



Alexander B. Grannis  
Commissioner

**M E M O R A N D U M**

TO: Christopher Amato, Assistant Commissioner

FROM: Patricia Riexinger, Director, DFWMR

SUBJECT: MONTHLY REPORT - March 2008

DATE: May 6, 2008

***Information and Extension***

Northeast Outdoors Show 2008: The Division of Fish, Wildlife & Marine Resources participated at the Northeast Outdoors Show on March 14-16. Held at the Empire State Plaza in Albany, staff from the Bureaus of Wildlife and Fisheries were available to sell hunting and fishing licenses and answer a wide variety of questions from show-goers. Fisheries staff “lured” kids in with a fishing game that seemed to be more popular than the live trout pond! The main attractions, state record freshwater fish mounts and a deer mount, were prominently hung on a 30ft. display wall. An assortment of brochures, publications and posters were available for the taking. This was the first time in many years since the Division participated in the show. Based on this year’s success, show-goers can look forward to seeing us there again next year.



*Bureau of Fisheries*

Joelle Ernst

(518) 402-8891

---

Presentation Given to Aquatic Pesticide Applicators - Biologist Eric Paul of the Aquatic Toxicant Research Unit (ATRU) gave a presentation titled “Aquatic Toxicology: Potential Impacts of Aquatic Pesticides in New York State” at the Aquatic Applicators Symposium in Newburgh, NY. The presentation was given to about 50 aquatic pesticide applicators. The presentation gave a general overview of aquatic toxicology and how aquatic toxicity studies are conducted. It emphasized the need for considering non-target effects of pesticide applications on fish and other aquatic life as well as the important research being conducted by the ATRU. This presentation was an important outreach to the people that conduct a majority of the aquatic herbicide applications to lakes in NYS.

*Bureau of Habitat*

Eric Paul

(315) 337-0910

---

## ***Information and Extension***

Fred Evans, DEC Retiree, Receives National Recognition - Fred Evans, Principal Fish and Wildlife Technician in Region 9 from 1956-1989, has been awarded the inaugural Wayne Bailey Award for Lifetime Achievement by the National Wild Turkey Federation. Fred Evans and North Carolina biologist Michael Seamster received this prestigious award for their dedication to wild turkey conservation and management. Fred was presented with the award by NWTf regional biologist Bob Eriksen and NYS NWTf Chapter president Larry Becker at the Bureau of Wildlife Annual Meeting.

Fred accomplished the first trap and transfer of birds in New York State in 1959. Eleven birds were captured at Allegany State Park and moved to another location in Cattaraugus County. From then until 1977, Fred directed the trap and transfer of 484 wild turkeys to numerous counties across the state, as well as to Connecticut, Massachusetts, New Hampshire and New Jersey. Fred's efforts were critical to the success of wild turkey restoration in NY and the Northeast, but his greatest impact may be his mentoring of biologists and technicians from DEC, other state agencies, and National Wild Turkey Federation.

*Bureau of Wildlife*

Mike Schiavone

(518) 402-8886

---

## ***Protection***

Buffalo River and Upper Niagara River Areas of Concern: Biologist Janis attended a Buffalo Niagara Riverkeeper meeting. Discussions revolved around the Buffalo River and Upper Niagara River Areas of Concern and their corresponding Remedial Action Plans. The habitat goals and delisting criteria of the Buffalo River Habitat Area were revised by the group and progress on the Upper Niagara River priority habitats' protection/restoration were described. Margaret Wooster also shared that the Riverkeeper's 2008 work plan includes the mapping of the Niagara River watershed's habitats by sub-basins. Evelyn Hicks of West Seneca also expressed her concern to the group about habitat protection in her town on the Buffalo River shoreline. The pressure of development is troubling in that area where little natural shoreline exists. The overall consensus of the group was that there is a need to educate local towns on the value of natural areas and the zoning laws that influence them.

*Bureau of Fisheries*

Meg Janis

(716) 372-0645

---

Wetland Receives Protection - A previously unmapped wetland, 23 acres in size, is proposed for addition to the Erie County Wetland Maps. The vegetative covertype of newly proposed Wetland TE-38 consists of wetland meadow, deciduous swamp and emergent marsh. Wetland TE-38 is located in the Town of Amherst.

