environmental programs such as farmland protection, brownfields redevelopment and recycling; and

**WHEREAS**, Audubon New York has joined with the "Friends of New York's Environment," a coalition of more than 200 non-profit organizations dedicated to protecting the environment, to advocate for increased environmental funding; and

**WHEREAS**, in 2007, the Governor and the Legislature increased the EPF by \$25 million to \$250 million, providing increased revenue to many of the Fund's categories, including \$55 million for land acquisition projects, \$28 million for farmland protection, \$1.5 million for the Biodiversity Research Institute, \$8 million for Zoos, Botanical Gardens and Aquaria, \$4 million for Ocean and Great Lakes conservation, \$10 million for water quality improvements (sewage treatment plant upgrades), \$4.5 million for Invasive Species control and eradication projects, as well as a new \$2 million smart growth category; and

**WHEREAS**, additionally in 2007, the Legislature and Governor enacted the EPF Enhancement Act which will increase the EPF to \$300 million by 2009, bringing us closer to the Friends of New York's Environment goal of a \$500 million EPF by 2010; and

**WHEREAS**, in his 2008 Executive Budget proposal, the Governor proposed a \$110 million reinvestment in the State Parks system for improvements at State Park facilities, with a majority of funding targeted for the upstate region, and providing 32 new staff at the Office of Parks, Recreation and Historic Preservation, and 4 new staff at the Department of Environmental Conservation; and

**WHEREAS**, regarding the EPF, the Governor proposed spending \$250 million, with an additional \$25 million coming from the expansion of the Bottle Bill, while sweeping an estimated \$125 million in unspent EPF funds; and

**WHEREAS**, specifically, this EPF proposal would provide \$66 million for Open Space Funding, \$30 million for Farmland Preservation, \$1.5 million for Biodiversity Research Institute, \$8.5 million for Zoos, Botanical Gardens and Aquaria, \$2.5 million for Smart Growth, \$4 million for Invasive Species control, \$4 million for Ocean and Great Lakes funding, and \$10 million for Water Quality Improvements, while removing some programs, such as funding for the Hudson River Park; and

**WHEREAS**, the Bottle Deposit Law system has proved successful in reducing litter and in promoting the recycling of materials, and it has been proposed to be expanded to include other non-carbonated beverage containers, with the revenues from unclaimed nickel deposits being a source of new revenues to supplement environmental funding in the state; and

**WHEREAS**, it has been estimated that the expanded Bottle Deposit Law could provide up to \$180 million in increased revenue for the EPF; and

**\*WHEREAS**, Governor Eliot Spitzer, in his Executive Budget for 2008 has proposed a \$100 million increase in the EPF over two years, backed by revenue from the expansion of the Bottle Deposit Law,

**WHEREAS**, In addition to the expansion of the Bottle Bill, several other options exist for the state to increase environmental funding, including creating a new Bond Act and increasing the EPF to \$500 million by 2010; and

**WHEREAS**, the Community Preservation Act would allow communities in New York by referendum to collect a local Real Estate Transfer Tax of up to 2% on real property transactions to fund local environmental projects; and

**WHEREAS**, in 2007, the Hudson Valley Community Preservation Act was passed, providing Towns in Westchester and Putnam Counties the option of creating this important open space conservation tool; and

**WHEREAS**, the Conservation Tax Credit would provide additional incentives to conserve open space and farmland by partially compensating landowners who sign agreements not to develop land, and was enacted in 2006.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York strongly supports any legislative measure to increase the EPF, such as through the expansion of the Bottle Bill, and provide new funding mechanisms to replace bond act funds for open space, farmland and other vital environmental programs; and be it further

**\*RESOLVED**, that Audubon New York strongly urges the legislature to support increasing the EPF to \$275 million in 2008, stop the sweeping of EPF funds, restore programs that were removed or reduced in funding, including funding for Hudson River Park and invasive species control efforts, and work with the Governor to increase appropriations for the Ocean and Great Lakes category, Biodiversity Research Institute, ZBGA, and Smart Growth categories; and be it further

**RESOLVED**, that Audubon New York supports further increases in State Agency staffing from General Fund revenue or other special funding categories other than the EPF; and be it further

**RESOLVED**, that Audubon New York urges the state legislature to add additional counties to the Hudson Valley Community Preservation Act, to allow communities the opportunity to increase funding for local open space protection initiatives; and be it further

**RESOLVED**, that Audubon New York strongly supports additional revenue from existing and new sources to increase the EPF; and be it further

**RESOLVED**, that Audubon New York urges the state to actively pursue federal funds and other matching grants to augment state funding for environmental purposes; and be it further

**RESOLVED**, that Audubon New York continues to advocate for priority acquisitions as identified in the Open Space Plan, especially as they relate to the important bioregional programs of Audubon as identified in this Conservation Policy Resolution book, such as the Long Island Sound, Hudson River, Western Catskills Watershed, the Great Swamp, Montezuma National Wildlife Refuge, and Niagara River corridor; and be it further

**RESOLVED**, that Audubon New York supports continued EPF funding for stewardship programs on state lands, as well as the priority uses of the Fund including the Open Space Plan, farmland protection, brownfields redevelopment, and environmental education centers; and be it further

**RESOLVED**, that Audubon New York urges the state to conduct a management and operations audit of the EPF to identify how the annual appropriations can be fully expended in an efficient manner each year.

Moved, and Seconded by, Respectively

Great South Bay Audubon Society  
Saw Mill River Audubon Society  
Bronx River/Sound Shore Audubon

## STATE WILDLIFE PROGRAM FUNDING

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**WHEREAS**, Section 83 of the New York State Finance Law has defined a monetary source, known as the Conservation Fund, to be used only for the care, protection and management of New York's fish and wildlife; and

**WHEREAS**, New York's fish and wildlife programs are largely supported by the Conservation Fund; and

**WHEREAS**, during periods of state fiscal stress, programs not appropriate for funding by the Conservation Fund were nevertheless shifted into it from the State's General Fund; and

**WHEREAS**, fish and wildlife programs benefit all New Yorkers and should receive General Fund support; and

**WHEREAS**, the combination of reduced General Fund support and license sales revenue has placed the Conservation Fund and the fish, wildlife and ecosystem management programs it supports in jeopardy; and

**WHEREAS**, insufficient funding leads to reduced staffing, inadequate state wildlife program delivery, and an inability to take full advantage of federal matching funds; and

**WHEREAS**, Audubon New York has been working with hunters, anglers, environmental organizations, government agencies and legislators to jointly promote funding for New York's fish and wildlife programs; and

**WHEREAS**, by federal law, to ensure that federal State Wildlife Grant funds are spent wisely, each state was required to develop a Comprehensive Wildlife Conservation Strategy (CWCS), to provide a blueprint for state actions to conserve birds and other wildlife; and

**WHEREAS**, Audubon New York has partnered with the DEC to institute a new Landowner Incentive Program to aid in the protection and management of critical grasslands across the State, established by funding from the US Fish and Wildlife Service; and

**WHEREAS**, Audubon is continuing strong support of the hunter-angler, conservation and environmental group coalition formed on these issues.

### **THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports measures to provide adequate funding for the Conservation Fund and New York's fish and wildlife programs, including:

- increased funding from the General Fund to the New York State Department of Environmental Conservation to supplement the Conservation Fund and support the fish and wildlife programs of the state; and
- increased funding for the state Bird Conservation Area program from state and federal sources of funds, including federal matching funds that have the potential to substantially leverage the state's investment; and
- consideration of additional revenue sources in future years for the Conservation Fund and the overall fish and wildlife program of New York State; and
- retention and promotion of wildlife program funding mechanisms such as Return A Gift To Wildlife and Habitat Stamp; and

- financing the assessment of New York State Department of Environmental Conservation programs and priorities for existing fish and wildlife programs, with increased emphasis on ecosystem management; and
- support for federal funding proposals, such as Teaming With Wildlife concepts and State Wildlife Grants (SWG), to increase federal dollars to state wildlife concerns for non-game programs; and
- adequate funding and staffing of state wildlife programs in order to secure federal matching funds, such as those provided through State Wildlife Grants; and
- funding from the State of New York to add staff on Long Island for shorebird management and enforcement; and

**RESOLVED**, that Audubon New York supports adequate staffing of New York's fish and wildlife programs to ensure the high quality and sufficient scope of those programs that will benefit all New Yorkers; and be it further

**RESOLVED**, that Audubon New York supports the recommendations of the CWCS, and supports the use of SWG funds to hire new staff to implement these recommendations, in addition to partnering with NGOs for that purpose; and be it further

**RESOLVED**, that Audubon New York supports continuation of the Grassland Landowner Incentive Program to maintain and restore the key remaining grassland habitat in New York, and supports creation of a new funding source, such as a new category in the EPF, to replace waning federal commitments.

Moved, and Seconded by, Respectively

Bronx River/Sound Shore Audubon Society  
 Jamestown Audubon Society  
 South Shore Audubon Society

## FEDERAL WILDLIFE AND HABITAT FUNDING

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**WHEREAS**, the Conservation Trust Fund (CTF) is a special account that sets aside funding for America's parks, wildlife, open spaces and cultural treasures; and

**WHEREAS**, the CTF was created as a comprehensive proposal to the Conservation and Reinvestment Act (CARA) and was intended to consist of funds which were to be put aside in every Interior Appropriations bill from Fiscal Year 2001-2006; and

**WHEREAS**, these funds were intended to provide billions of dollars each and an increase, in the amount of \$160 million per annum, until they reached their maximum levels; and

**WHEREAS**, there are many parks, wildlife and open space categories within the CTF including the federal and stateside Land and Water Conservation Fund (LWCF), State Wildlife Grants (SWG), Forest Legacy, Neotropical Migratory Bird Conservation Act (NMBCA), Cooperative Endangered Species Fund, among others; and

**WHEREAS**, the SWG program provides federal dollars to every state and territory to support cost-effective conservation projects aimed at preventing wildlife from becoming endangered, and Audubon New York has consistently advocated for increased funding with the Department of Environmental Conservation; and

**WHEREAS**, funding for some of these categories has been consistently decreasing with every federal budget year; and

**WHEREAS**, fully funded, the CTF would appropriate \$900 million for the LWCF; and

**WHEREAS**, Audubon New York has always supported increased federal funds for parks, open space and wildlife purposes; and

**WHEREAS**, Audubon New York recognizes the need for federal funds to support state Fish and Wildlife programs, particularly in the non-game area, which could come from revenues above and beyond those for the LWCF; and

**WHEREAS**, the federal 2002 Farm Bill as reauthorized in 2007/2008 could provide significant resources for achieving wildlife and habitat conservation in New York through such programs as the Conservation Reserve Program, the Wildlife Habitat Incentives Program, the Environmental Quality Incentives Program, the Wetlands Reserve Program, and the Grasslands Reserve Program; and

**WHEREAS**, the 2002 Farm Bill has gone through major changes in 2007, these changes will be finalized in 2008, and there will be significant extension of existing Farm Bill Conservation programs as well as many new opportunities to conserve private land.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York strongly supports full funding, as originally promised, for the Conservation Trust Fund; and be it further

**RESOLVED**, that Audubon New York also supports a mandatory Land and Water Conservation Fund with equitable federal and stateside funding, as well as no incentives for increased offshore oil leases; and be it further

**RESOLVED**, that a “Teaming With Wildlife” or “Wildlife Legacy” program, coastal restoration programs and other related programs should be eligible to use offshore oil and gas lease revenues beyond the \$900 million mandated level for the Land and Water Conservation Fund; and be it further

**RESOLVED**, that Audubon New York joins with the State of New York in urging the entire New York Congressional Delegation to be strong supporters of these initiatives, especially the SWG program, and to reconsider a truly dedicated fund such as was proposed in CARA; and be it further

**RESOLVED**, that Audubon New York supports implementation and full funding of conservation provisions in the 2007/8 Farm Bill such that adequate funds are available for New York State and sufficient flexibility exists regarding the technical aspects of program delivery to effectively achieve conservation in New York and other parts of the Northeast. If new and useful conservation programs are created by the reauthorization of the Farm Bill, Audubon will be poised to take advantage of these programs. and will continue to advocate for improvements to and strengthening of the Farm Bill as it continues to be re-written.

Co-Moved, and Seconded by, Respectively

Buffalo Audubon Society  
South Shore Audubon Society  
New York City Audubon

In 1996, Audubon New York initiated a program to identify Important Bird Areas (IBAs) throughout the state on both public and privately owned properties using internationally recognized criteria. Since then, many other Audubon state offices have initiated similar programs, and there are currently 48 states implementing IBA programs. In May of 2005, Audubon New York released the second edition of *Important Bird Areas of New York*, which was the result of a three-year process involving species assessment, criteria evaluation, new site nominations, geographic information systems technology, and analysis of supplementary data sources from the Breeding Bird Atlas Project (of which Audubon is an active partner), New York Natural Heritage Program, and national and international programs. This second edition IBA book now serves as Audubon New York's blueprint for site conservation in New York.

Building on the IBA program, Audubon successfully supported passage of state legislation that created the New York State Bird Conservation Area Program. The BCA program applies criteria similar to the IBA program's criteria to state-owned lands and water. There are currently 49 officially designated Bird Conservation Areas located in significant ecosystems around the State.

Our past IBA resolution recognized the critical importance of both the IBA and BCA programs, and we support their continued growth. We have strong partnerships and related programs with the Cornell Laboratory of Ornithology, state agencies and other institutions. The IBA program is part of a broader bird conservation program that has become a fundamental element of our statewide work. With bird conservation driving our overall mission, the IBA program connects our education, advocacy, habitat stewardship, and other wildlife programs.

Much of the habitat loss today is occurring due to sprawl in suburban and rural areas, which is one of the leading threats to IBAs. Consequently, Audubon New York continues to be a leader in advocating for the adoption of Smart Growth principles, a role we have played for the last several years. Audubon is committed to an approach that uses collaborative land use planning to promote sound land use and open space decisions in every community in the state. Audubon strongly supports state smart growth legislation, and encourages funding for local comprehensive planning.

Audubon New York has organized four statewide smart growth conferences, the most recent of which was co-sponsored with the New York Department of State in May 2004. The highly successful conferences showcased the pilot projects underway and highlighted many local success stories, and discussed the future implementation of the smart growth principles on not only a local, but on a state-wide basis. Audubon New York will continue to be a leader in the fight to promote smart land use decisions, which will ultimately preserve open space, farmland, and other critical habitats.

In regard to broader wildlife policy and programs, Audubon New York continues to work with the Department of Environmental Conservation on issues related to habitat mitigation and restoration efforts for threatened and endangered species, as well as other Species of Greatest Conservation Need. We work on species-specific emerging issues, such as the management of the horseshoe crab population in relation to shorebirds, as well as forest and grassland bird habitats in New York State. These efforts are strengthened by the ongoing partnership and collaboration Audubon has enjoyed with the hunting and fishing community. Audubon New York will continue to promote legislative and budget proposals to address the conservation of birds and other wildlife.

