



# HABITAT HOTLINE ATLANTIC

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## WORKING ON A CHANGE: CHESAPEAKE BAY DRAFT REPORTS RELEASED

WASHINGTON, D.C., September 9, 2009 – Federal agencies today released the seven draft reports required by President Obama’s Executive Order on the Chesapeake Bay, which contain a range of proposed strategies for accelerating cleanup of the nation’s largest estuary and its vast watershed.

The draft reports collectively call for increased accountability and performance from pollution control, habitat protection, and land conservation programs at all levels of government, including an expanded use of regulatory authorities to address pollution control and additional voluntary and market-based solutions – particularly when it comes to habitat protection and land conservation programs. Federal agencies are also proposing new ways to harness the latest innovations in science and technology. The proposed actions are in response to overwhelming scientific evidence that the health of the Chesapeake remains exceptionally poor, despite the concerted restoration efforts of the past 25 years.

“Communities in the Chesapeake Bay watershed expect and deserve rivers and streams that are healthy and thriving,” said U.S. Environmental Protection Agency Administrator Lisa P. Jackson, chairperson of the Federal Leadership Committee and the federal representative to the Chesapeake Executive Council. “We need bold new leadership, collective accountability by all contributors to the



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Bay’s problems, and dramatic changes in policies using all the tools at hand if we are to fulfill President Obama’s goal for clean water throughout the region. These reports bring us a step closer to achieving the vision we all share for the future of the Chesapeake Bay.”

The draft reports are the first step in the creation of a new strategy for restoring and protecting the Chesapeake Bay and waterways in the region, as defined by the Executive Order. The reports include a variety of strategies and options for addressing issues such as water quality, public



# Report Release Continued

access, landscape conservation, climate change, scientific monitoring, and the protection of living resources. Along with today's public release, the draft reports were also submitted to the Federal Leadership Committee that is coordinating work on the Executive Order. The draft reports are available at: <http://executiveorder.chesapeakebay.net>.



On May 12, President Obama issued Executive Order 13508 on Chesapeake Bay Restoration and Protection, the first-ever presidential directive on the Bay and the first environmental Executive Order by President Obama. The order established a Federal Leadership

Committee, chaired by EPA, and with senior representatives from the departments of Agriculture, Commerce, Defense, Homeland Security, Interior and Transportation.

During the past 120 days, 10 federal agencies collaborated to develop the draft reports. The recommendations in the reports were shaped by consultations with the six states in the Chesapeake Bay watershed and the District of Columbia, as well as suggestions from stakeholders and the public. Successful restoration of the Chesapeake Bay depends on the involvement of federal, state, and local governments; the private sector; nonprofit organizations; and the watershed's 17 million residents. The draft reports were released to engage the public in the process outlined in the Executive Order.

The draft report on water quality includes some of the more significant potential changes to existing programs. In this report, EPA proposes to develop new regulations for the Chesapeake Bay to significantly reduce runoff pollution from urban, suburban, and agricultural sources. The report also relays EPA's intention to hold the states in the watershed more accountable for controlling pollution, through increased oversight, enforcement activities, and new policies. Urban and suburban runoff pollution is the fastest growing source of pollution to the Chesapeake Bay, while agricultural runoff is the largest.

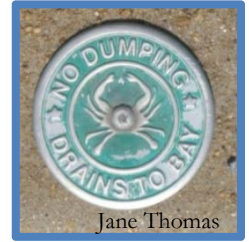
During the next 60 days, the Federal Leadership Committee will evaluate the proposals in the draft reports and consult with Bay jurisdictions to refine the recommendations for meeting key challenges to the Chesapeake Bay's health. On November 9, the Federal Leadership Committee will release a draft strategy that integrates the seven reports. Release of a draft strategy and revised reports will initiate a 60-day public comment period that concludes in early 2010. A final strategy will be completed by May 12, 2010. However, the agencies will be moving forward in a number of areas before the strategy becomes final.

