OPPOSE S.1081

A broad, growing and uncommon coalition of conservationists, hunters, anglers, animal welfare and veterinary organizations representing millions of New Yorkers strongly oppose S.1081 - a measure to divert revenue from low cost spay and neuter programs for low income residents to an unproven and controversial program to Trap, Neuter and Return (TNR) Feral Cats. **We urge all New York State Senators to VOTE NO on S.1081.**

S.1081 is:

- **INEFFECTIVE** - Multiple, peer reviewed scientific studies* have shown the practice of TNR to be ineffective at reducing feral cat populations or the impacts feral cats have on the environment and public health. There are **NO** scientific studies to support any claims to the contrary.

- **ILLEGAL** – Agriculture and Markets law section 374, subdivision 5 prevents the release of animals once in custody of a shelter or animal control officer. This bill would provide funding for TNR practitioners to violate this law.

- **A THREAT TO WILDLIFE & THE ENVIRONMENT** – Feral and free-roaming domestic cats have been estimated to kill over 2 billion birds every year in the United States, including threatened and endangered species like the Piping Plover. Cats have also been estimated to kill tens of billions of small mammals annually, causing significant ecological disruptions. TNR does not reduce this risk to our already stressed wildlife species.

- **A PUBLIC HEALTH RISK** – TNR does not reduce the risk of human exposure to rabies or toxoplasmosis, and does not reduce the spread of other diseases including ringworm, hookworm, feline distemper, feline leukemia, and cat scratch fever.

**THE FOLLOWING ORGANIZATIONS URGE YOU TO**

**OPPOSE S.1081**

*Scientific studies documenting the ineffectiveness of TNR and the ecological and public health threats of Feral Cats:


Memorandum in Opposition

Senate Bill 1081
Assembly Bill 2778

Audubon New York, the state program of the National Audubon Society representing nearly 50,000 members and 27 local chapters, opposes Senate Bill 1081 (Senator Marchione) and Assembly Bill 2778 (Assemblyman McDonald), an act to amend the agriculture and markets law, in relation to community based initiatives for the purpose of Trapping, Neutering, Vaccinating and Returning (TNR) feral cats to the areas from which they were trapped.

Feral and free-roaming domestic cats have been estimated to kill over 2 billion birds every year in the United States, including threatened and endangered species like the Piping Plover. Such cats have also been estimated to kill an even greater amount of native small mammals annually, outcompeting native predators such as the Great Horned Owl and Red-tailed Hawk.

There are many unlawful established colonies of feral cats on public lands and sensitive wildlife areas across the state. As these populations of feral cats increase, so do the threats to birds, other wildlife and public health. In fact, domestic cats have been identified by the International Union for the Conservation of Nature as one of the world’s most harmful invasive species and a leading driver of bird species extinctions, and the North American Bird Conservation Initiative’s 2014 State of the Birds report identified free roaming and feral cats as the leading cause of bird declines next to habitat loss.

The practice of TNR, which would be funded under this bill, will not reduce impacts on birds and other wildlife. According to scientific studies, TNR has been shown to be ineffective at reducing feral cat populations, feeding cats does not eliminate their instinctive hunting behavior, and even when cats do not directly kill wildlife, their mere presence has been shown to reduce nesting success of birds. In addition, TNR is in conflict with Agriculture and Markets law section 374, subdivision 5 that prevents the release of animals once in custody of a shelter or animal control officer.

At a minimum, this legislation should be amended to prohibit the TNR of feral cats on or in the vicinity of state owned-lands, Bird Conservation Areas, and other key habitats for Species of Greatest Conservation Need (SGCN) as defined by the Department of Environmental Conservation. It should be the policy of the state to remove feral cats from these locations.

Based on the body of science demonstrating ineffectiveness of TNR programs and without amendments to restrict the practice, Audubon New York strongly opposes S.1081/A.2778. For more information contact Sean Mahar of Audubon New York at 518-869-9731.

On Third Reading in the Senate
Passed Assembly
April 20, 2015

Dear Members of the NYS Senate Agriculture Committee:

I am writing to ask that you oppose A2778/S1081. The funding that would be directed towards Trap-Neuter-Return (TNR) programs as a consequence of this bill will likely perpetuate, not abate, the problem of feral cats in our state.