## INVASIVE SPECIES

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**WHEREAS** non-native, invasive plant and animal species pose a serious threat to terrestrial and aquatic ecosystems of New York State, and have been associated with numerous environmental problems such as degradation of water quality and fisheries, reductions in agricultural output, changing the historic biological makeup of many public and private parks around the state, and resulted in a measurable loss of habitat for native plant and animal species; and

**WHEREAS**, invasive species represent the second leading cause of bio-diversity loss, cited in 49% of endangered species assessments, are responsible for the majority of bird extinctions since 1800, and threaten at least 69 species on the Audubon WatchList; and

**WHEREAS**, these invasive species are requiring significant expenditures by the state and its municipalities to remedy such problems, costing the state millions in the areas of agriculture, fisheries, transportation, parks and recreation; and

**WHEREAS**, New York has been more heavily impacted by invasive plants than most regions of the United States, with an estimated non-native biomass as high as 35%, due in part to New York's long history of settlement, commercial agriculture and horticulture; and

**WHEREAS**, Shawangunk Grasslands National Wildlife Refuge and Wertheim National Wildlife Refuge, among other Important Bird Areas (IBAs) throughout New York State that are home to many endangered and threatened bird and wildlife species, are threatened by the spread of invasive species; and

**WHEREAS**, ballast water discharge by large commercial ships, and improper cleaning practices of recreational boats accelerate the introduction and spread of aquatic invasive species, like the Zebra Mussel, Eurasian Milfoil, and the Asian Shore crab, in New York State waters; and

**WHEREAS**, Audubon New York, the New York State Department of Environmental Conservation, and Bureau of Marine Resources, began a campaign to educate recreational boaters on proper boat cleaning techniques to avoid the further spread of aquatic invasive species; and

**WHEREAS**, there exist regional organizations, such as the Long Island Weed Management Area (LIWMA) and the Adirondack Park Invasive Plant Program (APIPP), that are dedicated to identifying and controlling invasives through best management practices with strong Audubon Chapter and community support; and

**WHEREAS**, the LIWMA and APIPP were expanded and precipitated the launch of nine Partnerships for Regional Invasive Species Management (PRISM); and

**WHEREAS**, these PRISMs have found that without a state policy it is very difficult for government agencies to create funding for remediation and education. Additionally, very little grant funding is available to both municipalities and NGO's; and

**WHEREAS**, Audubon New York strongly supported the creation of the Invasive Species Task Force, sponsored by then Assemblyman Thomas DiNapoli and Senator Carl Marcellino, which passed both houses unanimously and was signed by the Governor in August, 2003; and

**WHEREAS**, the Invasive Species Task Force was charged to assess the environmental, ecological, agricultural, economic, recreational and social impacts of invasive species in New York, and assess the adequacy of existing laws, regulations, programs, and policies dealing with this issue, and has released their final report detailing twelve recommendations for state action to address the threats and spread of invasive species; and

**WHEREAS**, in 2007, the Invasive Species Council was created to provide the necessary state coordination to address the spread and management of invasive species, and will be chaired jointly by the DEC and Department of Agriculture and Markets; and

**WHEREAS**, also in 2007, the DEC established an Office of Invasive Species to coordinate the efforts of the department to combat invasive species; and

**WHEREAS**, adequate state funding is needed to implement these recommendations, and to support the ongoing regional initiatives dealing with the management of invasive species, and the continued expansion of Environmental Protection Fund funding for invasive species eradication and control projects is necessary to restore impacted state and private lands.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports implementation of the recommendations of the Invasive Species Task Force with the State Legislature, and State Agencies, like the DEC and the Department of Agriculture and Markets, including the continuation of regular meetings of the Task Force; and be it further

**RESOLVED**, that Audubon New York Urges Governor Spitzer to implement Task Force recommendation #7, by adopting an Executive Order that would authorize that: “All State agencies and authorities should take a leadership role in: 1) phasing out uses of invasive species; 2) expanding use of natives; 3) promoting private and local government use of natives as alternatives to invasives; and 4) wherever practical and where consistent with watershed and Weed Management Area Plans, prohibiting and actively eliminating invasives at project sites funded or regulated by New York State”; and be it further

**RESOLVED**, that Audubon New York supports any Federal and State legislation that would address the spread of, and damages caused by invasive species, such as state legislation limiting discharges of ballast water in the Great Lakes, and the National Aquatic Invasive Species Act; and be it further

**RESOLVED**, that Audubon New York supports the PRISMs, which address the local spread of invasive species, and will provide technical assistance with these initiatives; and be it further

**RESOLVED**, that Audubon New York supports increases to the new invasive species conservation EPF category to provide the necessary support for these and other programs and to implement the recommendations of Task Force.

Co-Moved, and Seconded by, Respectively  
North Shore Audubon Society  
High Peaks Audubon Society  
Bronx River/Sound Shore Audubon Society  
Onondaga Audubon Society

## PESTICIDES

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- WHEREAS**, In New York, and across the United States, the use of lawn care pesticides and herbicides, primarily for aesthetic purposes, has proliferated at an alarming rate, with current research showing that three times more pesticides are applied per acre on household lawns and gardens than to agricultural crops; and
- WHEREAS**, pesticide use is directly linked to bird mortality, resulting in the deaths of an estimated seven million birds annually from lawn care pesticides, and other environmental and human health problems and concerns; and
- WHEREAS**, opportunities exist for pesticide reduction using new techniques such as Integrated Pest Management (IPM), which combines new technologies with traditional control methods, and which may not adversely impact agricultural output, and significant reductions in pesticide use can save farmers money and help protect the environment; and
- WHEREAS**, the aesthetic use of pesticides for golf course management, lawn care and landscaping which represents a large percentage of pesticides applied in New York can be reduced by using the same innovations used in agriculture; and
- WHEREAS**, the National Audubon Society is promoting Audubon At Home, an education program on improving the health and value to wildlife of backyard habitats by, among other things, significantly reducing pesticide use; and
- WHEREAS**, Audubon New York is also promoting Audubon At Home in New York and working with the state government to significantly reduce pesticide use in New York State; and
- WHEREAS**, Audubon New York strongly supported passage in 2000 of the state's "neighbor notification" law that allows Counties to enact local laws requiring neighbors to be alerted to impending commercial pesticide applications, and has encouraged Counties throughout the state to adopt this important public resource; and
- WHEREAS**, in 2006 Audubon New York working with the Buffalo Audubon Society and other Conservation Organizations were successful in permanently extending the Neighbor Notification in Erie County; and
- WHEREAS**, Suffolk County in New York State is performing an Environmental Impact Statement (EIS) on their vector control methods to control mosquito populations, and Audubon New York has strongly supported the discontinuation of the use of pesticides as part of the vector control and response practices in Suffolk County to serve as a model for the discontinuation in the use of pesticides throughout the State; and
- WHEREAS**, controversial alternative methods of vector control that are under consideration in the Suffolk County Vector Control Plan, such as Open Marsh Water Management which advocate the digging of ponds in salt marshes, have not been proven effective; and
- WHEREAS**, Suffolk County has recently released their Draft Generic Environmental Impact Statement (DGEIS) for public review; and
- WHEREAS**, waste tires are prime breeding areas for mosquitoes, and waste tire stockpiles have become an increasingly serious problem across New York State; and

**WHEREAS**, Cornell University's Community IPM program continues to provide important science on pesticides and how best to reduce them, and provides important public education information to schools, counties, and residents of New York.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports programs and legislative initiatives designed to significantly reduce the use of pesticides and to implement integrated pest management programs across New York State; and be it further

**RESOLVED**, that Audubon New York continues to advocate for counties to adopt local laws consistent with state law for neighbor notification of pesticide applications; and be it further

**RESOLVED**, that Audubon New York supports scientifically based approaches to pesticide spraying issues and alternatives, including considering the impact on non-target species as well as on public health concerns related to pesticide exposure; and be it further

**RESOLVED**, that Audubon New York through local chapters will be an active participant in the Suffolk County Vector Control EIS process, provide comments on the DGEIS, and continue to advocate for the discontinuation of the use of pesticides in aerial and ground spraying techniques which cover large areas of land with the attendant risk to human beings and wildlife; and be it further

**RESOLVED**, that Audubon New York supports the exploration of alternative means of establishing disease vector control and response practices that are proven effective based on the best available science, and that will not negatively affect habitat or vulnerable bird populations; and be it further

**RESOLVED**, that Audubon New York, in an effort to reduce the use of pesticides in vector control methods, and to reduce the populations of mosquitoes, advocates for alternative management approaches, including the reduction of waste tire stockpiles in New York.

Moved, and Seconded by, Respectively

Great South Bay Audubon Society  
Huntington Audubon Society  
North Shore Audubon Society  
Rockland Audubon Society  
St. Lawrence/Adirondack Audubon Society

## BIRD COLLISIONS WITH GLASS

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**WHEREAS**, bird collisions with glass are estimated to result in up to a billion fatalities per year in the United States; and

**WHEREAS**, New York City Audubon's Project Safe Flight has since 1997 engaged hundreds of volunteers in monitoring bird collisions at select office buildings in Manhattan and has recorded over 5,000 fatalities, representing 100 different species; and

**WHEREAS**, glass is deceptive to birds. Birds fly into reflective glass, glass that mirrors trees and sky and/or transparent glass, glass that deceptively suggests an appearance of indoor plants or flight paths through it; and

**WHEREAS**, glass is currently a standard architectural element in modern office and residential structures; and

**WHEREAS**, in recent years New York State has experienced record housing starts and, in many communities throughout the state, this growth has occurred on the fringes of or actually in areas of natural habitat, thus increasing the exposure of birds to residential window glass in areas close to their habitat; and

**WHEREAS**, New York City is the quintessential symbol of high rise commercial buildings and the home to many of the leading architectural firms in the world; and

**WHEREAS**, New York State has historically been the home to major producers of glass products, which industry has declined in recent decades, and which if bird safe glass could be developed and required for construction could create a significant economic development tool for creating jobs and industry in New York State; and

**WHEREAS**, NYC Audubon has established a Bird Safe Glass Working Group composed of architects, designers, conservationists, and ornithologists to explore ways (and products) to make a glass that is visible to birds and transparent to people:

### **THEREFORE, BE IT**

**RESOLVED**, that New York State should make available funds for research and development for the creation and production of bird safe glass products for use in residential and commercial buildings; and be it further

**RESOLVED**, that New York State sponsor a Bird Safe Glass conference consisting of glass manufacturers, utility companies, ornithologists, environmental groups, builders, and architects to develop recommendations and policies related to research into and use of bird safe glass.

Co-Moved, and Seconded by, Respectively

New York City Audubon Society  
Genesee Valley Audubon Society  
Hudson River Audubon Society  
Central Westchester Audubon Society  
Bronx River/Sound Shore Audubon Society

## IMPACTS OF TOWERS AND OTHER STRUCTURES ON BIRDS

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**WHEREAS**, it has been estimated in scientific literature that each year hundreds of millions of birds die due to colliding with wind turbines, communication towers, and buildings, and the numbers of birds killed are expected to increase as more structures are built; and

**WHEREAS**, the accrued impact of collisions at buildings, communications towers, and wind turbines across the nation may be contributing to population declines of many bird species, such as the American Woodcock and Wood Thrush, as well as the Black-throated Blue, Tennessee, Golden-winged, Prairie and Worm-eating Warblers, among others; and

**WHEREAS**, location, height, construction, and lighting of tall structures are the most significant factors influencing avian mortality at those structures; and

**WHEREAS**, wind power sites can contain as many as several hundred wind turbines, each up to 450-feet tall, and the development of power producing wind turbines (wind farms) is increasing across the state; and

**WHEREAS**, birds of prey have been known to die as a result of colliding with wind turbines while hunting; and

**WHEREAS**, lights in or on tall lighted structures, such as skyscrapers, communications towers, are known to disorient night-migrating birds, resulting in their injury or death from colliding with these structures; and

**WHEREAS**, all communications towers over 200 feet and any within three miles of an airport are required to be lit by the Federal Aviation Administration, but flexibility exists in the color and duration of such tower lighting requirements; and

**WHEREAS**, the Federal Communications Commission has requested comments, based on sound scientific studies, on changes to lighting requirements of communication towers to reduce avian fatalities; and

**WHEREAS**, minimum night lighting, especially during migration, can markedly minimize the attractiveness of tall structures to birds, and their subsequent confusion; and

**WHEREAS**, New York City Audubon and the City of New York have instituted the “Lights Out NY” program to encourage owners of tall buildings to turn off lights during migration season to help save night-migrating birds, while reducing energy costs; and

**WHEREAS**, the United States Fish and Wildlife Service has produced a set of guidelines for the siting, lighting, and construction of communication towers and wind turbines to mitigate bird kills; and

**WHEREAS**, and the New York State Department of Environmental Conservation has begun developing guidelines for locating and operating wind power facilities in New York State, including site assessment and post-construction fatality studies.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports the development of renewable sources of energy, including power-producing wind turbines; and be it further

**RESOLVED**, that in an attempt to limit the impacts to the environment, in particular to birds, Audubon New York calls for a comprehensive, consistent approach in performing avian assessments at proposed wind farm and communications tower sites that should 1) include field surveys during the breeding and wintering seasons, and radar studies and acoustic monitoring of night-flight calls during the migration seasons, 2) allow for adequate observation sample sizes (i.e., number of sampling days), and, ideally, 3) would occur for more than one year; and be it further

**RESOLVED**, that Audubon New York opposes wind power development on sites determined to be of high risk to bird populations, including: 1) sites of known local bird migration pathways or in areas where birds are highly concentrated during migration; 2) sites in habitats known to be important to state and federally listed bird species; 3) Important Bird Areas (IBAs) and Bird Conservation Areas (BCAs) identified for their importance to large numbers of migrants, either raptors or nocturnal migrants; and 4) IBAs and BCAs where construction of the turbines (i.e., the footprint) would significantly lower the habitat value of the site; and be it further

**RESOLVED**, that Audubon New York encourages the United States Fish and Wildlife Service to continue refining their guidelines for the siting, design, construction, and lighting of communication towers and wind turbines to mitigate the amount of bird deaths; and be it further

**RESOLVED**, that Audubon New York encourages the New York State Department of Environmental Conservation to complete and issue guidelines for locating and operating wind power facilities in New York State, including site assessment and post-construction fatality studies; and be it further

**RESOLVED**, that Audubon New York encourages communication and wind power companies to cooperate with and support studies to further document the impacts of their industries on birds and to follow the United States Fish and Wildlife Service guidelines in their construction; and be it further

**RESOLVED**, that Audubon New York encourages local and state government to implement conservation measures such as those suggested by the guidelines, and supports the adoption of bird-friendly tower ordinances, guidelines, rules and regulations on a municipal, county and state level that are in compliance with the Telecommunications Act of 1996; and be it further

**RESOLVED**, that Audubon New York urges Governor Spitzer to enact through executive order a “Lights Out New York” program for all State-owned buildings, especially during birds’ seasonal migration, and to promote the use of energy-efficient lighting products and ones that are designed to reduce the lighting of the sky, which offers the added benefit of lowering energy costs; and be it further

**RESOLVED**, that Audubon New York supports changes to the Federal Communications Commission communication tower lighting requirements that are supported by accepted scientific data to reduce avian fatalities; and be it further

**RESOLVED**, that Audubon New York endorses efforts to further document bird mortality at structures built by humans and to pursue mitigation studies in New York State; and be it further

**RESOLVED**, that Audubon New York encourages federal, state and local government, and, in particular, federal agencies such as the U.S. Fish and Wildlife Service and the Biological Research Division of the U.S. Geological Survey to raise awareness and find ways to significantly reduce the injury and killing of wild birds due to collisions with buildings, communications towers, and wind turbines.

