

HERRING PONDS WATERSHED ASSOCIATION

Board of Directors' Meeting

May 21, 2019

42 Carters' Bridge, Plymouth

Submitted by Secretary Margaret Burke

Present: Don Williams, Geri Williams, Lee Pulis, Jerry Levine, Beth Sobiloff, Phil Angell, Brian Harrington ex officio, Martha Sheldon, Margaret Burke, Paula Kuketz

President Don Williams called the meeting to order at 7:02 p.m. **There was a motion to approve the April, 15 2019 BoD minutes with a second and the motion passed unanimously. There was a motion to approve the March 16, 2019 General Meeting minutes with a second and the motion passed unanimously.**

There was a motion to approve the March Treasurers report with a second and the motion passed unanimously. There was a motion to approve the April Treasurers Report with a second and the motion passed unanimously.

There was a discussion about the upcoming Shed Faire on July 13th. at the Cedarville Fire Station with a call for volunteers. This was followed by a discussion of a membership blast regarding the possible leasing of the Little Red School House. Brian will look into the Cedarville Firehouse as a possible meeting place for the HPWA general meetings. It was decided that the firehouse might be a good place to have the August 12th. or 19th. HPWA General Meeting featuring the "Little Tanker" talk and that the Ivan Mikolji presentation will remain at the Wildlands Trust Barn. Geri indicated that she knew of someone who could give a talk on pollinators for the September General Meeting.

There was a discussion about the herring count. They are coming into the pond in big numbers but also spotted leaving the pond. Next there was a discussion of the website design. **There was a motion to accept that PAYPAL would be pursued as an addition to the HPWA website. It was seconded and passed unanimously. There was a motion approve the new website design with a second and the motion passed unanimously.**

There was a discussion of proposed changes to the dues structure. The discussion included increasing the individual dues to from \$15.00 to \$20.00, family dues from \$25.00 to \$30.00, contributing dues from \$55.00 to \$60.00, sustaining from \$100.00 to \$125.00 and navigator to remain at \$250.00. Brian suggested that the “honorary/lifetime membership” be put in an endowment and Jerry said possibly a trust. **There was a motion to accept the new dues amounts with the amendment that the sustaining membership be increased to \$125.00. The motion was seconded and it passed unanimously. There was a motion to ratify the Forage Fish Conservation Act Action (prior e-mail vote and letter sent) with a second and the motion passed unanimously.**

Under New Business the summer Rising Tide Intern, Caitlin Ryan, was discussed. The intern’s main focus will be to research the other 9 ponds in the ACEC. These ponds are listed in the stewardship guide.

Finally, the group spoke about HPWA goals. After a lengthy discussion including personal goals, prior brainstorming goals, the mission statement etc., it was decided that Don would send out nine goals gleaned from the aforementioned topics and that board members would rate the goals in the categories of “High”, “Medium” and “Low” for future direction and planning.

Future meetings to be held on June 17th., BoD, June 30th., General, July 13th., Shed Faire, July 29th., BoD, Aug. 3rd., Picnic, Aug. 12th. or 19th., General, Aug. 26th., BoD.

There was a motion to adjourn the meeting with a second and the motion passed unanimously.

BOD Meeting Agenda 05/21/19

- 1) BOD Meeting 04/15/19 minutes approval – Peg
- 2) General Meeting 03/16/19 minutes approval -- Peg
- 3) Treasurer's April Balance Sheet Report – John
- 4) Committee Reports – Any Questions?
 - a) Shed Faire -- Lee

5) Old Business

- a) Herring Count Status – Ramona
- b) Little Red Schoolhouse Summary – Don
- c) Where to Hold HPWA General Meetings -- All
- d) Website Design Vote – Martha, Beth
- e) Proposed Change to Dues Structure -- John
- f) Ratify Forage Fish Conservation Act Action
- g) Backup Plan for Ivan Mikolji's Presentation

6) New Business

- a) Summer Intern
- b) HPWA Goals Discussion -- All

- 7) Any other business?
- 8) Adjournment

May 21, 2019
Don Williams

Board of Directors,

The activities and plans of the Water Quality Committee are summarized below:

Activities:

- Jim Smith's April LHP E. coli sample was low (<5) as was the nitrate sample (0.06 mg/l). Of greater interest were the nitrate levels at the LHP outlet (0.47 mg/l) and at the Carters River Bridge (0.51 mg/l). There appears to be a large increase (8x) between the "pristine" spring source in LHP and the "average" LHP nitrate level. Moreover, a slight (0.47 to 0.51 mg/l) increase was observed between the top end and bottom end of the Carters River. None of these values present concerns about the quality of the water for drinking but the upward trend clearly implicates human interference.
- I will report on a meeting with Neal Price of Horsley-Witten that will take place Tuesday morning. I want to find out more about algae bloom chemistry from him.
- At a meeting with David Gould and Kim Tower of Plymouth DMEA on May 8, David told me he would know more about availability and amount of financing for an HPWA Watershed Management Plan.
- On May 10, I met with Nate Horwitz-Willis, Plymouth Public Health Director. He told me he was hopeful Plymouth would receive an MVP Grant to assess the effect of global warming on water resources, quantity and quality.
- Discussions were held with Harvey LeSueur (LWV Water Committee Chair) about engineering difficulties with the remaining 4 GHP runoff sites. Paving Clarissa Joseph Road can be done more inexpensively and still comply with the requirement that remediated roads must be paved.
- I took Meghna Marjadi, a PhD candidate at UMass Amherst, out on the pond for a second year of zooplankton sampling. We will also take future samples at LHP if Jim Smith can arrange for the electric boat. Meghna is trying to correlate zooplankton levels with herring spawn success and will be willing to present her work to us at a later date.

Plans:

- Don will talk to Plymouth engineering about possible alternative runoff solutions when things slow down a bit for Plymouth Engineering.
- A runoff hypothesis presentation to Vinnie deMacedo, will be put on hold until after my discussion with Neal Price of Horsley-Witten.
- Harvey LeSueur will be looking at possible engineering solutions for remediation and the other 3 study runoff sites (Carters Bridge Road, 2 on Herring Pond Road) and let me know what he finds out.

Programs:

We had a successful program today with a good turnout, although not many HPWA members. Though several attendees asked about membership as they have attended other programs we have partnered with Wildlands Trust and they have been impressed with our programs and efforts. Don and I gave out several membership envelopes. Several members also emailed with requests for handouts from the program. I will forward Michael's email with information and 'handouts' when I receive them from Michael. Teri Pekol brought lots of small seedling milkweed seedlings in peat pots to the meeting and she offered them for free to attendees, many left with several. I brought some pots of native plants that I had dug from my yard, and offered them for sale prior to and after the meeting. I will donate the proceeds to HPWA.

Lee has expressed some concern that Ivan may not make it out of Venezuela. He has answered Lee's last emails. I have sent him an email asking for his status. I would like to discuss a possible back up program for June 30. I spoke with Rachel today about the program and she is flexible.

I sent an email to Mike Burns at the Mass Maritime Academy about delivering a program for our August meeting on the small tanker training program they conduct on GHP. Unfortunately I received an automatic reply email saying he was away on military deployment until May 20. Hopefully I will hear from him next week, or will try contacting him again.

Newsletter:

I think our next newsletter should come out before the June 30 meeting, probably by June 23. Therefore I will need your articles / information by **June 18**.

Perhaps we will be able to introduce our new logo and revised website in this newsletter. (Martha and or Beth)

Teri Pekol has agreed to write a page article on Monarch butterflies and raising them.

We will need:

- a report from the nominating committee – Martha or Brian
- more info on Shed Faire - Lee
- initial info on Annual Picnic - Phil
- info on our summer intern and her project
- update on camper scholarships, if we know their identity - Lee
- brief article on Naturescaping program and link to electronic 'handouts' - ?
- summary of herring count project - Ramona
- Water safety cautions - Paula
- Water quality report – Don or Jack
- Membership drive update – Martha
- Any other educational information

Geri

EduCom Report – for May 21, 2019 BoD Meeting – Lee Pulis

River Herring Festival

As reported in our Spring 2019 eNewsletter: “About 125 individuals (ages 2-71) “ran” like river herring up HPWA’s fish ladder activity at the April 28th event. The weather cooperated providing cool wind and no sunburn. It was fun and successful, but [I do apologize to those who worked so hard](#). I focused more on design and creation, and grossly underestimated the volunteer power required to keep it running continuously from 9Am to 3 PM! We could have used double the manpower. Several of us have done some *post mortem* documentation of the materials, layout and manpower needs for any future deployment, by us or other interested groups (appended at end of report).

