



Audubon NEW YORK

STATE AND FEDERAL

CONSERVATION
POLICY
RESOLUTIONS
2010

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 Council 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. In 2009, a new analysis “Birds and Climate Change: Ecological Disruption in Motion”, was released that provides powerful evidence that global warming is having a widespread impact on natural systems. Each of these analyses looked at citizen science data from the last forty years, and found that populations of some of the most recognized and beloved birds have nosedived, and are now facing even more pressure from the effects of climate change.

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 findings also indicate that climate change is affecting common species all around us and signal the need for dramatic policy changes to combat pervasive ecological disruption and help nature adapt to a changing climate. 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 2008, and the Environmental Protection Fund Enhancement Act was passed in 2007, 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 Friends 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 has been consistently provided

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. The state continues to advance the BCA program and to date has designated 52 BCAs.

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.

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 passed by New York State early in 2008, and was enacted by Congress in October 2008. Audubon New York lead to the charge to ensure successful passage of this measure in New York State and strong support from the New York Congressional Delegation.

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.

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 2010 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 coalition in advocating for 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.

SECURING SUSTAINABLE STATE ENVIRONMENTAL FUNDING

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

WHEREAS, revenues from the RETT have provided a secure and stable source of environmental funding in good economic times and bad, and continually have generated more than enough revenue to fully fund the EPF; and

WHEREAS, in 2007, the Legislature and Governor recognized the need to protect the integrity of the EPF and meet the growing demand for environmental projects by enacting the EPF Enhancement Act which required the EPF to increase to \$300 million in Fiscal Year 2009-2010, through dedicated revenue from the RETT; and

WHEREAS, Audubon New York has consistently supported increased appropriations for the EPF including important categories like open space conservation, farmland protection, the Biodiversity Research Institute (BRI), the Zoos, Botanical Gardens and Aquaria (ZBGA) program, Ocean and Great Lakes conservation, the Finger Lakes Lake Ontario Watershed Protection Alliance, the Water Quality Improvements program and Invasive Species control and eradication projects; and

WHEREAS, Audubon New York strongly opposes any attempts to weaken the integrity of the EPF, especially through “sweeping” funds from the EPF for other purposes, by “offloading” programs traditionally funded in other parts of the budget at the expense of traditionally funded EPF programs, and by replacing the sustainable and proven RETT; 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 to 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, without drawing from the EPF to fund these positions; 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 2008, the legislature and Governor enacted a \$95 million reinvestment in the State Parks system for improvements at State Park facilities, 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, in 2009 the Legislature and Governor approved an expansion of the returnable Beverage Container Act to include water bottles, dedicating the revenues to the state’s General Fund; and

WHEREAS, in addition to dedicating the revenues from the expanded 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 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.

THEREFORE, BE IT

RESOLVED, that Audubon New York strongly urges the legislature to support enactment of the EPF Enhancement Act, protect its integrity by maintaining the RETT as the primary dedicated funding source, stop the sweeping of EPF funds, and increase funding for certain programs including the ZBGA program, the BRI, Ocean and Great Lakes funding, open space conservation, farmland protection and water quality improvement programs; and be it further

RESOLVED, that Audubon New York strongly supports any legislative measure that will increase the EPF, such as passage of a new environmental Bond Act, 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 supports further increases in state agency staffing from General Fund revenue or special funding categories other than the EPF; and be it further

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

All 27 Chapters of the Audubon Council of New York State.

SECURING DEDICATED STATE WILDLIFE PROGRAM FUNDING

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, including the Endangered Species Unit, Wildlife Diversity and Bird Conservation Programs, are largely supported by the Conservation Fund, and declining revenues to the Conservation Fund and reduced support from the state's General Fund put these important programs at risk; and

WHEREAS, fish and wildlife programs benefit all New Yorkers and should receive General Fund support, but instead during periods of state fiscal stress, programs not appropriate for funding by the Conservation Fund are shifted into it from the State's General Fund; 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, federal law required all States to develop a Comprehensive Wildlife Conservation Strategy (CWCS) to provide a blueprint for state actions to conserve birds and other wildlife and ensure that federal State Wildlife Grant funds are spent wisely; and

WHEREAS, to achieve the conservation of grassland birds, Audubon New York has partnered with the NYSDEC to institute a Landowner Incentive Program that will aid in the protection and management of critical grasslands across the state, funded by the U.S. Fish and Wildlife Service; 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 develop strategies to secure new sources of revenue;

THEREFORE, BE IT

RESOLVED, that Audubon New York supports adequate funding and 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, 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 conservation programs of the state; and
- continuation of 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

- 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 programs for non-game species conservation; and
- funding from the State of New York to add staff on Long Island for shorebird management and the enforcement of the state's environmental conservation laws; and be it further

RESOLVED, that Audubon New York strongly urges the NYSDEC to undertake a marketing campaign to better promote wildlife program funding mechanisms such as Return A Gift To Wildlife, the Habitat Access Stamp, and open space conservation license plates; 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 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
 Hudson River Audubon Society of Westchester, Inc.

FEDERAL WILDLIFE AND HABITAT FUNDING

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 and 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), and 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 consistently decreased with every federal budget year; and

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

WHEREAS, Audubon New York has always supported increased federal funds for parks, open space protection and wildlife conservation 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 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.

