

# Division of Fish, Wildlife and Marine Resources

## Monthly Highlights

### August, 2009

#### Issue Priorities:

#### Connect New Yorkers to Nature

**Day Camp Tours Great Baehre Swamp WMA** - On August 5, 49 day campers from the Amherst Jewish Community Center Kiddie Camp spent the morning at Great Baehre Swamp Wildlife Management Area (WMA). Wildlife Manager, Mark Kandel and Sr. Ecologist, Chuck Rosenburg, led groups of campers on a tour of the swamp along the 1/4 mile boardwalk. Campers learned about the wildlife that depends on the swamp. Their tour took them through a wooded wetland, by vernal pools, and over a marsh. The children observed turtles, ducks, frogs, herons, and other marsh birds. The highlight of the day seemed to be trying out the biologist's binoculars! The Great Baehre Swamp WMA boardwalk is an Adopt-A-Natural Resource Stewardship project with the Town of Amherst and Margaret Louise Park.



Kiddie campers try out "real" binoculars



Mark Kandel (left) and Chuck Rosenburg (right) with kiddie campers at Great Baehre Swamp



*Bureau of Wildlife*

*Mark Kandel*

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**I FISH NY at Washington Lake** - On August 11, 2009, the Region 3 I FISH NY Program partnered up with TEAM Newburgh. Approximately 100 kids from the City of Newburgh took a short bus ride over to Washington Lake ready to enjoy a day of fishing. The



event started off with an introduction to basic fishing tackle and techniques, common fish species, fishing regulations, and angling safety. The fish were cooperating all day, and the participants enjoyed the non-stop action! Working with programs like TEAM Newburgh, which is a substance abuse action team, will help the I FISH NY program achieve its goals of reaching kids that have never had the opportunity to go fishing.

***Bureau of Fisheries***

***Ryan Coulter***

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**New Public Fishing Rights Easement in Wyoming County** - The Region 9 fisheries office recently completed a two year process to purchase a public fishing rights easement (PFR) that will provide the angling public with access to both banks on a 3,200 foot (0.61 mile) section of the North Branch of Wiscoy Creek in southern Wyoming County. Also purchased were angler footpath easements on each end of the new PFR section. The North Branch of Wiscoy Creek is a small stream, but has excellent water quality and supports an abundant wild brown trout population. The new PFR section adds to an existing 0.31 miles of PFR on the stream. The new section will have signs posted and can be found on an updated map of PFR for the stream ([http://www.dec.ny.gov/docs/fish\\_marine\\_pdf/wiscoy.pdf](http://www.dec.ny.gov/docs/fish_marine_pdf/wiscoy.pdf)) in the very near future. Region 9 fisheries will continue to pursue additional PFR on this stream and other quality fisheries throughout the region as willing landowners are identified who wish to sell their easements.

***Bureau of Fisheries***

***Scott Cornett***

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### **Safeguard New York's Unique Natural Assets**

**2009 Banded Sunfish and Swamp Darter Surveys Completed** - Twenty-six rare and endangered species surveys were conducted this summer for the presence of banded sunfish (*Enneacanthus obesus*) and swamp darters (*Etheostoma fusiforme*). Many of the ponds surveyed this year were tiny unnamed ponds in the fringes of their known range within the Peconic drainage area. Of the twenty-six surveys conducted, only one location had banded sunfish present. No swamp darters were found. This single location was an unnamed bog area located in the southern reaches of known banded sunfish range in Manorville in the Town of Brookhaven. Conditions in this unnamed waterbody were ideal for banded sunfish. The vegetation consisted mostly of buttonbush (*Cephalanthus occidentalis*), water-willow (*Decadon verticillatus*) and yellow bladderwort (*Utricularia L*) in deeper water. Decadon is a bog plant that is a submersed emergent plant which provides a root system excellent for refuge from larger predators. Yellow bladderwort is a floating carnivorous plant that provides cover for the banded sunfish as well, and is almost guaranteed to be harboring the little sunfish in suitable waters.

