



## MEMORANDUM OF SUPPORT

### **A.6520 (Englebright) / S.5871 (Martinez)**

**AN ACT to amend the environmental conservation law, in relation to establishing the marine mammal and sea turtle protection area; and providing for the repeal of certain provisions upon expiration thereof**

Audubon New York strongly supports A.6520 (Englebright) / S.5871 (Martinez), which would protect habitat around Plum Island, Great Gull, and Little Gull Islands to ensure the health and safety of marine mammals and sea turtle species.

The waters around Plum Island, Great Gull Island, and Little Gull Island are home to a diverse ecosystem and one of the largest fish habitats in the mid-Atlantic region. These three islands have been identified as a Stewardship Area, or area of great ecological significance, by the Long Island Sound Study and are located in the Long Island Sound, an Estuary of National Significance. The Sound supports over 1,200 species of invertebrates, 170 species of fish, and dozens of species of migratory birds; including the Bald Eagle, Least Tern, Saltmarsh Sparrow, Osprey, and the federally threatened Red Knot.<sup>i</sup>

The islands themselves are home to many rare, indigenous plants and insects, and provide critical habitat for over 210 bird species, including breeding Roseate Terns and Piping Plovers, and the surrounding waters provide critical foraging areas for federally listed species and support diverse marine life, including squid, bluefish, seals, and sea turtles. Great Gull Island is also one of the most important tern nesting sites on earth, with more than 10,000 pairs of Common Terns and approximately 2,000 pairs of Roseate Tern.<sup>ii</sup>

Given the significant ecological value of these islands, and the uncertain future of Plum Island – which is currently 90% undeveloped but is no longer federally protected and may be sold at public auction – New York State should ensure that these islands and surrounding waters remain protected habitat. By designating a protection area for marine mammals and sea turtles, this legislation would ensure that habitat for harbor porpoises, vulnerable leatherback turtles, endangered turtle species including Kemp’s Ridley and Green Turtles, as well as critical bird feeding areas remain undisturbed.

For these reasons, Audubon New York supports A.6520 (Englebright) / S.5871 (Martinez) and urges the legislature to pass this bill.

*Audubon New York works with a network of 70,000 members, hundreds of volunteers, 27 local Audubon Chapters, and dozens of other partners to achieve its mission of protecting birds and their habitats through science, advocacy, education, and on-the-ground conservation programs. If you have any questions or would like more information, please contact Erin McGrath, Policy Manager at Audubon New York at 518-869-9731 or [emcgrath@audubon.org](mailto:emcgrath@audubon.org).*

## NYS Birds Under Threat

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**Piping Plover**  
*Charadrius melodus*

**Description:** A small plover with a very short bill. Its pale back matches the white sand beaches and alkali flats that it inhabits. While many shorebirds have wide distributions, this one is a North American specialty, barely extending into Mexico in winter.

**Conservation Status:** Many of its nesting areas are subject to human disturbance or other threats, and it is now considered an endangered or threatened species. Breeding pairs are almost gone from Great Lakes, and have declined elsewhere.

**Habitat:** Sandy beaches, tidal flats. Nests in open sandy situations near water, in a variety of settings: beaches along Atlantic Coast and Great Lakes; sandbars along major rivers on northern Great Plains; gravel or sand flats next to alkali lakes. Winters along coast, on tidal flats and beaches.

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**Roseate Tern**  
*Sterna dougallii*

**Description:** Widespread but very local on the coasts of six continents. In North America, only on Atlantic seaboard, mainly in northeast and Florida. Has a very light and buoyant flight, with relatively fast and shallow wingbeats, and often gives a musical callnote in flight.

**Conservation Status:** Now considered an endangered species in the northeast. Initial decline may have been caused by hunting for plume trade in late 1800s. After partial recovery, some colonies disappeared when islands were overrun by populations of Herring Gulls.

**Habitat:** Coastal; salt bays, estuaries, ocean. Nests on sandy or rocky islands with some low plant cover, close to shallow waters for feeding, especially in protected bays and estuaries. Forages in coastal waters and sometimes well offshore, with a seeming preference for warmer waters.

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**Red Knot**  
*Calidris canutus*

**Description:** This chunky shorebird has a rather anonymous look in winter plumage, but is unmistakable in spring, when it wears robin-red on its chest. It nests in the far north, mostly well above the Arctic Circle; its winter range includes shorelines around the world. Where it is common, the Red Knot may roost in very densely packed flocks, standing shoulder to shoulder on the sand.

**Conservation Status:** Once far more numerous in North America, but huge numbers were shot on migration in late 1800s. Some populations have declined sharply since the 1960s. The subspecies that migrates from southern Argentina to the Canadian Arctic in spring relies on stopover habitat along Delaware Bay, where the knots fatten up on the superabundant eggs of horseshoe crabs before they continue north to the Arctic. Overharvesting of horseshoe crabs along the central Atlantic Coast has led to a sharp reduction in this food source for migratory shorebirds, and Red Knots seem to have been hit hard by this.

**Habitat:** Tidal flats, shores; tundra (summer). In migration and winter on coastal mudflats and tidal zones, sometimes on open sandy beaches of the sort favored by Sanderlings. Nests on Arctic tundra, usually on rather high and barren areas inland from coast, but typically near a pond or stream.

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<sup>i</sup> Wahle, Lisa and Nancy Balcom. "Living Treasures: The Plants and Animals of Long Island Sound." Connecticut Sea Grant College Program and New York Sea Grant Institute. 2002. Page 3.

<sup>ii</sup> Burger, Michael F. and Jillian M. Liner. *Important Bird Areas of New York*. Audubon New York. 2005. Page 264.