

SCRIBA CREEK POACHING TIMELINE

April 2, 2022 Encon Officers (DEC) received a complaint from hatchery staff at Scriba Creek. When Encon Officers responded they observed an individual engaged in poaching near the dam with 23 illegally taken Walleye for which he was ticketed. The individual told the officers that he was exempt due to tribal affiliation but refused to provide identification as required. He then threatened he would be back with 100 of his friends.

April 5, 2022 The individual returned with approximately 35 other people, more than a dozen of whom proceeded to take Walleye illegally. Native fishers in the creek were observed filling plastic totes and pickup trucks with speared fish.

Encon Officers responded and called for backup from the New York State Troopers. The poachers again refused to identify themselves and their tribal affiliation and were non-compliant to commands from law enforcement. Responding officers called NYSDEC headquarters to report the situation and were directed to allow the individuals to leave with the illegally taken fish.

April 6, 2022 OLA President John Harmon received a phone call from Jackie Lendrum of DEC. In that call she listened as we outlined our serious concerns about the spearing incident. She also asked the leadership of OLA to try to persuade our members to respond peacefully. We agreed, with the proviso that DEC keep us included in the on-going discussions.

April 11, 2022 The OLA Board of Directors immediately responded with unanimous opposition to such illegal taking of fish. The Directors assembled a small Task Force to monitor and present opposition to this issue. The Task Force included President John Harmon, and Past Presidents Matt Snyder and Rip Colesante.

April 6-April 14, 2022 The OLA posted several items on its Facebook page in order to keep our membership up to date on the current events regarding the Scriba Creek incident.

April 25, 2022 The NYS Police Benevolent Association for the DEC Law Enforcement Officers published a state denouncing DEC's refusal to enforce poaching laws.

April 26, 2022 The OLA publishes a statement refuting DEC's published comments that they take seriously their responsibility to enforce New York State's environmental laws.

April 27 2022 OLA holds its Annual Membership meeting. President Harmon assured the membership that the entire Board of Directors is committed to making sure that such a poaching incident never happens again. Many OLA members voiced their strident opposition to the incident.

April 29, 2022 OLA's enews 67 provided our members with updates on the Scriba Creek incident.

May 1, 2022 OLA's enews 68 special bulletin entirely focused on Scriba Creek incident.

May 9, 2022 The OLA Board of Directors passed a resolution stating that the Association “vigorously opposes any law, regulation, administrative action, or any other act or decision; by any government, non-governmental organization, or other entity or agency; that interferes with enforcement of hunting and fishing laws or other conservation laws, or otherwise creates conditions detrimental to Oneida Lake and its natural resources.

And be it further resolved that:

OLA insists that State and Federal governments and all their agencies fulfill their obligations to the citizens of the State of New York and the United States of America, by fully protecting Oneida Lake and its natural resources, on behalf of all people who benefit from the Lake.”

May 13-16, 2022 The OLA Directors continued their discussions with DEC officials through email exchanges.

June 14, 2022 OLA leadership (John Harmon, Matt Snyder, and Rip Colesante) met with DEC leadership (via Zoom Call) to discuss steps to avoid poaching incidents in the future.

June 22, 2022 In enews 70, the OLA devoted considerable space towards updating our membership about the current progress in negotiations with the DEC.

August 10, 2022 OLA leadership has yet another phone call with Jackie Lendrum of DEC. In that call we emphasized that we are not focused on past events; rather, we are more interested in preventing any similar events in the future.

September, 12, 2022 Another phone call with Jackie Lendrum. She was unable to answer any of our questions or address any of our concerns. It is important to note that these issues are not directly managed by Lendrum, but by people in higher echelons, especially by Basil Seggos, Commissioner of the DEC.

September 20, 2022 Attorney for the Native Americans, Joe Heath, distributes his “Red Paper” arguing for unrestricted rights of Native Americans to hunt and fish.

September 23, 2022 The OLA Board responded in great detail to the Red Paper, distributing their response to DEC, the NYS Governor, and several other elected officials.

October 26, 2022 The watchdog group, Citizens Equal Rights Alliance, wrote a memo to DEC Commissioner Seggos and the DEC alerting them that they have serious concerns about the legal path they are following. They specifically mentioned their concern for the fishery of Oneida Lake.

December 14, 2022 The OLA leadership received a letter from Jackie Lendrum (DEC Official) responding to the our rebuttal of the Red Paper.

January 2023 DEC Leadership met with representatives of several tribes to negotiate fishing rights, without any representation from the OLA or any other input from citizen stakeholders.

January 23, 2023 The person who was ticketed on April 2, 2022 for spearing fish in Scriba Creek appeared in Constantia Town Court. He did not plead guilty or innocent, nor did he accept adjournment in contemplation of dismissal. The Oswego County assistant district attorney assigned to the case then conferred with the judge and then moved to dismiss the case.

Members of the public who were at the hearing heard the defendant say out loud, multiple times, that he was born with the right to take any fish, at any time, and by any means of his choosing. He stated that he plans to return to Scriba Creek this April, for the spring walleye run.

January 25 OLA Leadership Team (John Harmon, Matt Snyder, and Rip Colesante) sent a letter to Jackie Lendrum, with wide distribution through CC.

February 24 The OLA sent out a Special Alert through Constant Contact. In this publication, we alerted our members about the incident of January 23, when the ticketed defendant had his case dismissed. We also explained that he could be heard stating that he will return to the Creek during spawning season. Our Alert also outlined the main features of our letter to Jackie Lendrum of DEC.

March 15 OLA Leadership Team received a written response from Jackie Lendrum, of the DEC. In that letter she states that the DEC considers Scriba Creek to be a “sensitive area to be protected as a conservation necessity.” She also stated that anyone fishing in this area during spawning season “will be ticketed.”

March 15 OLA immediately sent out an update to our membership outlining the key information within the letter from Jackie Lendrum.

Mid-March 2023 There was a spate of news coverage in Syracuse.com and the New York Outdoor News of the outcome of Angus’ court proceeding. The OLA Directors also invited Jack Henke, famed CNY writer, to contribute an pertinent article to our Fall 2023 *OLA Bulletin*. This publication can be found on our website.

March 28 Our sources within the NYS DEC Environmental Police Force assured us that DEC will provide a two-man patrol at the hatchery 24/7 until the walleye run is over.

April 1 OLA President John Harmon received a phone call from Jackie Lendrum, from DEC. Basically she asked if we had heard about any planned disturbances due to the potential conflict with Native Americans. She expressed her concern about any potential violence as a result of a possible poaching incident. President Harmon stated that the best way to avoid violence is to keep the patrol in place and actually issue tickets to offenders.

April 2 In the very early morning hours, two members from the Mohawk tribe in Northern New York were ticketed for taking fish in Scriba Creek.

April 2-12 The Fish Hatchery conducted its walleye egg fertilization program without further incident.

2023 and beyond . . . As of this writing, the Commissioner's selective enforcement memo remains in effect, at his direction; and any negotiations directed by the Commissioner are taking place without the public having been notified of their schedule or the content of the meetings.

In the meantime, the OLA remains vigilant and firmly opposed to illegal poaching.