

MEMORANDUM OF AGREEMENT
by and between the
MASSACHUSETTS ENVIRONMENTAL TRUST
and
MASSACHUSETTS DEPARTMENT OF FISH AND GAME
and its
DIVISION OF MARINE FISHERIES
concerning
the development, marketing and implementation
of a Striped Bass Specialty License Plate

I. PARTIES

The parties to this Memorandum of Agreement (Agreement) are the Massachusetts Environmental Trust (MET) and the Massachusetts Department of Fish and Game (DFG) and its Division of Marine Fisheries (DMF) (collectively, the Parties).

II. AUTHORITY

MET is entering into this Agreement pursuant to its authority under Chapter 236, § 7, Acts of 1988. In entering into this Agreement, DFG and DMF are acting pursuant to their authority in M.G.L. c. 21A, §2(3), (22) and (26) and M.G.L. c. 130, §17(3) and (5) and all other enabling powers.

III. BACKGROUND AND PURPOSE

MET is a trust established by the above referenced act of the Legislature, with a board of trustees appointed by the Secretary of the Executive Office of Energy and Environmental Affairs (EEA). MET funds and coordinates projects to restore, protect, and improve the quality of all Commonwealth waterways; to increase understanding of them and the effect of human activities upon them; and to encourage public involvement in activities which promote them as living resources and public treasures for present and future citizens of the Commonwealth of Massachusetts. In particular, MET supports projects that advance the protection, conservation and understanding of endangered marine animals; and the preservation and restoration of aquatic ecosystems in the Commonwealth.

DMF is a division of DFG, which is within EEA. DMF has the authority and responsibility to protect, manage and regulate fishery resources in the marine waters of the Commonwealth. More specifically, DMF regulates commercial and recreational fishing activity in state marine waters and promotes and develops commercial and recreational fisheries through management, permitting, research, technical assistance, and

the collection of statistics. DMF's authority and responsibilities are set forth in its enabling statute at M.G.L. c. 130 and regulations thereunder at 322 CMR and under the federal Atlantic Coastal Fisheries Cooperative Management Act, the Interjurisdictional Fisheries Management Act, and the Magnuson-Stevens Fishery Conservation and Management Act.

The Massachusetts Registry of Motor Vehicles (RMV) offers a range of specialty license plates to resident motorists, including plates that display sports, charitable or environmental interests associated with the sponsoring organization. A motorist pays an additional fee for these plates and a portion of the fee is donated to the organization sponsoring the plate to support their mission. The existing RMV environmental plates include the "Whale Tail" plate and the "Leaping Trout" plate. However, at present, there is no environmental plate that is specifically directed at saltwater fishing anglers.

To address the above unmet need, the Parties to this Agreement commit themselves to the coordinated development, marketing and implementation of a MET-sponsored Striped Bass license plate that will generate additional funding for the conservation of striped bass and other forage species such as river herring and American eels, as well as related support activities. This initiative has also been approved by EEA Secretary Beaton and MET's Board of Trustees. The new funding source derived from the sale of Striped Bass license plates will complement and further the conservation and management activities funded through the Marine Recreational Fisheries Development Fund.

More specifically, this Agreement sets forth the respective responsibilities of the Parties in the areas of developing and financing the establishment of the Striped Bass license plate in accordance with the RMV's requirements, the marketing of the plate to the public, the distribution of funds from the sale of plates through a competitive grant program, and a description of the types of research, conservation and education projects that DMF is interested in implementing with such funding.

IV. AGREEMENT

A. Development, Marketing and Implementation of the Striped Bass License Plate

RMV Requirements and Expected License Plate Revenues

The RMV requires that the sponsor of a specialty license plate secure the pre-sale of 3,000 plates or the issuance of a bond in order for the RMV to initiate the specialty plate process.

The cost of a specialty license plate to the consumer is \$100.00. Of this fee, \$60.00 is the cost of the two-year registration of the vehicle and \$40.00 is the fee for the specialty plate. Upon the initial purchase of a specialty license plate, the RMV deducts \$12.00 from the specialty plate fee for the cost of the license plate, and the remaining \$28.00 goes to the sponsor of the plate. Upon renewal of the plate by the consumer, the

sponsoring organization receives the entire \$40.00 specialty plate fee. Once the required 3,000 plates have been sold, the total revenue to the sponsoring organization will be \$84,000. Upon renewal of all 3,000 plates, the revenue to the sponsoring organization will increase to \$120,000.

To secure the required sale of 3,000 license plates, MET and DMF agree to:

- Select the final design for the Striped Bass license plate;
- Enthusiastically promote the purchase of the Striped Bass license plate to the public, targeting, in particular, constituents with an interest in the health and conservation of striped bass in the Commonwealth; and
- Continue to market and promote the plate after the minimum threshold of 3,000 plates is reached to assure the availability of funding for research, conservation and education projects benefiting striped bass and other forage fish species.

MET agrees to:

- Be the sponsoring organization for the Striped Bass license plate, inclusive of obtaining the RMV's approval of the Striped Bass license plate design and satisfying the RMV's other requirements for initiating the production of the license plate;
- Work with marketing professionals to develop marketing materials and implement a related advertising campaign for the Striped Bass license plate, subject to providing DMF with a reasonable opportunity to review and comment on such proposed marketing materials and advertising campaign;
- Provide DMF with final printed and electronic informational and promotional materials that can be used by DMF to market the plate;
- Provide funding awards, net of expenses, from the sale of the Striped Bass license plate, to DMF and other organizations for projects described herein;
- Maintain financial records specific to the revenue generated by the sale of Striped Bass License Plates, with such sales information made available to DMF and other relevant stakeholders on an annual basis and to DMF at other times upon request.