From a biodiversity perspective, the impact of cat predation is staggering. A recent analysis estimated that free-ranging domestic cats kill 1.4 – 3.7 billion birds and 6.9 – 20.7 billion mammals each year in the US alone (Loss et al. 2013). This impact is likely exacerbated by the fact that many cat colonies are often within or adjacent to green spaces, which can severely undermine the efforts of NYS to protect parks and natural areas. Feral cats also can serve as reservoirs or vectors of parasites and diseases that can affect pets and humans. The threat that feral cats pose to people and native wildlife is widely recognized among scientists, managers, and conservationists, and there is similarly widespread agreement that increasing populations of free-ranging and feral cats must be controlled. However, the whole of the scientific literature does not support the efficacy of TNR. Rather, the citizens and native wildlife of New York State are best served by treating cats like dogs and, as such, remove the feral animals.

I understand the social-political controversy surrounding the management of feral cats; however, the science is clear. Overwhelming evidence points to the fact that most TNR programs have been and are expected to be less effective at reducing populations of feral cats than trap-euthanasia (Andersen et al. 2004, Longcore et al. 2009). In some cases, TNR may increase population size compared to no intervention at all (McCarthy et al. 2013). One study found that trap-euthanize would extirpate a large colony within 2 years, whereas the twice as expensive TNR was unlikely to within a 30 year timeframe (Lohr et al. 2013). In particular, in cases where there is some immigration (or release) of new cats in the population, euthanasia is likely to be the most effective treatment (Schmidt et al. 2009). One of the reasons why TNR is likely to be ineffective at controlling feral cats is that the establishment or maintenance of cat colonies encourages release of additional cats (Castillo and Clarke 2003). From a public health perspective, trap-neuter-vaccinate-return programs neither reduce feral cat populations, nor reduce risk of toxoplasmosis or rabies exposure for human populations (Roebbing et al. 2014). The National Association of State Public Health Veterinarians concluded that free-ranging feral cats and TNR programs are detrimental to public health.

Even considering the welfare of cats alone, the extent to which TNR is more humane can be questioned. Feral cats live outside, oftentimes in places where they are likely to lead harsh and traumatic lives. Indeed, vehicle collision and predation were the two primary causes of death of cats in the Chicago area (Gehrt et al. 2013). For this reason as well as due to the impact of cats on wildlife, certain animal welfare groups, such as People for the Ethical Treatment of Animals, oppose TNR.
Based on what is known about the control and management of feral cats, I urge you again to oppose A2778/S1081. Thank you for your consideration.

Sincerely,

Amanda D. Rodewald, Ph.D.

Director of Conservation Science, Cornell Lab of Ornithology
Associate Professor, Department of Natural Resources
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Cornell University
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Phone: 607-254-2176
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Literature cited:
Gehrt et al. 2013. PLOS ONE 8: e75718
April 23, 2015
Senate Finance Committee
New York State Senate
Albany, NY 12247

Dear Chairman DeFrancisco and Committee Members:

On behalf of American Bird Conservancy (ABC), I am writing to urge your opposition to S1081, An act to amend the agriculture and markets law, in relation to community-based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped. This bill is an attempt to legitimize the systematic abandonment of cats in New York and to require that public funds be committed for such purpose.

An abundance of scientific evidence and professional organizations have clearly determined that trap, neuter, release (TNR) programs, which are funded in this bill, are ineffective in reducing feral cat numbers, contribute to unsustainable predation on sensitive wildlife, and undermine public health and safety.

TNR Does Not Reduce Feral Cat Populations
Although good-intentioned, TNR programs do not effectively reduce feral cat populations. Rather than slowly disappearing, scientific studies have identified that colonies persist and the number of cats may actually increase. Behavioral changes associated with spaying and neutering and the supplemental feeding of feral cat colonies under TNR “care” has been shown to attract stray cats and lead to the increased abandonment of pets by irresponsible owners, resulting in a waste of “money, time, and energy.” The results of an evaluation of two long-term TNR programs in California and Florida led a team of researchers to conclude that “no plausible combination of [conditions] would likely allow for TNR to succeed in reducing population size.”

Feral Cat Colonies Threaten Wildlife
Domestic cats are a non-native species that impose considerable ecological damage and have contributed to the extinction of 33 species. The International Union for the Conservation of Nature (IUCN) lists cats among the world’s worst invasive species globally, and the Department of Interior’s State of the Birds 2014 Report recognized outdoor cats as the number one source of direct, human-caused mortality for birds. Every year in the United States, outdoor cats kill approximately 2.4 billion birds and 12.3 billion mammals. Unfortunately, feeding cats does not eliminate this instinctive hunting behavior. Even when cats do not directly kill wildlife, their mere presence has been shown to result in a reduction in the feeding of nesting chicks by one-third and an increased likelihood of nest failure by an order of magnitude. Not only are these
wildlife species public trust resources, many are also protected by a variety of state and federal laws including the Migratory Bird Treaty Act and the Endangered Species Act. To support a program that intentionally releases non-native predators into an environment with known endangered species is a potentially severe legal liability.

