

***Washington Island Sportsman and Conservation Club
1635 Detroit Harbor Road
Washington Island, Wisconsin 54246***

May 25, 2023

Mr. Charles W. Traxler
Acting Regional Director for FWS Region 3
5600 American Boulevard West, Suite 990
Bloomington, Minnesota, 55437-1458

Dear Mr. Traxler:

We received your January 26, 2023, letter providing your response to Pauline Meyer, Environmental Staffer in U.S. Representative Gallagher' Office, and Martin Andersen, President of the Washington Island Sportsman and Conservation Club.

After careful review, we prepared our response to your comments made in your FWS response to Pauline Meyer's questions.

To ensure effective communication, we ask that FWS respond to each of our concerns in this letter within the next couple of months. In the past, we have received responses that did not address all of our concerns directly or at all.

4 If you have any questions or would like to discuss our comments/questions, please let us know.

Sincerely,



Martin Andersen
President of the Washington Island Sportsman and Conservation Club
920-535-0022

cc: Debra Haaland
cc: Martha Williams
cc: Pauline Meyer

Attachments

Washington Island Sportsman and Conservation Club

(Detailed Response to FWS)

TO

Charles W. Traxler

**Acting FWS Director of Mid-West Region 3
United States Fish and Wildlife Service**

May 25, 2023

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FWS Charles W. Traxler, Manager of Mid-West Region
Letter of January 26, 2023

INTRODUCTION

Objective

The Washington Island Sportsman and Conservation Club (referred to Washington Island Sportsman's Club) objective is to share our response to the United States Fish and Wildlife Services (FWS) comments made in their January 18, 2023, attachment to Charles Traxler letter of January 26, 2023.

Methodology

Pauline Meyer, Environmental Staffer for Congressman Mike Gallagher, requested FWS to provide answers to her questions about their “Acquisition”, “Bird Management”, and “Construction on Historic Structures” on Pilot Island.

The Sportsman’s Club has the following process in responding to FWS response to Pauline Meyer’s questions:

1. List question number and the question topic statement from Pauline Meyer’s request.
2. Take excerpts from FWS answer to Pauline Meyer question.
3. Share the Washington Island Sportsman’s Club response to FWS answer. Whenever possible, provide references and study data to help support the Sportsman’s Club response.
4. Develop Conclusions based on our research.
5. Develop recommendations for future action.
6. List References.

Washington Island Sportsman’s Club Response to January 26, 2023, FWS Letter from Charles W. Traxler

SECTION A: ACQUISITION

Question A1: How and why did U.S. Fish and Wildlife Service acquire Plum and Pilot Island?

FWS Answer: Jurisdiction of the islands was transferred from the U.S. Coast Guard to the U.S. Fish and Wildlife Service through Public Land Order 7681 on October 17, 2007, to become part of the Green Bay National Wildlife Refuge, with a purpose to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem. The islands were excess to the Coast Guard’s needs and therefore made available to other federal agencies. Pilot Island at that time was inhabited by colonial nesting birds including double-crested cormorants. Therefore, the U.S. Fish and Wildlife Service accepted the transfer that aligned with the purposes of Green Bay National Wildlife Refuge (See attached Federal Registry document).

Note: The transfer of jurisdiction for the lands described in this order is subject to the conditions and limitations of case closure for Plum and Pilot Islands as determined by the Wisconsin Department of Natural Resources in accordance with Wisconsin Administrative Code section NR 726.05, and as specified in the Wisconsin Department of Natural Resources site closure letters for Plum Island and Pilot Island dated August 30, 2006. (*Federal Register / Vol. 72, No. 200 / Wednesday, October 17, 2007 / Notices 58869*)

Sportsman’s Club Response: To help understand our response, we have developed the following timeline with dates, events, and references for “Pilot Island Historical Cormorant Events”:

Pilot Island Historical Cormorant Key Events

Date	Key Events	Reference
1912	There were no known cormorant nesting sites recorded in Wisconsin prior to 1912	Matteson, Summer W.; Rasmussen, Paul W.; Stromborg, Kenneth L.; Meier, Thomas I.; Van Stappen, Julie; and Nelson, Eric C., "Changes in the Status, Distribution, and Management of Double-Crested Cormorants in Wisconsin" (1997). <i>Symposium on Double-Crested Cormorants: Population Status and Management Issues in the Midwest.</i>
1970s	Lukes, Roy and Charlotte. “The Double-crested Cormorant, Jekyll and Hyde of the Waterbirds”, Door County Pulse, April 18, 2014	<i>In the late 1970s their population began to increase. The Department of Natural Resources built nesting platforms on islands around the peninsula to help the species recover, and favorite nesting sites in the waters</i>

Date	Key Events	<i>of Lake Michigan and Green</i> Reference
1970s		<i>Bay, including Spider, Hat, Jack and Pilot Islands in Door County, and Cat Island in Brown County, began to support more nesting pairs. So rapidly did their numbers recover that the state DNR delisted these birds from the endangered list in 1985.</i>
11-23-1977	FWS encouraged the WDNR to use Pilot Island as a colonial nesting site for cormorants. FWS knew there were no cormorant nests on Pilot Island.	Environmental Impact Statement for the Proposed Acquisition, Development and Management of Grand Traverse Island State Park, (Preliminary Report - November 23, 1977)
01-05-1978	FWS Letter shows that they knew there was no cormorant nests on Pilot Island in 1978.	Letter No. ER77/1081 from FW letter to James R. Hungroon (Director of Bureau of Environmental Impact – WDNR)
1988	FWS started the development of an Acquisition Plan for Pilot Island.	<i>FWS in their Field Notes Entry made the following remark: “the acquisition of Pilot Island started 19 years ago before they actually finished acquiring Pilot Island on 10-17-2007”. At the start of the acquisition process in 1988, there were no cormorants on Pilot Island. Note: We do not have a copy of this FWS Notes publication. We had planned to use the copy of the FWS Websitei but FWS has deleted this publication from their website. Instead, a member of the Sportsman’s Club used his personal notes.</i>
1992	The first 25 cormorant nests (50 Birds) were reported on Pilot Island in 1992.	Paul W.; Stromborg, Kenneth L.; Meier, Thomas I.; Van Stappen, Julie; and Nelson, Eric C., "Changes in the Status, Distribution, and Management Double-Crested Cormorants in Wisconsin (1997)". <i>Symposium on Double-Crested Cormorants: Population Status and Management Issues in the Midwest. Appendix A</i>

Date	Key Events	Reference
10-17-2007	“U.S. Fish and Wildlife Service accepted the transfer that aligned with the purposes of Green Bay National Wildlife Refuge (<i>See attached Federal Register document</i>)”	<i>Federal Register / Vol. 72, No. 200 / Wednesday, October 17, 2007 / Notices</i>
1988 to 10-17-2007	U.S. Fish and Wildlife <i>Field Notes Entry</i> Publication	<p>FWS in their <i>Field Notes Entry</i> made the following remark: the acquisition of Pilot Island started 19 years ago before they finished acquiring Pilot Island on 10-17-2007. This statement means the FWS acquisition process would have started on Pilot Island in 1988. At this time there were no cormorants on Pilot Island. Cormorants were delisted as an endangered species in 1986. Cormorant nesting began on Pilot Island four years later in 1992. By 1994, all of the trees on the Island were dead from cormorant damage. In 1990's Lower Bay/Cat Island report stating+/- "DCCO likely exceed historic numbers and range..."</p> <p>Their statement in the <i>Federal Register</i> on October 17, 2007, statement” to protect native and migratory bird habitat and endangered species habitat” is misleading and false since FWS encouraged the use of Pilot Island as a rookery 4 years before they started the acquisition process.</p> <p>Comment: FWS has wiped their website clean of any reference to <i>Field Notes</i> about FWS acquisition process for Plum and Pilot Island on 10-17-2007. The information that is included in our response is from the information that a Sportsman/s Club member had in his personal files.</p>

Date	Key Event	Reference
09-10-2012	<p>Meeting with FWS in the Washington Island Community Center (Gymnasium) for obtaining public feedback. In preparation for this meeting, a member of the Sportsman’s Club contacted several members of the Washington Island Community to talk with FWS about their concerns for using Pilot Island as a home for cormorants. A feedback form was prepared for FWS that contained Islander thoughts and concerns about the proposed use of Pilot Island. Many people, were either current or former members of the Friends Of Plum and Pilot Island (FOPPI), They provided many negative comments about USFWS making Pilot Island a home for the cormorants. They mentioned the cormorants would eat many of the perch, rock bass, and smallmouth. In addition, they made comments about the “Environmental Problems” from the cormorants. At the end of each discussion, they gave FWS their feedback forms. Does FWS have their forms?</p>	<p>This message has been deleted from the FWS Website and provided only this response: "<i>The requested service is temporarily unavailable. It is either overloaded or under maintenance. Please try later.</i>" So what is the delay? The Sportsman’s Club wanted this site to be open for anyone to read.</p> <p>It looks like FWS may have made this site shutdown with all the concerns about Pilot Island?</p>
1992 -2023	<p>Distrust of Washington Island Community toward FWS</p>	<p>Many of the Washington Island community members and Sportsman’s Club members know the history of how and why FWS acquired Pilot Island. They have learned to hate the cormorants and saw Pilot Island and all of their fisheries being destroyed. There has been no support from FWS to deal with their problems, perform special studies, or even consider corrective measures. They feel double crossed and don’t trust FWS. FWS has removed FWS <i>Field Notes</i> from the internet. However, a Sportsman Club member had statements made in the <i>Field Notes</i> publication about the Plum</p>

The timeline shows that FWS knew there were no cormorants on Pilot Island in 1991. FWS awareness of no cormorants on Pilot Island is documented in the Environmental Impact Statement November 23, 1977 (Environmental Impact Statement November 23, 1977) of November 23, 1977). In addition, see Letter No. ER77/1081 from FWS letter to James R. Hungroon Director of Bureau of Environmental Impact – WDNR) dated January 05, 1978 (*FWS Letter to James R. Hungroon of January 5, 1978*).

As far back as 1977, the Wisconsin Department of Natural Resources. (WDNR) proposed the idea of a "Grand Traverse Islands State Park." At that time, FWS encouraged the WDNR to use Pilot Island as a colonial nesting site for cormorants, well before cormorants began nesting on Pilot Island in 1992. Using the Pilot Island for its current purpose has always been a FWS plan. (Letter No. ER77/1081 from FWS letter to James R. Hungroon (Director of Bureau of Environmental Impact – WDNR)

On 10-15-2007, FWS used the excuse that Pilot Island had cormorants in residence as the reason for acquisition. In establishing policy, FWS used a generic Environmental Assessment (EA) study unrelated to Pilot Island that failed to address existing and future potential impacts from the significant number of colonial birds on the local environment. The Sportsman's Club no longer accepts the Environmental Assessment (EA) used as justification to establish policy for the current use of Pilot Island habitat as they are insufficient, irrelevant, and negligent in proper assessment of impacts. The analyses was not specific enough to address the impacts caused by the tremendous number of birds in the area on local fisheries and environments Each Summer, for 182 days, Pilot Island alone entertains well over 10,000 fish eating colonial nesting birds (*March 27, 2023 Letter from Washington Island Sportsman's Club to Charles Traxler*).

