

# MAINE STATE LEGISLATURE

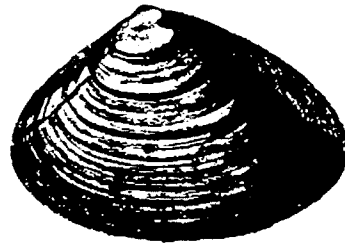
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# **M**unicipal Clam Management



**A Municipal/State  
Cooperative Partnership**



**Summer, 1999**

NOV 19 1999



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# Introduction

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Management of Maine's softshell clam resource is a joint responsibility between the State and its municipalities. In 1963, Maine enacted legislation that authorized municipalities to enact shellfish ordinances, subject to the approval of the Commissioner of Marine Resources.

Municipalities that assume this management responsibility do so with the understanding that they must meet certain statutory and regulatory requirements.

The purpose of this manual is to clarify program elements and responsibilities, and thus, improve program compliance.

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"Management: the judicious use of means to accomplish an end."

Webster

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# The Laws

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## I. Maine Statute - Title 12 M.R.S.A. Chapter 623 Article 4 §6671

"Municipal Shellfish Conservation Programs"

- authorizes a municipality to adopt a shellfish conservation ordinance
- authorizes DMR to promulgate regulations setting the criteria for clam management programs (see Appendix)

## II. Regulation - Marine Resources Regulations Chapter 7

"Requirements for Municipalities Having Shellfish Conservation Programs"

- establishes the criteria for adopting an ordinance
- is enacted by DMR through the public hearing process

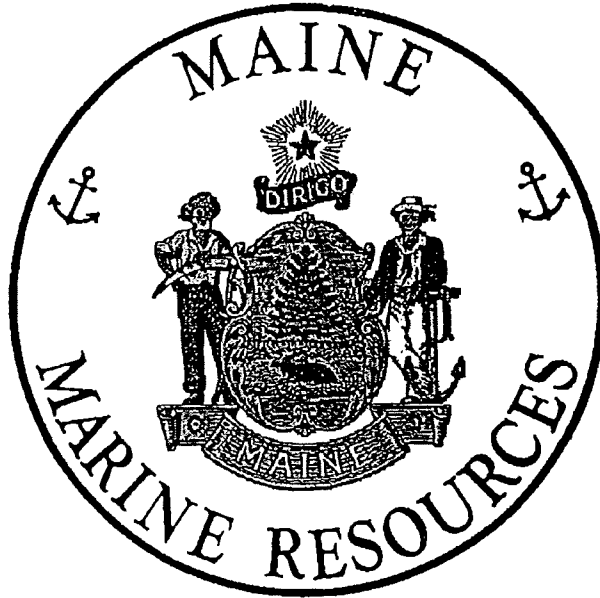
## III. Municipal Ordinance - Based on Model Shellfish Conservation Ordinance (see Appendix)

- establishes the rules for conducting a management program
- is enacted by the municipality through the town meeting/council vote





# MAINE MARINE RESOURCES LAWS



## MARINE RESOURCES LAWS

### ARTICLE 4—Municipal Conservation Programs

#### §6671. Municipal shellfish conservation programs

**1. Municipal funds.** Any municipality may, by vote of its legislative body, raise and appropriate money for the implementation of a shellfish conservation program.

**2. Municipal program and ordinance.** Any municipality may, by vote of its legislative body, adopt, amend or repeal a shellfish conservation ordinance regulating the possession of shellfish in any area of the municipality as provided by this section. A municipal shellfish management committee comprised of residents of that municipality may be established to administer a municipal program.

**3. Shellfish conservation ordinance.** Within any area of the municipality, a shellfish conservation ordinance may regulate or prohibit the possession of shellfish; may fix the amount of shellfish that may be taken; may provide for enforcement, protection and evaluation of a green crab fencing program; and may authorize the municipal officers to open and close flats under specified conditions. An ordinance shall limit the size of soft-shell clams in accordance with article 5. Except as provided in section 6621, subsection 3, paragraph C, a program or ordinance may not allow surveying, sampling or harvesting of shellfish in areas closed by regulation of the commissioner.

**3-A. Shellfish conservation license; qualifications, fees, procedures.** A shellfish conservation ordinance may fix the qualifications for a license, including municipal residency, subject to the following provisions.