Co-Moved, and Seconded by, Respectively

New York City Audubon  
Jamestown Audubon Society  
Onondaga Audubon Society  
High Peaks Audubon Society  
Hudson River Audubon Society of Westchester

## FISH KILLS BY EXISTING POWER PLANTS

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**WHEREAS**, the Hudson River and other water bodies are significant and sensitive habitats in New York State and power generators are pulling large volumes of cooling intake water from them; and

**WHEREAS**, fish and other aquatic wildlife populations are being decimated by cooling water withdrawals which can range from hundreds of millions to billions of gallons per day from a single power plant (e.g., Indian Point Nuclear Power Plant withdraws 2.4 billion per day); and

**WHEREAS**, these existing power plants use outdated technology that poses unnecessary and avoidable risks to the ecological viability of these water bodies because economically feasible alternative technologies exist; and

**WHEREAS**, the Clean Water Act mandates that existing power plants be required to implement “the best technology available to minimize adverse environmental impacts; and

**WHEREAS**, closed-cycle cooling technology that reduces cooling water withdrawals and fish kills by up to 95%, and is standard for all new plants; and

**WHEREAS**, on the Hudson River alone, most existing power plants do not have the closed-cycle cooling technology in place, and are subjected to this mandate; and

**WHEREAS**, the original EPA Phase II regulatory proposal imposed closed-cycle cooling requirements on large power plants on tidal rivers, estuaries and oceans, but this was rejected by the White House’s Office of Management and Budget in direct conflict with the Clean Water Act; and

**WHEREAS**, the most recent proposed EPA Phase II cooling water intake regulations for existing power plants that did not require the implementation of closed-cycle cooling technology was struck down by U.S. Court of Appeals for the Second Circuit in January 2007; and without this requirement, older existing power plants would continue to kill 20 to 1000 times as many fish than newer plants; and

**WHEREAS**, the Clean Water Act and state law require the New York State Department of Environmental Conservation (DEC) to issue permits and review power plant permits every five years to ensure that the best technology available is being used to protect the environment; and

**WHEREAS**, since 1987, the DEC has reissued a permit for the Danskammer Electric Generating Plant, which still allows for once-through cooling and has resulted in a lawsuit by Riverkeeper; and is in the process of reviewing permits for the Roseton Electric Generating Plant in Newburgh, NY; Indian Point in Buchanan, NY; and also Bowline in Haverstraw, which expired in 1992, thereby neglecting for over a decade its duty to ensure that power plants on the Hudson River use the most environmentally friendly technology available.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York, in the interest of protecting birds, wildlife, and their habitats, urges the EPA to meet the Congressional “best technology available” mandate that requires all power plants to employ closed-cycle cooling technology. This would prevent the continued severe depletion of fish and other aquatic wildlife populations, and would vastly improve the health of aquatic ecosystems in New York State; and be it further

**RESOLVED**, that Audubon New York urges the DEC to continue reviewing power plant permits for all power plants on the Hudson River and other waterways, and require the use of Closed-Cycle Cooling in order to issue respective permits.

Co-moved, and Seconded by, Respectively

Putnam Highlands Audubon Society  
Northern Catskills Audubon Society  
Orange County Audubon Soc

## FREE RANGING AND STRAY CATS

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**WHEREAS**, it is estimated that nationwide stray and free ranging domestic cats kill hundreds of millions of protected birds, as well as rare and endangered species such as Piping Plover every year; and

**WHEREAS**, stray and free ranging domestic cats have also been estimated to kill more than a billion small mammals, some of which, like field mice and shrews, are important prey for birds such as Great Horned Owl and Red-tailed Hawk; and

**WHEREAS**, stray and free ranging domestic cats that are unvaccinated are highly susceptible to and can spread fatal diseases to other cats and native wildlife, and furthermore these cats represent a public health hazard to humans in that they can and do spread rabies, toxoplasmosis, and roundworms; and

**WHEREAS**, there are many unlawful established colonies of stray and free-ranging domestic cats across the state, and as these populations increase, so do the threats to birds and other wildlife, as well as human health; and

**WHEREAS**, Audubon New York convened a meeting with Audubon Chapters, New York State Office of Parks Recreation and Historic Preservation, the DEC and other stakeholders to discuss long term management options of stray and free ranging domestic cats on state owned lands; and

**WHEREAS**, cat owners can take many steps to reduce the risk to birds and other wildlife by keeping cats indoors, not feeding stray or free ranging domestic cats, and having pets spayed or neutered and vaccinated; and

**WHEREAS**, the American Bird Conservancy through its national Cats Indoors! Campaign promotes responsible cat ownership by encouraging cat owners to keep their cats indoors, and sponsors a day each year to raise awareness of this program; and

**WHEREAS**, there exist non-lethal population control programs, to vaccinate and to neuter or spay cats, which have not been proven effective to manage growing feral cat colonies; and

**WHEREAS**, these managed cat colonies encourage the abandonment of cats; and

**WHEREAS**, laws and regulations exist that protect birds and other wildlife from stray and free ranging domestic cats; and

**WHEREAS**, Agriculture and Markets Law 374 2-e prohibits the release of any dogs or cats from the custody or control of any pound, shelter, society for the prevention of cruelty to animals, humane society, dog protective association, dog control officer, peace officer or and agent thereof, for any purpose except adoption or redemption by its owner; and

**WHEREAS**, laws to license cats would provide important funds for local governments to manage cat populations and the authority to trap and remove cats that are unlicensed; and

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York opposes the maintenance of cat colonies in places where native wildlife may be impacted including state and local parks, wildlife refuges, and other natural areas; and be it further

**RESOLVED**, that Audubon New York supports the American Bird Conservancy's Cats Indoors! Campaign, to educate cat owners on responsible care; and be it further

**RESOLVED**, that Audubon New York and local Audubon chapters support reasonable measures and legislative initiatives, such as legislation to prohibit, and give parks staff enforcement authority over, cat feeding stations on park property, and measures that will restrict and regulate the maintenance and movement of stray and free-ranging domestic cats out-of-doors; and be it further

**RESOLVED**, that Audubon New York urges the New York State Department of Agriculture and Markets to cause the enforcement of Agriculture and Markets Law 374 2-e through local animal control officers; and be it further

**RESOLVED**, that for the purposes of regulating cat populations, and providing funds for enforcement, Audubon New York supports legislative measures to authorize municipalities across the state to adopt a law allowing for cat registration.

Co-moved and seconded by, respectively

Great South Bay Audubon Society  
Orange County Audubon Society  
Capital Region Audubon Society  
Bronx River/Sound Shore Audubon Society

## HUMAN/LOCAL BIRD POPULATION CONFLICTS

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**WHEREAS**, there are instances where bird interactions with humans are perceived negatively, either as a nuisance or a danger, for reasons including noise, fecal material deposition and potential transmission of disease, predation of crops or harvestable species and potential collisions with aircraft; and

**WHEREAS**, federal, state and local agencies have jurisdiction over bird control programs and methods, including but not limited to: the United States Fish and Wildlife Service (USFWS); the United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services; the New York State Department of Environmental Conservation (DEC); and the New York State Department of Health (DOH); and

**WHEREAS**, in a specific instance, the Double-crested Cormorant (*Phalacrocorax auritus*), a colonial water bird species native to New York State and currently protected under the Migratory Bird Treaty Act, has undergone a dramatic population increase in recent years and concerns have been expressed regarding the potential impacts on commercial and recreational fish species, habitat degradation, and successful nesting of other native species. In October 2003, the USFWS released a Final Rule and Record of Decision that established a public resource depredation order to allow the New York State DEC to conduct lethal cormorant control; and

**WHEREAS**, recent research would suggest that disruption of cormorant nesting sites causes dispersal and impact to additional sites, impact of cormorants on fisheries is not quantifiable due to lack of information on fishery population sizes, and that cormorant populations will stabilize and suffer natural declines if no action is taken; and

**WHEREAS**, American Crows (*Corvus brachyrhynchos*) have historically congregated in winter in large roosts in the countryside, but in the past decade these congregations have moved into more urban areas. In Auburn NY, APHIS has utilized non-lethal techniques to attempt to disperse this congregation, and some local residents have promoted a crow hunt, which has proved controversial and has limited impact on the roost size. Neither technique appears to address the root issue of why the crows now seem to prefer well lit urban areas over traditional roosting sites; and

**WHEREAS**, the historical migratory behavior of Canada Geese (*Branta canadensis*) has been disrupted by the creation of non-migratory populations through wildlife management techniques. These populations have grown to become a perceived nuisance due to deposition of fecal material in recreational areas, beach closures due to bacterial contamination, impact on wetland habitats, and congregation near airport sites. Both lethal and non-lethal techniques have been utilized to address these issues. Effective humane and non-lethal control methods have been developed for most situations and are being used by multiple municipalities in the United States and Britain; and

**WHEREAS**, other species that have been targeted for management include: gulls (*Laridae* sp.) congregating at open dump sites; non-native Mute Swans (*Cygnus olor*) for damage to aquatic environments and native water bird nesting and foraging habitat; non-native Rock Pigeons (*Columba livia*), European Starlings (*Sturnus vulgaris*), and House Sparrows (*Passer domesticus*), for nesting and roosting in large numbers in urban and residential areas, creating noise and depositing fecal material; Brown-headed Cowbirds (*Molothrus ater*) for parasitizing nests of endangered and threatened species; and migratory flocks of blackbirds for depredating crops; and

**WHEREAS**, a variety of response options are available to government agencies; and

**WHEREAS**, lethal control methods can result in side kill (e.g. non-target species killed by consumption of poison, raptors and scavenger species killed by consuming poisoned target and non-target species); and

**WHEREAS**, selection of control methods should be based on best available scientific information and not in response to public or funding source pressure; and

**WHEREAS**, humane and non-lethal methods of control exist for many identified nuisance behaviors, for example, habitat alteration, egg oiling and pre-molt harassment programs for Canada Geese; habitat alteration for Red-winged Blackbirds or cowbirds; and innovative methods that compensate for damage, as in the wolf reintroduction programs and the insurance-style model proposed for Dickcissels (*Spiza americana*) in Venezuela.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York calls for comprehensive avian and habitat surveys at proposed management areas prior to action, to determine if there are significant impacts to threatened species, ecosystems, and/or species of recreational or economic importance that warrant management; and be it further

**RESOLVED**, that prior to management, all potential impacts of management on non-target species or ecosystems should be assessed thoroughly. Pre-management surveys should include field surveys during the breeding, migrating, and wintering seasons, should allow for adequate observation sample sizes (i.e., sampling days), take into account historical records, and ideally would occur for more than one year; and be it further

**RESOLVED**, that Audubon New York calls for best management practices to be developed that are species-specific and based on scientific information, include continued collection and analysis of data, and require iterative management plans that incorporate new data; and be it further

**RESOLVED**, that Audubon New York calls for proven humane and non-lethal controls to be utilized, whenever feasible, before resorting to lethal methods.

Co-Moved, and Seconded by, Respectively,

North Shore Audubon Society  
South Shore Audubon Society  
Southern Adirondack Audubon Society

Audubon New York organizes many of its campaigns by bio-regions. These bio-regions bring together bird conservation with science, advocacy and educational efforts to achieve conservation successes. Our organized bio-regional efforts in New York State encompass current and historic policy resolutions.

**Long Island Sound:** Some of the first and most comprehensive program resolutions approved by Audubon New York and the State Council dealt with the conservation of Long Island Sound. Our resolutions have supported multiple approaches that are accomplishing much to protect and conserve the waters and critical habitats of Long Island Sound.

Audubon's Listen to the Sound program in 1990 and again in 2000, catapulted Audubon as one of the leading conservation organizations in the restoration of the Long Island Sound. The program accomplishments include the creation of the Comprehensive Conservation and Management Plan, three agreements by the Governors of New York and Connecticut and the EPA Administrator on Long Island Sound restoration, creation of the Clean Water/Jobs Coalition and the Long Island Sound Watershed Alliance, passage of the federal Long Island Sound Restoration Act, allocation of \$200 million in the 1996 Clean Water/Clean Air Bond Act and the creation of a working group to establish a Long Island Sound Stewardship System. From habitat protection, including IBAs and BCAs, to water quality issues such as hypoxia, Audubon continues to be a leader in the restoration of this bio-region called Long Island Sound.

**Northern Forest and Adirondack Park:** The forests of northern New York have also been among the most longstanding concerns of Audubon New York and its State Council, and resulted in some of the most comprehensive programmatic resolutions. Work progresses on the year-to-year implementation of habitat conservation, enlargement of the state Forest Preserve, support for sustainable forestry and sustainable community economic development in the Adirondack Park and in the broader Northern Forest region including the Tug Hill Plateau in New York. As specific issues arise that require Audubon's attention, Audubon will build on these basic program resolutions. For example, Audubon will continue to update our priority open space acquisition lists in this region as well as voice concerns on the proposed snowmobile trail expansion plan in the Park and the increasing and illegal use of ATVs on the state Forest Preserve. Changes being considered in Congress to

amend the Clean Air Act that will affect air pollution emissions that cause acid deposition in the Northeast are also a critical issue to the Northern Forest region.

**Western Catskill Watershed:** A prime concern here is protecting open spaces and habitat in the watersheds of the world-famous trout streams of the Beaverkill and the Willowemoc. Audubon New York has undertaken a comprehensive open space assessment coupled with our land protection and smart growth strategies. We continue to monitor broader growth impacts of projects proposed in the Catskill Park, as well as advocate for specific priority open space protection projects.