Feral Cat Colonies Threaten Public Health
Permitting and maintaining feral cats roaming in parks and neighborhoods is a recognized risk by public health scientists, agencies, and professional organizations such as the National Association of State Public Health Veterinarians. xi Cats are consistently the number one carrier of rabies among domestic animals and pose a “disproportionate risk for potential human exposure.”xii Indeed, the Compendium of Animal Rabies Prevention and Control used by the New York State Department of Health advises that all stray cats be removed from the community. xiii Even when TNR programs incorporate rabies vaccinations, required booster shots necessary to ensure public safety are almost never administered. xiv

Cats also spread the parasite Toxoplasma gondii, which causes toxoplasmosis. This parasite is excreted by cats into the environment through feces, effectively contaminating soil and waterways. Although cats are the only definitive hosts for the parasite, all warm-blooded species can be infected with toxoplasmosis, and studies have linked such infections in deer with nearby feral cat colonies in TNR programs. xv Although once thought to only harm people with compromised immune systems, new research has shown that even healthy adults are at risk. Toxoplasmosis has been linked to schizophrenia, Alzheimer’s, obsessive compulsive disorder, and other neuro-degenerative diseases and can cause sudden abortion, fetal abnormalities, and death. xvi,xvii Furthermore, a new study has documented “remarkable” working memory performance reductions in seniors 65 and older that test positive for the parasitic disease. xvii TNR programs actually facilitate the spread of T. gondii, and such conditions can lead to epidemics of toxoplasmosis in North America. xviii

Based on the overwhelming evidence that invariably indicates the failure of TNR, I urge you to oppose S1081. Rather than providing funding for a program that will maintain roaming hordes of feral cats outdoors, the State would be better served by treating cats like dogs and to actively and effectively remove these feral animals.

Thank you for your consideration,

Grant Sizemore, M.S., AWB®
Director of Invasive Species Programs
American Bird Conservancy

1731 Connecticut Avenue, NW, 3rd Floor ● Washington, D.C. 20009
Tel: 202-234-7181 ● Fax: 202-234-7182 ● abc@abcbirds.org ● www.abcbirds.org
Memorandum of Opposition  
S1081 / A2778

The NYS Conservation Fund Advisory Board respectfully requests that you oppose S7290/A9487 - an act to amend the agriculture and markets law - in relation to community-based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped. The funding that would be directed towards Trap-Neuter-Return (TNR) would likely perpetuate, not resolve, the problems created by feral cats throughout New York State.

Feral cats are voracious predators and they impose an exacting toll on wild bird population. Some estimates indicate that more than 1.4 billion birds – perhaps as many as 3.7 billion – are killed by free-ranging domestic cats annually. The toll on small mammals is every bit as severe. Estimates on the loss of these small furbears range from 6.9 to 20.7 billion each year. The losses are in some cases driven by colonies of feral cats that thrive within, or in close proximity to, green spaces. The problem is further exacerbated by the diseases and parasites carried by these cats. Returning these cats to the wild is simply not a solution.

The scientific literature on the subject does not support neutering and returning, but rather removal from the environment. In the long term, T-N-R programs will be far more costly to implement and maintain and come perhaps at the cost of maintaining existing shelters and adoption programs. Studies suggest that the cost of T-N-R programs can be as much as twice that of removal. T-N-R have also shown to serve as a catalyst that encourages the release of even more cats by people who feel they no longer have the responsibility to neuter and control their pets.

In summation, there is a widely held belief among scientists, wildlife managers and conservationists that feral cats must be controlled and removed from the environment. The evidence also strongly suggests that free-ranging feral cats and T-N-R programs are not only a danger to wildlife, but are a danger to public health thorough the spread of diseases such as rabies.

Please oppose any bills that promote T-N-R programs.
The Honorable John DeFrancisco  
Chair New York State Senate Finance Committee  
Room 416, New York State Capitol  
Albany, NY 12247

Memorandum of Opposition to S1081/A2778 Re: Trapping, Neutering and Releasing Feral Cats

The Fish and Wildlife Management Board is a six decade old statutorily established volunteer board made up of regionally elected delegates. The delegates represent the more than 1.5 million members of the sporting public, the state’s landowners and the county governments of 55 of the 62 counties of the state. The board’s main charges are to advise on matters of fish, wildlife and habitat management and sporting access.

The Fish and Wildlife Management Board is strongly opposed to these bills on several grounds and strongly urges you to vote NO on S1081/A2778.

We object to the diversion of funds intended to support the Animal Population Control Program that assists low income pet owners to spay and neuter their pets to unregulated hobbyists who seek to trap, neuter and release (TNR) feral cats. Feral cats are classified as an Exotic Species and in their effect on wildlife they are a destructive invasive species that kills over 2 billion song and game birds and over 12 billion mammals annually in the United States. They have directly contributed to the extinction of at least 33 species.