Conclusion

Pilot Island is no longer a well-balanced environment. The adjacent fisheries are gone and the nearby fisheries have been severely impacted. The ecosystem has been damaged and the native wildlife and vegetation destroyed. FWS has failed in their "due diligence" to assess the environmental impacts caused by their policy of unlimited birds on Pilot Island.

Request for FWS Action

We request FWS make an immediate and thorough assessment on the cormorant impact to local fisheries. Using FWS assumptions, there are 1,111 tons of fish consumed each year by Pilot Island cormorants. Federal law was not adhered to in establishing refuge policy creation and subsequent re-approval (*March 27, 2023 Letter from Washington Island Sportsman's Club to FWS*).

Question A2: U.S. Fish and Wildlife Service Mission and plan for Pilot Island. How would Pilot Island's place in Door County's history be most effectively interpreted?

FWS Answer: Note: FWS did not answer the first part of the Question A2 where it states: *U.S. Fish and Wildlife Service Mission and plan for Pilot Island*. So, the Sportsman's Club will now address this issue.

Sportsman's Club Response: We will start with the FWS Mission Statement: *"to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people."*

Let's look at the first part of the FWS Mission Statement where it states: "to work with others" FWS has demonstrated resistance to our public feedback "to work with others":

- A Sportsman’s Club Member sent a December 19, 2018, Survey of the Washington Island 16-Key Leader’s Observations to FWS on April 23, 2019, asking FWS and FOPPI to review this document. The Sportsman’s Club received a response from FWS mentioning they would like to have a meeting to discuss FWS’ effectiveness on both Pilot Island and Plum and Pilot Island but the meeting was never scheduled.
- After an October 13, 2022 Meeting on Washington Island, FWS asked if they could have a copy of the interview form used in obtaining feedback from the 16 Key Leaders on Washington Island. The Sportsman Club member sent an email containing a copy of the report to FWS. To date a meeting has never been scheduled to discuss the 16 key leader survey comments.
- A meeting between the Sportsman’s Club and FWS scheduled for December 5, 2022 was cancelled, because FWS would not provide adequate time during the meeting (about 15 minutes) for the Sportsman’s Club members and the public to comment.
- A March 1, 2023, meeting required a two-hour discussion between the Sportsman’s Club and FWS before agreement could be reached to provide adequate time (50 minutes) for the Sportsman’s Club members and the public to present their perspective.
- The bottom line is FWS prides itself in their Mission Statement for wanting public input. But in reality feedback is not encouraged and is generally ignored.
- In FWS public meetings the FWS representatives will make the following comment when faced with a difficult question about a situation where they know the correct answer is against FWS Policy – “It is above my paygrade level but

16 Washington Island Key Leader Survey Summary Report in 2018/2019

Purpose

- To obtain feedback from 16 Washington Island Leaders about their thoughts regarding Plum and Pilot Island

Background

- In the fall of 2018, at a FOPPI Board Meeting, USFWS requested Dan Nilsson to conduct a survey of Washington Island Residents to understand their concerns and desires for both Plum and Pilot Island. He interviewed 16 key Community Leaders to understand their thoughts and observations to share with FWS.

Pilot Island Survey Process Overview

- Beth Nilsson, PhD and Dan Nilsson, PhD used a “scientific approach” in conducting the survey. This approach has been accepted and valued by the Nuclear Regulatory Commission, 25 nuclear power plants, government organizations, and many private sector organizations.
- The first step is to understand the issues by conducting a “Needs Assessment.” The steps are the following:
 - Talked with members of the Washington Island community to identify the key leaders
 - Identified 16 Leaders on Washington Island with the following backgrounds:
 - Members of the Washington Island Sportsman Club
 - Fisherman – Commercial, Bass Pro Fisherman, Fishing Guides, and local fisherman
 - Farmers
 - Teachers in the Washington Island School System
 - Local Scientific Researchers

- Local Community Members
- Former Washington Island Town Board Chairman and Town Board Members
- Former FOPPI Board Members and former FOPPI Members
- Health Care Professionals
- Developed a survey form using open ended questions along with a 5-Point Effectiveness Scale and a 3-Point Trend Scale
- Scheduled and conducted Interviews (about one hour long)
 - At the start of the interview, the interviewer stated that the purpose of the interview was to provide feedback to USFWS from an Islander perspective about Pilot and Plum Island
 - Mentioned their feedback would not reveal their names or their occupation. (Some people would not agree to be interviewed since their names may inadvertently end up in the Government’s hands.)
 - Mentioned their feedback would be provided to FWS.
 - Asked probing questions of why they selected each of their ratings.
- Compiled results of each person’s feedback. (About one hour for each person)
- Sent Each Person’s Survey Results to FWS and requested a meeting to review results.
- Received an email from FWS saying that they had received the feedback but never scheduled a meeting to discuss the findings.

Survey Relevance:

- Although the information is about four years old, it represents a good baseline for the Islanders perspective. If the survey were conducted again now, the Islanders perspective of FWS would be even more negative.

Numeric Survey Results

1. How would you rate the overall effectiveness of USFWS?

Plum Island

Rating Description	Not Effective	Some What Effective	OK	Fairly Effective	Very Effective
Rating	1	2	3	4	5
No. of Responses	3	1	5	5	2

Weighted Average = (3+2+15+20+10)/16 = 3.1

The Door County Board of Supervisors approved Resolution 2023-20 requesting FWS remove the cormorants from Pilot Island. The Therefore statement in line number 38 summarizes the contents of the Resolution.

The middle part of the FWS Mission Statement is to “conserve, protect, and enhance fish, wildlife, and plants and their habitats. There has been no FWS attempt to state the actual situation with the fish, wildlife, and plants and their habitats. We know the cormorants and now white pelicans have destroyed



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BEARDSLEY	✗		
BULTMAN	✗		
CHOMEAU		✗	
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL			✗
FISHER			✗
GAUGER	✗		
GUNNLAUGSSON	✓		
HEIM PETER	✓		
KALMS	✗		
LIENAU	✓		
MILLER	✗		
MORKIN		✗	
NORTON	✓		
ROBILLARD	✗		
RUSNAK	✗		
THAYSE			✗
VOGEL	✓		
ZETTEL	✗		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st Gunnlaugsson Defeated

2nd R. Englebert

Yes: 16 No: 2 Exc: 3

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of February, 2023 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

Resolution No. 2023-20
REQUESTING THE U.S. FISH & WILDLIFE SERVICE REMEDIATE AND REMOVE FUTURE NEGATIVE IMPACT OF BIRDS RESIDING ON PILOT ISLAND

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, The Washington Island Sportsman's Club has requested the U.S. Fish and Wildlife
2 Service (FWS) to change the use of Pilot Island solely as a colonial bird sanctuary to an island
3 that benefits the public's best interest and considers local and environmental and ecological impacts; and

4 WHEREAS, The Town of Washington and Town of Liberty Grove have sent letters to FWS about the
5 issues associated with the use of Pilot Island as a colonial nesting bird site; and

6 WHEREAS, FWS has failed to satisfactorily address concerns about environmental impacts, impacts
7 to local fisheries, impacts to local wildlife and impacts to recreational activities; and

8 WHEREAS, In 2021 there were 9,765 Pilot Island cormorants eating an average of 1.25 lbs. of fish a
9 day (12,210 lbs. per day). This equates to the cormorants reducing our local fisheries through predation
10 by approximately 1,111 tons (2,222,000 lbs.) of fish each year (over 182 days). To understand how
11 many fish this is, let's assume that each car going to the ferry would hold 200 lbs. of fish in the
12 trunk. You would need 11,111 cars to carry the fish. If each car was 15 feet long, the line of cars would
13 span 31.56 miles if cars were bumper-to-bumper (FWS numbers were used in the fish calculations), and

14 WHEREAS, The fish spawning grounds that once thrived in the Pilot Island waters no longer exist
15 due to cormorant predation and the water quality issues from the bird guano; and

16 WHEREAS, The E. coli levels near and around Pilot Island, as determined by the University of
17 Wisconsin-Oshkosh and the Environmental and Innovation Research Center (ERIC), have made the
18 waters surrounding Pilot Island unfit for fishing, swimming, snorkeling, kayaking, and diving; and

19 WHEREAS, Testing will be performed in 2023 to determine if guano has infiltrated the Forest, J.E.
20 Gilmore, and A.P. Nichols shipwrecks (National Register of Historical Places #92000103) to
21 ensure divers will be safe in the potentially polluted waters; and

22 WHEREAS, The historic value of the active Lighthouse (built 1858) and Fog Signal Building on Pilot
23 Island (National Register of Historic Places #83004279) have been severely compromised since FWS
24 acquired the Island in 2007; and

25 WHEREAS, Tourists and visitors often ask, "what is that island that looks like it has been bombed."
26 Then, a local resident or ferry worker will explain the devastation that birds have had on Pilot Island.
27 Tourists, local residents, fisherman and boaters have complained about the smell emanating from Pilot
28 Island, as far away as Detroit Harbor on Washington Island and the Town of Liberty Grove; and

29 NOW, THEREFORE BE IT RESOLVED, the Door County Board of Supervisors strongly disapproves
30 of the current use of Pilot Island as a colonial bird rookery, and asks that approval be given to the U.S.
31 Fish and Wildlife Service to the restore the local environment, wildlife, fisheries and historical structures,
32 removing the problems on Pilot Island that impact the surrounding Door County communities and its
33 citizens, and

34 BE IT FURTHER RESOLVED, the Door County Clerk shall transmit a copy of this resolution to
35 Martha Williams, Director of Fish and Wildlife, 1849 C Street, NW, Washington DC 20240.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chairperson
[Signature] David Englebert
[Signature] Daniel Austad
[Signature] David Enigl

[Signature] Elizabeth Gauger
[Signature] Nancy Robillard
[Signature] Todd Thayse

all of the native plants and trees on Pilot Island on a once green and lush Island with a beautiful forest. In addition, the yellow perch, rock bass, and smallmouth bass fisheries around Pilot Island, Detroit Island, and Washington Island have been destroyed or severely compromised and surrounding historic spawning sites for whitefish and lake sturgeon are heavily predated ghost towns devoid of life given zero chance of reestablishment.

The last part of the FWS Mission Statement states, “for the continuing benefit of the American people.” We are the American people! And we do not see a FWS plan to make the waters around Pilot Island clean and fishable. Currently, because of our water sampling, with the University of Wisconsin at Oshkosh, we have found the waters immediately surrounding Pilot Island to be “unsafe for humans”. We want to see a FWS plan to clean up the putrid air (potentially carrying diseases) that is currently invading our homes/buildings. We have not seen or are aware of a FWS plan to perform soil samples in locations of concern on Pilot Island. When the Sportsman's Club asked FWS in the October meeting, if they could take soil samples in the summer of 2023, we were denied.

In addition, FWS has stated the waters around the Island to be at times unsafe for divers and snorkelers wanting to explore the historic shipwrecks. We are planning on taking sediment samples from and around the ship wrecks in 2023 to assess the guano/pollution damage. Furthermore, FWS has allowed the Pilot Island Lighthouse (Registry Number 83004279) to fall into a state of disrepair. We have asked the State Historic Preservation Officer (SHPO-Madison) to review our situation. SHPO plans to visit Pilot Island this Spring to assess the environmental concerns/impacts and their effect on Pilot Island's Lighthouse and Shipwrecks.