DMF agrees to:

- Provide MET with contact information from fishing license and boating registration databases for initial marketing of the new Striped Bass license plate;
- Market the new plate by utilizing the multimedia resources of MET;

- Use its own administrative resources to send out notices via social media/email/magazine ads promoting purchase of the new plate; and
- Create and publish written content and advertisements in DMF newsletters and social media promoting purchase of the new plate.

B. Distribution of Revenue generated by the sale of the Striped Bass License Plate

- Revenue generated by the sale of the Striped Bass license plate will be held by MET in a segregated account and distributed by MET through a competitive grant program.
- MET's grant program will fund projects and activities for the conservation of saltwater fish, with a focus on striped bass, for ecosystem sustainability, habitat conservation, and angler education. Examples of such projects include, but are not limited to:
 - Studies of striped bass populations, stock structure, movements and local ecology;
 - Habitat improvements, including efforts to enhance diadromous fish (e.g. river herring, eels) passage for improved forage for striped bass;
 - Studies of angler practices to improve hook-and-release survival; and
 - Development and distribution of materials and programs to educate anglers on the importance and means of improving the conservation of marine fisheries resources.
- MET shall administer this grant program under the auspices of EEA in accordance with the requirements of 815 CMR 2.00. MET shall award grants once annually, and provide notice of the availability of grants and accept grant applications via COMMBUYS.
- Eligible recipients of such grants are DMF, other state and public agencies and educational institutions, and nonprofit organizations. In the case of grants to state agencies, an Interagency Service Agreement (ISA) will be used as the grant agreement.
- MET will establish a grant review panel to make recommendations to the MET Board and the Secretary whose members shall include:
 - The Director of MET;
 - The DMF staff person responsible for the administration of the Marine Recreational Fisheries Development Fund;
 - A member of the DMF professional staff with experience in one or more of the programmatic areas addressed in this Agreement;

- One researcher in an academic setting who performs research on one of the programmatic areas defined above and is not an employee of DMF but has substantial expertise in striped bass ecology and management, as jointly designated by EEA and DMF;
 - One representative of an organization that represents the interests of recreational striped bass fishermen;
 - One representative of an organization that represents the interests of commercial striped bass fishermen;
 - One or more representatives from environmental and advocacy organizations with experience in marine environmental issues;
 - Other individuals as deemed appropriate by the Executive Office of Energy and Environmental Affairs
- DMF's expectation is that it will seek grant funding to address emerging issues and/or to implement projects that will improve the knowledge base of striped bass ecology, improve fish passage, and educate anglers. DMF agrees that it will not seek grants to fund the salaries of employees, or to support routine, ongoing program activities underway at the time of the execution of this Agreement.

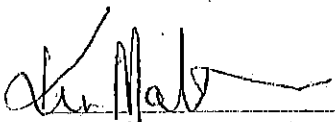
C. Other Provisions

- All descriptions and marketing efforts shall acknowledge MET as the primary sponsor of the Striped Bass license plate.
- All grants funded from the sale of the Striped Bass license plate shall be acknowledged and promoted as awarded by MET.
- In all of MET's communications related to the Striped Bass license plate, it shall acknowledge that this initiative is being implemented "in partnership with the Massachusetts Division of Marine Fisheries." In all of DMF's communications related to the Striped Bass License Plate, DMF shall acknowledge this initiative is being implemented "in partnership with the Massachusetts Environmental Trust."
- MET shall utilize DMF's logo and an image of the Striped Bass license plate on all of its marketing materials and grant announcements. DMF shall utilize MET's logo and an image of the Striped Bass license plate on all its marketing materials and grant announcements.
- MET shall provide DMF with a reasonable opportunity to provide quotes for all press releases related to the plate and associated grants.
- MET shall invite representatives of DMF and the Commissioner of DFG to all public events related to the release of license plate design, printing of license plate milestone, and all grant release events.

- This Agreement shall remain in effect for as long as MET is the sponsor of the Striped Bass license plate or until otherwise mutually terminated in writing by the Parties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives below.

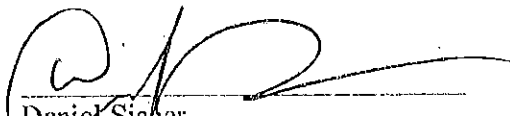
FOR THE MASSACHUSETTS ENVIRONMENTAL TRUST



Kim Tilas
Director MET

4/2/19

Date

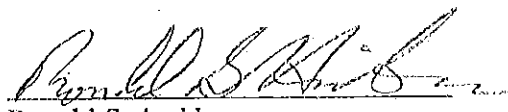


Daniel Sieger
Assistant Secretary of the Environment

4/5/2019

Date

FOR THE DEPARTMENT OF FISH AND GAME

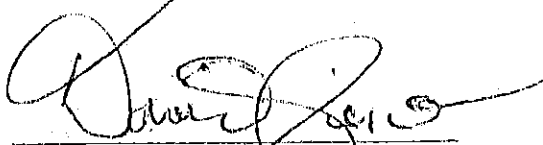


Ronald S. Amidon
Commissioner

3-26-2019

Date

FOR THE DIVISION OF MARINE FISHERIES



David E. Pierce
Director

3/26/19

Date