

*Link Not Available*



## **Adaptive Management: Bringing Science and Stakeholders Into Resource Management**

These days, the USGS is ramping up work on science issues that are more complex, larger in scale, and involve more scientific uncertainty than in the past. Yet resource managers and policy makers can't afford to wait until all uncertainty is resolved. They need to act in a timely manner to address issues ranging from where to site wind and solar energy facilities to how water should be allocated for ecosystems, wildlife, and people.

Enter adaptive management – an approach increasingly being used by managers to make more effective decisions even in the face of scientific uncertainty. DOI and other natural resource managers are using adaptive management to make complex decisions about managing wildlife in protected areas, setting national waterfowl harvest limits, and managing river flows for multiple uses.

Because scientists throughout USGS may find this approach valuable for some of their research challenges, I'd like to tell you a little bit about a new Interior Department guide that details the application of adaptive management. The guide, [\*Adaptive Management: The Department of the Interior Applications Guide\*](#), was released last week and is authored by USGS scientists Ken Williams and Ellie Brown of the USGS Science and Decisions Center, with many other contributors.

The applications guide includes case studies drawn from four areas critical to Interior and its partners: climate change, water resources, energy, and human impacts on the landscape. The case study examples show the breadth of adaptive management applications at different scales and different levels of complexity.

The Guide illustrates that adaptive management is an iterative process of monitoring, assessment and structured decision making in which natural resource management actions are systematically adapted and improved based on what has been learned as management progresses. This cyclical process provides a mechanism for managers, scientists and other stakeholders to collaborate in improving resource management over time by learning from previous and ongoing management action outcomes.

A case study on red knots and horseshoe crabs showcases how adaptive management can be used in complex situations. As background, the beaches of Delaware Bay in Delaware and New Jersey are critical spawning grounds for Atlantic horseshoe crabs, as well as critical stopover habitat for the red knot (see photo below), a long-distance migratory shorebird that is a candidate for listing under the Endangered Species Act. Each year, these birds – whose numbers have been declining

– stop in Delaware Bay to replenish their energy reserves by feasting upon horseshoe crab eggs before continuing on to their breeding grounds in the Arctic.

Throughout the 1990s, however, unregulated commercial harvesting of horseshoe crabs for bait and for medical uses led to fewer and fewer spawning crabs. And, by the late 1990s, red knot populations were also declining. Conservationists called for a total halt to horseshoe crab fishing in the Delaware Bay, but others advocated more moderate regulations to safeguard the horseshoe crab fishery. To find the most effective way to manage both species, the Atlantic States Marine Fisheries Commission supported an adaptive management team to work with stakeholders.

The plan, the result of collaborative work by USGS, FWS, states, and other stakeholders, was adopted by the Atlantic States Marine Fisheries Commission just a few months ago. It links crab harvest decisions to information on horseshoe crab and red knot population levels as well as the commercial use of crabs for bait and the medical industry. Harvest levels will be periodically adjusted in response to new scientific information about the two species.

In addition to red knots and horseshoe crabs, the applications guide includes more than 30 examples that highlight the elements and processes of adaptive decision making. I encourage USGS scientists to check out the new [adaptive management applications guide](#) to see if this approach may be useful to them. And then, if you want to find out more, please contact Ken at [byron\\_ken\\_williams@usgs.gov](mailto:byron_ken_williams@usgs.gov) or Ellie at [ebrown@usgs.gov](mailto:ebrown@usgs.gov) – they'd be happy to talk with you. For a hard copy of the guide, please contact Terry Linton at [tlinton@usgs.gov](mailto:tlinton@usgs.gov) or (703) 648-4260.

David R. Smith  
USGS - Leetown Science Center  
Aquatic Ecology Lab  
11649 Leetown Road  
Kearneysville, WV 25430  
[drsmith@usgs.gov](mailto:drsmith@usgs.gov)  
304-724-4467  
<https://profile.usgs.gov/drsmith>

**Bangor Daily News** April 24, 2012

# Live Lobster sued for more than \$3.5 million

ELLSWORTH, Maine — Live Lobster officials have said little about why money flow problems have prevented the company from operating since March 23, other than to blame TD Bank for freezing its checking accounts.

But two lawsuits filed against the company in federal court in Massachusetts shed more light on the situation. In separate complaints, a former Live Lobster employee and TD Bank claim the company has failed to live up to contractual agreements and owes them \$235,000 and \$3.4 million respectively.

The lawsuits raise the question of whether the Chelsea, Mass.-based firm, which operates in Maine as Lobster Web Co., will be able to resume operations in Phippsburg, Rockland, Spruce Head and Stonington, where it has buying stations, or in Gouldsboro, where last year it purchased the former Bumble Bee sardine cannery.

Several attempts to contact Live Lobster officials at the company's Chelsea, Mass., headquarters since March 23 have been unsuccessful. Voice mail messages left with Live Lobster official Thad Reece have not been returned. Live Lobster president Antonio Bussone has not answered several calls placed by the Bangor Daily News to his cellphone.

No one answered phone calls placed to Live Lobster's Chelsea offices on Thursday.

The company has employed between 80 and 90 people at its distribution facilities in Maine and Massachusetts, not including its new lobster processing facility in the Gouldsboro village of Prospect Harbor. Last summer, Live Lobster employed 70 people at the plant, which operated seven days a week. As of last month, 10 people were working at the seasonal facility.

One lawsuit was filed against Live Lobster by Alan Brown, the company's former general manager, in February. The other was filed by TD Bank last week.

In his lawsuit, Brown claims that he was a minority owner and worked as the company's general manager from 2003 through 2009, at which point he was "frozen out" of the operations of the company and its subsidiaries. He sued Bussone and Allesandro Verrini, another partner in the firm, for breach of contract and fiduciary duty. In December 2010, he reached a settlement with Bussone and Verrini that called for Brown to be paid a total sum of \$460,702.

In his latest lawsuit, Brown claims he was paid \$225,000 in an initial payment that was stipulated in the agreement but that Bussone and Verrini have refused to pay him the remaining \$235,702, which also was stipulated in the agreement. He claims the agreement was approved by TD Bank but that the bank now is preventing the second payment from being made. He is suing for the remaining \$235,702 he says is owed to him, plus interest, legal fees and other costs.

In its lawsuit, filed on April 12, TD Bank claims it loaned \$4 million to Live Lobster in June 2008. As part of that loan agreement, Live Lobster promised the bank that it would have a "first-priority security interest in substantially all of its business assets ... including without limitation, its inventory and accounts and the proceeds thereof," according to the complaint.

TD Bank accuses Live Lobster of failing to make loan payments and of depositing some of its proceeds with another bank, Century Bank and Trust Co. of Medford, Mass., which TD Bank claims is a violation of the security agreement. TD Bank claims Live Lobster still owes TD Bank \$3,403,811.26 in principal and \$4,413.93 in interest.

Attempts on Thursday to contact some attorneys involved in the lawsuits also were unsuccessful.

Last December, many Maine lobstermen complained that Live Lobster was bouncing checks it had written to them for their catch.

At the time, Bussone said that "not that many" checks bounced and that the company was having to adjust to new payment schedules associated with its Gouldsboro processing operations. Before it purchased the former Bumble Bee

cannery, Live Lobster had functioned solely as a dealer and distributor, buying lobster in Maine and Massachusetts and flying the live creatures to Europe and the West Coast.

Bussone said last December that the company had made good on the bounced checks and ironed out its cash flow problems with the bank.

Toni Lilienthal, Live Lobster's vice president of operations for the Gouldsboro plant, said Thursday that she found out on April 13 about the TD Bank lawsuit and has not been involved with the company's interactions with the bank. She said the company wants to sort through its problems and resume operations in Gouldsboro sometime this spring or summer.

"We've really, really, really worked hard at this," she said.

Live Lobster received federal Community Development Block Grant funding last fall, more than a year after it first sought the town's approval for the funding. The company received \$400,000 in CDBG funds to put toward the plant's renovation and equipment costs.

Gouldsboro selectmen had balked at endorsing Live Lobster's grant application, which the program requires, because it was concerned about intervening in the area's competitive lobster dealer market.

Gouldsboro Selectman James Watson said Thursday that he and others on the municipal board were justified in their reluctance to endorse Live Lobster's project. He said the company seemed to be taking on more than it could handle when it arranged to buy the former Stinson plant.

"I had a concern about the amount of money being borrowed," Watson said. "You need a certain amount of capital to pull this off."

When the sardine cannery closed, 128 people who were working there lost their jobs. When Live Lobster announced in the summer of 2010 that it intended to buy the plant, it said it hoped to employ 40 people at the renovated lobster processing facility within the first year and as many as 120 by this summer.

Watson expressed doubt that Live Lobster will be able to free up enough funds to resume processing lobster in Gouldsboro this summer. He said if Live Lobster ends up losing or otherwise disposing of the facility, it might still one day be viable as a lobster processing plant but probably would sit idle for some time.

"The red tape is probably going to be enormous to go through," he said.

Watson, a local business owner, said Bussone will deserve much of the blame if its new processing venture folds, but he said former Gov. John Baldacci and his administration also are worthy of criticism.

He said he is not sure why it became a political issue in Augusta, but that Baldacci pushed hard for Live Lobster to take over the plant. He even got a call at home from the governor at one point, he said.

Watson said that though he supports the CDBG program generally, he does not think its \$400,000 local investment in Live Lobster was money well spent. He said the former governor and his staff did not do enough to make sure that a stable firm was taking the cannery over from Bumble Bee.

"I think he was pushing this and pushing this and pushing this," Watson said of Baldacci.

The company also was approved last year for a separate loan from the Finance Authority of Maine, but the company has not received the \$750,000 it was approved for.

Officials at FAME said recently that Live Lobster never completed and submitted the necessary paperwork to close on the loan and that, given the company's situation, FAME likely would reconsider its approval if the paperwork is submitted.

The Gouldsboro plant, where Live Lobster installed lobster storage, cooking and processing equipment last year, had been the last operating sardine cannery in the United States when Bumble Bee shut it down in April 2010. Bumble Bee said at the time that federal limits on herring catches made it financially impractical to continue operating the facility.

## **NOAA Fisheries Announces Workshops on Atlantic Shark Identification and Protected Species Release, Disentanglement, and Identification in May and June of 2012**

Free Atlantic Shark Identification Workshops and Protected Species Safe Handling, Release, and Identification Workshops will be held in May and June of 2012. Certain fishermen and shark dealers are required to attend a workshop to meet regulatory requirements and maintain valid permits. Specifically, the Atlantic Shark Identification Workshop is mandatory for all federally permitted Atlantic shark dealers. The Protected Species Safe Handling, Release, and Identification Workshop is mandatory for vessel owners and operators who use bottom longline, pelagic longline, or gillnet gear, and who have also been issued shark or swordfish limited access permits. Additional free workshops will be conducted during 2012 and will be announced in a future notice.

Dates, times, and locations on following page.

	Permit holder name	Permit serial No.	Address	City	State	Zip
354 ....	GREEN KIRBY B .....	57925	418 HIGHLAND DR #3 .....	SEATTLE .....	WA	98109
355 ....	VERSTEEG KORY .....	56296	BOX 1752 .....	PETERSBURG .....	AK	99833
356 ....	WARFEL FRANK W .....	56371	BOX 1512 .....	WRANGELL .....	AK	99929
357 ....	BLANKENSHIP PAUL V .....	56055	3208 HALIBUT POINT RD #23 .....	SITKA .....	AK	99835
358 ....	CISNEY JOE A .....	64528	BOX 582 .....	PETERSBURG .....	AK	99833
359 ....	CROME DANIEL J .....	62606	BOX 1243 .....	PETERSBURG .....	AK	99833
360 ....	BARRY JOHN W .....	63280	3944 N COTTONWOOD PL .....	BUCKEYE .....	AZ	85396
361 ....	BARRY DAVID .....	61551	BOX 6276 .....	SITKA .....	AK	99835
362 ....	BARRY DAVID .....	61628	BOX 6276 .....	SITKA .....	AK	99835
363 ....	NILSEN YANCEY L .....	55523	BOX 1822 .....	PETERSBURG .....	AK	99833
364 ....	BALOVICH FRANK L .....	58602	BOX 1503 .....	SITKA .....	AK	99835
365 ....	HAYNES BRADLEY S .....	57495	BOX 1152 .....	WARD COVE .....	AK	99928
366 ....	HAYNES BRADLEY S .....	60572	BOX 1152 .....	WARD COVE .....	AK	99928
367 ....	MILLER AARON L .....	60175	BOX 2144 .....	PETERSBURG .....	AK	99833
368 ....	BRIGHT JARED .....	60484	BOX 2097 .....	PETERSBURG .....	AK	99833
369 ....	MARTENS COLLIN B .....	55367	BOX 1123 .....	PETERSBURG .....	AK	99833
370 ....	JOHNSON JOSH .....	57699	103 HORIZON WAY .....	SITKA .....	AK	99835
371 ....	WHITETHORN LUKE J .....	60267	BOX 1716 .....	PETERSBURG .....	AK	99833
372 ....	BUSCHMANN CHRISTIAN .....	60001	BOX 898 .....	PETERSBURG .....	AK	99833
373 ....	MCCULLOUGH CHARLES .....	60545	BOX 707 .....	PETERSBURG .....	AK	99833
374 ....	CRANE VERNON M .....	61736	2300 BLACK SPRUCE CT .....	FAIRBANKS .....	AK	99709
375 ....	HUDSON ERRON B .....	57906	BOX 737 .....	METLAKATLA .....	AK	99926
376 ....	SCUDDER ANDREW C .....	65418	266 S MOBLEY LN .....	BOISE .....	ID	83712
377 ....	SCHILE GEORGE V .....	60511	1807 4TH ST .....	BELLINGHAM .....	WA	98225
378 ....	ALLBRETT JASPER .....	56833	BOX 2223 .....	SITKA .....	AK	99835
379 ....	UNDERHILL JOHN E .....	58297	103 KRESTOF DR .....	SITKA .....	AK	99835

Dated: February 27, 2012.

**Lindsay Fullenkamp,**

*Acting Director, Office of Management and Budget, National Marine Fisheries Service.*

[FR Doc. 2012-4985 Filed 2-29-12; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XB037

#### Schedules for Atlantic Shark Identification Workshops and Protected Species Safe Handling, Release, and Identification Workshops

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public workshops.

**SUMMARY:** Free Atlantic Shark Identification Workshops and Protected Species Safe Handling, Release, and Identification Workshops will be held in April, May, and June of 2012. Certain fishermen and shark dealers are required to attend a workshop to meet regulatory requirements and maintain valid permits. Specifically, the Atlantic Shark Identification Workshop is mandatory for all federally permitted Atlantic shark dealers. The Protected Species Safe Handling, Release, and Identification Workshop is mandatory

for vessel owners and operators who use bottom longline, pelagic longline, or gillnet gear, and who have also been issued shark or swordfish limited access permits. Additional free workshops will be conducted during 2012 and will be announced in a future notice.

**DATES:** The Atlantic Shark Identification Workshops will be held April 5, May 3, and June 7, 2012.

The Protected Species Safe Handling, Release, and Identification Workshops will be held on April 3, April 5, May 9, May 16, June 6, and June 20, 2012.

See **SUPPLEMENTARY INFORMATION** for further details.

**ADDRESSES:** The Atlantic Shark Identification Workshops will be held in Bohemia, NY; Panama City Beach, FL; and Wilmington, NC.

The Protected Species Safe Handling, Release, and Identification Workshops will be held in Wilmington, NC; Panama City, FL; Boston, MA; Kenner, LA; Port St. Lucie, FL; and Ronkonkoma, NY.

See **SUPPLEMENTARY INFORMATION** for further details on workshop locations.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Pearson by phone: (727) 824-5399, or by fax: (727) 824-5398.

**SUPPLEMENTARY INFORMATION:** The workshop schedules, registration information, and a list of frequently asked questions regarding these workshops are posted on the Internet at: <http://www.nmfs.noaa.gov/sfa/hms/workshops/>.

#### Atlantic Shark Identification Workshops

Since January 1, 2008, Atlantic shark dealers have been prohibited from receiving, purchasing, trading, or bartering for Atlantic sharks unless a valid Atlantic Shark Identification Workshop certificate is on the premises of each business listed under the shark dealer permit which first receives Atlantic sharks (71 FR 58057; October 2, 2006). Dealers who attend and successfully complete a workshop are issued a certificate for each place of business that is permitted to receive sharks. These certificate(s) are valid for three years. Approximately 71 free Atlantic Shark Identification Workshops have been conducted since January 2007.

Currently, permitted dealers may send a proxy to an Atlantic Shark Identification Workshop. However, if a dealer opts to send a proxy, the dealer must designate a proxy for each place of business covered by the dealer's permit which first receives Atlantic sharks. Only one certificate will be issued to each proxy. A proxy must be a person who is currently employed by a place of business covered by the dealer's permit; is a primary participant in the identification, weighing, and/or first receipt of fish as they are offloaded from a vessel; and who fills out dealer reports. Atlantic shark dealers are prohibited from renewing a Federal shark dealer permit unless a valid Atlantic Shark Identification Workshop

certificate for each business location which first receives Atlantic sharks has been submitted with the permit renewal application. Additionally, trucks or other conveyances that are extensions of a dealer's place of business must possess a copy of a valid dealer or proxy Atlantic Shark Identification Workshop certificate.

#### Workshop Dates, Times, and Locations

1. April 5, 2012, 12 p.m.–4 p.m., LaQuinta Inn & Suites (at Islip MacArthur Airport), Meeting Room B, 10 Aero Road, Bohemia, NY 11716.

2. May 3, 2012, 12 p.m.–4 p.m., LaQuinta Inn & Suites, 7115 Coastal Palms Boulevard, Panama City Beach, FL 32408.

3. June 7, 2012, 12 p.m.–4 p.m., Hampton Inn & Suites, 1989 Eastwood Road, Wilmington, NC 28403.

#### Registration

To register for a scheduled Atlantic Shark Identification Workshop, please contact Eric Sander at [esander@peoplepc.com](mailto:esander@peoplepc.com) or at (386) 852-8588.

#### Registration Materials

To ensure that workshop certificates are linked to the correct permits, participants will need to bring the following specific items to the workshop:

- Atlantic shark dealer permit holders must bring proof that the attendee is an owner or agent of the business (such as articles of incorporation), a copy of the applicable permit, and proof of identification.
- Atlantic shark dealer proxies must bring documentation from the permitted dealer acknowledging that the proxy is attending the workshop on behalf of the permitted Atlantic shark dealer for a specific business location, a copy of the appropriate valid permit, and proof of identification.

#### Workshop Objectives

The Atlantic Shark Identification Workshops are designed to reduce the number of unknown and improperly identified sharks reported in the dealer reporting form and increase the accuracy of species-specific dealer-reported information. Reducing the number of unknown and improperly identified sharks will improve quota monitoring and the data used in stock assessments. These workshops will train shark dealer permit holders or their proxies to properly identify Atlantic shark carcasses.

#### Protected Species Safe Handling, Release, and Identification Workshops

Since January 1, 2007, shark limited-access and swordfish limited-access permit holders who fish with longline or gillnet gear have been required to submit a copy of their Protected Species Safe Handling, Release, and Identification Workshop certificate in order to renew either permit (71 FR 58057; October 2, 2006). These certificate(s) are valid for three years. As such, vessel owners who have not already attended a workshop and received a NMFS certificate, or vessel owners whose certificate(s) will expire prior to the next permit renewal, must attend a workshop to fish with, or renew, their swordfish and shark limited-access permits. Additionally, new shark and swordfish limited-access permit applicants who intend to fish with longline or gillnet gear must attend a Protected Species Safe Handling, Release, and Identification Workshop and submit a copy of their workshop certificate before either of the permits will be issued. Approximately 130 free Protected Species Safe Handling, Release, and Identification Workshops have been conducted since 2006.

In addition to certifying vessel owners, at least one operator on board vessels issued a limited-access swordfish or shark permit that uses longline or gillnet gear is required to attend a Protected Species Safe Handling, Release, and Identification Workshop and receive a certificate. Vessels that have been issued a limited-access swordfish or shark permit and that use longline or gillnet gear may not fish unless both the vessel owner and operator have valid workshop certificates onboard at all times. Vessel operators who have not already attended a workshop and received a NMFS certificate, or vessel operators whose certificate(s) will expire prior to their next fishing trip, must attend a workshop to operate a vessel with swordfish and shark limited-access permits that uses longline or gillnet gear.

#### Workshop Dates, Times, and Locations

1. April 3, 2012, 9 a.m.–5 p.m., Hilton Garden Inn, 6745 Rock Spring Road, Wilmington, NC 28405.

2. April 5, 2012, 9 a.m.–5 p.m., Holiday Inn Select, 2001 Florida 77, Panama City, FL 32405.

3. May 9, 2012, 9 a.m.–5 p.m., Hilton Inn (at Logan airport), 1 Hotel Drive, Boston, MA 02128.

4. May 16, 2012, 9 a.m.–5 p.m., Hilton Inn (at Armstrong airport), 901 Airline Drive, Kenner, LA 70062.

5. June 6, 2012, 9 a.m.–5 p.m., Holiday Inn, 10120 Northwest Federal Highway, Port St. Lucie, FL 34952.

6. June 20, 2012, 9 a.m.–5 p.m., Holiday Inn, 3845 Veterans Memorial Highway, Ronkonkoma, NY 11779.

#### Registration

To register for a scheduled Protected Species Safe Handling, Release, and Identification Workshop, please contact Angler Conservation Education at (386) 682-0158.

