

Cormorants: Lawsuit against culling continues

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The Corps can kill 3,114 double-crested cormorants, 93 Brandt's cormorants and 9 Pelagic cormorants. The other two species are allowed because some birds that are not double-crested cormorants will be misidentified and shot.

The permit also allows the Corps to destroy 5,247 cormorant nests through egg addling by coating eggs with 100 percent corn oil, which suffocates the growing embryo inside the shell.

However, the Corps is unlikely to begin this year's program until more of the cormorants show up in the estuary and begin nesting.

"The double-crested cormorants have not arrived in the Columbia River estuary in numbers significant enough to begin culling activities," Corps spokeswoman Amy Echols said.

Lawsuit pending

The Audubon Society of Portland, along with four other conservation and animal welfare groups filed a lawsuit in late April 2015 to stop the Corps from initiating its cormorant management plan. The suit lists the Corps, the U.S. Fish and Wildlife Service and Wildlife Services as defendants.

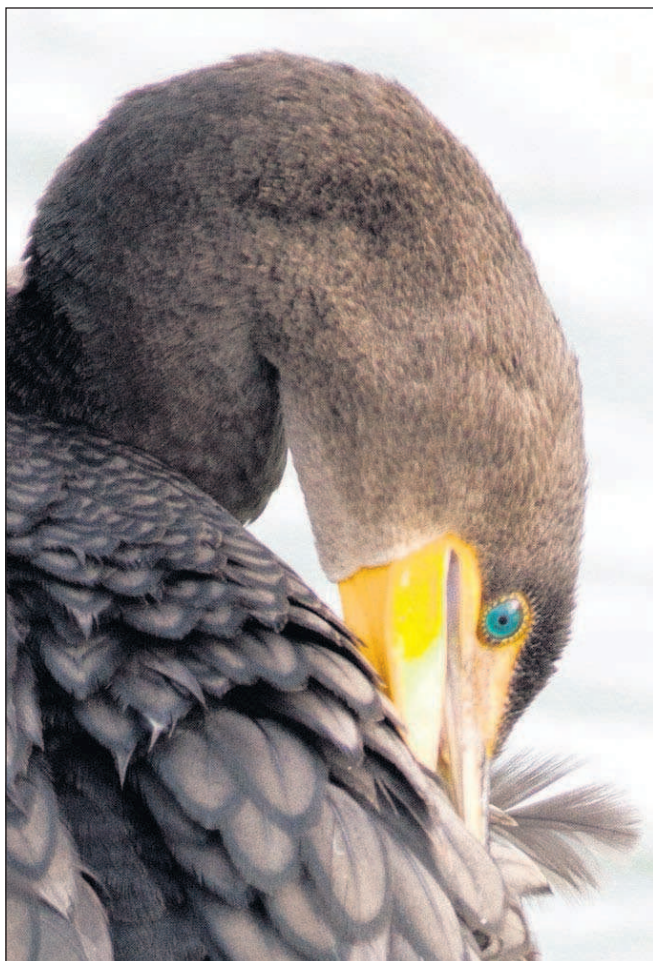
The lawsuit alleged that the killing could jeopardize the entire Western population of double-crested cormorants.

A motion for a preliminary injunction to stop the culling plan immediately was denied in May by presiding Judge Michael H. Simon.

The lawsuit has continued as both sides agreed to present final oral arguments before Simon in early March, but that was postponed.

Big increase in colony

The colony of cormorants on the island increased from about 100 breeding pairs in 1989 to more than 15,000 pairs in 2013, according to the Corps.



Roy Western/For EO Media Group

A cormorant grooms itself, an important process that helps its ability to dive in pursuit of small fish. Cormorants' preference for migrating young salmon is leading to the second year of a federal campaign to lower their numbers of East Sand Island near Chinook, Wash.

As the populations of cormorants grew, along with populations of gulls and Caspian terns, so did the number of juvenile salmon and steelhead they eat while the juveniles migrate down the Columbia River on their journey to the ocean. The number is estimated to be 12 million juveniles and many are species listed as endangered or threatened under the federal Endangered Species Act.

Ultimately the Corps plan will cut the size of the cormorant breeding colony on East Sand Island — believed to be the largest in the world — to between 5,380 and 5,939 breeding pairs. The colony accounts for 98 percent of the double-crested cor-

morant breeding population in the estuary.

The Corps received its first one-year depredation permit from Fish and Wildlife last year, allowing the Corps to take 3,489 double-crested cormorants and oil and destroy 5,879 nests, 105 Brandt's cormorants and 10 pelagic cormorants through this January. It must apply annually for the permit.

Wildlife Services began its activities in May, ending the first year of culling Oct. 1, with 1,707 birds lethally removed and 5,089 oiled nests.

Hazing begins

Meanwhile, harassment, or "hazing", of double-crested

Judge: Sanctioned slaughter of fish-eating birds broke law

Some fish farms can't kill birds to save other fish

By JANET McCONNAUGHEY
Associated Press

The U.S. Fish and Wildlife Service acted improperly when it allowed tens of thousands of migratory aquatic birds to be shot each year to protect farmed and sport fish populations, a federal judge has ruled.

The agency said it lacked resources for a "hard look" at either the long-range environmental effects of or possible alternatives to its decisions about double-crested cormorants, and that just isn't a good reason, U.S. District Judge John D. Bates wrote. The decision does not impact the northwest, including Oregon.

Letting that stand could gut the National Environmental Protection Act, "since many an agency would frequently so argue," wrote Bates, a federal judge in Washington.

He ruled in March on a pair of orders that opponents say let people kill up to 160,000 double-crested cormorants each year to protect sport fish in 24 states east of the Mississippi River and farmed fish in 13 of those states.

