

Trotter, Spencer 1878 N.O.C. Bulletin Vol. III p. 44
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THE 1974 CONSERVATION PUBLIC HEARING, NEW YORK STATE LEGISLATURE

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The conservation public hearing of the New York State Legislature, held on February 28, 1974, was not as well attended as it has been in previous years. With so much attention directed to our energy problems, perhaps many people gave conservation or environmental laws low priority. The method of holding these hearings was changed somewhat for the better. All organizations' representatives registered before the hearings opened. All those attending the hearing received an agenda and one of the cochairman, Assemblyman Larry Lane, following this, called the roll allowing each organization to make comments as it wished. After this step was completed, individuals and clubs or associations wishing to make a more formal statement about any proposed legislation were free to do so after first filling out a form expressing the desire to be so heard. Bills not on the agenda could also be discussed. The business was completed much more quickly under this system than it had been in previous years under different arrangements.

There is a priority in the order of the roll call which is sensible. First the representatives of governmental agencies spoke; at this hearing these were the Environmental Conservation Department, the Legal Department then the Department of Parks and Recreation. After these had made brief comments as to whether their department did or did not support the bill on the floor, the Conservation Council representative made his comments and the other organizations followed as much in alphabetical order as was possible (many delegates were late in arriving). The Conservation Council, of which the Federation is an associate member, is itself a federation of outdoorsmen, hunters, fishermen and other conservation-minded groups and Federation members will be pleased to note that the Conservation Council voted for all bills our representative supported and were also agreed on the bills we opposed.

It is impossible to canvas all member clubs as to which bills before the State Legislature should be supported or opposed and as your representative I had as guide lines the actions taken at our annual meetings and at meetings of the officers of the Federation. This then is a report of my activities at the hearing. Only those bills which had a bearing

on bird life or its environment were supported or opposed. The first bill in this category concerned Long Island Sound. S(enate) 2875 and A(sembly) 4329 set up a Long Island Sound Environmental Plan which seemed rather hastily conceived without consideration that such a plan was already in operation. This was brought out at the hearing and we reserved comment as we did on the following bill S7245A, A8304A to establish a temporary State Commission on Long Island Sound.

Under the general heading "Water Pollution" were three bills which we favored since each could have a beneficial effect on bird life if properly implemented. S7560, A8663 set up rules, regulations and prohibitions on the underground storage of toxic materials. S1469B, A2018B prohibits the discharge of sewage into certain lakes (everyone supported this but wondered why not all lakes?). S3576 prohibits mercury or mercurial compound discharges into our waters.

The heading "Hunting and Fishing" contained only one bill on which I made comment and that was A8711 which would have set bounties on rattlesnakes in certain counties of New York. The State law prohibits bounties except under certain conditions to be judged by the State Health Department as well as other state agencies and having fought for years against the invidious and wasteful bounty system I opposed this bill. Once exceptions are made then any county could have exceptions made and we might have bounties set on robins or orioles in orchard growing counties or on bobolinks where wheat is grown.

There was a bill S5429, A6575 on Wetlands which we supported. It would give the freshwater wetlands the same sort of protection our saltwater marshes are beginning to get. There will be a new version of this bill before it is finally acted on by the Legislature since the hearing brought some repetitions and anomalies to light. The main organization against any such bill was the New York Farmers group on the basis that marshes and wetlands would make good agricultural lands when drained.

A bill on Environmental Impact was not printed at the time of the hearing but discussion brought out the fact that this would be a codification of State Laws on the subject and would give a great deal consideration to wildlife in general. We supported the concept. Under "Miscellaneous" there was one bill setting up an Erie Canal State Park which would be a considerable interest to birders and other nature-lovers since parts of such a park were planned as nature walks on trails.

One bill was missing from the agenda and was not brought up. Senator Bernard Smith of Long Island, cochairman of the committee on conservation legislation had worked hard to legalize falconry in the state — an enabling law was passed by the 72-73 legislature. The National Audubon Society supported the legalized falconry bill as it was thought such action would encourage such work as is being done at Cornell University by Dr. Tom Cade in raising Peregrine Falcons for eventual

release in the wild and also because seeing falconry in action would make friends for our hawks. I personally feel that the bill should be repealed as it has not been as beneficial as it was hoped and because live traps set to capture hawks for falconry cannot identify species and the personnel assigned to implement the falconry legalization have almost as much trouble with the identification as the traps. If we feel falconry should be prohibited in New York, we will have to gather data so as to convince Senator Smith and others that the bill is not beneficial to anyone but falconers. One of our members, an internationally known expert on hawks, especially falcons and eagles, was refused renewal of his membership in the major U.S. Falconry organization because he pointed out the dangers of legalized falconry and took a public stand against the new federal law. Voices are stifled so that soon the cry of the wild falcon will no longer be heard in the land. The bill introduced by Assemblyman Jerry Solomon which would have made falconry illegal in New York will probably not even be brought up for a vote and if it is, it will be doomed to defeat. We need to convince our legislators with data and other facts — and make our feelings known through letters each to our own representatives in the New York State Legislature.

Perhaps some of you reading this article will have heard of a bill affecting bird life about to be discussed in Albany. Please, if you have thoughts or opinions on such bills, write to: E. M. Reilly, Jr. P.O. Box 21, Old Chatham, New York 12136.

I'll be able to bring some of these up at the hearing in 1975 for general discussion and be better able to take a stand as the Federation representative.

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FIELD NOTES

Possible Suka on Lake Ontario, Monroe County, New York: While sitting in the parking lot at Hawk Lookout in Braddock Bay State Park, Monroe County, N.Y. at the end of the G.O.S. Field Trip on Sunday, Oct. 7, 1973, at about 11:30 A.M., our attention was drawn to a large, dark bird which was flying toward us from across Braddock Bay. At first glance we thought it might be an immature gull, but immediately rejected that because it didn't look right. While close to the size of a very large hawk, it obviously was not that, although at that point the bird was almost directly overhead and began to circle, soaring like a hawk. Although the day was overcast, the visibility was good. Through our binoculars we could see a very large, uniformly dark, gull-like bird with a very heavy, chunky body, large head and bill, and wedge-shaped tail which was quite short in proportion to the length of the wings. There were no protruding tail feathers. Large white patches at the base of the primaries were conspicuous as the bird circled and banked, several times, beating its wings slowly and ponderously once or twice as it completed half a circle. These circles were made almost overhead.