

VOLUME 22. NUMBER 6 — SOUTH SHORE AUDUBON SOCIETY

MARCH 1993

PRESIDENT'S MESSAGE

James Remsen, Jr.

At this time I would like to thank each of you who has helped to make our environment a little better here on Long Island with your generous donation to South Shore Audubon's 1992-93 "Greening of Long Island" fund-raising appeal. Thanks to the hard work of our fund-raising chairman, Tom Torma, and to those of you who have contributed, we have collected approximately \$2700 as of this writing. We hope to use these funds this year to donate trees to our local barrier beaches, where Japanese black pines have been dying in recent years.

As many of you know, last year our fund drive's profits were put to use in starting the "regreening" of Jones Beach, and those of you who have attended our bird walks at Zach's Bay have seen some of the plantings you helped to purchase. Once again, thank you, and for those of you who have not contributed but would like to, it's definitely not too late!

I would also like to remind you that our 1993 Audubon Camp Scholarship competition is accepting applications through March 19th.

As a past scholarship recipient, I regard the opportunity to study field ecology at the Audubon Camp in Maine as one of the most rewarding experiences ever to come from my years of association with South Shore Audubon Society. The Audubon camps offer the chance to learn about the environment first-hand, in the field.

This year we will award a week at the Audubon Camp in Greenwich, Connecticut to an adult and ten days at the Audubon Camp in Maine to a young person aged 10-14. The competition is open to all members, and the winners are responsible for arranging transportation to and from the camp. South Shore Audubon pays full tuition for the program awarded to the scholarship winners.

For full details see last month's *Skimmer*; for information and applications contact Evelyn Blume at 378-7122 after 9 PM. SSAS is pleased to be able to support the scholarship program, so if you have any interest in applying, I urge you to take advantage of it.

NEXT MEETING

Sandy Brenner

DATE: Tuesday, March 9, 1993

TIME: 8:00 PM (Letter of the Month at 7:45)

PLACE: Freeport Memorial Library

Merrick Rd. & S. Ocean Ave.

SPEAKER: Larry Paul

TOPIC: <u>Fire — Its Role in Our Forests</u>

Our early Long Island forest rangers and the Nature Conservancy's new fire management techniques — these taken in contrast with the high drama of the forest lookout station combine to build a fascinating slide lecture on changing attitudes in natural area conservation.

IN ORDER TO MINIMIZE WASTE, PLEASE BRING COFFEE MUGS TO OUR MEETINGS

TWIN LAKES CLEANUP & TOUR

Dolores Rogers

Get ready for a spring cleanup at Twin Lakes Preserve in Wantagh to be held on Saturday, March 27th at 9:30 AM!!

This is one of the beautiful preserves that SSAS helps maintain for our bird-walking pleasure and for the benefit of our wildlife!

Welcome spring by joining members, friends, Girl Scouts, and Boy Scouts for a cleanup and a guided tour with Jim Browne, Conservation Biologist. Please let us have a better turnout this time; the same few people show up for each cleanup.

Directions: Sunrise Highway to Old Mill Road north (one block west of Wantagh Parkway); meet in school parking lot.

RARE BIRD ALERT (212) 979-3070

AUDUBON HOTLINE (202) 547-9017
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THE PANTANAL WILDLIFE AREA

Betty Borowsky

The Pantanal, a floodplain in central South America, is virtually unknown in the United States, although it is one of the largest and richest wildlife areas in the world. Over 600 species of birds have been identified there, and some can be seen nowhere else. I had the great privilege of visiting this area last November.

The Pantanal is about 54,000 square miles, covering parts of Paraguay and Bolivia, and the southwestern corner of Brazil. Travelers must visit the part in Brazil, since this is the only part readily accessible by car. A dirt road, which is elevated slightly above the water, is the only way a vehicle can pass through the area. Standing on the road, one can see for miles in all directions. Most of those miles are covered with unique wetlands habitat — very shallow water, almost overgrown with water hyacinths.

The area experiences extensive flooding during the rainy season each year, when the Paraguay River overflows its banks. Since the flooded areas expand and contract during the year, it is for the most part unsuitable for farming or pasturage, and this has discouraged settlers. Although there are some large cattle ranches, the Pantanal remains mostly undisturbed.