**A.** A person is not required to hold a shellfish license issued by the commissioner under section 6601 in order to obtain a municipal commercial license. A municipality may issue licenses under this section regardless of whether or not the area has been closed by the commissioner. A person taking shellfish from a closed area for depuration

under a depuration certificate issued by the commissioner is not required to hold a municipal shellfish license.

**B. A shellfish conservation ordinance may fix license fees as follows.**

**(1) If the ordinance sets a fee of \$200 or less for a resident license, the fee for a nonresident license may not exceed twice the resident fee.**

**(2) If the ordinance sets a fee of more than \$200 for a resident license, the fee for a nonresident license may not exceed 1 ½ times the resident fee.**

**This Act takes effect January 1, 1999.**

**C. Application methods and procedures for licenses may be determined by the shellfish conservation ordinance subject to the provisions of this section. Notice of the number and the procedure for application shall be published in a trade or industry publication or in a newspaper or combination of newspapers with general circulation which the municipal officers consider effective in reaching persons affected not less than 10 days prior to the period of issuance and shall be posted in the municipal offices until the period concludes. The period of issuance for resident and nonresident licenses shall be the same. Subsequent to that period, the municipality shall make any resident or nonresident licenses not granted during the period available to residents or nonresidents.**

**D. Except as otherwise provided in this section, a shellfish conservation ordinance shall not discriminate between resident license holders and nonresident license holders.**

**E. The municipality shall provide and reserve a minimum number of commercial licenses for nonresidents which shall be a number not less than 10% of the number of commercial licenses provided for residents. When the number of resident commercial licenses is fewer than 10 but more than 5, at least one nonresident commercial license shall be provided. When the number of resident commercial licenses is 5 or fewer, nonresident commercial licenses shall not be required.**

**F. When 2 or more municipalities have entered into a regional shellfish management agreement pursuant to subsection 7, the combined total number of commercial licenses for nonresidents provided by those municipalities must be a number not less than 10% of the combined total number of commercial licenses issued for residents. When the combined total number of resident commercial licenses is fewer than 10 but more than 5, at least one nonresident commercial license must be provided. When the combined total number of resident commercial licenses is 5 or fewer, nonresident commercial licenses are not required.**

**4. Adoption requirements. Shellfish conservation ordinances may be adopted under this section by municipalities or unorganized townships.**

**A. Prior to adopting an ordinance, a municipality or unorganized township shall raise or appropriate money for a shellfish conservation program within the 2 previous years.**

**B. Any ordinance proposed by a municipality or unorganized territory under this section must be approved in writing by the commissioner prior to its adoption, except that the commissioner may not withhold approval based on the amount of license fees specified in an ordinance.**

**C. Unorganized townships may adopt ordinances only if at least 10 inhabitants have petitioned the county commissioners to adopt the ordinances, the county commissioners of the townships have held a public hearing with at least 7 days prior notice in one of the affected townships and a majority of the inhabitants eligible to vote have approved the ordinances at referendum. The county commissioners shall act as the municipal legislative body within unorganized townships that have elected to adopt ordinances under this section.**

**4-A. State parks. The commissioner shall consult with the Commissioner of Conservation in review of any municipal ordinance that affects intertidal areas located within state parks. The commissioner may not approve any ordinance that threatens any important resources or provides insufficient opportunity for**

**recreational shellfish harvesting within state parks.**

**1983, c.418; 1987, c.402, §96; 1988, c.867; 1989, c.257, §§3,4 &5; 1991, c.390, §5; 1992, c.784, §6; 1993, c.456, §1; 1997, c.247, §§1&2.**

**4-B. Management program approval. The commissioner may promulgate regulations that set the criteria which must be met by municipal shellfish conservation programs and ordinances in order to obtain approval by the commissioner.**

**5. Period of ordinance.** Ordinances adopted under this section shall remain in effect for no more than 3 years. A certified copy of the ordinance shall be filed with the commissioner within 20 days of its adoption.

**6. Municipality defined.** For the purposes of this section, municipality includes:

**A. Village corporations; and**

**B. The combined towns of Yarmouth and North Yarmouth.**

**7. Joint programs; reciprocal privileges.** Municipalities may enter into regional shellfish management agreements with other municipalities and adopt regional shellfish management programs. The agreements, and the programs and ordinances adopted under them, are subject to the same requirements as municipal programs and ordinances. Resident privileges of one municipality in a regional shellfish management agreement may be extended to the residents of other municipalities in the agreement. Notwithstanding subsection 2, a regional shellfish management committee comprised of at least one resident from each municipality named in the regional agreement may be established to administer a regional program.

