



Date: June 15, 2017

To: Robyn Thorson, Regional Supervisor, US Fish and Wildlife Service

From: Bob Sallinger, Conservation Director, Audubon Society of Portland

Re: Lethal Control of Cormorants on East Sand Island

Dear Ms. Thorson,

I am writing on behalf of the Audubon Society of Portland to request that the US Fish and Wildlife Service immediately revoke depredation permits issued under Migratory Bird Treaty Act to the US Army Corps of Engineers to kill Double-crested Cormorants on and around East Sand Island in the Columbia River Estuary. We believe that federal agencies overseeing this lethal control activity have demonstrated a reckless disregard for the welfare of Double-crested Cormorants as well as other avian species that nest and forage on and around East Sand Island and have unnecessarily jeopardized the largest breeding colonies of Double-crested Cormorants and Caspian Terns in the world. The potential impacts of the activities undertaken by the federal agencies go far beyond what is allowed under the Environmental Impact Statement for the Double-crested Cormorant Management Plan (2015) and the MBTA Depredation Permits issued by the US Fish and Wildlife Service earlier this year.

The US Army Corps recently posted on its Cormorant Management Webpage¹, that Corps has temporarily suspended Cormorant control activities on and around East Sand Island due to low numbers of cormorants attempting to nest on East Sand Island. This follows one year after an unprecedented colony collapse, in May 2016, when 16,000 Double-crested Cormorants abandoned their nests in a single day. This occurred after weeks of relentless shooting of Cormorants around East Sand Island and just days after the initiation of egg oiling activity within the colony.

We were disappointed that the US Fish and Wildlife Service renewed the lethal control permits in 2017 without a single mention of the 2016 colony collapse or any provisions to provide greater safeguards for the colony in 2017. As you are aware, the East Sand Island Double-crested Cormorant colony represents as much as 40% of the entire population of Double-crested Cormorants in the Western United State and loss of this colony could jeopardize the entire wester population. The fact that the colony is experiencing significantly reduced population numbers and delayed nesting activity a year after a complete colony collapse should result in the immediate and permanent termination of the depredation permits.

The US Army Corps Cormorant Management Webpage includes a highly selective timeline designed to support what we would view as a pre-determined narrative to pin the cause of the changes in

¹ <http://www.nwp.usace.army.mil/environment/cormorants/>

cormorant population and behavior at East Sand Island on Bald Eagle predation. The Corps and other federal agencies fail entirely to assess the potential impacts of intensive shooting of Cormorants as well as other anthropogenic activities associated with Cormorant control in the vicinity of East Sand Island as causal factors in the breeding population declines being observed. The US Fish and Wildlife Service and US Army Corps cannot ignore the fact that the island has been subject to intensive eagle activity for many years without causing anything corresponding to the impacts observed in 2016 and 2017. It was only after the initiation of relentless shooting, egg oiling and other human activities associated with Cormorant control that these significant population changes began to be observed.

It is very possible that the combination of eagle predation activity and lethal control activity being conducted by the federal agencies are acting in a cumulative manner to put pressure on this colony. While the colony may have been able to withstand the pressure of eagles alone, the added impacts of pervasive shooting, egg oiling and other elevated human activities has significantly increased that scope, scale, frequency and intensity of threats to the cormorants. The narrative provided by the Corps entirely ignores the potential for cumulative impacts.

We would also note that we have little confidence in the data provided by the US Army Corps of Engineers about bird behavior on East Sand Island. It is unfortunate the Corps chose to dismiss their well respected, independent cormorant monitoring contractor of more than a decade, when it initiated lethal control activity on East Sand Island in 2015. It is also unfortunate that the Corps has repeatedly rejected requests by independent organizations and the media to observe the activities on East Sand Island. The argument that these restrictions are being implemented to “protect the birds” is not credible when the federal agencies are on and around the island shooting thousands of birds out of the air, oiling tens of thousands of eggs, erecting structure and traipsing through the colony collecting data and when the Corps has bird blinds in place from where observation could safely occur. The credibility of this project has been severely undermined by its deliberate lack of transparency.

We were deeply troubled to read that NOAA Fisheries apparently place a deceased grey whale in the vicinity of East Sand Island on May 2nd and that upwards of 40 eagles were observed near the carcass on May 8th. Placing a predator attractant in the immediate vicinity of the bird colonies defies logic. We cannot think of any situations where agencies have sought to address avian predation issues by increasing predator attractants in the immediate vicinity of the populations they are trying to protect. Standard practice in these situations would be to try and reduce, not increase, attractants in the general vicinity. Intentionally drawing more eagles and potentially other predators and scavengers into the immediate vicinity of East Sand Island unnecessarily increases the pressure on Double-crested Cormorants, Caspian Terns and other species of concern on East Sand Island.

Ironically, the displacement of Double-crested Cormorants from East Sand Island may well put increased pressure on federally listed salmonids that the agencies are ostensibly trying to protect. The Corp’s EIS asserts that displacing cormorants from East Sand Island would most likely result in more cormorants moving further up in the Estuary where they are likely to consume larger numbers of listed salmonids. In fact, the Corps explicitly rejected displacement of the colony as an alternative strategy to lethal control because it insisted that displacement would increase predation.

Even as the worst case scenarios pertaining to lethal control of cormorants on East Sand Island are being realized, the basis for lethal control has eroded. Last year, the US Federal Court in Oregon ruled in separate cases that the Corps failed to adequately address the primary cause of salmon declines in the Columbia River, the federal hydropower system, and that it failed to adequately consider alternatives to lethal control on East Sand Island as required under the National Environmental Policy Act (NEPA). In 2015, it was revealed that the US Fish and Wildlife Service hid analysis produced by its own biologists demonstrating that lethal control of cormorants on East Sand Island was unlikely to produce any benefit for salmon recovery in the Columbia River.

There has been tremendous loss of habitat in the Lower Columbia River over the past century. East Sand Island, although expanded through dredge deposits, provides critically important habitat for Double-crested Cormorants, Caspian Terns and Brown Pelicans. It should be viewed as one of the most important areas for birds in the State of Oregon, but instead the federal agencies charged with protecting it have subjected it a reckless and relentless lethal control activities. In doing so, the agencies have undermined the integrity of the public process, violated federal law, put the largest colony of Double-crested Cormorants in the world at risk of catastrophic failure and also increased the risk to the listed salmonid species that are ostensibly trying to protect.

We are pleased to hear that the Corps has temporarily suspended lethal control activity on East Sand Island. It is time to permanently terminate this project. We urge the US Fish and Wildlife Service to permanently withdraw the depredation permits that it issued earlier this year and allow the rewrite of the Columbia River Salmon BiOp, ordered by the Federal Court in Oregon, to be completed before considering next steps regarding cormorants on East Sand Island. Continuing to allow unnecessary pressure to be put on this colony in light of the events that have already occurred in 2016 and 2017 can only be viewed as reckless disregard for the welfare of this species and an abdication of the US Fish and Wildlife Service's responsibility to protect our nation's wildlife.

Thank you for your consideration of this request.

Respectfully,

A handwritten signature in black ink that reads "Bob Sallinger". The signature is written in a cursive, slightly slanted style.

Bob Sallinger
Conservation Director
Audubon Society of Portland