*Bureau of Habitat*

Charles Rosenburg, Judy Marth Stevens (716) 851-7010; (518) 402-8849

---

## ***Recreational Use***

New Public Fishing Rights Easement on Mansfield Creek: A fishing rights easement purchase was recently completed on Mansfield Creek in Cattaraugus County. The easement gives an additional 2,700 feet of access to anglers on the middle section of this outstanding wild trout stream.

*Bureau of Fisheries*

Scott Cornett

(716) 372-0645

---

## *Recreational Use*

No Help from Commission with Recreation Fluke Fishery. At the Winter Meeting of the Atlantic States Marine Fishery Commission, New York's Commissioners struggled for sympathy and cooperation in resolving major problems with managing the recreational fluke fishery. In December 2007, the Summer Flounder Management Board had tasked the Technical Committee (TC) with coming up with an approach for adding a "precautionary buffer" to the management measures for 2008, a conservative adjustment that would prevent the states from exceeding harvest targets for this year. What the TC came up with was a "performance factor" that imposed further reductions on each state based upon an average of quota overages for the past seven years. Under this scenario, four states did not need further reductions while the rest did, including a whopping 34% additional adjustment for New York. This greatly exceeded any other state's "performance" adjustment and appears exceedingly unfair. Unfortunately, the Board approved this approach, so unless we choose to take the additional reduction, New York could be found out of compliance with the fishery management plan. We are appealing our situation with the National Marine Fisheries Service, who have the authority to adopt alternative measures for the coast which would be more fair for New York.

*Bureau of Marine Resources*

Stephen W. Heins

(631) 444-0436

---

Whale monitoring is under way - After two years of planning, outreach and grant writing, the New York Passive Acoustic Whale Monitoring Project has begun! The project is a partnership between Cornell University's Bioacoustics Research Program (BRP) and the DEC's Marine Endangered Species Program, with funding support generously provided by the SWG program, the NYS Ocean and Great Lakes Initiative, the National Marine Fisheries Service, and the National Fish and Wildlife Foundation.

Ingrid Biedron (BRP), and Nicole Mihnovets (DEC) initiated the project on February 28 with assistance from the fantastic captain and crew of SUNY – Stony Brook's RV Seawolf. The monitoring scheme will be used to determine the presence and absence of large whales in relation to migratory seasons and shipping traffic. The monitoring devices are programmed to record vocalizations of the highly endangered right whale, as well as humpback, fin and sea whales.

This project will be the first long-term, standardized monitoring project for large whales in New York. The resulting baseline data will provide a clearer picture of the extent to which whales utilize New York's marine habitat and therefore the extent to which their survival may be impacted by anthropogenic activity taking place in this region of the Mid-Atlantic Ocean. As such, passive acoustic monitoring will provide critically needed data which will enable scientifically sound management and conservation decision making---particularly at a time of increasing interest in offshore energy development. Furthermore, the passive acoustic monitoring project will be one of New York State's first contributions towards mitigating threats to whale populations as recommended by the NYS Comprehensive Wildlife Conservation Strategy, as well as Federal recovery plans such as the Atlantic Large Whale Take Reduction Plan and the Right Whale Recovery Plan.

*Bureau of Marine Resources*

Nichole Mihnovets

(631) 444-0452

---

New York Gear Buyback Project Minimizes Whale Entanglement Threats - The DEC's Crustaceans Unit and Marine Endangered Species Program, in partnership with Cornell Cooperative Extension of Suffolk County, administered a voluntary gear buyback program for NY-based offshore lobster fisherman on February 25. Eight out of thirty eligible participants turned in almost eight tons of floating rope in one day. The rope was then transported by the Town of Brookhaven to Covanta Energy's Hempstead facility where it was incinerated in a waste-to-energy system at

## *Recreational Use*

no cost to the State.

For each pound of gear brought in, fishermen received a voucher equal to \$1.75 per pound. Participants have until April 25 to use their vouchers toward the purchase of sinking or neutrally buoyant line from Gearwork Marine Industrial, Inc. in Riverhead, NY. The National Marine Fisheries Service and the National Fish and Wildlife Foundation are providing funding for the gear replacement vouchers through a grant obtained by the DEC's Marine Endangered Species Program.