#### Registration Materials

To ensure that workshop certificates are linked to the correct permits, participants will need to bring the following specific items with them to the workshop:

- Individual vessel owners must bring a copy of the appropriate swordfish and/or shark permit(s), a copy of the vessel registration or documentation, and proof of identification.
- Representatives of a business-owned or co-owned vessel must bring proof that the individual is an agent of the business (such as articles of incorporation), a copy of the applicable swordfish and/or shark permit(s), and proof of identification.
- Vessel operators must bring proof of identification.

#### Workshop Objectives

The Protected Species Safe Handling, Release, and Identification Workshops are designed to teach longline and gillnet fishermen the required techniques for the safe handling and release of entangled and/or hooked protected species, such as sea turtles, marine mammals, and smalltooth sawfish. In an effort to improve reporting, the proper identification of protected species will also be taught at these workshops. Additionally, individuals attending these workshops will gain a better understanding of the requirements for participating in these fisheries. The overall goal of these workshops is to provide participants with the skills needed to reduce the mortality of protected species, which may prevent additional regulations on these fisheries in the future.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: February 24, 2012.

#### Steven Thur,

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2012-4990 Filed 2-29-12; 8:45 am]

**BILLING CODE 3510-22-P**



## Local residents honored by Atlantic States Marine Fisheries Commission

May 4, 2012

PORTSMOUTH — Two Seacoast residents were among those honored by the Atlantic States Marine Fisheries Commission's Annual Awards of Excellence in Alexandria, Va., for their contributions to fisheries management along the Atlantic coast.

Dennis F. Abbott of Newmarket and G. Ritchie White of Rye were honored. Abbott received his award in the legislative category. White was honored for achievements in management and policy.

"The commission's Annual Awards of Excellence recognize outstanding efforts by professionals who have made a difference in the way we manage and conserve our fisheries," said ASMFC Chairman Paul J. Diodati of Massachusetts.

For nearly 15 years, Abbott has supported fisheries conservation and management activities along the Atlantic coast as both an ASMFC commissioner and a New Hampshire state legislator. As a commissioner, he has served on numerous ASMFC committees and held leadership roles, such as chairman of the Atlantic Herring Section and co-chair of the Legislators and Governor Appointees. According to the ASMFC, when Abbott was first appointed, he championed the increased role of the LGAs on the commission's species management boards, helping establish the current fisheries management decision-making process. He has also worked to ensure interested stakeholders have a voice in the commission's management process through its advisory panels, the ASMFC stated.

As a state legislator, member and later chairman of New Hampshire's House Fish, Game and Marine Resources Committee, Abbott sponsored a \$1 fee on all fishing licenses, providing dedicated funds to improve fish habitat such as dam removals and stream restoration projects. He championed the state's saltwater license legislation to improve recreational catch data and provide additional funding for the state's natural resource management. He also sponsored legislation providing expedited state rule-making to facilitate timely implementation of commission management actions.

A lifelong sportsman and saltwater angler, White has been involved in fisheries management at the state and interstate level for nearly 20 years. He began his involvement with the commission as an Atlantic striped bass advisor, where he witnessed the recovery of striped bass and the slow but steady increase of recreational and commercial fishing opportunities. According to the ASMFC, White's belief that this success could be applied to other species along the Atlantic coast led him to advocate for passage of the Atlantic Coastal Fisheries Cooperative Management Act in 1993.

As New Hampshire's Governor Appointee to the commission for the past 12 years, White has participated in the commission's fisheries management process, serving on a number of species management boards, sections and committees, as well as chairing the Northern Shrimp Section. In addition, he regularly meets with members of New Hampshire's commercial and recreational industries and his state's congressional delegation on fisheries-related issues.

White also spent four years as coastal commissioner for the Fish and Game Commission and is a founding member of the N.H. Coastal Conservation Association, where he has served on the board of directors since its inception.

**The Examiner** Washington, DC

## Crab population rebounds to strongest level in 19 years

April 19, 2012

ANNAPOLIS - Maryland's blue crab population reached its healthiest mark in 19 years, Gov. Martin O'Malley announced Thursday, as one of the state's signature resources recovers from record low populations just a few years ago.

The Chesapeake Bay's blue crab population climbed 66 percent from 2011 to an estimated 764 million crabs this winter, according to the Maryland Department of Natural Resources.

It's the fourth year in a row the population has climbed, and juvenile crabs were a big part of the growth -- a record high of 587 million were counted in the Bay, nearly three times as many as the year before.

Maryland officials have set daily catch limits and crabbing seasons to help restore the blue crab population, which had been depleted in recent years. In 2008, blue crabs were at a 19-year low.

"Our conservation measures are working," O'Malley said. "We have reached our goal of a healthy abundance of blue crab."

But environmentalists are worried about female crabs, whose numbers dropped for the second year in a row. But their overall numbers aren't abnormal, and state environmental officials hope the overwhelming amount of juvenile blue crabs will show a growth in the female population by next year, said John Griffin, secretary of the Department of Natural Resources.

The state will now set its sights on maintaining the population while fishermen try to get more flexibility to increase their hauls. Larry Simns, president of the Maryland Watermen's Association, said he's grateful for the work scientists have spearheaded alongside Maryland fishermen.

"If you give Mother Nature a chance, she'll bring everything back full circle," Simns said.

The announcement comes days after a report card issued by the University of Maryland's Center for Environmental Science gave the Chesapeake Bay a D+ for its heavy concentration of sediments and dead zones -- areas of the Bay where algae growth reduces oxygen levels.

The state has done all it can by limiting the amount of crabs harvested every year, according to Lynn Fegley, deputy director of fisheries services at the Department of Natural Resources. But less crabbing and better water quality are both essential to the recovery of the crab population, she said.

"The question is, what would be the response if we had really good water quality?" Fegley said. "That's something we can't answer right now."

###



## Maryland DNR to launch "True Blue" program to promote local crabs

SEAFOOD.COM NEWS [Hometown Annapolis.com]

By Pamela Wood - April 9, 2012 - Starting later this spring, diners can look for a "True Blue" logo that signifies that restaurants are using Maryland blue crabmeat in their crab cakes, crab dip and crab melts.

"Customers can look at a menu and know right away that they're getting what they think they're getting," said Steve Vilnit, seafood marketing expert for the Maryland Department of Natural Resources.

For years, it has been an open secret that many "Maryland crab cakes" may be made Maryland-style, but not necessarily with Maryland — or even American — crabmeat.

The True Blue program is intended to make it easier for consumers to know what it is that they're eating — as well as possibly give a boost to restaurants that buy crabs from the Chesapeake Bay and Maryland's Atlantic Coast.

"This is going to be a way for them to know that this is a restaurant that really cares," Vilnit said.

Restaurants who want to participate will have to fork over purchase orders or allow the DNR to check their kitchens to prove they're using local crabmeat.

If everything is on the up-and-up, restaurants will be allowed to use the True Blue logo on their menus and for promotions.

The DNR can check back at any time to make sure the restaurants are holding up their end of the deal.

The logo features a blue crab (*Callinectes sapidus*) with the Maryland flag emblazoned across its shell. The crab is surrounded by the words "True Blue" and "Maryland Crabs" in blue lettering.

The state is working on regulations that would allow fines for restaurants that fraudulently use True Blue.

The name was born out of a brainstorming session between Vilnit and Spike Gjerde, chef-owner of

Woodberry Kitchen, a Baltimore restaurant that specializes in local food.

They were disappointed that many people don't realize that Maryland crabmeat tastes different — and better, in their opinion — than imported meat.

On top of that, they felt most people don't know they aren't getting top-quality meat. Vilnit recalls Gjerde saying: "They aren't getting true blue crabs."

Once he said that, the name stuck. The program is just getting under way, so no restaurants have been certified yet as True Blue. But Vilnit expects strong participation.

Bill Sieling, director of the Chesapeake Bay Seafood Industries Association, said a similar program was tried about 20 years ago.

That one petered out, but he thinks True Blue might have staying power.

More Americans are interested in knowing about the source of their food these days and leaning toward locally produced food, he said.

"If you identify the product as being from Maryland, people will say, 'I know that will be a better tasting crab cake and I'll pay extra,'" said Sieling, whose Annapolis-based association represents seafood processors and wholesalers, including crab-picking plants.

If True Blue and other promotional efforts generate interest in Maryland crabs, it can have a positive economic ripple effect throughout the seafood industry, Sieling said.

Restaurants can justify the prices they must charge for more expensive local crabs, processors may sell more and watermen will have a more robust market that could result in higher prices, Sieling said.

"This is like motherhood and apple pie, as far as we're concerned," he said.

## Warm, dry winter brings Chesapeake Bay to life early

The Associated Press

April 11, 2012

BALTIMORE—Crabs are crawling early out of the mud in the southern end of the Chesapeake Bay, and that's only the beginning of changes expected from the warm, dry winter in the nation's largest estuary.

"All the animals, whether they be fish or crabs, are going to be doing things a little differently. It's going to be really interesting," said Lynn Fegley, deputy director of fisheries at the Maryland Department of Natural Resources.

The crabs are stirring early in Virginia, rockfish could spawn sooner and algae blooms could be worse than usual because of an extremely mild winter that kept water temperatures above average, scientists and watermen say. Bird watchers, meanwhile, can look forward to earlier arrivals, with many birds arriving one to three weeks early, according to the American Bird Conservancy.

No one knows for sure what will happen, though. Crabs, for example, are moving earlier, but where they will be caught isn't as clear. That's because while warmer temperatures get them going, the saltiness of bay water affects where they turn up, Fegley said.

Larry Simns, president of the Maryland Watermen's Association, said that because crabs are getting going sooner, they'll have longer to grow, if the fall isn't cold. And he isn't worried about where they will be.

"They're going to be found in all the same places. They're just going to be found earlier, everywhere," Simns said.

Thomas Miller, a fisheries expert at the University of Maryland Center for Environmental Studies who leads an annual assessment of the bay's blue crab population, said one thing is certain: fewer crabs died of cold this winter. Nearly a third of the bay's crabs were lost last winter to cold and Miller estimated less than 5 percent succumbed this winter.

For fish, it all depends on where they spawn, Miller said. Those that spawn offshore, such as flounder and menhaden, do better during warmer winters. Those that come into the bay to spawn, like striped bass, river herring and perch, do better during colder winters, Miller said. That's because warm winters increase movement of ocean waters for offshore spawning, which helps larvae move about. For fish that spawn in the bay, the difference between a colder winter and warmer spring temperatures is thought to provide a stronger signal for them to head into the bay, Miller said.

The warm water made it harder to catch striped bass once they got into the bay because the fish "get a glaze over their eyes," when the water is cold, said Kevin Tarleton, 18, a waterman from Tilghman.

"If they got glaze over their eyes then they can't see the net," Tarleton said.

Waterman David Crow said the warm winter weather made work easier on his boat, the Misty Lyn.

"I like it because it's colder out here than it is on land," Crow said as he searched late last month for lost crab pots. "It's a lot nicer because it gets brutal out here."

Warm water is not all good news for the bay. Warmer water increases the growth of algae, thick strands of which could be seen on the crab traps Crow pulled from the bay. More algae can lead to blooms that rob bay water of oxygen and create dead zones, said Bruce Michael, the director of the DNR's Resource Assessment Service. Sampling of bay water has already found spots with low oxygen levels, Michael said.

The lack of snow and rain, meanwhile, could be good for bay grasses, which provide habitat and help water quality. They can be buried by silt and sediment in muddy runoff.

"We didn't have a big snow melt, so we'll be watching that closely and, hopefully, that is good for our underwater grasses," Michael said.

Bob Orth, a Virginia Institute of Marine Science researcher who works on an annual survey of bay grasses, said he is wondering what the consequences of a warm winter will be.

"We always think we know the answer, then nature comes along and puts a little twist into it," Orth said.

###

# The Washington Post

## Bay cleanup plan has environmental groups at odds

April 29, 2012

For more than a decade, the Potomac Riverkeeper organization has been that ant that tried to move a rubber tree plant, taking on large corporate polluters in high hopes of one day cleaning the Chesapeake Bay.

But recently, in an unlikely twist, the scrappy Potomac Riverkeeper backed away from a fight. Although it believes a controversial part of the Environmental Protection Agency's plan to clean up the bay will actually lead to more pollution, it abandoned a small coalition of environmentalists that had threatened to sue the EPA. "We do not have the resources to get involved with this particular lawsuit," said the group's leader, Ed Merrifield.

It was responding to a threat — not from a corporation, its usual foe, but a friend. The Keith Campbell Foundation for the Environment, which has donated millions of dollars to Riverkeeper groups over the years, threatened to withdraw future funding if they sued. Other Riverkeeper groups also dropped legal action.

It was a clear sign that environmental groups have not only squared off against the American Farm Bureau Federation, which has filed a federal lawsuit to stop the largest bay cleanup plan in history, but also each other, in the 16 months since the EPA approved the first state proposals to reduce pollution in the watershed.

The stakes are huge. The most ardent backers of the EPA's aggressive new pollution diet — the Choose Clean Water Coalition of 230 groups, the Chesapeake Bay Foundation and the Natural Resources Defense Council — view it as the Chesapeake's last hope.

If it unravels because of a legal challenge, or lack of support from the states charged with implementing the cleanup, it might take 10 years to draft another plan to stop millions of tons of pollution from flowing into the bay, according to the bay foundation.

From the bay foundation's perspective, a challenge to the EPA's authority by the group's allies is not much different from the challenge being heard in a Pennsylvania court by its foes — the farm, pesticide, pork and home-builder lobbies that stand against the strict regulations of the pollution diet.

Riverkeeper groups also want a clean bay, but some could not stomach one of EPA's methods, a program that would turn the Chesapeake's waters into an open marketplace for farmers and corporations that create pollution.

Under a nutrient trading program, farmers who exceed pollution reduction goals set by the EPA would receive credits they could sell to corporations such as coal-fired power plants that fail to reach their own reduction goals.

In theory, the program would help farmers pay for expensive crop covers and buffers to soak up rain. Storm runoff from farms is a major problem because it carries nitrogen from fertilizers and phosphorus from animal waste into streams and rivers that flow to the bay. The pollution contributes to oxygen-depleted "dead zones" that smother oysters, crabs, mussels and other marine life in the nation's largest estuary.

But Riverkeeper group members and some other environmentalists say that nutrient trading is a shell game that will allow more pollution to creep into the bay. They say that because of lax farm regulations in bay watershed states — Virginia, Maryland, West Virginia, Pennsylvania, Delaware and New York — the EPA would have no sure way of knowing whether farmers have met pollution reduction goals.

The comprehensive plan is at a key stage. At the end of March, states submitted final proposals on how they would implement their strategies to reduce pollution in coming years.

With the threatened lawsuit, lawyers at two environmental groups, Food and Water Justice and Earthjustice, along with some Riverkeeper groups, sought to surgically remove nutrient trading from the comprehensive plan.

“People were very concerned that one of our partner organizations would sue” in a federal court, said Will Baker, president of the Chesapeake Bay Foundation.

The American Farm Bureau Federation, the National Association of Homebuilders and others challenged the EPA’s authority in a lawsuit last year, saying that the agency’s assessment of pollution is based on faulty science and that only states have the power to enforce a cleanup.

“We heard from a number of attorneys that when you have two pieces of federal litigation both supporting the same thing . . . they join together, and we thought that would have been terrible,” Baker said.

A solidarity meeting scheduled for March was abandoned, at least one environmentalist said, because people were screaming at a mediator. Not true, Baker said: “I have never been in any meeting about this topic where people have raised their voices.”

Shouting was not necessary, because money did the talking, said a member of a Riverkeeper group. Keith Campbell, founder of the Keith Campbell Foundation for the Environment, sits on the board of the Chesapeake Bay Foundation, which discussed the legal threat.

About two months ago, members of Riverkeeper groups gathered at the foundation in Annapolis for an important word from their sponsor. According to a member who attended the meeting, the foundation’s director, Verna Harrison, reminded them that the foundation had donated \$4 million to their causes over the years and then issued an ultimatum.

“If you challenge nutrient trading, you’re done. You won’t be funded by us anymore,” said the Riverkeeper member, recalling Harrison’s words. The member declined to be named, fearing a funding cut. Merrifield of Potomac Riverkeeper also declined to comment on the dispute.

Harrison declined to comment on her discussions with Riverkeeper activists. In a statement, Campbell Foundation President Samantha Campbell said:

“When we find a fundamental disconnect between the principles that drive our mission and the work of a potential grant recipient, we take a number of steps to inform all parties on the priority areas that are currently being considered for funding.”

Scott Edwards, co-director of Food and Water Justice, which worked with Earthjustice to draft the lawsuit, said, “I’ve been at this for years and years, and I’ve never seen this attempt to try to stop a group for asserting its position.”

Without its partners, Food and Water Justice, an arm of Food and Water Watch, is trying, so far in vain, to revive the lawsuit. “You expect this from industry; you don’t expect it from your friends,” Edwards said.

###



University of Maryland  
CENTER FOR ENVIRONMENTAL SCIENCE

**EMBARGOED UNTIL APRIL 17, 10:30 A.M.**

**CONTACT:**

Amy Pelsinsky  
University of Maryland Center for  
Environmental Science  
410-330-1389 / [apelsinsky@umces.edu](mailto:apelsinsky@umces.edu)

## **Chesapeake Bay Health drops to D+ in 2011** ***Unusual sequence of weather results in poor report card grade***

**CAMBRIDGE, MD (April 17, 2012)**—A sequence of weather-related events including a wet spring, dry summer, and two devastating storms caused a decline in the overall health of the Chesapeake Bay in 2011. In an assessment conducted by EcoCheck scientists at the University of Maryland Center for Environmental Science and the National Oceanic and Atmospheric Administration, the nation's largest estuary earned a grade of "D+" for 2011.

The overall health of Chesapeake Bay declined for the second year in a row (to 38%) and was the second lowest since assessments began in 1986. The overall grade was a C- in 2010. Only two reporting regions, the Lower Western Shore (MD) and the Patapsco and Back Rivers, improved this year, while the rest remained the same or declined.

"The spring rains and hot, dry summer followed by Hurricane Irene and Tropical Storm Lee led to poor health throughout Chesapeake Bay and its tributaries," said Dr. Bill Dennison of the University of Maryland Center for Environmental Science. "While we have been making considerable progress in various restoration activities, these results indicate we still need to do much more to reduce the input of nutrients and sediments from storm water runoff into the Bay."

The Chesapeake Bay's health is affected by many factors, including human activities, climate changes, and weather. Rainfall carries storm water runoff from cities, suburbs and farms to the Bay's tributaries and eventually to the Bay itself. Even as improvements are made in reducing the sources of pollution, higher rainfall and runoff can mask the effects of these improvements.

"The annual health of the Bay is influenced by the amount of rainfall and river flow that occurs over the entire year," said EcoCheck scientist Caroline Wicks. "In 2011, river flow was well above average for the year, and not only from Hurricane Irene and Tropical Storm Lee. This high flow contributed to the poor grade that the Bay received this year."

Scientists believe a sequence of natural events contributed to the poor health of the Bay in 2011, including:

- **Spring Rains:** A wet spring caused increased nitrogen and phosphorus pollution to wash off the land and into the Bay. This caused a spring algae bloom that decreased light levels in the water, hampering the growth of aquatic grasses.
- **Hot, Dry Summer:** Ideal conditions for algae blooms continued in the summer, resulting in low oxygen levels at the bottom of the Bay, where creatures like crabs survive.

- **Hurricane Irene:** Winds from Hurricane Irene (August 27–28) mixed the Bay waters, stirring up nutrients and affecting water clarity.
- **Tropical Storm Lee:** Rain from Tropical Storm Lee (September 7) brought tons of sediment and fresh water to the main stem of the Bay, further impacting water quality and leaving a layer of mud on the bottom.

Grades improved in only two reporting regions (Lower Western Shore (MD) and Patapsco and Back Rivers), declined in six regions, and remained unchanged in four. Lower scores were observed in the Patuxent River, Rappahannock River, James River, Lower Eastern Shore (Tangier Sound), Upper Bay, and Mid Bay.

"The report card clearly indicates that the Chesapeake Bay watershed is a dynamic ecosystem subject to severe weather events," said Nick DiPasquale, Director of the Chesapeake Bay Program. "The silver lining is that the Hopkins-UMCES study of 60 years of water quality data concluded that a decrease in the frequency and severity of dead zones in the Bay is the direct result of implementing measures to reduce nitrogen and phosphorus pollution. We know what works; we just need to do more of it."

The aim of this report card is to provide a transparent, timely, and geographically detailed assessment of 2011 Chesapeake Bay health. Chesapeake Bay health is defined as the progress of three water quality indicators (chlorophyll a, dissolved oxygen, and water clarity) and three biotic indicators (aquatic grasses, phytoplankton community, and organisms living on the bottom) toward scientifically derived ecological thresholds or goals. The six indicators are combined into one overarching Bay Health Index, which is presented as the report card overall score.

EcoCheck is a partnership program between University of Maryland Center for Environmental Science and National Oceanic and Atmospheric Administration. Each year, EcoCheck produces several report cards to assess the health of Chesapeake Bay waterways to enhance and support the science, management and restoration of Chesapeake Bay.

