

1 **2021 NYSAC Fall Seminar**
2 **Standing Committee on Transportation and Public Works**
3 **Resolution #3**

4 **Resolution Urging Enactment of Legislation to Assure Effective Control of**
5 **Wildlife Populations for Airports**

6 **WHEREAS**, legislation has been introduced S.4244 (Skoufis)/A.1731 (Lupardo) in both
7 houses of the State Legislature to authorize the Department of Environmental
8 Conservation (DEC) to issue enhanced special airport air strike hazard permits to
9 federal or state government employees and other professionals responsible for wildlife
10 management at an airport; and

11 **WHEREAS**, this legislation seeks to improve the control of wildlife populations in
12 areas surrounding airports to assure the safety of pilots, passengers, flight crews and
13 communities; and

14 **WHEREAS**, some previously permitted wildlife management methods are now being
15 restricted with the potential for negative impacts on the safety of airport operations,
16 making it more difficult for airports to effectively keep the runways and facilities clear of
17 deer and other wildlife and safe for aircraft operators and passengers; and

18 **WHEREAS**, the bill authorizes the DEC, after reviewing an airport's wildlife
19 management plan, and upon a finding that wildlife has become a nuisance, destructive
20 to public or private property or a threat to public health or welfare, to issue an enhanced
21 special airport air strike hazard permit to those qualified to conduct such wildlife
22 management activities for an airport; and

23 **WHEREAS**, wildlife populations can pose a threat to aviation operations in and around
24 airports and in some instances have caused significant damage to aircraft and lengthy
25 flight delays; and

26 **WHEREAS**, according to FAA data, more than 1,000 deer have been hit by airplanes
27 across the country in the past two decades; and

28 **WHEREAS**, despite efforts by airports to employ the best humane practices to keep
29 wildlife populations at bay by building fences, walls, stormwater management designs,
30 and using pulsating lights; deer, birds, coyotes, fox and other wildlife still make their
31 way onto runways, tarmacs and into flight paths; and

32 **WHEREAS**, as recently as January of last year (2020), a damaging deer strike occurred
33 at Francis S. Gabreski Airport, Westhampton, Long Island. A Cessna Citation X business
34 jet collided with one of three deer on the runway during its landing roll causing
35 significant damage to its landing gear door and thankfully no injuries to passengers and
36 crew; and

1 **WHEREAS**, according to DEC, numerous constraining laws originally established to
2 increase public safety associated with general firearms use and hunting practices by the
3 public, prevent the authorization of deer-removal techniques that can be very safe and
4 effective under controlled circumstance, and by hindering the removal of deer that are
5 creating public safety hazards in developed areas and at airports, the laws actually
6 increase risk to the public; and

7 **WHEREAS**, DEC, in its final management plan for white-tailed deer in New York State
8 2021-2030, is urging changes to laws to allow authorized persons to use certain
9 methods and techniques to remove deer and other hazardous wildlife from these
10 properties; and

11 **WHEREAS**, DEC argues in the management plan that statutes should be modified to
12 give the agency the flexibility to issue permits that allow qualified professionals, under
13 controlled circumstances to use techniques that would greatly increase the efficiency
14 and even the safety of wildlife management programs; and

15 **WHEREAS**, the above referenced legislation seeks to implement these proposed
16 changes and make it clear that certain effective wildlife management techniques remain
17 available for airports by permit in a strictly controlled manner.

18 **WHEREAS**, that wildlife-aircraft collisions cause millions of dollars in aircraft damage,
19 major delays at airports, and injuries to pilots and passengers, thus controlling wildlife
20 populations around airports is critical to ensuring the safety of travelers, aircraft crews
21 and surrounding communities; and

22 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
23 Counties urges enactment of legislation S.4244 (Skoufis)/A.1731 (Lupardo) to reinstate
24 the authorization and use of certain successful wildlife management techniques in a
25 strictly controlled manner by government employees acting in an official capacity or
26 persons acting pursuant to a permit to continue to effectively control wildlife
27 populations at airports and surrounding areas; and

28 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
29 of New York State encouraging member counties to enact similar resolutions; and

30 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
31 Governor Kathy Hochul, the New York State Legislature and all others deemed
32 necessary and proper.