The gear buyback program is an effort to remove actively fished floating ground lines (rope between traps) from offshore lobster fisheries, as these lines have been identified by the Atlantic Large Whale Take Reduction Plan (ALWTRP) as an entanglement threat to large whales. New regulations promulgated through the ALWTRP require lobstermen to replace floating lines with lines that sink to the ocean bottom by October 5, 2008. The buyback program provides an economic incentive for fishermen to be proactive about complying with these regulation changes while also directly reducing whale entanglement threats posed by New York based lobster fisheries. An additional buyback event will be scheduled for this summer.

*Bureau of Marine Resources*

Nicole Mihnovets, John Maniscalco

(631) 444-0452; (631) 444-0469

---

Nissequogue River Stewardship Initiative - Bureau of Marine Resources staff, as well as Region 1 staff, have been involved over the past two years with an initiative to create a Stewardship Action Plan for the Nissequogue River. The Nissequogue River is a Long Island Sound Study Stewardship area and was chosen to serve as the pilot site in New York for plan development. The draft Stewardship Action Plan is in the final stages of completion and a public meeting will be held later this spring. The Nissequogue River Stewardship Action Plan outlines measures that ensure the long-term management and protection of the watershed by identifying and prioritizing management activities, restoration opportunities, open space acquisition and planning strategies. Staff from Marine Resources serve as the head of the water quality sub-committee and are involved with the habitat sub-committee.

*Bureau of Marine Resources*

Heather Young

(631) 444-0441

---

Peconic Estuary Program Tackles Stormwater Pollution on the East End - The Peconic Estuary Program (PEP) has partnered with the New York Sea Grant Nonpoint Educations for Municipal Officials (NEMO) program to establish a PEP Phase II Stormwater Workgroup. This workgroup, consisting of East End municipal separate storm sewer system (MS4) owners and operators, seeks to foster increased MS4 permifoster regional collaboration to help protect and restore the water quality of the Peconic Estuary. Through a state permit system known as SPDES (State Pollutant Discharge Elimination System), NYSDEC requires small MS4's (essentially networks of drainage conveyances such as catch basins, storm drains and outfalls) to implement programs and practices to control storm water discharges and runoff.

*Bureau of Marine Resources*

Laura Stephenson

(631) 444-0436

---

New York Seagrass Task Force Continues its Investigation - Acknowledging the need to advance the preservation and restoration of seagrasses in Long Island Bays, the NYS Seagrass Task Force was created under Chapter 404 of the Laws of 2006. The Task Force has been charged with developing a seagrass management plan to identify recommendations for regulations to improve seagrass protection, restoration, research and monitoring. Several research and management initiatives identified at the May 2007 New York Seagrass Experts Meeting are currently being implemented by the Task Force.

## *Recreational Use*

The Task Force has adopted the recommendations, with slight modifications, for inclusion in the seagrass management plan. Seagrass, typically *Zostera marina* (eelgrass) in Long Island bays are considered to be some of the most productive ecosystems in the world and are of biological, ecological and economic importance.

*Bureau of Marine Resources*

Laura Stephenson

(631) 444-0436

---

Helping out the Feds on Fish and Habitat - Staff were invited to participate in the National Fish Habitat Action Plan Science and Monitoring Needs Workshop held in Phoenix, Arizona. The goal of the workshop was to develop a short-term (three-five years) science and monitoring agenda for the National Fish Habitat Board that would include a prioritized list of research needs. Needs were identified for lakes, rivers, estuaries and marine habitats individually and grouped together. Highlights of the priorities include: identification of reference condition and indicators, climate change response, fish habitat linkages in terms of fish productivity, habitat stressors, habitat amount and distribution, restoration and development of predictive models. USGS and other federal agencies plan to use this list to develop projects within their agencies. USGS and USFWS are required through the National Fish Habitat Action Plan to develop a report on the condition and status of fish habitat by 2010. We participate in the Atlantic States Coastal Fish Habitat Partnership, a proposed partnership under the national program, which is looking at restoring habitats from blue water to white water.