THEREFORE, BE IT

RESOLVED, that Audubon New York strongly supports full funding, as 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, with no incentives for increased offshore oil leases; and be it further

RESOLVED, that “Teaming With Wildlife”, the “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 2008 Farm Bill such that adequate funds are available for New York State to effectively achieve conservation in New York and other parts of the Northeast.

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 52 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.

Habitat loss has been identified as one of the greatest threats to biodiversity, and residential development is a major contributor to that loss. A valuable step to address habitat loss by development, is predicting where developmental pressures are impacting critical habitats. Through support from the Biodiversity Research Institute, Audubon New York has created a system to

help further guide conservation actions, including land protection and smart growth planning, at Important Bird Areas (IBAs) throughout the state. Through this effort, Audubon has identifies areas of the state that are facing the greatest rates of development pressure, and has redoubled our efforts to promote smart growth and wise land use decisions across the state.

In addition to this development pressure assessment, other ongoing analyses by Audubon researches and the recently released New York State Breeding Bird Atlas have shown that this development pressure from sprawl and industrialized agricultural practices, are causing New York's grassland bird species to plummet faster than any other habitat specific group of birds. To guide new and ongoing efforts to curb these precipitous declines, Audubon New York released a comprehensive *Plan for Conserving Grassland Birds in New York*. This groundbreaking assessment finds that private landowners and farmland preservation hold the key to the future survival of these species. Audubon New York continues to be a leader in advocating for the adoption of Smart Growth principles, and in developing incentives for private landowners to engage in conservation.

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.

COMBATING INVASIVE SPECIES

- WHEREAS**, non-native, invasive plants animals and pathogens 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**, 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 these organizations have been expanded and have 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 And that, additionally, there is very little grant funding available to either municipalities or NGO's; and
- WHEREAS**, in 2003, Audubon New York strongly supported the creation of the Invasive Species Task Force, and has advocated for implementation of their recommendations; and
- WHEREAS**, the Invasive Species Council, which is chaired jointly by the DEC and Department of Agriculture and Markets and the DEC's Office of Invasive Species were established in 2007 to provide the necessary State coordination to address the spread and management of 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 Invasive Species Task Force recommendations by the State Legislature, and State Agencies; and be it further

RESOLVED, that Audubon New York urges the Governor 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 marine ecosystems, and the National Aquatic Invasive Species Act; and be it further

RESOLVED, that Audubon New York supports the continuation of the PRISMs, and will provide technical assistance with these initiatives; and be it further

RESOLVED, that Audubon New York supports increased EPF Funding for combating invasive species to provide the necessary support for implementation of 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
Central Westchester Audubon Society

REDUCING PESTICIDES USE

- 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, and Audubon New York are 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 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 been successful working with local Audubon Chapters to encourage Counties to adopt this important tool ; and
- WHEREAS**, Suffolk County in New York State has performed 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**, waste tires are prime breeding areas for mosquitoes, and waste tire stockpiles have become an increasingly serious problem across New York State.

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, including considering the impact on non-target species and public health concerns related to pesticide exposure; and be it further

RESOLVED, that Audubon New York supports the implementation of alternative means of providing 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 proactive 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
Bronx River/Sound Shore Audubon Society

REDUCING BIRD COLLISIONS WITH GLASS

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

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

WHEREAS, glass is deceptive to birds, whether it mirrors nearby trees or appears to reveal a flight path through a human-built structure; and

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

WHEREAS, in recent years New York State has experienced record growth in many communities on the fringes of or actually in areas of natural habitat, thus increasing birds' exposure to window glass; and

WHEREAS, New York City is the location of the largest concentration of high-rise residential and commercial buildings and home to many of the world's leading architectural firms; and

WHEREAS, New York State has historically been home to major glass manufacturers, a declining industry that could be revitalized and become a significant economic development engine for job creation through developing, producing and requiring bird-safe glass to be used in construction; and

WHEREAS, New York City Audubon has established a Bird Safe Glass Working Group composed of architects, designers, conservationists, and ornithologists who are exploring ways to manufacture a glass that is visible to birds and transparent to people and has recently published Bird-Safe Glass Building Guidelines; and.

WHEREAS, the Leadership in Energy and Environmental Design (LEED) green building rating system developed by US Green Building Council allows credits for bird-safety under the category of Innovation and Design process.

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 manufacturers, utility companies, ornithologists, environmental groups, builders, glass designers, architects, and representatives from the US Green Building Council to develop recommendations and policies related to research into and use of bird-safe glass and related to incorporation of bird-safe criteria into a bird-safe credit rating system of the US Green Building Council LEED standards for buildings.

Co-Moved, and Seconded by, Respectively

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

REDUCING IMPACTS OF TOWERS AND OTHER STRUCTURES ON BIRDS

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, lights in or on tall lighted structures, such as skyscrapers and 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 (FAA), but flexibility exists in the color and duration of such tower lighting requirements; and

WHEREAS, the Federal Communications Commission (FCC) is still considering changes to its rules and practices to comply with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and the Migratory Bird Treaty Act (MBTA), and Audubon has contributed extensive comments urging the FCC to act to reduce avian fatalities; and

WHEREAS, studies have been completed that show avian fatalities at communications towers are related to height, presence of guy wires, and lighting scheme, with significantly more birds killed at taller towers, towers with guy wires, and towers with constant-on lights; and

WHEREAS, minimum night lighting, including the use of only flashing lights on communications towers, 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.