We have both constitutional and statutory responsibilities to protect the native fish and wildlife of the State of New York. Cat TNR programs only serve to promote and expand the massive ecological damage already being done to our native wildlife by domestic cats both tame and feral.
Memorandum of Opposition to S1081/A2778 Re: Trapping, Neutering and Releasing Feral Cats,
29 May 2015

Free ranging cats are well documented reservoirs of disease and illness, especially of
rabies in New York where they constitute more than 10% of the states confirmed cases of
rabies. The proper course for responsible intervention in the reduction of our feral cat
population should be to fund and regulate widespread large scale efforts to trap and humanely
euthanize feral cats across all of New York State.

We thank you for your consideration of this memorandum and strongly urge you to vote
NO on S1081/A2778.

Thank you for the opportunity to comment,

Lance Robson
Chair, NYS Fish and Wildlife
Management Board

(315) 374-3587
nyfishandwildlifeboard@gmail.com
MEMORANDUM IN OPPOSITION

June 8, 2015

Via email

To: Members of the New York State Senate

Re: Bill reported and advanced to Third Reading

S 1081 – Relates to community based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped.

Same as bill A 2778 has been passed by the Assembly and delivered to the Senate.

This bill would authorize the expenditure of public funds to support programs that trap, neuter and release feral cats.

Justification:

The Council is opposed to this legislation. The proposal seeks to address what the sponsors and their supporters view as the penuries of the feral cat population. We believe that this is the wrong perspective. The feral cat population, estimated at between 60 and 100 million nationally, should be dealt with from the standpoint of its impact on the ecosystem in its entirety.

Feral cats are, in ecological terms, correctly defined as an invasive species, inflicting major environmental damage. Established populations have become a threat to biodiversity, causing significant harm to wildlife as well as posing a human health risk. Any effort to support this population is contrary to the public interest.

Feral cats are apex predators that pose a threat to all forms of small wildlife. They kill or maim native small mammal and reptile species and are estimated to kill between one and two billion birds a year in the United State alone. Their introduction has been a major contributing factor to many if not most extinctions of these species.

To view trap-neuter-release (TNR) as a solution to the feral cat problem is an illusion. The population vastly exceeds the capacity of any TNR effort to do anything but scratch the surface. Irrespective of any TNR program, feral cats are still predators and will continue to kill wildlife and thus ravage the ecosystem.
The US Fish and Wildlife Service sent this letter to NJ in 2009 concerning trap-neuter-release and free-ranging domestic cats:

"The Service strongly opposes domestic or feral cats (Felis catus) being allowed to roam freely within the U.S. due to the adverse impacts of these non-native predators on federally listed threatened and endangered (T&E) species, migratory birds, and other vulnerable native wildlife."

Any contribution to the establishment or continuation of a feral cat population is at the very least environmentally irresponsible and potentially a violation of the Endangered Species Act.

This legislation would divert funds from truly beneficial programs dealing with adoptive dogs and cats to a discredited TNR model. Furthermore, it is questionable whether TNR programs are even legal under the current Agriculture and Markets Law (see §355 and §374.5).

Ideally, feral cat populations should be eliminated completely. Any feeding or other maintenance activities should be prohibited or, at the very least, resolutely discouraged. Programs should be undertaken to educate pet owners and preclude actions that support the establishment or growth of feral populations.

Contact:
A. Charles Parker, President
NYS Conservation Council, Inc.
Phone: 315/963-8413
Email: nyscc@nyscc.com
Memorandum of Opposition
S01081/ A2778

The NY State Chapter of the National Wild Turkey Federation respectfully requests that you oppose S01081/A2778 - an act to amend the agriculture and markets law - in relation to community-based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped.

Feral cats have significant impacts on native wildlife populations, including many species of small mammals, migratory songbirds, and game birds that are in decline. Feeding of feral cats does not replace the predation impacts they have on native wildlife populations. The funding that would be directed towards Trap-Neuter-Return (TNR) would likely perpetuate, not resolve, the problems created by feral cats throughout New York State.

The scientific literature on the subject does not support neutering and returning, but rather removal from the environment. In the long term, T-N-R programs will be far more costly to implement and maintain and come perhaps at the cost of maintaining existing shelters and adoption programs. Studies suggest that the cost of T-N-R programs can be as much as twice that of removal. T-N-R have also shown to serve as a catalyst that encourages the release of even more cats by people who feel they no longer have the responsibility to neuter and control their pets.

