

NOTICE is hereby given that a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York, on the **1st day of September, 2009, at 7:05 P.M.**, prevailing time, to consider a local law amending §315-12 to permit bow-hunting in county-owned parks in accordance with New York State licensing requirements and any requirements or restrictions of the Department of Environmental Conservation.

Dated: New City, New York
August 20, 2009

LAURENCE O. TOOLE
Clerk to the Legislature
Allison-Parris County Office Building
11 New Hempstead Road
New City, New York 10956

Affidavits of publication and a complete transcript of the public hearing are on file in the Office of the Clerk to the Legislature.

The Chairwoman opened the public hearing and the following persons spoke:

- ❖ Linda Segal, Opposed
- ❖ Carol Sutherland, Opposed
- ❖ Dr. K. Feldi, Opposed
- ❖ Toni Lovoi, Opposed
- ❖ Ken Merring, In favor
- ❖ Marc Diana, In favor
- ❖ Stan Pascoo, Master Instructor for archery & firearms, in favor
- ❖ Anne Muller, Wildlife Watch, Opposed
- ❖ Richard Kirshner, New York Bow-hunters, In favor
- ❖ Anthony Picariello, In favor
- ❖ Martha Schulwolf, Opposed
- ❖ Jeff Solomon, Executive Director of National Campo Association , Opposed
- ❖ Lee Sneden, Opposed
- ❖ Peter Muller, Vice-President Committee to Abolish Sport Hunting, Opposed
- ❖ Paula DiBernardo, Opposed
- ❖ Cynthia Vega, Opposed
- ❖ Trudi Bouton, Opposed
- ❖ Biannca Tannis, Opposed
- ❖ Paul Marray, In favor
- ❖ Christine Toth, Opposed
- ❖ Kevin Clark, Regional Deer Biologist for NYS-DEC in New Paltz, Informational
- ❖ Ilan Schuler, In favor of control of population of deer, but some concerns with law
- ❖ Susan Sterngold, Harriman Hikers, Opposed
- ❖ Roger Finn, Opposed
- ❖ Marilyn Liebra, Opposed
- ❖ Mark Osephien, New York Bow-hunters Association, In favor
- ❖ Maureen Benedict, Opposed
- ❖ Robert Romanowski, In favor
- ❖ John McCabe, Concerned with County liability
- ❖ Bob Pitlack, In favor
- ❖ Henry Vogel, Opposed

... were entered the following resolution, which was seconded by Mr. Eason and unanimously adopted:

RESOLVED, that the public hearing be and it is hereby closed.

There is no vote on this matter this evening.

Debate:

Mr. Bierker

First of all I would like to thank all that took the time to express their opinion regarding the proposed Bow Hunting provision for County parks. We live in a Democratic Republic and thus have the right, if not the obligation, to express opinion, not only in the voting booth, but also in a public forum such as this. Most opinion spoken for or against the proposition was thoughtful and addressed the issues at hand, some other opinion was not. Regardless of personal opinion the following cannot be ignored. Our forest under story is in critical condition, because of deer browser. The under story is necessary for the propagation of floor to replace mature trees when they die. Without this undergrowth our forest will become a field and will not support current fauna, because the under story provides cover for birds and small animals. The impact of this goes far beyond a browsing of the backyard and walking through retail stores. The deer herd is weakened due to lack of food; wasting and the spread of Lyme disease. Needless to say, I support the concept and the size of the deer heard must be reduced. Options other then culling the herd to date are illegal or ineffective. Check with the experts, there is only one way and that is to cull the heard.

To that end, despite my disappointment in not having a vote for this proposal, I suggest the following:

Mr. Bierker made a motion to form a Rockland County Deer Management Task Force, including the following:

- ✓ To form a Rockland County Deer Management Task Force, or something similar to that in name
- ✓ This group could consist of about eight members with representatives from the Legislature, the County Executive's Office, the Rockland County Park Commission and both sportsmen and wildlife advocates
- ✓ The purpose of the group would be to review the Westchester Proposal, Interface with Harriman Park, Palisades Park representatives and DEC representatives and meet with local, town and village representatives
- ✓ The goal of the Rockland County Deer Management Task Force would be to frame a proposal regarding this issue and report back to the Rockland County Legislature in a timely manner for review and action

I thank Chairperson Cornell for the courtesy to make that statement.

Mr. Bierker offered the following resolution, which was seconded by Mr. Schoenberger and unanimously adopted:

RESOLVED, that the Rules of the Legislature be waived to consider Item 12 A, Resolution No. 439 of 2009 under New Business.

NEW BUSINESS
Referral No. 9442

Introduced by:
Hon. Gerold M. Bierker, Sponsor
Hon. Harriet D. Cornell, Sponsor

**RESOLUTION NO. 439 OF 2009
CREATING A SPECIAL LEGISLATIVE COMMITTEE TO BE KNOWN AS A
SPECIAL COMMITTEE ON ROCKLAND COUNTY DEER MANAGEMENT**

Mr. Bierker offered the following resolution, which was seconded by Mr. Day, Mr. Moroney and Mr. Schoenberger and unanimously adopted

WHEREAS, the Legislature has determined that a Special Committee shall be created to explore the proposal to legalize bow hunting in Rockland County at designated Rockland County parks, to also consider the recommendations of the Rockland County Park Commission as to which parks, if any, are suitable for bow hunting, possible time period restrictions for said hunt, and the appropriate restrictions on the number, size, and sex of the deer to be taken as part of the hunt; and

WHEREAS, this Committee shall consist of nine members with representatives from the Legislature, the County Executive's designee, the Rockland County Park Commission and both sportsman and wildlife advocates; and

WHEREAS, the Committee shall review reports and studies prepared by other governmental bodies, such as the Westchester County study and interface with representatives of the State of New York, responsible for the oversight of the Harriman State Park, Palisades Park, the New York State Department of Environmental Conservation and representatives of the five town within Rockland; and

WHEREAS, the Committee shall report its findings to the appropriate committee of the Legislature upon completion of its mission and make the appropriate recommendations as to the feasibility of bow-hunting on County-owned parks; and

WHEREAS, appointments to this Special Committee shall be made by the Chair of the Rockland County Legislature, now therefore, be it

RESOLVED, that the Special Committee on Rockland County Deer Management is hereby created.