Beth took video of the fish parade and of our herring ladder and slide activity. Visit her Youtube site: <https://www.youtube.com/watch?v=ANOQwba67a0>. The fish parade footage begins at 12:06 and our herring run activity at 20:54 to the end.
<https://youtu.be/ANOQwba67a0?t=1254>

Shed Faire item gathering – All BoD members please ramp up promoting donations among friends, neighbors, and pond associations. Suggest they can store their donated items ahead of time at Phil’s garage.

It’s time to start giving some thought to any additional activities and displays, and manpower for coverage of tasks such as signage, transporting items from storage to site, set-up, pricing, cash handling, left-over disposal, and cleanup.



WAA Conference Resources – Don’s forwarding of Dorie’s email covers this, but for another reminder to take a look at all the resources there, Community TV video links of all presentations are now posted in addition to corresponding slide PDFs, hyperlinked within the online conference schedule on the WAA website:

<http://watershedaction.org/index.php/education/2019-conference>

HPWA's Milkweeds for Monarchs Project led by Teri Kreitzer will distribute free peat pots of milkweed seedlings at the May 19 public program on Naturescaping by Michael Talbot. Since 2014 the US Fish and Wildlife Service has been assessing the status of the Monarch Butterfly per the process of the Endangered Speices Act. In late June 2019 USFWS is due to determine whether to list the Monarch Butterfly as "Endangered." Planting even small plots of milkweed can help.



Facebook social media posts since last report: All posts are public and viewable at <https://www.facebook.com/HerringPondWatershedAssociation/>

- May 16: HPWA public meeting reminder for May 19 Naturescaping program at Wildlands Trust
- May 16: Shared link to World Fish Migration Day 2020 video
- May 15: Photos and eBird list of 41 species seen on May 15 HPWA Bird Walk with Brian
- May 13: Post of Martha's photo of nesting gray Screech owl in HPWA box
- May 13: Link to just-released Spring 2019 HPWA eNewsletter
- May 10: Further update on Little Red, per OCM: Police investigating disposition of cash
- May 8: Little Red Schoolhouse updates: Town Notice of fees
- May 6: Save date email post for HPWA Bird Walks with Brian May 15 and 22
- May 4: Posted reminder/encouragement for participating in today's Hometown Cleanup
- May 3: Shared Youtube video of youngster explaining what he learned about herring at Festival
- May 1: Link to Plymouth Wicked Local photos of Plymouth Herring Run Festival
- Apr 28: Photos of HPWA fish ladder activity at Plymouth Herring Run Festival
- Apr 26: Link to Town Brook newly installed live-streaming fish camera at grist mill
- Apr 23: Posted link to NOAA's just-released 20-year story map video of Town Brook Restoration
- Apr 22: Photo of Gov Baker releasing tagged herring at Newfield St. Bridge
- Apr 19: Posted Chris Lewis's son-in-law video of herring at Cape Cod Canal with appeal for counters
- Apr 18: Posted Town agenda for Apr 22 Holmes Dam Removal and Earth Day visit by Governor
- Apr 17: Ramona announced first herring sighted at counting station. (Awarded wind spinner to new member John Collins)
- Apr 16: Shared May 4 Hometown cleanup poster plus notice of Shed Faire to promote reuse/recycling (3,168 Reach, 124 engagements)

Apr 14: Shared post of Great horned owl killed by secondary hemorrhaging from rodenticides
Apr 12: Posted flyer of Earth Week events in Plymouth



Your Page Insights Summary for Herring Ponds Watershed Association

April 19 - May 16

1.0K Post Reach -73%	417 Post Engagements -28%	4 New Page Likes -69%
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Trends compare the current and previous 28-day periods.



Your Page Insights Summary for Herring Ponds Watershed Association

April 14 - May 11

3.7K Post Reach +173%	540 Post Engagements +12%	7 New Page Likes -36%
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Trends compare the current and previous 28-day periods.

HPWA Membership Committee Report to ExCo

05/20/2019

By Martha Sheldon

I. Membership Numbers – May

Memberships: 104
Members ~202
Active Contacts* 294

No change in the membership numbers from March. We are a few days away from launching this year's dues appeal. Active contacts continue to roll in from events, and not many of these "unsubscribe."