So, there is a mismatch between the FWS Mission Statement and what we see and experience with the cormorants and pelicans now damage to the environment. Pilot Island should be about “conserving, protecting, and enhancing fish, wildlife, and plants.” And it has a historic lighthouse. We need to “Save Pilot Island” for future generations.

Let's examine where Pilot Island is now so we can correct these issues as part of the Sportsman's Club's suggested plan for Saving Pilot Island. The following statements represents our communities experience over the past 31 years since the cormorants have arrived in 1992:

- The cormorants have stripped the leaves from small branches for nesting material on Pilot Island. The trees die and the cormorants produce huge piles of guano potentially containing coliform bacteria, streptococcus bacteria, salmonella, toxic chemicals, and nutrients killing the natural habitat and wildlife. The trees lose all of their foliage and die creating erosion.
- The water has been polluted making it impossible to fish, swim, snorkel, kayak, or dive around the Island.
- The fish spawning grounds have been destroyed by Cormorants predation and their effects on the environment.
- White pelicans have been allowed to roost on Pilot Island without an Environmental Impact Statement to assess the effects of the additional birds.
- The birds have created an eyesore from a once beautiful, lush, and green island to an island that seems as though it has been bombed.
- Cormorant's created a “living cesspool that has allowed “putrid air” to invade our nearby homes/buildings on Washington Island, Detroit Island, Northport, Town of Liberty Grove and Plum Island.
- Created ear infections after diving on the Pilot Island Shipwrecks. Health hazards such as Histoplasmosis have been reported on similar islands in Green Bay waters.
- Found the E.coli levels in the surrounding waters to be “unsafe for humans” through Scientific Research with the University of Wisconsin at Oshkosh. FWS is not concerned since the Island is closed to the public.
- Attracted by the natural beauty of Door County, tourists may view the areas as unattractive once cormorants take up residence. On a local scale, decreasing property values and reduced tourism

and recreation may cause economic losses for area residents and businesses that rely on income from tourism.

This small 3.5-acre Island from April thru September is home to 9,766 cormorants, roughly 30% of the cormorant population in Wisconsin and an ever-increasing number of breeding pelicans. It is not just the damage to Pilot Island, but the damage to the Northern Door County area in general. The birds have spread to the nearby harbors. This is not something residents want to see or experience. We, as Americans, don't understand why FWS is not doing something about this problem on our behalf.

What appears to be a great cormorant success story is turning out to be a nightmare due to FWS mismanagement. The birds have a place in America, but not in the numbers and locations where they currently exist. There is no greater evidence of this than 46 states (GA, NC, SC, CT, MA, MD, ME, NH, NJ, NY, PA, RI, VT, VA, FL, NM, OK, TX, IL, IN, IA, MI, MN, MO, OH, WI, AL, AR, LA, KY, MS, TN, CO, MT, WY, KS, NE, ND, SD, ID, OR, WA, AZ, UT, CA, NV) of the lower 48 states have conflicts with the cormorants (soon pelicans will be part of the problem too) and are involved in your Potential Take Limit (PTL) program. However, the sustainable level of cormorants which dictates the PTL values seems too subjective.

We would like to know how FWS arrived at the 'biologically sustainable level' based on knowledge of cormorant population dynamics. What data is available that indicates cormorants can't sustain a population decrease that is substantially less than the current biologically sustainable level? History tells us they can, because they are extremely resilient and capable of coming back from near extinction in a short period of time. What sustainable potential take level puts cormorants and the 46 states in harmony with each other instead of conflict with FWS policy?

Recommendation

FWS could easily change the Pilot Island Mission from a home for cormorants to a home for other less invasive migrating bird(s) that occupied the Island in the past. This would help the Island recover its initial lush and green state, stimulate fishery growth again and restore assets that will stimulate the area's economy and protect its past for the public to use and enjoy. It also shows FWS is working for the "American People" by restoring the Island. It is truly a "Double Win for all of us".

Second part of Question A2: How would Pilot Island's place in Door County's history be most effectively interpreted?

FWS Answer: The FWS response is the Interpretation of the history of Pilot Island needs to take place off-site to prevent bird disturbance and for safety reasons. However, there are many ways to do that. There is signage on Plum Island, which is open to the public, about Pilot Island. There could also be partnerships with local museums, displays and programs on Washington Island or elsewhere, including oral histories, videos, and more. The U.S. Fish and Wildlife Service has experts in these techniques and can help facilitate better ways to tell the story and memorialize the important history of the site.

Sportsman Club Response: The historical interpretation of Pilot Island is not feasible by FWS and here is why: The kiosk you are referring to on Plum Island was built by FOPPI in 2014. The kiosk remained blank, not a sign on it until 2021 (7 yrs. later). There was nothing on Plum Island that supported visitors coming to the Island. It wasn't until FOPPI wrote an email in 2018 requesting the kiosk be populated with information that the wheels started in motion to populate the kiosk. Even then it took 3 years to get the job done. To date the Pilot Island Kiosk is the best FWS has done for Pilot Island's historical interpretation. FWS' answer to question #2 is empty of promise, based on past performance over the last 15 years. There are no videos to speak of, no permanent displays on Washington Island, no evidence of partnerships with local museums, etc.. There is little to no information or media to truly memorialize the important history of the site. Depending on Plum Island to provide historical information for Pilot Island is unrealistic.



An example of how FWS treats visitors, on Plum Island that even begins to welcome visitors except the kiosk. In 2017, FOPPI developed an audio tour for people to use while riding on the Washington Island Ferry and a version visitors could use while hiking around Plum Island. The audio tour segments actually start automatically at specific GPS points as people walk the trails around the Island. FWS has failed to let the public know the audio tour even exists much less how to listen to it. Nothing warmly welcomes visitors or really encourages them to hike the trails when they arrive. In 2022 no one placed the Leopold benches around the Island for people to rest or relax while hiking.

Then, in addition, there is no potable drinking water available on Plum Island; however, there is a well with a pump behind the Life Saving Station that has tested safe for drinking. The work on the well was done by the Washington Island Electric Cooperative as stated on their Facebook page dated July 17, 2019, "While there, we completed installing the new service for the boat house and assisted USF&W in getting the well operational." Drinking water seems like a good idea to have available for people who visit Plum Island. Its lack of availability might even be considered a safety issue.

Question A2 Continued

FWS Answer: The U.S. Fish and Wildlife Service has experts in these techniques and can help facilitate better ways to tell the story and memorialize the important history of the site.

Sportsman's Club Response: So to summarize the interpretation of Pilot Island, we believe FWS has done little to help Pilot Island with appropriate interpretation over the last 16 years. To date, the FWS treatment of Plum Island, which is FWS's flagship/primary focus, of the Green Bay National Wildlife Refuge (GBNWR) has had little or no benefit from the techniques of the FWS "experts." We question just how important the "Public" is to the FWS staff and the GBNWR?

To help FWS better understand, "Many communities have realized there was an unexpected positive economic force behind preservation. The act helped foster heritage tourism, attract visitors wanting to experience the past in ways that no book or documentary could match. The distinctive character of old

architecture and historic districts became a powerful draw for town and city-dwellers alike, and antidote to anonymous suburbs and strip malls (NPS)."

The answer is **NOT** on Plum Island where interpretation is being done in a non-timely and ineffective manner, or anywhere else in the County. The Lighthouse interpretation needs to be on Pilot Island where the Life Saving Service personnel lived and saved lives. They were called storm fighters, and they were called storm warriors. When wind and wave conspired to kill those who dared to tread upon the sea, the men of the *United States Life-Saving Service* left the comfort of their sturdy stations and entered the battle. With nothing more than wooden boats, cork life jackets and the oil-skin foul weather gear on their backs, they let their muscle, determination and bravery lead the way. Time and again they smirked in the face of danger and stole back the lives of men who were supposed to be dead, victims intended to be claimed by shipwrecks caused by storms. (*U. S. Life Saving Service Heritage Association. "Dedicated to Preserving Our National Life-Saving Treasures"*)

Question A2 Continued

FWS Answer: There could also be partnerships with local museums, displays and programs on Washington Island or elsewhere, including oral histories, videos, and more.

Sportsman Club Response: It is correct there can be partnerships with local museums, displays and programs can be on Washington Island or elsewhere, including oral histories, videos, and more. In 15 years has FWS made any of these things happen? What is the best answer for learning about Pilot Island? Learning is best when one can breathe the air, see the actual beaches, observe the strong currents, feel its cold water, and use all of your senses to learn. Anything less would be an injustice to Pilot Island and its' importance in the maritime history of Door County and the first-hand knowledge gained by future generations.

Question A3: Will the U.S. Fish and Wildlife Service make Pilot Island a restored historic site, open to the public for educational and recreational activities for future generational to enjoy?

FWS Answer: No, the site is not conducive to public uses for several reasons. As stated above, the primary purpose of the island under U.S. Fish and Wildlife Service jurisdiction is to protect migratory birds. By law, the U.S. Fish and Wildlife Service must manage the island according to that primary purpose. Most of the island is occupied by colonial nesting birds during the breeding season. Repeated disturbance to nesting birds is known to cause nest abandonment. The island is too small to allow public use during the nesting season that would interfere with breeding success.

Sportsman's Club Response: In the Grand Traverse Island Park plan submitted in 1977 by WDNR, Pilot Island's proposed use was a picnic area. At the time the Island was lush and green and there was a barrier of foliage between the migratory birds nesting and the areas that would have been open to the public...so the migratory birds at the time and people could possibly coexist even during breeding season (Letter No. ER77/1081 from FWS letter to James R. Hungroon (Director of Bureau of Environmental Impact – WDNR).

FWS Answer: This transfer is subject to the conditions and limitations of case closure for Pilot Island, as specified in the Wisconsin Department of Natural Resources site closure letter for Pilot Island dated August 30, 2006. The Pilot Island case closure conditions specify that the future use of the island will be a wildlife refuge with extremely limited human occupation except for research personnel.

Sportsman's Club Response: The WDNR closure letter also states, "If the lead contamination is addressed in the future the zoning of the property can be reevaluated by the Department of Natural Resources or its successor agency." So using the Island as only a wildlife area is "not written in stone" and can be adjusted to accommodate changes in Pilot Island's recovery process.

A great concern is FWS is supposed to perform annual inspections on the soil cap as stated below. We believe this has not been done since FWS acquired the Island in 2007. So when you speak about other contamination, it appears you have no idea what the toxicity levels are that exist on the Island today?

From the WDNR closure document; "Annual Inspection", the soil cap consists of the existing soil at the site covered by native and exotic grass and plant species, as well as a layer of bird guano. The soil cap will be inspected once a year by the current property owner for potential exposures to underlying soils. The inspections will be performed to evaluate disturbance to the bird guano and vegetation separating soil with elevated lead and petroleum levels from potential receptors on the surface. Disturbances may be due to exposure to the weather, damage from wild life, and other factors. Any area where underlying soils have become or are likely to become exposed will be documented. A log of the inspections will be maintained by the property owner and is included as Exhibit B, *Cap Inspection Log*. The log will include recommendations for necessary fill or seeding in any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log." The Washington Island Sportsman's Club requests a copy or capability to view the Annual Cap Inspection Log to better understand the level of contamination that exists under the cap and the level of contamination that has dissipated from 2006.

