

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-6607

AN ACT CONCERNING THE NIGHTTIME LIGHTING OF STATE-OWNED
Title: BUILDINGS AT CERTAIN TIMES FOR THE PROTECTION OF BIRDS.

Vote Date: 3/3/2023

Vote Action: Joint Favorable Substitute

PH Date: 2/15/2023

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

To protect migrating birds from flying into the lit buildings.

JFS LANGUAGE

Delete subsection C of the original bill, limited application to buildings owned by the state and changed the spring avian migration period to begin on March 15th.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Connecticut Department of Energy & Environment:

Commissioner Dykes testified that DEEP supports the concept of the bill but had suggestions. We have only evaluated the ecological implications and expect conversations with other state operations as to any operational difficulties. The bill will have a positive impact on bats and other nocturnal animals. We suggest you change the peak migration period to March 15th instead of April 1st to further protect early migrants.

Darren Hobbs, Deputy Commissioner, Department of Administrative Services:

Commissioner Hobbs testified in support but would like to see the removal of buildings leased by the state from its requirements. Most of the state's leased are multi-tenanted meaning some are controlled by the state, but some DAS has minimal control making it difficult to enforce the lighting requirements.

NATURE AND SOURCES OF SUPPORT:

Donna DiMassa, Mendatuck Audubon Society:

Ms. DiMassa testified how many birds migrate at night using natural light cues but are confused with bright lights and sky glow it can cause them to collide with windows and walls while others circle in confusion until exhausted.

Patrick Comins, Executive Director, The Connecticut Audubon Society:

Mr. Comins testified that the proper nighttime lighting during migration season has been effective in reducing mortality. Other states have already enacted similar Lights Out Laws for their state buildings.

Emily Keating, CT Omithological Association:

Ms. Keating testified that by reducing energy by turning out lights we can prevent bird fatalities. Nearly one billion birds in the United States dies due to window strikes. These occur because birds are attracted to the lights of the buildings.

Robert LaFrance, Director of Policy, National Audubon Society:

Mr. LaFrance testified how ongoing research in Chicago over a 20-year period and where over 30,000 birds collided with a single building. The solution, turning off unnecessary lighting which reduced bird mortality by over 80%. Reducing the lighting from 11 p.m. to 6 a.m. from April 1 to May 31 and August 15 to November 15 would reduce greatly the impact for migrating birds. You make check the Lights Out web for more information.

Leo Smith, Connecticut Chapter President, The International Dark Sky Association:

Mr. Smith testified how light pollution has been increasing in Connecticut over the past decade which affects plants, insects. Mammals, birds and aquatic life. In 1995 Connecticut enacted laws to reduce light pollution which was expanded 6 years later and in 2004 and a third in 2006. Millions of birds still die from light pollution from outdoor lighting. We have included excerpts from our AMA policy which we adopted in 2016.

Sophia Marler, Lights Out Ct- University of Saint Joseph:

Ms. Marler testified that as a master's student in biology. Leading a project to track bird window collisions and testing different methods of preventing these incidents she knows that the strikes occur during migration and the nighttime and early morning. Dimming artificial light at night will be a great help and the first step.

Lori Brown, Executive Director, Connecticut League of Conservation Voters:

Ms. Brown testified that this bill is a step in the right direction and helps reduce bird mortality, but nighttime lighting restrictions should be broad in scope and include a public education component.

Samuel S. Gold, Executive Director, Lower Connecticut River Valley of Governments:

Mr. Gold testified that this bill would be a good model for municipalities, private sector and homeowners. Whenever possible artificial lighting should be limited in intensity, direction, spread and duration.

Suzanne Cahill:

Ms. Cahill submitted supporting testimony on the bill. Birds can't see thru glass just light refracted from it or their reflections therefore causing collisions. Connecticut is an exceptionally important byway for birds and limiting the nighttime illuminations of non-essential interior and exterior lighting reduces the number of bird building collisions.

Raul de Brigard, Higganum, Connecticut:

Mr. de Brigard submitted testimony that as a resident who served many years on local P&Z and wetlands commissions and not on the Gateway Commission and the LCRV Planning Committee this is a bill that I hope will set an example for non-government buildings. I urge you to revise the bill and include not just outdoor lighting but also indoor lighting of unoccupied spaces visible from outdoors.

Chris Elphick:

Mr. Elphick testified that as a conservation biologist who teach and runs a research program primarily around birds I have been asked to comment on the scientific evidence. Artificial night lighting has been known to affect the behavior of migratory since the 1800"s. Many birds migrate at night and early accounts describe how lighthouses would attract these migrants in droves cause numerous collisions. These effects have been magnified since the building of tall buildings. A study published last month in Trends in Ecology and Evolution provides an overview of the current scientific understanding of the situation.

Mary Hogue:

Ms. Hogue submitted testimony on light pollution, light trespass and their harmful nature, waste of energy and contribute to climate change. Ms. Hogue stated in her testimony that the International Dark Skies Association has a website with additional information.

Annie Hornish, Connecticut Senior State Director, The Humane Society of the U.S.:

Ms. Hornish testified on behalf of the Humane Society that nearly half the species on Earth are nocturnal. The U.S. Fish & Wildlife Service's Dark Skies Initiative describes how night skies are vital to wildlife and adding artificial light may result in substantial impact. Dark skies reconsider air quality value under the 1977 Clean air Act Amendments.

Francis Pickering, Executive Director, Western Connecticut Council of Governments:

Ms. Pickering testified that the bill should be expanded to require all new and replacement luminaires on state buildings and facilities carry the Fixture Seal of Approval of the International Dark-Sky Association.

Craig Repasz, Co-Chair, Lights out Connecticut:

Mr. Repasz testified that the Lights Out Connecticut Initiative was launched in February 2022 to bring attention from the Connecticut Ornithology Association and the effect on migratory birds and the attraction to these lights that takes them off course.

Dennis Riordan, President, Menunkatuck Audubon:

Mr. Riordan testified that on behalf of their 700 members they support the bill because it saves migrating birds, reduces energy usage and saves money.

Margaret Rubega, Ct State Ornithologist:

As a teacher of Ornithology at the University of Connecticut and the State Ornithologist I am providing comment on the mechanism through nighttime lighting causes mortality in birds. Bird retinas differ from ours in that they have additional kinds of color detectors and can see UV light as well as colors. Their ability to detect light is acute and their eyes are more sensitive to very low levels of light. Almost all their biological functions are regulated seasonally by the timing and intensity of light.

More than 32 people also submitted testimony in support of the bill:

NATURE AND SOURCES OF OPPOSITION:

None Expressed

Reported by: Pamela Bianca

Date: March 9, 2023