

**MEMORANDUM IN SUPPORT**  
**ASSEMBLY BILL 7438 SENATE BILL 4364**

Audubon New York, the state program of the National Audubon Society representing nearly 50,000 members and 30 local chapters, strongly supports Assembly Bill 7438 (Assemblywoman Rosenthal) and Senate Bill 4364 (Senator Marcellino), an act to amend the environmental conservation law and the public service law, in relation to enacting the healthy, safe and energy efficient outdoor lighting act.

Twice a year, hundreds of thousands of birds migrate through the skies of New York State. Many species of shore birds and songbirds rely on constellations to help them navigate to and from their summer breeding grounds throughout the state. However, excessive outdoor lighting, especially in adverse weather conditions can cause these migrating birds to become disoriented, a phenomenon known as fatal light attraction.

This phenomenon has led to the death of an estimated 100 million birds annually by collisions with windows, walls, floodlights, the ground or even each other. The New York City Audubon Society, a local Audubon Chapter, has created a volunteer monitoring effort, called Project Safe Flight, in which citizen scientist search city streets for birds that have collided with buildings. In addition to monitoring bird collisions, the New York City Audubon Society was successful in having the City of New York enact a "Lights Out New York", in which participating buildings turn their lights out during the spring and fall migration season.

Excessive outdoor lighting is also having dire consequences for numerous other animal and insect species that navigate at night, and is being linked various health threats from prolonged exposure to light. It also degrades and impairs the enjoyment of the natural nighttime environment, while costing the state millions in wasted electricity for the unnecessary lighting of the sky.

The healthy, safe and energy efficient outdoor lighting act will reduce the unnecessary lighting of the night sky thus decreasing the threats posed to the migrating birds and wildlife of New York. Through promoting the use of energy efficient lighting products, and ones that reduce light cast into the nighttime sky, this legislation will also decrease the demand for electricity, which will reduce air pollution produced in energy generation, and decrease costs to municipalities and the state.

Audubon New York strongly supports A.7438/ S.4364 to decrease the threats posed to birds and other wildlife from the excessive and unnecessary outdoor lighting, which illuminates the nighttime sky.

For more information Contact Sean Mahar of Audubon New York at 518-869-9731.