**8. Local enforcement.** The following provisions shall apply to enforcement.

**A. A municipality that enacts an ordinance under this section shall be responsible for enforcing it.**

**B. Any municipal shellfish conservation warden appointed by a municipality to enforce the provisions of this article, within one year of appointment, must be certified by the commissioner. The commissioner shall establish a program to provide shellfish conservation training in principles of shellfish conservation, management, enforcement and protection and shall establish standards for certification of municipal conservation wardens upon their satisfactory completion of the training program. The program must include training in sampling techniques for the detection of pollutants and contaminants in shellfish areas. The commissioner may establish by rule procedures for certification, recertification and for revocation of certification. A certificate may be revoked for failure of the warden to comply with the performance standards established by the commissioner.**

**C. A certified municipal shellfish conservation warden shall enforce the shellfish ordinances of the municipality employing the warden and may arrest all violators. The warden may serve all process pertaining to the ordinance. The warden also has, within that warden's jurisdiction, the powers of a marine patrol officer provided in section 6025, subsection 4. All of the powers conferred in this subsection are limited to the enforcement of a municipal shellfish conservation ordinance.**

At the commissioner's request, a certified municipal shellfish conservation warden may collect samples and otherwise assist the department in the detection of pollutants and contaminants. The commissioner is not required to conduct tests on samples not requested by the commissioner.

**9. Penalty.** Notwithstanding Title 17-A, section 4-B, a person who violates a provision of a municipal ordinance adopted under this section commits a crime punishable by the following fines:

**A. For harvesting shellfish from a closed area or digging shellfish without a license:**

**(1) For the first offense, a fine of not less than \$300 and not more than \$1,500; and**

**(2) For subsequent offenses, a fine of not less than \$500 and not more than \$1,500.**

**B. The court may not suspend a fine imposed under this paragraph or impose a penalty other than the monetary payment of a fine as provided in this paragraph; or**

**C. For violating any other provision of a municipal ordinance adopted under this section, a fine of not less than \$100 and not more than \$1,000.**

A fine for a violation of article 5 must be as provided by section 6681.

1980, c.608, §§§1, 2&3; 1983, c.283; 1984, c.689. 1984, c.838, §§§§2, 3, 4&5; 1985, c.48, §1; 1985, c.259; 1987, c.402, §96; 1991, c.242, §3; 1991, c.29; 1991, c.390, §§6&7; 1992, c.831, §1; 1993, c.281, §4; 1995 c.75, §1; 1996, c.531, §§§1, 2&3; 1998, c 589.

**§6672. Green crab fencing program**

**1. Program established.** There is established a fencing program to exclude green crabs from soft shell clam growing areas. This program shall be administered by the commissioner. When the commissioner has determined

that a soft shell clam growing area is adversely affected by green crab predation, he may provide funds, materials or expertise for the construction and installation of fencing to municipalities.

**2. Regulations.** The commissioner shall adopt regulations concerning the establishment of a municipal program to:

**A.** Assure compliance with the requirements necessary to accomplish the purpose of the program;

**B.** Provide criteria for determining which municipalities shall be awarded materials or funds, including:

**(1)** The extent that the resource of a community has been adversely affected;

**(2)** The possible effectiveness of a program in a municipality; and

**(3)** A municipality's ability to evaluate the program by monitoring and comparing data; and

**C.** Establish the method, forms and dates for application and the municipal reports required for implementation of this section.

**3. Commissioner's powers and duties.** The commissioner may enter into agreements with municipalities concerning the administration and evaluation of the effectiveness of green crab fencing programs carried out under this section. He shall notify each municipality which has soft shell clam growing areas of the program.

**4. Funding.** The commissioner may disburse to a municipality funds, materials or services to provide 50% of the total expenditures necessary to carry out the program in that municipality. He may obligate annually from the Shellfish Fund an amount not to exceed \$25,000 to be used to carry out the purposes of this section.

**5. Report to Legislature.** The commissioner shall annually, by March 1st, report to the Legislature giving a complete evaluation of the program established by this section and whether the program should be continued.