## *Chesapeake Bay Facts*

- Largest estuary in the U.S.
- 3<sup>rd</sup> largest estuary in the world
- Size: 64,000 miles<sup>2</sup>
- Parts of six states: DE, MD, NY, PA, VA, WV, plus DC
- Remarkable ecological, economic, recreational, historic, and cultural value for the region
- Estimated economic value of the Bay: More than \$1 trillion
- Produces 500+ million pounds of seafood per year
- Supports 3,600+ species of plants, fish, and other animals
- Home to 29 species of waterfowl & a major resting ground for Atlantic Flyway
- The Bay is only attaining 21% of its water quality goals

Chesapeake Bay Executive Order

“We have an urgent obligation to citizens of today and generations of tomorrow to restore the Chesapeake Bay and its watershed, and this Executive Order puts new weight behind our work,” Jackson said. “We’re moving quickly and transparently on a comprehensive strategy that will get real results for the Bay.”



The federal departments and agencies working on the Chesapeake Bay Executive Order include the National Oceanic and Atmospheric Administration, National Park Service, U.S. Army Corps of Engineers, U.S. Department of Agriculture, U.S. Department of the Defense, U.S. Department of Transportation, U.S. Department of Homeland Security, U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service, and U.S. Geological Survey.

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*These draft reports make recommendations on how to:*

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*(a) define the next generation of tools and actions to restore water quality in the Chesapeake Bay, and describe the changes to be made to regulations, programs, and policies to implement these actions (U.S. Environmental Protection Agency)*

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*(b) target resources to better protect the Chesapeake Bay and its tributary waters, including resources under the Food Security Act of 1985 as amended, the Clean Water Act, and other laws (U.S. Department of Agriculture)*

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*(c) strengthen storm water management practices at Federal facilities and on Federal lands within the Chesapeake Bay watershed, and develop storm water best practices guidance (U.S. Department of Defense)*

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*(d) assess the impacts of a changing climate on the Chesapeake Bay, and develop a strategy for adapting natural resource programs and public infrastructure to the impacts of a changing climate on water quality and living resources of the Chesapeake Bay watershed (U.S. Department of Commerce, U.S. Department of Interior)*

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*(e) expand public access to waters and open spaces of the Chesapeake Bay and its tributaries from Federal lands, and conserve landscapes and ecosystems of the Chesapeake Bay watershed (U.S. Department of Interior)*

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*(f) strengthen scientific support for decision-making to restore the Chesapeake Bay and its watershed, including expanded environmental research and monitoring and observing systems (U.S. Department of Commerce, U.S. Department of Interior)*

# Spotlight on the Giant Pacific Ocean Garbage Patch

Whose Trash Is That?!

Scientists have just completed an unprecedented journey into the vast and little explored "Great Pacific Ocean Garbage Patch." On the Scripps Environmental Accumulation of Plastic Expedition (SEAPLEX), researchers got the first detailed view of plastic debris floating in a remote ocean region. It was not a pretty sight.

The Scripps research vessel (R/V) *New Horizon* left its San Diego homeport on August 2, 2009, for the North Pacific Ocean Gyre, located some 1,000 miles off California's coast, and returned on August 21, 2009. Scientists surveyed plastic distribution and abundance, taking samples for analysis in the lab and assessing the impacts of debris on marine life. Before this research, little was known about the size of the "garbage patch", and the threats it poses to marine life and the gyre's biological environment. The expedition was led by a team of Scripps Institution of Oceanography (SIO) graduate students, with support from University of California Ship Funds, the National Science Foundation (NSF), and Project Kaisei.

"SEAPLEX was an important education experience for the graduate students, and contributed to a better understanding of an important problem in the oceans," said Linda Goad, program director in NSF's Division of Ocean Sciences. "We hope that SEAPLEX will result in increased awareness of a growing issue."