The wildlife is unusual as well as abundant. The Pantanal has untold numbers of caiman (related to the alligators and crocodiles) and capybara. Capybara are the largest rodents alive; they are the size of a small pig, and look like a cross between a guinea pig and a beaver. Their primary food is water hyacinths, which explains why this plant does not choke off the flow of water in the Pantanal, but does so in the United States, where it has been introduced and has developed into a major environmental problem.

There are two species of deer in the Pantanal, jaguar, tapir, two anteaters, and at least three species of monkeys. The amphibians are extraordinary — in our motel room I was greatly startled to see a frog walking up the wall! During the night we heard a persistent, rhythmically repeating catlike meow which was made by another species of frog. The world's largest toad (over a foot long), Bufo marinus, was underneath the table on the porch outside our room one evening. The river is full of large fish (50 pounders are not unusual), including 20 species of piranha. In fact, we dined on piranha every night we were in the area.

Although we didn't pay much attention to invertebrates, many of them paid a lot of attention to us. One day we spotted a group of spiders, each about 1/2 inch long, in the center of their web. This web was the most extraordinary web I have ever seen. It was huge — about ten feet in diameter — and was oriented horizontally, resting on the tops of adjacent bushes. The threads were elastic and very tough — quite difficult to break. I think these spiders were preying on birds, not insects; the size, orientation, and strength of the web closely resembled a mist net.

The major attraction in the Pantanal is the abundant and diverse bird life. During our one week stay we identified 170 species. I added 62 species to my life list. Some of these birds are just gorgeous. For example, we saw a tree full of Hyacinthine Macaws. These birds are electric blue, with yellow faces. We saw the Blue-crowned Motmot, a bird that removes the barbs along the main shaft of its tail and leaves a little tuft at the end. We also saw Southern Screamers (they really scream!).

We saw a Monk Parakeet colony's nest, a huge affair with many openings, which seemed to be made of thin sticks. There were oropendulas, caciques, toucans, two species of caracaras, and the regal rheas (see below, right), which look like small ostriches. There were new birds wherever you turned your field glasses.

The waterfowl was especially abundant. Since the terrain is entirely flat, with very low vegetation, our views were unimpeded. Jacanas, three species of ibis, five species of kingfisher, and Limpkins (see below, left) were all over the place. Perhaps the most unusual bird we saw was the Jabiru Stork. This bizarre bird is about 4 feet tall, with a thick red neck which hangs down in a pendulous "U" from a relatively small naked head, and with an outsized, heavy black bill.

There is a down side to all of this, of course. The weather can be suffocatingly hot and humid in the summer months, and insects can be very troublesome. At one point we were surrounded by a cloud of mosquitoes who knew no fear and did not know that deet is a repellent. At another point we heard what sounded like a car in the distance; then our tour guide recognized the sound as a swarm of bees heading our way. We had to evacuate the area immediately.

Accommodations were primitive; there was no air conditioning in the motels and the electricity was shut off at about midnight (who needs electricity when they are asleep?). Some of the wooden bridges we passed over were very weak. We broke one of them as the bus began to cross it. Also, of course, you cannot drink the water. In addition to the usual "Montezuma's Revenge" (amoebic dysentery), cholera is now endemic to parts of Brazil. In short, I carried sunscreen in my right pocket, insect repellent in my left pocket, and paregoric in my backpack.

In spite of these drawbacks, if you have the opportunity to visit the Pantanal, and if you can withstand (I don't say "ignore") the discomforts and precautions associated with the trip, I would recommend that you go — I know you will never forget the experience.





TRYING TO SAVE WETLANDS

Joan Butkereit

Why on earth all the fuss about wetlands? After all, there is legislation to protect them, right?

These federal and state laws are subject to interpretation and enforcement, and are often the cause of extensive litigation. Come and join us on Sunday, April 18th for a field trip to a wetlands preserve at Lido Beach and a program which reviews the decades-long battle over this resource and others of its kind. Volunteers and participants will be appreciated. For information, call Joan Butkereit at 623-0843. Further information will appear in the April Skimmer.

WELCOME NEW MEMBERS

Marion Yavarkovsky

We'd like to welcome our newest members. As you read the pages of your first *Skimmer*, you will notice that we are a very active group. We are happy that you have joined us and we hope that you too will become involved.

[For information on joining the South Shore Audubon Society, please call our Membership Chairperson, Marion Yavarkovsky, at 379-2090. The best time to call is after 4 PM, Monday through Friday.]