#### **§6673. Municipal leasing of flats**

A municipality, which has established a shellfish conservation program as provided under section 6671, may lease areas in the intertidal zone to the extreme low water mark, within the municipality for the purpose of shellfish aquaculture.

**1. Municipal procedure.** A written application may be approved by the municipal officers if they find that it conforms to the shellfish program, that it will not cause the total area under lease to exceed 1/4 of all the municipal intertidal zone that is open to the taking of shellfish and that granting it is in the best interests of the municipality. On approval, the lease shall be forwarded to the commissioner.

**2. Department procedure for review and approval.** The commissioner shall use the same procedure and the same grounds for approval as required for aquaculture leases under section 6072, except:

**A.** Preference shall be given to municipal leases;

**B.** No rent shall be set, but there shall be an annual municipal lease fee of not less than \$1 per acre;

**C.** The municipality may establish the conditions and limits on the lease; and

**D.** The advice and consent of the advisory council shall not be required.

#### **§6674. Prohibition on interference**

It shall be unlawful to interfere with the rights provided in a municipal lease or to take shellfish by any means or disturb or molest any shellfish or area in the intertidal zone that is included in a municipal lease.

#### **§6675. Shellfish reseeding program**

The department shall carry out a program of shellfish reseeding. The program shall include such activities as the transplanting of soft shell clams from areas of large concentrations to potentially productive areas, and relaying shellfish otherwise inhibited from attaining optimum market size. The program may be carried out in cooperation with municipal and joint shellfish conservation programs. The department may close areas under section 6171 to

protect reseeded flats, including areas subject to municipal shellfish conservation ordinances.

1983, c. 559, §2.

**§6676. Summary of municipal ordinances**

The department shall prepare a summary description of all municipal shellfish ordinances which shall include, but not be limited to, a listing for each municipality of the license application period, fee structure and number of licenses available to residents and nonresidents. The department shall update and publish the summary every 6 months in a trade or industry journal which the commissioner considers to be effective in reaching the persons affected.

1985, c. 48, §2.

**ARTICLE 5--Soft-shell Clam Management**

**§6681. Soft-shell clam management**

**1. Purpose.** The Legislature finds that the conservation and wise use of the State's shellfish resource may be enhanced by a 2-inch minimum size limit on possession of soft-shell clam shell stock in combination with other management programs.

The Legislature further finds that management programs should be designed to meet local circumstances as appropriate, but also

finds that a minimum size limit to be beneficial must be a uniform standard statewide.

The Legislature intends by this Article to enhance the value of the State's shellfish resource by the institution of uniform standards which can be implemented and enforced statewide.

**2. Definition.** For the purposes of this subchapter, "possess" means dig, take, harvest, ship, transport, hold, buy and sell retail and wholesale soft-shelled clam shell stock.

**3. Minimum size.** It is unlawful to possess soft-shelled clam shell stock whose shells are less than 2 inches in the largest diameter.

**4. Tolerance.** Any person may possess soft-shelled clams that are less than 2 inches if, beginning on the effective date of this Article, they comprise less than 30% of any bulk pile; beginning in calendar year 1985, they comprise less than 20% of any bulk pile; and beginning in calendar year 1986, they comprise less than 10% of any bulk pile. The tolerance shall be determined by numerical count of not less than one peck nor more than 4 pecks taken at random from various parts of the bulk pile or by a count of the entire pile if it contains less than one peck.

**5. Enforcement.** State, county and municipal wardens and enforcement officers shall enforce this subchapter.

**6. Repealed.** Laws 1993, c. 281, § 5.

**6-A. Penalty.** A person who violates this article commits a Class D crime. The following minimum penalties apply:

**A. For possession of a bulk pile of shellfish of which 20% or more of the shellfish are smaller than the minimum size established in subsection 3:**

**(1) For the first offense, a fine of not less than \$300; and**

**(2) For subsequent offenses within 10 years from the date of conviction for the first violation, a fine of not less than \$500.**

The court may not suspend a fine imposed under this paragraph; and

**B. For possession of a bulk pile of shellfish of which more than 10% but less than 20% of the shellfish are smaller than the minimum size established in subsection 3, a fine not less than \$100 and not more than \$1,000.**

**7. Sunset.** This section shall be reviewed by the joint standing committee of the Legislature having jurisdiction over marine resources in the Second Regular Session of the 113th Legislature. That committee shall report its findings no later than April 1, 1988.