Both the banded sunfish and the swamp darter are freshwater species that are listed as "species of greatest conservation need." Since 2000, the Fisheries unit has documented the banded sunfish in 24 locations and the swamp darter in 5 locations. The range of the banded sunfish has not changed with the exception of them being absent from two locations surveyed in the 90's that have either been inundated with Phragmites, predators such as largemouth bass and pickerel, or have suffered low water levels in past years and

currently only harbor amphibians. Development of recovery plans for these threatened species will follow as part of the New York Comprehensive Wildlife Conservation Strategy and State Wildlife Grant grantees.

**Bureau of Fisheries**

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**Wappinger Creek Electrofishing Survey** - Region 3 Fisheries staff conducted an electrofishing survey of this major Dutchess County trout stream from August 18-21. This was the first major survey of Wappinger’s Creek since August 1992. During the current survey, eight sites were sampled. Unfortunately, the trout population which consists of a mix of stocked brown and rainbow trout, as well as wild brown trout, was less than 20 percent of that found in 1992. Particularly disappointing was an apparent lack of any wild young of the year wild brown trout. A possible explanation for the low number of trout is that stream temperatures during the current survey ranged from 71 to 80 degrees F in 2009, compared to 68 - 73 degrees F in 1992. That the summer of 2009 was unusually wet may have contributed to the higher water temperatures since the stream has as its source three shallow lakes, the downstream most of which is a large wetland. The impact of this warm surface runoff was evident in that the highest water temperature recorded (80 degrees F) was at the upstream most sampling station. In addition, the Wappinger Creek watershed has undergone a substantial amount of development since 1992, and runoff from roads and parking lots would contribute to higher stream temperatures.

**Bureau of Fisheries**

**Ronald Pierce**

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**Cladophora Clogs Nets** - Region 6 and Cape Vincent fisheries staff conducted sampling for the annual eastern basin of Lake Ontario warmwater fish stock assessment. For the first time in the history of this project (since 1976) excessive net damage and consequent data loss may prevent determination of some abundance indices. This problem was caused by a dramatic increase in *Cladophora*, a type of filamentous algae that was once abundant in Lake Ontario but has been uncommon since the late 1980s. A change in water chemistry, particularly nutrient balance and increased water clarity due to dreissenid mussels, has been suggested as possible causes for the increase in *Cladophora*. Although *Cladophora* may have no direct impact to fish populations, research has shown increased bacteria levels in algae mats, including *E. coli* and the *Clostridium botulinum*, the bacterium that produces botulism toxin. *E. coli* can impact water quality making people sick, and botulism can kill fish and birds.



**A Cladophora loaded gill net.**

**Bureau of Fisheries**

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**Brook Trout Habitat Enhancement at Hanging Culvert** - Funding secured through the “Eastern Brook Trout Joint Venture” was used at a project designed to eliminate a barrier to upstream fish migration, caused by a hanging culvert, on a wild brook trout stream in the Town of Marcellus, Onondaga County. In



**Culvert before and after habitat enhancement work.**

cooperation with the USFWS and the Town of Marcellus Highway Department, Region 7 Fisheries staff helped secure the funding, which covered nearly all of the project’s material and equipment costs. To eliminate the drop, the streambed below the culvert was actually built up by nearly four feet so that water was backed up into the downstream end of the culvert. Two rock cross vanes were also added for grade control and to provide fish habitat. The existing elliptical culvert is one year old and replaced a smaller, round culvert which had caused the severe scour in the streambed below the road. Improved fish passage at this culvert will allow brook trout to access nearly one-and-a-half miles of quality spawning and nursery habitat. Prior to this work, any brook trout that dropped below this culvert were essentially lost to the breeding population of this small stream.

In addition to eliminating the hanging culvert, we chose to reroute approximately 500 feet of stream, below the culvert, out of its highly eroded, deeply incised, clay bottomed channel and into a former channel. This former channel, which had been abandoned many years earlier, still retains the gravel/cobble substrate that provides far better habitat for fish and aquatic invertebrates than clay. We anticipate that the abundance of wild brook trout below the culvert should increase as a result of the improved habitat in the “new” section of stream.