Feral cats are vectors for disease that impact humans, wildlife, domesticated pets and livestock. Toxoplasmosis and rabies are among the significant threats posed by feral cats.

TNR programs allow for the above mentioned problems associated with feral cats to perpetuate. Therefore we request your opposition to S01081/ A2778.

Yours in Conservation,

Bill Wilbur
NWTF-NY State Chapter President

Doug Little
NWTF Conservation Field Supervisor (Northeast District)
Memorandum of Opposition

S1081 / A2778

The NY Sportsmen’s Advisory Council respectfully requests that you oppose S7290/A9487 - an act to amend the agriculture and markets law - in relation to community-based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped. The funding that would be directed towards Trap-Neuter-Return (TNR) would likely perpetuate, not resolve, the problems created by feral cats throughout New York State.

Feral cats are voracious predators and they impose an exacting toll on wild bird population. Some estimates indicate that more than 1.4 billion birds – perhaps as many as 3.7 billion – are killed by free-ranging domestic cats annually. The toll on small mammals is every bit as severe. Estimates on the loss of these small furbearers range from 6.9 to 20.7 billion each year. The losses are in some cases driven by colonies of feral cats that thrive within, or in close proximity to, green spaces. The problem is further exacerbated by the diseases and parasites carried by these cats. Returning these cats to the wild is simply not a solution.

The scientific literature on the subject does not support neutering and returning, but rather removal from the environment. In the long term, T-N-R programs will be far more costly to implement and maintain and come perhaps at the cost of maintaining existing shelters and adoption programs. Studies suggest that the cost of T-N-R programs can be as much as twice that of removal. T-N-R have also shown to serve as a catalyst that encourages the release of even more cats by people who feel they no longer have the responsibility to neuter and control their pets.

In summation, there is a widely held belief among scientists, wildlife managers and conservationists that feral cats must be controlled and removed from the environment. The evidence also strongly suggests that free-ranging feral cats and T-N-R programs are not only a danger to wildlife, but are a danger to public health thorough the spread of diseases such as rabies.

Please oppose any bills that promote T-N-R programs.

Respectfully Submitted,

Larry G. Becker
Chairman, New York Sportsmen’s Advisory Council
5201 Murphy Rd., Gainesville, NY 14066-9766
Home Phone: (585) 493-3057
Mobile Phone: (585) 739-1711
Email: ljbecker@reagan.com
April 27, 2015

The Honorable William Magee, Chair
Members of the Assembly Committee on Agriculture

Re: OPPOSITION to Senate Bill 1081/Assembly Bill 2778

Dear Senator Magee and Members of the Assembly Committee on Agriculture:

Our office is hearing from New York state residents who are deeply worried about Senate Bill (S) 1081 and its companion in the State Assembly, A2778, which propose to divert funds from the state Animal Population Control Program—which was originally established to assist low-income citizens with the cost of spaying and neutering their animal companions—to groups and individuals who participate in the hobby of trapping, neutering, and re-abandoning (TNR) homeless cats to fend for themselves on the streets. We share our callers' concerns, and on behalf of our tens of thousands of members and supporters in New York, we urge you to vote NO on S1081/A2778.

If passed, S1081/A2778 would undermine the intent of New York Consolidated Agriculture & Markets Law, Article 7 Section 117-a. Animal population control program, whose purpose is to encourage and help dog and cat owners in the state to have their animal companions spayed or neutered, in addition to reducing potential threats to public health and safety posed by homeless and stray animals.

Individuals and groups that promote leaving homeless cats to fend for themselves outdoors refuse, as a matter of course, to accept the responsibilities of animal ownership, including providing routine and necessary vaccinations and other medical care—even for life-threatening illnesses and injuries—as well as adequate protection and shelter from the elements and abiding by state and local animal control and public-safety laws. Public officials are often misled into believing that TNR will significantly reduce the number of homeless and feral cats, but the reality is that many cats are difficult (or impossible) to trap; volunteers cannot realistically be relied upon to see through such a time-consuming, labor-intensive, long-term project (sterilizing an entire colony can take years),¹ and cat populations change in dynamics and grow rapidly—and if cats are unsterilized, exponentially—when residents abandon unwanted cats at colonies, believing that the cats will be taken care of.²

According to the National Association of State Public Health Veterinarians, "no evidence exists that maintained cat colonies adequately reduce human public health risks or appropriately address their impact on pets or native wildlife." It went on to say that "[s]everal reports suggest that support of 'managed cat

¹Richard Conniff, "Sorry, Cat Lovers' Trap-Neuter-Return Simply Doesn't Work," TakePart.com 1 Apr. 2014
colonies' may increase the public's likelihood of abandoning unwanted pets in lieu of more responsible options."