**Sterling Forest, Hudson Highlands and Shawangunk Ridge:** Sterling Forest is not only the largest single piece of open space remaining in the immediate metropolitan area, but it is critical to the drinking water supply for communities in northern New Jersey. Though much of the public land acquisition is complete in Sterling Forest, in-holdings are still owned by private developers and are the subject of elaborate and inappropriate development proposals that could threaten the sanctity of the Park's natural resources and the watershed. Sterling Forest has now been designated as a BCA and there are now plans to manage the forest there as habitat for successional species such as the Golden-winged Warbler. The Hudson Highlands region hosts several premier IBAs in need of protection, including the Great Swamp and Fahnestock State Park in Putnam County, and the Shawangunk Grasslands National Wildlife Refuge and Minnewaska State Park in Ulster County. As a member of the Hudson Highlands Coalition, we will work to protect other open space parcels for their habitat values, such as the Shawangunk Ridge, which is replete with bio-diversity sites and is under development pressure.

## GLOBAL WARMING

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**WHEREAS**, global warming, the rise in average global temperatures which impacts global climate, has the potential to significantly alter the native ecosystems worldwide, and poses a significant threat to humans, birds, other wildlife and biodiversity; and

**WHEREAS**, the primary cause of accelerated global warming is increased concentrations of greenhouse gases, such as carbon dioxide (CO<sub>2</sub>) and methane, which prevent heat from escaping the earth's atmosphere, causing temperatures to rise; and

**WHEREAS**, current CO<sub>2</sub> emissions are 35% higher than 150 years ago, and the majority of these emissions are from fossil fuel use in energy production, the design and operation of buildings and homes, and other anthropogenic sources; and

**WHEREAS**, in the last 100 years other greenhouse gas emissions have also increased beyond historic natural cycles, and average global temperatures have increased by 1.44 degrees Fahrenheit; and

**WHEREAS**, global warming is likely to result in immediate impacts on birds and other wildlife that live in specialized ecosystems, such as polar bears, penguins, and high elevation species like Bicknell's Thrush, as well as disrupting patterns of migration and food availability; and

**WHEREAS**, migratory birds, seabirds and songbirds are already shifting their ranges both toward the poles and steadily upward (known as the escalator effect) in response to parallel shifts in their climatic habitat, as well as migrating and laying eggs earlier in the spring; and

**WHEREAS**, global warming has been shown to increase the incidence of insect borne diseases and infestations which are impacting humans, birds, other wildlife and plants; and

**WHEREAS**, global warming is projected to result in the further retreat of glaciers and polar ice caps, more frequent extreme regional weather conditions, changes to ocean current patterns, and rising sea levels; and

**WHEREAS**, rising sea levels will result in salt marsh wetland loss, and ultimately the submersion of low lying coastal communities, loss of critical habitat, and impacts to drinking water supplies; and

**WHEREAS**, increased CO<sub>2</sub> concentrations and warmer temperatures have been shown to result in increased growth of a number of noxious and invasive plant species, negatively impacting native habitat and agricultural production; and

**WHEREAS**, the Connecticut Department of Environmental Protection trawl surveys for Long Island Sound have shown an increase of warm water species and decrease of cool temperature dependent species, and high temperatures have been implicated as a major factor in the die-off of lobsters in the Sound during 1999-2002; and

**WHEREAS**, in 2007, numerous federal legislation was introduced, which would require CO<sub>2</sub> emissions in the United States be reduced by 80% by 2050 and establish a federal cap and trade program for CO<sub>2</sub> emissions, which is widely agreed upon by the environmental community as the most important approach to address global warming; and

**WHEREAS**, major action was taken by the United States House of Representatives in 2007 to enact a comprehensive energy bill that would create a federal Renewable Electricity Standard (RES) requiring that 15% of the nation's energy be generated from renewable sources by 2020, establish tax credits for renewable energy production, and raise the Corporate Average Fuel Economy (CAFE) standard to 35 Miles Per Gallon, among other important provisions; and

**WHEREAS**, in 2007 Congress enacted an energy bill which raised CAFE standards to 35 Miles Per Gallon, but did not establish an RES, or provide tax credits for production of renewable energy; and

**WHEREAS**, in the absence of strong federal regulations to control greenhouse gas emissions, New York State has taken several steps to reduce CO<sub>2</sub> emissions, including the goal of reducing CO<sub>2</sub> emissions to 5% below the levels of 1990 by 2010, and 10% by 2020; and

**WHEREAS**, in 2004, New York State created the State Renewable Portfolio Standard requiring that 25% of the State's energy be produced from renewable sources by 2013; and

**WHEREAS**, Governor Paterson has continued his "15 by 15" plan which established the goal of reducing the state's energy use 15% below forecasted levels in 2015; and

**WHEREAS**, in 2003, New York State initiated the Regional Greenhouse Gas Initiative (RGGI) with other Northeast and Mid-Atlantic states with the goal of reducing CO<sub>2</sub> emissions from power plants through developing a model market based cap and trade program; and

**WHEREAS**, in 2007, the Department of Environmental Conservation (DEC) released a final draft regulatory proposal to implement the goals of the RGGI; and

**WHEREAS**, in the Executive Budget for Fiscal Year 2007-2008, a new Office of Climate Change in the DEC was established to implement the RGGI, and develop initiatives to address this urgent threat; and

**WHEREAS**, The New York State Legislature and Governor created the Sea Level Rise Task Force to assess the impacts to New York's coastal ecosystems and develop strategies to mitigate these threats which has the potential to create millions of dollars in property damage statewide; and

**WHEREAS**, while local governments and individuals can take many steps to reduce their carbon footprints, such as the use of energy efficient products and vehicles, transportation choices, and buying local produce, more education and incentives are needed to accomplish this goal.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York and the Chapters of the Audubon Council of New York State encourage local governments and citizens to reduce their carbon footprints and dependency on non-renewable fossil fuels by utilizing many existing conservation methods, including recycling, mass transit, local food sources, green building codes, alternative energy sources, and energy efficient products; and be it further

**RESOLVED**, that Audubon New York applauds New York State for adopting CO<sub>2</sub> reduction standards and auto emission standards that exceed federal regulations, and for pursuing legal actions against polluting energy plants; and be it further

**RESOLVED**, that Audubon New York urges Governor Spitzer to continue and expand the RGGI and work with the other participating States to ensure that this historic process is strengthened and successfully implemented; and be it further

**RESOLVED**, that Audubon New York urges the State of New York to provide increased incentives and subsidies to help state residents and businesses reduce use of fossil fuels, support and fund education initiatives, and encourage development and implementation of new energy efficient technologies; and be it further

## LONG ISLAND SOUND

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- WHEREAS**, Long Island Sound is a place of inspiring natural beauty, an important commercial and recreational resource for the millions of people who live around it, and critical habitat for a diverse array of marine and other wildlife; and
- WHEREAS**, the Sound was one of the first four estuaries designated by Congress to the National Estuary Program, under which the Long Island Sound Study (a partnership of federal, state, and local governments, conservation organizations, industry, academia, and the public) researched the Sound's needs and developed a Comprehensive Conservation and Management Plan (CCMP) for its restoration and management; and
- WHEREAS**, in 1994, the Governors of New York and Connecticut, and the Administrator of the United States Environmental Protection Agency (EPA) jointly adopted and pledged to implement this Plan; and
- WHEREAS**, in 1996, Governor Pataki of New York and Governor Rowland of Connecticut signed with EPA the Long Island Sound Agreement focusing on implementation of the CCMP with emphasis on habitat restoration and nitrogen reduction with the Phase III nitrogen reduction plan adopted by New York, Connecticut and EPA; and
- WHEREAS**, the Clean Water/Clean Air Bond Act passed by New York State voters in November of 1996 authorized and appropriated \$200 million for Long Island Sound to implement the priorities of the CCMP; and
- WHEREAS**, the Long Island Sound Restoration Act passed Congress in 2000 authorizing \$40 million annually to be spent for the Long Island Sound clean-up plan, and was reauthorized for another five years in 2005; and
- WHEREAS**, the Plan and its implementation schedules are important steps towards the restoration of Long Island Sound, but critical problems centering on land use, living marine resources, nutrient pollution and contaminated sediments have still to be addressed if the Plan is to be implemented successfully over the long term; and
- WHEREAS**, there has been reported lobster mortality over the past decade with the most significant mortality occurring since 1999, which is being researched by county, state and federal agencies; and
- WHEREAS**, Audubon New York and its chapters in the Long Island Sound region have been a leading force in grassroots efforts to restore the Sound; and
- WHEREAS**, Audubon New York's "Listen to the Sound" program of 1990 helped found the Long Island Sound Watershed Alliance, participated in public review of the Long Island Sound Study's draft CCMP, promoted the "Clean Water/Jobs" coalition and federal legislative proposals, and promoted federal acquisition of Stratford Great Meadows and other initiatives to assist in the Sound's restoration; and
- WHEREAS**, Audubon launched Listen to the Sound 2000, with Save the Sound and Regional Plan Association, which calls for the creation of a Long Island Sound Stewardship System to protect and properly manage the lands along the Sound's coastline; and
- WHEREAS**, Audubon New York, Audubon Connecticut, and National Audubon Society's policy office has embarked upon a unified national campaign to protect the Long Island Sound; and

**WHEREAS**, Audubon New York has been facilitating a work group, composed of federal, state, and local government and nonprofit organizations from New York and Connecticut, that is developing a consensus based strategy for creation of the Stewardship System that is well underway; and

**WHEREAS**, the Long Island Sound Stewardship Act identifies, protects, and enhances significant open space, recreational and ecological sites within the Long Island Sound ecosystem, and is based on Stewardship Initiative developed by the work group; and

**WHEREAS**, the Stewardship Act, which was signed into law in 2006, authorizes up to \$25 million annually for the acquisition of land and conservation easements, and the enhancement and improvement of exemplary natural areas, and establishes public access to the Sound as a major goal; and

**WHEREAS**, in 2007, in just the first year of appropriation, the House and Senate agreed to fund the Stewardship and Restoration Acts at \$4.922 million, a significant increase in federal commitment to the Sound; and

**WHEREAS**, Audubon New York was successful in having the state of New York in 2002 purchase from KeySpan Corporation, the largest remaining expanse of open space on the entire Long Island Sound, protecting 520 acres for park land and farming purposes in Jamesport, Long Island; and

**WHEREAS**, current proposals for large scale development in Long Island Sound, such as the creation of the Broadwater Liquefied Natural Gas facility, have the potential to impact the Sound's marine resources; and

**WHEREAS**, proposals for development in the Sound should be considered within a regional master plan for the Sound which takes into account all the various uses, stakeholders and environmental needs of this ecosystem; and

**WHEREAS**, on December 4, 2002 the states of New York and Connecticut and the US EPA Regional Administrator signed an agreement for 2003 containing a new set of goals to accelerate the cleanup, restoration, and protection of Long Island Sound that includes the creation of a Long Island Stewardship System to protect open space, maximize public access, and restore and save ecologically significant habitats; and

**WHEREAS**, the New York City Department of Environmental Protection (DEP) and the New York State DEC negotiated an agreement which would commit the DEP to achieve the nitrogen reduction goals by no later than 2017.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York calls for the funding and the legislative and regulatory actions needed to implement the Long Island Sound Comprehensive Conservation and Management Plan; and be it further

**RESOLVED**, that:

- the Bond Act projects be prioritized and selected through Management Conference and Citizen Advisory Committee processes based on the CCMP and both the 1996 and 2003 Governors' Agreement on Long Island Sound; and
- Audubon New York supports appropriations of \$40 million per year for the Long Island Sound clean-up program under authorization of the Long Island Sound Restoration Act, and \$25 million per year for the Long Island Sound Stewardship Act; and

- the Intergovernmental Management Conference of the Long Island Sound Study continues over the next decade to coordinate and aggressively oversee implementation of the CCMP and Restoration Agreement with increased funding for, and expanded efforts by, the United States Environmental Protection Agency's Long Island Sound Office to support the Management Conference; and be it further

**RESOLVED**, that Audubon New York urges federal, state, and local governments to aggressively pursue implementation of the CCMP according to the timetables stipulated in the Plan; and be it further

**RESOLVED**, that Audubon New York calls for a new Governor's Agreement be created to ensure the clean-up and restoration of the Sound continues with new administrations; and be it further

**RESOLVED**, that Audubon New York calls for any proposed large scale developments in Long Island Sound, such as the Broadwater Liquified Natural Gas facility, or which have the potential to impact the ecology of the Sound, undergo a comprehensive environmental review; and be it further

**RESOLVED**, that Audubon New York supports the creation of a regional master plan for the future of the Sound; and be it further

**RESOLVED**, that Audubon New York supports the full implementation by the New York State Department of Environmental Conservation of both the Phase One (Point Source and large Municipalities) and Phase Two (Municipal Separate Storm Sewer System) permit programs. These EPA-created programs requires reduction of point source and non point source pollutants through best management practices and public education and participation; and be it further

**RESOLVED**, that Audubon New York urges the New York City DEP to fully implement the nitrogen reduction goals agreed to in its permit from the NYS DEC; and be it further

**RESOLVED**, that Audubon New York supports the creation of a Long Island Stewardship Initiative as approved by the Management Committee in October 2004 and established in the Long Island Sound Stewardship Act, which builds on the many existing state and federal governmental and private land trust programs to protect open spaces and ecologically significant areas, and to create new public access sites as is supported by the Governors and Long Island Sound Coastal Commission's Public Access Initiative for the Sound.