*Bureau of Marine Resources*

Karen Chytalo

(631) 444-0431

---

Wildlife staff participate in Woodcock "Wingbee"- Tom Sutter from the Wildlife Services Team in Central Office, represented NYSDEC at this year's American Woodcock "Wingbee," held in Chapel Hill, TN. The woodcock is an important migratory game bird, generally found throughout the eastern half of the country and Canada. Here in New York, over 4,000 woodcock hunters take more than 10,000 birds annually, ranking it among the top three states in harvest for all of the Atlantic Flyway. Participants from various Federal and State Agencies help sort, identify, and tabulate tens of thousands of woodcock wings submitted by cooperating hunters in order to estimate the national harvest by age and sex for each state. The results are used to help manage woodcock populations in North American.

*Bureau of Wildlife*

Tom Sutter

(518) 402-8861

---

## ***Research and Monitoring***

Lake Erie Unit Annual Report Completed: The Lake Erie Unit completed the 2008 Annual Report, which represents a comprehensive summary of all significant program areas pursued by this office during 2007. In all, 20 different programs including research, monitoring, planning, public information and extension efforts are described in this single document. Separate documents for the full annual report, and a one-page executive summary, are both available on DEC's website at <http://www.dec.ny.gov/outdoor/32286.html> . Just a few of the highlights from the 2007 Lake Erie field season include:

- Juvenile walleye surveys indicate good spawning success occurred during 2005 and 2006, suggesting the adult population will continue to remain at higher levels over the next few years.
- Smallmouth bass monitoring finds the current bass population near long-term abundance levels. However, particularly high catches of juvenile bass in recent years forecast abundance of the adult population to increase markedly, beginning in 2008.
- Measures of juvenile yellow perch abundance each of the last two years have been especially high, suggesting the large and more stable adult abundance will extend at least another few years.
- Declining numbers of adult lake trout and burbot, most likely caused by high rates of sea lamprey wounding on both species.

*Bureau of Fisheries*

Don Einhouse, Jim Markham

(716) 366-0228

---

## ***Research and Monitoring***

NY Natural Heritage Completes Report on Vegetation Mapping of Saratoga National Historical Park - Greg Edinger, Chief Ecologist, led a NY Natural Heritage team that completed a report for the National Park Service (NPS) on the vegetation associations (communities) of Saratoga National Historical Park. NPS is interested in current and accurate baseline information for effective, long-term management of the park's natural resources. The goal of the vegetation mapping effort at Saratoga National Historical Park was to produce an up-to-date digital geospatial vegetation database for the park, a vascular plant species list, a dichotomous key for vegetation associations, and descriptions of the vegetation associations in the park. A map of vegetation associations may allow inferences about the location and abundance of species that are associated with each community, and the identification and description of plant communities provides habitat information important to understanding associated organisms. A CD with all plot and accuracy assessment point photographs taken during this project was compiled, as well as a separate map of wetlands in the park.

Fifty-four vegetation associations that occur within the park were identified and described in detail. The diversity and distribution of vegetation associations at Saratoga National Historical Park are primarily a result of the following four factors: 1) the geologic history of the region, especially the effect of glaciation; 2) the park's position along the Hudson River within a temperate climate; 3) its diverse topography that includes ravines, high level hills, floodplains, and basin wetlands; and 4) its setting within a rural agricultural landscape with its associated historical and ongoing land use practices.

The following three vegetation associations at Saratoga National Historical Park are considered significant occurrences of natural communities by NY Natural Heritage: floodplain forest (combination of several floodplain vegetation associations), vernal pool, and successional fern meadow. The floodplain forest along the Hudson River near Bemis Heights is a very good example and surprisingly has a low number of invasive exotic plants that are typical for this community. This is the first significant occurrence of floodplain forest to be surveyed and documented by NY Natural Heritage along the Hudson River north of Troy, NY.

## *Research and Monitoring*

Long Island Sound Study (LISS) Updates and Happenings. The beginning of March saw a new hire take over the LISS Coordinator position. Sarah Deonarine replaced Rick D'Amico on NY's side of the pond; the CT position has not yet been filled. March also marked the arrival of Long Island Sound Futures Fund (LISFF) and Bronx River Watershed Initiative (BRWI) grant proposals to be reviewed by ours and other departments and individuals. The tallying of scores will begin mid-April with final decisions expected sometime late spring or summer. This year saw the submission of a large number of habitat restoration grant proposals as compared to previous years and other categories.