For more information about the 2011 Chesapeake Bay Health Report Card including region-specific data and downloadable graphics, visit [Chesapeakebayreportcard.org](http://Chesapeakebayreportcard.org).

## **UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE**

The University of Maryland Center for Environmental Science unleashes the power of science to transform the way society understands and manages the environment. By conducting cutting-edge research into today's most pressing environmental problems, we are developing new ideas to help guide our state, nation, and world toward a more environmentally sustainable future through five research centers—the Appalachian Laboratory in Frostburg, the Chesapeake Biological Laboratory in Solomons, the Horn Point Laboratory in Cambridge, the Institute of Marine and Environmental Technology in Baltimore, and the Maryland Sea Grant College in College Park. [www.umces.edu](http://www.umces.edu)

###



## **Ecosystem effects of biodiversity loss could rival impacts of climate change and pollution**

*From the Virginia Institute of Marine Science*

May 2, 2012

GLOUCESTER -- Loss of biodiversity appears to impact ecosystems as much as climate change, pollution, and other major forms of environmental stress, according to a new study from an international research team including Professor J. Emmett Duffy of the Virginia Institute of Marine Science.

The study, published online in today's issue of the journal *Nature*, is the first comprehensive effort to directly compare the impacts of wild-species loss to the anticipated effects of a host of other human-caused environmental changes.

The results highlight the need for stronger local, national, and international efforts to protect biodiversity and the benefits it provides, according to the researchers from 9 institutions in the United States, Canada, and Sweden.

Duffy, a marine ecologist who has spent more than a decade studying the effects of biodiversity loss in estuaries and coastal seas, says "Our world is not only getting hotter and more polluted, it's getting poorer biologically as wild species disappear. Our new study shows that these extinctions compromise healthy ecosystems—and their ability to provide for us—just as strongly as global warming and pollution do."

VIMS researchers measure how changing estuarine food webs influence sediment biogeochemistry at the *Zostera* Experimental Network's (ZEN) Chesapeake Bay site.

"We know that declines in seagrasses, forage fish, and other species can disrupt ecosystems that provide food and jobs for Chesapeake Bay communities," says Duffy. "Our new results show that the link between declining wild species and loss of productivity is both strong and general."

A recent global study shows that 14% of the 72 known seagrass species are at an elevated risk of extinction, while 3 species qualify as endangered. Closer to home, the U.S. Fish and Wildlife Service currently lists 75 species as endangered or threatened in Virginia. Endangered or threatened species in Chesapeake Bay include the shortnose sturgeon, the Atlantic sturgeon, and all 5 species of sea turtles that frequent Bay waters. The American eel is under consideration for a threatened listing.

### **Biodiversity, Productivity, and Extinction**

Studies over the last two decades have demonstrated that more biologically diverse ecosystems are more productive. As a result, there has been growing concern that the very high rates of modern extinctions—due to habitat loss, overharvesting, and other human-caused environmental changes—could reduce nature's ability to provide goods and services like food, clean water, and a stable climate.

But until now, it's been unclear how biodiversity losses stack up against other human-caused environmental changes that affect ecosystem health and productivity.

"Some people have assumed that biodiversity effects are relatively minor compared to other environmental stressors," says biologist David Hooper of Western Washington University, the lead author of the *Nature* paper. "Our new results show that future loss of species has the potential to reduce plant production just as much as global warming and pollution."

In their study, the international team combined data from a large number of published studies to compare how various global environmental stressors affect two processes important in all ecosystems: plant growth and the decomposition of dead plants by bacteria and fungi. The new study involved the construction of a database drawn from 192 peer-reviewed publications about experiments that manipulated the number of species and examined the impact on ecosystem processes.

The global synthesis found that in areas where local species loss this century falls within the lower range of projections (loss of 1 to 20 percent of plant species), there will likely be negligible impacts on ecosystem plant production, and effects of species loss will rank low relative to the impacts projected for other environmental changes.

In ecosystems where extinctions fall within intermediate projections (21 to 40 percent of species), however, species loss is expected to reduce plant production by 5 to 10 percent, an effect that is comparable in magnitude to the expected impacts of climate warming and increased ultraviolet radiation due to ozone loss from the atmosphere.

At higher levels of extinction (41 to 60 percent of species), the impacts of species loss ranked with those of many other major drivers of environmental change, such as ozone pollution, acid deposition on forests, and nutrient pollution. “Losing half the plant species in an area is like dousing it in acid rain”, says Duffy.

“Within the range of expected species losses, we saw average declines in plant growth that were as large as changes seen in experiments simulating several other major environmental changes caused by humans,” Hooper says. “I think several of us working on this study were surprised by the strength of those effects.”

### **Policy Implications**

The strength of the observed biodiversity effects suggests that policymakers searching for solutions to other pressing environmental problems should be aware of potential adverse effects on biodiversity, as well, the researchers say.

“Loss of biological diversity due to species extinctions is going to have major impacts on our planet, and we better prepare ourselves to deal with them,” says University of Michigan ecologist Bradley Cardinale, another co-author. “These extinctions may well rank as one of the top five drivers of global change.”

Still to be determined is how diversity loss and other large-scale environmental changes will interact to alter ecosystems. “Although we’re emerging from economic recession, we’re falling deeper into a long-term biological depression. A major challenge looking forward is to predict how this biological impoverishment combines with other environmental challenges to impact natural ecosystems and society,” says Duffy.

Authors of the Nature paper, in addition to Hooper, Cardinale, and Duffy, are E. Carol Adair of the University of Vermont and the National Center for Ecological Analysis and Synthesis, Jarrett E.K. Byrnes of the National Center for Ecological Analysis and Synthesis, Bruce A. Hungate of Northern Arizona University, Kristen L. Matulich of University of California Irvine, Andrew Gonzalez of McGill University, Lars Gamfeldt of the University of Gothenburg, and Mary I. O’Connor of the University of British Columbia and the National Center for Ecological Analysis and Synthesis.

Funding for the study included grants from the National Science Foundation and the National Center for Ecological Analysis and Synthesis.

“This analysis establishes that reduced biodiversity affects ecosystems at levels comparable to those of global warming or air pollution,” says Henry Gholz, program director in the National Science Foundation’s Division of Environmental Biology, which funded the research.

###



## Eels face poaching threat

May 07, 2012

HARWICH — On April 11 at 2:30 in the morning, Sgt. Bob Brackett bumped down a long dirt road bordered by cranberry bogs and woods and pulled into the dirt parking lot of the Bells Neck Conservation Area. There were no other vehicles in the lot, but Brackett noticed two men standing alongside the concrete fish ladder that helps alewives climb upstream from the Herring River into the West Reservoir.

These were not high school revelers or even a couple of guys poaching alewives. The two men had dip nets and battery-powered bubbling aerators pumping oxygen into water-filled buckets. The tiny transparent eels, known as glass eels or elvers, which they were catching illegally, have recently become one of the most expensive delicacies in the world, with fish dealers paying more than \$2,000 a pound.

With prices that high, state fisheries regulators, enforcement officers and local eel monitors worry that poaching may further deplete American eel populations. Last week, the Atlantic States Marine Fisheries Commission, which regulates fishing in state waters on interstate fish stocks, endorsed a report showing the American eel is at or near historically low levels from a multitude of causes, including overfishing, habitat loss, food web changes, predation, hydroelectric turbines, environmental changes, water pollution and disease.

The commission's eel board urged that, given those environmental factors, fishing be limited throughout all stages of the eel's life cycle, but particularly for the glass eel and elver phase, and the adult stage when they are migrating back to the Sargasso Sea to spawn for the one and only time in their lives.

### Explosion in poaching

Harvest levels of glass eels and elvers more than doubled between 2010 and 2011 as the average price went from \$185 to \$891 per pound.

"This year, the (poaching) activity exploded," Massachusetts Division of Marine Fisheries eel scientist Brad Chase said. Elvers don't have the swimming ability of the river herring and the fisheries division and others have been building special eel runs to get them past the swift flowing waters in herring runs, or over dams. Generally, the eels ascend a pipe into a locked collection box that is checked and emptied into the lake or pond daily by volunteers. Those boxes also have become the object of poachers, said one local volunteer, who noticed the pipe pulled off and the box cleaned out on two consecutive weekends on the run she monitors. She did not want to be identified to protect the run.

The price spike stems from a surge in demand from aquaculturists in Asian countries who purchase the wild juvenile elvers, raise them until they reach a half-pound then sell them in the sushi market, explained Mitchell Feigenbaum, principal of Delaware Valley Fish Co. of Portland, Maine. A significant drop in recent years in the number of wild Asian glass eels, combined with a European ban on exporting their own wild stock, meant the U.S. elvers suddenly commanded

high prices. Feigenbaum said the price increase really isn't that large when you consider the profit farmers make selling the adult eels on the high-end sushi market. A good farmer, he said, could turn \$2,000 worth of glass eels into \$20,000 in sales.

A dozen years ago, the price for glass eels was \$25 a pound. In recent years, it climbed to \$325 and last year reached \$900. Now at more than \$2,000, the tiny translucent eels, less than 6 inches long, newly arrived in the Cape's rivers and streams from the Sargasso Sea this spring, were particularly inviting to poachers.

Harwich police Sgt. Brackett had no way of knowing, but the 2 pounds of elvers swimming in those unpretentious buckets could have fetched \$4,000 to \$5,000 when sold in Maine, one of only two states where it is legal to harvest and sell them. With prices that high, competition for prime spots on Maine's waterways has been fierce and the yields are nowhere near what fishermen get in Massachusetts, where the elver fishery is banned and the competition virtually nonexistent.

"I hear stories of someone coming in (to dealers) with 50 pounds of eels and I think, they must have been to Massachusetts," said Gail Wippelhauser, a Maine Department of Marine Resources scientist specializing in eels. "There's no place in Maine where you can get that many eels in one night."

The poachers are well-organized, said Massachusetts Environmental Police Lt. Col. Christopher Baker. With investigations and other enforcement actions still under way to catch poachers, Baker said he couldn't discuss the measures his department is taking. The environmental police are short-staffed, having lost 33 percent of their force in the past five years, Baker added.

One source said the federal and state authorities know those in the poaching rings, which have been operating for decades. Many come from Maine, the only nearby state where you can sell them legally as long as you are among the 407 allowed to have elver licenses. Often, poachers will be dropped off in pairs to work a stream and then picked up when they are finished. It's a good strategy, since Massachusetts law allows for the confiscation of all equipment, including vehicles, associated with the poaching operation. Poachers can also be fined \$100 per eel. Transporting them across state lines is also a federal offense.

### **No jail time, no fine**

The two men Brackett and the other officers caught April 11 told officers they were dropped off at the Harwich run that night. Christopher Baxter, who gave a Michigan address but a Maine phone number, and Michael Knowlton, from Union, Maine, fled into the surrounding woods and marshes and surrendered to police after an hours-long search by Harwich, Dennis and state police officers. With between 2,500 and 4,000 eels per pound, the pair could have faced a half-million dollars or more in fines and up to 30 days in jail. Instead, when they pleaded guilty at their arraignment in Orleans District Court on April 11, they were released after paying only \$50 in court costs.

The Division of Marine Fisheries' Chase, who is also chairman of the Atlantic States Marine Fisheries Commission's Eel Management Board, thinks ending the elver fishery in Maine could cut back on poaching and help the species recover.

### **Pricey foods**

- White truffles: \$6,000 per pound and up, with one 3.3-pound truffle selling for \$330,000 in 2007. Grow near roots of oak trees. Found using specially trained dogs or pigs.
- Beluga caviar: \$4,000 per pound. The eggs of the endangered Beluga sturgeon. U.S. has banned importation.
- Saffron: \$1,500 per pound. Stigmas of crocuses. Requires hundreds of thousands of flowers to produce one pound.
- Kobe beef: \$170 and up per pound. Can be bought only in Japan.
- Glass eels: \$2,000 per pound. American eels all mate in Sargasso Sea. Eggs hatch and larvae drift with currents and settle into streams and rivers up and down the Atlantic coast. Glass eels are nearly transparent and about 3 inches long.

"There's a very good reason why most states have banned it," Chase said. The eel board met in Virginia last week and considered a petition to list the American eel as a threatened species under the federal Endangered Species Act.

Wippelhauser countered that the threat to eels does not come from the juvenile fishery but from the catching of adults, which tends to focus on large adult females. Maine banned the weir fishery for eels a decade ago while allowing glass eels to be caught. Adults can live for 40 years, mate only once, offshore in the Sargasso Sea, then die.

In its petition to the U.S. Fish and Wildlife Service, the Council for Endangered Species Act Reliability noted a steep population dropoff for American eels beginning in the mid-1980s. It contended that overharvesting, significant loss of habitat mostly due to dams both large and small, a deadly parasite from imported eels that scientists believe may have infested at least half the adult population, and inadequate protection and planning by the Atlantic States Marine Fisheries Commission and other regulatory agencies.

###

## Our View: Let's agree on what 'overfishing' really means

April 19, 2012

What does it mean when we hear that a species, Gulf of Maine cod, for example, is being "overfished"?

The government definition is clear. According to the Magnuson-Stevens Fishery Conservation and Management Act, "The terms 'overfishing' and 'overfished' mean a rate or level of fishing mortality that jeopardizes the capacity of a fishery to produce the maximum sustainable yield on a continuing basis."

The government isn't the only entity that uses the term, and there's no way to ensure a consistent understanding of its definition when it's used in the media and in casual conversations. Even in the industry and among environmentalists, it's too much to assume it's understood according to Magnuson-Stevens.

Fisheries reporter Don Cuddy pointed out in an editorial board meeting with representatives of the Environmental Defense Fund and the UMass Dartmouth School of Marine Science and Technology that the term is seen by many to mean that "greedy fishermen are out to get every last fish."

Those at the meeting were in agreement that the term is too often used — and perceived — inappropriately.

"Overfishing is a terrible term," Johanna Thomas of EDF said, and it doesn't effectively convey the facts of the state of any given fishery.

In the case of Gulf of Maine cod, the number of variables in the fishery that could be affecting the population make the term "overfishing" terribly inadequate. The perception in that case, where surveys separated by three years suggest an utter collapse.

Dave Martins, the S Mast fisheries biologist at the meeting, pointed out that there aren't clear answers about why the cod numbers are so much lower in 2011 than in

2008. Suggestions of warmer waters that keep predators of cod eggs around the spawning grounds longer, that the cod have simply moved to cooler, deeper water away from fishermen or that government trawlers measuring the population lack the skills of commercial fishermen only scratch the surface of a multitude of potential explanations.

Martins also pointed out in his explanation that it's hard to understand why many fisheries that are on the mend are rebounding so slowly. When he was an observer in 1994, he imagined that the vast closed areas, larger mesh sizes, catch limits, fleet reductions and more would have resulted in the changes desired by Magnuson-Stevens. But it hasn't happened as rapidly as presumed for some stocks, and, oddly enough, much more rapidly than expected for some others.

Redfish, for example, is a species that reproduces relatively slowly, but the biomass is so much improved over the years that S Mast is looking for ways to turn the fleet's focus in its direction, a plan, by the way, welcomed by Thomas and EDF, who hope to see fishermen and fish both thriving.

About one-fifth of the world's diet comes from the ocean, which suggest that "maximum sustainable yield" might be the most crucial aspect of the act.

In issues of public policy and public relations, perception is indeed reality. Environmental groups that would prefer to see fishing vastly curtailed may be happy enough to allow the misperceptions continue, but those who are willing to hear all sides of the story in the context of true sustainability deserve louder voices.

###

## How Well, and How Poorly, We Harvest Ocean Life

By CORNELIA DEAN

April 16, 2012

To hear some people tell it, the increasingly energetic and sophisticated fishing industry has left the world's oceans a shambles, with species of cod, sharks, tuna and other fish hunted almost to extinction and vast stretches of the ocean floor wrecked by bottom-scraping trawlers.

To hear some other people tell it, many depleted stocks are recovering nicely.

Ray Hilborn, a fisheries scientist at the University of Washington, wades into this disagreement in his new book and comes out with a lucid explication of a highly tangled issue.

Each argument, he concludes, has some truth on its side. "It depends on where you look," he writes. "You can paint horror story after horror story if you want. You can paint success after success."

He navigates the path between horror and success through scores of questions and answers, nearly all of which demonstrate how difficult it is to sort this issue out.

Take the most basic question: What is overfishing? There are several answers, the book tells us. There is "yield overfishing," in which people take so many fish that they leave too few to spawn or catch too many fish before they are grown. Then there is "economic overfishing," in which economic benefits are less than they could be. If too many boats chase too few fish, for example, the struggle to make a good catch leads to overspending on boats, fuel and so on.

(There is also "ecological overfishing," but that is something we must live with as long as we want to eat fish, Dr. Hilborn says. Fishing by definition alters the marine environment.)

Dr. Hilborn tells us of fisheries that succeed — like the halibut industry in Alaska — and fish stocks managed into difficulty, and then out again, like the pollock of the Bering Sea.

And he gets into the issue of trawling, in which boats drop weighted nets to the bottom and drag them along, scraping up everything in their path. Critics liken trawling to harvesting timber by clear-cutting. For Dr. Hilborn, this analogy is not always apt, since in some areas the creatures rapidly repopulate the ocean floor.

Some countries do well by their fish, he writes, but with one exception they are relatively small: New Zealand, Iceland and Norway. The exception? The United States.

The true lesson of this book is that fisheries science is complicated; that the management of any given species must be considered in terms of its ecosystem; that fishing for one species alters the food web as a whole — and that sometimes there is not enough data to make good recommendations.

In some cases, the only way to acquire reliable catch data is to station observers at ports or even on the boats themselves. This is now routine in many parts of the United States.

But data collection can be expensive, and many countries do it poorly. There is little reliable data from Asia, for example.

Moreover, an estimated 20 percent of the world's catch is landed illegally. "Almost every fisherman I know has told me tales of making a big catch by some violation of the rules," Dr. Hilborn writes. In many areas, rule-breaking "is an accepted way of business."

And the rules, whatever they may be, do not apply on the high seas. Is there any hope, he asks, for managing these high-seas fisheries? "Not much to crow about," he concludes, adding that on this issue he remains pessimistic.

That is one reason people debate the value of certification programs — efforts to identify fish that are sustainably harvested and can be eaten with a clear conscience. These efforts are "controversial," Dr. Hilborn writes; the fishing industry typically regards the standards as unnecessarily high.

"Overfishing" is part of the Oxford University Press series "What Everyone Needs to Know," which has already addressed [nuclear energy](#) and the Arab Spring and is planning books on reproductive politics and the legalization of [marijuana](#).

The book is a primer. Its Q.-and-A. prose is not exactly lively. In an interview, Dr. Hilborn said he made a deliberate decision to write a book that "everybody would agree is balanced."

"It may be bland in places," he said, "but I tried not to be contentious."

After years of bitter argument, this noncontentious book should be welcomed by anyone who cares about fish. And that should be most of us: Worldwide, 20 percent of the world's protein intake comes from the sea. If we cannot make policies to protect this harvest, everyone will pay a price.

###



# ***Fishing for Energy* Small Grants Fund 2012 Request for Proposals**

The National Fish and Wildlife Foundation, in partnership with Covanta Energy Corporation and the NOAA Marine Debris Program, announces the availability of grant funding to provide capacity and incentives to address old, abandoned or derelict fishing gear. More information on the *Fishing for Energy* Partnership can be found at [www.nfwf.org/fishingforenergy](http://www.nfwf.org/fishingforenergy).

## **Key Components**

The *Fishing for Energy* Small Grants Fund will entertain a wide variety of proposal topics for the prevention and removal of unwanted derelict fishing gear from the marine environment. Priorities for funding for the 2012 call include (see the “Proposal Categories” section below for more detail):

- At sea derelict fishing gear removal;
- Gear density assessment; and/or,
- Economic and resource impact assessment.

Applicants that are interested in hosting the *Fishing for Energy* partnership in a new port (i.e. at a port that is not listed as a participating location on [www.nfwf.org/fishingforenergy](http://www.nfwf.org/fishingforenergy)) for general gear collection should contact [Erin.Hofmann@nfwf.org](mailto:Erin.Hofmann@nfwf.org) for a port nomination form to include as part of your application.

## **General Eligibility**

- All persons, organizations, and agencies (excluding NOAA) are eligible to apply.
- Projects must work collaboratively with the fishing industry to meet goals (see more below).
- Projects must secure all required permits for removal if applicable.
- Projects to remove abandoned vessels or pilings are not eligible for funding.
- Applications for funding for land or easement acquisition, political advocacy, lobbying, or litigation will not be considered.

## **Grant Size**

The *Fishing for Energy* partners have roughly \$500,000 in funds available for projects in 2012 and anticipate awarding approximately five projects. Proposals requesting less than \$10,000 or over \$250,000 will not be considered.

## **Grant Period**

Most awarded projects will complete activities within 1-2 years. The partners cannot guarantee that additional funds will be available in future years to supplement awards made as a result of this review.

## Proposal Categories

The most competitive applications will be those that are closely aligned with the following proposal categories. Projects outside of these proposal categories or that indirectly influence these topics are still eligible for funding but at a lower priority.

