



Oneida Lake Association, Inc.—PO Box 3536—Syracuse, NY 13220
It's Your Lake—Help Us Preserve It!

July 16, 2020

Public Comments Processing, Attn: FWS–HQ–MB–2019–0103
U.S. Fish and Wildlife Service Headquarters MS: PRB (JAO/3W)
5275 Leesburg Pike
Falls Church, VA 22041–3803

Public Comment by the Oneida Lake Association, Inc. on Docket No. FWS-HQ-MB-2019-0103:

Oneida Lake Association, Inc. (OLA) is the non-profit conservation organization representing Oneida Lake. The lake, one of New York State's most valuable natural resources, is known for its abundance of game fish and wildlife habitat. OLA favors expanding and sustaining cormorant management, including a permit that delegates management authority to states.

OLA's position is that cormorant management must prioritize the following conservation goals: protecting free-swimming game fish populations from cormorant predation; and protecting habitat used by other species from the harmful effects of cormorant defecation.

The draft rule is well-intentioned—BUT—it does not go far enough to meet conservation goals or address cormorant overpopulation. The Potential Take Limit is a major flaw. OLA contends that the Potential Take Limit is a stagnant strategy that will: 1. Sustain cormorant populations at too high a level; 2. Create scenarios in which cormorant taking in some parts of the United States will preclude cormorant taking in other regions; and 3. Deprive wildlife managers of the flexibility needed to respond to rapid overgrowth of cormorant populations.

By unanimous vote, OLA's Board of Directors has approved a resolution opposing the Potential Take Limit and urging the U.S. Fish and Wildlife Service to pursue a more adaptive strategy. OLA requests that the U.S. Fish and Wildlife Service abandon or amend the Potential Take Limit analysis, and include analysis of cormorant sustainability at lower overall sub-population (Atlantic, Interior, Pacific, etc.) levels. This will permit state and federal agencies to collaborate on adaptive management strategies for cormorants.

OLA is a Longtime Advocate of Cormorant Management

OLA, which is the chief conservation organization chartered to preserve, protect, and promote Oneida Lake, is strongly in favor of the expansion and continuation of cormorant management. Cormorant management to protect game fish populations and wildlife habitat is supported by the Oneida Lake Association's position statement on cormorants, which was adopted in 1999 and amended in 2003 by unanimous votes of the OLA Board of Directors.

Our position calls for actions including:¹

- Reduction of cormorant populations at all times of the year, using methods permitted by USFWS;
- Reduction of cormorant populations until cormorants have no measurable effect on fish populations, wildlife habitat, and other species;
- Management by professional wildlife managers at the public expense; and
- Funding allocations to prevent managed cormorants from simply relocating from one body of water to another, smaller, more vulnerable body of water.

Background: Cormorants' Overpopulation, Impact, and Management on Oneida Lake

Cormorants were not historically observed as part of the Oneida Lake ecosystem, but they have proven to be opportunistically expansive in their range and breeding. The first record of breeding cormorants in New York was in 1945, with 14 pairs. Cormorant populations here increased exponentially starting in the mid-1980s. By 2004 there were an estimated 43,000 cormorants in the state, with thousands residing on and migrating through Oneida Lake.²

Once their range and population expanded to Oneida Lake, cormorants depleted the lake's game fish populations, deeply damaging our angling-dependent economy. Cormorants drove the loss of fishing license sales revenue, fishing-related sales revenue, and other impacts totaling more than \$122 million and 12,000 angling-related jobs in a four-county region.³

Cormorants' rampant defecation took a heavy toll on Oneida Lake wildlife habitat, killing vegetation and creating erosion issues on islands of ecological significance that were previously used by other colony-nesting water birds. Oneida Lake's small islands used to be some of the state's and flyway's most productive nesting habitats for the Common Tern (*Sterna hirundo*), but the Terns' nest success has been reduced to 0 in the years when cormorants' roosting and defecating crowd the Terns out and destroy vegetative ground cover.

In response to these conflicts with cormorants, New York State and Oneida Lake have become a laboratory for best practices in management. We have a 30-year track record of data-driven

¹ <http://oneidalakeassociation.org/Cormorants031803.pdf>

² New York State Department of Environmental Conservation, "Management of Double-Crested Cormorants to Protect Public Resources in New York Statement of Findings," 2004.

³ Schwiff et al., National Wildlife Research Center, "The Cost of Cormorants, a New York State Perspective," 2009.

decisions, stakeholder consensus and professional management, led by the NYSDEC and driven by best-in-the-world fishery research courtesy of Cornell University. Oneida Lake's experience sets the gold standard for cormorant management: it should be adaptive to cormorant behaviors and impacts, rely on sound science, collaboratively engage stakeholders, and promote agreed-upon conservation goals.