Baldwin	Kathleen Benson, Louise Leonard
Bellmore	Mr. William E. Venth
Bethpage	Elisa Rossi
East Meadow	Laura Cochrane, Helen Fuchs
Elmont	Dr. Leslie A. Allen,
	Ms. Allison Kramer
Floral Park	Richard Brookner
Flushing	Saul Grodsky
Garden City	Carol Suarez
Hewlett	Mr. Angelo M. Croce,
	Mrs. Marlene Herzig
Long Beach	Debra Druckman
Lynbrook	Louis F. Espinoza
Massapequa	Marion Friedlander,
	Ms. Lisa Hoffmann, John Ready
Massapequa Park	Anna Markey, Diana L. Mifsud
Merrick	Elizabeth & Joseph Flynn,
	Paul Wilkin
Mineola	Stephen Solomon
Oceanside	
Plainview	Mrs. Olga Karwick
Rockville Centre	Anne C. Annarumma,
	Mr. Stephen Josephs
Roslyn	Elaine T. Bermas
Seaford	Thomas Schreck,
	Alice O'Shaughnessy
Valley Stream	Irene E Di Nome, Bob Liddell,
-	Mr. & Mrs. Samuel Skolnik
Wantagh	Michael Singer
-	-



"NEW YORK'S LARGEST WILD BIRD SPECIALTY STORE"

621 Fulton St. (Rt. 109), Farmingdale, NY 11735
Located between McDonald's & Dunkin' Donuts

CONSERVATION REPORT

Annie F. McIntyre

Citizen Empowerment Opportunity. The Nassau County Board of Supervisors will soon be considering a bill which will enable you and me to actively participate in the enforcement of local health and environmental protection laws.

Originally scheduled for public comment on February 8th, the Nassau Citizens Civil Action Act (NCCAA) would give private citizens the ability to initiate and maintain civil enforcement actions with regard to codes and regulations meant to protect the health, safety, and well-being of the county's residents and environment. NCCAA will not change laws — it will enable private citizens to help the overburdened county and town agencies enforce protective laws already in place. This kind of citizen enforcement provision has already been enacted in almost 30 states and is included in several federal laws, including the Clean Air Act and the Safe Drinking Water Act. [Editor's Note: Last year, the New York State Assembly passed the similar Environmental Enforcement Act, but our Senate, as usual, failed to do anything — see last December's Skimmer.] Although the Board of Supervisors has postponed the hearing, it's never too early to let them know how you feel. A quick phone call will take two minutes at most. Call today. Presiding Supervisor Joseph N. Mondello and Town of Hempstead Supervisor Gregory P. Peterson can be reached at 489-5000, Town of Oyster Bay Supervisor Lewis J. Yevoli at 922-5800, City of Long Beach Supervisor Bruce Nyman at 431-1000, Town of North Hempstead Supervisor Benjamin L. Zwirn at 627-0590, and County Executive Thomas S. Gulotta at 535-3131.

Keep Up the Good Work! The letter of the month club has been very successful — we've gotten out close to 50 letters each time. Please join us. Come 15 minutes early to the next general meeting, bring your stationery, and help us make a difference. Many thanks to those who have written. Hope to see you again.

FISH ARE WILDLIFE, TOO

Carl Safina, Ph. D.

Traveling on mysterious migrations, shimmering schools and shadowy predators inhabit the oceans. Among them are some of the most beautiful and awesome of creatures. From our vantage point at the shore, though, they are well hidden beneath the waves — literally overlooked.

Fish evade our view and remain unfamiliar. While we can get to know other wildlife, like birds, through our kitchen windows, no one can hang a tuna feeder in their backyard. Yet fish are wildlife, too. Imagine if our main experience with birds was the poultry section in the supermarket or a bowl of chicken broth. Unfortunately, our experience with ocean fish is confined largely to opening cans and to glaze-eyed carcasses whose odors are appreciated mostly by our cats. Because fish are largely out of sight and out of mind, we tend not to shed sympathy on their predicament. Our fisheries often operate as though the ocean is the last great buffalo hunt.

"Many if not most marine ecosystems are endangered, or have ceased to function in anything like their pristine state, because of overfishing, coastal development, or pollution," notes seabird ecologist Dr. David Duffy. "Rainforests are arguably in better shape as ecosystems than are many marine areas, but so far we have failed to make the case that intact marine ecosystems are as important as intact rainforests."

This failure to make the case for marine systems is surprising. With three-quarters of our population living at the coasts, and with seafood becoming increasingly popular, oceans are both close to home and part of our daily lives; who among us has never eaten a tuna sandwich?

