



CHOPTANK
RIVER
EASTERN
BAY CONSERVANCY

RIVER CHAMPION

CHOPTANK RIVERKEEPER®

Fall 2009

Newsletter of the Choptank River Eastern Bay Conservancy

Notes on the River

by Tim Junkin

The Easton Star Democrat has begun publishing what I hope will be a continuing series of essays I'm writing titled *Notes on the River*. The first piece came out on September 2, 2009 and began with a trip up Watts Creek to harvest wild rice. A second article ran on September 9 and spoke of soft-crabbing in years past, lamenting the fact that dirty water has all but extinguished this pastime. Other pieces discussing the return of the rockfish, the resiliency of our rivers, Attorney General Ganzler's Miles River Audit, and other topics have been published. The common thread to these pieces is the noticeable deterioration of our waterways over the past decades, with a plea for all of us to unite in changing our ways to redress this trend.


Recently I read an interesting book that I would recommend to all of you called *The Unnatural History of the Sea*, written by Callum Roberts. The book traces the degradation of the world's waterways beginning with the rivers of Europe in the Sixteenth Century through our unchecked pillaging of the open oceans during the Twentieth, but ends with a number of very hopeful examples of regeneration. Coral reefs, for example, used as experimental models around the world, have shown an amazing capacity to regenerate when given a chance to heal themselves. One point that struck me from the book, though, is a description of what the author calls societal amnesia.

Each generation is apt to view the environment that it was born into as natural or normal. Thus, today's teenagers are not upset that they can't wade for soft crabs off the shore because they have never known what it is like to wade in clear water in this area.

As Roberts explains it, "Shifting environmental benchmarks cause a collective societal amnesia in which gradual deterioration of the environment and depletion of wildlife populations pass unnoticed. Our expectations diminish with time, and with this our will to do something about the losses."

TIMOTHY D. JUNKIN, ESQ.
EXECUTIVE DIRECTOR

DREW KOSLOW
CHOPTANK RIVERKEEPER®

Reading about our rivers, past and present, is a way to fend off societal amnesia. Remembering the shad runs, the early mornings of soft-crabbing in the shallows, and the oyster reefs rising over the low tides is important. Doing something about the gradual deterioration of our rivers, however, is even more important. If we all band together, and declare a moratorium on waterway neglect and abuse, our rivers, like the coral reefs, can and will regenerate. The day can come again when our kids can wade out into waist-deep water and see underwater grasses and crabs shedding their shells. We just need to find the will. Each of us, individually, needs to take a moment, and ask ourselves if this is important to us. The answer is self-evident. And it being important, we then need to figure out the ways that we can each change our behavior to give our rivers a chance. 

Newsflash!

Coalition Including the Waterkeeper Alliance Asks EPA to Regulate Greenhouse Gases and Other Toxic Air Pollutants from Factory Farms

WASHINGTON (Sept. 21, 2009)—
The Humane Society of the United States, the Waterkeeper Alliance, and a coalition of environmental and public health organizations filed a legal petition with the Environmental Protection Agency seeking to regulate air pollution from factory farms. See our website at www.crebconservancy for the full press release.



Riverkeeper's Log

by Tim Junkin and Drew Koslow

Bobwhite Quail and Duvall Farm

Some might recall in times past that virtually any sojourn in the country would be accompanied by the familiar clear rising whistle of the Bobwhite quail (*Colinus virginianus*). *Bob-white!* or *bob-bob-white!* is the seductive call given by males in spring and summer. These days, it is not commonly heard. The Bobwhite quail ranges up and down the east coast and throughout the eastern portion of the country to Wisconsin and Texas. Over the last thirty years, though, their populations have plummeted as agricultural practices have intensified and taken over the grassy field buffers and woody thickets that once provided ideal habitat for quail.

In Maryland, populations of these birds have declined ninety percent during the past several decades. Such reductions are blamed on a loss of habitat combined with the short life-span of the fowl. Out of every 100 Bobwhite that are alive in the fall following their breeding season, typically 75-80 will perish over the next twelve months. When their basic needs of cover, food, and shelter disappear, the birds are unable to reproduce. One poor year can result in a large population decline. Several bad years in a row will decimate their numbers.