I think that a number of people tonight did not understand Legislator Bierker's proposal of the Law. It was a law to permit bowing hunting in County parks, but not limited to deer. The Law specifically says, "Bow-hunting is permitted only in County-owned parks specifically designated by the Parks Commission as legal and safe for bow-hunting by any person that has fully complied with the licensing requirements and as well as any other requirements or regulations promulgated by the Department of Environmental Conservation, including those regulations pertaining to the New York State bow-hunting season."

It is really an authorizing Law. A Law that authorizes the Park Commission to determine where is legal and safe for bow hunting. This has nothing to do with Harriman Park, which is a State park. This has to do with Rockland County parks. I have been a Rockland County resident for 48 years and I probably hiked Kakiat Park earlier than many of the people sitting here. Everybody talked about Kakiat as if it was a done deal and that was going to be the park. I do not know that to be true, nobody knows that to be true. When I asked Mr. Beers publicly, our Director of Environmental Resources who is responsible for the day-to-day management of our County parks and he reports to the Park Commission, he told me the Park Commission had not yet reviewed this matter. We had a representative here from Westchester who went into detail about what Westchester did before it allowed bow hunting in two of its parks. They did an extensive study and detailed review of each of its park for the safety and appropriateness for bow hunting. They prepared rules and regulations that involved proficiency where you had to hit a nine inch target at twenty-five yards three times in a row otherwise you were not allowed to get a permit. You had to agree to keep records of browsing and where the deer were located. They limited the number of hunters and Westchester County hired additional staff to supervise it.

The reason I seconded Legislator Bierker's motion is I think that it is the appropriate and intelligent way to proceed. If we were to pass this Law tonight to delegate to the County Park Commission the right to designate County Parks for bow hunting and determine which ones were illegal and safe they may turn around and say that there are no County Parks that we feel are legal and safe or they might designate a park that we might not agree with as being legal and safe. They may not designate rules and regulations that will protect the public safety or that otherwise may be in the best interest on the residents of Rockland County. I think that Legislator Bierker, by his proposed resolution, which I seconded, is in the right direction. This should first go to the Park Commission. They should make a review and coming back and advising us, including the public as to what they propose so we know exactly what they propose and what they are talking about. They may come back and say no parks are appropriate or they come back and say that this park is and this park isn't and here is why, including proficiency standards – I would like to know what their thoughts are before I make a or consider making a delegation to them to give then authority.

With that in mind by Legislator Bierker proposing a Rockland County Deer Management Task Force and by including a broad spectrum of people, including those that are wildlife management an those that are from the bow hunting end perhaps we can come together on something that is worthwhile that everybody can live with and feel comfortable with. I don't know if that is possible or not, but I think it is probably a more intelligent way to proceed then just to pass a Local Law delegating something to the County Park Commission. I am going to support Legislator Bierker's current resolution to create this Rockland County Deer Management Task Force. I expect that everything will be done open and in public and that all of you who are interesting will follow through and participate. One day we will revisit this and hopefully revisit it with more intelligent information then we have now.

and some of the communities that were researched across the nation in terms of those alternative methods that have been done like in Westchester and be able to go back to those communities for updates. I think that the public and all of us had a lot of questions that came up tonight many of which we cannot answer. We also heard what works and what doesn't work. I did some of my own research by contact the Wildlife expert at Cornell Cooperative Extension. I did some reading and I myself had suggested at one point what about other options and birth control. This is not easy. You have to, in some way, capture the deer, carry it to a place where they do the birth control and it is very costly and involves a lot of difficulty. So, those are some of the things that we are going to find out. We are going to make that information available, not only to Legislators, but to the public. I personally think a Deer Management Task Force should look into it in a dispassionate objective way at all of these situations. As Legislator Schoenberger said, interfacing or at least asking the opinion of the Park Commission is a very important part of this as well as what Legislator Bierker said, which is interfacing with State parks, with town parks and to look at this as a regional issue as well as a local one. I myself live on a small piece of property where there are eight deer there everyday. I have got coyotes there. It is nice to have wildlife, but it is bad enough to have your bushes eaten, but it is nerve-racking coming home late at night coming into your self and hoping not to run into coyotes. There are all of these issues. I think that we can move on tonight and get that resolution put together afterward.

Vice Chairman Darden

I want to thank each and everyone who came out tonight and spoke and gave your opinion via pro or con. I think that it is a very important issue and it has to be looked at very thoroughly and in-depth before any type of decision is going to be made. One of the things that I did like from Legislator Bierker is that we are going to be inclusive in talking to the representatives from the towns and villages. There will be an interfacing of all of the necessary entities to make what we consider to be a more thoughtful decision then what would have been done if we did not have the input we had here this evening. I hope that all of you appreciate all the efforts that we too are entertaining and trying to come with some sound kind of thought with what we come up with.

Chairwoman Cornell

I want to thank everyone for being here. I thought on the whole everything went very well and I appreciate your courtesy. Thank you very much.