After transiting for six days aboard the research vessel, the researchers reached their first intensive sampling site on August 9th. Team members began 24-hour sampling periods using a variety of tow nets to collect debris at several ocean depths.

"We targeted the highest plastic-containing areas so we could begin to understand the scope of the problem," said Miriam Goldstein of SIO, chief scientist of the expedition. "We also studied everything from phytoplankton to zooplankton to small midwater fish."

The scientists found that at numerous areas in the gyre, flecks of plastic were abundant and easily spotted against the deep blue seawater. Among the assortment of items retrieved were plastic bottles with a variety of biological inhabitants. The scientists also collected jellyfish called by-the-wind sailors (*Velella velella*).

On August 11th, the researchers encountered a large net entwined with plastic and various marine organisms; they also recovered several plastic bottles covered with ocean animals, including large barnacles. The next day, Pete Davison, an SIO graduate student studying mid-water fish, collected several species in the gyre, including the pearleye (*Benthalbella dentata*), a predatory fish with eyes that look upward so it can see prey swimming above, and lanternfish (*Tarletonbeania crenularis*), which migrate from as deep as 700 meters down to the ocean surface each day.

By the end of the expedition, the researchers were intrigued by the gyre, but had seen their fill of its trash. "Finding so much plastic there was shocking," said Goldstein. "How could there be this much plastic floating in a random patch of ocean--a thousand miles from land?"

Source: National Science Foundation

SEAPLEX Expedition: <http://sio.ucsd.edu/Expeditions/Seaplex>

Non-jellyfish images courtesy of: Scripps Institution of Oceanography, UC San Diego



J. Leichter



National Park Service



J. Leichter



Lara Dickens

# Legislative Update

## Support for National Fish Habitat Conservation Act Needed

The National Fish Habitat Conservation Act (NFHCA) was introduced in the 111th Congress in May/June 2009. This landmark legislation will for the first time establish a national framework for freshwater and coastal habitat conservation, and will focus the scientific and conservation capabilities of states, territories, federal agencies, tribes, industry, conservation organizations, and local communities to improve the condition of fish habitat nationwide. Modeled on the successful Migratory Bird Joint Ventures and North American Wetlands Conservation Act, the program carries out fish habitat protection, restoration, and enhancement through regional partnerships that engage local partners in conservation action and provide a solid science-based and strategic approach to on-the-ground conservation efforts.

### *The legislation would:*

- 1) Authorize the National Fish Habitat Action Plan. **Senate Bill (S.1214)**  
*Introduced by:*  
Senator Lieberman (I-CT)  
*Sponsored by:*  
Senator Begich (D-AK)  
Senator Bingaman (D-NM)  
Senator Bond (R-MO)  
Senator Cardin (D-MD)  
Senator Casey (D-PA)  
Senator Crapo (R-ID)  
Senator Klobuchar (D-MN)  
Senator Murkowski (R-AK)  
Senator Sanders (I-VT)  
Senator Stabenow (D-MI)  
Senator Udall (D-CO)  
Senator Whitehouse (D-RI)
- 2) Establish a National Fish Habitat Board to provide oversight.
- 3) Establish regional Fish Habitat Conservation Partnerships.
- 4) Establish a National Fish Habitat Conservation Partnership Office within the U.S. Fish and Wildlife Service to support the Board and administer grants.
- 5) Provide for the active engagement of the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, U.S. Geological Survey, and other appropriate federal agencies to conduct scientific and technical assistance.
- 6) Authorize a \$75 million grant program for aquatic habitat projects through the Department of the Interior.

*The NFHCA will help to provide a permanent funding source for the Atlantic Coastal Fish Habitat Partnership (ACFHP), started by ASMFC and its partners in 2007!*

### *Progress to date:*



National Fish Habitat Action Plan (NFHAP) signed by the Secretaries of the Interior and Commerce on April 24, 2006.