Oceans cover nearly two-thirds of the world's surface and have profound effects on weather and atmospheric composition, so the health of marine systems is important to the health and stability of life on planet Earth. However, habitat is deteriorating in many areas along the world's coasts, and over vast ocean areas where habitat remains quite viable, unregulated exploitation is depopulating the seas of some of the most magnificent large vertebrates on earth — including creatures such as sharks, swordfish, and tunas. Our failure to see these creatures as wildlife is resulting in major changes in the oceans' living communities. For a number of species, mortality due to fishing exceeds natural mortality, and many fish populations are at their lowest numbers in history.

A very limited survey of particulars conveys a sense of the unprecedented pressures that are focused on ocean animals. Consider sharks. Compared to the relatively high reproductive potential of most other fish, sharks reproduce at a snail's pace. They are slow to mature, and they bear few young annually. This aspect of their biology reflects their niche as top predators. For millions of years, sharks gave more grief than they got; their reproductive biology evolved in an environment of very low mortality. Their life history entails investing little energy in reproduction because, in an evolu-

tionary sense, sharks simply don't expect much trouble. Now, for these quintessential predatory masters, the party's over. Shark mortality has exceeded their reproductive capacity by nearly 40% annually. Eleven percent of the commercial catch is landed while 89% is discarded dead as by-catch in the swordfish, tuna, shrimp, and squid fisheries. The U.S. National Marine Fisheries Service states that "continued overfishing will result in a collapse" of shark populations. A federal "emergency plan" intended to extend a hand to sharks has been gummed to death by political red tape and its implementation has been delayed repeatedly for the last two years, while the attack on sharks continues apace. [Editor's Note: I received this article from Carl Safina of National Audubon Society's Scully Science Center in Islip in late 1991 in response to a note that I sent to him; I don't recall any shark protection progress last year, either, but there has been recent improvement in space available for long articles in the Skimmer.]

Other big predators are in trouble, too. With an eight-fold increase in fishing mortality of yearling swordfish in the last ten years, the average weight of swordfish brought to market has declined from approximately 115 pounds to 60 pounds (below the age of reproductive maturity), and the spawning population has declined by 60%. The Atlantic giant bluefin tuna, which reaches weights well in excess of 1000 pounds, has declined 90% since 1970. However, with individual fish worth up to \$50 a pound in Japan (they may be worth more money to the person that catches one than any other animal), few fishermen want to talk about cutting back.

In some parts of the world, human overfishing is starving fish-eating birds and possibly marine mammals. The best-studied example is in Great Britain's Shetland Islands, where intensive fishing for sand-eels has depleted prey for seabirds so severely that Arctic Terns there have raised no young since 1983.

Fishing also involves appalling waste. Literally billions of pounds of unwanted fish and other by-catch is simply shoveled overboard annually during commercial fishing operations. Annually, U.S. fishermen incidentally catch one million seabirds, 6000 seals and sea lions, and 10,000 porpoises and whales. Longlines, lines 10 to 20 miles long carrying thousands of baited hooks, kill 40,000 albatrosses each year, causing worldwide population declines. A comparable number of endangered sea turtles drown in shrimp nets each year, their largest source of mortality.

In the southeastern U.S. shrimp fishery, 10 pounds of unwanted fish are landed for every pound of shrimp. Many of these fish are juveniles of important species, such as red snapper. The National Marine Fisheries Service said that reducing shrimp trawl by-catch might increase the red snapper fishery's productivity by 90%, and that "red snapper are severely overfished ... dangerously close to collapse." The Gulf of Mexico Fishery Management Council says "rebuilding the red snapper population cannot be effected without protecting juvenile snapper from harvest as by-catch in the trawl fishery."

Congress's unusually swift response to the growing concern over shrimpers' by-catch was to legislatively mandate resistance to progress. In September 1990, Louisiana Senator John Breaux introduced language stating that for three years "the Secretary [of Commerce] may not ... implement any measures ... to reduce incidental mortality of nontarget fishery resources in the course of shrimp trawl fishing." In November 1990, this language became law.

The catastrophic declines and abuse faced by many marine animal populations have resulted largely because most of these species are currently treated as mere commodities, rather than being managed with proper regard to the fact that they are living wild animal populations. Fish are also our only food source whose major supply still depends on natural production in a wild environment. We can catch the fish up, but we can't make more.