Co-moved, and Seconded by, Respectively

North Shore Audubon Society  
Bronx River/Sound Shore Audubon Society  
Huntington Audubon Society  
New York City Audubon  
Central Westchester Audubon Society

## SMART GROWTH

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**WHEREAS**, habitat loss and fragmentation is by far the greatest threat to bird populations; and

**WHEREAS**, while the population of New York State on the whole has not increased significantly over the past 30 years, and in many areas of upstate New York has actually decreased, the land area covered by development has increased drastically, consuming open land at two or three times the rate of population growth: a trend that was highlighted in a Brookings Institute/Cornell University study, *Sprawl Without Growth: the Upstate Paradox*; and

**WHEREAS**, New York State has spent billions of dollars to place new infrastructure on lands that were previously undeveloped, instead of investing in our existing cities, towns and first generation suburbs; and

**WHEREAS**, the low-density, single-use urban expansion over the past four decades in New York has left abandoned city cores in its wake and compounded fiscal, social and environmental hardships everywhere; and

**WHEREAS**, Low Impact Development (LID) is a method that assists municipalities and developers to put into action the principles of smart growth. LID is an ecologically sound approach to site development and storm water management that aims to mitigate impacts to land, air and water, and seeks to preserve open space and minimize disturbance; protect natural systems and processes; reexamine the use and sizing of traditional site infrastructure; decentralize and micromanage storm water; retain or regain the original predevelopment absorbency of the land through the use of natural and bio-engineered systems; and

**WHEREAS**, LID has been successfully put into practice in Maryland, Illinois, Wisconsin, Oregon and Washington; and

**WHEREAS**, from 1999 through 2004, Audubon New York organized four Smart Growth Conferences and chaired the Smart Growth Working Group which has:

- agreed on a set of smart growth principles as described below;
- drafted and endorsed consensus legislation as described below;
- advocated for the issuance of an Executive Order as described below;
- submitted consensus recommendations for consideration by the Quality Communities Task Force;
- advocated for the inclusion in the state budget of over \$1 million for smart growth pilot projects which were announced in the fall of 2000; and

**WHEREAS**, several state legislators from Buffalo to Long Island have consistently introduced state legislation each year since 2000 that would promote a comprehensive smart growth initiative, which would encourage the use of existing development infrastructure, to preserve agricultural land and other open space resources, and enhance urban neighborhoods, traditional cities, villages, first generation suburbs and small towns through providing incentives for a collaborative smart growth planning process, rather than foster sprawl; and

**WHEREAS**, this legislation also endorses the smart growth principles, agreed upon by the Smart Growth Working Group, which call for local communities to develop a collaborative smart growth plan, encourage mixed use development in areas utilizing existing infrastructure, encourage reform of state and municipal regulatory activities to promote expedited permitting of development that's consistent with these principles, the adoption of measures to preserve open space and retain farmland and forest land, the creation of a process for coordinating planning goals and policies among state departments and agencies and among different levels of government throughout the state, and the consideration of future housing needs and transportation choices; and

**WHEREAS**, these smart growth principles, which have been tested across the country, work to enhance a sense of community; protect investment in existing neighborhoods; provide certainty in the development process; make good use of new mapping and data analysis technology like Geographic Information Systems (GIS); protect environmental quality, and conserve open space; protect the agricultural industry and land; reward developers with profitable products, financing and flexibility; decrease congestion by providing alternative modes of transportation; and make efficient use of public money; and

**WHEREAS**, in December 2007, Governor Eliot Spitzer enacted an Executive Order which created a Smart Growth Cabinet, consisting of high ranking officials from various State Agencies that impact growth and development patterns, that will review Agency spending and policies and develop initiatives to reduce sprawl and promote smart growth principles; and

**WHEREAS**, with the release of the 2<sup>nd</sup> edition of Important Bird Areas of New York, Audubon New York is pursuing avenues to enhance protection of IBAs, as well as other important natural habitat, such as through local Smart Growth planning efforts, and through local land trusts and other land preservation organizations; and

**WHEREAS**, Audubon New York has undertaken local and regional smart growth projects, including initiatives in the Town of Clifton Park, the Towns of Fort Edward and Argyle, Orient Point/Plum Island in Suffolk County, Edith Reed and Marshlands in Westchester County, and in the Town of Fort Edward and many other localities across the state, to promote smart growth principles and planning practices.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports the general principles underlying comprehensive approaches to smart growth legislation and urges the state legislature to pass such legislation; and be it further

**RESOLVED**, that Audubon New York supports the following actions:

- Executive Office action or legislation that would adopt a Smart Growth plan for the state to advance Smart Growth principles, including pursuing federal funds to enhance state efforts and incentives for local Smart Growth efforts, and passage of the Smart Growth Infrastructure Policy Act;
- increased funding for the Smart Growth Grants program for local planning efforts -in the State 2008-2009 Budget;

**RESOLVED**, that Audubon New York supports the education and collaboration among all interests (i.e. environment, development, agriculture, legislators, local officials, housing, transportation, school district) to make smart growth work for the future quality of life for all New Yorkers; and be it further

**RESOLVED**, that the Audubon Council of New York State will support Audubon New York in pursuing foundation and other private and government funds to make progress with its own smart growth agenda, which includes continuing with its local and regional smart growth projects, and advocating for executive actions and comprehensive state legislation.

Co-moved, and Seconded by, Respectively

Bedford Audubon Society  
Central Westchester Audubon Society  
Chemung Valley Audubon Society  
Putnam Highlands Audubon Society  
Capital Region Audubon Society  
Bronx River-Sound Shore Audubon Society  
Jamestown Audubon Society

## ADIRONDACK PARK

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**WHEREAS**, the Adirondack Park provides a vast network of watershed protection, a biological reserve of regional and international importance, a spiritual and recreational retreat within a day's drive of over 70 million people, a habitat for hundreds of species of wildlife and birds, and generates hundreds of millions of dollars in tourism and recreation revenue, as well as vital forest products; and

**WHEREAS**, the Adirondack Park Agency (APA) is an important state agency that plays a vital role in overseeing the Park's management and in reviewing and regulating development projects on private lands — a full 58% of the Park — that have the potential to degrade the Park's scenic beauty and natural character; and

**WHEREAS**, new challenges confront the Park's biological integrity, including illegal use of ATVs on the Forest Preserve, the snowmobile trail development plan, increases in second home development, proposed Great Camp estates at a re-opened Tupper Lake Ski Center and Resort, and a proposal for major expansion of the Whiteface Ski Center in the High Peaks unit; and

**WHEREAS**, the proposed Adirondack Club and Resort project is the largest development to ever come before the Adirondack Park Agency for review, and would severely fragment more than 6,400 acres of forest habitat for construction of over 700 residential homes, 25 Great Camp resorts, additional hotels and condominiums, as well as other private recreational structures; and

**WHEREAS**, this proposed development would occur on pristine wild forest habitat, threatening the bird species and other wildlife that depend on the mountain, and threaten the rural character of the surrounding town; and

**WHEREAS**, as designed, this project would require massive engineering, and potentially degrade the quality of the surrounding water bodies through increased erosion and sedimentation, and increased amounts of treated effluent from the new sewage treatment plants required to be built; and

**WHEREAS**, if this project were to go through, it could open up the Adirondack Park to other large scale developments, threatening this irreplaceable natural resource; and

**WHEREAS**, reviewing the newly completed unit management plans for much of the Forest Preserve is stretching the staff resources for the Agency, raising the possibility of approved Unit Management Plans (UMPs) that fail to meet the needs of the State Land Master Plan; and

**WHEREAS**, the State and The Nature Conservancy have made substantial progress in securing conservation easements on more than 600,000 acres of privately held forest land in the Adirondack Park. These include: in 2004 approximately 260,000 acres owned by International Paper in 21 tracts throughout the Park, and 3,000 acres in the Tahawas Tract in Newcomb; in 2005 105,000 acres of the Domtar property in Belmont and Dannemora; in 2006 on 51,000 acres of the Rayonier property on the Grasse River in Colton, Clifton and Clare in St. Lawrence County; and in 2007 161,000 acres of former Finch Pruyn forest parcels in 31 towns and six counties, these easements providing for continued sustainable forestry, significant public recreation and fishing access and lifting potential subdivision and development pressures; and

**WHEREAS**, Audubon New York has actively supported the efforts of the Adirondack Council, Adirondack/North Country Association, and the Association of Adirondack Towns and Villages as well as the APA to reach agreement on “The Blue Print for the Blue Line”, drafted by the Common Ground Alliance, which integrates measures to promote sustainable development in the Park, consistent with Audubon New York’s goals.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York urges the Governor and State Legislature to provide adequate funding to ensure that the staffing positions at the APA are filled at all times, and urges the Governor to provide staffing so that the APA can undertake all policy and planning activities, as well as complete reviews of Unit Management Plans in a timely manner; and be it further

**RESOLVED**, that Audubon New York strongly opposes the current proposal for the Adirondack Club and Resort, and calls for this project to go to a full adjudicatory hearing, and be required to issue a full environmental impact statement; and be it further

**RESOLVED**, with the proliferation of landscape-scale conservation easements, DEC is encouraged to develop an inventory of Adirondack lands under easement; to develop appropriate standards for easement agreements through a public process that encourages the widest possible participation; ensure compliance with easement requirements by providing DEC staff with enhanced training; and should consider targeted incentives and inducements for forest land owners under the state’s income tax law. These measures together will be incentives to more landowners to convey easements to the state and ensure that easements promote the state’s open space conservation plan objectives; and be it further

**RESOLVED**, that Audubon New York continues to support passage of legislative proposals for the Adirondack Park, which would provide effective protection of the Park’s back country and scenic vistas, shore fronts and water bodies, improve the quality of human services, and improve community development and local land-use planning – issues and concerns included in the draft “Blue Print for the Blue Line” document now being circulated. Major provisions of an appropriate bill, or bills, should include:

- **SHORELINE PROTECTION**

In recognition of the failure of present shoreline protections, we urge an increase in minimum lot sizes and widths, setbacks for houses and septic tanks, plus limits on tree cutting and vegetative clearing. All shoreline septic systems should require APA inspection and certification upon the transfer of waterfront property or when a local building permit is required for expansions or other improvements.

- **BACKCOUNTRY PROTECTION**

The large private landholdings of the Adirondacks, many of which are listed in New York State's Open Space Conservation Plan, account for the distinctive, open-space character of the Park. If these holdings are fragmented, sold and developed — a trend now underway — the natural integrity of the Park will be compromised. The areas classified as Rural Use and Resource Management should be preserved for forest management, agricultural uses and open-space recreation.

- **ECONOMIC AND COMMUNITY BENEFITS**

Preserving the natural qualities of the Park, the region's principal economic and environmental asset, should be coupled with an assessment of infrastructure needs and technical assistance for proper land-use planning and financing of community development projects including drinking water and wastewater facilities, tourism and development of the secondary wood products industry.

Co-Moved, and Seconded by, Respectively

Southern Adirondack Audubon Society  
High Peaks Audubon Society  
Northern Catskills Audubon Society  
Audubon Society of the Capital Region

## NORTHERN FOREST

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**WHEREAS**, Since the 1980s the Northern Forest region, comprising a 26 million acre mosaic of mountains, rivers, lakes and forest land, stretching from the Tug Hill region of New York to down east Maine, has faced an economic, cultural and environmental transformation largely spurred by global forces. Land ownership patterns are shifting and traditional employment options — primarily in forest products and pulp and paper mills — have declined; many communities face high unemployment, loss of population, and uncertainty about what the future might hold; and

**WHEREAS**, In the course of the last three years the many interests concerned about conservation of the forests and waters of the Northern Forest and about maintaining and building a strong, sustainable economic base for the 26-million acre region have renewed their efforts to bring more federal resources to the region and its communities; and

**WHEREAS**, These efforts include: completion of a community “sustainability” tool kit by the Northern Forest Alliance; convening a regional conference and four day-long stakeholder discussions to develop a regional agenda that combines environmental, economic and social values; joint meetings of multiple stakeholders convened by the Northeast States Research Cooperative, in conjunction with various federal studies initiated by the University of Vermont and SUNY ESF to consider specific economic and ecological action steps; and

**WHEREAS**, The Northern Forest Center has been awarded a grant from the U.S. Department of Commerce, Economic Development Administration, for planning funds to develop a regional economic adjustment strategy, one that would design and implement strategies that would “help correct a declining economy” and in due course could capitalize revolving loan funds; and

**WHEREAS**, Federal legislation (H.R. 1548 and S. 2249) has been re-introduced (originally introduced by Congressman Michael Michaud [D-ME]), and these bills are now supported by a bi-partisan group of Northern Forest Congressional Representatives and Senators. These bills, renamed the Northern Border Economic Development Commission Act of 2007, would declare the region in need of special measures to guide its economic future, create a regional planning commission, allocate \$40 million a year in new funds based on recommendations of a regional planning strategy, and encourage federal agencies to allocate their existing and available funds in ways that are consistent with this regional strategy; and

**WHEREAS**, The North East State Foresters Association (NEFA) marked the tenth anniversary of the Northern Forest Lands Council Study in 2005 with the completion of a report detailing changes and challenges for the region; and

**WHEREAS**, NEFA has identified four major areas of recommendations dealing with the future economic course, protection of biodiversity, forest and ecosystem health, forest stewardship and forest conservation measures.

**THEREFORE BE IT:**

**RESOLVED**, Audubon New York urges NEFA to continue to work in partnership with others to contribute to a comprehensive regional economic strategy. This analysis and strategy development will need leadership, coordination and resources; the process must engage the many stakeholders active in the four states; build on a decade of constructive discussion; and pursue the possibility of a mix of federal, state and private funds to jump-start the discussions and lay the foundation for a regional economic strategy; and be it further

**RESOLVED** Audubon New York encourages the 50 members of the Northern Forest Alliance as well as the Northern Forest Center to work with our respective Congressional Delegations to press for passage of the bill in 2008, but work to amend it so as to strengthen the land conservation measures alluded to in the bill; and be it further

**RESOLVED** Audubon New York urges those leading this federal initiative — NEFA, NFA, NFC — to make a statement setting out a clear “sustainable” vision for the region, one that puts conservation of biodiversity, protection of the forestland base and maintenance and improvement of ecosystem health as the foundations for the social and economic fabric of the region; and be it further

**RESOLVED** Audubon New York urges all those involved in developing this blueprint to take a pro-active approach and choose a sustainable future based on diversity, a future shaped by our own initiative, goals and aspirations, and not rely on a strategy that is a simple reaction to the past and destined to repeat the errors of the past.

Moved and Seconded by, Respectively

High Peaks Audubon Society  
Southern Adirondack Audubon Society

## ACID DEPOSITION (ACID RAIN)

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**WHEREAS**, acid deposition has been and continues to be a chronic environmental problem in New York State and throughout the Northeast; and

**WHEREAS**, acid deposition has already destroyed water-based ecosystems and severely damaged terrestrial ecosystems; and

**WHEREAS**, although the quality of air has been improved somewhat with implementation of the 1990 Clean Air Act, lakes, soils and trees in the Adirondacks, Catskills and Hudson Highlands, as well as other parts of the Northeast, remain in serious condition due to acid deposition, including Long Island Sound; and

**WHEREAS**, the United States Environmental Protection Agency predicts that under the current acid deposition control program, half or more of all lakes in the Adirondacks will become critically acidified by the year 2040 without additional controls; and

**WHEREAS**, acid deposition harms not only surface waters, but also forests, wildlife habitat, buildings and structures, as well as the human respiratory system; and

**WHEREAS**, current scientific knowledge indicates that in order to most effectively reduce acid deposition we must not only lower the levels of sulphur dioxide and nitrogen oxides, but also emissions of ozone producing chemicals, heavy metals, and other toxic chemicals; and

**WHEREAS**, reports from the international panel on climate change have indicated that these pollutants, like carbon dioxide, also contribute to global warming; and

**WHEREAS**, former Governor Pataki ordered New York's electric generators to meet the toughest air emission standards for sulphur dioxide and nitrogen oxides and has adopted tougher air emission standards for Sport Utility Vehicles which took effect in 2005, and then State Attorney General Spitzer sued Midwest utility companies to enforce federal sulphur dioxide and nitrogen oxide air pollution standards; and

**WHEREAS**, New York State has enacted a law that will de facto stop New York power plants from trading, selling or transferring pollution credits to states upwind of New York; and

**WHEREAS**, New York State has done all it reasonably can to reduce acid deposition within the state using state law and actions; and

**WHEREAS**, in March 2005, the EPA issued the Clean Air Interstate Rule (CAIR), which will reduce SO<sub>2</sub> emissions in 28 eastern states by over 70 percent and NO<sub>x</sub> emissions by over 60 percent from 2003 levels.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports a stronger national air pollution control program that reduces the level of pollutants and contaminants which contribute to the already unacceptable level of acid deposition within the state; and be it further

**RESOLVED**, that Audubon New York specifically endorses and supports federal legislation that adequately controls the four pollutants of nitrogen oxide, sulfur dioxide, mercury and carbon dioxide to not only mitigate acid deposition but also address issues of global warming; and be it further

**RESOLVED**, that Audubon New York urges Governor Paterson and the Attorney General Cuomo to continue to seek and enforce clean air solutions at the state and regional levels, given the trend to settle public health and environmental issues at the state level as the Federal Government is renegeing in its commitment to clean air laws and their enforcement.