II. Membership Committee Meeting April 29, 2019

- 1) The Committee (Geri Williams, John Foye, Marilynn Atterbury, Jerry Levine and Martha Sheldon) met at Martha's house and discussed a number of items, including implementing the **spring dues appeal** – our annual mailing that goes to about 250 addresses. That is in process at Powderhorn Press. It is expected to be in the mail by early next week. As in the past, two follow-up electronic appeals to non-responders are planned in late June and November. We hope to have the pay button on our website by then to facilitate electronic payment of dues.
- 2) John led a discussion of our **dues structure**, noting that the Committee had considered raising the fees last year but didn't. Most of the Committee members felt the structure was a bit too low, and further could perhaps benefit from an added level at the higher end. After some discussion, the Committee voted unanimously to recommend a modest change in HPWA's fees structure by raising it \$5 at each level except the \$100 level, and adding a new category of \$250, called "Navigator." John provided these figures in the text box:

Proposed Dues increase of \$5.00

Dues Amt	Increase to	Number of Payees	Increase Results
\$100	none	21	0
\$55	\$60	13	\$65
\$25	\$30	50	\$250
\$15	\$20	20	\$100
			\$415 more income

The Committee's recommendation to approve an increase in HPWA's fee structure will be brought to the Board for discussion and a vote. (To expedite the spring appeal, this year we will use the old return envelopes and fee structure.)

*The number of contacts in Constant Contact.

- 3) In March, HPWA member Chris Lewis, an award winning designer specializing in art direction, brand identity and marketing, presented his proposed **HPWA web design** and new HPWA logo to the Board. The Board voted unanimously to let the Membership Committee develop a Marketing Plan, with the goal of updating and linking the brochure, logo and web design.

In its April, the Membership Committee voted unanimously to recommend adopting Chris' proposed HPWA web design. The Committee felt the design complemented the new brochure and logo, giving a consistent look and feel to all the tools we use to project ourselves to the public. The Committee thought the design was fresh-looking, and would be highly attractive to the younger families we hope to enroll. Martha and Beth will work together to implement Chris's design templates, and to capture the easy navigation that Beth has already started. **The Committee's recommendation to approve Chris Lewis' web site design will be brought to the Board for a vote. Please see attached PDF of the web design.**

- 4) The Committee is moving to price 3,000 copies of the **approved brochure** with several printers, and will bring the estimates before the Board. Below is the final layout of the brochure (subject to fee changes). Notice that the images capture the animals, plants, people and children, water and landscapes of our watershed! The brochure will provide a colorful take-away or leave-behind for public events, door-to-door campaigns or even a mail campaign in the future.

THE HERRING PONDS
WATERSHED ASSOCIATION

Protecting
Protecting our water resources for drinking, recreation, aesthetics, and migrating river herring is a foundational goal of HPWA. We work with towns on remediation projects to reduce pollutants entering our ponds. And we work to preserve our land, its unique vegetation and high priority open space for wildlife and for people, helping to preserve 50+ acres to date.

With your help we have:

- Protected five acres along the Carter's River (by Plymouth CPC for conservation restriction)
- Preserved with CPC 43.6-acres between Little Herring and Triangle Ponds, now the David E. Alper Nature Preserve
- Established a Pine Barrens Plant ID Trail at Alper Preserve
- Built 100 Screech Owl and Bluebird nest boxes
- Printed and distributed *Watershed Stewardship and Volunteer Action Guide* to 2500 households
- Remediated storm water runoff with the Town of Plymouth at 2 sites on Great Herring Pond
- Sampled water quality on Great and Little Herring Ponds with 9 consecutive years

HPWA continues to build effective partnerships with other non profits and town and state officials to:

- Preserve and restore high priority habitats
- Protect sensitive areas from sprawling development
- Reduce pollutants entering our waters
- Promote nature education and quality of life

Northern river otter

Northern red-bellied cooter

What is the Herring Ponds Watershed Association?
WE ARE NOT JUST ABOUT PONDS AND STREAMS! The Herring Ponds Watershed includes 4,450 acres of land, including eleven ponds. We work to preserve all key habitats, and open space. We monitor water quality and flows in our ponds, and strive to educate citizens about sustainable watershed living.