THEREFORE, BE IT

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 communication 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 governments 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 municipal, county and state levels that are in compliance with the Telecommunications Act of 1996; and be it further

RESOLVED, that Audubon New York urges the Governor 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 urges the FCC to address bird fatalities at communications towers and to comply with NEPA, ESA, and MBTA in its administration of the antenna structure registration program and supports changes to the FCC communication tower requirements and the FAA 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
Northern New York Audubon Society
Delaware-Otsego Audubon Society

REDUCING FISH KILLS BY EXISTING POWER PLANTS

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 for a single power plant (e.g., Indian Point Nuclear Power Plant withdraws up to 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 caused by cooling water intakes; and

WHEREAS, closed-cycle cooling technology exists that reduces cooling water withdrawals by up to 98 % 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, even though they are subject to this mandate; and

WHEREAS, the most recent proposed EPA Phase II cooling water intake regulations for existing power plants was suspended by EPA and subject to litigation up through the Supreme Court, and the Obama Administration’s EPA is in the process of drafting new regulations which should require the older existing power plants to stop killing billions of fish, eggs and larvae each year; 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 still 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, thereby neglecting for over a decade its duty to ensure that power plants on the Hudson River use the most environmentally friendly technology available; and

WHEREAS, on March 10, 2010, the DEC released a new proposed policy that will add significant protections for New York’s vital fisheries by slashing water intake at power plants and other industrial facilities. The proposed policy would require implementation of closed cycle cooling technology, or its equivalent as “best 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 or its equivalent. 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 the review of 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; and be it further

RESOLVED, that Audubon New York urges the DEC to formally adopt the proposal it released on March 10, 2010, requiring power plants to implement closed cycle cooling technology or its equivalent as “best technology available”.

Co-moved, and Seconded by, Respectively

Putnam Highlands Audubon Society
Northern Catskills Audubon Society
Orange County Audubon Society
Rockland Audubon Society
Central Westchester Audubon Society
Bronx River/Sound Shore Audubon Society

PROTECTING WILDLIFE AND PUBLIC HEALTH FROM FERAL AND FREE-ROAMING CATS

WHEREAS, it is estimated that nationwide feral and free-roaming domestic cats kill at least a billion birds every year, including rare and endangered species such as Piping Plover; and

WHEREAS, feral and free-roaming domestic cats have also been estimated to kill more than a billion native small mammals annually, competing with native predators such as Great Horned Owl and Red-tailed Hawk for important prey species; and

WHEREAS, domesticated over 8,000 years ago and introduced to North America through European exploration and colonization, feral and free-roaming domestic cats are considered to be an exotic, or non-native, species in all environments in which they occur. Moreover, because of their ability to overwhelm native species in areas where they are introduced, domestic cats can be classified as an invasive species; and

WHEREAS, domestic cats have been identified by the International Union for the Conservation of Nature as one of the world's worst invasive species and a leading driver of bird species extinctions as well as local population extinctions; and

WHEREAS, feral and free-roaming domestic cats that are unvaccinated are highly susceptible to and can spread fatal diseases to pets and native wildlife, and furthermore these cats represent a public health hazard to humans in that they can and do spread toxoplasmosis, roundworms; and are the most common domestic animal rabies vector in the United States; and

WHEREAS, there are many unlawful established colonies of feral and free-roaming domestic cats on public lands and in sensitive wildlife areas across the state which further encourage the abandonment of cats, and as these populations increase, so do the threats to birds and other wildlife, as well as to human health; and

WHEREAS, the supplemental feeding of feral cat colonies does not moderate unacceptable negative impacts on native birds and wildlife, as research has demonstrated that even well-fed cats kill and, in fact, are in better physical condition and therefore better able to kill native wildlife; and

WHEREAS, cat owners can take many steps to reduce the risk to birds and other wildlife by keeping cats indoors, not feeding feral or free-roaming 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 in conjunction with International Migratory Bird Day to raise awareness of this program; and

WHEREAS, existing non-lethal population control programs (i.e. Trap Neuter Return programs) to vaccinate and to neuter or spay feral and free-roaming domestic cats have not been proven effective to reduce the size of feral cat colonies; and

WHEREAS, laws and regulations exist that protect birds and other wildlife from feral and free-roaming domestic cats such as the federal Migratory Bird Treaty Act and Endangered Species Act ; and

WHEREAS, actions associated with maintaining feral cat colonies such as dumping of unwanted pets, supplemental feeding, and placement of shelters, are often in violation of local littering, feeding, and pet abandonment laws; 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 an agent thereof, for any purpose except adoption or redemption by its owner; and

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

THEREFORE, BE IT

RESOLVED, that Audubon New York opposes the feeding and maintenance of feral cat colonies in or near 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 pet care; and be it further

