



NEWS REGION 5, Elizabeth M. Lowe, Regional Director Clinton, Franklin, Essex, Hamilton, Fulton, Saratoga, Warren and Washington counties



New York State Department of Environmental Conservation

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For Release: IMMEDIATE
July 30, 2010

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DEC POLICE ISSUE TICKETS FOR HARASSING LOONS

Environmental Conservation Police from the New York State Department of Environmental Conservation (DEC) have issued tickets to individuals in Hamilton County and Franklin County for harassing and harming Common Loons and their nests this summer. DEC is continuing to investigate incidences of boaters harassing these protected Adirondack wilderness icons and encourages residents and visitors to take steps to avoid disturbing nests and habitat.

The Common Loon (*Gavia immer*), with its unique summer plumage, distinctive red eyes, and haunting calls are protected under state and federal laws. The Federal Migratory Bird Act protects all migratory birds, including their eggs, nests, and feathers. The loon is also designated as a Species of Special Concern in New York State.

On June 12, the BioDiversity Research Institute's Adirondack Center for Loon Conservation informed DEC that its staff had witnessed two young boys approach a loon nest and frighten off the adult loon on 6th Lake of the Fulton Chain, in Inlet (Hamilton County). One of the boys then struck the nest with a canoe paddle, breaking one of the eggs. A DEC Environmental Conservation Officer responded, and located the two boys, ages 13 and 14, at a nearby private camp. After interviewing the boys and their guardian, the guardian was ticketed for destroying the nest of a protected bird. The case has been referred to the Hamilton County District Attorney for prosecution. The maximum possible penalty for this violation is \$250 and 15 days in jail. Of note, the remaining loon egg did successfully hatch.

On July 12, DEC received a complaint of boaters harassing nesting loons on Raquette Lake in Hamilton County. Although it was first reported that the eggs in this nest were also destroyed, the officer's investigation determined that the eggs were still intact. Two eggs from the nest did eventually successfully hatch, but the incident remains under investigation.

On July 21, a youth was witnessed by six different parties operating a personal watercraft in the vicinity of two adult and three juvenile loons on Raquette Pond near the village park in Tupper Lake, Franklin County. The youth is alleged to have intentionally targeted the loons with the personal watercraft, making several passes over the loons. Loons, and especially young loons, have limited capacity to repeatedly dive below the surface to avoid such boating harassment and it is unknown if any loons were injured or killed in the incident.

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The investigation by DEC Environmental Conservation Police led to a 16-year-old male from Tupper Lake, who was charged with one violation of Environmental Conservation Law – illegally taking protected wildlife -- and three violations of Navigation Law – operating an unregistered vessel, operating a personal watercraft without a boater safety certificate, and operating a personal watercraft without a fire extinguisher. The youth faces a possible maximum fine of \$250 for the Environmental Conservation Law violation and possible total maximum fines of \$650 for the three Navigation Law violations. The tickets are answerable in Tupper Lake Town Court.

In addition to violating New York State’s Environmental Conservation Law, intentional harassment of loons is also illegal under the U.S. Migratory Bird Treaty Act and carries a possible maximum fine and penalty of \$5,000 and a six-month jail sentence under federal laws.

Among the significant threats to loons are nesting habitat loss from lakeshore development and disturbance from boating, recreational, and other human activities. The Biodiversity Research Institute’s Adirondack Center for Loon Conservation provides tips to people who share lakes with loons to better protect this captivating symbol of the wilderness:

Minimize Human Disturbance:

- Understand Common Loon behavior and vocalizations.
- Please observe loons at a distance of at least 500 feet. Binoculars and cameras with long lenses help.
- Observe “no wake” zones and speed limits.
- When paddling a canoe or kayak, keep away from the shoreline to avoid flushing a loon off its nest. Report harassment of loons to the DEC TIPP Hotline: 1-800-TIPP DEC (1-800-847-7332) or by e-mail to R5dsptch@gw.dec.state.ny.us
- Fish responsibly by using non-lead fishing tackle and pick up abandoned fishing line.
- Avoid loud noises during the breeding season.

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