- *At Sea Derelict Fishing Gear Removal* targeting hotspot gear accumulation sites. Projects submitted for funding that propose at sea removal or disposal activities should identify location(s) where disposal activities will take place. Hauling costs must be included in the budget. At the pre-proposal level, only the location(s) where disposal will occur are required. If invited to submit a full proposal, a Port Nomination Form for each location where activities will take place and necessary documentation on necessary permits will be required. Contact [Erin.Hofmann@nfwf.org](mailto:Erin.Hofmann@nfwf.org) for information on hauling costs from current port locations. Most gear removal awards will not exceed \$50,000.
- *Gear Density Assessment\** of derelict gear in New England waters to inform developing fishery management plans. At sea assessment projects should incorporate a random stratified sampling methodology that includes areas in which gear is not already known to occur in high abundance. Competitive assessment projects will work to estimate the quantity of derelict fishing gear in various stages of fishing and decay to create a model of density and loss over space and time. Fishermen feedback may also be used to acquire assessment information.
- *Economic and Resource Impact Assessment\** of derelict fishing gear to determine the impacts of lost gear to both the industry and to the resource. Assessments under this category should address time and mortality parameters and the variability of impact amongst the diverse habitats found in New England with a focus on hotspot areas for gear accumulation. Competitive assessment projects will work to answer one or more of the following questions:
  - What is the life span of materials designed to stop gear from fishing if lost across New England habitats?
  - To what extent is gear fouling in various habitats and how is this impacting conservation measures?
  - In what circumstances, if any, is derelict gear beneficial to habitat?
  - What are the impacts of derelict gear on target and non-target species?

\*Components of the above two priorities can be combined into one proposal if there are economies of scope and scale. Collaborative projects across state borders will be more competitive for funding.

**Required:** *Directly engage the fishing community and state managers<sup>†</sup> (for priorities 2&3).* Projects submitted for funding must directly engage the fishing community in project activities. Competitive projects will include activities beyond outreach and education to engagement in project development and/or implementation. For example, fishermen can be engaged as experts supplying knowledge of the location of derelict fishing gear, provide the equipment and manpower to collect derelict fishing gear, or be involved in development of prevention and reduction strategies.

*Priority will be given to: projects that work directly through an existing Fishing for Energy location.* See [www.nfwf.org/fishingforenergy](http://www.nfwf.org/fishingforenergy) for current locations.

## **Application Process**

Interested applicants should submit a pre-proposal using NFWF's online Easygrants system:

1. This funding opportunity will open on **March 12, 2012**. Applications should visit <http://www.nfwf.org/easygrants> and then follow the instructions below (new applicants to NFWF's on-line system should register as a new user to gain entry).
2. Applicants are encouraged to watch a recording on how to submit a pre-proposal, including tips and requirements at this link: <https://www1.gotomeeting.com/register/154149864>
3. Under "Apply for a New Grant", click the "Start a New Application" link. Select the Fishing for Energy 2012 funding opportunity.
4. Follow the instructions to complete an eligibility quiz and, if deemed eligible, a pre-proposal.
5. Attend a webinar to learn about the 2012 priorities. The Webinar will be held on **March 28, 2012 at 2:00 PM ET**. To reserve a spot, follow this link: <https://www1.gotomeeting.com/register/702390409>

Pre-proposals must be submitted via the Foundation's online system and received by 11:59 p.m. Eastern Daylight Time on **May 1, 2012** (no exceptions). Upon receipt and competitive evaluation of the pre-proposal, the Foundation will invite successful applicants to submit a full proposal. Applicants will be notified by **late-May**, as to the status of their preliminary applications and whether they are invited to submit a full proposal for further consideration. Full proposals solicited from successful applicants will be due by 11:59 pm ET on **June 25, 2012**. Awards for this program are scheduled to be announced in **August 2012**.

For further information on the program or completing the application, please contact Erin Hofmann (at 202-595-2469 or [Erin.Hofmann@nfwf.org](mailto:Erin.Hofmann@nfwf.org)).



## Shrimp Processors Object to BP Settlement Terms

April 23, 2012

A group of Gulf Coast shrimp processors asked a federal judge Monday to hold off on giving his preliminary approval to portions of BP's proposed class-action settlement of economic damage claims spawned by the 2010 oil spill in the Gulf of Mexico.

The deal calls for BP to pay \$2.3 billion for certain seafood-related claims, but a court filing by the American Shrimp Processors Association argues its members are unfairly excluded from that part of the settlement.

The group says the proposed formula for compensating shrimp harvesters, boat captains and others eligible for shares of the \$2.3 billion is more generous than the formula that would be applied to claims by shrimp processors and other businesses that don't qualify for the seafood program.

"The two groups are part of the same shrimp supply chain and share virtually identical future economic loss risk; however, their compensation for future economic loss risks is widely disparate for a number of reasons under the proposed Class Settlement," the association's attorneys wrote.

U.S. District Judge Carl Barbier scheduled a hearing Wednesday on last week's request by BP and the Plaintiffs' Steering Committee for his preliminary approval.

The association, which represents about 42 shrimp docks, processors and related companies, is asking for more time to possibly modify the settlement's terms to satisfy their objections. Florida Attorney General Pamela Jo Bondi also has urged Barbier to hold off on giving preliminary approval to the deal before "other interested stakeholders" can review and comment on its terms.

In an April 13 court filing, Bondi said the settlement seems to apply only to claims from Florida residents and businesses on the Panhandle or along the west coast of the state, possibly shutting out thousands of other claimants in other parts of the state. Bondi also expressed concern that Barbier's preliminary approval would eliminate the interim claims process.

However, the plaintiff's attorneys who brokered the deal say BP will continue to process and pay interim claims as required by law.

BP PLC estimates it will pay about \$7.8 billion to resolve claims by more than 100,000 businesses and individuals who blame their economic losses on the spill unleashed by the April 20, 2010, blowout of BP's Macondo well. But the settlement doesn't cap the amount BP would pay to resolve these private claims.

John Tesvich, owner of Ameripure Oyster Co. in Franklin, La., said his oyster processing business also would be excluded from the \$2.3 billion portion of the settlement. But he was keeping an open mind about what the deal's terms mean for his claim.

"I don't have all the numbers for our company," said Tesvich, chairman of the Louisiana Oyster Task Force. "It's very complicated running the numbers."

The settlement agreement doesn't resolve separate claims against BP by the Gulf states and the federal government or claims against BP's partners on the doomed Deepwater Horizon drilling project.

BP and the plaintiffs' attorneys have asked Barbier to delay trying the remaining claims until after he decides whether to give his final approval to the settlement, a decision that may not come until late this year. On Monday, Barbier set a May 1 deadline for other parties to weigh in on that issue.

###

*Link Not Available*



## **Gulf oil spill taught academics important lessons in dealing with news media**

April 23, 2012 -

When the Deepwater Horizon drilling rig exploded two years ago in the Gulf of Mexico, many scientists, including me, stepped outside of the Ivory Tower to study what was an unprecedented—and unintended—environmental experiment. We succeeded in gathering mountains of data, learning all sorts of new things, and advancing science.

But we also failed.

Academic scientists chose the research that most interested us, rather than what may have been most important to responding to the immediate disaster. We failed to grasp the mechanics of the media. And we struggled with how our data was vetted and whom we could trust with it. Simply put, problems arose when academia did not appreciate the cultures of the other players responding to the spill.

To add to these challenges, we were very much in the fog of war, literally and figuratively. The smell of oil, floating in a sea of orange/brown oil, the roaring jets of burning oil, and the hundreds of boats was overwhelming. And on land, the press just kept calling.

Opportunities were missed when others did not understand the academic culture, too.

Unlike most previous oil spills, the ruptured Macondo well spewed oil and gas nearly a mile beneath the surface of the Gulf of Mexico. That was aqua incognita to the oil industry and federal responders, but it was a familiar neighborhood for oceanographers who had been studying the deep sea for decades.

BP as well as federal officials were under enormous pressure and did little to enlist outside help. Very few were readily aware of what academic scientists could contribute. Nor did they communicate what research would be most useful for them, or provide funds to do it. A month passed before government officials invited academic leaders to a meeting in Washington, D.C., about the spill.

Many scientists were keen to help but did not know whom to contact. In the initial days, they forged ahead without outside direction, and many were awarded rapid-response grants from the National Science Foundation. But they were guided solely by their scientific instincts and information they gleaned on their own and not by what could have helped the overall effort.

We were trying to find Atlantis instead of contributing to solving problems.

Our academic training did not prepare us for the media attention we received, and sometimes liked too much. We did not recognize that the media's mission to provide immediate, definitive information about unfolding events to an anxious public can limit its ability to be comprehensive and complex. Academia provides us the luxury to move slowly with the goal of perfection. So we had problems explaining uncertainties, and we did not understand the ramifications of our statements to the media.

Time, more than anything else, separated us. The media has hours to make a deadline. We have five to eight years to get tenure.

An example of how this played out was the reporting of oil plumes flowing from the well deep underwater.

Oil generally floats, so in the early days of the spill, scientists were startled to find high levels of hydrocarbons deep in the Gulf and relayed their findings to the media. The scientists hypothesized that high pressure at the depth where the leak occurred was causing some hydrocarbons to flow horizontally away from the well, rather than up to the surface.

The resulting news reports gave the impression that rivers of oil were flowing at the bottom of the sea, potentially killing shrimp and fish that supported the local economy and harming the ecosystem. Government responders and industry had to respond to the press about the plumes, rather than focusing on higher priorities such as capping the well. And the public had to respond to these reports, too. I recall one Gulf resident asking me if he should sell his house and move away.

Many academics, including me, were hard on the scientists who reported the presence of plumes. We thought they had veered from the standards of good science. Their findings were not peer-reviewed. In their communications with the public, they seemed susceptible to the lure of limelight.

But I now recognize the upside. Those scientists awakened the public, and me, to an important and unrecognized phenomenon that needed further study. Soon I was out in the Gulf with cutting-edge technology and a team that, just a few months earlier, had successfully mapped oil and gas seeping naturally from the seafloor near Santa Barbara.

I wish I could say I wasn't thinking about scooping my peers, confirming the plume, and publishing a top-notch science paper, but that wouldn't be true. In fact, I called an editor of a journal from the bow of a boat asking him if he was interested in our findings.

A month after the well was capped, we published a study in the journal *Science* confirming a subsurface plume more than a mile wide and 600 feet high that flowed for miles from the Macondo well at a depth of 3,600 feet. However, this plume was not a river of oil, but rather a layer in the ocean that was enriched in hydrocarbons. Water samples taken from within the plume were crystal clear.

We had just mapped an underwater plume with a one-of-a-kind underwater vehicle carrying a state-of-the-art mass spectrometer. It could be the greatest scientific contribution of my career. But the media wasn't that interested. They were more concerned with whether the plume was toxic.

We were confused and said to them, "You need to know where the plume is before you can consider harmful effects." It seemed so simple to us, but it was only newsworthy if the plume, at that time, could harm marine life or the environment.

We had published the study a little more than two months after gathering the data—lightning fast for a scientific paper. But when I was the academic liaison at the oil spill's headquarters the following month, I learned that those on the front line weren't impressed by the publication of a paper a month after the crisis was over. Crisis responders often must make decisions on the spot, with imperfect information, even if it is risky.

During a crisis, "peer review is the biggest problem with academia" Juliette Kayyem, who was an assistant secretary at the Department of Homeland Security during the Deepwater Horizon and teaches crisis response at Harvard, told me.

But to release unvetted data is a leap of faith. I observed a very talented junior scientist struggle with this. He was afraid he might be not be 100 percent correct, word would get out, and it would affect his tenure decision.

The good news is that most of these problems are avoidable. The many stakeholders involved did not share a common language, timeframe, set of values, or pre-existing relationships. We can take a lesson from Deepwater Horizon and start opening new lines of communication before the next disaster. For example, I have asked around and many of the oil spill responders would be glad to visit campuses to explain their world.

It's time for academia to embrace a maxim in crisis management that "a crisis is no time to start exchanging business cards."

**Reprinted with permission from [Seafood.com](http://Seafood.com).  
For more information, please contact [www.Seafood.com](http://www.Seafood.com)**



By News Wires (text)

## BP finalises \$7.8 billion Gulf oil spill settlements

**Oil giant BP said Wednesday it has finalised a \$7.8 billion deal to settle more than 100,000 claims from fishermen and others affected by the 2010 Gulf of Mexico oil spill. The settlement must still be approved by a US judge.**

**REUTERS** –April 19, 2012 - BP Plc reached settlements to resolve billions of dollars of claims from the 2010 Gulf of Mexico oil spill, and asked a U.S. judge for a long delay in any trial over remaining disputes stemming from the disaster.

The London-based oil company still expects under Wednesday’s settlements to pay \$7.8 billion to resolve economic, property and medical claims by more than 100,000 individuals and businesses, though there is no cap.

That payout would make the accord one of the largest class-action settlements in U.S. history.

“Neither side will receive everything it wants,” but the settlements are “more than fair, reasonable and adequate” and could avert a decade of litigation, BP and plaintiffs’ lawyers said in papers filed in New Orleans federal court.

This Friday is the two-year anniversary of the explosion of the Deepwater Horizon drilling rig, which killed 11 workers and triggered the largest U.S. offshore oil spill after BP’s Macondo well ruptured. An estimated 4.1 million barrels of oil were spilled and not cleaned up.

“BP made a commitment to help economic and environmental restoration efforts in the Gulf Coast,” Chief Executive Bob Dudley said in a statement. “This settlement provides the framework for us to continue delivering on that promise, offering those affected full and fair compensation, without waiting for the outcome of a lengthy trial process.”

In a separate statement, Stephen Herman and James Roy, lawyers on the so-called Plaintiffs’ Steering Committee, said the settlement holds BP “fully accountable.”

Lawyers for the plaintiffs are seeking up to \$600 million to cover fees and costs, including a \$75 million interim award. These are separate from amounts paid to victims.

BP still faces tens of billions of dollars of potential claims from the U.S. government; Gulf states; and drilling partners Transocean Ltd, which owned the rig, and Halliburton Co, which provided cementing services.

The oil company’s potential liability for violating the federal Clean Water Act alone could reach as high as \$17.6 billion upon a finding of gross negligence. BP has already taken a \$37.2 billion charge for the spill.

### **90 million pages**

About 109,000 condominium owners, hotel and resort operators, restaurateurs, shrimpers and others may be eligible to recover on economic and property claims, court papers show.

The medical settlement addresses claims by people made ill from exposure to oil or chemical dispersants. It covers clean-up workers and residents of beachfront or wetlands areas, and lets people who develop symptoms later to sue BP at that time. About 16,000 plaintiffs have submitted claims, court papers show.

Those ineligible to recover include financial institutions, casinos, people claiming hardship from an Obama administration moratorium on deepwater drilling, and some private plaintiffs in Florida and Texas.

Wednesday's settlements follow depositions of 311 witnesses, and the production of about 90 million pages of documents and about 20 terabytes of data.

U.S. District Judge Carl Barbier is scheduled to consider preliminary approval of the accords around Nov. 8, with final approval to come later.

That suggests any trial on remaining issues — government pollution claims, claims against BP's drilling partners, and claims among BP and those partners — would not begin until well into 2013, if not later. Barbier is expected to meet with the parties behind closed doors on May 3 to discuss the case.

BP shares closed down 6.5 pence at 448.1 pence in London, Reuters data show.

### **Could \$7.8 billion payout grow?**

Prior to the settlement, the lawyer Kenneth Feinberg had paid out \$6.1 billion to spill victims who submitted claims under BP's \$20 billion Gulf Coast Claims Facility.

BP expects the \$7.8 billion payment to come from that trust. Claimants with final offers from Feinberg can receive 60 percent of their money now, and if eligible under the new program may receive the remaining 40 percent or seek higher awards.

Payouts are continuing, and being overseen by Patrick Juneau, a Lafayette, Louisiana lawyer appointed by the court.

"The PSC seems to believe the court-appointed administrator will be more generous than Feinberg," said Tony Buzbee, a lawyer in Houston who said he represents 15,000 people and businesses with claims. "I believe the \$7.8 billion figure will grow."

Wednesday's settlements award \$2.3 billion to commercial fishermen, seafood boat captains and others for damage related to shrimp, oysters, blue crab and other species.

Another \$57 million will be used to "promote the Gulf Coast," including tourism and the seafood industry.

### **Florida AG sought delay**

Last week, Florida Attorney General Pam Bondi asked Barbier to delay preliminary approval to let potential plaintiffs, including various Florida claimants and others who might be left out, assess the "fairness and rationale" behind the accords.

Buzbee expects the settlements to win approval, and said their structures may limit opposition.

"That payments continue even while the settlement is being reviewed takes away one of the primary arguments an objector might have," he said. "That the (legal) fees will not come out of victims' pockets will take a lot of the fire out of the bellies of people who might have objected," he added.

Jennifer Meale, a spokeswoman for Bondi, said her office is reviewing the settlements. Wyn Hornbuckle, a U.S. Department of Justice spokesman, declined to comment. Spokespeople for other Gulf states, Halliburton and Transocean had no immediate comment or did not immediately respond to requests for comment.

###



## Gulf oil spill award details revealed in filing

April 18, 2012 - Wednesday's much-anticipated filing of the **Gulf oil spill** settlements pertaining to private economic damage, property and health claims reveals a program that will benefit a broad range of Gulf Coast residents and businesses, allowing some seafood businesses to collect nine times their damages. The settlements, filed in documents in federal court in New Orleans, total more than 2,000 pages.

They flesh out **the agreements reached March 2** between BP and plaintiffs in the litigation and offer new details about who will be compensated and how the damage from the oil spill will be used to calculate awards.

BP, the leaseholder on the ill-fated Macondo well, and the plaintiff attorneys pressing the litigation describe the agreement as "hard-fought" and say that the settlement is the perfect compromise, as BP believes that some of the plaintiffs' claims would be difficult to prove and the plaintiffs believe that they could obtain larger judgments by going to trial.

The documents provide the first glimpse of the settlement negotiations that were taking place even as legal teams were preparing for the trial over the explosion and sinking of the Deepwater Horizon rig, which killed 11 men and leaked millions of barrels of oil into the Gulf of Mexico two years ago this week. That trial was scheduled to begin Feb. 27. BP and the plaintiffs attorneys say they began negotiating a settlement in February 2011, and began meeting daily starting in May 2011. At the beginning of this year, Magistrate Judge Sally Shushan helped push things along as a mediator.

U.S. District Judge Carl Barbier has scheduled a hearing to consider preliminary approval of the settlements on Wednesday at 2 p.m., but formal consideration of the deal will take most of this year. Attorneys propose that notices be sent to potential class members by May 3, and that people have until Aug. 31 to file objections and until Oct. 1 to opt out of the deal and pursue litigation individually. They also suggest that Barbier consider the fairness of the settlement at a Nov. 8 hearing. Barbier was appointed to the bench by President Bill Clinton in 1998.

The agreement provides for a claims deadline of April 22, 2014, or six months after the settlement is rendered effective, whichever is later.

### No waiting for payment

But people harmed by the oil spill don't have to wait to get paid. The transition from **Ken Feinberg's** Gulf Coast Claims Facility, which has been paying claims on behalf of BP using money from a \$20 billion fund, to a new court-supervised compensation process is already under way. That new program, which will use the formulas outlined in the settlement documents, will open within 30 days of Barbier granting preliminary approval of the deal.

There will be an appeal process for people who disagree with their claims determination.

The documents also give the first hint of how much money the plaintiffs attorneys who worked on the case could earn. BP has agreed not to contest a request by the attorneys for payment of up to \$600 million for both the economic damage and medical settlements, but the amount will be set by the court. There are 17 people on the plaintiffs steering committee, but hundreds of others have assisted.

Attorney fees will be paid separately from compensation for people and businesses affected by the spill.

The deals allow people who were harmed in several ways to collect from more than one component of the settlement. For example, a fishing boat owner who lives on the water might be able to collect for damage to his vessel, damage to his property, loss of fishing income and for getting sick from exposure to oil or dispersants.

Anyone who accepts a settlement releases all defendants from liability in the oil spill litigation except Transocean and Halliburton.

As part of the agreement, BP has assigned the plaintiffs its claims against Transocean and Halliburton. Those claims include the cost of repairing the Macondo well, BP's economic losses, BP's costs in responding to the spill, and any punitive damage claims that BP may have against Transocean and Halliburton.

### Moving forward

Meanwhile, BP asked Barbier to adjourn the oil spill liability trial until the court determines whether to grant approval for the proposed settlements, and the plaintiffs committee has agreed not to oppose the request. Other parties to the litigation have been eager to move forward with other aspects of the case.

While the agreements filed Wednesday are sweeping, they settle only part of the case. The biggest claims, those of the U.S. government and states for things such as environmental and economic damages and fines, are still pending against BP, Transocean, Halliburton and other defendants. Also, the plaintiffs committee still has claims against Transocean and Halliburton. Local government claims remain unresolved. People who were injured on the rig aren't covered by the agreements, and neither are people or businesses that lost money on the drilling moratorium that the federal government put in place after the well blowout.