RESOLVED, that Audubon New York and local Audubon chapters support reasonable measures, including legislative and regulatory initiatives as, and if, needed to require parks staff, other public land managers, and municipalities to remove feral cat feeding stations and shelters on park property in or near Important Bird Areas or other wildlife-sensitive habitats, and measures that will restrict and regulate the maintenance and movement of feral and free-roaming 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
North Shore Audubon Society
Northern New York Audubon Society
New York City Audubon Society
North Fork Audubon Society

HUMAN/LOCAL BIRD POPULATION CONFLICTS

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: USFWS; the United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services; the 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; and

WHEREAS, 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, however 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, species that have been targeted for management include: American Crows (*Corvus brachyrhynchos*) for impacts from large winter roosting congregations; Canada Geese (*Branta canadensis*) for large non-migratory populations causing deposition of fecal material in recreational areas, beach closures due to bacterial contamination, impact on wetland habitats, and collisions with airplanes; 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 consuming ~~ingestion~~ 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

PROMOTING RESPONSIBILITY SITED WIND POWER AND BIOFUEL DEVELOPMENTS IN NEW YORK STATE

WHEREAS, energy from nonrenewable sources, such as fossil fuels, is associated with several major negative environmental impacts, including habitat loss and damage from mining and drilling, oil spills, pollution, acid rain, and global climate change, among others; and

WHEREAS, Audubon New York supports the development of renewable sources of energy, including power-producing wind turbines that are properly sited, and biofuels, because they have the potential to reduce the negative environmental impacts of fossil fuels, including carbon dioxide emissions; 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 turbine developments) is increasing across the state; and

WHEREAS, even though wind power is a clean, renewable source of energy with few negative environmental impacts, these facilities have the potential to harm birds, bats and other wildlife through direct mortality from collisions, through habitat degradation from turbine and transmission line construction and maintenance, and through behavioral changes that cause increased energy expenditures; and

WHEREAS, these potential impacts of wind turbines and other sources of energy can be mitigated through proper site assessments prior to construction of facilities to avoid the placement of wind energy developments in high risk areas; and

WHEREAS, evaluation of risks associated with a proposed wind power development requires thorough evaluation of avian mortality and other impacts at existing and new facilities; 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, the New York State Department of Environmental Conservation has developed guidelines for studying potential and realized bird and bat mortality at wind power facilities in New York State, including site assessment and post-construction studies of impacts; and

WHEREAS, Grassland birds, such as Bobolinks, Short-eared Owls, Eastern Meadowlarks and other species that depend on open, grassland habitats such as hayfields and pastures, are a group of species in serious decline in New York State, and may be disproportionately impacted by development of biofuels and wind energy; and

WHEREAS, grassland bird populations are threatened in some areas where agricultural practices have intensified resulting in habitats that do not allow grassland birds to breed successfully, and in other areas where lost habitat is being converted to production of biofuel crops that do not provide suitable breeding or foraging habitat; and

WHEREAS, as New York State seeks to increase development of biofuels, specific attention must be paid to the impacts of the production of biofuel crops on wildlife species and habitats; and

WEHREAS, in absence of reforming Article X (the section of law governing power plant siting which sunset in 2003) through executive order in 2008 Governor Paterson created the State Energy Planning Board and tasked them with developing a state energy plan; and

WHEREAS, without a new Article X, local Towns have been left in control of siting energy facilities, and this has lead to inappropriately-sited facilities and no analysis of cumulative impacts of individual town decisions resulting in new wind power developments with those in surrounding towns; and

WHEREAS, in order to fully assess the impacts of renewable energy production, state agencies such as the DEC and the Public Service Commission must have oversight regarding the development of energy, including renewable energy facilities, in New York State.

THEREFORE, BE IT

RESOLVED, that in an attempt to limit negative impacts to the environment, in particular to birds, Audubon New York calls for a comprehensive, consistent approach in requiring and performing avian assessments at proposed wind turbine development sites that follows the guidelines released in early 2009 by the DEC; and be it further

RESOLVED, that Audubon New York urges the state to mandate the observance of the DEC's guidelines for bird and bat studies through the state energy planning process or through legislation; 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) bird migration pathways or in areas where birds are highly concentrated during migration; 2) sites in habitats 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 fragment and significantly lower the habitat value of the site; and be it further

RESOLVED, that Audubon New York encourages 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 and DEC guidelines in their construction; and be it further

RESOLVED, that all sources of energy, including renewable energy, go through appropriate and comprehensive environmental reviews and cumulative impact assessments, and that in the development of new energy transmission infrastructure, the protection of IBAs, BCAs, wetlands, and unfragmented habitat be a priority; and be it further

RESOLVED, that representatives of the DEC's office of Natural Resources, the Division of Fish, Wildlife and Marine Resources, and office of Invasive Species must be consulted in the development of the State Energy Plan, as these wildlife and plant biologists would add an important perspective regarding the impacts that siting energy facilities and alternative fuel choices may have on species of conservation concern and their habitats, providing necessary protection of the State's natural resources as New York pursues its sustainable energy future; and be it further

RESOLVED, that Audubon New York calls for the State's energy plan to assess and document the effectiveness of alternative energy sources in offsetting our need for fossil fuels and actually reducing carbon dioxide emissions; and be it further

RESOLVED, that Audubon New York calls for coordinated state oversight and regulatory authority regarding the development of alternative energy sources in New York State, and that such oversight includes review and approval by the DEC in order to minimize impacts to birds, bats, other wildlife and their habitats.