Few ocean species of concern are the cuddly, fuzzy, brown-eyed vertebrates that easily get public sympathy. Airbreathers such as whales, porpoises, and sea turtles are an exception to this rule, but their existence depends on those fish and slimy things that few people care much about.

OWLS

Tom Torma

The sun had just set; a blanket of darkness had settled over the area. A group of people walked down a dirt road into the woods. They found a picnic table, on which they set up a portable tape player, or boom box. In a few minutes, the sound of a Screech Owl was blasting among the trees, in the hope of attracting an owl. Suddenly, a bright high-beam light glared from the woods onto the people. From behind the light a policeman shouted "What's going on here?" One member of the group stuttered "We are trying to attract an owl." The officer did not know what to believe; he thought someone was being attacked when he heard the call of the Screech Owl. He checked out the situation and walked away, shaking his head. I guess there is no telling what people will go through to see an owl.

Worldwide there are 125 species of owls, 18 of which breed in North America. They range in size from 5-1/2 inches to 2 feet. Owls live in all major biomes except marine. They live on all major land masses except Antarctica. They tolerate the coldest, warmest, driest, and wettest climates. Some species migrate; others don't. Arctic owls like the Snowy Owl will invade southward in flight years when food in their normal range is scarce.

Owls have hooked beaks and strong talons. It could be assumed that owls and other raptors (hawks, falcons, and vultures) share a common ancestor, but this is not true — owls evolved from the nightjars or goatsuckers, which include whip-poor-wills and nighthawks. A visit to the Bronx Zoo (just renamed the International Wildlife Conservation Park) will help confirm this. In the Aquatic Bird House lives a bird from Australia called the Frogmouth. It is a nightjar

that looks like a small owl with a tail. It sits crossways on a branch, nests in the hollows of trees, and hatches downy young, just like owls. This is an example of convergent evolution — the same ecological circumstance leading to the same evolutionary conclusion on separate occasions.

Owls' humanlike expressions, nocturnal habits, and unearthly calls have all contributed to their prominence in myth, folklore, and superstition. Greeks used owls as symbols of wisdom; Athena, their goddess of wisdom, had an owl as an emblem. Today we still use the term "the wise old owl." Egyptians and Romans considered owls to be an omen of death; an owl screeched just before Julius Caesar's murder. Most Native American tribes also considered owls to be an omen of death, but the Pawnees thought owls protected them from the night. African tribes related owls to the evil brought on by sorcerers. The book of Leviticus includes the owls among the unclean birds that are not to be eaten.

Around the turn of the century, ornithologists used to shoot owls so that they could examine their stomach contents. However, they didn't have to slaughter these birds to learn what they eat — owls swallow their prey whole; the indigestible hair, bones, and feathers are formed into pellets in the gizzard and ejected through the mouth. All these scientists had to do was examine these pellets to determine what the owls had eaten.

While owls are symbols of myth and superstition, they can also be symbols for the environment. For example, the Spotted Owl is endangered by logging interests clearcutting the old-growth forest in the Pacific Northwest. When the policeman heard the Screech Owl, he thought someone was in trouble. He responded by trying to protect what he thought could be a victim. The Spotted Owl is a victim of the destruction of its habitat. It is up to people to respond in order to protect wildlife like the Spotted Owl and the environment in which it lives.

[Editor's Note: I planned on placing a Screech Owl sketch below, but I just discovered that its floppy disk file has self-destructed, and it's deadline time! I'm bringing back our newly scanned Snowy Owl for emergency duty — it was last seen as a photostat in the December 1991 Skimmer. Does it look familiar? I hope not!]



BIRD WALKS

Elliott Kutner

All walks start at 9:30 AM; no walk if it rains or snows or temperature is below 25°F. Any questions? Call Elliott at 486-7667.

Feb. 28	Hempstead Lake State Park (Pen. Blvd.)
Mar. 7	Jones Beach West End #2, N.E. corner
Mar. 14	Zach's Bay Parking Field #4, N.E. corner
Mar. 21	Cedar Beach
Mar. 28	Jamaica Bay Wildlife Refuge
Apr. 4	Jones Beach West End #2, N.E. corner
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SOUTH SHORE ESTUARY ALLIANCE

Lois Bartow Schlegel

The South Country Alliance (an environmental group in Bellport) has invited us to join a coalition of diverse interest groups, to engage in creating a protection & management plan for Long Island's south shore estuaries. These estuaries include our shore's bays, wetlands, stream corridors, etc., and extend from Woodmere in the west to Shinnecock in the east. The coalition is called the South Shore Estuary Alliance (SSEA).