### Many factors to consider

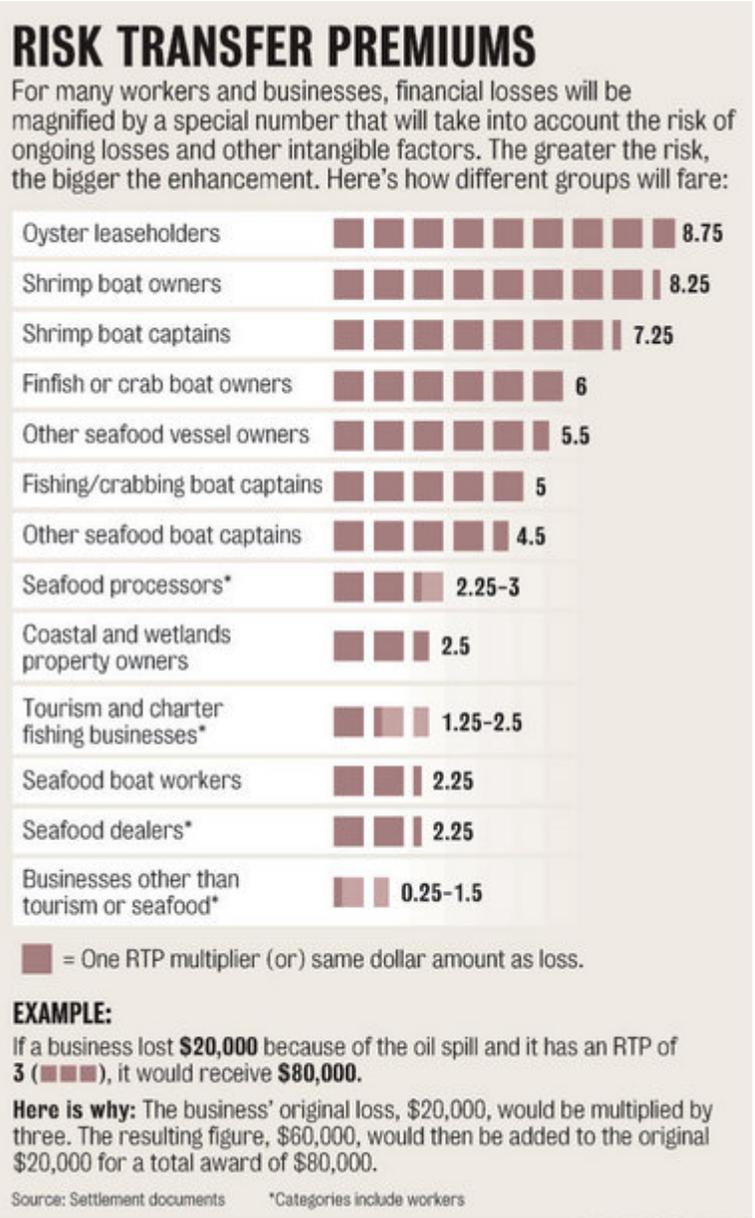
The economic and property damage settlement compensates individuals and companies based on the type of business, changes in income, lost opportunities for growth and location.

The deal is restricted to economic damage in Louisiana, Mississippi, Alabama, four coastal counties in Texas, and 30 counties in Florida.

The agreement includes compensation to businesses, including start-ups and those that failed, workers, seafood harvesters and festival vendors. It also includes boat owners and leaseholders who participated in BP's Vessels of Opportunity work program. People who subsist on seafood business will be compensated, and payments include consideration for the damage to the culture and way of life of Native American groups. There are also categories for the loss of use and enjoyment of coastal and wetland properties, plus real damage to properties and the decline in property and sales values after the spill.

The deal includes a \$2.3 billion compensation program that is available to seafood crew members, commercial fishers, oyster leaseholders and seafood vessel owners. It is the only portion of the settlement that is capped. Seafood processors will be compensated separately.

BP will create a \$57 million Gulf Coast Promotional Fund for the tourism industry.



THE TIMES-PICAYUNE

Claimants will have a great deal of flexibility in figuring out how to best frame their losses. To establish pre-spill revenues, they can use the year 2009, the average of the years 2008 to 2009, or an average of 2007 to 2009, depending on whatever is most favorable.

Many claims will be eligible for "risk transfer premiums," or multipliers that take into account the fact that certain classes of victims have a greater risk of suffering ongoing or recurring damages. This means that certain claimants, such as oyster leaseholders, could be awarded nine times the amount of their damages.

No risk transfer premiums are available for failed businesses, on Vessels of Opportunity payments, for physical damage to vessels, or on property sales. Other factors such as the size of the vessel, whether there is a freezer onboard and the location of oyster leases also factor into compensation for seafood businesses.

### **Medical payments**

Under the proposed medical settlement, residents of beachfront and wetland areas made ill by the spill and those injured or made ill as a result of working to clean up the spill would be eligible for medical payments of up to \$60,700 for specific ailments.

People participating in the settlement are also eligible for medical checkups and tests every three years over the next 21 years.

If they get sick in the future, they retain the right to sue BP for compensation, including for health-related issues involving unborn children.

BP also has agreed to create a \$105 million Gulf Region Health Outreach Program to improve medical care in ill-served coastal communities in Louisiana, Mississippi, Alabama and the Florida panhandle.

BP also will fund an online library of health and environmental research related to the oil spill and response.

BP and the plaintiffs committee have asked Barbier to appoint the Garretson Resolution Group as the claims administrator.

Participation in the deal is restricted to people who worked as part of the official spill response or lived close to the shore or wetlands, although the Gulf Region Health Outreach services will be open to everyone.

Payments to individuals would be based on their status as cleanup workers or residents of either of the coastal zones, whether their specified physical condition is acute or chronic, and the proof they submit of their illness to the claims administrator.

The program is uncapped, according to the agreement, with payments ranging from \$1,300 to \$60,700 for cleanup workers and \$900 to \$36,950 for residents. An additional "enhancer" would be available for overnight hospitalization and payment of hospital expenses in most cases.

The conditions covered include eye, respiratory, skin and neurological maladies. Cleanup workers also can be compensated for heat-related conditions that occurred during or immediately following a work shift.

Under the option to file a claim for illnesses that occur in the future, class members can participate in the program or file for assistance under state worker compensation laws or the Longshore and Harbor Workers Compensation Act.

Those later claimants must notify BP of the illness within 4 years of first diagnosis of the condition or within 4 years of the settlement approval, whichever is later. BP then has the option to request mediation, and if the company does not agree to the results, the claimant has the right to file a lawsuit against BP. In such a lawsuit, the claimants won't have to prove again that they were exposed to oil or dispersant or that BP was responsible for the Deepwater Horizon accident.



## **National Wildlife Federation says Gulf, particularly Louisiana, still suffering from oil spill**

April 12, 2012

National Wildlife Federation says Gulf of Mexico still suffering from oil spill.

Two years after the BP Deepwater Horizon oil spill, there are still clear signs that the environment along the northern Gulf of Mexico, especially in Louisiana, continues to be affected by oil pollution, according to a report released Tuesday by the National Wildlife Federation.

"Although the oil has stopped flowing from the wellhead, the gas has stopped spewing out of the wellhead, the Gulf oil spill is not over," said Doug Inkley, senior scientist for the federation.

The federation called on Congress to pass the Restore Act, which would dedicate fines and penalties against BP and other responsible parties toward long-term restoration of the Gulf. It also called for better safeguards in oil and gas leasing practices and permitting.

The federation concluded that six key Gulf features remain at risk from BP oil, although not all are in serious danger yet, Inkley said.

The most visible of them: the bottlenose dolphins of Barataria Bay, declared in poor health last month by the National Oceanic and Atmospheric Administration.

Prior to the spill, the federation rated the status of those dolphins as "good." Today, they're "fair," because of an "unexplained mortality event" that has resulted in more dolphins being stranded at a higher-than-average rate for 26 consecutive months. Most of the stranded dolphins were dead.

NOAA scientists last month said that it's still too soon to link the deaths to the heavy oiling of the Barataria Bay area, but said the dolphins' health problems might have been exacerbated by the oil exposure.

"They are at the top of the food chain in the Gulf, perhaps even more than we are, because they eat whole fish. They consume everything," said George Crozier, retired director of Dauphin Island Sea Lab in Alabama. "That creates a situation where they might be bio-accumulating any toxics in the food chain."

Because they breathe air, the dolphins also are likely to have inhaled toxic fumes and to have swum through oil. The federation already ranked five species of endangered and threatened sea turtles that reproduce in the Gulf as poor. But the hundreds of dead turtles spotted during the spill raise new concerns, federation officials said.

The brown pelican, another very visible symbol of oil spill damage, was ranked good by the federation, although hundreds were killed by oil in the Gulf and coastal mangroves in which they nest, Inkley said.

Both Atlantic bluefin tuna and deepwater coral communities received poor rankings. The tuna already were overfished by commercial fishers, but their eggs and young may have been threatened by the oil spill.

Gulf Coast wetlands, especially in Louisiana, continue to garner a poor ranking, with oil from the spill speeding the rate of wetland loss, Inkley said.

If there's good news, it's the "good" rating that the federation continues to bestow on Gulf shrimp species. Inkley said data show the 2011 total shrimp catch in the Gulf may have been up significantly, in part due to the closure of much of the Gulf to commercial fishing in 2010.

But Inkley also warned that shrimp are heavily dependent on wetlands, and as "wetlands continue to degrade in the Gulf of Mexico, so too will shrimp face tougher times."

###



# NFHP Coastal & Marine Fish Habitat Protection: Protecting Coastal and Marine Fish Habitat through the National Fish Habitat Partnership (NFHP)

## Request for Proposals 2012

Pre-proposal Due Date: **May 1, 2012 5:00PM Pacific time**

Full Proposal Due Date: **June 29, 2012 5:00PM Pacific time**

### OVERVIEW

Coastal and marine habitats are among the most biologically rich and economically valuable areas on Earth. These habitats play an essential role in the reproduction, growth, and sustainability of commercial and recreational fisheries by providing shelter, feeding, spawning, and nursery grounds for fish to survive. Healthy coastal and marine habitats contribute to recreational opportunities for the public's use and enjoyment.

The National Fish Habitat Partnership (NFHP) is a diverse group of organizations and individuals that seek to protect, restore, and enhance the nation's fish populations and their aquatic communities through partnerships that foster fish habitat conservation and improve the quality of life for the American people. NFHP carries out this mission through regional Fish Habitat Partnerships which identify priority habitats, develop achievable conservation strategies, and implement voluntary, non-regulatory conservation projects.

An important component of NFHP's approach is the protection of fish habitats through voluntary, non-regulatory conservation activities. NOAA Fisheries and the National Fish and Wildlife Foundation seek to promote the protection of coastal and marine fish habitats through the NFHP Fish Habitat Partnerships. Protection under NFHP consists of voluntary and non-regulatory actions that maintain, or prevent the decline of, aquatic habitat and aquatic resources that depend on those habitats.

### CRITERIA FOR COMPETITIVE PROPOSALS

NOAA Fisheries and the National Fish and Wildlife Foundation are soliciting projects to support the protection of coastal and marine fish habitats through NFHP Fish Habitat Partnerships. Successful proposals will:

- Provide protection of coastal and marine fish habitats through cooperative, non-regulatory approaches as a primary benefit of the project
  - Such cooperative, non-regulatory protection approaches may include but are not limited to market-based incentives to encourage habitat-compatible activities, conservation easements, certification programs that recognize and reward habitat-compatible activities, and implementation of innovative alternative practices that minimize or avoid impacts to habitat.
  - Coastal and marine habitats of interest include but are not limited to freshwater and estuarine wetlands, shellfish reefs, submerged aquatic vegetation, kelp, riparian and riverine habitat, and coral reefs.

- For the purposes of this request, the term “coastal” means habitats within 8-digit HUCs that contain the head of tide
- Demonstrate how proposed actions will result in quantifiable fish habitat protection
  - Proposals should: 1) identify and describe the target habitat type(s) and location(s) proposed for protection, 2) identify and describe the threat to the habitat that the project will address, and 3) describe how on-the-ground actions will reduce or remove the threat.
- Address a strategic habitat protection priority of one or more of the eight coastally-focused Fish Habitat Partnerships, as identified in a Partnership’s strategic plan
  - Proposals should demonstrate the need for the proposed habitat protection actions by connecting the project outcomes to conservation priorities identified in a Fish Habitat Partnership’s strategic plan.
  - Coastally-focused Fish Habitat Partnerships include the Atlantic Coastal FHP, California Fish Passage Forum, Hawaii FHP, Kenai Peninsula FHP, Mat-Su Basin Salmon Habitat Partnership, Pacific Marine and Estuarine FHP, Southeast Aquatic Resources Partnership, and the Southwest Alaska Salmon Habitat Partnership. The strategic plans for these NFHP Fish Habitat Partnerships can be accessed on the NFHP website at [http://fishhabitat.org/index.php?option=com\\_content&view=category&layout=blog&id=44&Itemid=37](http://fishhabitat.org/index.php?option=com_content&view=category&layout=blog&id=44&Itemid=37)
- Support knowledge transfer and lessons learned to other entities protecting fish habitat
- Be supported by the relevant NFHP Fish Habitat Partnership, local constituencies and affected landowners
  - Applicants are encouraged to include a letter of support from the relevant NFHP Fish Habitat Partnership.

## **FUNDING POLICIES**

All persons, organizations, and agencies (excluding U.S. Federal Government) working on projects to protect coastal and marine fish habitats are eligible to apply for funding. Federal agencies may not receive funds, but may be listed as partners on an application.

The total funding available for this program is \$135,000. Awards considered for funding under this initiative are likely to fall within the \$15,000 to \$50,000 range and should meet project selection criteria above while demonstrating a strong, on-the ground benefit to coastal or marine habitat(s).

Applicants are encouraged to provide non-federal match of \$2 for every \$1 of grant funds requested. Eligible non-federal matching sources can include cash, in-kind donations, and/or volunteer labor.

No part the grant funds or the non-federal match may be used to:

- Support litigation expenses or lobbying activities
- Cover permanent federal employee salary expenses
- Supplement shortfalls in government agency budgets
- Support basic research
- Support basic planning, outreach, or education projects without an "on-the-ground" component

Additional information on funding policies, including financial documents required from applicants and the Foundation’s policy on indirect costs, can be found on the Foundation’s website at:

<http://www.nfwf.org/Content/NavigationMenu/GrantPrograms/GranteeRegistration1/ApplicantInformation/default.htm>

## **APPLICATION PROCEDURE AND TIMELINE**

Applicants should log onto the Foundation's website: [www.nfwf.org](http://www.nfwf.org), go to *Grant Programs*, select the **NFHP Coastal & Marine Fish Habitat Protection** funding opportunity, and use the online process to submit a pre-proposal. (The NFHP Coastal & Marine Fish Habitat Protection webpage can also be found at <http://www.nfwf.org/nfhpcostal> .) Pre-proposals will be evaluated and ranked by the Program Committee according to the priorities and criteria outlined above, and the strongest pre-proposals will be invited to submit a full proposal due June 29, 2012. Full proposal applicants will be notified of grant awards by September 2012. For more information or questions about the application process, please contact:

Cara Rose, Assistant Director, Western Partnership Office  
National Fish and Wildlife Foundation  
421 SW 6<sup>th</sup> Avenue, Suite 950  
Portland, OR 97204  
(503) 417-8700 x 6008  
[cara.rose@nfwf.org](mailto:cara.rose@nfwf.org)

**The Wall Street Journal** MarketWatch.com

press release



April 27, 2012

## Walmart Helps To Revitalize Urban Wildlife Habitats

**Acres for America program to improve urban ecosystems in Bridgeport, Chicago, Portland, San Diego, and Washington, D.C.**



**PR Newswire**  
United Business Media

BENTONVILLE, Ark., April 27, 2012 /PRNewswire via COMTEX/ -- Walmart's Acres for America program is conserving an additional 300 acres of land to protect and restore wildlife habitats in the heart of our nation's cities, including Bridgeport, Chicago, Portland, San Diego, and Washington, D.C. The announcement is part of an ongoing effort to conserve the nation's most precious lands and natural resources to benefit people, wildlife and local economies.

Since 2005, Walmart has worked with the National Fish and Wildlife Foundation (NFWF) to establish Acres for America, a 10-year, \$35 million commitment to purchase and preserve one acre of wildlife habitat in the U.S. for every acre of land developed by the company. The program has protected critical habitats for birds, fish, plants and wildlife and far surpassed its original goals, becoming one of the country's most effective conservation partnerships. To date, Acres for America has invested in projects in 25 states and the District of Columbia, protecting nearly 680,000 acres.

"Walmart is proud to help protect and restore important natural habitats in communities that we serve," says Jennifer May-Brust, Walmart vice president of realty supplier management and compliance. "The Acres for America program exemplifies our commitment to sustainable development as it directly links our land use to land preservation. Our urban restoration projects often times involve volunteers, including our customers and associates, and provide a way for people to connect with and enjoy nature right in their backyard."

In 2011, Walmart expanded its Acres for America investments to include urban conservation projects in New York, Washington, D.C., Chicago and Los Angeles. The awards announced today will support additional projects in Bridgeport, Chicago, Portland, San Diego, and Washington, D.C.

"Protecting and restoring streams, woodlands and other natural places in our urban areas is a vital part of the Acres for America mission," said Jeff Trandahl, executive director and CEO of NFWF. "Walmart's support of these projects directly benefits areas that are home to both wildlife and people, and makes our cities more livable for everyone."

The 2012 Acres for America urban projects are:

**Pequonnock River Fish Passage, Bridgeport, Conn.** Partner: Connecticut Fund for the Environment/Save the Sound This project in the heart of Bridgeport will install a fish ladder in the Pequonnock River, providing safe passage for river herring, trout, sunfish, eel and perch through a highly urbanized area. It will mitigate the damaging effects of a highway construction project that paved a part of the stream channel.

**Eggers Grove Marsh Restoration, Chicago, Ill.** Partner: The Field Museum/Forest Preserve District of Cook County Volunteers will remove invasive species, sow native plant seeds and maintain trails in Eggers Grove, a 205-acre preserve on the Illinois-Indiana border. The marsh and woodland along Lake Michigan is a rare example of the region's natural ecosystem and is an important habitat for migratory and nesting birds.

**Nyberg Creek Wetland Restoration, Portland, Ore.** Partner: Wetlands Conservancy The Nyberg Creek Wetland lies along I-5, the major transportation corridor in Oregon. This 13-acre project will involve community volunteers in enhancing habitat quality in the wetland by restoring native vegetation, which will benefit fish and bird populations in the Tualatin River system.

**Otay Delta Habitat Restoration, San Diego, Calif.** Partner: River Partners Located near several trail systems and the Bayshore Bikeway, this project focuses on 65 acres where the Otay River meets San Diego Bay. Community, state, federal and local agencies will collaborate on a restoration of the area that will benefit local residents and four endangered species of birds.

In addition to these four projects, Walmart will award an additional grant to support the **Anacostia River Revitalization Fund in Washington, D.C.** The Fund supports projects that improve water quality, benefit public health and local economic development, and provide outdoor recreation and volunteer opportunities in the nation's capital. Partners include the Washington, D.C. Department of the Environment and federal agencies.

States with lands protected or restored under the Acres for America program include Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Florida, Idaho, Illinois, Louisiana, Maine, Michigan, Minnesota, Mississippi, Montana, New Hampshire, New York, North Carolina, North Dakota, Oregon, South Dakota, Tennessee, Texas and Wyoming, in addition to the District of Columbia. When complete, the Acres for America program is expected to be one of the largest public-private partnerships in the U.S., and the first time a company has directly tied its land-use footprint to land conservation.

For more information on the Acres for America program or to apply for a grant, please visit [www.nfwf.org](http://www.nfwf.org) or [walmartstores.com](http://walmartstores.com).

About Walmart Wal-Mart Stores, Inc. [/quotes/zigman/245476/quotes/nls/wmt](http://quotes.zigman/245476/quotes/nls/wmt) WMT +0.10% serves customers and members more than 200 million times per week at 10,130 retail units under 69 different banners in 27 countries. With fiscal year 2012 sales of \$444 billion, Walmart employs about 2.2 million associates worldwide. Walmart continues to be a leader in sustainability, corporate philanthropy and employment opportunity. Additional information about Walmart can be found by visiting <http://www.walmartstores.com> . Online merchandise sales are available at <http://www.walmart.com> and <http://www.samsclub.com> .

About the National Fish and Wildlife Foundation (NFWF) Established by Congress in 1984, the National Fish and Wildlife Foundation (NFWF) sustains, restores and enhances the nation's fish, wildlife, plants and habitats. Working with federal, corporate and individual partners, it has awarded over 11,600 grants to more than 4,000 organizations and leveraged \$576 million in federal funds into \$2.1 billion for on-the-ground conservation. To learn more, visit [www.nfwf.org](http://www.nfwf.org) .

###



## Rise in Asian Tiger Shrimp sightings prompts scientific look at invasion concerns

April 26, 2012

The recent rise in sightings of non-native Asian tiger shrimp off the U.S. Atlantic and Gulf of Mexico coasts has government scientists working to determine the cause of the increase and the possible consequences for native fish and seafood in those waters.

Researchers from the U.S. Geological Survey and National Oceanic and Atmospheric Administration are working with state agencies from North Carolina to Texas to look into how this transplanted species from Indo-Pacific, Asian and Australian waters reached U.S. waters, and what the increase in sightings means for native species.

“We can confirm there was nearly a tenfold jump in reports of Asian tiger shrimp in 2011,” explained Pam Fuller, the USGS biologist who runs the agency’s Nonindigenous Aquatic Species database. “And they are probably even more prevalent than reports suggest, because the more fisherman and other locals become accustomed to seeing them, the less likely they are to report them.”

*Asian tiger shrimp. (Credit / with permission from: Ryan Werner.)*



NOAA scientists are launching a research effort to understand more about the biology of these shrimp and how they may affect the ecology of native fisheries and coastal ecosystems. As with all non-native species, there are concerns over the potential for novel avenues of disease transmission and competition with native shrimp stocks, especially given the high growth rates and spawning rates compared with other species.