As a result of milestones including OLA's position statements (1999, amended 2003); the USFWS EIS of 2003, and NYSDEC Statement of Findings (2004), a target goal was established for Oneida Lake. This goal of 20-100 nesting pairs with or without successful reproduction was established to balance a viable cormorant population with minimal damage to game fish populations and wildlife habitat. This goal is the basis on which all subsequent management has been conducted, and it remains in effect. It facilitated the coordination of New York State and federal funds, and it opened the door for cooperative professional management by state and federal agencies. When managed to this goal, as in the mid-2000s, cormorant populations in our area have demonstrated the ability to sustain themselves.

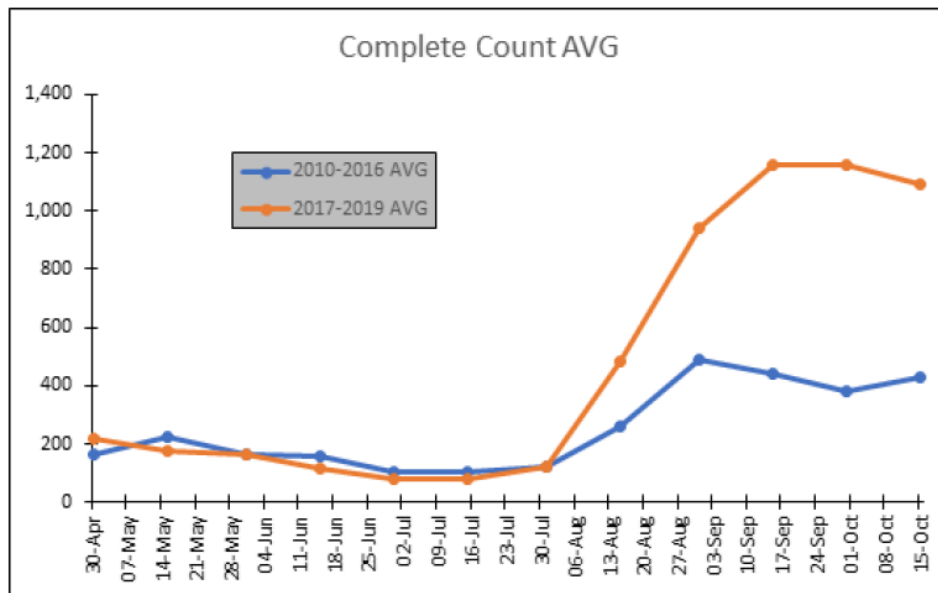
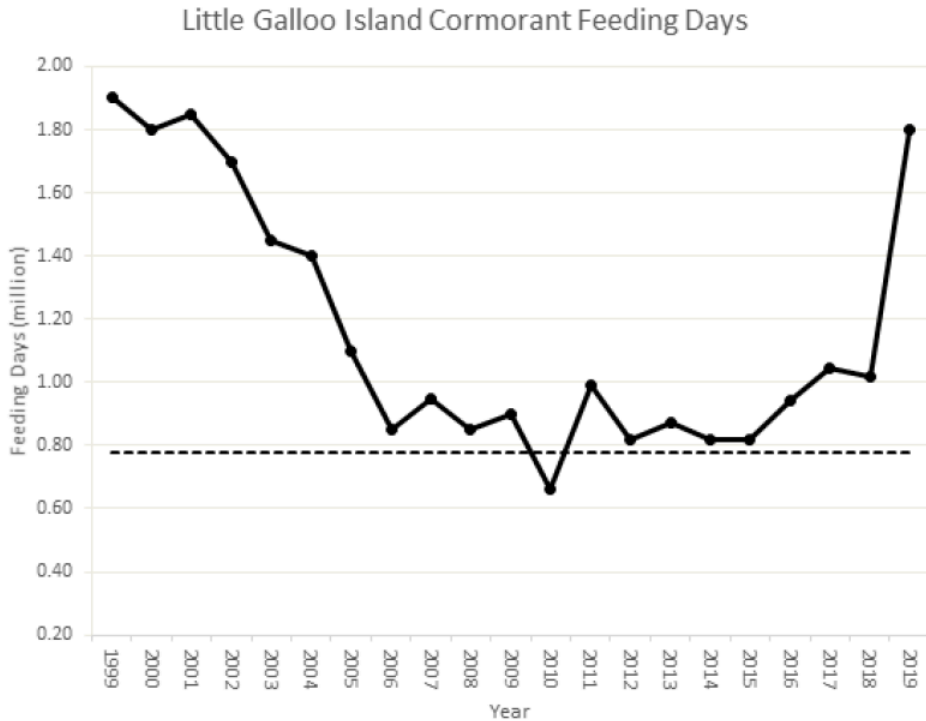
Management has been beneficial. According to the National Wildlife Research Center study cited above, professional cormorant management on Oneida Lake in the 1990s and early 2000s restored an estimated 1,400 local jobs and more than \$13 million in angling-related revenue.

Non-Adaptive Management is Harmful to Oneida Lake

Since cormorants first overpopulated our area, constant management has been necessary to keep them from damaging other valuable resources. Oneida Lake has been harmed by limitations placed on cormorant management, such as the loss of federal funding for management in 2009 and more recently the legal challenge to the Service's 2003 EIS. Some management efforts have continued, including a non-lethal volunteer hazing effort, but these have not been enough to keep up with cormorants' adaptive behaviors.