Carl Schwartz, of the USFWS, designed the remedy for the hanging culvert while construction was completed by the town highway department. Project oversight was provided by both Carl Schwartz and Region 7 Fisheries staff.

***Bureau of Fisheries***

***David Lemon***

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**Springwater Creek Juvenile Rainbow Trout Survey** - Springwater Creek and its tributaries are the primary spawning grounds for rainbow trout in Hemlock Lake. Because natural reproduction contributes significantly to the population, standardized juvenile rainbow trout production estimates have been conducted on Springwater Creek 12 times since 1962. During the week of August 17, 2009, Region 8 Fisheries staff took to the stream to monitor current wild rainbow trout production.

The estimated average density of young-of-year (YOY) rainbow trout was 1,910/acre, which is slightly lower than the 2005 estimate of 2,646/acre and about half of the long term average (3,808/acre). The estimated average density of yearling and older (YAO) rainbow trout was 396/acre, which is also slightly lower than the 2005 estimate of 471 fish/acre and about one third of the long term average (1,239/acre). It should be noted

that these differences in estimated densities may not be that significant because there is natural variability when sampling a population.

In recent years, we have seen decreasing returns of adult rainbow trout to Springwater Creek. Also, juvenile brown trout outnumbered juvenile rainbow trout at our most downstream site and appear to be increasing in density in this portion of the stream. We should continue to monitor rainbow trout production and the potential shift in the downstream fish community structure. We should also investigate the potential for habitat improvement along some stretches of Springwater Creek if rainbow trout density estimates continue to decline.

**Bureau of Fisheries**

**Peter Austerman**

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**New Population of Swamp Lousewort**

**Discovered** - A previously unknown population of the State-threatened Swamp Lousewort was discovered at Catskill Marsh, extending the known range of this species in that area. Steve Young, Chief Botanist with the NY Natural History Program, made this discovery while helping The Nature Conservancy document vegetation before a treatment of the *Phragmites* stand at Catskill Marsh. In all, there are a total of 21 documented records for swamp lousewort in the state.



**Bureau of Habitat**

**Steve Young**

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Least Tern photo by Don Sias

**NY Natural Heritage Completes Updates of Plover, Tern, and Wading Bird Records** - Alina Leder, Zoology Data Specialist, completed processing Long Island survey data from 2007 and 2008 for piping plovers, colonial waterbirds (common tern, least tern, roseate tern, forsters tern, gull-billed tern, black skimmer, and laughing gull) and wading birds (cattle egret, glossy ibis, yellow-crowned night-heron, tricolored heron, little blue heron, snowy egret, and great egret).

The field surveys were conducted by DEC Region 1 Wildlife staff and by many partners, including municipalities, non-profit organizations, and volunteers. The data were entered into the Natural Heritage databases revealing 34 new occurrence (location) records and 593 records updates. Ten of the new records were for state-endangered roseate tern and state-threatened common and least terns. Least terns were documented as nesting on Iron Point, at the mouth of the Peconic River, for the first time in 2007, followed the next year by the first roseate terns nesting there.

**Bureau of Habitat**

**Hollie Shaw**

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**Unusual Summer Flooding Impacts Portions of Region 3** - Intense rainfall in late July and early August caused localized flooding in many areas, including western Sullivan County. Damage was relatively minor in most areas, the notable exception being the East Branch Callicoon Creek and Panther Rock Brook in the Youngsville area in the Town of Callicoon. Not coincidentally, this is the exact same area that was illegally dredged and channelized after the floods of 2006. As a result of a DEC legal proceeding, a FEMA funded \$400,000 restoration project was undertaken in 2007-2008, however the restored areas had not stabilized and the replanted vegetation had no chance to grow before this next high water event. These unstable areas experienced significant erosion and channel migration. Incredibly, Town officials hired local contractors to again dredge these streams. Wholesale excavation was halted and a Notice of Violation was issued. Subsequently, the Town and the County Soil and Water Conservation District were given a permit to remove debris and obstructions to stream flow within 50 feet of bridges, culverts and crossings only, and to remove fallen and uprooted trees and vegetation throughout the impacted area. Unfortunately, many people did not see the connection between channelizing the streams and the extensive instability and damage caused by the next significant high water. As is typical after such events, many people, including local and State elected officials, were blaming DEC for the flooding and damage and were calling for even more stream dredging and channelization.