“The Asian tiger shrimp represents yet another potential marine invader capable of altering fragile marine ecosystems,” said NOAA marine ecologist James Morris. “Our efforts will include assessments of the biology and ecology of this non-native species and attempts to predict impacts to economically and ecologically important species of the Atlantic and Gulf of Mexico.”

The cause of the rapid increase in sightings remains uncertain, Fuller added. The non-native shrimp species may have escaped from aquaculture facilities, although there are no longer any known Asian tiger shrimp farms presently in operation in the United States. It may have been transported in ballast water from ships or possibly arrived on ocean currents from wild populations in the Caribbean or other locations.

Fuller's team at USGS has been tracking reports of Asian tiger shrimp since they first came to the attention of marine scientists and resource managers in 1988, when nearly 300 of them were collected off the coasts of South Carolina, Georgia and Florida within three months. Scientists tracked the cause back to an isolated incident that accidentally caused an estimated 2,000 animals to be released from an aquaculture facility operating at that time in South Carolina.

It was not until 18 years later that reports of the non-native shrimp resurfaced. In 2006, a commercial shrimp fisherman caught a single adult male in Mississippi Sound near Dauphin Island, Ala. Within months, additional specimens were noted in North Carolina's Pamlico Sound, Louisiana's Vermilion Bay and other parts of Florida and the Carolinas. The species was later reported off the coasts of Georgia, Mississippi and Texas in 2008, 2009 and 2011, respectively.

Scientists have not yet officially deemed the Asian tiger shrimp "established" in U.S. waters, and no one is certain what triggered the recent round of sightings. With so many alternative theories about where these shrimp are coming from and only a handful of juveniles reported, it is hard for scientists to conclude whether they are breeding or simply being carried in by currents.

To look for answers, USGS and NOAA scientists are examining shrimp collected from the Gulf and Atlantic coasts to look for subtle differences in their DNA, information that could offer valuable clues to their origins. This is the first look at the genetics of wild caught Asian tiger shrimp populations found in this part of the U.S., and may shed light on whether there are multiple sources.

"We're going to start by searching for subtle differences in the DNA of Asian tiger shrimp found here – outside their native range – to see if we can learn more about how they got here," said USGS geneticist Margaret Hunter, "If we find differences, the next step will be to fine-tune the analysis to determine whether they are breeding here, have multiple populations, or are carried in from outside areas."



*Asian tiger shrimp found in the Dominican Republic in 2006.  
(Credit / with permission from: Cheryl Shew.)*

Anyone who sees one or more shrimp suspected to be an Asian tiger shrimp is asked to note the location and report the sighting to the USGS NAS database at <http://nas.er.usgs.gov/SightingReport.aspx>.

If possible, freeze a specimen to help confirm the identity and contribute to a tissue repository maintained by NOAA.

The USGS serves the nation by providing reliable scientific information to describe and understand the Earth; minimize loss of life and property from natural disasters; manage water, biological, energy, and mineral resources; and enhance and protect our quality of life.

NOAA's mission is to understand and predict changes in the Earth's environment, from the depths of the ocean to the surface of the sun, and to conserve and manage our coastal and marine resources. Join us on [Facebook](#) , [Twitter](#) and our other [social media channels](#).



## Ocean "Dead Zones" Spreading Rapidly as Humans Pollute the Planet

March 09, 2009

The number of "dead zones" in coastal regions around the world continues to rapidly increase, according to a study conducted by researchers from the Virginia Institute of Marine Science and the University of Gothenberg, and published in the journal *Science*.

"It's not sort of a local or regional problem, which is how it was thought of in the past," researcher Robert Diaz said. "It is actually a global problem."

Dead zones are areas where oxygen has become so depleted that little or no marine life is able to survive. They form when excessive plant nutrients, particularly nitrogen and phosphorus, run off from the coast and lead to an explosion of algae blooms. When this vastly increased biomass dies and sinks to the bottom, its decomposition leads to the proliferation of oxygen-consuming bacteria.

In some cases, this may lead to increased crowding pressure in other parts of the ocean.

"Fish are the best at avoiding dead zones," Diaz says. "When the oxygen starts to decline, they're smart - they leave, they don't hang around. Crabs and shrimp are pretty good at getting away, too, as are lobsters."

Many slower moving animals such as clams, worms and small crustaceans, however, simply die.

In the current study, researchers found that the number of dead zones has steadily increased from 39 at the end of the 1960s through 63 at the end of the 1970s, 132 at the end of the 1980s and 301 at the end of the 1990s to the current number of 405. The total area consumed by dead zones now measures no less than 95,000 square miles.

The major sources of the pollutants that produce dead zones are fertilizer runoff from industrial agriculture and nitrogen-based byproducts of fossil fuel use.

"Most of it is agricultural-based, but there is a lot of industrial nitrogen in there, too, if you consider electric generation," Diaz said.

Dead zones now function as one of the primary stresses on marine biodiversity, along with overfishing and habitat loss.

###





## Division of Fish & Wildlife

### 2012 Marine Issue of the Fish and Wildlife DIGEST

The NJDEP Division of Fish and Wildlife has announced that the 2012 Marine Digest is available online in PDF format. An interactive Flash version will be available soon on the publisher's website. The PDF version can be downloaded in its entirety and in smaller segments. The print version will begin arriving the first week of May in coastal bait and tackle shops, marinas, sporting good stores, and marine supply stores.

To view (and print) the Digest visit <http://www.njfishandwildlife.com/pdf/2012/digmar12.pdf>

-----

**Portions of this Digest are available in enlarged format for the visually impaired. To request a black and white, large format Digest, write to: NJ Division of Fish and Wildlife, Large Format Marine Digest, Mail Code 501-03, P.O. Box 420, Trenton, NJ 08625-0420.**

The **2012 Marine Fishing Issue of the *Fish and Wildlife DIGEST*** is available on-line and at coastal sport shops and [license agents](#). It is available on this website in PDF format in its entirety and individual segments (for faster downloads). An interactive digital version is available on the publisher's website.

**Please note that the Marine Issue of the Fish and Wildlife DIGEST is published in May and the regulations contained in it remain in effect until changed.** For information on current or pending salt water regulations, watch our [homepage](#) or [Regulations page](#) for news releases. Subscribers to the [Marine Fisheries and Shellfish E-mail Lists](#) receive notification of rule and regulations changes or proposed changes. [Marine Fisheries](#) staff can be contacted at 609-748-2020 for further information.

**Past issues** of the Marine Issue of the Fish and Wildlife DIGEST

**Publisher's Digital Version of the 2012 Marine Issue of the Fish and Wildlife DIGEST**

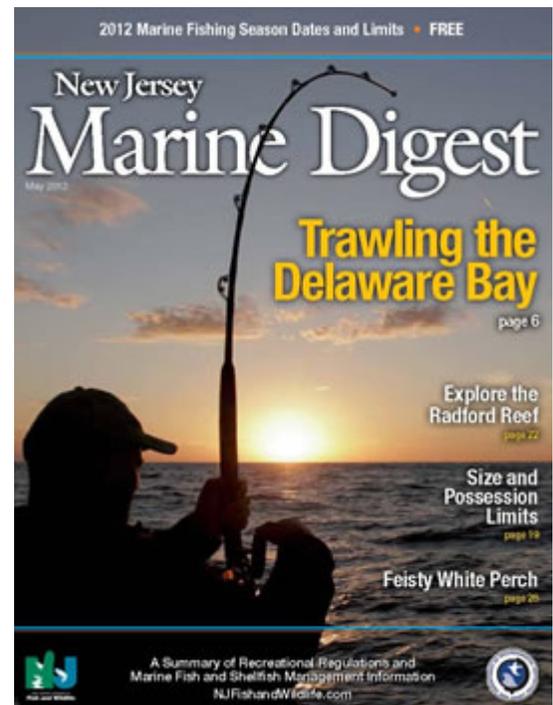
**Complete 2012 Marine Issue of the Fish and Wildlife DIGEST** (pdf, 12.7mb)

#### DIGEST SEGMENTS

**Cover - 5** Contains: Cover; Table of Contents; E-mail Lists; DEP Hotline and Federal Marine Fisheries Contacts; Director's Message; Report Wildlife Violators; About This Guide; Free Fishing Days; Accessible Fishing Sites; Fish and Wildlife Councils; Mission Statement; and [advertisements](#). (pdf, 3.6mb)

**Pages 6 - 11** Contains: Trawling the Delaware Bay (article); Governor's Surf Fishing Tournament; and [advertisements](#). (pdf, 1.2mb)

**Pages 12 - 21** (except 16-17) Contains: Marine Regulations; Saltwater Angler Registry; Motor Boat Registration/Title and Operator Requirements; Mollusks/Crustaceans Regulations; NJ State Seasons, Minimum Size and Possession Limits Chart; Federal Minimum Size, Possession Limits and Seasons Chart; Shellfish and Crab License Info;



Chesapeake-Style Crab Pot Terrapin Excluders and Biodegradable Panels Information; Shellfish and Non-Commercial Crab Pot License Information and Agents; and [advertisements](#). (pdf, 775kb)

**Pages 16 - 17** Contains: Marine Species Identification Illustrations (pdf, 1.1mb)

**Pages 22 - 30** Contains: Radford Reef (article); Skillful Angler Awards Program; State Record Marine Fish; Feisty White Perch (article); Fish Smart, Eat Smart; Clean Vessel Act - Pumpouts; NJ WILD Outdoor Expo; State Federation of Sportsmen's Clubs; and [advertisements](#). (pdf, 700kb)

**Pages 31 - 34** Contains: Angler's Showplace Advertisements; Publications Available; Telephone Directory; and [advertisements](#). (pdf, 5.2mb)

**Related Pages:**

[2012 Marine Recreational Fishing Regulations Summary Sheet](#) (pdf, 520kb)

[2012 Commercial Marine Fishing Regulations](#) (pdf, 120kb)

**Digest Advertising**

The Division of Fish and Wildlife incorporates advertising in each issue of the New Jersey Fish and Wildlife Digest to defray publishing and printing costs. This responsible use of funding permits the Division to expand communication and outreach efforts with the sportsmen and women who enjoy our wildlife resources.

To advertise in upcoming issues of the Digest (freshwater fishing, marine or hunting), contact J.F.Girffin Publishing at 413-884-1001 ext. 2.

# BANGOR DAILY NEWS

## Senate plan would close Northeast NOAA office

By Richard Gaines, Gloucester Daily Times

May 2, 2012

The U.S. Senate Appropriations Committee approved a fiscal 2013 spending plan for NOAA on Thursday that includes an amendment to close the Northeast regional office of the National Marine Fisheries Service in Gloucester and move the bulk of fisheries management, administration and law enforcement to Silver Spring, Md.

Federal lawmakers from Massachusetts vowed a fight to keep open the NOAA's NMFS office in Gloucester, which was privately developed and built to specs provided by the General Services Administration. The edifice, the National Oceanic and Atmospheric Administration's newest and spiffiest regional headquarters among eight, sits in Blackburn Industrial Park, is assessed at nearly \$13 million, and brings the city \$169,185 a year in taxes.

The amendment was sponsored by Sen. Barbara Mikulski, chairwoman of the Appropriations Committee's Subcommittee on Commerce, Science, Justice and Related Agencies. The Maryland Democrat said the region's federal waters are vast, extending from Maine to North Carolina and "we in the Bay (Chesapeake Bay) don't get calls back ... This office provides problems at many levels."

"Better centrally locating the facility at NMFS headquarters would allow for greater coordination with senior management at NOAA and the Department (of Commerce), while saving an estimated \$1.8 million on rent and a yet unspecified amount on travel costs," the Mikulski subcommittee said in its markup. The budget flew through the full committee.

Whether the amendment survives Senate floor action later this year is uncertain; so are the chances of the Mikulski amendment in the House, where it faces a Republican majority. The federal budget year runs from Oct. 1 through Sept. 30, so federal fiscal 2013 begins this fall.

Opposition to the shutdown of the regional office in Blackburn Industrial Park, which according to the subcommittee markup of the NOAA budget, "may leave a small local presence in the area," was voiced immediately by both U.S. senators from Massachusetts, by Rep. John Tierney, whose district includes Cape Ann, and former Mayor John Bell.

"It would be insane" to abandon Gloucester for the D.C., area, said Bell, who dedicated much effort in his third term as mayor to convincing NOAA to finance construction of the \$14 million regional headquarters.

"As many times as we disagree with them," said Bell, "it is essential to have close access to the agency. There is not a fisherman who hasn't traveled to Blackburn to untangle things.

"Having NOAA handy is vital to have this fishery work in the long term. Efficiency could be very costly," Bell added.

Mayor Carolyn Kirk could not be reached for comment Thursday.

"I strongly oppose any effort to close the NMFS regional office in Gloucester and I trust Sens. (John) Kerry and (Scott) Brown will be fighting against this misguided effort and making clear the many reasons why this office should remain open," Tierney said. "Last year, I voiced my strong objection to Senate language requiring a full analysis on relocating the Northeast regional office closer to NOAA's headquarters. This analysis has not even been shared with Congress yet, but this hasn't stopped Senate appropriators from pressing ahead with trying to close the regional office."

NOAA's failure for multiple years to produce the analysis Mikulski had requested is said to have convinced her to press the point with her amendment.

"I understand the tensions are still there, but the issue here is Massachusetts jobs and direct access for our fishermen to the regulators whose actions affect their lives," said Kerry. "At a time when we need more face-to-face communication to improve trust and basic efficiency between federal regulators and our local industry, moving personnel away only creates another bureaucratic hurdle we simply can't afford. I plan to ask the Appropriations Committee to fix this, and I hope they will accommodate my request."

"I am disappointed the subcommittee would recommend closing the Northeast regional office at such a critical time for New England fisheries," said Brown. "NOAA is already too disconnected from our fishing communities. Moving their New England staff to headquarters in Washington can only make the situation worse."

###

ARTICLE COLLECTIONS

**boston.com**

The Boston Globe

## EDITORIAL: Fishing regulators should stay in Gloucester

April 29, 2012

Tensions between New England fishermen and their federal regulators at the National Oceanic and Atmospheric Administration are painfully apparent, and have played out at town meetings in fishing communities and congressional hearings, including one in Boston. But the anger on both sides would be far worse if a major headquarters of NOAA's fishing management division weren't in Gloucester, a location where local fishermen and federal officials can at least talk directly to each other.

But Maryland Senator Barbara Mikulski, chairwoman of the Senate Appropriations Committee's subcommittee on commerce and science, is pushing to close the Northeast regional fisheries office in Gloucester. The committee has approved her plan to move the regional headquarters, which services the waters from Maine to North Carolina, from Gloucester to Silver Spring, Md. Mikulski's main criticism about NOAA seems to be that her constituency does not "get calls back" from an office so far away.

There is no evidence that the proposal would save money, or that it would change federal policies in any meaningful way. But the new building in Gloucester is the agency's largest regional facility; it is not easily replaced. Massachusetts's fishing industry is six times larger than Maryland's, and Mikulski's proposal would merely shift the pain of dealing with absent regulators from her state to those in New England: Maryland, after all, is hardly a central location between North Carolina and Maine. Jobs would be lost here in the process.

The proposal reeks of a personal vendetta against an agency that has, according to its own internal assessments, been "dysfunctional" in how it deals with the fishing industry nationwide. That dysfunction has been felt, as an internal NOAA report confirmed last year, "particularly in the Northeast Region," where excessive and arbitrary enforcement policies were imposed.

NOAA Administrator Jane Lubchenco has vowed to change the culture of the entire regulatory and environmental agency in light of systemic complaints. Mikulski's frustration is no doubt real, as is that of Scott Brown, John Kerry, and other New England lawmakers. Mikulski's machinations are yet another wake-up call attesting to the extent of anger in fishing communities. But it won't be cured by moving the Northeast regional office to the Washington, DC, suburbs.

The entire Massachusetts congressional delegation, including Brown, Kerry, and Representative John Tierney, whose district includes the Cape Ann area, has vowed to fight the move. It should.

<http://www.ahherald.com/newsbrief-mainmenu-2/monmouth-county-news/12939-fight-to-keep-noaas-howard-lab-open>

## Atlantic Highlands Herald

New Jersey's First Official Electronic Newspaper

# Fight to Keep NOAA's Howard Lab Open

Newsbrief - Monmouth County

*Written by Office of Sen. Frank Lautenberg*

12 April 2012

NEWARK, NJ — Today, U.S. Senators Frank R. Lautenberg (D-NJ) and Robert Menendez (D-NJ) and U.S. Representative Frank Pallone (D-NJ-6) toured the National Oceanic & Atmospheric Administration's (NOAA) James J. Howard lab in Sandy Hook to highlight its importance to New Jersey's coastal economy and environment. The Fiscal Year 2013 budget request released by NOAA in February proposed to eliminate funding for the lab, which would result in its closure. During a press conference today outside the lab, Lautenberg, Menendez and Pallone vowed to work through the congressional appropriations process to protect funding for this critical research facility.

“Closing this lab would jeopardize important efforts to protect New Jersey’s shore and coastal areas across the country,” said Lautenberg, who is a member of the Appropriations Committee and serves on the Subcommittee that funds NOAA. “The Howard Lab is a blessing for our state's economy and a boon for our environment. It has helped New Jersey's fishing industry and our state's prosperous coastal economy thrive. From my position on the Senate Appropriations Committee, I will fight to keep the Howard Lab open.”

“For more than 50 years, the Howard Lab has been a unique and invaluable resource for our fisherman, scientists, students, the surrounding communities and the nation. Our fishermen and our scientists need to know what is happening here to scup, to black sea bass and to summer flounder. Our regional economy needs the good jobs that are sustained through the important research performed here. And our nation needs the critical scientific understanding of how we can best maintain a clean and sustainable ocean environment,” said Menendez.

“The Howard lab at Sandy Hook is the only one of its kind in the region and is doing critical scientific research to keep our waters clean and fishable and improve the health and safety of coastal communities,” said Pallone. “I am committed to doing everything possible to keep this important facility open and functioning at full capacity and to make sure that the lab has the necessary funding to continue its important work.”

In February, Senators Lautenberg and Menendez and Representative Pallone [sent a letter](#) to President Obama urging the Administration to reconsiders its decision to close the lab. Senators Lautenberg and Menendez have also [called on](#) Senate Appropriations Committee leaders to provide the necessary funding to preserve the NOAA lab in Sandy Hook. ###

# BANGOR DAILY NEWS



State

## Lawmakers see NOAA double standard in marine mammal killings

May 2, 2012

Seismic testing for oil and gas reserves under the ocean floor from New Jersey to Florida — the area President Obama has authorized for extraction — is projected to “take” or kill as many as 38,637 marine mammals a year, according to an independent synthesis of the government’s draft environmental impact statement.

The synthesis of data from thousands of pages published by the Interior Department’s Bureau of Energy Management (the former Mineral Management Agency) was released by Clean Ocean Action, a 501(3)c non-profit organization.

In Atlantic City, N.J., Friday, BOEM held the last of a series of public hearings into the seismic testing.

Earlier in the week, at the April meeting of the New England Fishery Management Council, the industry was confronted with a decision to shutdown the inshore gillnet fishery for two months in the fall due to unacceptable take levels of harbor porpoises based on limited data projected through modeling.

The council also decided to engage skeptically in the planning for expected extreme limits on fishing throughout the range of the Atlantic sturgeon, which was granted protections in the Endangered Species Act. New England sturgeons are considered threatened while, throughout the rest of the range to Florida, the sturgeon has been put on the endangered list.

Massachusetts state Senate Minority Leader Bruce Tarr, the Gloucester Republican, said the harm to mammals from the planned seismic testing showed government operated with a hypocritical “double standard.”

“How marine mammals are protected depends on who’s seeking to protect them and who’s going to disturb them,” Tarr said in an interview. “There’s no complaint if the rules are applied equally, but clearly they aren’t.”

Jim Lovgren, a New Jersey fisherman and spokesman for the Garden State Seafood Association, made much the same point in testimony prepared for delivery at the BOEM hearing in Atlantic City.

“The most outrageous aspect of this seismic testing proposal is its impact on marine mammals,” said Lovgren, whose lawsuit challenging the catch share system for the Northeast groundfishery was subsumed into the suit filed by the cities of Gloucester and New Bedford, now heading for oral arguments before the First U.S. Circuit of Appeals in Boston later this spring or in the fall.

“Your environmental impact statement estimates up to 138,612 Level A takes over an eight-year period starting in 2013,” he said. “This includes an estimated 10 critically endangered Right Whales. Amazing.”

“NMFS (the National Marine Fisheries Service) has held the fishing industry to what amounts to a zero tolerance of marine mammal takes in many fisheries and caused the loss of hundreds of millions of dollars to the fishing industry and its supporting infrastructure in the last decade.

“In the last two weeks, NMFS has announced a two-month closure of the gillnet fisheries of the Gulf of Maine due to porpoise interactions, and a coming massive closure of 40 different gillnet fisheries do Atlantic sturgeon interactions,” Lovgren said. “Yet your department and the oil industry that runs you can cavalierly nuke every whale, dolphin and endangered species on the East Coast and no one cares.”

“Why can Big Oil kill anything they want,” he asked, “but the poor little fisherman gets crucified if he looks cross-eyed at a whale or dolphin?”

