

From: wbuffaloinc [mailto:wbuffaloinc@aol.com]

Sent: Sunday, January 08, 2012 9:47 AM

To: Kate Supron

Cc: gordon batcheller; allen.l.gosser@aphis.usda.gov; michael.danaher@ag.ny.gov;

sjjoule@gw.dec.state.ny.us; kgclarke@gw.dec.state.ny.us

Subject: Re: FW: Druyan v Village Board of Trustees (513521)

Kate,

I woke up this morning thinking about how insane this ruling is. Deer have been increasing in numbers for decades and becoming a problem in many developed areas for nearly as many years. State wildlife agencies have been liberalizing actions to address this situation (under their professional discretion and authority) and have been the responsible party for wildlife management since the inception of the discipline. Hundreds of thousands of deer are killed in NY, and millions are killed across the country, each year during hunting season, yet the **NY Supreme Court** wants to hear a case about managing a few hundred deer? The only different is that in developed areas special methods are often necessary so a permit must be issued to manage deer outside of traditional recreational hunting methods/regulations/seasons. The result of hunting or alternative management is the same, deer are killed.

Not only has the Village gone much beyond what should be required (DEC review and permit issuance) by conducting a SEQR review, now the Supreme Court wants to review a judge's ruling that the process was adequately followed. If this does not sound off alarm bells to the authorities responsible for deer management then nothing will. The cost and logistics of managing deer in developed areas is obstacle enough for communities. To have to prove the need for action beyond the DEC's expert authority will prevent anyone from moving forward; just what the animal rights organizations want. Unless some very concerted effort is put together at all levels, attempting to organized a deer management program in developed areas in NY will become so legally difficult it will almost never happen.

In respect to the Village's situation, it is very unlikely that any action will be taken this winter season so a new plan should be considered. After many years of painstakingly organizing a plan you now have to wait another year. So now there will be more deer that will have to be killed to meet the Village objectives. I would revise your SEQR analysis and recommend trap and euthanasia and sharpshooting first. Then in areas where access is limited you can focus on sterilization, with additional sterilization efforts depending on the relative success of the lethal initiative. I would remove any requirement to sterilize deer first and ensure that trap and euthanasia is an approved method given the housing density in the community and the overly restrictive 500' firearm discharge law.

As you can see I have CC'd the DEC Wildlife Chief and the Attorney General's office (who has decided not to challenge the ruling for Binghamton University that requires SEQR review to cull deer) so that they fully understand the implications of inaction on their behalf. This is not a "Henny Penny" the sky is falling scenario, this is the start of a seriously problematic trend that animal rights activists will use to stop sensible deer management across your state. The state authorities are foolish to believe that these legal challenges will stop; they will accelerate in frequency. Animal rights activists are very well networked and these "successes" will be spread through their communication loop. In fact, this ruling was commented on by an animal rights person, that I work with on a sterilization effort in Maryland, yesterday during a phone conversation. Word travels fast.

Regards,

Tony

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In a message dated 01/07/12 19:50:14 Eastern Standard Time, ksupron@cayuga-heights.ny.us writes:
Unbelievable.

Best,

Kate

From: Stern, Rachel [rstern@ithaca.gannett.com]
Sent: Friday, January 06, 2012 4:46 PM
To: Kate Supron
Subject: FW: Druyan v Village Board of Trustees (513521)

From: Terri Romano [mailto:tromano@courts.state.ny.us]
Sent: Friday, January 06, 2012 1:40 PM
To: Stern, Rachel
Subject: Druyan v Village Board of Trustees (513521)

Herewith please find a copy of the decision with regard to the above-referenced matter.