

Division of Fish, Wildlife and Marine Resources

Monthly Highlights

August, 2008

Issue Priorities:

Connect New Yorkers to Nature

Participants of Bayside Angler Snapper Derby Catch More than Snappers - On August 16, Region 2 DEC I FISH NY staff assisted the Bayside Anglers with their 8th annual snapper derby at Bayside Marina, Queens. Fine weather and anticipation of many fish lured 86 youngsters with parents and guardians to the marina on Little Neck Bay. Staff provided information on fish of New York City both prior to and during the action as well as information on other local fishing areas. The biggest surprise of the event was the catch of an approximately 25-inch long bluefish which took first place by about 20 inches. The Bayside Anglers frequently assist at I FISH NY events in New York City, and it was a pleasure to return the assistance.

Bureau of Fisheries

Melissa Cohen

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Stocking Rate Evaluation in Warren County Waters - This summer, as part of a stocking permit renewal process for Warren County Hatchery, our Warrensburg Fisheries staff assessed the fisheries populations in one pond and three streams stocked by Warren County. One part of connecting New Yorkers to nature is to provide angling opportunities for people to enjoy either through stocking or by protecting wild populations and their habitats. In the case of Palmer Pond, the pond is stocked to provide enough fish for the many people who fish in the pond. The 30-acre pond is currently stocked with 1,000 brook trout, 1,000 rainbow trout, and 250 larger brown trout. This results in a stocking rate of 75 fish per acre, which is fairly high. Many of the brook trout and rainbow trout collected in the survey were skinny, and only some brown trout and one rainbow trout survived from the previous year. This suggests that there may not be enough food for small trout, and that there may not be enough habitat for many fish to overwinter successfully to grow to a nice size for anglers to catch. This stocking policy will be evaluated in the coming months to determine the proper stocking prescription needed for a balanced fishery.

Bureau of Fisheries

Emily Zollweg

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Campground Fishing Education Program - The Bureau of Fisheries has been conducting fishing education programs in coordination with DEC campground interpretative staff since 2007. August was the final month of this year's programs. Thirteen programs were held during August at seven campgrounds, reaching 111 people. Attendance was down due to poor weather during the beginning of the month. Campers were either given instruction in basic freshwater

fishing in a program titled “Catching Nemo” or were instructed in bass fishing lure techniques. After the instruction, they were given the opportunity to fish. In total, 37 fishing education programs were offered at 11 campgrounds reaching 300 people. The number of people reached at DEC campgrounds was decreased by over 50% from 2007 because some of the education effort was diverted to focus on summer camps where we usually taught to greater number of participants.

Bureau of Fisheries

Greg Kozlowski

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Promote a Toxic Free Future

Nothing to report.

Safeguard New York’s Unique Natural Assets

Protect biodiversity and unique ecosystems across New York

New York Natural Heritage Program completes update of NY’s Rare Moss List - In July, the NY Natural Heritage Program updated the Clemants/Ketchledge state rare moss list using the 2006 report by Nat Cleavitt, Sue Williams, and Nancy Slack (updating the Rare Moss List for New York State: Ecological Community and Species-Centered Approaches). Currently, there are 146 rare moss species found in New York. Of these, 56 moss species are considered especially vulnerable to extirpation and 47 moss species are considered historical or extirpated. 41 mosses were removed



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Flexible hair moss (S1)

Photo taken by Michael Lüth @ USDA-NRCS PLANTS Database / Lüth, M. 2004. *Pictures of bryophytes from Europe [CD-ROM]*. Published by the author.

from the previous list because the species were more common than previously thought or the voucher could not be located. The New York Natural Heritage Program will be soliciting feedback on the list from moss taxonomy experts in the state and expects to update the list annually. The program will also include mosses in future versions of its annual Rare Plants Status List, available on the DEC website.

Bureau of Habitat

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Protecting Fisheries in the NY Harbor - A final State Pollution Discharge Elimination System (SPDES) permit was issued for the Arthur Kill Generating Station which implements best technology available (BTA) to minimize mortality to fish caused by power plant operations. The

Arthur Kill Station is an 810 megawatt oil and gas fired facility located on the east bank of the Arthur Kill waterway. The station uses a maximum of 713 million gallons of water per day from the waterway for cooling purposes. As a consequence of using such an enormous quantity of water, millions of adult and juvenile fish each year are impinged (and many killed) against the station's intake screens, while as many as two billion or more fish eggs and larvae have been entrained through the intake screens and into the station's cooling system.