Moved and Seconded by Respectively,

All 27 Chapters of the Audubon Council of New York State.

REDUCING LEAD CONSUMPTION BY HUMANS AND WILDLIFE

WHEREAS, Audubon New York supports effective management of the deer herd in New York through regulated hunting, as an uncontrolled deer herd poses a significant threat to the health of wildlife habitat and the wildlife dependent on those habitats; and

WHEREAS, most deer hunters in New York use lead slugs and bullets; and

WHEREAS, lead is a known toxic substance with serious health effects for wildlife and humans alike, including neurological damage, retarded growth and cognitive development, sensory loss, behavioral impacts, and death, among others; and

WHEREAS, bullets and slugs containing lead pose a well documented threat to scavenging wildlife that consume bullet fragments in wildlife carcasses that hunters fail to retrieve, internal organs of retrieved animals that are disposed of in the field, and also from carcasses of wildlife considered vermin or furbearers that are not consumed by hunters; and

WHEREAS, many species of wildlife in New York, including eagles, vultures, ravens, crows and numerous mammal species, consume meat from these carcasses containing lead ammunition; and

WHEREAS, reports from multiple states' venison donation programs show meat packages intended for human consumption can be contaminated by lead; and

WHEREAS, venison is donated and distributed to needy families in many states including New York; and

WHEREAS, lead consumption from ammunition may pose a significant health risk to humans, and a threat to wildlife, including a number of endangered, threatened, or declining species; and

WHEREAS, The Wildlife Society supports the replacement of lead-based ammunition with non-toxic products and a phased-in approach to replacing lead ammunition in hunting; and

WHEREAS, effective alternatives to lead ammunition for deer hunting are now available to hunters, and non-toxic ammunition is currently required for waterfowl hunting.

THEREFORE BE IT,

RESOLVED; that for products for which alternatives are readily available, specifically lead bullets and slugs used in muzzleloading rifles, centerfire rifles, and shotguns, Audubon New York calls on the New York State Legislature and Department of Environmental Conservation to address, without delay, the need to immediately begin phasing-out the use of lead bullets and slugs for hunting; and be it further

RESOLVED, that Audubon New York urges the development of educational efforts to promote greater awareness of the consequences of lead exposure to wildlife populations and the potential gains for wildlife from the use of non-toxic ammunition; and be it further

RESOLVED; that Audubon New York calls on the New York State Department of Environmental Conservation to develop regulatory criteria and labeling requirements for non-toxic ammunition that includes a means for ready identification in the field.

RESOLVED, that Audubon New York will work to build consensus with the conservation community on a comprehensive approach to this issue.

Co-Moved, and Seconded by, Respectively,

Delaware-Otsego Audubon Society
Great South Bay Audubon Society
Audubon Society of the Capital Region
Northern New York Audubon Society
Central Westchester Audubon Society
Bronx River/Sound Shore Audubon Society

HABITAT CONSERVATION

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.

COMBATING GLOBAL WARMING

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 (CO₂) and methane, which prevent heat from escaping the earth's atmosphere, causing temperatures to rise; and

WHEREAS, current CO₂ 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 similar changes; and

WHEREAS, increased CO₂ 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, in 2009, the American Clean Energy and Security Act was introduced, which would require CO₂ emissions in the United States be reduced by 80% by 2050 and establish a federal cap and trade program for CO₂ emissions, which is widely agreed upon by the environmental community as the most important approach to address global warming; and

WHEREAS, in the absence of strong federal regulations to control greenhouse gas emissions, New York State has taken several steps to reduce CO₂ emissions, including the goal of reducing CO₂ 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 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 has initiated a process to develop a Climate Action Plan for the state; 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 CO₂ emissions from power plants through developing a model market based cap and trade program; and

WHEREAS, in 2008, New York state participated in the first auction of Carbon Allowances under RGGI, and NYSERDA is currently developing a program to determine how the proceeds from this auction will be used. ; and

WHEREAS, Audubon New York has advocated for a portion of the proceeds to be used to develop strategies to help ecosystems and the species they support adapt to the changing climate, by protecting and enhancing habitats that are critical for species migration, providing connectivity between ecosystems to allow for this migration, and by helping coastal communities prepare for sea level rise by protecting the freshwater and coastal habitats which provide buffering from storm surges; and

WHEREAS, The New York State Legislature and Governor created the Sea Level Rise Task Force to assess the impacts to New York's ocean and freshwater coasts and develop strategies to mitigate these threats which has the potential to create tens of billions of dollars in remediation strategies and 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 CO₂ 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 the Governor 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 that a portion of the proceeds are dedicated to developing a program to help wildlife and habitats adapt to a changing climate; 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

RESOLVED, that Audubon New York urges the New York Congressional Delegation to advocate for action in the 111th Congress to enact comprehensive legislation to combat global warming, reduce dependency on fossil fuels, reduce CO2 emissions and provide resources to help birds, other wildlife and their habitats adapt to a changing climate.

Co-moved, and Seconded by, Respectively
All 27 Chapters of the Audubon Council of New York State.