Monitoring
Since 2008 HPWA has conducted Water Quality Monitoring including nutrients, clarity, dissolved oxygen and water flow at sites on Great and Little Herring Ponds and the Carter's River. We coordinate volunteers for HPWA's spring river herring count, monitor for invasive plant species, lead bird walks and monitor wildlife via video cams.

Educating
Citizens are integral to safeguarding our natural resources. HPWA provides information and promotes awareness for watershed stewardship, including newsletters and educational programs for the public. We also sponsor special projects for children and adults alike. Our stewardship guide is acclaimed as a model, and our superhero herring graphic stories have been received by hundreds of schoolchildren.

TheHerringPondsWatershed.org

Continued on next page....

JOIN ONLINE AT:
TheHerringPondsWatershed.org/donate

YES! I support HPWA's efforts to protect the health of our watershed.

Annual Membership Levels:

\$15 Individual Membership
 \$25 Family Membership
 \$55 Contributing Membership
 \$100 Sustaining Membership

Name: _____
 Address: _____

 Email: _____
 Phone: _____

If you would like to serve on a Committee, please let us know which is of interest to you:

Membership Newsletter
 Water Quality Website
 Education Water Safety
 Invasive Species Gov't Liaison

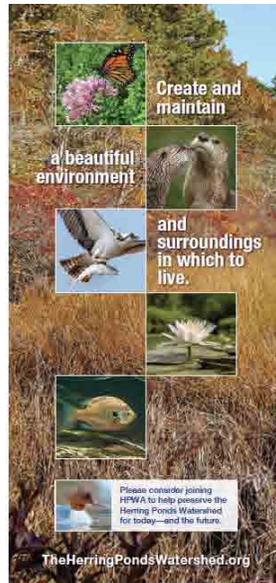
Please make check payable to HPWA. Mail to:

HPWA
 PO Box 522
 Sagamore Beach, MA 02562



PLACE STAMP HERE

HPWA
 PO Box 522
 Sagamore Beach, MA
 02562



TheHerringPondsWatershed.org



Safeguarding our Watershed since 2007
 The Herring Ponds Watershed Association is a volunteer organization within the boundaries of the Herring River Watershed ACEC.

THE WATERSHED CONTAINS FORESTS, WETLANDS, RIVERS, PONDS, NATIVE/ MIGRATORY WILDLIFE, and is one of the most important river herring runs in the State.



Our efforts have led to strategic land preservation.
 Our water sampling has led to remediation projects on Great Herring Pond funded by local and state government; our advocacy has preserved critical parcels; our educational programs have reached many. We still have lots to do!

The Herring Ponds Watershed Association

Preserving and Enhancing our Natural Resources for Generations to Come.

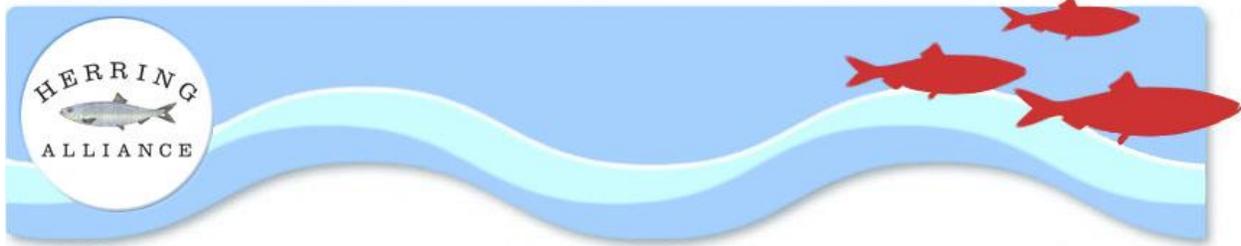


THE HERRING PONDS WATERSHED ASSOCIATION
 A 501(c)(3) organization

III. Communications Report – May Activity

	Time Sent	Campaign Name	Total Sent	Open Rate	Click Through Rate	Bounce Rate	Unsubscribe Rate
<input type="checkbox"/>	Tue, May 14, 2019 6:00 AM	Spring Bird Walks 2019 reminder1	288	42% 121	4.1% 5	0% 0	0% 0
<input type="checkbox"/>	Sun, May 12, 2019 9:52 PM	Newsletter Spring 2019	288	52.1% 150	40% 60	0% 0	0.3% 1
<input type="checkbox"/>	Fri, May 3, 2019 7:00 AM	Nature-scaping Talk May 19, 2019	288	49% 141	14.9% 21	0% 0	0% 0
<input type="checkbox"/>	Wed, May 1, 2019 1:47 PM	Spring Bird Walks 2019	285	53.3% 152	2.6% 4	0% 0	0% 0

Posting a day-before-the-event reminder of the May 15 Bird Walk may have helped people to remember to come to this event. We had the best birding turnout ever (9 people) for the “before work” birding event. Another reminder is scheduled to go out the day before the second bird walk on May 22. Opens by Device is 46% Mobile and 54% Desktop. I try to design to the mobile view which tends to stack elements and is the trickiest to work with.