The SPDES permit requires an 80% reduction in impingement mortality through the installation of new intake screens employing state of the art technology to reduce injury and to safely transport fish back to the Arthur Kill waterway. A 70% reduction in entrainment of eggs and larvae is also required, to be accomplished through the use of fine mesh panels (1.0 mm or finer) on the intake screens and a possible reduction in cooling water use under reduced electrical generating loads. This is the first of several BTA determinations expected to be included in final SPDES permits this year to minimize power plant fish kills throughout the state.

Bureau of Habitat

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Summer Flounder Recreational Catch Data Released - On August 15, the National Marine Fisheries Service released preliminary estimates of recreational harvest of summer flounder (and other species) for the months of May and June ("Wave 3"). During those two months (the season opened May 15), New York's estimate for the period was 142,216 fish harvested during the 47 days we were open. Our harvest limit is 361,000 fish, leaving us with approximately 218,000 fish for the remainder of our open season, which includes the months of July and August and the first day of September. Angler effort appeared to be low early in the season, then increased during July as did success rates, according to published fishing reports. The preliminary estimate for Wave 4 (July and August) is due for release in mid-October.

The party boat industry made a push through local elected officials to get DEC to extend the summer flounder recreational fishing season. Citing the information in the above paragraph as indicating the possibility of overages, DEC declined to extend the season.

Bureau of Marine Resources

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Council and Board Set 2009 Specifications - The Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, Black Sea Bass and Bluefish Boards (Board) met in Philadelphia, PA in August and achieved consensus on their recommendations regarding proposed fishing regulations for 2009. The Council and Board voted to increase the 2009 summer flounder total allowable landings (TAL) 2.68 million pounds. The recommended increase in TAL is due to information from the June 2008 Stock Assessment Workshop. Owing to a new stock assessment model and related assumptions, the rebuilding target for summer flounder was reduced from a spawning stock biomass target of 197.1 million pounds to 132.4 million pounds. This change in biological reference point means that summer flounder are not overfished nor is overfishing occurring.

For the scup fishery both the Council and the Board recommended a TAL of 7.34 million pounds, i.e., status quo for 2009. Amendment 14 to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP) initiated a seven-year rebuilding plan for scup which became effective on January 1, 2008. In order to achieve the scup target associated with the rebuilding schedule implemented through Amendment 14, the Council recommended a quota level consistent with the FMP's rebuilding design. Management of scup continues to suffer from the lack of a current stock assessment.

For black sea bass, it was recommended that the 2009 TAL be reduced to a 2.30 million pound quota. The 2009 fishing year is the last year of the rebuilding period for this fishery. This is expected to devastate those involved in commercial harvest of sea bass in NY, and have a dramatic impact on the recreational fishery as well. Sea bass are another data-poor stock whose management is suffering because of it.

The Council and Board adopted a TAL of 29.36 million pounds for bluefish for 2009 which is an increase of 1.20 million pounds from 2008. Under the current fishery management plan, the commercial fishery would be allocated 4.99 million pounds and 24.37 million pounds would be allocated to the recreational sector. This initial allocation is based on historic landings for the period 1981 through 1989. Later this year when recreational landings are available, a transfer of quota (not to exceed a maximum commercial allocation of 10.5 million pounds) will likely occur so as to increase the commercial sector's TAL. In recent years recreational landings have increased, but the overall TAL for the fishery has not been exceeded. For bluefish, as well as the other three species addressed during this meeting, a research set-aside quota of up to three percent was approved for 2009.

Bureau of Marine Resources

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NYS Seagrass Taskforce Investigates Groundwater and Mooring Systems -The NYS Seagrass Task Force, created to protect and restore seagrass habitat and function, has funded a multi-faceted research investigation to assess groundwater effects on seagrasses. Currently under way in the Peconic Estuary, researchers hope to determine lethal and sub-lethal effects of common herbicides found in Long Island submarine groundwater inflow and assess the impact of light availability and water temperature on these potential effects and seagrass populations themselves. The Task Force is also examining the use of alternative conservation boat mooring technologies and plans to initiate a pilot project to assess applicability in New York waters and potential benefits for protecting and restoring seagrass habitat.