"The Service is reviewing and studying the decision," Fish and Wildlife spokeswoman

Laury Parramore said in an email Wednesday.

The advocacy group Public Employees for Environmental Responsibility sued the government to stop the practice, which is known as "lethal removal."

Fish and Wildlife has allowed fish farmers to kill cormorants that were eating or about to eat fish in their ponds since 1998. Five years later, it said Indian tribes and state and federal wildlife agents could kill those eating or about to eat "public resources of fish." Those orders have been renewed every five years.

The fish farm order covers Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Minnesota, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. The other one applies to those states plus Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, New York, Ohio, Vermont, West Virginia and Wisconsin.

The renewal extending their effect from 2014 to 2019 didn't even "bother to update" population estimates, but copied estimates from 2009 about the likely populations in 2014, Bates wrote.

The advocacy group's attorney, Laura Dumais, said in a statement Wednesday, "The service can no longer Xerox forward stale and unsupported practices simply because it will not take the time to consider alternatives."

cormorants is set to begin soon in several areas along the Oregon Coast to improve survival of juvenile salmon.

The species is an Oregon native, and is particularly prevalent on the state's estuaries during April through October. Research indicates cormorants can consume significant numbers of juvenile salmon during this time period.

To reduce the threat to young fish, the Oregon Department of Fish and Wildlife is working with several nonprofit and local governmental organizations to haze cormorants on six coastal estuaries over the next two to four months.

Hazing will involve driving

the birds from locations where juvenile salmon are seasonally concentrated, toward areas where nonsalmon fish species are more abundant. Workers will use boats and, on some estuaries, small pyrotechnics, to accomplish the task.

Hazing is intended to increase the survival of both wild-spawned and hatchery salmon juveniles as they migrate to the ocean. Some of these spring migrants represent species that are at risk, including coho salmon, which is federally threatened in Oregon under the Endangered Species Act.

Hazing workers are being provided by the Clatsop County Fisheries Project, Port

of Nehalem, Port of Bandon, North Coast Salmon and Steelhead Enhancement Fund, and Alsea Sportsmen's Association. ODFW will provide a portion of the funding and program oversight, and will conduct some hazing operations itself to protect hatchery releases on the Lower Columbia River.

Hazing was to start last week and continue through May 31 on the Nehalem, Nestucca, and Coquille river estuaries, and on Tillamook and Alsea bays. The program will continue through at least July 31 on the Lower Columbia River, where hazing will occur at a variety of locations, including Youngs Bay, Blind Slough, and Tongue Point.

Seafood: Processors jockey for pier space

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One of the company's biggest opponents over the years has been commercial fisherman and Port Commissioner Bill Hunsinger, who vowed Tuesday to oppose Da Yang's most recent expansion plans.

"We're not telling anybody this space is available," Hunsinger said, arguing the Port should open bidding on the United Coast space to the public instead of allowing Bornstein and Da Yang to monopolize the local seafood market.

"You've advertised it, Bill," responded Commissioner James Campbell, intimating Hunsinger had told his friends in the fishing industry about the space.

The Port's attorney, Tim Ramis, said the agency has the choice, but no obligation, to go out for public bid on the space. He said the Port should also consider the legal implications of abandoning negotiations with Da Yang this far into the process.

The Port was sued recently by the Param Hotel Group after negotiations with the company on the Astoria Riverwalk Inn broke down. The Port Commission ultimately decided to open the future operation of the Riverwalk Inn to public bidding.

Knight said Hunsinger raised a good point about when the Port should go out to public bid, but added the Port shouldn't try to figure that issue out in the eleventh hour of negotiations with Da Yang.

Growing pains

Da Yang has tried multiple times to expand its footprint on Pier 2, most recently in competition with Bornstein for a vacant space in the warehouse left by Marine Spill Response Corp.

Da Yang's local plant manager, Chang Lee, said the company wanted to invest \$5 million to \$6 million to build cold storage. Bornstein's proposal to store packaging in the site eventually won out.

Last year, Da Yang tried to pay for part of a new dock on the east side of Pier 2, where the Port received a \$1 million grant from the state Department of Transportation. In



Joshua Bessex/The Daily Astorian

The Port of Astoria is negotiating a deal with Da Yang that would have the company take over space in the Pier 2 processing warehouse leased by the defunct United Coast Seafoods.



Bornstein Seafoods recently acquired more cold storage and processing space after taking over the lease of Astoria Pacific Seafoods in the middle of the Port of Astoria's Pier 2 warehouse.
File Photo

exchange for helping to pay for the new dock, the company wanted the opportunity to build a 40,000-square-foot cold storage and freight depot, which Wang estimated would add 20 to 30 local jobs.

A signed lease from Da Yang was on file with the Port for at least eight months, but never signed by the Port Commission. The commission had discussed saving the dock for an as-yet unspecified cargo operation, with Hunsinger leading the opposition to Da Yang's expansion. The unsigned lease was cited as a main reason former Port Commissioners Ric Gerttula and Jack Bland resigned in May 2014.

Merry-go-round of owners

Knight said United Coast Seafoods still has product in the freezers on Pier 2, but

hasn't processed seafood in the warehouse since late summer or early fall of last year. In October, seafood news outlet Undercurrent News reported that United Coast, financially backed by private equity group CounterPoint Capital Partners, was liquidating its assets amid a weak market for sardines, squid and other near-shore species in California because of warm El Niño water conditions.

Nearly three years ago, the Port transferred space at the south end of the warehouse from longtime tenant West Bay Marketing Inc. to West Bay Marketing LLC, a subsidiary of the larger California-based processing company Tomich Bros., which had been acquired in 2011 by CounterPoint as the equity group acquired several other West Coast seafood processors, according to Undercurrent News.

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