Although some efforts have been made by various levels of government to alleviate the south shore's mounting environmental problems, such as with coastal zone management and up-zoning, SSEA feels that this key estuary system has not received the necessary official management and protection attention it so needs. Also, in 1992 a bill was introduced in the New York State Legislature to create a politically appointed "council" which would oversee the development of a comprehensive management plan for a part of the estuary called the Great South Bay. Unfortunately, the bill did not recognize the entire south shore estuary as an interconnected system, and therefore would not have been able to truly accomplish its stated goal of comprehensive management & protection. The bill was defeated.

Other positive protection & management plan efforts include Long Island Sound, Peconic Bay, NY/NJ Harbor, Chesapeake Bay, New Jersey's Pine Barrens, the Great Lakes, and San Francisco Bay.

South Shore Estuary Alliance feels that our south shore, encompassing vast mileage and catering to eclectic interests, needs to have all interest groups be a part of the coalition and the plan formation. This will alleviate just the environmentalists setting the stage, to be fought by other interest groups at a later date (such as at citizen's hearings), who may feel their concerns have not been addressed. It is the hope of SSEA that by lack of segregation in decision making, representatives of all interest groups who have a link to the south shore will have a hand together at the creation of a draft management & protection plan for submission to our government.

These groups would include: recreationists (i.e., boaters, swimmers, clammers, fishers), business people [i.e., restaurateurs (many of whose livelihoods depend on the fish), baymen/women, developers], townships receiving revenue from tourism, and of course environmentalists, etc.

There have been three SSEA meetings since November. Some of the issues addressed thus far are: sewers, nonpoint pollution, wetland restoration, recreation, litter, land management, vehicle use, boat sewage, wildlife conservation & habitat, salt water intrusion, sea-level rise, inlet dredging, vector control, jetties, and economics.

It is too late to provide February's meeting date in this *Skimmer*. However, if you are interested in attending March's meeting, please call around March 1st to get the date. Please think about coming, and tell anyone else you think may be interested. Your input is needed. For meeting information or comments & ideas, please call Lois Schlegel at 822-1546 or Diana Teta (South Country Alliance) at 286-4866.

NOMINATIONS FOR 1993-1994 OFFICERS

Elliott Kutner

At South Shore Audubon Society's general meeting in May, officers will be elected for our next fiscal year. All members attending that meeting may nominate candidates from the floor and vote. The SSAS Nominating Committee [Elliott Kutner (Chairman), William Hollweg, and Nora Lourenco] has recommended the following candidates:

President — James Remsen, Jr.
Vice President — Mark Phillips
Treasurer — George Popkin
Recording Secretary — Louise Hillen
Corresponding Secretary — Doris Pirodsky
Director (to 6/96) — Steven Goldberg
Director (to 6/96) — Carole Adams

1992 NYS ENVIRONMENTAL LEGISLATION

Michael Sperling

In the December and February Skimmers, I started reprinting descriptions of the bills that the Albany-based nonprofit and nonpartisan Environmental Planning Lobby used to individually rate our State Senators and Assemblymen last year. Eight of those bills were given three trees; all passed the Assembly, but only one passed the State Senate. Six were given two trees; all passed the Assembly, but only one passed the Senate. Call me if you'd like copies of old Skimmers.

EPL weighs bills based on their potential impact on New York's environment. Each bill that EPL took a position on in 1992 received one of six ratings:

3 Trees. Proposed legislation would be of significant assistance and benefit to help resolve a pressing problem facing New York's environment.

2 Trees. Proposed legislation would provide substantial benefit to New York's environment.

1 Tree. Proposed legislation would be beneficial to some aspect of New York's environment.

1, 2, or 3 Stacks. Proposed legislation would harm the environment (see future *Skimmers*). We now resume our 1992 recap.

Alternative Fuels . This bill requires the phase-in of alternative fuel vehicles for fleets owned by the state, municipalities, and schools. Such a measure will not only improve New York's air quality, which is among the worst in the nation due largely to car exhaust, but will also facilitate the introduction of non-oil based fuels into the general marketplace. A5179-C (Hoyt) / S5498-A (Seward) passed the Assembly but was held in the Senate Energy Committee.