### **House Bill (H.R.2565)**

#### *Introduced by:*

Representative Kind (D-WI)

#### *Sponsored by:*

Representative Christensen (D-VI)

Representative Murtha (D-PA)

Representative Thompson (D-CA)



National Fish Habitat Board organized in 2006.



9 Fish Habitat

Partnerships have been established and 11 more are in development, with involvement in all 50 States.



National framework for scientific assessment of fish habitats has been developed.



Since 2006, the U.S. Fish and Wildlife Service has provided \$8.5 million to support 188 on-the-ground projects in 36 states, leveraging \$19.8 million in partner match, to address the priorities of the Fish Habitat Partnerships.

### For more information:

Kelly Hepler, Alaska Department of Fish & Game  
*Chairman, National Fish Habitat Board*

Phone:

(907) 242-1907



NATIONAL  
**FISH HABITAT**  
ACTION PLAN

# Around the Coast

## Replenishing Oysters in Delaware Bay

The eastern oyster, *Crassostrea virginica*, has a long history as a commercially and ecologically important species in the Delaware Bay. Dating as far back as the early 1800s, the Delaware Bay oyster has been known for its unique flavor, high quality meat, and steady market presence. The appearance of the parasitic oyster diseases known as MSX in the 1950s and Dermo in the 1990s devastated the oyster population. However, this keystone species remains an integral part of the Delaware Bay Estuary. Despite the significant disease burden, a partnership between the oyster industry, Rutgers University, and the New Jersey Department of Environmental Protection facilitated the development of a significant stock assessment program, which allowed for the establishment of a sustainable fishery in Delaware Bay.

Despite these management advances, by the mid-2000s, seven consecutive years of below-average recruitment (an unprecedented series since 1953) was beginning to impact the stock's population structure. Fisheries biologists from New Jersey and Delaware were seeing the same trend on both sides of the Bay: size-frequency shifting to larger, marketable oysters, with a dearth of small oysters to replace them. Over time, the marketable animals were being removed through harvest or lost to disease without the requisite



oysters to replace them. The clock was ticking and something had to be done to avert harvest closures.

One cornerstone oyster enhancement technique utilized by many programs is “shell planting”. The trick is to get clean shell planted in the right place at the right time (and to do so consistently). Unfortunately, a number of factors (e.g., funding, permitting, scarcity of shell, etc.) led to only sporadic shell plantings during the early 2000s. In 2005, groups from both sides of the Bay joined together to address the need for funding, identification of alternative shell materials, and re-development of the infrastructure necessary to conduct large-scale shell plantings.



Working with federal and state legislators and the governors of both states, the group (known as the *Delaware Bay Oyster Task Force*) has obtained over \$6.1 million dollars to date.

Since that time, the Task Force's team of federal, state, and non-profit organizations has planted over 2.1 million bushels of shell onto existing reefs to provide the clean surface necessary for setting oyster larvae. The group has also conducted extensive outreach regarding the importance of healthy oyster reefs.

This program has rapidly managed to stabilize the oyster beds of Delaware Bay, and substantially increase the survival of juvenile oysters. For example, the projected harvest quota for oysters reared in 2008 is now the third highest since the mid-1980s, and the estimated impact of the 2007 shell planting program alone is \$90 million — equating to more than \$40 for every federal dollar invested. The project was recently awarded a Coastal America Partnership Award, which is the only environmental award of its kind given by the White House, and adds to a growing list of accolades for the joint New Jersey-Delaware effort.

Population dynamics modeling of abundances at low levels in Delaware Bay suggest only a limited possibility of recovery without active intervention through recruitment enhancement via shell planting. Task force leaders continue to pursue every lead available to them in an effort to maintain the shell planting program for years to come.

For more information regarding this enhancement program please contact the New Jersey Division of Fish and Wildlife at (856) 785-0730.