Moved, and Seconded by, Respectively

Audubon Society of the Capital Region  
Southern Adirondack Audubon Society  
Onondaga Audubon Society

## THE GREAT SWAMP

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**WHEREAS**, The Great Swamp, located in Putnam and Dutchess Counties, is the third largest wetland complex in New York State and forms a critical habitat and staging area for wildlife; and

**WHEREAS**, The Great Swamp protects the New York City water supply as part of the head waters of the Croton Reservoir System by reducing pollution and siltation from non-point sources through its natural filtration system; and

**WHEREAS**, The Great Swamp is an important recreational resource used by thousands of people each year for canoeing, hiking, fishing, hunting, birding and photography; and

**WHEREAS**, The Great Swamp contributes to the preservation of biodiversity through its diverse habitats, large size, rare and endangered species populations (e.g. bog turtle, swamp birch, American Bittern) and rare ecosystems (calcareous fens); and

**WHEREAS**, The Great Swamp has been designated an Important Bird Area of New York State due to its diverse breeding communities of birds (over 100 species) and value as a bird migration corridor (over 150 species); and

**WHEREAS**, The Great Swamp provides for a large volume of flood water storage which prevents downstream flooding; and

**WHEREAS**, The Great Swamp encompasses more than 6,000 acres of open space that contributes significantly to the quality of life and property values of the local residents; and

**WHEREAS**, both Putnam and Dutchess Counties have designated The Great Swamp as a critical environmental area and it is now included as a priority site in the state open space conservation plan; and

**WHEREAS**, the values of this marvelous resource are enhanced by its close proximity (60 miles) to New York City, one of the largest metropolitan areas in the world; and

**WHEREAS**, The Great Swamp is located partly in the fastest growing county in New York State and is in an area targeted by both county planning departments for future growth making immediate action critical; and

**WHEREAS**, local groups received a \$900,000 grant from the North American Wetlands Conservation Council to acquire lands within the heart of the Great Swamp; and

**WHEREAS**, encroachment by real estate development, in the context of rapid commercial and residential growth in adjacent areas of Putnam and Dutchess Counties, threatens the Great Swamp's integrity and survival of its sensitive ecosystems, as outlined in *The Great Swamp Watershed Conservation Strategy* published by The Nature Conservancy.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York aggressively supports the long term protection of The Great Swamp ecosystem. These shall include but not be limited to:

- Supporting acquisition and preservation of wetland and buffer areas within The Great Swamp by such entities as New York City Department of Environmental Protection, New York State Department of Environmental Conservation (NYSDEC), Putnam and Dutchess Counties, local land trusts and other conservation organizations such as The Nature Conservancy.
- Encouraging local towns, villages and county governments to promote preservation and protection of The Great Swamp through their zoning, planning and other regulatory activities and policies.
- Promoting public understanding of the functions and values of The Great Swamp ecosystem and its watershed, including assistance from Audubon New York with the development of public education and outreach programs.
- Supporting the biological inventory and research activities in The Great Swamp ecosystem, including the monitoring of birds for the IBA data bank.
- Requesting the NYSDEC to re-map and immediately correct and revise their wetlands maps of the Great Swamp Watershed in Dutchess County to include the additional wetland areas, omitted from the current official maps, such as those identified in The Great Swamp Watershed Conservation Strategy published by The Nature Conservancy.
- Supporting the consortium of Partners seeking a \$1 million 2006 North American Wetlands Conservation Act (NAWCA) Grant for the second phase of the group's efforts to conserve land through acquisition and easement in this IBA.
- Supporting State legislation, modeled after the Albany Pine Bush implementing legislation, to establish the Great Swamp Conservation Area, formalizing coordinated management and planning for the Great Swamp Watershed.

Co-moved, and Seconded by, Respectively

Bedford Audubon Society  
Putnam Highlands Audubon Society  
Central Westchester Audubon Society  
New York City Audubon Society  
Bronx River-Sound Shore Audubon Society  
Saw Mill River Audubon Society  
Rockland Audubon Society  
Hudson River Audubon Society of Westchester

## CONSERVATION AND RESTORATION OF THE GREAT LAKES

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**WHEREAS**, the Great Lakes are a world renowned and globally significant freshwater resource that contain more than 20% of all of the fresh water on the planet; and

**WHEREAS**, the Great Lakes basin encompasses eight states and two Canadian provinces, and is a critical environmental and financial resource not only to New York State and the region, but to the entire country; and

**WHEREAS**, the Great Lakes are essential to the economic and cultural identity of the region, and forty-two million people depend on the Great Lakes for their drinking water, their recreation, their health and overall quality of life; and

**WHEREAS**, the Great Lakes basin, containing many Audubon Important Bird Areas (IBAs), provides critical habitat to a diversity of bird species, including many federally and state listed threatened and endangered species, and provides essential nesting and stopover points to hundreds of thousands of migrating birds; and

**WHEREAS**, the Great Lakes basin of New York contains some of the last and largest undeveloped islands in the lower Great Lakes, and

**WHEREAS**, water diversions from the Great Lakes basin, invasive species introductions, shoreline development and pollution all represent environmental threats to the entire Great Lakes ecosystem; and

**WHEREAS**, if left unchecked, increasing withdrawals of water could lead to lowering water levels which could result in an increase in shoreline and stream erosion and make the Great Lakes more susceptible to invasive species and contamination from pollution; and

**WHEREAS**, some IBAs rely on a consistent water level to support their diverse habitats, and are highly susceptible to changes in the water level; and

**WHEREAS**, the International Joint Commission (IJC) has released a revised regulation for the management of water levels in Lake Ontario - St. Lawrence River system; and

**WHEREAS**, This revised plan does not contain the strong environmental provisions that were proposed in Plan B+, the environmentally restorative option that was proposed by the IJC Study Board in their report on management of water levels; and

**WHEREAS**, water in the Great Lakes naturally replenishes itself, but in some of the Lakes water can take up to 100 years to recharge; and

**WHEREAS**, the “Annex 2001” is a supplementary agreement to the Great Lakes Charter that establishes guidelines for the development, maintenance, and strengthening of a management of the water resources of the Great Lakes ecosystem, and includes provisions to ensure that in-basin water usage is regulated fairly while prohibiting or seriously limiting out-of-basin water diversions; and

**WHEREAS**, the Council of Great Lakes Governors has finalized the “Annex 2001” Implementing Agreements, and the Great Lakes St. Lawrence River Basin Water Resources Compact, which have been created to make the Annex a political and legal reality, and now must be passed by each Great Lakes State and Canadian Province, and Congress to take effect; and

**WHEREAS**, the Compact, sponsored by Assemblyman Robert Sweeney and Senator George Maziarz, passed the Legislature and was signed into Law, making New York the fourth state in the region to move on this important protective measure.

**WHEREAS**, in 2004 the President signed an executive order creating the Great Lakes Task Force, and establishing the Great Lakes Regional Collaboration (GLRC), creating a unique partnership of 1,500 stakeholders from federal, state, and local governments, Tribes, conservation organizations and other stakeholders for the purpose of developing a strategic plan for the restoration of the Great Lakes; and

**WHEREAS**, this process resulted in the creation of the Great Lakes Regional Collaboration Strategy protect and Restore this irreplaceable freshwater ecosystem; and

**WHEREAS**, this consensus based strategy provides manageable solutions to the major issues facing the great lakes, and identifies a \$20 billion investment that's needed over the next five years to protect the Great Lakes, St Lawrence River ecosystem from further degradation; and

**WHEREAS**, the Great Lakes Collaboration Implementation Act (GLCIA) was introduced in 2006, with strong bi-partisan support of the New York Congressional Delegation, which would put in place the priority recommendations of the Great Lakes Regional Collaboration Strategy; and

**WHEREAS**, in 2006, Congress reauthorized the Great Lakes Fish and Wildlife Restoration Act, which will provide up to \$16 million per year for five years for on-the-ground restoration projects to restore fish and wildlife, enacting a major component of the Great Lakes Collaborative Strategy; and

**WHEREAS**, the federal Great Lakes Legacy Act, which provides important funding for the clean up of Areas of Concern, will sunset in 2008, and needs to be reauthorized; and

**WHEREAS**, new categories were added to the State's Environmental Protection Fund which will provide funding for the state to implement the recommendations of the Great Lakes Collaborative Strategy, and leverage additional federal funding; and

**WHEREAS**, in 2006 The State Legislature passed the Audubon New York supported New York Ocean and Great Lakes Ecosystem Conservation Act, which was established to ensure coordination in the conservation of the state's important coastal ecosystems, and sets up a Council of State Agencies to coordinate the management of these resources, and issue a report to the legislature and executive on what changes to state law are necessary to improve management of these important habitats; and

**WHEREAS**, this legislation was designed to enhance the protection of the state's coastal resources by requiring the use of ecosystem based management in State Agency decision making.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York strongly supports "Annex 2001", the Water Resources Compact, and the Implementing Agreements developed to protect the Great Lakes ecosystem from unnecessary and damaging water withdrawals; and be it further

**RESOLVED**, that Audubon New York urges the State legislature, to support and pass the Annex Implementing Agreements and Great Lakes – St. Lawrence River Basin Water Resources Compact, that evenly balance

the many diverse environmental and economic interests to create a sustainable water management system, which would protect the Great Lakes and the Great Lakes Basin for centuries to come; and be it further

**RESOLVED**, that Audubon New York urges Governor Paterson to continue to make the implementation of the New York Ocean and Great Lakes Ecosystem Conservation Act, and continuation of the Ecosystem Conservation Council a priority of his administration; and be it further

**RESOLVED**, that Audubon New York supports Congressional implementation of the GLRC Strategy, and urges strong support of the New York Congressional Delegation of increased funding for the restoration of the Great Lakes, including increased appropriations for priority great lakes programs, such as the Great Lakes Fish and Wildlife Restoration Act, and reauthorization of the Great Lakes Legacy Act; and be it further

**RESOLVED**, that Audubon New York supports increased state EPF funding for the conservation and restoration of the Great Lakes; and be it further

**RESOLVED**, that Audubon New York urges the National Audubon Society to make passage of the Implementing Agreements, the Water Resources Compact, and Great Lakes restoration funding a priority in their legislative agenda.

Co-Moved, and Seconded by Respectfully,

Genesee Valley Audubon Society  
Jamestown Audubon Society  
Putnam Highlands Audubon Society  
Buffalo Audubon Society  
Chemung Valley Audubon Society  
Onondaga Audubon Society

## HUDSON RIVER RESTORATION

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**WHEREAS**, in 1987, New York State passed the Hudson River Estuary Management Act, Section 11-0306 of the Environmental Conservation Law that directs the New York State Department of Environmental Conservation to develop a management program for the Hudson River Estuarine District and its associated shore lands through a Management Plan; and

**WHEREAS**, the goal of the Hudson River Estuary Management Plan is to protect, restore and enhance the productivity and diversity of natural resources of the Hudson River Estuary to sustain a wide array of present and future human benefits; and

**WHEREAS**, a companion document, the Hudson River Action Plan, addresses key issues and priority actions; and one of these actions is to inventory and regulate tidal wetlands along the Hudson River from the Tappan Zee Bridge to the Troy Dam and revise tidal wetland regulations to be more suitable for application in freshwater tidal systems; and

**WHEREAS**, in December 2006, The New York State DEC released The Hudson River Estuary Wildlife and Habitat Conservation Framework, created with input with Audubon New York staff, which identifies the important habitats, plants animals found in the counties bordering the Estuary, and identifies strategies for their protection; and

**WHEREAS**, in 2009 the state will celebrate the 400<sup>th</sup> commemoration of the discovery of the Hudson River, and currently a list of Legacy Projects are being developed to identify improvements needed to protect and restore the River's diverse natural and cultural resources; and

**WHEREAS**, historic pollution of PCBs in the Hudson River from General Electric Corporation (GE) remains a major issue facing the health of the ecosystem; and

**WHEREAS**, the United States Environmental Protection Agency (EPA) has released a Record of Decision in February, 2002 calling for an extensive clean-up of severe hot spots along the river using the latest technology, to be accomplished in two phases; and in October 2005, the EPA and GE signed a Consent Decree which requires phase one of the dredging plan to begin in the spring of 2007; and

**WHEREAS**, On January 25, 2008 EPA completed the Phase 1 Adaptive Management Plan (AMP), which was the final step in the approval process for the design of Phase 1 of the PCB dredging program. After completion of phase 1, the EPA will review the dredging process and make any necessary changes in the requirements and standards of phase two. GE has begun the design of Phase 2, and has EPA approval of the Phase 2 Dredge Area Delineation Report (DAD Report); and

**WHEREAS**, funding is being made available from the US Superfund to the Natural Resources Damages Assessment Claims process, assessing losses to the public from the PCB contamination.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports the focus on the Hudson River Estuarine District and associated shorelands; and supports the establishment and timely construction of the Beacon Institute for Rivers and Estuaries ; and be it further

**RESOLVED**, that Audubon New York supports continued efforts by the New York State Department of Environmental Conservation to fulfill the goals of the Hudson River Estuary Management and Action Plans, urges full funding of the Environmental Protection Fund and full allocation of the \$6 million from this fund to estuary management program, and will continue to play an active role in the work of the Advisory Committee; and be it further

**RESOLVED**, that Audubon New York urges the Commissioner of the New York State Department of Environmental Conservation to provide enforcement of the Tidal Wetlands Act for all Hudson River tidal wetlands meeting the Act's statutory definitions, regardless of their location now that Hudson River tidal wetlands mapping is complete; and be it further

**RESOLVED**, that Audubon New York supports changes to the state's Tidal Wetlands Law, Article 25, so that within New York Harbor the protective buffer zone is set at 300 feet, consistent with the tidal wetlands law in the rest of the Hudson River estuary and around Long Island; and be it further

**RESOLVED**, that Audubon New York will actively participate in the Hudson River Legacy Projects planning process, and urges the State to increase funding for these projects to be implemented before the 400<sup>th</sup> commemoration; and be it further

**RESOLVED**, that Audubon New York supports the United States Environmental Protection Agency's PCB remediation and clean-up plan as detailed in the most recent Consent Decree; and be it further

**RESOLVED**, that Audubon New York strongly urges GE to conform to the most recent consent decree and to fully complete both phases, including Phase 2 of the dredging plan, to ensure that the dredging of the River is completed without further delay; and be it further

**RESOLVED**, that the dredge spoils from the clean up of the Hudson River, and de-watering facilities not adversely impact the ecological or cultural resources of the Hudson River Valley; and be it further

**RESOLVED**, that Audubon New York will work with the federal and state trustees of the Natural Resources Damages Assessment Claim process as they assess the broad range of damages and pursue opportunities to suggest specific projects that benefit bird and other wildlife conservation.

