



NEW YORK STATE SENATOR

Tony Avella

Senator Avella's Mute Swan Bill Signed Into Law By Governor Cuomo

TONY AVELLA November 29, 2016

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Queens, NY – Last Night, State Senator Tony Avella and Assemblyman Steven Cymbrowitz received the Governor's signature on their bill (**S6630/A9289**) to help save the Mute Swan population in New York from eradication. The bill, introduced by Avella in the Senate and carried by Cymbrowitz in the Assembly, had been previously vetoed twice by the Governor.

The new law requires the Department of Environmental Conservation (DEC) to hold two public hearings prior to finalizing their plans to manage the Mute Swan population and create a two year moratorium on any action. The DEC would have to provide scientific evidence for the projected environmental damage caused by the birds. Even if DEC would provide the necessary evidence, the law requires that DEC seek alternatives to euthanasia.

"I am happy to finally get this bill signed into law to protect the Mute Swans from unreasonable eradication. This is a major victory for the Mute Swans, as well as other animals who may face similar eradication in the future," **said Senator Avella**. "I, and many animal rights organizations and activists, will remain skeptical that such drastic measures are necessary until evidence proves otherwise. Even if the evidence is there, it is a humane and moral imperative to find non-lethal means for controlling their population," **concluded Senator Avella**.

“Tens of thousands of New Yorkers signed petitions, sent letters and emails to the Governor’s office, and, in my community, called my office to tell me how much they enjoy watching the swans in Sheepshead Bay and Manhattan Beach. People were very vocal about their support of this bill, and I have to believe it made all the difference,” **added Assemblyman Cymbrowitz.**

“Since the 1980s we have lobbied in the northeast area to protect mute swans from nest destruction, egg addling and hunting, which have all been considered as wildlife management schemes. Governors have been deceived by the agencies that come up with these insidious plans that lack scientific evidence,” **said Priscilla Feral**, president of Friends of Animals. “We are ecstatic about this victory and that DEC’s hateful attitude towards mute swans has been reversed—it is out of step with the very residents of New York whose tax dollars fund the agency.”

“Friends of Animals is thankful that Sen. Avella responded to our urgent request to file this legislation and that he and Assemblyman Cymbrowitz remained steadfast in getting it passed. We had been swamped with phone calls and emails from frantic New York residents horrified that mute swans may be wiped out completely,” **she added.**

“This legislation is vital to ensure that the Mute Swan, a critical indicator species is protected. The law also mandates the importance and need for valid reliable scientific research prior to any management of Mute Swans. Without the assistance and support of Senator Avella and Assemblyman Cymbrowitz, this legislation would not have been enacted,” **said Sheila Bolin**, CEO, The Regal Swan Foundation, Inc.

John Lyons, one of the leaders of a grassroots citizens group in the Hudson Valley which has worked with Senator Avella in the fight to pass this bill said, “The Governor’s signing of this bill is an important step forward in saving mute swans in New York and holding DEC accountable for the science behind its program. This victory was years in the making, and we

thank Senator Avella for his leadership and unwavering support and perseverance. We hope this important bill will also influence regulators in other states to reconsider their mute swan control programs.”

“The Animal Welfare Institute applauds Senator Avella and Assemblyman Cymbrowitz for their longstanding leadership to protect New York’s mute swans. Their efforts to ensure that these majestic and beloved animals are not eradicated from the state and that nonlethal management tools are considered will undoubtedly be appreciated by the countless New Yorkers and tourists who enjoy seeing these iconic birds in a natural setting,” **said Joanna Grossman, PhD**, Federal Policy Advisor, Animal Welfare Institute.

Bill Sacrey, of the League of Humane Voters said, “LOHV congratulates Sen Avella, Assemblyman Cymbowitz and Gov Cuomo for their leadership in protecting the animals of NYS with this groundbreaking legislation.”

"We are overjoyed that Gov. Cuomo has listened to the voices of thousands of New Yorkers asking him to give New York's mute swans a chance. GooseWatch NYC sounded the alarm three years ago when the DEC first announced its plan to eliminate all free living mute swans in the state. Thankfully, these swans found champions in Senator Avella and Assemblymember Cymbrowitz who recognized the horrifying ramifications of the DEC's proposal becoming policy. Understanding that thousands of mute swans have needlessly been killed under similarly misguided management efforts executed in other states, and that the DEC promotes and prioritizes lethal management of geese and other wildlife in New York, their law rightfully demands legitimate scientific justification for any mute swan management plans and increased public input into its decision making process, and crucially prioritizes non-lethal management. We will continue to work to protect mute swans and other wildlife to ensure they have a home in New York," **said David Karopkin** of GooseWatch NYC.

“The Governor has signed into law the will of the people to have the DEC provide the science behind their plans and to have more public input in the process. It would be a tragedy to have this majestic bird removed from New York State,” **said Wayne Thompson**, a Poughkeepsie attorney who represented a grassroots organization that worked tirelessly to save the Mute Swan population.