## DEPARTMENT OF MARINE RESOURCES

### Chapter 7 - Requirements for Municipalities having Shellfish Conservation Programs

#### SUMMARY:

This rule provides procedures to be used in developing and maintaining a municipal shellfish conservation program.

#### 7.10 Definition

Period of issuance: For the purposes of this chapter PERIOD OF ISSUANCE shall mean any twelve month period designated by the municipality, unless a municipality chooses to limit the number of licenses it issues in which case it shall mean the first 90 days during which a municipality issues shellfish harvest licenses each calendar year.

#### 7.20 Management Plan

1. Each Municipality that wishes to implement a shellfish conservation program as authorized under 12 M.R.S.A. §6671, must, with the assistance of the Department of Marine Resources, prepare and adopt a shellfish management plan which consists of:
  - A. A written statement of goals and objectives the municipality wishes to achieve as a result of its conservation program; and
  - B. A description of the various conservation measures the town intends to employ to reach those goals. The measures may include but are not limited to such means as; licensing, limiting the number of shellfish harvesters, restricting the time (hours, days or portion of the year) and area where harvesting is permitted, limiting the minimum size of shellfish taken, limiting the species or amount of shellfish taken daily by a class of harvester, transplanting or seeding of shellfish, protecting the resource from predators by fencing, trapping or other means and controlling competing species.
2. The plan must be approved by the department prior to the department's accepting for consideration a municipal shellfish management ordinance.

#### 7.30 Management Responsibilities

Municipalities that wish to maintain the responsibility of shellfish management must actively and vigorously pursue a shellfish management program. Toward that end the municipality may appoint or elect a shellfish conservation committee to assist the municipality in executing its responsibilities. Municipal responsibilities include:

1. Establishing annually in conjunction with the department and at least 30 days prior to the period of issuance the number of shellfish digging licenses to be issued;
2. Reviewing annually the status of the resource using the results of clam flat, harvester or dealer surveys and other sources of information and preparing in conjunction with and subject to the approval of the department a plan for implementing conservation measures;
3. Enforcing any municipal shellfish conservation ordinance including those involving licensing and closures to shellfish harvest; and

## DEPARTMENT OF MARINE RESOURCES

### Chapter 7 - Requirements for Municipalities having Shellfish Conservation Programs

#### 7.30 Management Responsibilities (cont.)

4. Submitting annually a report to the department describing shellfish management activities undertaken and related expenses, number of shellfish harvest licenses sold, revenue from license sales and fines, funds raised or appropriated for shellfish management, production records or summaries of municipal wardens' activities for municipally managed areas, and funds requested for the coming fiscal year.

#### 7.40 Licensing of Shellfish Harvesters

1. The period of issuance for resident and nonresident licenses shall be the same.
2. Allocation of shellfish licenses among municipal residents and nonresidents shall be as established by the municipality and approved by the commissioner during the period of issuance. Licenses unsold during the period of issuance shall be made available to residents and nonresidents alike on a first come first serve basis or by lottery.

#### 7.50 Municipal Conservation Closures

Prior to closing or opening an area of a municipality to shellfish harvesting the municipality shall review the status of the resource affected and secure the recommendation of the DMR area biologist and the approval of the commissioner.

#### 7.60 Rescission of Approval

If a municipality violates or fails to enforce any provision of this regulation or of the approved ordinance, the Commissioner may rescind his approval of that municipality's shellfish conservation ordinance and program. Prior to such rescission, the Commissioner shall give written notice to the municipality of the violation or failure and of his intention to rescind his approval. The notice shall designate a reasonable time period during which the municipality may correct the violation or failure or may request a hearing on the matter. If a hearing is requested, the Commissioner shall provide the same prior to a making a final decision whether to rescind approval. If the Commissioner rescinds his approval, the municipality's shellfish conservation ordinance and program shall, as of the date specified in the Commissioner's rescission notice, no longer be in effect and the area shall thereafter be governed by applicable state law and department regulation.