*Bureau of Habitat*

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**DEC has Updated its *Guidelines for Conducting Bird and Bat Studies at Commercial Wind Energy Projects*.** - The *Guidelines* were developed through a stakeholder process sponsored by the New York State Energy Research and Development Authority that included industry representatives, as well as bird and bat biologists from government agencies, academia, and non-governmental environmental groups. The recommended studies described in the *Guidelines* are based on DEC's current knowledge of the best procedures for conducting thorough and meaningful pre- and post-construction studies. As the recommended studies are conducted at more projects throughout the state, the *Guidelines* will be further fine-tuned to ensure that methodologies employed to fill data needs remain efficient, effective and accurate. This is the third revision, and the website <http://www.dec.ny.gov/energy/40966.html> has been updated to include the revised document, as well as other information on DEC's review of wind energy projects.

*Bureau of Habitat*

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**DEC Spotlights Peregrine Falcon Success** - During the 2009 peregrine falcon breeding season, DEC staff hosted several international visitors. In March, an official from Pro Natura Geneva came to NYC to see how the urban peregrine protection and management program operates. In June, the director of Barcelona's peregrine restoration project observed nesting falcons on a tour of a wide variety of urban nest sites, including attending a banding of five young at the Riverside Church. In addition, the President and CEO of The Peregrine Fund at the World Birds of Prey Center in Idaho and others visited several sites during banding.

New York State has the largest number of nesting peregrine falcons east of the Mississippi River, and New York City probably has the largest urban population in the world. The experience that DEC and our local partners have gained since the 1983 return of this state listed endangered species, after years of releases of captive raised young, is tapped regularly by others as they look to increase, protect, and manage their own populations.

DEC will continue to face new challenges in the management of peregrine falcons as the species moves into new types of nesting habitats where more conflicts with people may occur, e.g., nests in high rise apartment buildings and at airports, both new situations this year. We look forward to sharing our experiences- and learning from others- as this successful restoration story continues.

*Bureau of Habitat*

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**Millennium Gas Pipeline Constructs Fish Habitat Structures on Owego Lake -** The Millennium Gas Pipeline completed construction of two “J” hooks just upstream of their pipeline crossing on Owego Creek, Tioga County. The structures were requested by Region 7 Fisheries Biologist Dave Lemon to provide additional protection of the gas pipeline and stream bank and to provide additional fisheries habitat in the stream. The structure was designed and constructed by the Upper Susquehanna Coalition under contract with the Millennium Pipeline. The structure is designed to direct high flow away from the bank and toward the middle of the creek. In addition, the “J” hood will create a plunge pool that will improve trout habitat downstream of the structure.



*Bureau of Fish & Wildlife Services*

*Jack Cooper*

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**NE Partners in Amphibian and Reptile Conservation** – Wildlife staff attended the Northeastern Regional Partners in Amphibian and Reptile Conservation (NEPARC) meeting in Watkins Glen. Region 6 Staff presented a poster entitled, "Can turtle crossing signs be an effective tool in reducing turtle road mortality?" in partnership with SUNY Potsdam and Clarkson University. Highlights of the NEPARC meeting are the development of a Wood Turtle Working Group, protocols for surveyors to reduce spread of disease in bog turtle populations, and “Important Herp Area” maps, among others. Region 6 staff will begin the development of a snake identification and education brochure for the northeast. The purpose of this brochure is to educate the public on species distributions and provide a means for identification of venomous species and their

non-venomous counterparts. The brochure will also provide a list of protected species by state. Region 6 will also begin the development of a Wood Turtle education brochure.