The LISS Science and Technical Advisory Committee (STAC) met on April 4 at Stony Brook University. Voting took place to retain Dr. Charles Yarish as CT co-chair of the committee and to accept the new guidelines for the administration of LISS fellows with some changes to the proposal. Other highlights included presentations given by Chris Schubert of USGS and R. Adam Whelchel from TNC. Also discussed was the LIS research synthesis proposal and the lack of a contract agreement from Springer, the proposed publisher. The near future may see the editors approaching a new publisher.

Discussions and plannings are under way between the Bureau of Marine Resources, Stony Brook University's School of Marine and Atmospheric Sciences and the NY USGS regarding the establishment of LIS sentinel monitoring sites. The purpose of the sentinel site monitoring program would be to determine the effects of climate change on specific areas of LIS, what this could mean for the future, and how we should prepare as an estuary. A sub-committee headed by Karen Chytalo was formed at the STAC meeting in order to enhance collaboration between NY and CT with the intention of having a bi-state grant proposal prepared for the April 24 Management Committee Meeting.

*Bureau of Marine Resources*

Sarah Deonarine

(631) 444-0467

---

2007 Avian Influenza sampling reaches completion – DEC, in cooperation with the USDA Wildlife Services office, completed sampling of more than 1,500 wild migratory birds as a means to detect the highly pathogenic avian influenza (H5N1) virus upon entrance into the United States. DEC staff obtained samples from approximately 750 birds, mostly from cooperating waterfowl hunters. The majority of samples were collected from Mallards, Ring-necked ducks, Long-tailed ducks, Scaup, Green-winged Teal, Canada Geese and Atlantic Brant. Samples were collected from popular waterfowl hunting areas throughout New York State. To date, no highly pathogenic avian influenza has been detected from more than 100,000 birds sampled across North America. For more information on avian influenza in New York, visit our website at: <http://www.dec.ny.gov/animals/7189.html>

*Bureau of Wildlife*

William Hoffman

(518) 402-8870

---

Ruffed Grouse Survival Study – In fall 2007, DEC embarked on a two-year research program with SUNY Environmental Science and Forestry to examine harvest and survival rates of ruffed grouse during the fall and winter. This is the first assessment of ruffed grouse survival and harvest mortality in New York in more than 50 years. Study sites were established at Fort Drum (Jefferson County) and Partridge Run WMA (Albany County). Fort Drum is characterized by large, contiguous blocks of high quality habitat, whereas Partridge Run possesses small patches of quality habitat surrounded by mature timber. During fall 2007, we banded and radio-collared 76 grouse (39 at Fort Drum, 37 at Partridge Run) and tracked their survival from October through April. Through the end of March, we've documented 43 confirmed mortalities including six birds killed by hunters. The second field season will begin in fall 2008. The results of this research will help to evaluate and set

## ***Research and Monitoring***

appropriate hunting regulations for this species in regions of the state with different landscape characteristics.

*Bureau of Wildlife*

Michael Schiavone

(518) 402-8886

---

## ***Restoration***

Electrofishing Beaver Brook, Oyster Bay: On Monday February 25th, 2008, Region 1 Fisheries Unit led by Heidi O'Riordan, Fisheries Biologist; Erik Latremore, Senior Technician and Charles Vullo, Seasonal Laborer, in conjunction with Cold Spring Harbor Fish Hatchery Director, Norman Soule and John Fischer from Long Island Trout Unlimited conducted a survey to further assess the brook trout stocking program at Beaver Brook in Oyster Bay. Historically, Beaver Brook supported a naturally reproducing brook trout population, however, brown trout were stocked in the brook in the 1990's and displaced the brook trout. In 2002, the Regional Fisheries Unit and Cold Spring Harbor Hatchery made a concerted effort to remove the brown trout from the stream and Cold Spring Harbor restocked the stream with Long Island strain brook trout. Since then, Beaver Brook was sampled in December 2004 and January 2006 to monitor the attempt to re-establish native brook trout populations. Those surveys documented brook trout holdover, but no natural reproduction. In the February 25, 2008 survey, we caught a total of 22 brook trout, 11 of which ranged from 22mm to 30 mm. These juveniles proved that natural reproduction of brook trout were occurring at Beaver Brook. The Fisheries Unit will continue to monitor this natural reproducing population of brook trout and assist in conservation efforts to restore New York State fish on Long Island.

*Bureau of Fisheries*

Chart Guthrie

(631) 444-0280

---