Bureau of Marine Resources

Laura Stephenson

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NYS Marine Spatial Planning Workshop - The Natural Resources Defense Council (NRDC) held a workshop to assess whether and if so, how to engage in marine spatial planning for New York's coastal waters based on the issues facing New York and guided by experiences from around the world. Marine spatial planning is being proposed by the Ocean Work Group to the Ocean and Great Lakes Ecosystem Management Council. NRDC invited two excellent UNESCO consultants from

Paris to discuss their concepts, guidelines and experiences from Belgium, Canada, the Netherlands, New Zealand, Germany, China, and the United Kingdom. A lively discussion occurred on how to develop a spatial plan, especially with limited data sets and who should be at the table, and to get buy-in from various stakeholders. In all examples, there were difficulties when moving from planning to implementation stages, but strong and well-vetted policies (except in China) and clear goals steered a course for better management for the ocean.

Bureau of Marine Resources

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Hellbenders sites found - The hellbender, New York's largest salamander, occurs in only two watersheds in the state (Allegheny and Susquehanna) and is believed to be declining in both. Currently the species is listed as special concern by NYS and a candidate for federal listing by the USFWS. To address this issue, the State Wildlife Grant funded project "Factors Affecting the Status and Distribution of the Eastern Hellbender" is being carried out by SUNY-ESF. The study has had some success this summer. Hellbenders have been found at two sites where they were not currently known to exist. One site with historic records, located on Butternut Creek, was thought



to have no longer supported hellbenders. A large 54.5 cm individual was caught, PIT tagged and released after a tissue (genetics) sample was taken. The second site is a previously unknown site in the town of Unadilla. This site was identified by a model developed by a graduate student funded by the project as having a high potential of supporting hellbenders.

Bureau of Wildlife

Tom Bell

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Staff Assist Goose Banding in the Arctic - Bureau of Wildlife staff from Regions 4 and 6 assisted Canadian Wildlife Service and Nunavut personnel in annual Canada goose banding operations in the Ungava Bay region of northern Quebec. Over 6,400 birds were banded in an eight-day period in August. Three crews were used in two locations (Kuujuaq and Puvirnituk) to survey vast areas of coastal tundra for Atlantic Population (AP) Canada geese for banding. A combination of ground crew and helicopters were used to round-up flightless juveniles and adults into nets for banding. The three crews accounted for approximately 2,159 adults, 4,311 juveniles, 206 re-captures, and 14 lesser snow geese.

The banding program for AP geese is a high priority for Atlantic Flyway states, including New York, and has been in place since 1997. This population has historically been very important to traditional fall goose hunters. In the mid-1990s, the fall season was closed due to drastic declines in AP breeding pair counts. Traditional fall seasons were reinstated in the late 1990s with very restricted opportunity. The banding program has been important for evaluating gradually expanding hunting seasons to ensure that harvest rates do not exceed desired levels (currently about 10%) throughout the flyway. In addition, the band return information has allowed managers to determine

when and where AP geese are most likely to be taken in New York. These data have been instrumental in creating special hunting zones for Resident Population (local-nesting) geese that allow far more liberalized opportunities to take advantage of large, productive, and often nuisance resident goose populations.

*Bureau of Wildlife
Bureau of Wildlife*

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Major WMA Infrastructure Rehabilitation and Construction Project Under Way -

To fulfill the original St. Lawrence River-FDR Project (circa 1958) hydro-power license obligations, the NY Power Authority (NYPA) set the Wilson Hill area aside as a waterfowl refuge and waterfowl hunting area under the control of the DEC. Throughout the initial license period (1958 to 2003) NYPA retained ownership of the land, but transferred to DEC the responsibility for maintenance, management and operation. Within this arrangement, the area evolved into important wildlife habitat, while providing quality waterfowl hunting opportunities.