And a recent study by researchers from the Centers for Disease Control and Prevention (CDC) reports that most of the cats in a given TNR colony "will only be trapped once in their lifetimes" and that "one [rabies] vaccine dose does not necessarily offer lifetime coverage." A USA Today article reporting on the study explains that the CDC paper "disagrees with the notion that TNVR [trap-neuter-vaccinate-return] programs cause feral cat colonies to slowly decrease in size as cats die" and that it "cites studies showing that many continue to increase over time, either because not all animals are neutered or because of the arrival of new cats drawn to the food."

Cat colonies present serious public-health and -safety dangers. According to a June 6, 2013, Utica Observer-Dispatch article, the New York State Department of Health (NYSDOH) reported that 38 cats across the state (excluding New York City) tested positive for rabies in 2011, comprising more than 10 percent of the total rabies cases. Of those, two out of three were identified as feral and 21 had bitten someone. And just last month, two cats and a cow tested positive for rabies in Madison County. The NYSDOH advises citizens not to feed, touch, or adopt wild animals or stray dogs or cats.

PETA is an animal-protection organization, so the practice of TNR concerns us from an animal-welfare perspective as well as a public-health one. TNR does nothing to protect cats from the suffering associated with short and miserable lives (and deaths) on the streets, endangers local wildlife already stressed by human encroachment, and is in direct conflict with the mission of animal-care authorities, animal control officials, and public-health agencies.

Thank you for considering our concerns and for all your hard work for the citizens of New York.

Yours truly,

Teresa Chagrin
Animal Care and Control Specialist, Cruelty Investigations Department
443-320-1277
TeresaC@peta.org

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5. Amy Neff Roth, "Health Department Warnings To Avoid Feral Felines," UticaFD.com 6 June 2013
June 1, 2015

Senate Finance Committee
New York State Senate
Legislative Office Building
Albany, NY 12247

Re: S1081 – Community-based initiatives for feral cats

Dear Chairman DeFrancisco and Committee Members:

On behalf of American Bird Conservancy, Huntington-Oyster Bay Audubon Society, The Cornell Lab of Ornithology, and The Wildlife Society New York Chapter, we are writing to urge your opposition to S1081, *An act to amend the agriculture and markets law, in relation to community-based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped*. This bill is an attempt to legitimize the systematic abandonment of domestic cats in New York and to require that public funds be committed for such purpose.

An abundance of scientific evidence and professional organizations have clearly determined that trap, neuter, release (TNR) programs, which are funded in this bill, are ineffective in reducing feral cat numbers, contribute to unsustainable predation on sensitive wildlife, and undermine public health and safety.

**TNR Does Not Reduce Feral Cat Populations**

Despite good intentions, TNR programs do not effectively reduce feral cat populations. Rather than slowly disappearing, scientific studies have identified that colonies persist and the number of cats may actually increase.\(^5\)\(^6\)\(^7\) Behavioral changes associated with spaying and neutering and the supplemental feeding of feral cat colonies under TNR “care” has been shown to attract stray cats and lead to the increased abandonment of pets by irresponsible owners, resulting in a waste of “money, time, and energy.”\(^8\) The results of an evaluation of two long-term TNR programs in California and Florida led a team of researchers to conclude that “no plausible combination of [conditions] would likely allow for TNR to succeed in reducing population size.”\(^9\)
Feral Cat Colonies Threaten Wildlife
Domestic cats are a non-native species that impose considerable ecological damage and have contributed to the extinction of 33 species.xii The International Union for the Conservation of Nature (IUCN) lists cats among the world’s worst invasive species globally, and the Department of Interior’s State of the Birds 2014 Report recognized outdoor cats as the number one source of direct, human-caused mortality for birds.xi,xii Every year in the United States, outdoor cats kill approximately 2.4 billion birds and 12.3 billion mammals.xii Unfortunately, feeding cats does not eliminate this instinctive hunting behavior.xiv Even when cats do not directly kill wildlife, their mere presence has been shown to result in a reduction in the feeding of nesting chicks by one-third and an increased likelihood of nest failure by an order of magnitude.xiv Not only are these wildlife species public trust resources, many are also protected by a variety of state and federal laws including the Migratory Bird Treaty Act and the Endangered Species Act. To support a program that intentionally releases non-native predators into an environment with known endangered species is a potentially severe legal liability.