Back in June we had the pleasure of visiting Duvall Farm, located between Easton and Oxford, and it was unlike any farm either of us had toured. Instead of fields of beans or corn stretching across the landscape, three large, stepped, shallow ponds fringed with wetland plants and filled with ducks contour the land. Surrounding the ponds are meadows of warm season grasses bordered by brush piles and thickets that provide perfect habitat for

Bobwhite. The wetlands and ponds are nature's filters. The rainwater that falls on the farm flows into each pond successively before entering Trippe's Creek. As we learned from Chip Akridge, the owner of Duvall, and as one might expect, the water leaving the farm and running into the creek is clear and clean. Oysters are thriving in the waterway near this flow. Wildlife and waterfowl are abundant. And numerous coveys of Bobwhite explode from the bush.

Many of our conservancy members own acreage that borders the water, and several of them have asked us to walk their property to assist them in finding ways to improve natural habitat and become better river stewards. Over the past several months while conducting these *Stewardship Surveys* we have helped owners with ways to address issues such as shoreline erosion, the control of invasive species (such as *Phragmites*), the overabundance of lawn grass, the need for natural buffers, and the possibilities for restoring habitat. Tall grass and thickets are just the type of habitat that the Bobwhite need and once established, these meadows require far less maintenance than turf grass. With an interspersed of wildflowers and shrubs—an enticement for butterflies and hummingbirds—these meadows provide a natural beauty that turf grass cannot approach.

Regarding land presently used for agricultural purposes, funds are available through USDA conservation programs to pay for up to eighty-five percent of the cost of converting fields to habitat. Additionally, landowners receive a yearly rental fee. Other programs are available for those with property not actively farmed. Visit our website at www.crebconservancy.org and contact us if you are interested in learning more about conservation initiatives that you can implement on your property—ones that will help filter water, reduce nutrient loading into our rivers, and provide habitat to attract wildlife. 🦅



A Family of Bald Eagles

Drew was on the Choptank recently when he spotted a family of four bald eagles in a tree and snapped a photograph of them. Can you spot all four eagles? Turn to the last page.

CREB—Building a New Organization

by Tim Junkin

Prior to the launch of the Choptank River Eastern Bay Conservancy late last fall, the communities surrounding the Choptank River watershed and the Miles River Eastern Bay complex had no river protection program in place with paid experts dedicated solely to restoring and preserving our waterways. The Chester River Association, which champions the Chester, for example, in addition to a full-time RIVERKEEPER, employs eight others and is community supported. The Sassafras River has a community supported RIVERKEEPER; as does the Patuxent, the Shenandoah, the South, the Severn and West Rivers. Given the importance of our rivers to all of us, a community-supported river advocacy program in Talbot, Caroline, and Dorchester Counties is much needed and long overdue.

Building one from whole-cloth in this economic environment has been a challenge. Yet we have made great inroads over the past summer, and I believe, as our community begins to better appreciate the urgent need for river champions in our midst, that it will meet the challenges that face us, support our organization, and help us turn around the pollution trends that threaten our natural heritage.

In addition to growing our organization into one with currently over 150 individual and family members, we are pleased to announce the following accomplishments over the past spring and summer.



CREB Office, St. Michaels.

- We opened our current offices at 104 Conner Ave., St. Michaels, MD.
- We launched our online website, found at www.crebconservancy.org, and hope it will become an outreach and educational tool for the community, a place to learn about events and river developments, and a research tool for river stewards. Visit our River News section which is updated weekly with alerts about our watershed and news of upcoming events;