In 2003, a new 50-year license for the power project was approved by the Federal Energy Regulatory Commission. Within the context of the new agreement, NYPA's obligation to set the Wilson Hill Wildlife Management Area aside as wildlife habitat and to provide related recreational opportunities was extended. In addition, the new license called for NYPA to set aside approximately \$9 million for reconstruction of the area's water control structures, dikes and other features. The goal is to enhance both wildlife management capabilities and recreational opportunities of the WMA. This work, which has been in progress since the fall of 2007, is expected to be completed by the end of 2009. During this past month, new water control structures were placed in a couple of the area's recently rehabilitated dikes.

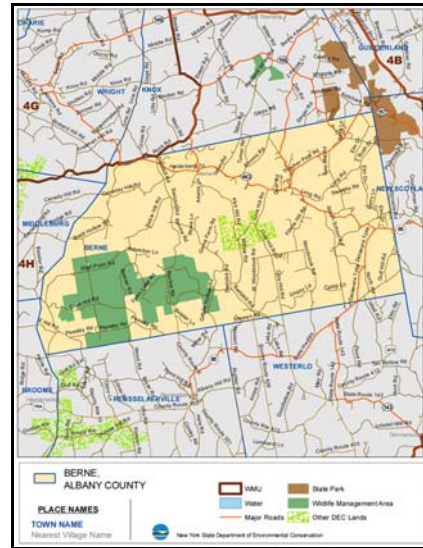
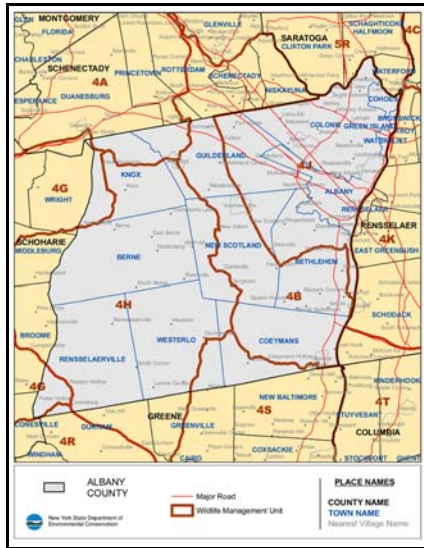


Bureau of Wildlife

Bill Gordon

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Creation of Maps for the Decals Program - Using the DEC Geodatabase and ESRI ArcMap software, Habitat Inventory Unit Staff created two series of maps for the DEC Automated License System (DECALS) program. One series has one map for each county with towns and wildlife management units (WMU) labeled. The other is a detailed map of each town showing WMU lines and roads. Between the two series there are 1,068 maps. These maps will be used on DEC's DECALS Internet Harvest Report web page to assist hunters in determining which town and WMU they hunted in. Helping hunters to accurately report the location of their hunt helps ensure the quality of population data, which is important in managing harvest and wildlife populations.



Bureau of Wildlife

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Snakehead Removal from the Ridgebury Lake / Catlin Creek Watershed - During the week of August 4, DEC mounted a large effort to eradicate the Northern Snakehead (*Channa argus*) from the upper part of the Ridgebury Lake / Catlin Creek watershed in the Town of Wawayanda, Orange County. Northern snakeheads are fish native to Asia and are considered a highly invasive species capable of serious damage to native aquatic species in New York and throughout the United States. The Catlin Creek watershed is within the Wallkill River drainage, which flows into the Rondout Creek and ultimately the Hudson River. Were the snakehead allowed to survive in this watershed, it would leave an open gate for invasion through much of the U.S. through the canal system and Great Lakes.

The NYS Bureau of Fisheries determined that rotenone application at four ppm rotenone, consistent with federal labeling for nutrient rich waters, was the preferred treatment; however, this required a special rulemaking as NYS allows a maximum one ppm rotenone. DEC legal, regulatory and program staff collaborated on this high priority action to move the process quickly.

A large contingent of DEC staff from numerous Divisions within DEC (both within and outside of Region 3) along with volunteers from other agencies and organizations mounted a massive rotenone treatment and dead fish collection from August 5-8. Bureau of Fisheries staff from virtually all Regions participated in the effort, with Regions 1 and 5 sending much of their staff and equipment.