A number of New England Fishery Management Council members expressed anger and frustration that the decision by NOAA to grant sturgeon Endangered Species Act protection was made without the government ever having done a stock assessment of the ancient fish which spawns in rivers and is found all along the Atlantic Coast.

“The hypocrisy has become clearer and clearer,” said state Rep. Ann-Margaret Ferrante, a Gloucester, Mass., Democrat. “Government employees from Secret Service and GSA (General Services Administration) misbehave and they are fired; NOAA employees target our community; violate basic tenets of constitutional law; abuse taxpayer funds and get promoted.”

“Fishermen, small local businesses and fishing communities cannot feed a nation or their families or conduct scientific research, in the name of conservation,” she added. “But BP, and other foreign and domestic oil companies are allowed to kill approximately tens of thousands mammals just because ...”

“I guess NOAA has now revealed it was never about conservation,” Ferrante said.

Clean Ocean Action reports that the BOEM’s draft environmental impact for the seismic testing projects Level A “takes” over the eight years of projected testing total 138,612 marine mammals including up to 35 Baleen whales a year, 38,602 toothed whales, dolphins and porpoises a year and up to 2 North Atlantic a year. Level A takes from this testing effectively mean killing.

##



## Seal pup births reported earlier than ever

April 25, 2012

NOAA scientists Tuesday said three separate reports of harbor seal pups in March from the Stranding Network suggest a pupping season much earlier than in previous years.

April is the earliest previous time that harbor seal pups have been reported in the region, and the pupping season typically begins in May and ends in June.

The three March pups were seen in Gloucester, Plymouth, and in Wells, Maine.

The pup seen in Gloucester seemed physically to have been born at full term, while the other two pups seemed premature, according to Gordon Waring, a marine mammal biologist with the Northeast Fisheries Science Center at Woods Hole, and Mendy Garron, the stranding network coordinator with the National Oceanic and Atmospheric Administration in Gloucester.

The Gloucester pup was the first harbor seal ever reported in March, Waring said Tuesday. The seal is believed to be the one that spent much of March 29 on Pavilion Beach before heading back into the harbor the next morning, though the Times could not confirm that Tuesday night.

Researchers have been engaged in radio and flipper tagging harbor seals in Penobscott Bay, Maine, and in Chatham during March and April. It's the second year of the tagging project, sponsored by a number of federal agencies, including the Bureau of Ocean Energy Management, Regulation and Enforcement — BOEMRE, formerly the Minerals Management Service.

BOEMRE is gathering data needed to produce environmental impact statements for offshore wind energy developments along the East Coast.

"While it is not clear why the pupping season began so early this year, since harbor seals tend to use rocky islands, ledges or sandy beaches to give birth or just rest, chances of encountering a seal are greater," Garron said, "so it is really important that you don't approach, handle or feed them.

"Even though they look cute," she added, "these are wild animals, and getting too close puts the animal, humans and pets at risk."

Under the Marine Mammal Protection Act, it is illegal to pick up, handle or interact with free-swimming or beached seals and other marine mammals.

Harbor seals found from Canada to New Jersey are one population, with pupping occurring mostly along the coast of Maine, Waring said, adding that there are two large "haul outs" on rocky ledges off Cape Ann.

Waring said the tagging program is more intense and expensive than the aerial surveys that were done before the start of the BOEMRE work with radio and flipper tags last year.

He said he could not estimate the number of harbor seals because no abundance survey has been done since 2001, when the biomass was estimated at 100,000. "That data is too old to be useful," Waring said.

"Harbor seals are carnivorous generalists," according to Macalaster College's Mac Como Zoo website. "They eat small to medium-sized fishes, including cod, mackerel, and herring, as well as octopus, squid, and crustaceans. Shrimp are especially important to young harbor seal pups ... Because harbor seals prey on commercially important species, they often come into conflict with fishermen."

###

*Link Not Available*



## **Porpoise bycatch rates force NOAA to annually close Gulf of Maine to gillnets from October through November**

April 20, 2012-NOAA Fisheries announced that an area of the Gulf of Maine will be closed to gillnets annually from October 1 through November 30 beginning in 2012 to reduce harbor porpoise deaths.

The agency said closure is required because observed bycatch rates for harbor porpoises in this fishery have exceeded the trigger specified in the harbor porpoise conservation plan. The plan was developed by a Take Reduction Team, a group of fishermen, scientists, environmentalists and managers. Take Reduction Teams are required by the Marine Mammal Protection Act to reduce bycatch of marine mammals.

Historically, October and November are among the months with the highest harbor porpoise bycatch rates in the Gulf of Maine. In 2011, 36 groundfish sector gillnet vessels made 721 fishing trips into this area during October and November. The economic impacts of this closure area will depend on the extent to which fishermen are able to shift their effort to other areas outside the closure area.

Owners and operators of permitted gillnet vessels were advised in a letter from NOAA Fisheries last August that closures might be necessary because observed harbor porpoise bycatch rates were high. Final analysis of the first year of fishing under this conservation plan indicates that the observed bycatch rate for the Gulf of Maine was more than double the trigger level, requiring the closure this fall to comply with the harbor porpoise conservation plan.

The Marine Mammal Protection Act was enacted on October 21, 1972. All marine mammals are protected under this Act, which prohibits, with certain exceptions, the "take" of marine mammals in U.S. waters and by Americans on the high seas, and the importation of marine mammals and marine mammal products into the United States.

A conference call and webinar lead by the Take Reduction Team has been scheduled from 1:00 to 2:00 p.m. on Thurs., April 26. Interested members of the public are welcome to join the call. During the call, an overview of the Harbor Porpoise Take Reduction Plan and bycatch analysis for the first complete fishing year under the new conservation management plan will be presented.

NOAA is also planning to convene a formal meeting of the Take Reduction Team this fall to assess new harbor porpoise population information and additional bycatch data. This meeting will be announced in the Federal Register and on the NOAA Fisheries Northeast Regional Office website.

**Reprinted with permission from Seafood.com.  
For more information, please contact [www.Seafood.com](http://www.Seafood.com)**



## NOAA expects 'moderate' red tide for New England waters in 2012

SEAFOOD.COM NEWS [Science Daily] April 9, 2012

New England is expected to experience a "moderate" regional "red tide" this spring and summer, report NOAA-funded scientists working in the Gulf of Maine to study the toxic algae that causes the bloom. The algae in the water pose no direct threat to human beings, however the toxins they produce can accumulate in filter-feeding organisms such as mussels and clams -- which can cause paralytic shellfish poisoning (PSP) in humans who consume them.

Under a newly developed rating system, a moderate bloom could cause the closure of shellfish beds along an estimated 126 -- 250 miles of coastline.

The 2012 outlook is based on the quantities of the algae *Alexandrium fundyense* in its dormant -- or cyst -- state detected in Gulf of Maine sediments last fall. These data are combined with computer simulations that model a complex range of meteorological and oceanographic conditions -- winds, sunlight, rainfall, tides, and currents -- that impact the size of the bloom.

"Our goal over the last ten years has been to develop a system to help the shellfish industry and environmental managers better plan for the annual bloom," said Woods Hole Oceanographic Institution (WHOI) biologist Don Anderson, who has worked with WHOI colleague Dennis McGillicuddy and North Carolina State University (NCSU) Prof. Ruoying He to develop the computer model to help predict the intensity and location of blooms.

Scientists are unable to make a precise forecast of where and when the regional bloom will make landfall because bloom transport depends on episodic weather events and currents that cannot be predicted months in advance. Rather, the scientists use the computer model to produce a range of bloom scenarios -- or an "ensemble forecast" -- tracking variables like wind direction and water characteristics based on previous years' conditions. This is similar to the system used to forecast hurricanes.

A number of factors could impact the forecast. For instance, changing characteristics of water in the Gulf of Maine can have a direct effect on the growing conditions for *Alexandrium*.

"The surveys of cyst abundance gives us an indication of the potential extent of the bloom, but whether or not that potential is realized depends on the growing conditions," said McGillicuddy. "In 2010 we forecast a large bloom but we got it wrong. That spring, an unusual mass of warm, fresh water that was low in nutrients changed the growing conditions."

Wind direction imposes another uncertainty to the forecast. For example, strong northeast winds in the spring and early summer drive the bloom inland toward coastal shellfish beds. In contrast, when southwesterlies dominate, the algae tend to stay offshore.

"Each year, we add another set of environmental conditions to our archive of model runs. In the future, a winter that is warmer and drier than normal can be represented by 2012, but right now, we have no similar year in that archive," said Anderson.

In order to protect public health, shellfish beds are closed when toxicities rise above a quarantine level, often during the peak harvesting season. Due to effective monitoring by state agencies, there have been no illnesses from legally harvested shellfish in recent years, despite some severe blooms during that time period. There have been, however, several severe poisonings of individuals who ignored closure signs.

The economic impacts of PSP toxicity are significant in the region. Direct and indirect costs of the extensive *Alexandrium* bloom in 2005 were estimated at nearly \$50 million for Massachusetts and \$23 million for Maine.

The 2012 designation of a "moderate" bloom now has a specific, quantifiable meaning, thanks to a complementary research effort by Anderson and his colleagues to develop forecast terminology to describe a bloom's potential impact. As part of that work, Judy Kleindinst, a member of Anderson's team, analyzed records of harvesting closures due to PSP extending back 35 years, and identified three categories of bloom severity.

The categories -- "limited," "moderate," and "extensive" -- are equivalent to closures over 0 -- 125, 126 -- 250, and 251 -- 375 miles of coastline. A moderate outbreak might stretch from Maine to northern Massachusetts, although it could be shifted down the coast, covering the same length of coastline, but over a different area.

When combined, the forecast terminology, the annual cyst surveys and the continual improvements and additions to the computer model have developed into a useful management tool.

"Red tide is a chronic problem affecting commercial and recreational harvesting interests throughout the Gulf of Maine," said

Chris Nash, shellfish program manager for the New Hampshire Department of Environmental Services. "State agencies are responsible for monitoring toxicity levels in shellfish harvest areas and implementing harvest closures to prevent illness outbreaks. These regional scale, seasonal outlooks help state managers to plan and use limited monitoring resources effectively.

Ultimately our goals are to protect public health and give consumers confidence in the quality of the seafood products they purchase from markets and restaurants, and these forecasts are useful in realizing those goals.

"NOAA is developing a HAB Operational Forecasting System (HAB OFS) in order to provide advanced warnings like this one to help state agencies monitor harmful algal blooms and minimize public health risks," said David Kennedy, assistant NOAA administrator for the National Ocean Service. "The Gulf of Maine is one of several regions for which HAB forecasts are being developed with the intent to operationalize them within NOAA utilizing multiple assets such as those provided by the National Weather Service."

Project researchers regularly share their field observations and models with more than 80 coastal resource and fisheries managers in six states as well as federal agencies like NOAA, the EPA, and the FDA. Real-time forecasts are updated on a weekly basis and additional information will be provided on the "Current Status" page of the Northeast PSP website, particularly as new information becomes available from coastal ocean observing systems such as the Northeastern Regional

Association of Coastal Ocean Observing Systems (NERACOOS), EcoMon, and AZMP. The National Weather Service is also providing extended hydrological and meteorological outlooks to accompany the bloom forecasts.

The forecasting project is a collaboration of investigators from NOAA's National Ocean Service, National Weather Service and National Marine Fisheries Service, WHOI, NCSU, University of Maine, the FDA, Maine Department of Marine Resources, New Hampshire Department of Environmental Services, Massachusetts Division of Marine Fisheries, and the North Atlantic Clam Association. Funding is provided through the NOAA program Prevention, Control and Mitigation of Harmful Algal Blooms (PCMHAB). Longterm support for Alexandrium studies in the Gulf of Maine is provided by the NOAA NOS Center for Sponsored Coastal Ocean Research (CSCOR) and NIH and the NSF through the Woods Hole Center for Oceans and Human Health.

**Reprinted with permission from Seafood.com.  
For more information, please contact [www.Seafood.com](http://www.Seafood.com)**

[Opinion](#)

## River Herring Populations Teetering on the Brink

April 25, 2012

State environmental officials warn that seemingly strong alewife and blueback herring spawning this spring could be illusory.

Forget the recent headlines suggesting that there is no decline in the numbers of alewives, the precious little forage fish that, along with its lookalike blueback herring cousin, underpins the marine food pyramid.

Alewives swarming up local rivers to spawn in recent weeks have inspired talk that the fish are as plentiful as in the past, but the runs are deceptive. To the contrary, the National Marine Fisheries Service (NMFS) is investigating whether to afford protection to the alewife and blueback herring, together called river herring, under the federal Endangered Species Act (ESA). A determination on whether to propose classification of the fish as ‘threatened’ under the act may be made as early as this autumn.

“There is no evidence yet that there is a better alewife run than normal,” says Steve Gephard, veteran fisheries biologist with the state Department of Environmental Protection (DEEP).

Low water has made fish more evident and warm weather not only triggered the run almost a month early but probably brought more people to waterside to see the fish as they moved up from the sea. An accurate assessment of the alewife run cannot be made until another month or more passes, says Gephard, who also notes that blueback herring begin spawning runs in May. Low water, due to lack of rain, may impede upstream traffic of the river herring, says Gephard. Beaver are building dams to raise water levels, creating another potential barrier, he adds.

The decline of river herring has been long in the making. River herring hatch upstream but mature in the Atlantic Ocean off the East Coast, where they spend most of their lives. A classic tome on fisheries published in 1953, *Fishes of the Gulf of Maine*, notes that when Europeans arrived in New England, a stream without a river herring run was rare. Sharp declines in spawning runs were noted as far back as the 1940s. By the 20th century runs of millions of fish were a memory.

Connecticut and other states have restored riverine habitat and built fish ladders to shepherd fish around dams and other barriers to their spawning runs. Connecticut, Massachusetts and Rhode Island are among the states that have closed river herring fisheries, even though there seems to be a fair number of alewives returning. The problem is that alewives and blueback herring are virtually identical, so that even if one recovers, both species must be protected. For years, virtually the only way to tell them apart was fatal, cutting them open to examine the stomach lining. Blueback herring recovery efforts on the Connecticut River seem to have snatched defeat

out of the jaws of victory. Improvements resulted in more than 630,000 blueback herring counted in 1985 at the Holyoke Dam on the Connecticut River. In 2006, only 21 fish passed the dam while last year the total was a paltry 138.

The threat to river herring seems to stem from factors far beyond state borders, in the open sea. Offshore, the fish are under federal jurisdiction and have received minimal protection. That may be changing. In March, a federal judge in the nation's capital ruled in favor of litigation by a coalition of sports fishermen and conservationists and ordered the NMFS to initiate more protection for river herring. Last August, the Natural Resources Defense Council petitioned the NMFS to have river herring listed as "threatened" under the ESA. Listing would afford the fish stringent federal protection intended to promote their recovery.

Many conservation groups claim that the bycatch of river herring taken offshore by industrial-scale trawlers fishing for Atlantic herring is decimating mature river herring populations. These ships can be up to 200 feet long and sweep up an entire herring run in a single net. The bycatch is most significant in winter, when herring school with Atlantic herring and mackerel. However, a study published in 2008 by the Maine Department of Marine Resources and the Massachusetts Division of Marine Fisheries suggested that, while significant, the bycatch alone is not responsible for the plight of river herring.

Whatever the root cause of the decline, it will take combined action by coastal states and the federal government, from upstream spawning grounds to offshore feeding areas, to restore healthy river herring populations. River herring, which reach a length of about 10 inches, are a prime prey of myriad other animals. They have been an important source of fish and lobster bait, and the list of their predators includes striped bass, tuna, whales, osprey, bald eagles, otters and — especially when smoked or pickled — people.

###



## **Entrepreneur reviving PA-NJ Seafood Shanty seafood restaurant chain**

SEAFOOD.COM NEWS [Seafoodnews.com] - April 19, 2012 - The once popular Seafood Shanty chain had fourteen locations in Pennsylvania and New Jersey.

The Wall Street Journal reported on efforts by entrepreneurs to revive popular brands including Eddie Riegel, owner of a Reading, Pa. cleaning company, who has invested \$1 million of his personal savings and a government-backed small-business loan in his bid to revive the old Seafood Shanty chain.

The restaurants, first launched in 1970, had 14 locations in Pennsylvania and New Jersey by the 1980s and were known for clam chowder and Key lime pie. Founder Joseph C. Gentile lost his small seafood empire after falling into debt by the 1990s. He was later charged with failure to pay taxes, including payroll taxes.

Mr. Riegel, who took his wife to a Seafood Shanty on their first date in 1982, acquired the trademark for the brand in 2010 after asking his lawyer to find out whether the rights to the mark had expired. He bought the original recipes for \$7,500 after tracking down the former chef on Facebook. He says he also got some fishing nets and other original decor from former Seafood Shanty workers.

In February, Mr. Riegel opened the first new Seafood Shanty restaurant in Spring Ridge, Pa., not far from the chain's former headquarters. As early as November, he says, while crews were still putting up the drywall, about 200 people had lined up outside for prelaunch gift cards.

While he's kept much of the original concept—19 of the 85 employees used to work for the chain, including the manager—he has added a raw bar and a seafood market at the flagship location. "There's a tremendous amount of buzz around this," he says. "Anyone who grew up in the area remembers these restaurants."

###

**Reprinted with permission from Seafood.com.  
For more information, please contact [www.Seafood.com](http://www.Seafood.com)**

*Link Not Available*



## **As US seafood profits from globalization national marketing program could save domestic industry**

SEAFOOD.COM NEWS [commentary by Dick Gutting] April 9, 2012

*Richard Gutting writes the import alert newsletter for Urner Barry's Foreign Trad Data, and is a former president of the National Fisheries Institute. His opinion piece after the Congressional hearing on fisheries jobs is reprinted here.*

The U.S. seafood market is being pulled in opposite directions — one towards a low-cost commodity market for imported products --- the other towards a specialty or niche market for “local food”. This division offers new business opportunities for individual companies --- and a political opportunity for our industry to work together.

The mass market accounts for more than 80 percent of seafood sales. It is based upon frozen products from many countries, which are competing fiercely with each other on price. The specialty market is limited by production and geography. It depends upon a high per-pound price for the uniqueness of local product, and has grown in response to consumer interest in nutrition, the environment, and a healthy lifestyle.

The mass market has been fueled by the global expansion of new farming systems, upgraded foreign processing under HACCP, lower U.S. tariffs, and more efficient global supply chains. Price competition is fierce --- driving prices down and raising consumer demand.

Domestic producers and the processors they supply have been struggling. U.S. fishing fleets have shrunk, growth in domestic farming has stalled, and processing plants have turned to imports or have been forced offshore to other countries. NOAA's policy to reduce fleets with individual vessel quotas is accelerating these trends. Big companies are getting bigger and multinational --- and smaller domestic companies are going out of business.

Frustrations have been palpable --- but street demonstrations against NOAA officials and attacking imports with antidumping tariffs, new labeling restrictions, and allegations of food-safety violations are not solving the underlying problem of lost jobs, profits and tax revenues for local communities.

More than a decade ago seafood leaders and marketing experts suggested a solution to domestic producers. Gain better prices by targeting high-end niche markets with high-quality products that appeal to consumers who want “local food”.

A few fishermen and farmers have attempted this at farmer markets and local high-end restaurants and retailers --- with some success. But establishing programs that make a real difference to fishing fleets and rural communities have been frustrated by a lack of organization at the grassroots level, and anger about imports.

Political winds, however, are shifting. A nation-wide coalition of domestic organizations and companies has coalesced around a plan to market seafood, which they presented to the U.S. Senate Oceans Caucus last week. You can watch the hearing testimony below.

Here's an opportunity for importers, domestic producers and government agencies like NOAA to work together --- and benefit everyone.

Richard E. Gutting, Jr.

**Reprinted with permission from Seafood.com.  
For more information, please contact [www.Seafood.com](http://www.Seafood.com)**

# SWITCHBOARD

Natural Resources Defense Council Staff Blog

David Newman's Blog

## Whole Foods Stops Selling Unsustainable Seafood

---

May 7, 2012

Whole Foods recently became the first major North American retailer to stop selling unsustainable, or red-listed, seafood. The red listing, as determined by the [Monterey Bay Aquarium](#) and the [Blue Ocean Institute](#), indicates that the fish species is being overfished or that current fishing methods harm non-target marine life or habitats. Fish that'll no longer be available: gray sole, skate, Atlantic cod (trawl-caught), Atlantic halibut, octopus, sturgeon, tautog, turbot, imported wild shrimp, and several species of tuna. Fortunately, a wide range of similar, but sustainable, alternatives will continue to be.

A growing demand for seafood, combined with lax or non-existent fishery management in many parts of the world, continues to drive fish populations and ocean ecosystems toward the brink of ecological ruin. Half of all marine fish species are fully exploited and another one-third are declining or collapsed, according to the [FAO](#). It takes more and more effort by larger numbers of fishermen to catch the same amount of fish as populations decline year after year.

While stronger laws and regulations have begun to reverse this trend in some countries like the United States (see my [earlier blog](#) on the success of U.S. fisheries policies), this is only part of a global solution to the fisheries crisis. In places lacking the governance capacity, changing market demand may provide the greatest leverage for on-the-water improvements and meaningful fisheries conservation.

Many tools are readily available to guide our seafood choices and drive market demand for sustainable seafood. Consumer seafood guides from the Monterey Bay Aquarium's Seafood Watch and the Blue Ocean Institute can help us choose fish at healthy populations being caught using more benign gear, much the same way Whole Foods is now doing.

