



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE ATTORNEY GENERAL

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MEMORANDUM

TO: Gary Clayton, Biologist CZM
FROM: Bev Tangvik, Investigator Public Protection Bureau
DATE: March 20, 1979
RE: Herring River, Wellfleet

The following is a summary of telephone interviews with people who live and/or work near the Herring River in Wellfleet. The interviews were conducted to document personal observations and experiences of environmental alterations in the saltmarsh, shellfish and alewives which they feel are attributable to the new tidal gate in the Herring River Dike.

1. Alton Atwood - Oysterman and member of the Shellfish Advisory Committee. He has lived and worked near the Herring River all his life. Since the new tidal gate was constructed he has observed that the oyster beds have been covered with mud on the Bay side. Before the dike was built the mud was washed away.

2. Steven Kozelka - Chairman of the Shellfish Advisory Committee. He has lived near the Herring River for four years. His observations describe the changes in the shellfish. There are no longer shellfish west of the dike and the area down toward the bay. He attributes this to silting on both sides of the dike. He has seen a reduction in growth rate of the oysters due to less feed coming down river. He believes the dike is detrimental to shellfish in the harbor as well, due to the reduction in feed.

3. Russell Swart - Shell fisherman and member of the Shellfish Advisory Committee. He has lived and worked near the Herring River since 1972. He has observed changes in the shellfish during this time. When the gate was in need of repair in the early 1970's shellfishing was great with lots of shellfish on both sides of the dike. After the dike was fixed all the oysters and steamers died. The river is silting in on the salt water side.

He doesn't believe there were many herring this year.

4. Michael Parlenti - Shellfisherman and member of the Shellfish Advisory Committee. He has lived and worked near the Herring River all his life. His observations are focused on the changes in the shellfish in the area. Before the dike was repaired there were a lot of shellfish on both sides of the dike, but there has been a decline in the shellfish since the reparation of the dike. Since the dike was repaired there has been a reduction in tidal flow causing a decline in food on the salt side. When the dike went under repair sand was placed around the dike and this sand killed the shellfish.

He believes the herring in the river are about the same, maybe a little less.

5. Wilber Rockwell - Member of the Conservation Commission. He was Selectman for five years, retired Spring 1978. He believes there has been no detrimental effects to the alewives with the new dike relative to the old dike and the time when the dike was in need of repair. He observed during the time the dike was in need of repair that trees were killed in the surrounding area due to the two foot difference in water elevation.

His main concern is if the dike was opened up it would be undermined. The dike was not designed for the full tidal flow of the river.

6. Jerry McQuire - Chairman of the Conservation Commission. He has worked near the Herring River since 1939 and has lived there since 1950's. Two years ago because of the questioning of the ability of the alewives to travel freely up the river, he observed the alewives during spring run. He saw they were able to go through the dike with the tide. He traveled up the river to Herring Pond and Bull Pond and did not observe a decrease in alewives there.

He is also uncertain if the dike is structured to handle an increased tidal flow.

He has observed a decrease in shellfish in the area but mainly attributes this to the increase of shellfisherman fishing in the area.

7. Mrs. Eric Shivian - Resident of Williams Pond, referred by Steven Kozelka. She has lived on Williams Pond during the summer since 1949 and all year since 1972. She strongly feels by her personal observations that there have been less alewives in Williams Pond since the new tidal gate was built.

8. Joseph Deiss - Author who has lived on Williams Pond in Thoreau House since 1951. He noted before the new dike was built the herring covered 1/3 of the nine acre pond. This has gradually diminished and abruptly dropped off after the new dike was built. Two springs ago he monitored the culvent between Herring Pond and Higgins Pond. Previously the herring were uncountable, this time they were easily counted. They traveled in batches of five or six in slow intervals. The largest batch he observed was 17.

In the Fall of 1971 the sluiceway between Williams Pond and Higgins Pond was blocked. After the first cold snap a high number of fish were killed because they couldn't get back to sea. He counted 1,000 dead fish and countless fingerlings. He arranged for University of Massachusetts to send a scientist who took samples of the fish and water. Substantial amounts of DDT was found in the fish and water but not enough to kill. Therefore the large fish kill was attributable to the blockage in the sluiceway and the drop in temperature.

9. Wilfred Rogers Jr. - Member of Conservation Commission. He has lived in Wellfleet for 58 years and strongly believes the herring are present in the river as they have always been. He has observed them going through the dike. He said if the gate was opened to allow a higher tidal flow the dike would collapse.

He also stated that the people who believe there has been a reduction in herring have lived near the river only a short time. He attributes the shellfish decline to the "Moonlight Oyster Company" people fishing illegally at night. He also noted that A.C. Jones hasn't been around long enough to understand the situation.

Several attempts were made to contact the following people:

1. Robert Wallace, Wellfleet Shellfish Constable.

March 5, 1979 - 3:00 PM.

March 6, 1979 - 5:30 PM.

March 12, 1979 - 5:00 PM

2. Joseph Francis, Wellfleet Oysterman

March 5, 1979 - 3:15 PM, 6:00 PM

March 6, 1979 - 5:30 PM

March 12, 1979 - 5:00 PM

3. Howard Snow, Wellfleet Oysterman
Phone number not available.

4. Kirk Wilkinson - Chairperson Conservation Commission
in 1973.

March 6, 1979 - 5:20 PM

March 7, 1979 - 9:30 AM

March 12, 1979 - 5:00 PM

March 19, 1979 - 10:30 AM