## IMPLEMENTATION OF OPEN LICENSE SALES

DMR Regulations Chapter 7. Requirements for Municipalities Having Shellfish Conservation Programs has been recently amended. One of the changes is to the definition of “Period of Issuance” which now reads: “Period of Issuance shall mean any twelve month period designated by the municipality, unless a municipality chooses to limit the number of licenses it issues in which case it shall mean the first 90 days during which a municipality issues shellfish harvest licenses each calendar year.”

This change will allow a municipality to sell an unlimited number of resident licenses throughout the year without penalty provided it maintains the legally established percentage of nonresident licenses (10%). Prior to this change, after 90 days any unsold licenses would become available to residents and nonresidents alike; a town which did not limit sales and sold licenses year round would not be able to maintain the 10:1 ratio after the 90 day period of issuance. This ‘open license sales’ provision is only available for those license categories which the municipality has decided not to limit sales by number or time frame.

In order to obtain Department approval to adopt open license sales for one or more license categories, the municipality must comply with the following: 1) indicate which license categories are to be open in the yearly allocation request by listing ‘unlimited’ under numbers of licenses for that category, 2) have restrictions on the amount, time or location of harvest clearly stated in the shellfish ordinance for any license categories with open license sales and/or require license holders to perform conservation work, and 3) add the following section to the shellfish ordinance.

*Open License Sales: When the Shellfish Conservation Committee determines limiting shellfish licenses is not an appropriate shellfish management option for one or more license categories for the following year:*

*1) Notice of the dates, places, times and the procedures for the license sales shall be published in a trade or industry publication, or in a newspaper or combination of newspapers with general circulation, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the initial sale date and shall be posted in the municipal offices. A copy of the notice shall be provided to the Commissioner of Marine Resources.*

*2) For each commercial license category, the Town Clerk shall issue one license to nonresidents when six licenses are issued to residents and one more to nonresidents when four more are issued to residents; thereafter, one nonresident license will be issued for every ten additional resident license issued. For each recreational license category, the Town Clerk shall issue one license to a resident and one to a nonresident; thereafter, one nonresident license will be issued for every ten additional resident licenses issued.*



## Clam Management - Goals

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- *Reserve the clam resource for residents* – A universal though not often stated goal, the ability to attain this is the “carrot” of the clam management program. The program probably would not exist without it.
- *Maximize individual harvest* – Most towns strive for this through strict controls to allow their harvesters to earn a living from clam digging.
- *Provide maximum utilization* – Some towns are more interested in providing digging opportunity to as many residents as possible, usually by limiting harvesting to recreational.
- *Maintain a sustainable yield* – This goal can be difficult to obtain if recruitment is hindered by environmental factors or if over harvesting is allowed to take place.
- *Increase the clam resource* – A number of towns are attempting to do this through conservation closures, clam transplanting and reducing harvesting efforts.

## Clam Management - Activities

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- *Setting the number and types of licenses* has the greatest impact on the resource; a number of towns rely solely on this activity to manage their resource (known in other fisheries as "limited entry").
- *Establishing conservation areas* – This is done for a number of reasons: to protect areas that have been seeded from harvest activity until the seed has reached legal size; to set aside an area that doesn't freeze up in the winter for digging; and to rotate with other conservation areas to even out effort, particularly for areas prone to overharvesting.

(continued)

## Clam Management - Activities *(continued)*

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- *Restricting the amount, time or season of harvest* - Most towns don't limit the amount of clams a commercial harvester can take, but most limit recreational digging to one peck to discourage the selling of recreationally harvested clams. Time restrictions usually involve night digging, which is prohibited by some towns. Harvest seasons are generally imposed due to water quality considerations, although some towns which are only open in winter also restrict digging to weekends and holidays.
- *Seeding with hatchery stock* – A number of towns have worked with both public and private hatcheries in an effort to augment natural recruitment through seeding. Several studies are underway or planned to determine the best procedures for seeding flats with hatchery stock.
- *Reseeding from closed or high density areas* – For towns with areas of high density, reseeded or transplanting juvenile (sublegal) clams is the preferred method to enhance natural recruitment. Several towns reseed each year.
- *Protection from predation with fences, traps or nets* – Fencing used to be common, but has fallen out of favor due to its cost and labor. Nets are often used in seeding/reseeding projects, as the seed clams are particularly vulnerable.
- *Enhancing spatfall with brush, fences or nets* – Brushing originated downeast, but is not routinely done in most towns. The placement of partial barriers (such as pieces of brush, fences or nets) on the flats works by slowing currents and forming eddies which encourage spat to drop out of the water. The problem with it is no spat, no spat fall!

