



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

November 24, 2021

The Honorable Kathy Hochul  
Governor of the State of New York  
State Capitol Building  
Albany, NY 12224

Dear Governor Hochul,

As the President of the Oneida Lake Association, Inc., (OLA), the longest-serving and largest non-profit conservation organization representing Oneida Lake, I am writing to express OLA's deep concerns about Senate Bill S5266 / Assembly Bill A6248, "Allows for certain hunting or sale of fish and wildlife pursuant to Indian treaty rights," (hereinafter, S5266).

OLA values the rights of Indian nation members. We also value our mission of protecting and promoting Oneida Lake and its irreplaceable natural resources. We believe that S5266 contains language that will significantly degrade the State's ability to protect Oneida Lake. Therefore, we respectfully ask you to decline to sign or to veto S5266. The bill poses potential threats to Oneida Lake's valuable sport fishery, and to all people who share in that fishery for their livelihoods and enjoyment whether they are Indian nation members or non-Indian nation members. We understand that the New York State Department of Environmental Conservation has also raised issues with S5266, and we hope that you will hear their input as well as ours.

One of our concerns is that S5266 appears to moot the ability of law enforcement to enforce New York State law against commercial harvest and sale of fish and wildlife, both inside and outside the boundaries of Indian nation lands. We believe this bill may degrade or even eliminate the State's ability to enforce New York State laws and regulations protecting fish and game, which are based on science and historical evidence.

Oneida Lake's role in the history of this issue is long and well documented. Commercial fishing had a consistent record of degrading the overall fishery, regardless of the nationality of the commercial harvesters. In response, the State of New York passed a law banning the practice of netting on Oneida Lake in 1897, and in the same year established the continuous, state-funded fish stocking program at the Oneida Fish Cultural Station at Constantia to supplement natural reproduction. By the 1940s, these and other changes had restored Oneida Lake into a world-class walleye fishery. When limits against commercial harvest have been enforced, Oneida Lake has been an economic engine and a benefit to people of all nations, then and now.

For more than 75 years, OLA has consistently advocated against the commercialization of sport fish, as reflected in our meeting minutes, publications for our members, and official communications to State officials. OLA lobbied the State from our founding in 1946 until the State passed the 1960 law banning the commercial catch, transport, and sale of walleye, and OLA has never wavered from its commitment to protect these fish. Prohibition of the sale of Oneida Lake walleye is justified by more than 120 years of New York State-funded study by the Fish Cultural Station and by Cornell University, one of the world's foremost bodies of fishery science. Prohibiting the sale of fish is a very important issue to our all-volunteer Board of Directors and to our membership, who currently number 2,300 people and growing.

OLA recognizes that some of our members are Indian nation members, and we have deep respect for the Indian nations with whom all OLA members share Oneida Lake. We do not claim to be authorities on Indian issues, but we do have a long, successful history as advocates for Oneida Lake on behalf of all sport anglers, regardless of what nation or organization they belong to. We are concerned that S5266 creates a loophole for commercial fishing to return to Oneida Lake, counter to 125 years of successful, science-based fishery management and law.

OLA disagrees with the sponsor memo's claims that this legislation is a "modest reform" and that its fiscal impact will be "minimal." Oneida Lake is the largest lake wholly within New York State, and it is crucial to our State's and nearby Indian nations' economic health. The lake attracts tens of thousands of anglers annually, and generates millions of dollars in economic impact and tax revenues, as well as being an attractive draw for patrons of Indian enterprises such as the Oneida Indian Nation's Turning Stone Resort. It is hard to see how anything that poses a risk to that shared economic resource is "modest" or "minimal."

Economics alone justify the need for New York State and Indian nations to work together on fishery issues, but we do not believe that S5266 is an effective starting point for collaboration. It appears that S5266's sponsors did not engage with DEC or recognized conservation stakeholders (OLA, the New York State Conservation Council, etc.) before the bill was passed, though we would welcome such engagement as an alternative to such a problematic bill.

We remain amenable to work with our legislators, the executive branch, and other partners in conservation, including interested Indian nations. That said, we believe that S5266 as written is badly flawed. We respectfully urge you to decline to sign it or to veto it. Thank you for considering our input on this highly significant matter. I welcome any questions or suggestions.

Sincerely,

John Harmon  
President  
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cc: Basil Seggos, Commissioner, New York State Department of Environmental Conservation