Yet, it's often a challenge for consumers to ensure they get what they think they're getting, even if they're well informed. Consumer guides can easily tell you what fish are OK to buy, but they cannot divine whether an actual fish is what the fishmonger or waiter says it is. Unless you know the species and where and how it was caught, you can't always be sure you're getting what you think.

This information is essential to making an informed, sustainable choice, yet there are so many points along the chain of custody for things to get lost in translation or, worse yet, for fish to be

marketed fraudulently. A [recent report](#) by [Oceana](#) uncovered significant mislabeling in fish sold in the Los Angeles area. Here are some of its key findings:

- 55% of the samples collected (65 of 119) were mislabeled.
- 87% of sushi samples were mislabeled, while 45% of those from restaurants and 31% from groceries were labeled incorrectly.
- None of the 34 fish samples sold as “snapper” were actually snapper species as defined by the U.S. Food and Drug Administration, which lists 47 species that are permitted to be labeled as snapper.
- Eight out of nine sushi samples labeled as “white tuna” were actually escolar, a snake mackerel species that carries a health warning for its “purgative” effects.

The traceability and labeling of seafood is key to realizing market-based changes in fisheries management. Certification bodies like the [Marine Stewardship Council \(MSC\)](#), which has evaluated and certified 154 fisheries around the world, allow consumers to shop by the certification label to ensure their seafood is sustainable. However, even these programs have significant flaws. A [recent study](#) in *Marine Policy*, [reported](#) in the Washington Post, found that nearly one-third of MSC-certified fisheries were actually at unhealthy population levels.

This is what makes Whole Foods’ decision so important. Unlike individual consumers, restaurants and small fish markets that often cannot track seafood back to its source, large retailers like Whole Foods buy directly from fishermen and process their own fish, so they can quite easily verify species, point of origin, and method of capture. And, this is where the excellent research done by the groups like the Monterey Bay Aquarium and the Blue Ocean Institute becomes particularly useful, as it guides the buying decisions of large market participants who can change behavior among fishermen and consumers alike.

Kudos to Whole Foods for its leadership on this important issue.

## **Brown protests Whole Foods policy on 'sustainable' seafood sales**

April 26, 2012

The decision by Whole Foods Market to stop selling seafood that it considers unsustainable has prompted a protest from Sen. Scott Brown and seafood industry members who say the policy is misguided and will only heap further woe on struggling New England fishermen.

In a Monday letter addressed to John Mackey and Walter Robb, joint CEOs at Whole Foods, Brown blasted the move, saying it "has more to do with political correctness than with sound reasoning." Brown said he was troubled that the decision does not consider the impact on fishermen and their families and has urged the retail giant to reconsider.

The Austin-based company announced that beginning last Sunday (Earth Day) it would no longer carry "red-rated" seafood. The move was billed as a way to reverse overfishing, and among the fish the chain stopped carrying is cod caught by fishing trawlers.

Whole Foods cited the environmental group Blue Ocean Institute and the Monterey Bay Aquarium in California as the source of the rating system.

The Monterey Bay Aquarium uses green, yellow and red ratings to advise consumers on their seafood purchases. Its website advises buyers to avoid cod caught by trawl gear in U.S. and Canadian waters, suggesting cod taken by hooks or trawled cod from Iceland or the Arctic as better alternatives.

Damage to marine habitat caused by "dragging large nets across the sea floor" is the reason cited.

This is a red herring, according to Laura Foley Ramsden, co-owner with husband Peter Ramsden of Foley Fish in New Bedford, a third-generation family fish-processing business. "These are environmental groups, with an agenda, that are 3,000 miles away from us," said Foley Ramsden, who also sits on the New England Fishery Management Council. Claims that trawl gear destroys habitat in these waters are off the mark, she said, since the sea bottom on Georges Bank is predominantly sand and gravel. "They are ignoring a 10-year study done by SMAST," she said. "It's not like fishermen are destroying coral out there."

Labeling Atlantic cod caught by trawlers as unsustainable has also angered other seafood industry figures in New Bedford.

"By law, all American-caught and processed seafood is sustainable. We have the most stringent laws in the world," said New Bedford's Richie Canastra, who co-owns BASE New England, the online seafood auction. "The problem is that Whole Foods has chosen to make their buying decisions based solely on the on often-biased and frequently out-of-date rankings from Blue Ocean," he said. The group ignores other credible scientists and the latest government statistics, he contended.

Canastra also cited Blue Ocean's "yellow" rating of Atlantic sea scallops as flawed, describing the scallop industry here as "the poster child for sustainability."

Responding to Brown's letter, Whole Foods chief operating officer released a statement defending the policy.

The Blue Ocean Institute considers that Atlantic cod caught using gillnets or jigs are responsibly caught, he wrote. "Atlantic cod caught by bottom trawling, in contrast, are not considered responsibly caught, largely because the trawl net can severely damage the seafloor and associated animals," according to the statement.

In the letter, A.C. Gallo also said Massachusetts fishermen affected by the decision have found other buyers for their fish.

*Link Not Available*



## Whole Foods seafood sustainability stance has Gloucester, MA fishermen fuming

April 23, 2012

GLOUCESTER, Mass., Standing on the deck of his rusted steel trawler, Naz Sanfilippo fumed about the latest bad news for New England fishermen: a decision by Whole Foods to stop selling any seafood it does not consider sustainable.

Starting Sunday, gray sole and skate, common catches in the region, will no longer appear in the grocery chain's artfully arranged fish cases. Atlantic cod, a New England staple, will be sold only if it is not caught by trawlers, which drag nets across the ocean floor, a much-used method here.

"It's totally maddening," Mr. Sanfilippo said. "They're just doing it to make all the green people happy."

Whole Foods says that, in fact, it is doing its part to address the very real problem of overfishing and help badly depleted fish stocks recover. It is using ratings set by the Blue Ocean Institute, a conservation group, and the Monterey Bay Aquarium in California. They are based on factors including how abundant a species is, how quickly it reproduces and whether the catch method damages its habitat.

"Stewardship of the ocean is so important to our customers and to us," said David Pilat, the global seafood buyer for Whole Foods. "We're not necessarily here to tell fishermen how to fish, but on a species like Atlantic cod, we are out there actively saying, 'For Whole Foods Market to buy your cod, the rating has to be favorable.'"

The company had originally planned to stop selling "red-rated" fish next year but moved up its deadline. The other fish it will no longer carry are Atlantic halibut, octopus, sturgeon, tautog, turbot, imported wild shrimp, some species of rockfish, and tuna and swordfish caught in certain areas or by certain methods. (Whole Foods has already stopped selling orange roughy, shark, bluefin tuna and most marlin.)

Although the new policy will affect fishermen nationwide, the reaction from Gloucester and other New England ports may be the unhappiest. New England has more overfished stocks than any other region, according to federal monitors, and its fishing industry has bridled — and struggled to survive — under strict regulations.

"We've been murdered," said Russell Sherman, who sold his entire catch to Whole Foods for the last six years and is seeking new buyers. "It's not fair at all."

Jim Ford, who said he sold 700,000 pounds of fish to Whole Foods over the past year, declared, "It's a marketing ploy, that's all." Mr. Ford said he would now sell to the Legal Sea Foods restaurant chain instead.

Whole Foods has had a fish processing plant here since 1996, the oldest of four around the country, and has processed about 10,000 pounds of fish a day here in recent years. A number of local boats have worked with Whole Foods, including a handful that sold exclusively to the company.

Still, Whole Foods is only one buyer, and there will be "plenty of other market demand," said Vito Giacalone, policy director for the Northeast Seafood Coalition, a trade group here.

"It's the precedent and the message it sends out that's really unfortunate," said Mr. Giacalone, whose family runs a fish auction that sells to Whole Foods. "Whole Foods is a reputable, credible food source for a big community of people, and

so when their headquarters makes this kind of statement, it's not good for the industry.”

Some question the need for grocery stores to reject certain American-caught fish when the government has already imposed its own conservation measures. Many of the nation's fishermen now operate under federally created systems that allocate a yearly quota of fish.

And for some stocks, the quotas are being reduced; fishermen are facing a 22 percent cut in the amount of Gulf of Maine cod they can catch. In New England, some areas are closed to fishing for part or all of the year; in others, only certain kinds of gear can be used.

“We have the strictest management regime in the world,” said David Goethel, a fisherman from Hampton, N.H. and a member of the New England Fishery Management Council. “So using the word ‘sustainable,’ maybe it looks good in your advertising. But, without being too harsh, it means absolutely nothing.”

But Ellen Pikitch, director of the Institute for Ocean Conservation Science at Stony Brook University, said Whole Foods was doing the right thing.

“Whole Foods is setting a good example by offering fish from relatively well-managed fisheries,” she said. “It's too bad that more New England fish don't qualify, but over time, such market forces should help bring these fish back — both in the ocean and to the Whole Foods seafood counter.”

Whole Foods is not the first supermarket chain to limit the kind of seafood it sells in the name of sustainability. Last month, BJ's Wholesale Club announced a plan to sell seafood only from suppliers “identified as sustainable or on track to meet sustainability standards by 2014.” Other chains are making similar moves.

But in Gloucester, anyway, some fishermen are taking the Whole Foods decision more personally.

Whole Foods will continue to sell New England catches like haddock, pollock, scallops and hake. And it will still sell Atlantic cod that is caught by gillnets or, preferably, hook and line, Mr. Pilat said. While Whole Foods will still sell Pacific cod, he said, it will not appear much in the company's New England stores for cultural reasons.

“The number of local fish that we will have to discontinue is minimal,” he said, “and we will be replacing those species with other very similar species, such as buying more flounder instead of the gray sole.”

The company is developing relationships with more hook boats, he said. But there are few such boats in the cod fishery, according to the fishery council.

Some fishermen questioned why Whole Foods would approve net-caught fish, as marine mammals are known to get entangled in gillnets, and hook-caught fish, as hooks often end up catching undersize fish. Last week, federal regulators announced that they would ban gillnet fishing for part of the fall in coastal waters from Maine to Cape Ann, Mass., because too many porpoises had been dying in the nets.

“There's no immaculate fishing gear,” said Mr. Goethel, the fishery council member. Mr. Sherman said that Whole Foods told him it would still buy pollock and hake from him, but that he could not even offload cod and gray sole at its docks unless it was quickly removed. “They're talking about my fish like it's atomic,” he said. “Believe me, they are a great outfit to work for, but they are corporate, and this is a corporate move.”

Mr. Giacalone, while disappointed, did not waste an opportunity to talk about some of the New England-caught fish that will still be available at Whole Foods, starting with pollock. “It's a great eating fish,” he said. “Almost like the dark meat on a turkey.”

**Reprinted with permission from Seafood.com. For more information, please contact [www.Seafood.com](http://www.Seafood.com).**

###

*Link Not Available*



## Some question if sustainable seafood delivers on promise

April 23, 2012- Seafood counters used to be simpler places, where a fish was labeled with its name and price. Nowadays, it carries more information than a used-car listing. Where did it swim? Was it farm-raised? Was it ever frozen? How much harm was done to the ocean by fishing it?

Many retailers tout the environmental credentials of their seafood, but a growing number of scientists have begun to question whether these certification systems deliver on their promises. The labels give customers a false impression that purchasing certain products helps the ocean more than it really does, some researchers say.

Backers respond that they are helping transform many of the globe's wild-caught fisheries, giving them a financial incentive to include environmental safeguards, while giving consumers a sense of what they can eat with a clear conscience.

To add to the confusion, there are a variety of certification labels and guides, prompting retailers to adopt a hybrid approach, relying on multiple seafood rating systems or establishing their own criteria and screening products that way.

As of Sunday, for example, Whole Foods stopped selling seafood listed as “red” by the Monterey Bay Aquarium and Blue Ocean Institute — including octopus, gray sole and Atlantic halibut — because these species are either overfished or caught in a way that harms ocean habitat or other species. The move has sparked criticism from New England fishermen, who are now barred from selling to the upscale chain. Whole Foods also sells only pole- or line-caught canned tuna, which harms fewer species than conventional tuna-fishing methods.

Target no longer sells farmed salmon — which has come under fire for consuming a disproportionate amount of forage fish and creating several other problems — and has pledged that by 2015 it will sell only fresh and frozen fish that are “sustainable and traceable.” Wegmans said it will not obtain seafood from the Ross Sea in the Antarctic, which many environmentalists say should be off-limits to fishing, and this fall it will start selling oysters from plots it has leased in the Chesapeake Bay as part of a fishery restoration project. Beginning in June, Wal-Mart, the nation's largest seafood retailer, will require all of its fresh and frozen wild-caught and farmed seafood to be certified by a third party as sustainable or have a plan in place for suppliers to be certified. At this point, 76 percent of its suppliers are certified.

Blue Ocean Institute President Carl Safina, a scientist who published the first sustainability rankings for commonly eaten fish in 1998, said that a decade ago, eating a piece of fish was akin to eating a piece of bread.

“You just picked it up and ate it. It wasn't subject to any discussion or inquiry,” he said. “Now it's a broad discussion about where it came from, about whether it's sustainable. This is enormous progress compared to the change we've made to any other form of food production in the same amount of time.”

The most stringent and commonly used certification is that of the Marine Stewardship Council, which has certified 148 wild-caught fisheries, or between 6 and 7 percent of the global supply. It uses independent reviewers to determine whether a fishery earns an MSC-certified label and can be classified as sustainable — meaning that the fish is relatively abundant, the fishery is well managed, and catching it does not harm other species or ocean habitats.

It is a measure of the attention focused on the world's fish stocks that the council's work has come under scrutiny.

A study published online last week in the journal *Marine Policy* showed that, for fish stocks where there was sufficient information, 31 percent of MSC-certified stocks were overfished and subject to continuing overfishing.

“Certifiers must sharpen their criteria and close any loopholes,” said Rainer Froese, a senior scientist at the Helmholtz Centre for Ocean Research and lead author of the study, who said consumers should still buy certified seafood. “Given that there are thousands of (fish) stocks, there needs to be some guidance on which ones you can eat and have a good conscience.”

MSC officials have questioned the Marine Policy analysis, saying it exaggerated the rate of overexploitation by not adequately accounting for year-to-year fluctuations in fish stocks. “The MSC standard is consistent with best practice and specifically excludes fisheries that are overfished,” David Agnew, the council's director of standards, said in a statement.

“They don't certify perfect fisheries. They certify well-managed fisheries,” said Michael Sutton, the Monterey Bay Aquarium vice president, who helped set up the certification system while working at the World Wildlife Fund.

For operators such as Scott Taylor, co-founder of Day Boat Seafood in Lake Park, Fla., spending more than three years and over \$100,000 to be certified by the MSC in December was a worthwhile business proposition. Taylor sells swordfish caught with long lines and buoy gear in his Atlantic Ocean fishery, and he has pledged to have observers on all of his boats within five years to ensure that they minimize the number of turtles and sharks caught accidentally.

“There has to be a way to differentiate the product” as environmentally friendly, Taylor said of the benefit to fishermen of an MSC certification. “Does that mean there's a financial incentive for them? In short, yes, there has to be.”

But several researchers and environmentalists question whether every MSC-certified fishery meets those high standards, and they say that a few questionable ones undermine the better-managed fisheries. On Thursday, the council approved the eastern Canada swordfish long-line fishery, which kills roughly 35,000 sharks and a few hundred endangered sea turtles each year.

“The bar has been lowered gradually, and now they certify everything that moves,” said Daniel Pauly, a marine biologist at the University of British Columbia Fisheries Center who once supported MSC certification.

Kerry Coughlin, the Marine Stewardship Council's regional director for the Americas, said in a statement that the Canadian swordfish “fishery has committed to efforts to further protect turtles, ensure the sustainability of the swordfish stock, and monitor and research shark bycatch. Working together, all parties involved have advanced efforts to ensure a sustainable harvest that does not harm other marine populations.”

Meanwhile, some fisheries, including Iceland's and several in Alaska, are opting for the Irish-based Global Trust Certification, which evaluates their performance on the basis of U.N. guidelines that several scientists said are less stringent. Global Trust spokesman Michael Carroll said his group holds fisheries to a high, internationally recognized standard.

For some American consumers, the credibility of these standards is critical. Snejana Andjelkovic, shopping at a Whole Foods store in Washington, D.C., said she scrutinizes labels “because I care about the environment and what I eat, what I put in my stomach.”

Pointing to the Chilean sea bass sitting on ice — from a small fishery off the Falklands that was certified by the MSC — Andjelkovic said she won't buy it because the vast majority of Chilean sea bass is caught illegally and unsustainably. “They say it's okay,” she said. “That's not true.”

Others at the same counter, such as Jessica Max, an information technology recruiter, were more confused.

“I care about things like frozen and fresh,” she said, buying shrimp and MSC-certified Chilean sea bass. “I would appreciate if they were more meaningful and consistent.”

**Reprinted with permission from Seafood.com.  
For more information, please contact [www.Seafood.com](http://www.Seafood.com)**

Link not available



## Cape Cod Commercial Hook Fishermen's Association

### **STATEMENT: Cape Fishermen Pleased by Decision to Increase Dogfish Catch**

(Chatham, Mass...May 4, 2012) Yesterday, the Atlantic States Marine Fisheries Commission voted to adopt a [35.694 million pound commercial dogfish quota](#) for the 2012-2013 fishing year, increasing its recommendation to align with the proposed federal level.

**While both quotas are within the sustainable harvest limit, adopting the higher overall quota will allow fishermen to maximize the economic value of this overabundant stock and will offer some relief to fishing communities suffering due to depletion of other important commercial fish species.**

[Previously, the New England and Mid-Atlantic Fishery Management Councils, which manage dogfish in federal waters, had recommended that the National Marine Fisheries Service adopt the 35.694 million pound quota, whereas the state commission, which manages the fish in state waters (within 3 miles of shore) had recommended a lower 30 million pound quota.]

Cape Cod fishermen were happy to hear the news; the commercial dogfish fishery is crucial to the livelihoods of many small-boat captains.

"It's great that the commission voted to let us harvest more dogfish," said **John Tuttle, captain of the fishing vessel (f/v) Cuda**. "There are so many dogfish out there that they're stopping the groundfish like cod from coming back. If we want groundfish to rebuild, we're going to have to harvest more dogfish. The future of the fishery depends on it."

"We got the 36 million pounds, and that's a darn good thing," said **Bob St. Pierre, who fishes out of Chatham on the f/v Rug Rats**. "Dogfish fill a huge void in our ability to make a living these days. It'll play a big part for me because I don't see a chance of me groundfishing this year; there is too much overhead for what we can catch."

**Massachusetts State Representative Sarah Peake** serves on the state commission and provided invaluable leadership and guidance to fishermen pursuing the alignment of the dogfish quota between government agencies. Following the commission's decision, she said "I fought for this because it will help our fishermen and because it makes an important

and allow fishermen to fish."

"I just bought a bigger boat," said **Ben Morgan, captain of the f/v Lobster Mobster**. "I'm investing in my future, and being able to land more dogfish is essential for me, financially, and for all the other fishermen trying to keep their businesses going."

The differing quota issue has been of such importance that **Chatham father and son team, Leo and Hunter Maher**, who target dogfish, traveled to Washington, D.C. with the [Cape Cod Commercial Hook Fishermen's Association](#) staff in February to attend the commission's winter meeting and urge its members to reconsider their original decision to endorse the lower quota. Securing the higher catch level sets an example of fishermen and policy-makers working together to manage our fisheries.



Mass. Representative Sarah Peake (center)  
with Chatham fishermen Leo Maher (left) and son Hunter.  
###

**Contact**

Nancy Civetta  
nancy@ccchfa.org  
508-945-2432 ext. 107

~ Protecting a Resource, a Tradition and a Way of Life ~



## Division of Fish & Wildlife

# Atlantic Sturgeon Research in Delaware Bay

April 16, 2012

The NJDEP Division of Fish and Wildlife has deployed 7 acoustic receivers in the Delaware Bay to track migration patterns of Atlantic sturgeon. The receivers are generally set in water depths less than 20 feet. Those fishing in inshore waters may encounter the white buoys marked "NJDEP Research".

As part of a multi-state collaborative effort, the Division has partnered with several states to develop a multi-year effort directed at providing state, federal, and regional management authorities with information necessary to successfully conserve and ultimately restore the population of sturgeon in the mid-Atlantic region.



With the recent endangered species listing of Atlantic sturgeon, effective April 6, 2012, (see [www.nmfs.noaa.gov/stories/2012/01/31\\_atlantic\\_sturgeon.html](http://www.nmfs.noaa.gov/stories/2012/01/31_atlantic_sturgeon.html) for details), research on this species has gained significance. The Division's portion of the project is to purchase, assemble, deploy and maintain 18 receivers in the Delaware Bay. Data will be downloaded monthly from each receiver to detect movement of Atlantic sturgeon tagged with acoustic telemetry tags. The new receivers will complement the existing receiver array within Delaware Bay, specifically on the NJ side, to ensure complete coverage of the sampling area. The additional coverage will allow for greater detection of Atlantic sturgeon and provide the ability to monitor immigration and emigration from the Delaware Bay. The remaining 11 receivers will be deployed over the next few weeks.

For more information about sturgeon in the Delaware Estuary, see the 2005 Marine Digest article, [Delaware River Sturgeon](#) (pdf, 143kb).

For exact receiver coordinates or for more information about the project contact Heather Corbett at 609-748-2020.

###