The Washington Island Sportsman's Club, also, understands under the current conditions FWS has no plan to do full restoration on the lighthouse structures on Pilot or the keepers and fog signal buildings on Plum Island. These buildings on both Islands are significant structures and an integral part of Door County's maritime history and should be preserved and restored inside and out. The Plum Island keepers building is currently being used as a bat house. This indicates the lack of concern or value FWS places on historic structures. Unfortunately, FWS does not have a plan when preservation activities would begin on these building exteriors. Those of us who care about historical value can only hope the buildings will still be standing by the time the preservation activities start. Another concern is the potential the buildings may be delisted from the *National Register of Historic Places* due to their poor condition and lack of maintenance.

Question A4: Is public access currently allowed on Pilot Island?

FWS Answer: "No, the Island is closed to the public in order to support colonial nesting birds..."

Sportsman Club Response: Other migratory birds used Pilot Island prior to the cormorants, History tells us the Red Merganser, Herring Gulls, Cardinals, Robins, songbirds and many more species used Pilot Island as a stopover and nesting site. The Island was lush and green in those days. Pilot Island was part of the Grand Traverse chain in Lake Michigan between Wisconsin and the Upper Peninsula - known as Lake Michigan's "Stepping Stones." Nicole Van Helden, who directs the Conservancy's Green Bay watershed, said the islands are home to a host of species like snails, dragonflies, bats, plants, and fish. Van Helden said they're also an important stopping point for migratory birds and their foliage acts as a "stepping stone" island between the mainland and the Michigan Chain of islands for the visiting birds as they migrate north for the summer.

Eldred Ellefson's nephew spent a lot of time on Pilot Island from May to September performing maintenance for his uncle who had a 99-year lease with the Coast Guard to use Pilot Island. In the 60's and 70's, he and his cousin would live on the Island for weeks at a time. They painted, mowed the lawn sometimes as much as twice a week, made sure when guests used the Lighthouse for overnight stays the generator was running to provide them with electricity. The boys lived upstairs in the Fog Signal building. When interviewed, he verified the buildings and grounds were kept in immaculate condition and there were migratory/nesting birds on the Island. His experiences basically tell us, humans and nesting birds can get along and be compatible with good foliage separating them. In those days, the Island was healthy, vibrant and had many different species of migratory birds. He also said the waters were teeming with smallmouth bass. A pole in the water would provide a nice fish dinner in a reasonably short period of time.

Question A5: Process for withdrawal review and/or divestiture?

FWS Answer: "the agency cannot transfer lands out of the National Wildlife Refuge System, except by congressional action or land exchange."

Sportsman Club Response: FWS can do anything they want to do, so opening Pilot Island to the public or changing ownership can be done. We would certainly hope FWS would do what is best for the Island and build a strong relationship with local communities. The FWS response to the public outcries to date indicate this is not necessarily the case. The agency appears to be short-staffed, with no money available to execute even the simplest of their responsibilities on a regular basis. Their continued acquisition of more property only compounds the problems!

For example, discrepancies from a titled Audit Report on Deferred Maintenance, U.S. Fish and Wildlife Service performed by the Office of Inspector General tells the tale and briefed the following results.

RESULTS IN BRIEF

We found that FWS did not spend deferred maintenance funding solely on deferred maintenance projects and did not allocate deferred maintenance funds in accordance with its Maintenance Management System Handbook, which states that FWS should establish priorities for projects to "optimize" the use of funds made available to correct maintenance deficiencies. Instead, FWS allocated \$9.6 million of \$33.4 million of fiscal year 1998 deferred maintenance funding for costs that were not directly related to the priority of deferred maintenance projects, including expenses such as regional administrative and engineering (unrelated to deferred maintenance projects) support, small maintenance projects, and contingencies such as cost overruns. Also, FWS spent \$4.8 million of its deferred maintenance funding for fiscal years 1996 through 1998 on non-maintenance expenses such as equipment replacement, administrative functions, and routine maintenance work.

We also found that FWS's information on its deferred maintenance needs and its estimates of its deferred maintenance costs were not reliable and/or prepared in accordance with Federal accounting standards and Department of Interior (DOI) guidance. Deferred maintenance information was not reliable because FWS had not (1) fully surveyed its assets to identify asset condition and thereby determine its deferred maintenance needs; (2) fully documented its estimated deferred maintenance costs; (3) established adequate controls to ensure compliance with Federal, DOI, and FWS deferred maintenance guidance; and (4) implemented adequate controls to ensure the reliability of deferred maintenance data. As a result, FWS may be unable to support its budget requests for deferred maintenance funding with reliable data.

While this report is for 1998, a current deferred maintenance funding report may show that maybe divestiture is the right answer for Pilot Island based on FWS's deferred maintenance and historical performance.

SECTION B: BIRD MANAGEMENT

Question B1: Bird statistics prior to and post 2007?

FWS Answer: “Cormorants historically nested on Lake Michigan Islands.”

Sportsman’s Club Response: Sportsman’s Club Response: No, cormorants did not historically nest on all Lake Michigan Islands as a matter of fact, initially cormorants nested on isolated lakes in northern and central Wisconsin. We know that there were no documented cormorants living in Wisconsin before 1912 (Matteson, Summer W.; Rasmussen, Paul W.; Stromberg, Kenneth L.; Meier, Thomas I.; Van Stappen, Julie; and Nelson, Eric C., (Changes in the Status, Distribution, and Management of Double-Crested Cormorants in Wisconsin.)

The question should not be how many cormorants nested on Lake Michigan Islands. But rather how many cormorants have nested on Pilot Island? Our research (*Survival, fidelity, and dispersal of Double-breasted Cormorants* by Ayers, Door in June 28, 2019) states that the first cormorant nests on Pilot Island was in 1992. This is based on research by (Matteson, Summer W.; Rasmussen, Paul W. Stromborg, Kenneth L.; Meier, Thomas I.; Van Stappen, Julie; and Nelson, Eric C., "Changes in the Status, Distribution, and Management of Double-Crested Cormorants in Wisconsin" (1997). *Symposium on Double-Crested Cormorants: Population Status and Management Issues in the Midwest. Appendix A*) See our response to FWS Question No. A1. No archeological evidence exists to support the "native/always been here" mantra convincingly repeated by FWS and others.

FWS Graph: Depicting the “1997 to 2021 Green Bay Area Islands and Pilot Island Cormorant Nest Counts”

Sportsman’s Club Response: This chart is deceiving. To obtain a better picture of the cormorant situation, FWS should have started in 1991 or better yet, pre Columbian times, when there were no cormorants on Pilot Island. This would have provided a bigger and more useful picture for the cormorant trend line.

Question B2: What is the impact of migratory birds on fisheries near Pilot and Washington Island, specifically perch and rock bass fisheries, relative to predation and spawning?

FWS Answer: Recent cormorant diet research from Cat Island in Southern Green Bay indicates that yellow perch comprise 8% of breeding cormorants diet in this area and that most of the consumed perch are <200 mm (7.9 inches) long. Cat Island nesting cormorants primarily feed on alewives, white perch, and round gobies. Pilot Island nesting cormorant diets are likely similar to those at Cat Island, after accounting for forage fish population differences between the Cat and Pilot Island areas, such as the higher population of yellow perch near Cat Island.

Sportsman's Club Response: Given that the burden of proof of no environmental impact of FWS policy is required by law prior to policy enactment, this question is absurd. The historic presence of

threatened species in local environments impacted by FWS policy also further reinforces this necessary, but deliberately skipped obligation by FWS. On the surface it looks as if cormorants and pelicans eat a very small proportion of yellow perch (Cormorants 8%) (Pelicans 8%) in their diet based on the Cat Island Study findings for 2022. However, Cormorant and Pelican diet studies usually conclude that the birds have little impact on recreational or commercial fish because they make up a small percentage of their diets. Diet studies by themselves, typically, do not measure impacts to fish populations. Studies on diets are often conducted during periods when sportfish are not normally consumed by cormorants and pelicans and after sportfish populations have declined, which can contribute to low estimated consumption rates. Cormorants and Pelicans are opportunistic predators whose diets vary considerably with local prey availability.

Cormorants typically prey on specific size and age classes of sportfish. When they consume a large percentage of specific age-class fish, they may limit recruitment, even when consumption of sportfish is a relatively small percentage of total diet. This is particularly important if sportfish populations are low. In addition to rigorous diet studies, it is important to have information on the number of cormorants foraging, fish abundance, and age-specific fish mortality and spawning or stocking data and timeframes to fully understand the impacts of cormorants and pelicans and the management efforts that need to be implemented.

The charts below indicate there is a definite correlation between fish populations and the percentage of fish consumed by Cormorants and Pelicans. Also the Cat Island Diet Study shows in most all cases the frequency of Yellow Perch ranked within the top 4 of all fish samples taken for both cormorants and pelicans. Compare the Yellow Perch consumed by cormorants and pelicans in 2005 to the 2021-2022 numbers. Then look at the Yellow Perch population 2003-2005, that indicates the birds are having a significant effect on the perch population (Feeding Ecology and Diet of Cormorants and Pelicans in Lower Green Bay, Brandon Byrne 15 February 2023. Referred to as the Cat Island Study above)

FWS Statement; "The decline of yellow perch and their current low abundance is largely attributed to disruptions of the Lake Michigan perch food chain by zebra mussels, quagga mussels, round gobies, and other invasive species. While cormorants can consume large numbers of yellow perch when perch are abundant during the spawning season, there is no research indicating that cormorants were a major factor affecting the decline of yellow perch or their current low abundance in the Washington Island area."

Sportsman's Club Response: The food chain disruption is only part of the problem, the birds are having a significant impact on the perch population as well. As perch mature they become predators to the round gobies. Location/environment also play an important role in their survival. For example there are more Perch on the Green Bay side of the Door Peninsula than the Lake Michigan side. The Milwaukee perch study used in your answer is not really valid for the Northern Door County Area because there are far fewer cormorants and perch in the Milwaukee area.

The Cat Island study is different based on the better perch environment and fewer number of cormorants and pelicans in the area. If examined in the Washington Island area, we may find the percent of perch in both birds diet is less than 8% simply because there are far fewer perch available to eat and there is an abundance of cormorants and pelicans to eat them.

Even the local waters around Washington Island have changed over the years. Before 1992, there were no cormorants on Pilot Island and the waters were clean and not polluted. FWS has not performed "*due diligence*," because there is no documentation supportive or otherwise that addresses the impacts that

approximately 10,000 birds are causing on Pilot Island and the surrounding area. The cormorants on Pilot Island alone eat approximately 1,111 tons of fish over their 182 day stay each year and comprise 30% of the Door County cormorant population. The damage this huge number of birds cause is staggering! In addition, they have created an environmental imbalance with regards to soil contamination, landscape destruction, surrounding water contamination, poor air quality, nonexistent wildlife, local fisheries declines, and historic structure damage.

Finally, in making this change, Fish and Wildlife has not performed the required NEPA studies specific to conditions on Pilot Island. The NEPA documents in the past were based on generic environmental assessments and not specific to the unique issues required to assess the Pilot Island and the surrounding area. Why would FWS use EA's from other areas like Cat Island or Milwaukee to assess cormorant impacts on any fisheries when between Spider and Pilot Islands, 69% of the cormorants in Wisconsin roost on these two islands? Both islands, are within 13 miles of key spawning areas on Washington Island and Northern Door County.