Feral Cat Colonies Threaten Public Health
Permitting and maintaining feral cats roaming in parks and neighborhoods is a recognized risk by public health scientists, agencies, and professional organizations such as the National Association of State Public Health Veterinarians.xiii Cats are consistently the number one carrier of rabies among domestic animals and pose a “disproportionate risk for potential human exposure.”xv Indeed, the Compendium of Animal Rabies Prevention and Control used by the New York State Department of Health advises that all stray cats be removed from the community.xvi Even when TNR programs incorporate rabies vaccinations, required booster shots necessary to ensure public safety are almost never administered.xvi

Cats also spread the parasite Toxoplasma gondii, which causes toxoplasmosis. This parasite is excreted by cats into the environment through feces, effectively contaminating soil and waterways. Although cats are the only definitive hosts for the parasite, all warm-blooded species can be infected with toxoplasmosis, and studies have linked such infections in deer with nearby feral cat colonies in TNR programs.xviii Although once thought to only harm people with compromised immune systems, new research has shown that even healthy adults are at risk. Toxoplasmosis has been linked to schizophrenia, Alzheimer’s, obsessive compulsive disorder, and other neuro-degenerative diseases and can cause sudden abortion, fetal abnormalities, blindness, and death.xvii,xviii Furthermore, a new study has documented “remarkable” working memory performance reductions in seniors 65 and older that test positive for the parasitic disease.xvii TNR programs actually facilitate the spread of T. gondii, and such conditions can lead to epidemics of toxoplasmosis in North America.xviii

Based on the overwhelming evidence that invariably indicates the failure of TNR, we urge you to oppose S1081. Rather than providing funding for a program that will maintain roaming hordes of feral cats outdoors, the State would be better served by treating cats like dogs and effectively removing these feral animals.
Thank you for your consideration.

Grant Sizemore  
Director of Invasive Species Programs, American Bird Conservancy

Stella Miller  
President, Huntington-Oyster Bay Audubon Society

Amanda D. Rodewald  
Director of Conservation Science, The Cornell Lab of Ornithology

Valorie R. Titus  
President, The Wildlife Society – New York Chapter

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To: The New York State Humane Association

Re: Bill # is A2778 and S1081

The New York State Wildlife Rehabilitation Council (NYSWRC) does not support the above mentioned bill regarding trap, vaccinate, neuter, and release programs for feral cats. NYSWRC represents licensed wildlife rehabilitators within New York. Wildlife rehabilitators provide care for distressed wildlife – sick, injured, orphaned, and displaced native wildlife. Our goal is to return healthy and healed animals to their natural environments.

We are licensed by the NYS Department of Environmental Conservation and for those handling federally protected migratory birds, permitted by the U. S. Fish & Wildlife Service. As such, we must keep an annual log and tally of all animals under our care - where they come from, the reason for distress, who finds them, and what happens to these animals. In any given year, upwards to 20,000 are cared for in NY. There are many reasons that animals end up in our care. One primary cause of death, injury, or creation of orphans is predation by outside cats; feral, stray, or a house pet let out. The devastation is not restricted to birds; cats are indiscriminate killers of all kinds of wildlife, including endangered and threatened species. The domestic house cat does not belong in the wild and should be considered an invasive species.

Many wildlife rehabilitators have concern for all animals, not just native wildlife. For that reason, it is difficult to accept that cats are allowed to roam free in the wild where, they too face many dangers and shortened life spans. It is not in the cat’s best interest to be left in the wild. Realizing that this is a difficult situation, and in many areas it is an out-of-control situation, more humane options need to be explored and perhaps funded to resolve this problem in another manner. Leaving cats in the wild is unacceptable for our native wildlife and the wild is an unacceptable home for cats.

Specific to the proposed legislation, some of the language refers to “TNR”, and in other sections spaying is also mentioned. Clearly if the program only provides for neutering, the breeding problem will never be solved, as humans dump unwanted cats all the time providing an influx of unaltered cats into a colony. There is simply no way to control for the addition of new cats into a managed colony at any point in time. The proposed legislation also mentions the ‘scientific vacuum effect’ whereby if cats are removed from nature the void will automatically be filled with other cats. The natural phenomenon of ‘nature abhorring a vacuum’ does not refer to
human-created colonies of non-native animals whose numbers are constantly replenished by the actions of people. By supporting this program, it is tacit acceptance of the abandonment of pets and places a burden of responsibility on a community to clean up someone else’s problem. Perhaps some percentage of funding should go to other community organizations to help save native wildlife negatively impacted by feral cats?