RESTORING LONG ISLAND SOUND

WHEREAS, Long Island Sound is a globally significant ecosystem providing critical habitat for an extraordinary array of birds, fish and other wildlife, and contributing more than \$6 billion to the Northeast regional economy annually; and

WHEREAS, the quality of its waters and marine environments impact more Americans than any other estuary in the United States, as more than 28 million people, a full 10 percent of the US population live within 50 miles of its shores; and

WHEREAS, in 1985, 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, Over recent history, Long Island Sound has undergone unprecedented pollution, habitat loss, ecosystem and fishery disruption, including significant mortality of lobsters, and since the early 1990s, the Sound has faced severe threats from excessive nitrogen discharges from Sewage Treatment Plants and other non-point sources; and

WHEREAS, This unprecedented nitrogen loading has resulted in a growing annual "dead zone" in the western portion of the Sound where hypoxia is choking out aquatic life, harming the vital fishery, recreational opportunities, and the economic vitality of the region.

WHEREAS, Audubon New York, Audubon Connecticut, the National Audubon Society's policy office, and our local Chapters have been a leading voice for protecting and restoring Long Island Sound; and

WHEREAS, Audubon New York's "Listen to the Sound" Campaign of 1990 helped build public support and attention to the restoration needs of the Sound, founded the Long Island Sound Watershed Alliance, generated public comments on 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 called for the creation of a Long Island Sound Stewardship System to protect and properly manage the important open space resources around the sound; and

WHEREAS, to address these threats to the Sound's health, the federal and state Governments have passed critical measures that have invested in the Sound's restoration including; the Clean Water/Clean Air Bond Act passed by New York State voters in November of 1996 which provided \$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 on upgrading the wastewater infrastructure and protecting water quality to meet the nitrogen reduction goals of the Long Island Sound clean-up plan, and was reauthorized for another five years in 2005; and

WHEREAS, the Long Island Sound Stewardship Act, was passed in 2006, authorizing up to \$25 million annually for the acquisition of land and conservation easements, and the enhancement and improvement of exemplary natural areas around the Sound; and establishes public access to the Sound as a major goal; and

WHEREAS, the 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 started by Audubon New York has and other federal, state, and local government and nonprofit organizations from New York and Connecticut, that developed a consensus based strategy for creation of the Stewardship System; 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, have the potential to impact the Sound's marine resources; all proposals for large scale development 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 strongly urges federal, state, and local governments to aggressively pursue implementation of the Comprehensive Conservation and Management Plan (CCMP) according to the timetables stipulated in the Plan, and provide the necessary funding, and legislative and regulatory actions needed to restore the Sound; and be it further

RESOLVED, that Audubon New York supports appropriations of \$40 million per year for the Long Island Sound Restoration Act, and \$25 million per year for the Long Island Sound Stewardship Act; and be it further

RESOLVED, that Audubon New York urges Congress to reauthorize the Long Island Sound Restoration Act and streamline the program by combining both Acts and creating an omnibus Long Island restoration and Stewardship authorization; 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 the Long Island Sound watershed 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 DEC of both the Phase One (Point Source and large Municipalities) and Phase Two (Municipal Separate Storm Sewer System) permit programs. These EPA-created programs require 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 Sound 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
North Fork Audubon Society

PROMOTING SMART GROWTH

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), which has been successfully put into practice in Maryland, Illinois, Wisconsin, Oregon and Washington, 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, from 1999 through 2004, Audubon New York organized four Smart Growth Conferences and chaired the Smart Growth Working Group that established, a set of smart growth principles, drafted and endorsed consensus legislation, and advocated for state funding for smart growth pilot projects; and

WHEREAS, State legislation has been introduced 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, these bills have also endorsed 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, a Smart Growth Cabinet was created by Governor Paterson, 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 2nd 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, City and Town of Rye in Westchester County, 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 2010-2011 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

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

PROTECTING THE ADIRONDACK PARK

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, challenges constantly confront the Park's biological integrity, including illegal use of ATVs on the Forest Preserve, the snowmobile trail development plan, increasing rates of second home development, proposed Great Camp estates such as 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 at Tupper Lake 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 extensive wetlands, 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 plant required to be built; and

WHEREAS, efforts to mediate the redesign of this project have broken down and DEC will have to begin an adjudicatory hearing process, and if this project were to go through in its proposed form, 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 (UMPs) for much of the Forest Preserve, whose preparation has been on hold for two years, will stretch the staff resources for the APA once the UMP process restarts, raising the possibility of approved 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 which provide for continued sustainable forestry, significant public recreation and fishing access as well as lifting potential subdivision and development pressures; and

WHEREAS, Audubon New York has actively supported the efforts of the Adirondack Council, Adirondack Mountain Club, Protect the Adirondacks, the Adirondack/North Country Association, and the Association of Adirondack Towns and Villages as well as the APA and DEC to implement the priorities in “The Blue Print for the Blue Line”, an agreement 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 and property tax laws. 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 “Blue Print for the Blue Line” document. 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
Northern New York Audubon Society
Northern Catskills Audubon Society
Audubon Society of the Capital Region

CONSERVING THE NORTHERN FOREST

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 economic 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 an uncertain future; and

WHEREAS, in the course of the last five 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, with a grant from the U.S. Department of Commerce, Economic Development Administration, has completed 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, the Northern Border Economic Development Commission Act of 2007, was successfully incorporated into the 2008 version of the Farm Bill with strong support from Northern Forest congressional representatives. This new section declares the region in need of special measures to guide its economic future, create a regional planning commission, allocate \$30 million a year in new funds for 10 years 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.