FWS claims there is no impact from the birds on the local fisheries. Yet fish populations around Northern Door County are collapsing rapidly, and in particular, the fisheries immediately around Pilot Island, in particular, are gone. The perch, lake sturgeon, and brown trout populations are on the verge of disappearing. The smallmouth bass population is no longer at the levels of the 1980s in Green Bay waters. A good example of the cormorant impact is the failure of brown trout stocking in the Washington Island area by the WDNR. They have stopped stocking in the area because the cormorants pick off the fry once they are released into the water. It becomes a cormorant feeding frenzy, which makes stocking in the Washington Island area a dismal failure. We are facing an impending collapse of our fishery; FWS does not seem to be concerned about this issue and has not conducted a single fish study in Washington Island area to support historic and current FWS management policy as directed by law.

The Sportsman's Club believes the birds are having a significant long-term impact on the fish population. Sixty percent of the cormorants in Door County live on Pilot and Spider Islands all within extremely close distance to the Washington Island area. FWS keeps trying to use data from other studies that don't really reflect the conditions in the Pilot Island and Northern Door County area. It is time for FWS to stop coasting and fund the money required to perform a thorough analysis necessary to understand the problem to determine the impacts on the fish where the birds reside. The Washington Island Sportsman Club demands that an Environmental Analysis (EA) be performed that addresses the impacts of the colonial nesting birds have on fisheries Pilot Island and in Northern Door County. The EA must define an acceptable balance for local fisheries, local environments, water and air quality, and historic structure in question and recommendations on how that recovery is to take place. To accomplish this task, there must be a team assembled with members from FWS, Washington Island Sportsman's Club, WDNR, university researchers, environmental experts, etc.

Are we looking at a double edge sword? Many of the planted juvenile fingerlings don't survive to become adults (food chain disruption) and the adults don't survive to bear the young (predators). A good worthy effort for FWS to tackle would be to stock 2 yr old yellow perch, smallmouth, rock bass in Green Bay/Lake Michigan waters which would help improve survivability from food chain disruptions...now that would get the service accolades from every fisherman!

Look at these charts just released from a study in Door County to see some initial findings.

AWPE on Cat Island

2005 (Meadows)

- Yellow Perch – 100%



2021 – 2022

- Freshwater Drum – 22%
- Common Carp – 16%
- Alewife – 11%
- Yellow Perch – 8%
- Central Mudminnow – 8%
- Bullheads – 7%
- Walleye 6%
- Silver Redhorse – 5%
- Bowfin – 5%
- White Perch – 2%

DCCO on Cat Island

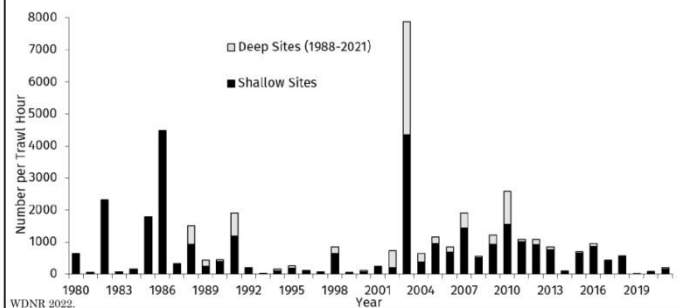
2005 (Meadows)

- Yellow Perch – 39%
- Walleye – 19%
- White Sucker – 16%
- Round Goby – 10%
- White Perch – 9%
- Freshwater Drum – 2%
- Shiners – 2%
- Alewife – 1%

2021 – 2022

- Alewife – 38%
- White Perch – 19%
- Round Goby – 15%
- Yellow Perch – 8%
- Freshwater Drum – 7%
- Shiners – 5%
- Gizzard Shad – 4%

Young-of-year Yellow Perch collected during trawling surveys in Green Bay, 1980-2021



Do cormorants and pelicans have a significant impact on many of our fish populations? Sampling the contents of a bird's stomach and think you have the right answer isn't enough. When cormorant and pelican stomach contents show their diet to be only 8% yellow perch, what impact does that have on an already limited/declining perch population? Why is it only 8% this year, when in 2005 it was 39% (DCCO) and 100% (AWPE). There is a strong correlation between cormorant population declines and perch population increases. Proper adaptive wildlife management necessitates constant change of strategy as environmental and biological conditions warrant to maintain a balanced ecosystem.

Case in point from a study conducted by U.S. Department of Agriculture Animal and Plant Health Inspection Service, dated August 2016. "In the Les Cheneaux Islands area of Michigan, a similar cormorant management effort using egg-oiling to limit reproduction and lethal control of adults on breeding colonies was implemented to improve the yellow perch fishery. Monitoring indicated that the yellow perch population improved to historical levels, an improvement that has been sustained for more

than 5 years." See Research paper already sent to FWS about yellow perch (*Perca flavescens*) fishery of the Les Cheneaux Islands region of Lake Huron experienced an unprecedented collapse in 2000. Immediately prior to the collapse was the proliferation of double-crested cormorants (*Phalacrocorax auritus*) in the area.

Waters outside of Washington Island also need to be studied as a potential to obtain the same results in our area. Two excellent programs implemented that could be helpful include Les Cheneaux Islands and the Eastern Basin of Lake Ontario.

There are three articles about these areas that show the relationships between Double-crested cormorants and "Yellow Perch," and the relationship between cormorants and smallmouth bass. In each case as the number of "cormorants" increases and the "number both fish species decreases and vice versa. For clarity, we are providing the following references and abstracts:

Response of yellow perch in Les Cheneaux Islands, Lake Huron to Declining Numbers of Double-crested Cormorants Stemming from Control activities, Journal of Great Lakes Research by David G Fielder, June 2010, Pages 207-214

Abstract

Double-crested cormorants increased exponentially in the Les Cheneaux Islands area during the 1980s and 1990s. The yellow perch fishery and population declined by the late 1990s and finally collapsed in 2000. Previous research confirmed that cormorants fed seasonally on perch. This analysis sought to use creel survey data and data from an annual gillnet collection to characterize the perch fishery and population during this time so as to explore if declines were a result of declining recruitment or increased mortality or both. Regression analysis explored six possible independent variables to account for yellow perch trends. Yellow perch abundance and its fishery declined throughout the Les Cheneaux Islands. Mean age declined which was consistent with a high mortality rate explanation. Yellow perch recruitment, as indicated by gillnet catch rate of age-2 perch, continued during this time including one very strong year class. Total annual mortality rates determined by the cohort method were as high as 85% during much of this time and increased over the time series. Cormorant abundance accounted for a total of five significant relationships with the yellow perch data, more than any other independent variable. From this, it is apparent that cormorant predation is at least one factor affecting the perch population and fishery and may be the most influential force, among those examined, during this time series.

Double-Crested Cormorant Predation on Yellow Perch in the Eastern Basin of Lake Ontario, Journal of Great Lakes Research, John A.D. Burnett, Neil H. Ringler, Brian F. Lantry, and James H. Johnson. Volume 28 Issue 2, Pages 202-211

Abstract

Previous work indicated that the abundance of yellow perch (*Perca flavescens*) in the eastern basin of Lake Ontario declined from 1976 to 1999 despite production of moderate to strong year classes each year during 1991 through 1995. Adult perch stock size failed to increase because of accelerated mortality after the first fall of life. Increases in mortality coincided with a number of ecosystem changes including increased abundance of double-crested cormorants (*Phalacrocorax auritus*). Otoliths obtained from cormorant pellets collected on Little Galloo Island were used to examine the size and age of perch consumed by cormorants during 1993 to 1994 and 1996 to 1999. Size and age specific diet composition, combined with existing estimates of yellow perch consumed annually by cormorants were compared to perch population projections to evaluate the potential for this new form of predation to induce observed population trends. Perch stock abundance was projected using a range of standing stock estimates from the literature partitioned with age composition data from the eastern basin population. The total length of

perch consumed by cormorants ranged from 59 to 236 mm, the majority of which were age-1 (48%), age-2 (20%), and age-3 (20%). Comparisons of age structured predation by cormorants and perch population projections indicated that cormorant predation reduced age-3 perch abundance most. At a high estimate of 65 kg/ha, cormorants were capable of consuming 29% of the age-3 perch stock. This analysis indicated that cormorant predation had the potential to play an important role in regulating perch population levels in the eastern basin during the 1990s.

The Relationship Between the Abundance of Smallmouth Bass and Double-Crested Cormorants in the Eastern Basin of Lake Ontario, Brian-F-Lantry, et al, *Journal-of-Great-Lakes-Research*, December 2002

Abstract

Available population and diet data on double-crested cormorant (*Phalacrocorax auritus*) and smallmouth bass (*Micropterus dolomieu*) numbers, demographics, and exploitation rates were synthesized to examine the relationship between cormorant and smallmouth bass abundance in the U.S. waters of the eastern basin of Lake Ontario. It was found that after the number of cormorants nesting on Little Galloo Island in New York exceeded 3,500 pairs in 1989, survival of young smallmouth bass, not yet of legal size for the sport harvest (< 305 mm), began to decline. Despite production of strong year classes in 1987 and 1988, abundance of smallmouth bass measured from gill net surveys declined to its lowest level by 1995 and remained there through 1998. Stable or increasing catch and harvest rates in other local fisheries along the U.S. shore suggested that declines in smallmouth bass abundance in the eastern basin were not related to water quality. Stable or increasing growth rates for smallmouth bass age 2 and older since the 1980s further indicated that food resource limitation was also not the cause for declines in abundance. Comparisons of estimates of size and age-specific predation on smallmouth bass by cormorants with projected smallmouth bass population size indicated that much of the increased mortality on young smallmouth bass, could be explained by cormorant predation.

Subsequent investigations established that double-crested cormorant predation was chief among the forces shaping the local yellow perch population and contributing to the collapse of the fishery. A double-crested cormorant control program was implemented in 2004 with the objective of benefiting the yellow perch population and fishery. This study used creel survey and gillnet fish community assessment data to evaluate the response of the yellow perch population and fishery. In all, seven key yellow perch metrics were analyzed using regression analysis with double-crested cormorant abundance as the independent variable. As double-crested cormorant abundance declined, yellow perch abundance increased, total mortality rate decreased, the angler catch rate and harvest in the recreational fishery improved, yellow perch growth rate declined and mean age increased. Increased yellow perch recruitment was documented since 2003 but it was the longevity of these year classes, (improved survival) as much or more than their magnitude of the year class, that allowed for the progress towards recovery. Questions facing managers are the sustainable level of double-crested cormorants in the region and the long-term prognosis for the yellow perch fishery to fully recover to pre-double-crested cormorant levels.”

Reducing the number of cormorants and white pelicans in the Green Bay Door County area may improve fish populations in general, but we may never know until some action is taken. Sport and commercial fisherman have been complaining for years about the huge increase in the cormorant population and the decline in fish populations. If you just evaluate the impact on fish populations throughout the Great Lakes by one bird species...it's staggering.

Here is a simple calculation (using FWS numbers) that helps puts the quantity of fish eaten by cormorants on Pilot Island into perspective: In 2021 there were 9,765 Pilot Island cormorants eating an

average of 1.25 lbs. of fish a day (12,210 lbs. per day). This equates to the cormorants reducing our local fisheries through predation by approximately 1,111 tons (2,222,000 lbs.) of fish each year (over 182 days).

To understand how many fish this is, let's assume that each car would hold 200 lbs. of fish in the trunk. This equates to needing 11,111 cars to carry the fish. If each car was 15 feet long, the line of cars would span 31.56 miles if cars were bumper-to-bumper (FWS numbers were used in the fish calculations).