Here is a recap of why NYSWRC does not support Bill # is A2778 and S1081:

- Feral cats, a non-native species, prey indiscriminately on native wildlife
- Cats are a contributing factor in the elimination of threatened or endangered species in localized areas
- Outside cats face many threats to their wellbeing, such as injury, disease, exposure to the elements, and predation
- Logistics of capturing feral cats to spay, neuter, vaccinate and then to recapture for booster vaccinations is inefficient and often there is no follow up
- People aware of existing feral colonies will dump unwanted cats providing an ongoing source of new members into a colony
- Without adequate follow-up vaccination there is a rabies risk to human health and our pets, as well as other disease threats to pets
- Resources are limited and money spent on TVS (?)R programs would be better spent on solving the problem in another way

NYSWRC strongly opposes this proposed bill. We cannot support legislation that would continue to subject native wildlife to the threats posed by cats in the wild. But, we also do not support legislation that further would continue to subject cats to the harsh life when left in the wild.

Kelly Martin
President, New York State Wildlife Rehabilitation Council
MEMO IN OPPOSITION: S1081/A2778

Relates to initiatives for the purpose of trapping, neutering, vaccinating and returning cats.

The New York State Humane Association (NYSHA), an umbrella organization that represents animal advocacy groups and individuals statewide is strongly opposed to S1081/A2778 that would allocate monies out of the Animal Population Control Program for the purpose of trapping, neutering, vaccinating and returning (TNVR) cats to their original location. Due to numerous animal welfare, environmental, public health and legal concerns; NYSHA does not support efforts to TNVR cats, and is opposed to initiatives that would help to promote these activities.

**NOT REGULATED**... TNVR is an unregulated activity; there is no oversight; no official tracking or monitoring; no license or mandated training required for trapping; and no one takes responsibility for these cats once they become injured, sick, or a nuisance. There is no way to track who is responsible for managing ‘colonies’ and there is no requirement indicating where cats should be returned. In many cases, “property owners themselves are expected to trap unwanted cats” (Lollypop Farm, Rochester NY TNR program). There is nothing preventing cats from being released in locations where they are not welcome. The state should not be allocating funding without specific guidelines and regulations to ensure the safety, viability, and greater impact of the activity.

**NOT GOOD FOR CATS**... Most cats that are forced to live outdoors survive for only 2 to 5 years and often meet horrifying ends including being hit by cars, tortured, mauled by dogs or wild animals, or suffering from untreated illness, or injury.

**NOT GOOD FOR THE ENVIRONMENT**... Feral and unowned cats kill hundreds of millions of birds and more than a billion small mammals each year in the United States. Even when fed, outdoor cats will still routinely prey on wildlife.

**NOT EFFECTIVE**... Although the goal of managed feral cat colonies is to reduce populations, any reductions are offset by the illegal dumping of additional unwanted cats and the attraction of other cats to a provided food source.

**NOT GOOD FOR PUBLIC HEALTH**... Native wildlife such as raccoons, skunks and coyotes are attracted to cat feeding stations, increasing interactions and promoting the transmission of disease.

A number of diseases and parasites are associated with unattended free-roaming cats, such as ringworm, hookworm, cat scratch fever, toxoplasmosis, feline distemper, feline leukemia, and rabies. In fact, cats represent the majority of reported rabid domestic animals in the United States annually. Unvaccinated cats may also transmit disease to wildlife, pets, and people. TNVR programs usually only provide a one-time vaccine. Cats are not re-trapped to administer updates to prevent the spread of disease, as is required for pets.
NOT LEGAL. ... Not all TNVR'd cats are "feral," and even if they were, by law, they are still considered companion animals. Currently TNVR activities cannot be deemed legal in New York State. Under Agriculture and Markets Law § 355: A person being the owner or possessor, or having charge or custody of an animal, who abandons such animal, is guilty of a misdemeanor. In addition, NYS Agriculture and Markets Law §374.5 reads: No person shall release any dog or cat from the custody or control of any pound, shelter, society for the prevention of cruelty to animals, humane society, dog protective association, dog control officer, peace officer or any agent thereof, for any purpose except adoption or redemption by its owner.

For all of the humane, health, environmental and legal reasons outlined above, NYSNA strongly opposes this proposed legislation and respectfully requests that you do not support passage of this measure.


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§ 374. Humane destruction or other disposition of animals lost, strayed, homeless, abandoned or improperly confined or kept.

5. No person shall release any dog or cat from the custody or control of any pound, shelter, society for the prevention of cruelty to animals, humane society, dog protective association, dog control officer, peace officer or any agent thereof, for any purpose except adoption or redemption by its owner, provided, however, that after the time for redemption has expired, release may be made to another such pound, duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society or duly incorporated animal protective association for the sole purpose of placing such animal in an adoptive home when such action is reasonably believed to improve the opportunity for adoption. Notwithstanding the penalties set forth in paragraph b of subdivision three of this section and paragraph b of subdivision four of this section, any violation of this subdivision, subdivision two, three or four of this section, shall constitute a misdemeanor and shall be punishable by imprisonment for not more than one year, or by a fine of not more than one thousand dollars, or by both.