If you have any questions or would like further information, please visit the NEPARC website at <http://www.pwrc.usgs.gov/neparc/>

**Bureau of Wildlife**      **Christina Domser or Angelena M. Ross** (315) 785-2261

**Public Land Management** - A draw-down of the water level in the Hundred Acre Marsh at Three Rivers WMA that started in late April 2009 was completed this month. This impoundment had lost the majority of its emergent vegetation since its last draw-down in 2005. By exposing the marsh soil to the air, the seed bank had a chance to sprout. Smartweed, sedges, rushes, and cattails came in, providing food and cover for numerous wetland-dependent wildlife species, including waterfowl and muskrats. Several species of shorebirds took advantage of the exposed mudflats, while great blue herons took advantage of the shallow waters for easy fishing. The pictures below were taken one year apart at the same location. While the invasive species, purple loosestrife, is still present, it is not the dominant plant species in the marsh. The water level has now been raised to hold water over the fall and winter, providing habitat for migrating waterfowl and over-wintering turtles and muskrats.



Hundred Acre Marsh duck trap, Aug. 21, 2008      Duck Trap, August 11, 2009

**Bureau of Wildlife**

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### Combat Climate Change

#### Workshop Examines Climate Change Effects on Fish, Wildlife and Natural Systems

- DEC's Division of Fish, Wildlife and Marine Resources and its conservation partners recently hosted a workshop entitled, *Safeguarding New York's Wildlife and Natural Systems in a Changing Climate*. The meeting was designed to provide a basic understanding of current climate change science and legislation, already occurring fish, wildlife and natural system adaptations, and how DEC can work collaboratively with its conservation partners in response to future adaptation needs.

More than 100 people attended the very successful workshop, held at DEC's Central Office in Albany. In addition,



more than 100 participated via video-conference at 14 DEC regional offices throughout the state, and via a National Wildlife Federation webinar link. Several DEC divisions were represented, as well as several other state agencies, the Governor's Office, federal agencies, many non-governmental organizations, and academia. The workshop was funded by a grant to the National Wildlife Federation from the Doris Duke Foundation.

Climate change is one of the most significant challenges facing natural resources management, and one of DEC's priorities as expressed by Commissioner Grannis. Changes in climate will lead to potentially dramatic changes in environmental conditions, which will in turn cause changes in fish and wildlife populations and habitat. As a result, DEC and its conservation partners need to factor climate change adaptations by fish, wildlife and natural systems into resource management decisions.

As a result of the workshop, strong interest was expressed in building a coalition to develop and implement fish, wildlife and natural systems adaptation strategies for New York, as well as determining the focus of future adaptation workshops.

*Bureau of Habitat*

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### [Foster Green and Healthy Communities](#)

#### **Water Quality Values Derived for Polybrominated Diphenyl Ethers (PBDEs) —**

Polybrominated diphenyl ethers (PBDEs) are a class of compounds that are widely used as flame retardant additives on polymers and textiles. They consist of a diphenyl ether molecule with 1 to 10 bromine atoms attached. There are 209 possible compounds, known as congeners, depending on the number and position of the bromine atoms. Because of their widespread use, lower-brominated PBDEs are frequently detected in the environment. The detection of lower-brominated congeners in remote locations such as the Arctic shows that long range transport of these compounds is occurring. PBDEs are resistant to degradation, persist in the environment, and can potentially have toxic impacts to fish, animals, and people. Aquatic organisms readily accumulate the lower-brominated PBDEs, thus, there is concern for human exposure via consumption of fish. Earlier this year, the Department of Health evaluated the risk to human health from the consumption and accumulation of PBDEs, and they determined the appropriate reference doses for four PBDEs, PBDE-47, PBDE-99, PBDE-153, and PBDE-209. A reference dose is the threshold of risk for harm to human health. At the request of the Division of Water, the Ecotoxicology and Standards Unit evaluated the potential for two PBDEs to be bioaccumulated and biomagnified from water via the aquatic food chain. From the reference doses and the evaluation of food chain bioaccumulation, it was possible to derive the concentration of PBDEs that can be present in water and *not* present a risk to human consumers of fish. Values of  $3 \times 10^{-5}$   $\mu\text{g/L}$  and  $6 \times 10^{-5}$   $\mu\text{g/L}$  were derived for PBDE-47 and PBDE-99 respectively. In the next few months, these values will be published by the Division of Water in a planned revision of TOGS 1.1.1. Eventually, the values could be adopted as statewide water quality standards the next time the state Water Quality Standard Regulations are revised.