Promotes DSM Programs . Demand-Side Management, or DSM, simply means energy efficiency. DSM programs induce energy customers and utilities to use energy more efficiently. Customers who use efficient light bulbs and refrigerators would save money on their energy bills and free up power that the utility could sell to other customers. This bill requires the Public Service Commission to order utilities to implement such programs. A5559-B (Hoyt) passed the Assembly but had no Senate sponsor.

Forest Preserve Protection . New York State's forested lands represent a priceless resource that the state has committed to keep "forever wild." This bill would strengthen existing enforcement laws to help ensure our forest lands are not exploited or damaged. A5722-A (Hinchey) / S3512-A (Johnson), introduced at the request of Attorney General Robert Abrams, passed the Assembly but was held in the Senate Environmental Conservation Committee.

Property Owners Protection Act (POPA) . This bill would require sellers of commercial property to disclose whether there is hazardous waste present at the site. This measure is necessary to disclose old hazardous waste sites that threaten the community, and which otherwise may not be revealed to the potential purchaser of the property. A7504-A (John) passed the Assembly but was not sponsored in the Senate.

Universal Lead Screening . This bill is the final compromise version of the Lead Poisoning Prevention Act. Although not a comprehensive approach to prevention of childhood lead poisoning, this measure is a first step in what needs to be a multi-year effort to eradicate childhood lead poisoning. The bill provides universal screening for all young children and pregnant women, establishes a state registry of children with elevated blood lead level, and sets up an Advisory Council to develop further legislative and regulatory recommendations. A11978-A (Eve) / S8559-B (Volker) passed both houses and was signed into law by the Governor.

Seepage of Pollutants . A loophole in the existing Environmental Conservation Law excludes the "seepage" of pollution into the waters of the state as an unlawful act. This

bill specifically makes unlawful the seepage of pollutants into waters constituting or lying above a sole-source aquifer. The bill also allows consumers and water suppliers who have been affected by the pollution to seek injunctive relief and damages. A1159 (Brodsky) / S4734 (Maltese) passed the Assembly but was held in the Senate Environmental Conservation Committee.

ECL Penalty Bonds . Too frequently, violators of environmental laws sign consent orders to clean up and abate contamination or to switch to more environmentally sensitive industrial practices but do not follow through on their agreement. These individuals and businesses are able to evade penalty for their illegal actions knowingly because the Department of Environmental Conservation (DEC) lacks the resources to maintain ongoing enforcement actions against them. This bill allows DEC to require polluters to post a bond or other surety in addition to or in lieu of payment of the applicable penalty to help insure that the terms of the order are met by the violator. A2837-A (Grannis) / S1834-A (Lack) passed the Assembly but was held in the Senate Environmental Conservation Committee.

Greenway Land Sales . The Office of General Services (OGS) has been directed to sell millions of dollars worth of state-owned land to help meet the state's budget. Lands are currently being sold without any review of their ecological significance or value. Consequently, lands are being lost that are comparable to parcels purchased with previous Environmental Bond Act money. This bill seeks to preserve state-owned land within the Hudson Valley Greenway by banning all OGS sales of state-owned parcels within the greenway. EPL feels that this measure should be expanded to protect other environmentally sensitive lands in other parts of the state. A5266-A (Hinchey) / S3395-A (Saland) passed the Assembly but was held in the Senate Finance Committee.

Balloon Release Ban . Mass balloon releases may look pretty, but they spell death for many birds, fish, whales, and other marine life who ingest the plastic or become entangled in the strings. This bill prohibits the release of 25 or more balloons within a 24-hour period, with some exceptions. A5278 (Grannis) / S5695 (Holland) passed the Assembly but was held in the Senate Environmental Conservation Committee.

Minimizing Energy Use . Many opportunities for reducing energy use currently exist, especially in the areas of new construction and transportation. This bill would mandate that all new proposals in these areas requiring an environmental impact statement under the State Environmental Quality Review Act (SEQRA) take into consideration feasible ways to lessen energy consumption where applicable. The measure is a good first step towards identifying energy consumption as having serious environmental impacts and causing new proposals to consider alternatives to reduce energy use. A6393 (Hoyt) / S3880 (Seward) passed the Assembly but was held in the Senate Environmental Conservation Committee.

1992-1993 OFFICERS, DIRECTORS, AND COMMITTEE CHAIRPERSONS

James Remsen, Jr., President	764-5168
Mark Phillips, Vice President & Special Events Chairperson	731-1341
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