Approximately eight tons of fish were removed following treatment; ~15,200 lbs from Ridgebury Lake and ~1,430 lbs from the downstream treated area. Common carp comprised 89% of the Ridgebury Lake catch by weight. Other species collected include largemouth bass, black crappie, golden shiners, brown and yellow bullhead, and yellow perch. Two hundred twenty-six (226) northern snakehead were collected throughout the treatment area including 13 adults of several apparent year classes, the largest of which was 31 inches and in excess of 11 lbs taken from Ridgebury Lake. Dead fish were transported to a NYS Dept of Transportation composting facility.

Prior to the rotenone treatment, DEC Region 3 Bureau of Fisheries collected live fish and maintained them in five 4000-gallon holding tanks to restock the lake after the removal of northern snakeheads was complete. These fish will serve as the brood stock for the reestablishment of this fishery.

Region 3

Mike Flaherty

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Work for Environmental Justice

Kick-off meeting of the Environmental Justice Interagency Taskforce - Division staff participated in the kick-off meeting of the Environmental Justice Interagency Taskforce on July 9, 2008 sponsored by Governor Paterson's Office. Speakers included Elizabeth Yeampierre, Executive Director of the United Puerto Rican Organization of Sunset Park (UPROSE); Judith Enck, Deputy Secretary for the Environment; Lorraine Cortes-Vazquez, Secretary of State; and Lisa Garcia, DEC Chief Advocate for Environmental Justice and Equity. The task force is comprised of 14 state agencies.

The meeting focused on current environmental issues affecting minority and low-income communities across the State. Participants broke out into working groups which met to discuss land use and development, water issues, air quality, and food. The goal of these working groups is to develop recommendations for the pertinent agencies. The working groups will continue meeting monthly and the general group will meet again in October and December. This is an unprecedented effort for DEC and for New York likely to result in significant changes for the betterment of communities in need.

Bureau of Wildlife

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Work for Environmental Justice

Nothing to report.

Combat Climate Change

Nothing to report.

Foster Green and Healthy Communities

Nothing to report.

Organizational Priorities:

Fair and Effective Enforcement

Nothing to report

Partnerships and the Public

Nothing to report

Workforce, Science and Technology

Maintain a revitalized, empowered, and properly equipped DEC workforce

New York State Participation in Department of Defense Bioavailability Workshop -

Tim Sinnott of the Ecotoxicology and Standards Unit was invited to participate in a workshop on the “Bioavailability of Contaminants in Sediments and Soils” conducted by the Department of Defense’s Strategic Environmental Research and Development Program (SERDP) and Environmental Security Technology Certification Program (ESTCP). The workshop was conducted in Annapolis, Maryland from August 20 - 21, 2008. There were approximately 65 participants from academia, federal agencies including the USEPA, and various environmental consultants with extensive experience in remediating contaminated soil and sediment sites. The purpose of the workshop was to discuss to what extent bioavailability should be integrated into the assessment and remediation of contaminated sites. After brief presentations on the state of the science, the participants formed workgroups to discuss and answer specific questions about bioavailability research needs. New York’s participation was significant because Tim was able to speak on behalf of two very under-represented constituencies at the workshop: state regulatory agencies, and biologists (as the majority of the participants were engineers, chemists, and geologists). The results of the workshop will factor directly into criteria for grant awards that will be made by the SERDP/ESTCP programs in 2009.

Bureau of Habitat

Tim Sinnott

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Sustainability of DEC’s Own Operations

Water Safety Refresher Training - On August 20 and 21, Fisheries Biologist Heidi O’Riordan and Senior Technician Erik Latremore attended a water safety refresher course in Herkimer County. The course was led by Jack Hasse and included a pool session at Herkimer County Community College and the stream session in West Canada Creek. The refresher course included fundamental water rescue techniques, review of environmental emergencies such as hypothermia and heat exhaustion, personal safety and the dynamics of moving water. Attendees were required to perform the different rescue techniques in deep water and in moving water. This type of training is vital to the safety of any employee who works in or around water. The proper equipment is also required to follow the safety protocols, such as life jackets that fit properly, whistles and throw bags or ropes. Upon completion of this training, techniques were demonstrated to and performed by fisheries staff who did not attend the training to better prepare themselves for field work in and around water.

Bureau of Fisheries

Heidi O’Riordan

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