*Bureau of Habitat*

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## **Organizational Priorities:**

### **Partnerships and the Public**

**Landowner Incentive Program Grassland Protection and Management Open Application Period Ends** - The second open application period which will help protect grassland birds in focus areas across the state ended on August 1. Selected landowners will protect grassland birds by leaving grasslands undisturbed during the summer nesting season and mowing a portion of the field each fall to prevent succession into shrubs and trees. The 111 eligible applications received are currently being scored. An additional 1000-1500 acres of habitat are expected to be enrolled, bringing the program total to about 2500 acres.



#### **155 –acre LIP field in St. Lawrence County**

On July 16 and 17, USFWS biologist and LIP administrator Colleen Sculley toured some of the grasslands being protected through the program. Accompanied by state LIP coordinator Marcelo del Puerto, she met with three of the twelve landowners enrolled in the program. Ms. Sculley was impressed by the quantity and quality of grassland bird habitat enrolled in the program and the enthusiastically positive attitude of the landowners towards the program. During her trip, Ms. Sculley also visited an Indiana bat hibernaculum scheduled to be gated with LIP funding and the Selkirk fen.



USFWS biologist Colleen Sculley with Mr. John Storey, One of the 12 landowners currently enrolled in LIP.

***Bureau of Wildlife***

***Marcelo del Puerto***

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### **Lucky Number 13 Rounds Out the 2009 *Ludwigia* Season**

On August 8, the Peconic Estuary Program (PEP) held its 13<sup>th</sup> *Ludwigia peploides* maintenance event; only one cubic yard of this floating invasive plant was found and carefully removed. 2009 marked the 4<sup>th</sup> successful year of the PEP's *Ludwigia* monitoring and management program. Two 2009 paddle events were held (July 11<sup>th</sup> and August 8<sup>th</sup>) and together removed a total of four cubic yards of *Ludwigia*. Quite an



accomplishment when just a few years back, large sections of the river were being taken over by this fast reproducing invasive plant. Taking a look back, 6 cubic yards were removed in 2008, 60 cubic yards in 2007, and 60 cubic yards in 2006. Since 2006, the 13 removal events were attended by 438 volunteers who spent 2360 hours removing a total of 130 cubic yards of *Ludwigia* from the Peconic River.

2009 maintenance efforts were complemented by collaborative efforts of the PEP, DEC's Department of Public Awareness and Education, and DEC Region 1 to design and install five educational interpretive signs at Peconic River access sites to educate fishermen, boaters and the general public about the *Ludwigia* eradication effort, the threat this invasive species poses, and the importance of maintaining the project's success. As 2009 comes to a close, the PEP celebrates this success story. For more on the *Ludwigia* project, please visit the PEP *Ludwigia* webpage at: [www.peconicestuary.org/InvLudwigia.html](http://www.peconicestuary.org/InvLudwigia.html)

***Bureau of Marine Resources***

***Laura Stephenson***

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**Bureau of Marine Resources: Albany Executive Staff and local Legislators Tour of the New York Marine and Coastal District** -On August 13, the Bureau of Marine Resources (BMR) hosted a tour of portions of the Marine and Coastal District for Executive Staff and local Legislators. Long Island south shore and eastern embayments were visited to showcase various field activities from the Finfish & Crustaceans, Marine Habitat Protection, Shellfisheries and Tidal Wetlands, and Protection of Water Regulatory Sections and to discuss the Bureau's responsibilities. Field activities included demonstrations of the shellfish transplant program, Peconic finfish trawl survey, anadromous fish seine survey, commercial fish species display, local estuarine and marine habitat overviews, and marine fishing access areas. The Marine Enforcement Unit supplied the vessels to take staff into the field and to discuss their role in the protection of marine resources and how they assist BMR programs.

Overall emphasis was placed on the importance of protecting New York's marine resources and the integral part they play in the State's ecology and economy.

***Bureau of Marine Resources***

***Chris LaPorta***

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