FWS now has observed approximately 60 Pelican nests on Pilot Island. Assuming each Pelican will eat 4 lbs. of fish a day. This will add an additional (4 lbs. X 60 pelicans X 182) = 43,680 lbs. or 22 tons of fish each year).

At some point in the Pilot Island life cycle the birds will no longer be able to exist as they do today. The Island will simply fail to support anymore birds as will the fisheries in the area.

This section examines the impact of cormorants on the fisheries around Washington Island:

Observations of Cormorants on Spawning Areas in the Town of Washington (Washington Island, Detroit Island, Pilot Island, and Plum Island)

- Large flocks of cormorants descend on the spawning area.
- Cormorants gorge themselves on fish. When approached by fisherman in their boats, the cormorants are so full of fish that they can't fly without emptying their stomachs.
- Island fisherman have observed the cormorants sometimes work in a coordinated manner where they maneuver the fish into shallow waters where they become easy prey.
- The cormorants know where the spawning areas are located and will land on top of the fish beds where the fish are in abundance. If approached by a boat, they will fly away but always return after the fisherman leave.

Pilot Island Spawning Area

The large number of cormorants have eliminated the spawning area around Pilot Island. And, the waters are polluted from the overwhelming number of birds and their feces. But, this brings up the significant question of: Are the fish around Pilot Island contaminated from the waters?

Detroit Harbor and Detroit Island Spawning Area:

- Detroit Harbor State Natural Area (*Wisconsin State Natural Areas Program – WDNR Detroit Harbor (No. 413) - Door County Land Trust last revised: Monday, March 27, 2023*) features a diverse complex of intermittent, emergent, and forested wetlands that support by numerous rare species. Of primary significance is the presence of the federally endangered Hine's emerald dragonfly (*Somatochlora hineana*) and the federally threatened dwarf lake iris (*Iris lacustris*). The natural area also includes Richter Bayou, which is a significant smallmouth bass nursery. The bayou and bulrush flats located within Detroit Island are one of the most productive spawning sites for smallmouth bass in northern Green Bay.

Intermittent wetlands at the north end of the Richter Bayou are fed by a series of groundwater springs that drain south through a network of channels into an open wetland and ultimately into Detroit Harbor. North of the Bayou are dolomitic soils that support a large cedar swamp and

old northern mesic forest dominated by northern white cedar and eastern hemlock. Other trees include American beech, sugar maple, balsam fir, yellow birch, and paper birch. Canada yew (*Taxus canadensis*), a declining species sensitive to deer browse, is found in the understory.

This area is an important migratory stopover site and breeding habitat for numerous rare and uncommon bird species including redhead duck, American white pelican, bald eagle, and red-breasted merganser. Detroit Harbor State Natural Area and was designated a State Natural Area in 2005. There are federally endangered Hine's emerald dragonfly (*Somatochlora hineana*) and the federally threatened dwarf lake iris (*Iris lacustris*) on several properties within the boundary, including Detroit Island.

- In the spring of 2022 Detroit Island residents walked their shore line and reported the number of fish nests have been significantly reduced.
- Fishermen also report a reduction in smallmouth bass, rock bass, and perch caught in Detroit Harbor, the East Channel, and around Detroit Island. The white pelicans do not dive to catch their prey, instead they dip their head underwater and scoop up fish. Several pelicans fish cooperatively where they move into a circle to concentrate their prey in one spot, then they dip their heads under simultaneously to catch the fish.
- At one time Detroit Harbor was a world-class fishery. There were so many yellow perch in Detroit Harbor commercial perch fishermen used to fish there. One of our Sportsman's Club members worked with the commercial perch fisherman. Now, the sport fisherman in Detroit Harbor infrequently catch perch or rock bass. In addition, smallmouth bass are not as prevalent or large.

Based on the metrics of continuous predation on local fisheries using FWS estimates of annual cormorant feeding impacts on local biomass by Pilot Island birds, one could easily conclude that any spawning adult fish are "pioneers" recruited from non-predated habitat elsewhere.

Between Pilot Island and Plum Island Spawning Area

"Areas surrounding Plum and Pilot Island contain resources significant to a number of fish species. Smallmouth bass (*Micropterus dolomieu*) are common in the surrounding rocky shallows, particularly on the north and west sides of the island. This area was no doubt also historically important to spawning lake trout (*Salvelinus namaycush*), lake sturgeon (*Acipenser fulvescens*), and lake whitefish (*Coregonus culpeformis*)". (*FWS in their Field Notes Entry – Date not known since this document has been erased from the Web by FWS.*)

Today, there are no spawning grounds in the waters surrounding Pilot Island due to predation by the large number of cormorants on the Island and the dangerous levels of E coli caused by their guano.

Question B3: How does the US. Fish and Wildlife Service determine how cormorants are managed on Pilot Island?

FWS Answer: "In 2007, leading up to acquisition of Pilot Island, the FWS determined that the island's greatest migratory bird conservation value was as an open ground colonial nesting bird colony, which primarily supports cormorants, pelicans, and gulls."

Sportsman's Club Response: Clearly the number of cormorants, gulls, and pelicans on Pilot Island have never been managed or regulated. Pilot Island, other than nest counts, from time to time and a little research when bird sickness occurs, is pretty much left alone to whatever nature brings. Current cormorant, gull, and pelican populations exceed 10,000 birds between April and October, a staggering number on 3.5 acres. As the Pilot Island continues to deteriorate, it becomes more suitable to the cormorants, gulls, and pelicans and harder and harder to recover its true value to the area.

FWS Answer: The U.S. Fish and Wildlife Service formalized the management objectives and strategies for the cormorants through the ...the Comprehensive Conservation Plan (CCP) process, which included a public comment period (Refer to pages 55 and 56 in the CCP for details).

Sportsman's Club Response: We have reread pages 55-56. The question is, how has FWS responded to the CCP on pages 55 and 56? We have seen no changes since the CCP was established in 09-28-2012.

Sportsman's Club Request: The Sportsman's Club strongly urges FWS to reevaluate the CCP due to significant environmental issues caused by the birds, in regard to the historic lighthouse, shipwrecks, the local fisheries in the area and polluted environments. It's time to reassess the management goals and commitments for Pilot Island

Question B4: Can current U.S. Fish and Service management of cormorants be changed or modified?

FWS Answer: The U.S. Fish and Wildlife Service must manage cormorants according to the final 2020 environmental impact statement for the management of conflicts associated with double crested cormorants. The environmental impact statement only allows bird management for specific reasons, none of which are met at Pilot Island.

Sportsman's Club Response: There is nothing in any documentation that requires FWS to have only cormorants, gulls and pelicans on Pilot Island. There is nothing that prevents FWS from changing the use of Pilot Island from the current colonial nesting birds to other migratory birds. The essence of the issue is: Does FWS want to make the change? From this response obviously not, but what do the American people in the area want? They want resolution to impacts to the local fisheries, impacts to local wildlife, environmental impacts, and impacts to the recreational users. The people are telling you "enough is enough and there is much greater benefit to the community when the Pilot Island purpose is changed."

This CCP paragraph related to historical structures lends itself to something other than the FWS interpretation of Pilot Island's history:

*"Several Great Lakes islands refuges contain unique, and often highly visible, historic sites. Refuge managers need to ensure these sites, especially the lighthouses, receive **adequate care, restoration, and protection into the future.***

Cultural resources are both physical manifestations and intangible values that connect us to our past, providing the means to study and reflect upon the events and processes that have shaped our nation, our communities and ourselves. Many of these resources are unique and irreplaceable. Their true value rests in what they offer us in terms of scientific information, interpretive opportunities, and cultural identity. Cultural resources managed by the Service are important, because the study of managed cultural resources provides important information on changes to our environment and landscapes over

thousands of years, and this contributes directly to the Service's primary mission of managing wildlife and natural landscapes."

Throughout the CCP the word "restoration" is used, not only for historic lighthouses, but the environment as well.

B5. What is the long-term impact of “removing “cormorants?”

FWS Answer: Eliminating cormorant nesting at Pilot Island is not likely to jeopardize the Greater Door County area’s long-term cormorant population status unless the area’s other cormorant nesting colony populations also decrease.

However, eliminating cormorant nesting at Pilot Island would reduce the island’s suitability for nesting pelicans and to a lesser extent, herring gulls, who benefit from the vigilance of cormorants in deterring eagles and other nest predators.

Sportsman's Club Response: **A similar question needed answering, by law, prior to establishment of policy: What is the long term impact of adding cormorants to Pilot Island and surrounding area.** Your statement “Eliminating cormorant nesting at Pilot Island is not likely to jeopardize the Greater Door County area’s long-term cormorant population status, unless the area’s other cormorant nesting colony populations also decrease” is very important. You have many caveats to your statement but the truth is the probability of significant damage to the cormorant colony populations is nothing but a smoke screen. The probability of occurrence is nil.

We believe removing the pelicans would also be a good idea. So let's remove the cormorants, gulls and pelicans and start over. Recover Pilot Island to conserve, protect, and enhance, fish, wildlife, plants, and their habitats for the continuing benefit of the American people. After this is done, let's see if the yellow perch, lake sturgeon, brown trout, rock bass, and smallmouth bass increase. The result will be a world-class fishery.

We also know from documentation on the FWS Green Bay National Wildlife Refuge Website:

- Before the cormorants, Pilot Island had been part of “steppingstones” islands for migrating birds, bats, and butterflies as they cross along this section of the Niagara Escarpment that this stretches in a wide arc from eastern Wisconsin through Michigan’s Upper Peninsula, across Ontario, Canada and on through the Niagara Falls in New York.
- Pilot Island was a valuable feeding and resting stop for songbirds, bats, and monarch butterflies migrating across open water. It had both exposed limestone shorelines and perhaps in places an alkaline shoreline with rare alvar habitat containing specialized plant species.
- Pilot Island had been part of the chain of islands sprinkled between peninsulas. It had valuable patches of habitat for a variety of migratory species during both the migration and the breeding season. The location of Pilot Island near forage fish habitat, combined with their remote and undisturbed condition, offered many species of migratory bird’s necessary habitat protection.
- While Pilot Island started with a very small footprint that focused on bird conservation, botanists and other researchers had come to study the diverse plant life that has persisted on Pilot Island for millennia.

We know from historical documentation that Great Blue Herons and Black-crowned Night Herons coexisted with people on Pilot Island. In addition, we know from birdwatchers on nearby Plum Island there was a large number of both native and migratory birds on Plum Island probably used Pilot Island as their “steppingstones” during their Spring migration.

B6. What is the impact of cormorants on Washington Island, shipwreck sites and water quality?

FWS Answer: Pilot Island is the largest colonial nesting bird colony in the Town of Washington Island and one of the largest colonial nesting bird colonies in Wisconsin. While Pilot is largely devoid of vegetation, it is the site of impressive bird activity from May through August when thousands of cormorants, pelicans, and gulls nest and raise their young on this small island.

Sportsman's Club Response: The colonial nesting birds on Pilot Island are anything but impressive. Seeing a once lovely Island decimated is not impressive, it's sickening! The reason it is devoid of vegetation is from the bird acidic guano.