Co-moved, and Seconded by, Respectively

Putnam Highlands Audubon Society  
Northern Catskills Audubon Society  
Saw Mill River Audubon Society  
Rockland Audubon Society  
Audubon Society of the Capital Region  
Hudson River Audubon Society of Westchester

## PROTECTING NEW YORK'S FRESHWATER WETLANDS

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- WHEREAS**, regardless of size, freshwater wetlands provide essential habitat for many species of migratory waterfowl, for numerous threatened, endangered, or species of special concern, such as the Bald Eagle and osprey, and for countless other amphibian, avian, fish, and wildlife species to nest, breed, and feed; and
- WHEREAS**, each individual wetland community is highly intricate, with most containing a diverse range of plant and animal species, including some species that are exceptionally rare; and
- WHEREAS**, The loss of these vital habitats have been linked to population declines in many amphibian species; and
- WHEREAS**, numerous freshwater wetlands can be found in Audubon Important Bird Areas (IBAs) throughout the state, and some of these, like Vischer Ferry Nature and Historic Preserve located in Saratoga County, and The Great Swamp located in Dutchess and Putnam Counties are host to very unique wetland habitats; and
- WHEREAS**, freshwater wetlands not only provide critical habitats for many plant and animal species, but provide countless other environmental benefits from flood protection and stormwater runoff control, to filtering pollutants, pesticides and sediments from the water; and
- WHEREAS**, Currently, the New York State Department of Environmental Conservation (DEC) has the authority to regulate wetlands 12.4 acres or greater that are mapped, while the federal government (EPA and Army Corp.) has authority over the rest; and
- WHEREAS**, a 2001 Supreme Court ruling in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers* limited the federal government's authority to regulate certain "isolated" wetlands under the Clean Water Act. "Isolated wetlands" are wetlands that are not connected by surface water to navigable waters of the U.S; and
- WHEREAS**, Since that time, the federal government has backed away from protecting these extremely important areas, and due to these recent federal rollbacks, many freshwater wetlands are no longer protected in New York State; and
- WHEREAS**, the Clean Water Restoration Act (HR 2421/ S 1870) has been introduced in Congress to reestablish federal authority over isolated wetlands, and enjoys broad bi-partisan support from the New York Congressional Delegation; and
- WHEREAS**, The Clean Water Protection/Flooding Prevention Act, sponsored by Senator Carl Marcellino and Assemblyman Robert Sweeney, decreases the size threshold for DEC regulation of freshwater wetlands, allowing them to protect wetlands 1 acre or larger, and it removes the mapping requirements for regulation, which will strengthen New York's wetlands law by increasing the states ability to protect these important freshwater wetlands; and
- WHEREAS**, this legislation enjoyed strong bi-partisan support in both the Senate and Assembly, and passed the State Assembly from 2004 through 2007, but was stalled in the Senate Rules Committee, and not allowed to be voted on by the full Senate; and

**WHEREAS**, if this legislation is not enacted, these wetlands will be left unprotected, and New York will remain the only state in the northeast that fails to protect small, isolated wetlands.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York strongly urges the New York Congressional Delegation to co-sponsor and strongly advocate for passage of the CWRA in the 110<sup>th</sup> Congressional session; and be it further

**RESOLVED**, that Audubon New York strongly urges the state Legislature to make passage of the Clean Water Protection/ Flood Prevention Act a priority in 2007, and urges the Senate leadership to allow this legislation to be voted on by the full senate; and be it further

**RESOLVED**, that Audubon New York urges Governor Paterson to explore administrative options to increase the DEC authority over freshwater wetlands, and make the passage of this state legislation a priority for his legislative agenda for the coming year, and be it further

**RESOLVED**, that Audubon New York will call upon members of the Legislature to continue to publicly declare their support for passage of this legislation, and will publish this list to Audubon Chapters in New York State, and be it further

**RESOLVED**, that Audubon New York supports any legislative or administrative measure that will increase the States ability to protect freshwater wetlands.

Moved and seconded by, respectively

Rockland Audubon Society  
Buffalo Audubon Society  
Bronx River/Sound Shore Audubon Society  
Genesee Valley Audubon Society  
Onondaga Audubon Society  
Northern Catskills Audubon Society  
Audubon Society of the Capital Region

## HIGHLANDS STEWARDSHIP ACT AND STERLING FOREST

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**WHEREAS**, the four-state Highlands region encompasses nearly two million acres of critical land and water resources, extending from eastern Pennsylvania through the States of New Jersey and New York, to northeastern Connecticut, forming a greenbelt adjacent to the Philadelphia-New York City-Hartford urban corridor; and

**WHEREAS**, within New York State, it includes portions of Orange, Westchester, Putnam and Dutchess Counties, the Highland mountain chain crossing the Hudson River at Storm King and West Point, and the adjacent Shawangunk Ridge; geologically it is part of the Reading prong, the Ramapos, the Catskills, Shawangunk Ridge and the Hudson Palisades including Hook Mountain and High Tor; and

**WHEREAS**, the national significance of the Highlands region has been documented in: the Highlands Regional Study conducted by the Forest Service in 1990; the New York-New Jersey Highlands Regional Assessment Update conducted by the Forest Service in 2001; the bi-state Skylands Greenway Task Force Report; the New Jersey State Development and Redevelopment Plan; the New York State Open Space Conservation Plan; the Connecticut Green Plan: Open Space Acquisition FY 2001-2006; the Open Space plans of the State of Pennsylvania; and other open space conservation plans for states in the Highlands region; and

**WHEREAS**, the Highlands region has been recognized as “nationally” significant by the USDA Forest Service in several studies of the region due to the quantity and quality of the region’s lands and waters, including wildlife habitat and recreational resources such as Sterling Forest State Park — Bird Conservation Area and Important Bird Area in Orange County and Great Swamp Important Bird Area in Putnam/Dutchess Counties that are located within two hours travel of nearly 25 million Americans; and

**WHEREAS**, the Highlands critical watershed lands contain reservoirs and aquifers that provide and protect high quality drinking water for over 15 million Americans; and

**WHEREAS**, the Highlands Stewardship Act which passed the House of Representatives and the Senate, and was signed into law by the President in 2004, and enjoyed the bipartisan support of 31 cosponsors from the four-state Highlands region of NY, NJ, PA and CT; and

**WHEREAS**, the Highlands Stewardship Act would facilitate a state and federal partnership to help the Highlands states conserve priority lands and waters in the Highlands through purchase of lands or conservation easements from willing sellers, thereby not infringing on private property rights or local control over land use in the region; and

**WHEREAS**, the Highlands Stewardship Act uses the conservation of Sterling Forest in New York Highlands as a model and authorizes \$10 million annually; and

**WHEREAS**, in 2006, New York State purchased 575 acres, the so called “hole in the doughnut”, to expand Sterling Forest State Park to more than 18,200 acres, protecting this important IBA from potential development; and

**WHEREAS**, there is a proposed mushroom factory development and other proposed development of the Shawangunk Ridge in Ulster County; proposed development of housing and a golf course on the Sterling Forge property within Sterling Forest in the Town of Tuxedo; application for quarrying of the Torne Valley in Rockland County; in Sullivan County and the Poconos, plans for building of 5 casinos, performing arts centers, as well as development pressure on the Route 84 corridor east of the Hudson River and on the Hudson Highlands, all of which affect the natural environment and have potential for increased traffic, solid waste, air pollution, damage to forests, slopes, and wetlands; and

**WHEREAS**, Audubon New York has joined a coalition of environmental and community groups in support of protecting the Highlands region.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York strongly supports public acquisition of buffer lands to Sterling Forest for park-related purposes; and be it further

**RESOLVED**, that Audubon New York advocates against any development of sensitive environmental areas within the Highlands region, such as Sterling Forest and the Shawangunk Ridge, and calls for a full environmental review of all the proposed major developments in the Catskill-Highlands region and other sensitive areas; and be it further

**RESOLVED**, that Audubon New York advocates for full funding of the Highlands Stewardship Act at the authorized \$10 million annual level.

Moved, and Seconded by, Respectfully,

Orange County Audubon Society  
Rockland Audubon Society

## BELLEAYRE MOUNTAIN/CATSKILL FOREST PRESERVE

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**WHEREAS**, Audubon New York has long been on record through a variety of resolutions as supporting the protection of the Forest Preserve lands in the Catskill Park and conserving critical natural areas, including the Catskill High Peaks and key wetland habitats; and

**WHEREAS**, Audubon New York has opposed efforts in the past to swap private lands for public lands to aid in the expansion of the Hunter Mountain Ski Center in what is a unique and important high-elevation spruce-fir habitat for a number of bird and other wildlife species, including Bicknell's Thrush and Black Bear; and

**WHEREAS**, Audubon New York has also opposed high elevation development proposals as likely to have an adverse impact on the flows and water quality of streams that feed the reservoirs that serve the New York City metropolitan water supply system; and

**WHEREAS**, a proposal to develop 1,960 acres of habitat on privately owned land adjacent to the Belleayre Mountain Ski Center, itself on Forest Preserve lands, is being considered by the New York State Department of Environmental Conservation, the New York City Department of Environmental Protection, Ulster County and the towns of Shandaken and Middletown; and

**WHEREAS**, as originally proposed , the Belleayre Resort at Catskill Park, would have included two separate developments, Big Indian Plateau (east of the ski center) and Wildacres Resort (west of the ski center) and would have consisted of two golf courses and 400 hotel rooms, 351 additional hotel and housing units, and a 21-lot single family residential subdivision, and the remaining issues are not areas where protection of birds and habitat will be considered; and

**WHEREAS**, in December of 2006 , the DEC Deputy Commissioner, ruling on an appeal from an Administrative Law Judge issues conference determination, dismissed 6 of 12 environmental issues that the Administrative Law Judge had found warranted formal adjudication; and

**WHEREAS**, in February 2007, Governor Spitzer initiated a process to bring key stakeholders together to develop a consensus-based plan that would balance the need to develop this area economically, with the need to preserve important habitat in the Catskill Peaks; and

**WHEREAS**, through this process, the parties entered into an " Agreement in Principle" whose terms call for the protection of more than 1,600 acres of open space, cluster development to the western portion of the project area, reduction of the development's impact on the environment is reduced by using energy efficient products, conserving water and promoting the use of native plants, requiring the proposed golf course to meet organic standards; and a regional smart growth planning initiative to begin addressing the threats from sprawl-type development along the Route 28 corridor; and

**WHEREAS**, the lower-build alternative development project described in the Agreement in Principle enjoys considerable, although not unanimous, support from respective town, county, state and federal officials as a necessary economic development benefit to the Western Catskill region that is also intended to be protective of environmental quality; and

**WHEREAS**, Congressman Maurice Hinchey had previously proposed major modifications to the project, effectively eliminating development on the 1,240 acre parcel east of the Belleayre Ski Center, but allowing for environmentally sound economic development on the west parcel, and those suggestions are similar to what is now outlined in the “Agreement in Principle”; and

**WHEREAS**, the “Agreement in Principle” is supported by The Catskill Center, the Natural Resources Defense Council, Riverkeeper, and other conservation organizations throughout the Hudson River Valley; and

**WHEREAS**, this development continues to be opposed by , the Catskill Heritage Alliance and the Pine Hill Water Coalition who have initiated a lawsuit to stop the project, and the Sierra Club and Friends of Catskill Park

**WHEREAS**, most of the project’s footprint has been eliminated within the Catskill Peaks Area Important Bird Area as specified in the “Agreement in Principle”, although portions of the project property still lie within part of this Important Bird Area; and

**WHEREAS**, Audubon New York bird conservation staff provided testimony about the value of this overall site as an Important Bird Area in DEC administrative hearings on the resort project in the summer of 2004, presenting ornithological evidence as one of the 12 issues before the DEC for adjudication as part of the SEQRA process; and

**WHEREAS**, the “Agreement in Principle” requires a comprehensive, supplemental environmental review process, including the preparation of a Supplemental Draft Environmental Impact Statement and public notice and comment on that draft, before any state permits can be issued, thus providing a further opportunity to analyze and potentially mitigate remaining environmental concerns;

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York, consistent with past positions to protect and conserve the Forest Preserve and High Peaks of the Catskills, will continue to actively monitor and review this proposed project, and will continue to actively participate in the SEQRA procedures being followed by the New York State Department of Environmental Conservation in reviewing the draft and final Supplemental Environmental Impact Statements; and be it further

**RESOLVED**, that Audubon New York, consistent with past positions with respect to protecting the integrity of the New York City water supply system and supporting the Catskill Watershed Agreement, and with respect to supporting the State Open Space Conservation Plan, will continue to carefully scrutinize all likely impacts of any proposed projects on the habitat, regional water quality and water flows; and be it further

**RESOLVED**, that Audubon New York recognizes that the project as now outlined in the “Agreement in Principle” is much less intrusive into the IBA, but consistent with past positions, calls for comprehensive environmental reviews be conducted on the portions of the property still slated for development, and

reserves the right to oppose the project if the potential costs to the Catskill Park environment , including habitat, regional water quality and water flow costs outweigh the perceived benefits to the regional economy and the local community; and be it further resolved that

**RESOLVED**, that in light of the substantial reduction in size and scope of the project in the “Agreement in Principle” which references an agreement with the Trust for Public Land to convey 1216 acres of land to TPL and such conveyance would include all of the affected IBA areas on the eastern side of the project and such conveyance would represent a significant protection of birds and bird habitat which is of greatest concern of Audubon New York, and taking into account the developer’s commitment in Paragraph 14 of the “Agreement in Principle” “to end its effort to pursue the Big Indian Plateau development” (which incorporates these 1216 acres), Audubon New York will support the Agreement in Principle, provided the developer does not include any proposal to develop this 1216 acre parcel in the forthcoming Supplemental Draft Environmental Impact Statement, and that the DEC insures that the intent of Paragraph 14 of the Agreement in Principle is reflected in the Record of Decision on the project.