WHEREAS, habitat fragmentation and suburban sprawl are a leading threat to birds across the state and in high priority habitats in the Northern Forest portions of New York, and reducing development pressure from increased road construction and maintenance is a high priority; and

WHEREAS, In 2008, legislation was introduced to allow Towns to designate certain roads as “Low Volume Roads”, helping municipalities reduce the costs associated with bringing these roads to state or national standards; and

WHEREAS, In addition to reducing costs, low volume and particularly minimum maintenance roads are a management tool that helps to conserve working landscapes (forest and agriculture), and also serves as a deterrent to residential development that could result in land fragmentation and competition to working landscapes.

THEREFORE BE IT:

RESOLVED, that Audubon New York urges NEFA and the Northern Forest Center 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 contribute to a regional economic strategy; and be it further

RESOLVED, that Audubon New York strongly urges Congress to provide increased resources for habitat protection by appropriating the funds described in the 2008 Farm Bill; and be it further

RESOLVED, that Audubon New York urges NEFA, the Northern Forest Center and the Northern Forest Alliance to set 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, that 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; and be it further

RESOLVED, that Audubon New York strongly urges enactment of legislation to establish low volume roads.
Moved and Seconded by, Respectively

Northern New York Audubon Society
Southern Adirondack Audubon Society

ELIMINATING ACID DEPOSITION (ACID RAIN)

WHEREAS, acid deposition has been and continues to be a chronic environmental problem in New York State and throughout the Northeast, which has already severely degraded aquatic and terrestrial ecosystems throughout the region; 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 a seriously degraded 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 soils, 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, in addition to carbon dioxide, also contribute to global warming; and

WHEREAS, New York state has taken measurable steps to require New York's electric generators to meet the toughest air emission standards for sulphur dioxide and nitrogen oxides, to adopt tougher air emission standards for Sport Utility Vehicles which took effect in 2005, and to sue 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 USEPA issued the Clean Air Interstate Rule (CAIR), which will reduce SO₂ emissions in 28 eastern states by over 70 percent and NO_x 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 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 reneged in its commitment to clean air laws and their enforcement.

Moved, and Seconded by, Respectively

All 27 Chapters of the Audubon Council of New York State

CONSERVING AND RESTORING THE GREAT LAKES

WHEREAS, the Great Lakes are a world renowned and globally significant freshwater resource that contains more than 20% of the world's fresh water; 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, encompassing eight states and two Canadian provinces contains many Audubon Important Bird Areas (IBAs) and 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, ; 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) is currently developing a new regulation for the management of water levels in Lake Ontario - St. Lawrence River system; 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 was passed by all eight Great Lakes States and Congress in 2008,

WHEREAS, the Great Lakes Regional Collaboration (GLRC) was initiated in 2004 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, 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, was reauthorized in 2008 for two years providing only \$54 million annually; and

WHEREAS, in 2009 President Obama and Congress enacted the Great Lakes Restoration Initiative, investing \$475 million in critical projects to protect and restore the Great Lakes; 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 established a Council of State Agencies to coordinate the management of our freshwater and marine 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 swift implementation of the Great Lakes Compact, including the establishment of strong water conservation and efficiency measures, to protect the Great Lakes ecosystem from unnecessary and damaging water withdrawals; and be it further

RESOLVED, that Audubon New York urges the Governor 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 urges President Obama and Congress to continue major investments in the Great Lakes Restoration Initiative and provide support for priority Great Lakes programs; and be it further

RESOLVED, that Audubon New York supports increased state EPF funding for the conservation and restoration of the Great Lakes.

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
Northern New York Audubon Society

RESTORING THE HUDSON RIVER

WHEREAS, in 1987, New York State passed the Hudson River Estuary Management Act, Section 11-0306 of the Environmental Conservation Law directing the New York State Department of Environmental Conservation to develop a management plan and program for the conservation of the tidal portion of the river from the Troy dam south to the Verrazano Narrows and its associated shorelands:

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 through a continually evolving Action Plan:

WHEREAS, populations of signature fishes of the estuary, the Atlantic Sturgeon and American Shad, are at unacceptably low numbers forcing a closure of the sturgeon fishery in 1996 and a proposal to close the shad fishery in 2010, resulting in the loss of traditional fisheries of cultural importance to the region:

WHEREAS, the United States Environmental Protection Agency (EPA) has released a Record of Decision in February 2002 calling for an extensive clean-up of Hudson River sediments contaminated with PCBs resulting from historic pollution from the General Electric Corporation and Phase 1 of the PCB dredging program has been completed in November 2009:

WHEREAS, funding is available through the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for the Natural Resources Damages Assessment Claims process assessing losses to the public from the PCB contamination from injury to natural resources:

THEREFORE, BE IT

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 Plan, Action Plans and Agendas and urges full funding of the Environmental Protection Fund and full allocation for the estuary management program; and be it further:

RESOLVED, that Audubon New York supports the allocation of funds and resources necessary to accomplish key items in the Shad Recovery Plan including the examination of other factors that impact shad populations such as power plants, ocean bycatch and predation, as well as the the commercial harvest of shad, and studies that characterize, protect and restore in-river spawning and nursery habitats, ecosystem changes, and assessments of adult spawning stock and juvenile surveys of both species; and be it further:

RESOLVED, that Audubon New York supports the EPA's PCB remediation plan as detailed in the most recent Consent Decree, strongly urges implementation of Phase 2 of the plan, and that best technologies be utilized restore disturbed areas, comply with protective standards and that treatment and disposal of spoils 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
Central Westchester Audubon Society

PROTECTING NEW YORK'S FRESH WATER WETLANDS

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 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 has been introduced in New York to decrease 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 has passed the State Assembly from 2004 through 2008, 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.

WHEREAS, local governments can also take important steps to protect freshwater wetlands in their localities, including passing ordinances that ensure the protection of these important resources.

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 111th 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 2010; 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 a 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
Central Westchester Audubon Society

CONSERVING THE HUDSON HIGHLANDS, STERLING FOREST, AND THE GREAT SWAMP

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 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, but the region is facing some of the highest rates of development pressure in the state; and

WHEREAS, the Highlands Stewardship Act, enacted by Congress in 2004, authorizes \$10 million annually to 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; 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, The Great Swamp, encompassing more than 6,000 acres of open space located in Putnam and Dutchess Counties, is the third largest wetland complex in New York State, forming a critical habitat and staging area for wildlife, and the origination of major public water systems for New York City and Westchester County; 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.

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 in this critically important 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 supports the long term protection of The Great Swamp ecosystem and encourages all levels of government to prioritize its protection through acquisition of priority parcels, local planning and zoning efforts, monitoring and research, public education, and legislation to establish the Great Swamp Conservation Area; 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
Saw Mill River Audubon Society
Central Westchester Audubon Society
Bronx River/Sound Shore Audubon Society

PRESERVING BELLEAYRE MOUNTAIN/CATSKILL FOREST PRESERVE

WHEREAS, Audubon New York has long supported 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, a process was initiated by the Governor 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 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 an 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, as well as the Sierra Club and Friends of Catskill Park; and

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; and

WHEREAS, the DEC is simultaneously preparing a draft revision to the unit management plan and draft Supplemental Environmental Impact Statement for the Belleayre Ski Center so that the combined cumulative impact of these developments can be considered together, while working to complete the purchase of the eastern parcel to add to the Forest Preserve.

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 will review the draft revisions to the ski center’s unit management plan; 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 in light of the substantial reduction in size and scope of the project in the “Agreement in Principle” which references an agreement to convey 1,216 acres of land to the state in due course and which would include all of the affected IBA areas on the eastern side of the project and this would represent a significant protection of birds and bird habitat which is of greatest concern to 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 1,216 acres), Audubon New York supports that portion of the Agreement in Principle which removes the Big Indian Plateau portion of the Project, and further supports the conveyance of 1,216 acres of land to the Forest Preserve, and reserves judgment on the remaining development pending further environmental reviews.

Co-Moved, and Seconded by, Respectively,

Northern Catskills Audubon Society
New York City Audubon Society
Audubon Society of the Capital Region
Delaware-Otsego Audubon Society

PROHIBIT THE USE OF ATVs AND ORVs ON ENVIRONMENTALLY SENSITIVE LANDS

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 and 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 ORVs is prohibited in the Long Island Pine Barrens and Albany Pine Bush, and on sections of New York’s coastal beaches during the nesting and chick-rearing period for endangered and threatened species such as the Piping Plover and Least Tern but illegal use continues to increase; and

WHEREAS, New York’s coastal beaches provide important breeding, migratory, and foraging habitats for endangered and threatened species, such as the Piping Plover, and are vulnerable to motorized vehicle traffic; and

WHEREAS, in 2005, legislation was introduced 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 was proposed in 2007 that would establish the ATV Trail Development, Maintenance and Enforcement Fund using a part of the ATV registration fee; this 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. 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 and ORVs on all state Forest Preserve lands and roads as well as sensitive coastal habitats, 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 and local 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 and 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 urges 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 areas, 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
Northern New York Audubon Society
South Shore Audubon Society
Capital Region Audubon Society
Northern Catskills Audubon Society
Onondaga Audubon Society
Great South Bay Audubon Society
Delaware – Otsego Audubon Society
North Fork Audubon Society

PRESERVING THE LONG ISLAND SOUTH SHORE ESTUARY RESERVE AND ATLANTIC OCEAN BEACHES AND BAYS

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 and the South Shore Audubon Society have been active participants 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, a global 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 have 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 (LIPA) and the Florida Power and Light Company (FPL), 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, in addition to renewable energy, proposals to site Liquefied Natural Gas (LNG) facilities have increased in the Atlantic region; and

WHEREAS, Audubon New York is concerned with the potential impacts of LNG facilities on the marine and coastal environments through pollution and habitat degradation, and the threats posed to birds and other marine wildlife; and

WHEREAS, the Red Knot is a migratory shorebird 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 migratory 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 Crabs at key stop-over sites along the Atlantic Coast of the eastern United States; 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 overfishing 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.

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