

MEETING MINUTES

Middleborough-Lakeville Herring Fishery Commission

Received
OCT 17 2020
Lakeville Town Clerk

7/7/20 Meeting called to order at 6:05 PM. Thomas Memorial Park kiosk, Wareham St., Middleborough, MA.

Wardens Present: Tom Barron, Ron Burgess, Carol "Krill" Carson, David Cavanaugh, Brad Day, Bill Orphanos, Emily Ryan.

Absent:

Observers Present: Bruce Chase.

Visitors: Kevin Cook; Patricia Cassidy (Conservation Agent).

Without objection, Old Business 1 a. and b. were taken out of order to accommodate visitors.

Old Business

Sporadic schools of fry were seen entering the river from Assawompset.

1. a/b. Discussion re: removal of sandbags and raised D-channel at Oliver Mill Park, placed in April to prevent adult herring from migrating into the false channel, which generated citizen complaints in the past and prevent fry from migrating down and being caught in the seasonal weed growth.

Kevin Cook, East Main St., felt that raising the D-channel with sandbags and blocking the E through H-channels at Oliver Mill Park into the summer caused excess weed growth above and below the mill area and caused fetid, stagnant water leading to a potential increase in mosquitoes carrying EEE and other diseases. He also felt the activity was a Wetlands Act violation. It was noted that the A-channel, the main course of the river, has always been wide open and free flowing, and that other channels were blocked to prevent the upstream adult migration of herring (in the spring) and the downstream migration of fry (summer through winter, depending on the conditions) from being trapped in false channels or trapped in weedy sluiceways. It was noted that headwalls had deteriorated due to lack of park maintenance, and blocking the channels was now an 'all or nothing' activity. No control structures remain. It was noted that significant weed growth in the upper and lower pools occurred every year, with a die-off in winter, whether the channels were blocked or open. Tricia provided some river ecology information. Mr. Cook disagreed and planned to take his complaint to the state level.

Motion by Ron to leave the sandbags and higher boards in the D-channel in place until mid-October, unless weather, water, or fry migration dictate otherwise. Second: Tom. Unanimous.

New Business:

1. Motion by Tom to accept the minutes of the March 3 meeting with one correction. Second: Brad. Unanimous.
2. Motion by Ron to accept the minutes of the June 1 meeting. Second: Krill. Unanimous.
3. Tom updated the APC flood study grant activities. There was a public ZOOM meeting June 24th which highlighted the group's activities. The group will build on past studies and activities, including the dam sediment trap. Some boards have been placed in the Assawompset dam due to lowering lake levels, but water is still flowing over. We expect the river to drop. The group is attempting to obtain grants through SRPEDD and may be able to use MVP grant money.
4. We are still awaiting approval of the federal Natural Heritage program permit for the test weed removal in the Nemasket. All other permits are ready to go and in place.
5. We received an inquiry from the Middleborough Town Manager if we had used the line item funding voted for weed removal. It was noted that votes were to pay invoices equally from Middleborough and Lakeville line item funding. All invoices were sent to him, purportedly at his request, and he would 'bill' Lakeville. We had requested written confirmation and written response as to how he wanted to handle invoices and received no response. Motion by Ron that Tom obtain the exact amounts of invoices sent to Middleborough and Lakeville and provide the information. Second: Dave. Unanimous.
6. Discussion concerning payment of G&E bills. Since we were not allowed to enter Town Hall or the annex to retrieve mail (per order of the Middleborough selectmen and Town Manager) for several months; we were unable to retrieve the G&E bills. Inquiry with the Town Manager revealed we were not allowed to retrieve mail or meet with Town Treasurer employees to pay bills. Since G&E bills usually tack on a late payment fee, we felt we should not be required to pay any late fee. Unfortunately, Ron paid several bills (through the Town Treasurer) since Town Hall reopened and did not notice if there were late fees or not. Motion by Dave not to pay late fees and notify the G&E. Second: Tom. Unanimous. Ron noted that the lights and power at the Wareham St. kiosk were originally to aid in recording permits and herring catch numbers. Motion by Ron to request G&E turn off the power to the Wareham St. kiosk in the off season. Second: Tom. Motion passed 5-1.

Old Business

1. c. Brad Chase and Ed Clark from DMF plan to meet with the Commission in August to fix a section of the ladder leaking water around the control boards. They will also look at fixing/advice on sealing cracks in the concrete joints of the ladder. There was no belief that the ladder needs a serious cleaning at this time.

d. The river above the ladder is filling in badly. We can try to hand pull some weeds, but consideration should be given to another dredge project at the top of the ladder and out to the

river. Tricia suggested the possibility of future MVP funding, as part of the overall APC flood project.

e. There had been a request to discuss the possibility of replacing/rerouting the ladder and feeling that the ladder was not working. No proponent of that request was present. It was felt the current ladder is operating properly and passing 600,000 to 800,000 herring per year. Water flow is acceptable during the migration and the major problems are in the river itself.

2. a. No update. Awaiting the federal Natural Heritage Program permit re: the Red Bellied Cooters before the project can progress.

b. Lakeville selectmen wanted to know if we submitted a request for line item funding this year. No such vote on a line item request was moved or voted. Past discussion felt we should use up some of the existing voted funds before requesting more.

c. It was noted that at the Middleborough Town Meeting another \$5000 line item was voted for weed removal in the Nemasket River. The warrant article noted that the request came from the Commission. We assume this was a typographical error, and the request came from the Selectmen or Town Manager, since the Commission did not move or vote on such a request this year. Past discussion felt we should use up some of the existing voted funds before requesting more.

d. Tom and Ron updated the sediment trap project. Outback Engineering surveyed the land and water surrounding the dam area. Motion by Ron to pay Outback \$9500, from the \$35,000 state appropriation, for work performed. Second: Tom. Unanimous.

Outback plans to start a new phase of sediment sampling, identifying invasive species, and updating existing conditions 200 to 400 feet below the dam. Motion by Ron to approve Outback for this phase, for \$9000, from the \$35,000 state appropriation. Second: Tom. Unanimous.

Communications and Bills

Financial roll ups were provided.

Motion by Tom to adjourn. Second: Ron. Unanimous. Meeting adjourned at 7:25 PM