Co-Moved, and Seconded by, Respectively,

Northern Catskills Audubon Society  
New York City Audubon Society  
Audubon Society of the Capital Region

## PROHIBIT THE USE OF ATVs AND ORVs ON ENVIRONMENTALLY SENSITIVE LANDS

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**WHEREAS**, the use of ‘all terrain vehicles’ (ATVs) or ‘off-road vehicles’ (ORVs) is a major threat to the ‘forever wild’ character of the designated Wild Forest, Wilderness and Primitive character of the Forest Preserve in the Adirondack and Catskill Parks, and is a major threat to other environmentally sensitive lands, such as the Long Island Pine Barrens, Long Island and Great Lakes beaches, Albany Pine Bush, and will have profound long term adverse impacts on these ecologically sensitive resources; and

**WHEREAS**, the Forest Preserve is protected under the ‘forever wild’ clause of the State Constitution, thereby protecting the wild, scenic and biologically diverse landscapes for future generations; and

**WHEREAS**, the use of ATVs is currently prohibited on Forest Preserve lands by state law and State DEC management policy, and the rules for their ownership and operation are carefully enumerated in a DEC policy advisory dated May 24, 2002, and explained clearly in a press release on the DEC official web page on that same date; and

**WHEREAS**, the use of ATVs is now prohibited on all roads in the forest preserve, and permitted for use by people with disabilities under special permit conditions; and

**WHEREAS**, town officials in the Adirondack Park are now defying state law by allowing ATV use on many local roads, and by doing so, condoning the expansion of ATV use and their resulting trespass on Forest Preserve property; and

**WHEREAS**, the use of ATVs and other motorized vehicles is prohibited in the Long Island Pine Barrens and Albany Pine Bush, but illegal use continues to increase; and

**WHEREAS**, New York’s coastal beaches provide important habitats for endangered and threatened species, such as the piping plover, and are vulnerable to motorized vehicle traffic; and

**WHEREAS**, in 2005, Assemblyman Richard Brodsky and Senator Charles Fuschillo introduced legislation to restrict vehicle access to coastal erosion hazard areas, which will benefit the birds and other wildlife that depend on undisturbed beaches to nest, breed and feed, in addition to protecting these habitats from erosion.

**WHEREAS**, the sales of ATVs in New York state continue to grow; 62,000 were registered in New York State in 1999, but industry estimates show that there are now 250,000 ATVs operating in the state, with only about 124,000 registered as required by law; and furthermore, many riders fail to comply with state laws with respect to insurance, safety helmets, and trespass; and

**WHEREAS**, state legislation has been proposed (A2747, S. 5303) in 2007 that would establish the ATV Trail Development, Maintenance and Enforcement Fund using a part of the ATV registration fee, would require registration plates be mounted on the front and rear, increase penalties including vehicle impoundment, provides state funds for ATV trails on private lands or land owned by local governments, and sets up an ATV damage remediation fund, but the bill provides no state aid for trails on public lands, including state lands on which there is a conservation or recreation easement. The bills expressly bolster current restrictions on ATV use on the Forest Preserve, specifically prohibiting any new designation or development of new ATV trails after the law is enacted.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York's clear goal is to support the state as it continues to prohibit the use of ATVs on all state Forest Preserve lands and roads, thereby preventing the negative impact on the habitat of birds and all other wildlife and thus preserving the qualities of the wilderness experience for this and future generations; and be it further

**RESOLVED**, that Audubon New York supports all current state laws, rules, regulations and policies with respect to ownership, registration and use of ATVs; and be it further

**RESOLVED**, that Audubon New York will advocate for strengthening both these laws and the strict enforcement of all laws, rules, regulations and state policies with respect to prohibiting ATVs on state Forest Preserve lands, Long Island Pine Barrens, Albany Pine Bush, and other environmentally sensitive areas; and be it further.

**RESOLVED**, that Audubon New York urge the New York State DEC with other government agencies, conduct a study of New York's beaches to determine the impacts of the use of motorized vehicles on beach habitat and wildlife; and be it further

**RESOLVED**, that Audubon New York strongly supports legislation to restrict vehicle access on coastal erosion hazard area, during nesting and at other times, as appropriate, to promote increased protection of New York's sensitive beaches and coastal IBAs from the negative environmental impacts posed by ATV and ORV use.

Co-moved, and Seconded by, Respectively

Southern Adirondack Audubon Society  
High Peaks Audubon Society  
South Shore Audubon Society  
Capital Region Audubon Society  
Northern Catskills Audubon Society  
Onondaga Audubon Society  
Great South Bay Audubon Socie

## LONG ISLAND SOUTH SHORE ESTUARY RESERVE AND ATLANTIC OCEAN BEACHES AND BAYS

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**WHEREAS**, the South Shore Estuary Reserve of Long Island is a priceless resource for all New Yorkers, is used by hundreds of thousands of people each year for recreation and fishing for shellfish and finfish; and

**WHEREAS**, Great South Bay Audubon Society has been an active participant in the South Shore Estuary Reserve Council, and the South Shore Estuary Citizen Advisory Committee and Technical Advisory Committee to the Long Island South Shore Estuary Comprehensive Management Plan which has now been completed and adopted; and

**WHEREAS**, Carmans River Estuary and Connetquot Estuary, identified as Audubon Important Bird Areas (IBA), are within the South Shore Estuary Reserve which is home to numerous bird species, including the Piping Plover, other shorebirds, waterfowl and migratory songbirds; and

**WHEREAS**, Long Island's Atlantic beaches and bays are important feeding, spawning, nesting, and migratory habitat for birds, fish and other wildlife which also contribute to the productivity of the Atlantic Ocean; and

**WHEREAS**, Jamaica Bay's tidal wetlands, an Audubon New York IBA, represent the largest remaining ecosystem in New York City, supporting a large number of animal and plant species, including thousands of shorebirds and a large colony of nesting herons, egrets, and ibis, all of which are enjoyed by many visitors from the city and beyond; and

**WHEREAS**, a Watershed Protection Plan for Jamaica Bay is required by New York City Local Law 71, with preliminary recommendations submitted to New York City Dept. of Environmental Protection (NYCDEP) by the Jamaica Bay Watershed Protection Plan Advisory Committee; and

**WHEREAS**, the New York State Department of Environmental Conservation has launched an initiative to research the disappearance of marshlands in Jamaica Bay; and

**WHEREAS**, in 1980 the United States Congress designated a 7-mile section of the Fire Island National Seashore (FINS) to be included in the National Wilderness Preservation System, known as the "Otis Pike Fire Island High Dune Wilderness Area"; and

**WHEREAS**, the FINS Wilderness Area is the only Federal wilderness in New York State, and is the smallest wilderness area managed by the National Park Service; and

**WHEREAS**, the FINS Wilderness Area contains hundreds of acres of tidal salt marshes providing important habitat for numerous species of waterfowl and wading birds, as well as for numerous aquatic plant and animal species, including many species listed as endangered or threatened; and

**WHEREAS**, the National Park Service and the Fire Island National Seashore has commenced a process to revise its General Management Plan, which should also include the revision of its Wilderness Management Plan, and which will govern the administration of this wilderness area for the next several decades; and

**WHEREAS**, The Long Island Power Authority and the Florida Power and Light Company, had

proposed construction of wind towers off the coast of Jones Beach, near an Audubon New York designated IBA, and was determined by the Long Island Power Authority management and some public interest advocates to be too costly to undertake; and

**WHEREAS**, the Red Knot is a migratory shore bird which travels from South America to the Arctic and back, stopping only once to feed on Horseshoe Crab eggs along the mid-Atlantic Coast, and absence of an abundant food supply significantly reduces the probability of the Red Knot successfully completing its Arctic journey; and

**WHEREAS**, recent studies have indicated that the Red Knot could become extinct in the next three to five years unless significant steps are taken to limit the take of Horseshoe Crab; and

**WHEREAS**, ensuring dynamic coastal processes and interactions between the ocean, barrier islands and estuaries is essential to ecosystem health; and

**WHEREAS**, incompatible development of the barrier islands, shoreline stabilization and engineering, bulkheading, incompatible recreation and nonpoint source pollution contribute to loss of wetlands, degraded beaches and dunes, loss of ecosystem integrity and biological diversity, as well as degraded water quality; and

**WHEREAS**, coastal management policy, even in the face of accelerating sea level rise, is unable to control rampant shorefront development and prevent redevelopment following storms; and

**WHEREAS**, as our ocean, coastal, estuarine and freshwater ecosystems are in a steady state of decline from the harmful effects of sprawl, runoff pollution, coastal and river habitat loss, and destructive over fishing practices, numerous scientific reports, including the Pew Oceans Commission, and the US Commission on Ocean Policy reports, have documented the effects these numerous environmental threats are having, and will continue to have on our aquatic ecosystems and fisheries, if appropriate actions to remedy them are not taken; and

**WHEREAS**, to address the decline in the ocean and coastal ecosystems, Audubon New York is now part of a diverse coalition of conservation interests, working to create a sustainable vision of the future of our ocean and coastline ecosystems, including increased funding for ocean, beaches and bays protection and comprehensive ocean protection legislation.

**THEREFORE, BE IT**

**RESOLVED**, that Audubon New York supports further wetland restoration projects throughout the South Shore Estuary Reserve; and be it further

**RESOLVED**, that Audubon New York supports coastal management that prepares for sea level rise by gradually moving people and structures out of vulnerable areas and works with natural processes; and be it further

**RESOLVED**, that Audubon New York supports a moratorium on the take of Horseshoe crabs in Delaware Bay, and urges Governor Paterson, and New York's representatives on the Atlantic States Marine Fisheries Commission to ensure this moratorium is maintained; and be it further

**RESOLVED**, that Audubon New York join New York City Audubon in support of the recommendations put forward by the Jamaica Bay Watershed Protection Plan Advisory Committee to NYCDEP for the creation of a comprehensive Watershed Protection Plan to restore the water quality and ecological integrity of Jamaica Bay for the benefit of the residents and visitors to the area; and be it further

**RESOLVED**, that Audubon New York opposes large scale and long term beach nourishment projects that may be proposed by the U.S. Army Corps of Engineers throughout the area included in or adjacent to the Fire Island National Seashore; and be it further

**RESOLVED**, that Audubon New York supports the continued administration of the FINS Wilderness Area by the National Park Service in strict conformity with the 1964 Wilderness Act, unless a new comprehensive wilderness management plan is created with strong public input; and be it further

**RESOLVED**, that Audubon New York strongly urges that any offshore Wind Farm proposal undergo extensive studies of potential bird mortality, such as the USFWS had recommended for the abandoned LIPA/FPL proposal, , and similar studies of other potential hazards, such as the effects upon marine mammals and fish, which should be competently and objectively structured and executed; and be it further

**RESOLVED**, that Audubon New York supports state and federal legislation and funding initiatives that help implement the South Shore Estuary Reserve Management Plan, enable land acquisition additions to national, state and municipal parks and refuges, establish post-storm conservation plans, and protect and naturally restore beaches and dunes; and be it further

**RESOLVED**, that Audubon New York supports increased funding for the Ocean, and Great Lakes Conservation fund, within an expanded Environmental Protection Fund, for the restoration and protection of coastal and marine ecosystems; and be it further

**RESOLVED**, that Audubon New York supports any legislative and administrative measures designed to increase protection of New York's ocean and coastal resources, and support the recommendations of the two national commissions reports, including the designation of new Bird Conservation Areas (BCAs) for birds that rely on the marine environment.

Moved, and Seconded by, Respectively

Great South Bay Audubon Society  
South Shore Audubon Society  
Central Westchester Audubon Society  
Bronx River-Sound Shore Audubon Societ

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## **Albany Office**

**200 Trillium Lane, Albany, NY 12203**  
**(518) 869-9731 / <http://ny.audubon.org> / (518)**  
**869-0737 (fax)**

Al Caccese, *Executive Director*  
Richard Merritt, *Director of Operations*  
Pam Musk, *Director of Centers and Education*  
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Graham Cox, *Open Space Coordinator*  
Jean Lynch, *Executive Assistant*  
Daphne Lumpkin, *Office Manager & Meeting Coordinator*  
Laura McCarthy, *Grassroots Coordinator*

## **New York City Office**

**700 Broadway, New York, NY 10003**  
Thomas O'Handley, *Director of Development*  
(212) 979-3120  
Sonia Putzel, *Development Associate* (212) 979-3121

Lisa Ganguzza, *Events Associate* (212) 979-3039  
Kim Keirnan, *For the Birds! Program Coordinator*  
(212) 979-3064  
Haley Main, *For the Birds! Environmental Educator*  
(212) 979-3073

## **Audubon New York Office at the Cornell Lab of Ornithology Important Bird Areas Program**

**159 Sapsucker Woods Road, Ithaca, NY 14850**  
Michael Burger Ph.D., *Director of Conservation & Science*  
(607) 254-2441  
Jillian Liner, *Director of Bird Conservation*  
(607) 254-2437  
Michael Morgan, *Wildlife Ecologist* (607) 254-2487

## **Audubon New York Long Island Field Office**

**P.O. Box 1635, Southold, NY 11971**  
**(631) 477-6456**  
Carolyn Spilman, *Long Island Bird Conservation Coordinator*

## **Constitution Marsh Audubon Center and Sanctuary**

**PO Box 174, Cold Spring, NY 10516**  
**(845) 265-2601**  
Eric Lind, *Center Director*  
Richard Anderson, *Assistant Director*  
Connie Mayer, *Program Director*  
Mary Charbonneau, *Administrative Assistant*

## **Kaler's Pond Audubon Center**

**P.O. Box 865, Center Moriches, NY 11934**  
**(631) 878-5576**  
<http://www.kalerspondaudubon.homestead.com>  
Adam McHeffey, *Teacher Naturalist*

## **Montezuma Audubon Center**

**P.O. Box 187, 2295 State Rte. 89, Savannah, NY 13146**  
**(315) 365-3580**  
Frank Moses, *Center Director*  
Carol Stokes-Cawley, *Education Manager*

## **Prospect Park Audubon Center**

**95 Prospect Park West, Brooklyn, NY 11215**  
**(718) 287-3400**  
<http://www.prospectparkaudubon.org>  
Jillian Rubio, *Center Director*

## **Theodore Roosevelt Sanctuary and Audubon Center**

**134 Cove Rd., Oyster Bay, NY 11771**  
**(516) 922-3200**  
Aaron Virgin, *Center Director*  
Christine Albanese, *Education Director*  
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## **Rheinstrom Hill Audubon Center, Buttercup Farm Audubon Sanctuary, RamsHorn-Livingston Audubon Sanctuary**

**PO Box 1, Craryville, NY 12521 (518) 325-5203**  
David Wheeler, *Warden/Manager*  
Larry Federman, *Assistant Warden/Educator*

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