FWS Answer: The waters surrounding Pilot Island are subject to varying, wind directed currents. These currents quickly dilute bird guano and other nutrient-laden runoff from the island. Colonial nesting bird sites provide important nutrient inputs to these often-nutrient poor aquatic systems and are an important component of the larger Great Lakes ecosystem. Pilot Island has supported a large colony of nesting cormorants for 20 years.

Sportsman's Club Response: While we'd love to hear more about this aquatic science – defying miracle of harmless dilution you reference, an honest response would be: **Exorbitant amounts of nitrates, phosphorus, and concentrated pollutants induce further devastating impacts on local fisheries and ecosystems.** Your response does not mention that the odors produced by the guano are an unwanted “Putrid Smell” that invades our homes and buildings. This smell lasts longer than just the spring and summer as FWS mentioned. We need you to understand, the “Putrid Smell” affects our community members, children, tourists, and fishermen. It is pungent and will bring tears to your eyes. It is interesting that the very people responsible for managing the smell do not live anywhere nearby...and are really just casual visitors to the area.

In past communications when we mentioned the stench from Pilot Island, FWS mentioned that the smell is from the southerly winds affecting Washington Island. This is a misleading comment. FWS is only looking at the southerly winds. But what happens if the winds are from other directions? The following table depicts the wind direction and the location of people inhaling the putrid smell:

Wind Direction	Location of People Inhaling the Putrid Smell
West	Detroit Island People
East	Pilot Island People and Northern Door County People
North	Salmon Fisherman
South	Washington Island People
All Winds	Kayakers, Divers, Fisherman, Swimmers
No Wind	Fisherman Around Pilot Island

The “putrid stench” is so strong that fisherman in Door County and Washington Island have to plan their fishing so they will not be in an area where they will have to breathe the “putrid stench”. For a location in Door County that advertises and attracts tourists to come to visit us and breathe our fresh air, swim and fish our waters this is a significant issue.

The putrid smell from Pilot Island originates from the cormorant's guano. An example of how difficult it is to work with FWS is when FWS was discussing the soil condition on Pilot Island with 3 members from the Sportsman's Club. One of the Sportsman Club mentioned that he thought the soil on Pilot Island was contaminated from the huge amount of guano on Pilot Island. Immediately, FWS stated the "Pilot Island soil was NOT contaminated". Then, the Sportsman's Club member said: "I would like to bet that the soil is contaminated! FWS did not say they wanted to take this bet. Then, in a teleconference call about a week later between FWS and the Sportsman Club the contamination level topic was again brought up by a Sportsman's Club member. At this time, FWS stated that there was soil pollution. When asked if the Sportsman's Club could take soil samples with the FWS observing this situation, FWS said "NO the Sportsman's Club members would not be allowed on Pilot Island!"

Sportsman's Club FWS Request: Our concern is that the putrid smell may be carrying air born diseases to the public. Specifically, we need to know if there is a potential for histoplasmosis to be carried to our community members. There is a situation where two twin children caught histoplasmosis on a bird island in Green Bay Waters. In this case, CDC took soil samples are proved there was histoplasmosis. We know that there are testing processes that can be used for this analysis and we need FWS to use them. This is a safety and health issue.

FWS Answer: While questions about cormorant impacts to the nearby shipwrecks have not been investigated; these offshore impacts are unlikely in this area of strong currents and infertile water where nutrients are rapidly incorporated into the aquatic food web.

Sportsman's Club Response: BUT why hasn't FWS taken the time to investigate cormorant impacts to nearby shipwrecks? It is their responsibility to manage Pilot Island and the impacts to the surrounding area. To take the easy way out and ignore the problem is not what the American people have entrusted them to do, they need to manage the situation to determine if the impacts are perceived or real. That's their job!

The shipwrecks at one time were a popular dive site until the birds started to own Pilot Island. In addition the shipwrecks are a national treasure: J. E. Gilmore (Registry Number 13307) and the A. P. Nichols (Registry Number: 566). Before the cormorants were on Pilot Island in 1992, shipwrecks were a popular kayaking, snorkeling, and diving attraction to Door County. However, the waters around the shipwrecks could easily be contaminated after a rain storm with the appropriate wind direction.

If the guano has a nutrient benefit to the aquatic systems around Pilot Island, we would like to see you're the research that supports that statement. We would like to see the results of the study showing how the bird guano running into the local waters affects the local waters. It is a stretch to say cormorant guano is a nutrient for the aquatic systems around Pilot Island. For one thing, the currents are extremely strong and the nutrients would be taken away from Pilot Island. Studies we have included in our Bibliography that show there is a clear connection between water contamination and the safety and health of our citizens.

Some divers have reported ear infections from diving around Pilot Island. And yet this health issue hasn't provided sufficient cause for FWS to investigate. Today divers shy away from exploring around Pilot Island. Just take a moment and consider the following people who can be infected by the polluted water:

- Kayakers
- Swimmers and Divers
- Fisherman

B7: Does the U.S. Fish and Wildlife Service believe Pilot Island creates a public health issue?

FWS Answer: No because the island is not open to public use. When near the island in a boat, the odor from bird guano is present and may lead some to be concerned about impacts from the guano. While E. coli does come from bird feces and may be present in waters near the shore of the island, it typically dissipates and dilutes farther from the island. The island is not a swimming area; thus it does not create a public health issue.

Sportsman’s Club Response: Yes, even though Pilot Island is not open to the public, the waters around the Island are open to the public.

The next FWS statement that “While E. coli does come from bird feces and may be present in the waters near the shore of the island” is true. But the waters after a rainstorm will contain high levels of E coli farther and farther around Pilot Island. The University of Wisconsin at Oshkosh identified the E.coli in waters around Pilot Island making them “unsafe for humans” near the shoreline. After a rainstorm the E,coli values could be as much as 100 times greater in the surrounding waters and further distances from the Island.

B8: What involvement, if any, does WDNR have in cormorant management?

FWS Answer: The role of the Wisconsin Department of Natural Resources is to identify the state-jurisdictional areas where the state would like active cormorant management to occur, and then work with the U.S. Fish and Wildlife Service – Migratory Bird Program, U.S. Department of Agriculture APHIS Wildlife Services, and other partners to accomplish state management objectives. Wisconsin Department of Natural Resources has been a long-time partner in developing cormorant management plans.

Sportsman’s Club Response: One of the partners FWS mentions is the U.S. Department of Agriculture (APHIS) but yet, FWS does not listen to their partner - APHIS. Here are some of the APHIS statements about Double-crested cormorants (Double Breasted Cormorants, Wildlife Damage Management Technical Series, August 2016):

- *Cormorants can have a significant impact on vegetation at breeding sites through normal nesting activities. Their guano is acidic and can change soil chemistry, killing ground vegetation and irreversible damaging nest trees. Cormorants also destroy vegetation directly by stripping leaves and small branches from tree for nesting material. At times, the weight of the birds and their nests can even break branches. Loss of trees can lead to increased erosion particularly on sand spits and barrier beaches.*
- *In some cases, cormorant colonies have significantly affected rare plant communities.*
- *The strong odor of droppings near roost and nesting areas, also with the loss of vegetation, may reduce nearby property values. Tourists attracted to the natural beauty of waterfront areas may view the areas as unattractive once cormorants take up residences. On a local scale, decreasing property values and reduced tourism and recreation may cause economic losses for area residents and businesses that rely on income from tourism.*

The Sportsman’s Club asks FWS to discuss their differences from their partner (APHIS) in managing Pilot Island.

SECTION C: CONSTRUCTION ON HISTORIC STRUCTURES

C1: Identify structures and designations

FWS Answer: First, for clarification of several different terms: The Pilot Island Light Station was the name of the U.S. Coast Guard's Station at Pilot Island. The facility included all of the island's previous and current infrastructure. The Pilot Island Light Station was decommissioned (de-staffed) by the U.S. Coast Guard in 1962; however, the agency continues to maintain and operate the navigational light in the Pilot Island Lighthouse.

Sportsman Club Response: We agree with almost everything stated in C1. The one exception is our safety concern over the maintenance of the Lighthouse. It is the Coast Guard's responsibility to ensure the light stays lit. However it is the FWS responsibility to ensure the lighthouse condition is safe enough so the Coast Guard can perform their work. It is also important the light tower be maintained to maximize the light emitted to warn travelers using the Death's Door passage. The glass is cracked and taped, the wood supporting the windows is rotting, and the internal structure may be compromised due to lack of maintenance. This increases the risk of keeping the light lit. And when the deterioration gets bad enough, the Coast Guard will get tired of the poor maintenance and build a new tower next to the lighthouse like they did on Rock Island. That would be a sad day for Pilot Island.

C2. Status of island and structures at time of acquisition and current state?

Sportsman's Club Response: There were items needing repair when FWS acquired Pilot Island. However, the CCP description of the condition of Pilot Island is quite clear. "Pilot Island was acquired in 2007. It has a standing 1858 lighthouse/keepers' quarters and a circa 1900 fog signal building. Both were placed on the National Register of Historic Places (HRHP) under one nomination on November 21, 1983 (Reference #83004279).

The lighthouse keepers' quarters in fair to good shape but shows signs of increasing wear on the light-colored brick façade and in the wooden doors/windows. After some interior water damage, the roof was replaced in 2009. The US Coast Guard (USCG) maintains the light.

- The fog signal building is in fair to poor shape due to the collapse of the roof which threatens to severely damage the brick superstructure. Removing and perhaps replacing the collapsed roof and shoring up the walls should be a top cultural resources priority (2013 Comprehensive Conservation Plan/chapter 3, Page 25). Unfortunately none of the top priority items have ever been accomplished. Both structures have suffered the ravages of weather, time, and lack of care/maintenance by FWS.

It is sad to realize after 16 years of FWS stewardship, it has only been until recently that some fixes have been put in place. Unfortunately the damage has been done due to neglect.

C3: Address how the U.S. Fish and Wildlife Service plans to implement the Historic Preservation Act on the Pilot Island lighthouse and environment and maintain historic correctness?

FWS Answer: The U.S. Fish and Wildlife Service is fulfilling its National Historic Preservation Act responsibility by applying the Interior Secretary standards for treatment of historic properties. For the Pilot Island lighthouse, this entails a treatment of preservation of its condition at the time of transfer to

the U.S. Fish and Wildlife Service in 2007 (See answer to question C.2). Refuge staff work with the U.S. Fish and Wildlife Service Regional Historic Preservation Officer to determine preservation activities.

Sportsman’s Club Response:

1. Have the following two Pilot Island National Register of Historic Places received adequate maintenance to keep them from falling into a state where it’s no longer NRHP eligible?

- Historic lighthouse/keeper building (NRHP #83004279 - Added to NRHP on November 21, 1983) Nine years before cormorants started to roost on the Island.
- Three shipwrecks off the coast of Pilot Island (NRHP # #92000103 Shipwrecks (Forest, J.E. Gilmore, and A. P. Nichols - Added to NRHP on March 19, 1992)

Note We believe every federal agency needs to consider the effects that an action or decision could have on historic properties, and disclose to the SHPO on the total effects planned or effects if no action is taken.

2 Along with the deterioration of the building, the decision to use Pilot Island as a rookery has had an adverse effect on the NR listed site. We believe all aspects of the site’s integrity has been adversely affected by:

- Destruction of all the vegetation on the island (aspect of integrity—setting)
- Guano accumulation that makes the environment in which the lighthouse sits repulsive due to the odor and potentially harmful to human health (aspect of integrity—setting)
- Guano covering the historic building itself (aspect of integrity—feeling)

3 When making decisions that affect Pilot Island, has the FWS considered the effects to the historic lighthouse and historic shipwrecks or just to the birds?