May 22, 2019

Dr. Chris Moore, Executive Director
Mr. Mike Luisi, Chairman
Mid-Atlantic Fishery Management Council
800 N. State St., Suite 201
Dover, DE 19901

RE: River Herring & Shad Catch Cap in the Atlantic Mackerel Fishery

Dear Dr. Moore and Mr. Luisi:

The below signed members of the Herring Alliance¹ are concerned that the Mid-Atlantic Fishery Management Council is considering action that would revise the river herring and shad catch cap in the Atlantic mackerel fishery, potentially weakening the only measure implemented in the fishery that limits bycatch of American shad, hickory shad, alewife and blueback herring. Coastwide, these stocks remain highly depleted, at near or at all-time historic lows.² Meanwhile, the Atlantic mackerel rebuilding plan that the Council recently proposed would nearly double the allowable catch of river herring and shad, which is contrary to the purpose of the cap. The Herring Alliance maintains that these species must, under law, and should, as public trust resources, be added as stocks in the Atlantic Mackerel, Squid and Butterfish Fishery Management Plan (MSB FMP). Absent this, we oppose any measure that would increase the take of river herring and shad at sea. We respectfully request that if the Council considers any further action to address cap-triggered Atlantic mackerel fishery closures, it needs to result in measures that will strengthen the conservation of river herring and shad populations while they are in federal waters. As the Council is aware, we also oppose the inadequate river herring and shad catch cap in the proposed Atlantic mackerel rebuilding plan.

- **There is no evidence that Mid-Atlantic and Southern New England shad and river herring populations are in a state of recovery and can withstand current or increased fishing pressure at sea.** The 2017 river herring stock assessment update concluded that while there were positive signs of recovery in some river systems, river herring populations remain depleted at near historic lows on a coastwide basis.³ Given their status as a “species of concern”⁴ for more than a decade and impending Endangered

¹ The Herring Alliance includes 119 organizations representing nearly 2.5 million individuals concerned about the Atlantic coast’s forage fish, including the stocks managed in the MSB FMP, and the impacts of forage fish fisheries on the ecosystem through food web depletion and bycatch.

² ASMFC (Atlantic States Marine Fisheries Commission), Shad & River Herring, Accessed May 14, 2019: <http://www.asmf.org/species/shad-river-herring>.

³ ASMFC (Atlantic States Marine Fisheries Commission), 2017. River herring stock assessment update, volume 1, August 2017.

⁴ See, “Species of Concern in the Greater Atlantic Region.” <https://www.greateratlantic.fisheries.noaa.gov/protected/pcp/soc/index.html>.

Species Act determinations, the catch cap should not be increased unless a biological basis for doing so is established. American shad are not faring any better than river herring. The last benchmark assessment found that American shad are highly depressed from historic levels and do not appear to be recovering.⁵ A new American shad benchmark assessment is underway, but we will not learn the findings of that assessment until 2020. The new benchmark assessment may help shed light on the effectiveness of the Atlantic mackerel and Atlantic herring fisheries caps and what more needs to be done to address at sea bycatch of shad.

For now, river herring and shad face many threats. The pending Atlantic Mackerel Rebuilding Framework approved by the Council, calls for scaling up the river herring and shad bycatch cap with any increase in Atlantic mackerel catch (additional details below). And while both the Atlantic mackerel and Atlantic herring fisheries have bycatch caps in place, bycatch continues unaddressed in other Atlantic fisheries such as longfin squid—where there is significant bycatch of blueback herring, the most imperiled stock of the river herring and shad stock complex.⁶ Given these threats, the Council is not adequately addressing the needed conservation and management of these once abundant and valuable public resources.

