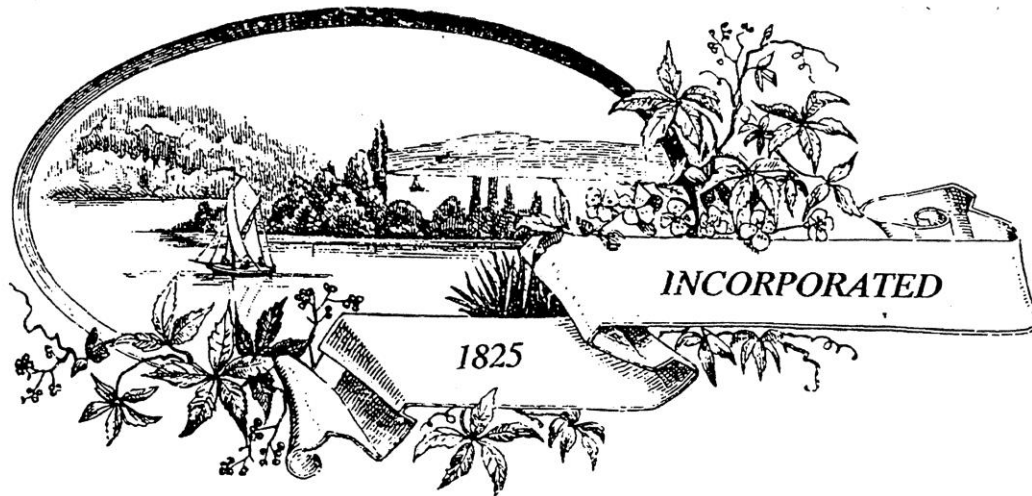


FRANKLIN



River Herring Ordinance

Of The

TOWN OF

FRANKLIN, MAINE

Original Ordinance Enacted

Town Meeting, March - Unknown

Amended every year

Town Meeting, March

2020 Revision Enacted

Town Meeting, June 20, 2020

2021 Revision Enacted

Town Meeting, March 27, 2021

Attest and Certified By: _____
Deborah T. Lurvey
Town Clerk, Franklin, Maine

Date: _____

Pages: 6

River Herring Harvest Plan Year of 2021

Grist Mill Stream:

- During 2021 harvesting will be allowed on Grist Mill Stream. Harvesting may only occur at one location on the stream. This will be at the Grist Mill Stream Road Bridge.
- The maximum mesh size of wire, twine, or other material used in the weir shall not exceed one inch by one inch (1" x 1").
- The generally required 2' weir opening on the side of stream can be closed as that configuration was leading to fish mortality. In lieu of the 2' opening, the harvester will allow approximately 100 bushels of alewives free passage past the harvest site before harvest begins. This must be documented and approved by a DMR biologist before harvesting can commence. This escapement is in addition to any escapement occurring during weekly closure periods. Further, when "runbacks" are observed, which are river herring that have already spawned and are descending the stream to return to the ocean, the harvester will allow these fish to pass downstream, dropping the net and allowing free passage. This will be done even if harvestable fish caught in the net as they migrate upstream are passed, and therefore not harvested.
- The entrance to the dipping pen or trap shall be covered by bars, slats, or spacers with a maximum width of two inches (2") between said bars, slats or spacers.
- Dipping of river herring shall be confined to the dipping pen or trap.
- There shall be a 72-hour weekly closed season on river herring from sunrise each Thursday morning until sunrise the following Sunday morning. During the closed season, a minimum size unobstructed opening of three feet by three feet (3' x 3') shall be maintained to allow escapement of spawning river herring and other migratory fish. To accomplish this, the fishing net must be completely weighted down to the bottom of the stream channel so no fish get caught under the net.
- Migratory fish such as salmon, shad, or other species except alewives and blueback herring that enter the trap shall be removed and allowed to pass upstream.
- Fishing operations shall cease and all fishing gear obstructing the passage of fish shall be removed from the fishing waters not later than June 5. The town may request to extend fishing operations to June 15, but must do so in writing by May 30.
- The year-end total and weekly landings in bushels and value of the catch shall be made available to the Maine Department of Marine Resources and/or Nation Marine Fisheries Service on request.