Source: Russell Babb, New Jersey Division of Fish and Wildlife



## Not All Boat Suds Are Created Equal: BoatUS Foundation Tests "Green" Boat Soaps

ANNAPOLIS, MD, September 10, 2009 — The non-profit BoatUS Foundation for Boating Safety and Clean Water recently laboratory tested 20 boat cleaners for their toxicity as well as how quickly they biodegraded. They also completed real-world tests to gauge performance.

"In our lab tests, a few 'green' labeled products appeared to be among the most harmful products tested, and some conventional products were far less toxic than suspected, yet made no environmental claims on the packaging," said BoatUS Foundation Director of Environmental Programs Susan Shingledecker.

Another finding definitively put an end to a misperception amongst some boaters that "green" cleaners may not be as effective as conventional cleaners. Tests revealed that the best cleaners for the environment were found to biodegrade in as little as two weeks.

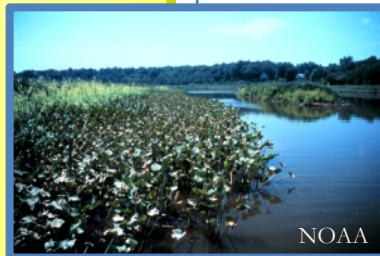
To find out which products scored the highest in all tests, you can view a series of short videos as well as a full report, "Foundation Findings #47 – Green Cleaners Testing," at [www.BoatUS.com/foundation/Findings/47](http://www.BoatUS.com/foundation/Findings/47).



The Foundation also advises that how boat cleaners are utilized — such as the frequency of use and recommended concentration — is as important to the environment as selecting the right product.

### ***Environmentally friendly boat cleaning tips:***

- Periodic fresh water rinsing of your boat will prevent dirt and debris from accumulating, lessening the need for boat cleaners.
- If a product is to be diluted with water, pay heed to the manufacturer's directions for use. Real world tests showed that increasing the product-to-water ratio did not improve performance.
- Use a general boat soap for an overall cleaning, and on tough stains sparingly employ sprays or paste spot cleaners, using a towel to minimize run-off. Regardless of "green" claims, more concentrated spray or paste products were found significantly more toxic than a general boat soap diluted with water.



For more information on BoatUS or this report, contact Scott Croft at (703) 461-2864, or [SCroft@BoatUS.com](mailto:SCroft@BoatUS.com).

## New Information on Coastal Fish Habitat Issues

*Our Living Oceans: Habitat Status of the Habitat of U.S. Living Marine Resources*  
*Policymakers' Summary, 1<sup>st</sup> Edition*

By: NOAA

Published: May 2009

Available:

<http://spo.nwr.noaa.gov/TM83.pdf>

*Introduction to Economics for Coastal Managers*

By: NOAA Coastal Services Center

Published: 2009

Available:

[http://www.csc.noaa.gov/economics/Economics\\_Primer.pdf](http://www.csc.noaa.gov/economics/Economics_Primer.pdf)

*Salt Marshes: A Natural and Unnatural History*

By: Judith Weis and Carol Butler

Published: August 2009

Available:

[http://rutgerspress.rutgers.edu/acatalog/Salt\\_Marshes.html](http://rutgerspress.rutgers.edu/acatalog/Salt_Marshes.html)

*Why Climate Change Makes Riparian Restoration More Important than Ever: Recommendations for Practice and Research*

By: Seavy et al.

Journal: Ecological Restoration

Published: September 2009

Available:

<http://er.uwpress.org/cgi/reprint/27/3/330>

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### HABITAT PROGRAM MISSION

To work through the Commission, in cooperation with appropriate agencies and organizations, to enhance and cooperatively manage vital fish habitat for conservation, restoration, and protection, and to support the cooperative management of Commission managed species.

### HABITAT PROGRAM VISION

Protected, revitalized habitat for all Atlantic coastal fish species or successful habitat restoration well in progress by 2015.

### REPRODUCTIONS

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