- **River herring and shad measures must be consistent with the stated purpose of Amendment 14 to the MSB FMP, which committed to reduce bycatch (retained and discarded) of river herring and shad.**⁷ The current bycatch cap was intended as an incentive for fishery participants to avoid reaching the cap limit. Even with the current caps in place unchanged, they provide no incentive to actually *reduce* bycatch of these depleted species over time, which is necessary to enable their recovery. In fact, contrary to the intent of Amendment 14, the amount of river herring and shad being taken from the ocean is increasing. Since the mackerel fishery cap was first implemented in 2014, total river herring and shad extrapolated catch has increased by nearly 100 mt (from 177.55 to 270.65 mt).⁸ Also troubling is that the closure of the directed mackerel fishery, both in 2018 and 2019, was attributed in large part to one or more vessels that ignored advice to avoid certain areas provided by the voluntary SMAST Bycatch Avoidance Program. The voluntary nature of this program is problematic and must be addressed. We note that recent studies have found that a disproportionate amount of river herring bycatch in Atlantic mackerel and Atlantic herring fisheries is from the Southern New England alewife group and the Mid-Atlantic blueback herring group, regional genetic groups that have experienced severe recent population declines.⁹ Furthermore, we urge managers to consider the bigger picture, including that the Atlantic mackerel and Atlantic herring stocks are pursued in Canadian waters and that river herring and shad are subject to bycatch in other fisheries.

⁵ ASMFC (Atlantic States Marine Fisheries Commission), 2007. Stock assessment report no. 07-01: American Shad stock assessment report for peer review, volume 1, August 2007.

⁶ April 2017, MAFMC Squid Amendment and Public Hearing Document, https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/58f76612f7e0ab3d069cfe64/1492608534010/Squid+Hearing+Doc+2017_04_18.pdf, p. 4 at Table 19, p. 55.

⁷ Amendment 14 Final Environmental Impact Statement, p. 10.

⁸ See the 2018 Annual RH/S Progress and Cap Review, Table 7.

⁹ Reid, K., Palkovacs, E.P., Hasselman, D.J., Baetscher, D., Kibele, J., Gahagan, B., Bentzen, P., McBride, M.C. and Garza, J.C., 2018. Comprehensive evaluation of genetic population structure for anadromous river herring with single nucleotide polymorphism data. *Fisheries Research*, 206, pp.247-258.

The Council, through the recent Atlantic Mackerel Rebuilding Framework, reaffirmed a provision that starts the river herring and shad bycatch cap at 89 mt (the median of actual river herring and shad catches by the mackerel fishery from 2005-2012, the years that serve as the baseline for reducing bycatch in Amendment 14) until the fishery harvests 10,000 mt of mackerel. After the mackerel fishery lands 10,000 mt, the cap then scales up with the mackerel quota based on a 0.74% ratio of river herring and shad catch to mackerel catch. If the Council's Framework is approved by NOAA fisheries as proposed, the allowable bycatch would nearly double, even though there is no scientific evidence that the conditions that may increase the mackerel population would do the same for the highly depleted river herring and shad species. The Herring Alliance opposes any measure that would increase the take of river herring and shad at sea.

- **Alternative conservation measures that would reduce bycatch should be developed if the Council considers any action to modify the cap to address concerns caused by early mackerel fishery closures.** The Herring Alliance maintains that river herring and shad need full conservation and management under the Magnuson-Stevens Fishery Conservation and Management Act. However, if the Council continues to (unlawfully) limit its efforts to conserve these species through catch caps, any revision to the methodologies used to set the caps must be focused on meeting the Council's original commitment to shift to a biologically based catch cap. In addition, time and area closures should be revisited through a new, updated bycatch hotspot analysis that incorporates recent research on the distribution overlap between river herring and Atlantic mackerel.¹⁰ Finally, the Council should incentivize selective gears with negligible bycatch, such as jig fishing, by establishing a new directed fishing permit category that could be used to continue to target mackerel after the cap has been triggered.

Many of our member organizations have dedicated countless hours and resources working to restore river herring and shad runs in our communities. As stakeholders with significant investments in the health of river herring and shad populations, we urge the Council to fully commit to the conservation and restoration of river herring and shad populations in Atlantic Ocean waters.