- We obtained through donation our first Riverkeeper boat, *Duck Soup*, housed in a donated slip on Broad Creek, and have begun regularly patrolling our watershed, and recently received a second donated pontoon boat;
- We hired our first full-time RIVERKEEPER, Drew Koslow, an expert in Bay advocacy with over 18 years of experience doing local river advocacy work;
- We received our first Chesapeake Bay Trust Project Grant to do sub-watershed assessments on tributaries of the Choptank which are underway. Additionally we are partnering with numerous other organizations in an effort to secure a significant watershed restoration grant for specific restoration work on the upper Choptank;
- We have been asked by scientists at NOAA, Oxford Lab, and Horn Point to organize and lead an effort to develop a water quality monitoring program throughout the Choptank watershed, with hard science protocols. This project envisions us recruiting, training, and organizing numerous volunteer groups to both participate in the water-quality monitoring effort at regular intervals, but also to become trained to serve as our eyes and ears throughout the watershed, helping us to identify problem areas that can then be redressed. The effort will also lead to an annual Report Card on this important waterway. Once underway, we hope to build a similar program on the Miles and Wye Rivers;
- We launched last fall, in conjunction with other Maryland Chesapeake Bay Riverkeepers a lawsuit against the Maryland Department of the Environment (MDE). We chose to sue MDE because it was about to issue stormwater erosion control permit guidelines (which would be in effect for 5 years) that were outdated and failed to adequately protect our streams and waterways from sediment and chemical runoff from disturbed construction sites. CREB was a plaintiff in the lawsuit, and your RIVERKEEPER was an expert witness. Days before trial, MDE settled the lawsuit and agreed to 90% of our demands and further agreed to hire 10 new state enforcers to implement the new permit requirements;
- We were asked by the State Attorney General's Office to assist in coordinating a Miles River Audit, which was undertaken by the Attorney General on September

23. We toured the river with our Attorney General, and participated in a meeting with environmental leaders from the community and in a Town Hall meeting where all were invited. We assisted in developing a list of issues that his office can assist us with in restoring the Miles River watershed—these included consideration of ways to reduce the use of nutrient based fertilizers on lawns and for de-icing purposes during winter; a moratorium on commercial oyster fishing in the Miles and Choptank watersheds; stronger enforcement of pollution control permit violations throughout the watershed; and ways to encourage agricultural landowners to adopt stronger nutrient management methodologies;

- We are partnering with the Country School engaging some of its students in a year-long environmental community service program that will involve river cleanup, assisting in providing oyster spat floats to homeowners and oyster restoration, seminars on

river stewardship, and community outreach to riparian landowners offering ways to improve land management in order to protect our waterways;

- Additionally, YOUR RIVERKEEPER has been exceedingly busy patrolling your watersheds, responding to and investigating river pollution issues and critical area violations, testifying concerning smart growth concerns, commenting on state water-quality standards, investigating waste water treatment issues in a number of our townships, meeting with local lawmakers to discuss future legislative initiatives, conducting river steward surveys on properties bordering our watersheds, helping landowners understand how they can be better stewards of our tributaries, and working at every level to improve the quality of our rivers. 🦀

Please consider a donation to help us win the fight to save our local waterways. Use the enclosed envelope or visit www.crebconservancy.org to make a donation.



RIVERKEEPER Drew Koslow took many photos this summer while patrolling the Choptank. Above, a healthy swath of sweetflag marsh. Right, a muskrat swimming.



October 17: SECOND ANNUAL MATTHEW WIELAND MEMORIAL TOUR DE TRAPPE

Bike rides of 10, 40, and 100 miles leaving from Trappe, all to benefit CREB—see our website for details. WE NEED YOU TO PARTICIPATE AND TO GET SPONSORS TO UNDERWRITE YOUR RIDE! Also, that day at the TRAPPE – TOBERFEST we will have a booth to sign up new members. Newly designed tee shirts available for each new or renewed \$30 membership. See below! (*Special thanks to the Wieland Family for its support!*)

October 18: CREB THANK YOU and MEMBERSHIP DRIVE PARTY

3– 6 p.m. Home of Suzanne Clark, 127 Miles Lane, St. Michaels Barbeque and food, beer, wine and drinks, music—featuring BIRD DOG AND THE ROAD KINGS—A way to say thank you to our members and supporters. Bring a friend along to help our membership drive. Re-pledge your support. Have a ball. Newly designed tee shirts available. (*Party sponsors include Kelly Distributors of Easton, Mid-Atlantic Tire, Bird Dog Wheeler, Suzanne and Jonathan Clarke, and the Unitarian Universalist Fellowship of Easton.*)

November 13–15: WATERFOWL FESTIVAL Easton. Come by one of our two booths, say hello, re-register, and get a newly designed tee shirt!



