



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
55 Great Republic Drive  
Gloucester, MA 01930-2276

**FEB - 6 2018**

Mr. Nick Bennett  
Natural Resources Council of Maine  
3 Wade Street  
Augusta, ME 04330

RE: Sheepscot Pond (LD 1667)

Dear Mr. Bennett:

Thank you for bringing to our attention legislation proposed in the state of Maine (Maine Legislative Document 922) that would enable anadromous fish species to access Sheepscot Pond in Waldo County, Maine, from April 15 to June 30 each year. Here, we provide you with information regarding our trust resources in the Sheepscot River.

We are dedicated to managing, conserving, and rebuilding populations of marine mammals and endangered and threatened marine and anadromous species in rivers, bays, estuaries and marine waters of the United States. Through management, conservation and recovery efforts, and public outreach and education under the Endangered Species Act (ESA), we strive to ensure the survival of the protected marine species in the Northeast United States for future generations. The Gulf of Maine (GOM) Distinct Population Segment (DPS) of Atlantic salmon is listed as endangered under the ESA (65 *Federal Register* 69459 and 74 *FR* 29344). The GOM DPS includes all anadromous Atlantic salmon whose freshwater range occurs in the watersheds from the Androscoggin River northward along the Maine coast to the Dennys River. Critical habitat has been designated for listed Atlantic salmon pursuant to section 4 of the ESA (74 *FR* 29300 and 74 *FR* 39003). Sheepscot Pond and its dam are located within both the GOM DPS of Atlantic salmon and its designated critical habitat.

Our overarching goal with respect to endangered Atlantic salmon is to recover the species and conserve the ecosystems on which they depend. The Sheepscot River supports one of the last remaining locally-adapted stocks in the Merymeeting Bay Habitat Recovery Unit of the GOM DPS. As such, the Sheepscot stock is of particular importance. The 2009 listing rule for Atlantic salmon specifically highlighted dams as one of the three most significant threats contributing to the decline of Atlantic salmon in Maine. Dams significantly impede the migration of Atlantic salmon and other diadromous fish and either reduce or eliminate access to spawning and rearing habitat needed to support recovered populations.



In April 2016, we and the U.S. Fish and Wildlife Service jointly issued a Draft Recovery Plan for the GOM DPS of Atlantic salmon<sup>1</sup>. The plan presents a recovery strategy based on the biological and ecological needs of the species as well as current threats and conservation accomplishments that affect its long-term viability. The plan highlights the enhancement of the connectivity between the ocean and freshwater habitats as one of seven distinct categories of actions required for the recovery of salmon. Allowing access for anadromous species at Sheepscot Pond would improve river connectivity, and therefore, would be consistent with the Draft Recovery Plan. The importance of restoring connectivity between the Gulf of Maine and headwater streams is also highlighted in our Species in the Spotlight Five-Year Action Plan<sup>2</sup>. We estimate that allowing anadromous fish to access Sheepscot Pond and the watershed upstream would provide Atlantic salmon access approximately 915 units of potential spawning and rearing habitat, where one habitat unit represents 100 square meters of spawning and rearing habitat.

We are also responsible for other diadromous species and marine, estuarine and coastal habitats. Our goal is to ensure the productivity and sustainability of fisheries and fishing communities through science-based decision making. Estuary and coastal riverine habitat systems, including the Sheepscot River, are an integral component of significant ecological functions for the larger marine environment. Estuaries and coastal rivers support many living marine resources. Species such as alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), American shad (*Alosa sapidissima*), sea lamprey (*Petromyzon marinus*), and American eel (*Anguilla rostrata*) rely on these coastal systems for refuge, spawning, rearing and nursery habitat.

On August 15, 2017, we initiated a new status review for alewife and blueback herring (river herring) to determine whether listing either species as endangered or threatened under the ESA is warranted (82 FR 38672). River herring are an important prey item for a wide variety of marine, freshwater, and terrestrial animals and may also serve as a prey buffer; thereby, benefitting migrating juvenile salmon. River herring also support a harvest industry in Maine. However, river herring populations have exhibited declines throughout much of their range. One of the primary threats contributing to these declines includes the loss of habitat due to the construction and perpetuation of dams and other impediments to migration. An abundant, diverse native fish community is also an essential feature of Atlantic salmon critical habitat. Allowing passage for diadromous species would enhance the survival and productivity of these diadromous species and benefit the riverine, estuarine, and marine ecosystems to which they are linked, including Atlantic salmon.

Minimizing barriers to fish passage in the Gulf of Maine watersheds is a critical component of our strategy to stabilize and recover the endangered Gulf of Maine DPS. It is also essential for

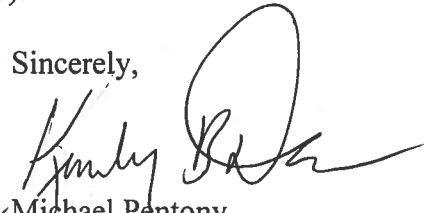
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<sup>1</sup> U.S. Fish and Wildlife Service and NOAA-Fisheries. 2016. Draft recovery plan for the Gulf of Maine Distinct Population Segment of Atlantic salmon (*Salmo salar*). 61 pp.

<sup>2</sup> The draft Recovery Plan and Species in the Spotlight Five-Year Action Plan are both available at: [http://www.nmfs.noaa.gov/stories/2015/12/spotlight\\_atlantic\\_salmon.html](http://www.nmfs.noaa.gov/stories/2015/12/spotlight_atlantic_salmon.html)

restoring and maintaining healthy diadromous fish populations that support coastal communities. If you have any further questions regarding Sheepscot Pond or the species addressed in this letter, please contact Matt Buhyoff in our Protected Resources Division ([matt.buhyoff@noaa.gov](mailto:matt.buhyoff@noaa.gov) or 207-866-4238).

Sincerely,



Michael Pentony  
Regional Administrator

CC: Crocker, F/GAR3  
Boelke, F/GAR4