Sincerely,

¹⁰ Sara M. Turner, Jonathan A. Hare, David E. Richardson & John P. Manderson, 2017. Trends and Potential Drivers of Distribution Overlap of River Herring and Commercially Exploited Pelagic Marine Fishes on the Northeast U.S. Continental Shelf, *Marine and Coastal Fisheries*, 9:1, 13-22, DOI: 10.1080/19425120.2016.1255683.

Connecticut

Audubon Connecticut
Connecticut Audubon Society
Connecticut Ornithological Association
Eightmile River Wild & Scenic Steering
Committee
Environment Connecticut
Farmington River Watershed Association
Naugatuck River Revival Group, Inc
Park Watershed, Inc.
Rivers Alliance of CT
Save the Sound, a program of Connecticut
Fund for the Environment
SoundWaters

District of Columbia

Earthjustice
Environment America
National Audubon Society
Oceana
Potomac Riverkeeper Network
The Pew Charitable Trusts
Greenpeace

Delaware

Delaware Audubon
Delaware Riverkeeper Network

Massachusetts

Alewives Anonymous
Charles River Watershed Association
Connecticut River Watershed Council
Conservation Law Foundation
Environment Massachusetts
Environmental Entrepreneurs
Greater Boston Trout Unlimited
Ipswich River Watershed Association
Jones River Watershed Association
Lowell Parks & Conservation Trust
Massachusetts Baykeeper

Merrimack River Watershed Council
Mystic River Watershed Association
Neponset River Watershed Association
New England Coastal Wildlife Alliance
North and South Rivers Watershed
Association
Ocean River Institute
Parker River Clean Water Association
Red Lily Pond Project Association, Inc.
The Herring Ponds Watershed Association
Watershed Action Alliance of Southeastern
Massachusetts

Maryland

Bennet Nickerson Environmental
Consulting
Chesapeake Bay Foundation
Mattawoman Watershed Society
South River Federation
Waterkeepers Chesapeake
West & Rhode Riverkeeper, Inc.
ShoreRivers

Maine

Environment Maine
Island Institute

North Carolina

Cape Fear River Watch, Inc.
Environment North Carolina
Plastic Ocean Project
Sound Rivers
Spruill Farm Conservation Project
Waterkeepers Carolina

New Hampshire

Citizens For a Future New Hampshire
Environment New Hampshire
New Hampshire Animal Rights League
Seacoast Science Center

New Jersey

Citizen United to Protect the Maurice River
and Its Tributaries, Inc
Environment New Jersey
Great Egg Harbor River Council
Hakensack Riverkeeper
Hudson River Fishermen's Association
NY/NJ Baykeeper
Raritan Riverkeeper
Steamboat Floating Classroom, Inc.
Stony Brook-Millstone Watershed
Association
The Delaware River Greenway Partnership

New York

Concerned Citizens of Montauk
Environment New York
Friends of the Bay
Friends of the Upper Delaware River
Gateway Striper Club
Gotham Whale
Huntington-Oyster Bay Audubon Society
Long Island Chapter of Trout Unlimited
Natural Resources Defense Council
North Fork Environmental Council
Operation SPLASH
Peconic Baykeeper
Riverkeeper (NY)
Seatuck Environmental Association
Shark Angels
The Safina Center

Pennsylvania

Delaware River Fishermen's Association
Delaware River Shad Fishermens
Association
Friends of Poquessing Watershed, Inc.
Green Valleys Watershed Association
Juniata Valley Audubon
Lower Delaware Wild & Scenic
Management Council
Northcentral Pennsylvania Conservancy

PennEnvironment
PennFuture
Pennsylvania Organization for Watershed's
and Rivers
Schuylkill Headwaters Association
Susquehanna River Heartland Coalition for
Environmental Studies
Tookany/Tacony-Frankford Watershed
Partnership, Inc.
White Clay Wild & Scenic River Program

Rhode Island

Blackstone River Watershed
Council/Friends of the Blackstone
Buckeye Brook Coalition
Environment Council of Rhode Island
Environment Rhode Island
Friends of the Moshassuck
Kickemuit River Council
Pawtuxet River Authority & Watershed
Council
Rhode Island Saltwater Anglers Association
Save The Bay
Ten Mile River Watershed Council
Wood Pawcatuck Watershed Assn
Woonasquatucket River Watershed Council

Virginia

Environment Virginia
Float Fishermen of Virginia
Friends of the Rappahannock
Friends of the Rivers of Virginia
James River Association
Richmond Audubon Society
Wild Oceans