C4: Address the benefit or value of any historic restoration if it won’t be made available for the public to use and enjoy?

FWS Answer: It’s important to clarify definitions for the type of work involved. Under federal law, the U.S. Fish and Wildlife Service is *preserving* the structures, not restoring them. Historic preservation, as defined by Department of Interior policy, is the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. It’s also important to recognize that not all historic sites are available for the public to use. U.S. Fish and Wildlife Service policy on interpreting cultural resources for the public identifies that such resources are integral to our nation’s heritage and important for maintaining the identity and heritage of descendant communities. They are important for many reasons and there is value in preserving the structure’s history, even if the public cannot access them, and that is the purpose of the law. The structures and site are visible from the water and give the public an understanding of Great Lakes maritime history and why the work of lifesaving staff was important at the time. The history of Pilot Island is interpreted on Plum Island, which is open to the public, as well as two locations of the Door County Maritime Museum – Sturgeon Bay and Gills Rock, respectively.

Sportsman's Club Response: See our response in A2.

C5: 5-year plan for Pilot Island structures?

FWS Answer: The Green Bay National Wildlife Refuge Visitor Services Plan guides prioritization for historic structures on the refuge. In addition, the U.S. Fish and Wildlife Service and Friends of Plum and Pilot Island use a five-year historic structure preservation planning matrix of prioritized maintenance projects for both islands. This guides collective permitting, sourcing of funds, and general planning. This matrix is updated annually based on funding availability and structure conditions (See C.9 for more details about planned expenditures).

Summary list from latest planning matrix for Pilot Island (Pending lead/asbestos hazard testing report, 2022):

2022

- Dock Engineering, Completed
- Debris removal from roof project, completed; Cost: U.S. Fish and Wildlife Service staff time
- Lighthouse, Project scope and bids, lantern room leak temporary patching
- Lighthouse, paint fascia boards to complete 2021 roofing project; Cost: TBD

2023

- Lighthouse, Lantern asbestos remediation, decking repair; Cost: TBD
- Lighthouse, Scope/bid: Spalling brick repairs; Cost: TBD

Beyond 5 Years

- Rehabilitate Dock
- Lighthouse Exterior masonry repairs
- Lighthouse Roof replacement

Sportsman's Club Response: Now, we understand why FWS has difficulty in executing anything and your deferred maintenance backlog is so large. All your maintenance targets are floating and nothing can be counted on for completion in any given time frame. Planning helps see in advance those things that can help us achieve our goal and those things that can prevent us from achieving our goal. Planning, also, helps us to be accountable for what we do.

FWS doesn't have a clear scope of work, costs or schedules to in order to operate efficiently.. For example the dock repairs for Plum Island that were supposed to take place in the summer of 2023. Well guess what, based on where you are in the procurement cycle (no procurement package has been sent out to contractors) you are going to be lucky to start the dock work in the summer of 2024, but more likely 2025. The process you follow is neither cost effective or cost efficient and requires the taxpayers to pay a premium for poor performance.

CONCLUSIONS

The American people have been telling the United States Fish and Wildlife Service for years, to change policy regarding Pilot Island. Our desire has been to recover and restore local fisheries, reclaim the Island's contaminated soil, restore polluted waters, rid the area of stink that invades our homes when the wind blows, encourage heritage tourism at this site of Cultural Significance, allow safe access to three adjacent shipwrecks for divers, and allow people to experience a national maritime treasure that has been in operation since 1858. Today the public is demanding the change they have been seeking for years.

There has been overwhelming support whether it is through Resolution 2023-20 signed by the Door County Board of Supervisors asking for restoration of local fisheries and environment, to letters sent by the Town of Washington in 2019, Town of Liberty Grove in 2020 or through our surveys of our leaders, and our citizen's letters, requesting the same. The Washington Island Sportsman's Club in 2022 has now made the same request again and still no consideration for change from FWS. We are the "American People," you claim to represent and are telling you to change.

FWS's mission is to be stewards of the habitat, fish, and wildlife in the Green Bay National Wildlife Refuge (GBNWR) on behalf of the "American People!" The overwhelming support of 30,000 permanent residents should make it quite clear they want change and change that is beneficial to the County growth and welfare...especially as the local population balloons to 250,000 when the summer population settles in. How can you continue to ignore the outcries from the very people you are supposed to support? In addition, there are over 400 (update to "nearly 500"?) signatures on the savepilotisland.org online petition. The petition not only represents year around residents in Door County, but summer people from all over the country seeking change to current Pilot Island management policy and its resulting impacts on the greater Door County community.

The opposition FWS is experiencing today over their management of Pilot Island is not something new. Citizens' complaints about the loss of local fisheries, ecology, and wildlife have persisted since creation and implementation of FWS policy. FWS denied there was a problem with contamination on the Island or in our waters so our Sportsman's Club contacted the University of Wisconsin at Oshkosh and asked them to determine if there was pollution. They performed a study of the local waters and found extremely high levels of E.coli around Pilot Island and stated the waters were "not safe for humans". Recreational users are stunned by the impacts they see happening, especially to the Island's historic value, and the decimation of the Island itself. The bottom line is fisherman, divers, snorkelers, swimmers, and kayakers can no longer safely enjoy the waters near Pilot Island.

As far back as 1977, the Wisconsin Department of Natural Resources. (WDNR) proposed the idea of a "Grand Traverse Islands State Park." At that time FWS encouraged the WDNR to use Pilot Island as a colonial nesting site for cormorants, well before cormorants began nesting on the Island in 1992. Using the Island for its current purpose has always been a FWS plan. In 2007 FWS used the excuse that Pilot Island had cormorants in residence to justify their reason for acquisition.

In establishing policy, FWS used a generic Environmental Assessment (EA) study unrelated to Pilot Island and failed to address the existing and future potential impacts from the significant number of colonial birds on the local environment. We no longer accept the Environmental Analyses (EA) used as justification for the current use of Pilot Island habitat as they are insufficient, irrelevant, and negligent in

proper assessment of impacts. The analyses was not specific enough to address the impacts caused by the tremendous number of birds in the area on local fisheries. Each summer, for 182 days, Pilot Island alone entertains well over 10,000 fish-eating colonial nesting birds.

Pilot Island is clearly no longer a well-balanced environment. Immediate fisheries are gone, adjacent fisheries severely impacted, the ecosystem is damaged, and the native wildlife and vegetation have been destroyed. FWS has failed "due diligence" in assessing the environmental impacts caused by FWS policy of unlimited birds on Pilot Island. We are requesting immediate assessments of impact to local fisheries as a result of the FWS estimated 1,111 tons of fish consumed by cormorants alone on Pilot Island. Federal law was not adhered to in this regard in establishment of refuge policy creation and subsequent re-approvals to date.

Cormorants are opportunistic predators and will eat whatever is in abundance at the time. They forage on the easy targets, especially during spawning season. WI State protected Critical Spawning Habitat areas exist within the geographic area of FWS policy impact: Detroit Harbor State Natural Area, and Mink River Estuary. Additionally, FWS in their *Field Notes Entry* made the following comment reinforcing existence of additional spawning areas: "Areas surrounding Plum and Pilot Island contain resources significant to a number of fish species. Smallmouth bass (*Micropterus dolomieu*) are common in the surrounding rocky shallows, particularly on the north and west sides of the island. This area was no doubt also historically important to spawning lake trout (*Salvelinus namaycush*), lake sturgeon (*Acipenser fulvescens*), and lake whitefish (*Coregonus culpeformis*)." Since the establishment of FWS policy of unlimited avian fish-eating predators on Pilot Island, precipitous declines in all local fisheries have been noted and our pleas for assistance, and even acknowledgment of impacts have been ignored.

FWS rationale of Zebra and Quagga mussels being the culprit for historic collapse of Lake Michigan fisheries further reinforce the need for the Service to justify impacts of predation on the remaining survivors by colonial fish-eaters. FWS is responsible to the public to thoroughly understand the fish population declines, especially in areas that were once teeming with large varieties of fish and no cormorants/pelicans! We expect a "Service" called Fish and Wildlife to expend whatever it takes to do the correct environmental analysis on Pilot Island and the Northern Door County area to justify the existence of significant predation on severely impacted local fish species.

Now, let's address the historic value of Pilot Island. Sites and structures of Significant Cultural Importance are highlighted as needing additional EA/due diligence prior to enactment of policy. Pilot Island plays a significant role in the Maritime history of the area. The lighthouse, fog signal building and dock are in worse condition today than when FWS acquired the Island in 2007. Neglect over time is the primary cause, with cumulative impacts of acidic guano coming in a close second. Leaky roofs, leaky towers, spalling brick due to lack of gutters it all adds up when issues go unaddressed for years...and just get worse.

To help you better understand historic value, many communities realized that there was an unexpected economic force behind preservation. "The act helped foster heritage tourism, attracting visitors who wanted to experience the past in ways that no book or documentary could match. The distinctive character of old architecture and historic districts became a powerful draw for town and city-dwellers alike, and antidote to anonymous suburbs and strip malls." Our National Park Service couldn't say it any better.

We have heard from our Sportsman's Clubs members and the citizens of Washington Island. We are the American people you mentioned in your Mission Statement from all over the United States. , We demand answers to ALL of our questions. In the past FWS has not answered all of our questions. This will no longer be accepted. This is our expected outcome for Pilot Island.

- 1) Remove the cormorants, pelicans and gulls
- 2) Remove the cormorant guano, and replace with fertile soil, flora, and trees and return it to its original state by restoring and maintaining the fisheries, wildlife and environment that once existed.
- 3) Preserve and restore the Light house Keepers Building to its original state
- 4) Reconstruct the Fog Signal Building to its original state
- 5) Build a dock and boat channel so visitors can safely access and enjoy the complete experience the island has to offer

It is a tall task and will take years to complete, but it can be done. After all this mess didn't happen overnight and it won't be repaired overnight. The American People understand the benefits and the legacy Pilot Island can leave for future generations. There is nothing in their direction to FWS that is not doable. It is just a matter of FWS understanding what the "American People" want and executing their request as good stewards of Pilot Island, the GBNWR. The Washington Island Sportsman's Club and area residents stand firm in their expressed desire to change Pilot Island and strike a balance by preserving/restoring local fisheries, water quality, flora and fauna and historic value. Pilot Island's Lighthouse is a unique asset. No one wants it to become just a memory. We must heal the environment, the fisheries, the historical building, the dock, the air, the water and bring Pilot Island back to life for all to enjoy.

RECOMMENDATIONS

These recommendations are to improve communications between FWS, the Sportsman's Club and Pauline Meyer.

1. The Sportsman's Club reviewed all of "**FWS Answers**" to Pauline Meyer's questions and addressed the answers where there are concerns or issues. The Sportsman's Club requests FWS to respond to these concerns and issues by August 25, 2023.
2. The Washington Island Sportsman's Club and Door County stand firm in their expressed desire to change Pilot Island and strike a balance by preserving/restoring the fisheries, water quality, flora and fauna and historic value. We must heal the environment, the fisheries, the historical structures and shipwrecks, the dock, the air, the water and bring Pilot Island back to life for all to enjoy. FWS needs to address by June 23, 2023, how this clear-cut direction from the public can be accomplished.

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