When management doesn't adapt, cormorant populations grow fast and Oneida Lake's other species suffer the consequences. For example, consider the results of cormorant management's abatement since 2016. In our area, in a relatively short period of time, the cormorant population which nests to our north in the Eastern Basin of Lake Ontario has become increasingly harmful to Oneida Lake's fish and wildlife habitat since 2016.

The first chart below records the annual number of “cormorant feeding days” (a measure of their predation activities) observed on Little Galloo Island in Lake Ontario. Note the increase since the abatement of management. The second chart shows how as the Lake Ontario population grew, so did fall-migrating cormorants’ presence on Oneida Lake:



⁴ NYSDEC “Lake Ontario Unit Annual Report,” https://www.dec.ny.gov/docs/fish_marine_pdf/lou2019highlights.pdf, 2020

These counts were conducted by Cornell University and NYSDEC staff. Since management was halted in 2016, fall migrating cormorants are coming to Oneida Lake in greater numbers and staying longer. NYSDEC has documented a 3X-5X increase in fall cormorant counts on Oneida Lake compared to the averages of the past 20 years. These changes illustrate how non-adaptive and/or insufficient cormorant management hurt cormorant control efforts on Oneida Lake.

OLA has concluded that the proposed Atlantic and Interior Potential Take Limits are both too restrictive and not adaptive, which creates several problems:

1. We do not believe that the Potential Take Limit approach is sufficiently adaptive to balance cormorant take among states. If other states (especially those with significant aquaculture) take too many cormorants, there will not be enough left within the proposed limit for New York State to protect Oneida Lake. The limit seems likely to hinder collaboration among state and federal wildlife management professionals to manage cormorants on a state/region/flyway basis.
2. Cormorant populations in our area are already larger than needed to sustain the species. In fact, they are much too large. Our local experience, which is common to many other waters and states, is that cormorant populations were stable and sustaining when held to the lower levels observed in the mid-2000s. Populations here have grown quickly since 2016 and now there is much ground to make up. If the Potential Take Limit creates any new roadblocks to cormorant management, then the Oneida Lake population and its negative impacts will grow even further beyond what they are today.
3. Sub-population take limits for cormorants are not the right tool for responsibly managing a species that has shown itself to be quickly adaptable—to a fault—in its range, breeding, and feeding. We have witnessed cormorants' adaptability on Oneida Lake, where there were no cormorants before 1945, very few until the mid-1980s, and then an explosion of population. We went from near zero cormorants and no impact, to thousands of cormorants and impacts including the loss of \$122 million in local revenue and 12,000 angling-related jobs. The damage happened in just a decade, and it shows why state and federal wildlife managers need to be permitted to work together and adapt quickly to keep up. Cormorants are adaptable, and management strategies need to be adaptable, too.

Conclusion

OLA has previously commented on this rulemaking, urging the Service to complete its EIS and rule, maximize the cormorant management efforts it permits, and delegate management authority to the states.

We do not believe that the draft rule goes far enough, and we are strongly opposed to the Potential Take Limit model which arguably sustains cormorant populations at unacceptable levels. We urge the Service to choose a more adaptive approach.

On behalf of our 1,900 members and all the people who rely on Oneida Lake for their livelihoods, recreation, and quality of life, the Oneida Lake Association thanks you for considering our comment on this matter.

Sincerely,



William Girvan, President
Oneida Lake Association
oneidalakeassociation.org

About Oneida Lake and the Oneida Lake Association

Oneida Lake, located in Central New York, is the largest freshwater lake that lies entirely within a single U.S. state. It is best known as a world-class recreational fishing destination. Its watershed is home to more than 886,000 people and its waters are home to more than 75 species of fish, including the popular game fish walleyes, yellow perch, and smallmouth bass. It is the #2 most popular freshwater fishing destination in New York State, after Lake Ontario. Oneida Lake's waters and islands provide critical wildlife habitat for numerous New York State and federally designated Species of Concern and protected species, most notably the Common Tern.

Oneida Lake is one of the most rigorously studied natural resources in the world, as it is home to Cornell University's Biological Field Station at Shackleton Point. Since 1956, the Field Station has been the site of long-term ecological studies of Oneida Lake's fishery and factors that affect it.

The Oneida Lake Association is a 501(c)4, non-partisan, non-profit membership organization chartered under the Not-for-Profit Law of the State of New York 75 years ago. Since its inception, OLA has worked to improve conditions affecting Oneida Lake, pertaining to fishing, hunting, boating, and camping on the shores, islands, waters, and tributary waters; bring about correction of any conditions found to be detrimental to Oneida Lake; and promote conservation and observation of conservation, environmental, and fish and game laws.

OLA has no paid staff, has never employed lobbyists, and its all-volunteer Board of Directors have met every month since 1946. The Association has about 1,900 dues-paying members, mostly in Onondaga, Madison, Oneida, and Oswego Counties of New York.