Newly designed tee shirts are available as gifts to new members, or members who re-up with a \$30 donation.

We are most grateful to our outside Board of Directors for their guidance and support:

Dr. Thomas Fisher, Professor
*University of Maryland Center for Environmental Science
Horn Point Laboratory
Cambridge, MD*

Nick Carter
*Maryland Critical Areas Commission for Caroline County
Retired, Maryland Department of Natural Resources
Goldsboro, MD*

Brice Gamber
*President of Talbot Creekwatchers
Easton, MD*

Sherrie Petermann
*Petermann Design LLC
Easton, Maryland*

John Gill
*Habitat Restoration Biologist
U.S. Fish and Wildlife Service
Preston, (Gaineys Wharf), MD*

Special Thanks to New Major Sponsors:

CREB Conservancy wishes to particularly thank the following recent major supporters:

- The Akridge Family Foundation**
- The Inn at Perry Cabin**
- The Town Creek Foundation**
- The Keith Campbell Foundation**
- The Scott and Patrice Brickman Family**
- The Wyman Family**
- Kelly Distributors of Easton**
- Katherine and David Bradley**

And, thanks to all of our supporting members and to our most valuable volunteers!

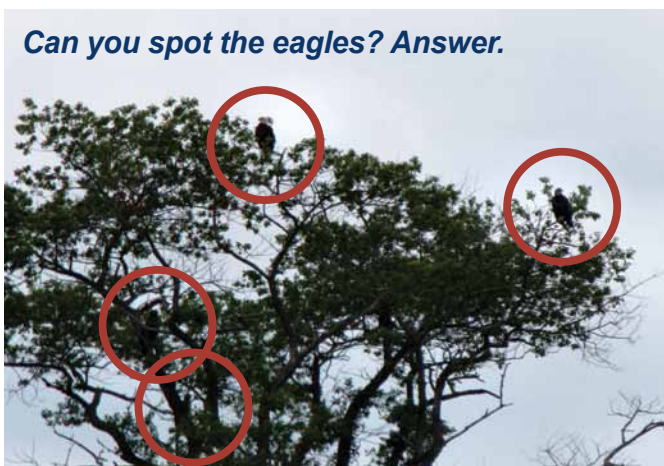
Newsletter design by Joanne Shipley.



A prothonotary warbler was photographed this spring on the upper Choptank in fresh water marsh. The bird weighs the same as six pennies yet has a big heart. It migrates 3,000 miles to Central America to winter. By the time it returns in the spring, if its habitat has been disturbed it lacks the

strength to build a new nest. Let's keep our marshes healthy and vibrant so that we see this stalwart creature frequently come April.

Can you spot the eagles? Answer.



WATERKEEPERS Win Big in Pesticide Case

On January 7, 2009, the 6th Circuit Court of Appeals increased the Clean Water Act's oversight to include most commercial pesticides. The decision was a victory for our rivers and streams, and for all of us who use them.

The Court held that the commercial pesticides were pollutants under federal law and therefore must be regulated under the Clean Water Act to minimize the impacts to human health and the environment.

Several manufacturers and industry associations had joined the case in an attempt to broaden the Environmental Protection Agency's 2006 exemption. The Court told them in no uncertain terms that their products are harmful to human health and the environment, and therefore EPA must regulate aquatic pesticide applications under the Clean Water Act.

With this decision, virtually all commercial pesticide applications to, over and around waterways will now require National Pollutant Discharge Elimination System (NPDES) permits. The NPDES permits will allow for local citizen input, and provide for accountability and oversight.

Congratulations to San Francisco Baykeeper, Waterkeeper Alliance, the Peconic Baykeeper and Long Island Soundkeeper. 