- The harvester is responsible for maintaining, facilitating, and aiding with projects to improve fish passage for river herring. Actions may include monitoring for and clearing debris jams or working with town and state officials to identify and improve passage at dams and culverts. The lessee must obtain a permit from IFW to trap beaver, or must work with or hire a person who holds an IFW trapping permit.
- The person will also be responsible for collecting scale samples and length measurements from 100 alewives each year (25 per week). The harvester will have to report to the Town Office once per week (Friday) with the 25 scale samples and a Daily Fish Count (what has been harvest and let go up to the pond).
- The harvester will pay the Town of Franklin 25% of the total bid for Grist Mill Stream per week (Friday) during the open season, for a total of 4 weeks.

Card Mill Stream:

- During 2021 harvesting will be allowed on Card Mill Stream. Harvesting may only occur at two locations on the stream. This will be at the Hog Bay Road Bridge and the bridge at the Donnell Pond public access boat ramp.
- The maximum mesh size of wire, twine, or other material used in the weir shall not exceed one inch by one inch (1" x 1").
- The generally required 2' weir opening on the side of stream needs to be open. 1000 bushel need to go up to spawn before harvest begins. This must be documented and approved by a DMR biologist before harvesting can commence. This escapement is in addition to any escapement occurring during weekly closure periods.
- The entrance to the dipping pen or trap shall be covered by bars, slats, or spacers with a maximum width of two inches (2") between said bars, slats or spacers.
- Dipping of river herring shall be confined to the dipping pen or trap.
- There shall be a 3 (three) day closed season on river herring from sunrise each Friday morning until sunrise the following Monday morning. During the closed season, a minimum size unobstructed opening of three feet by three feet (3' x 3') shall be maintained to allow escapement of spawning river herring and other migratory fish. To accomplish this, the fishing net must be completely weighted down to the bottom of the stream channel so no fish get caught under the net.
- Migratory fish such as salmon, shad, or other species except alewives and blueback herring that enter the trap shall be removed and allowed to pass upstream.

- Fishing operations shall cease and all fishing gear obstructing the passage of fish shall be removed from the fishing waters not later than June 5. The town may request to extend fishing operations to June 15, but must do so in writing by May 30.
- The year-end total and weekly landings in bushels and value of the catch shall be made available to the Maine Department of Marine Resources and/or Nation Marine Fisheries Service on request.
- The harvester is responsible for maintaining, facilitating, and aiding with projects to improve fish passage for river herring. Actions may include monitoring for and clearing debris jams or working with town and state officials to identify and improve passage at dams and culverts. The lessee must obtain a permit from IFW to trap beaver, or must work with or hire a person who holds an IFW trapping permit.
- The person will also be responsible for collecting scale samples and length measurements from 100 alewives each year (25 per week). The harvester will have to report to the Town Office once per week (Friday) with the 25 scale samples and a Daily Fish Count (what has been harvest and let go up to the pond).
- The harvester will pay the Town of Franklin 25% of the total bid for Card Mill Stream per week (Friday) during the open season, for a total of 4 weeks.

Appendix – Warrant Articles

Town Meeting – June 20, 2020

Article # 32 – River Herring Ordinance

To see if the Town will adopt the Town of Franklin River Herring Harvest Plan for harvesting on Grist Mill Stream and Card Mill Stream.

Motioned to accept the Ordinance as written. Motion Passed.

Town Meeting – March 27, 2021

Article # 39 – River Herring Ordinance

To see if the Town will adopt the Town of Franklin River Herring Harvest Plan for harvesting on Grist Mill Stream and Card Mill Stream.

Motioned to accept the Ordinance as written. Motion Passed.

Researching old Town Warrants to locate all the amendments.