## Clam Management - Tools

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- *Clam flat surveys* – Surveys used to be required by the Department of Marine Resources, but many towns did not have the ability to comply with the requirement. Surveys are the only way to directly assess the resource; without information, management becomes a guessing game. Briefly, surveys consist of counting and measuring clams taken from two square-foot plots every 100 feet along a series of transects forming a grid over the flat. Information obtained includes size distribution, average density and standing crop.
- *Production data acquisition* – The two main sources are warden reports and shellfish dealer reports. For towns with only recreational harvesting, the warden report is the only data source. Production data is one side of the resources assessment coin, with surveys being the other. Surveys tell you what is in the flat, production data tells you what is coming out. The former can be predictive; the latter can reveal trends over time.
- *Harvester questionnaires* have been used in a few towns with recreational-only digging to obtain information about the resource, as well as digging activity. One town requires its commercial harvesters to keep logs of their digging activity in order to be eligible for a license the next year.
- *Committee meetings* are where the "business" of clam management takes place. The most successful management programs have regularly scheduled monthly meetings. Towns which encourage harvester participation in the meetings gain a valuable source of information and feedback.
- *Consultants* - Public and private consultants are used by a few towns to conduct clam surveys and analyze the data, but most municipalities rely on DMR's area biologists for assistance.
- *Conservation credits* – In order to accomplish surveys and reseedings, conservation credits are often given to diggers in exchange for labor. The credits are either required to obtain a license or ensure a harvester that a license will be available for the next year. Some towns also give credits for meeting attendance.
- *Enforcement* – A clam management program is only as good as its enforcement. Without good enforcement, the rest can become an exercise in futility.

# Quick Reference Timeline & Planner

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## **New Shellfish Management Plan** (*One Time*)

- Contact Regional Biologist
- Submit copy of plan to DMR prior to approval of ordinance (one time only)

\_\_\_\_\_ Date clam management plan submitted to DMR

## **New Shellfish Management Ordinance** (*First Time*)

- Contact DMR Regional Biologist to discuss method and responsibilities
- Obtain approval from DMR Commissioner prior to town's adoption of ordinance
- Submit certified copy of ordinance to DMR within 20 days of adoption
- Ordinance must be renewed every 3 years (see "Trennial Deadlines" below)

\_\_\_\_\_ Date ordinance approved by DMR Commissioner

\_\_\_\_\_ Date ordinance adopted by town

\_\_\_\_\_ Date certified copy due at DMR

## ----- *Annual Deadlines* -----

### **Annual Shellfish Management Review**

- Submit to DMR by March 1

### **Warden Nomination**

- Submit to DMR by March 1
- Warden training with DMR must be completed within 12 months of hiring by town (*see next page for review sessions - every three years*)

\_\_\_\_\_ Date warden hired

\_\_\_\_\_ Date by which DMR training must be completed

\_\_\_\_\_ Date/year when training must be repeated (every three years)

----- *Annual Deadlines* -----  
(continued)

**License Allocation Application** (*filing date depends on town ordinance*)

- Contact Regional Biologist to confirm license allocations
- File form with DMR at least 30 days prior to first date of license sales (check ordinance). License allocation must be approved by DMR Commissioner at least 30 days prior to first day of sale.
- Publish the procedure for license sale, number and type of licenses to be issued in a local newspaper at least 10 days prior to first day of sale

\_\_\_\_\_ Date license allocation form due at DMR (see above)  
\_\_\_\_\_ Date form submitted to DMR  
\_\_\_\_\_ Date license allocation approved by DMR Commissioner  
\_\_\_\_\_ Date ad notification will appear in local newspaper  
\_\_\_\_\_ First day of license sales as dictated by town clam ordinance

----- *Conservation Events* -----

**Transplanting Seed Clams**

- Contact Regional Biologist to confirm best method and date for activity
- File form and map with DMR at least 1 week prior to the requested date
- Contact Marine Patrol regarding transplant day

\_\_\_\_\_ Date by which form and map must be submitted to DMR  
\_\_\_\_\_ Date requested for transplanting (at least 1 week later)

**Conservation Closures/Openings**

- Contact Regional Biologist to discuss conservation activity
- File form and map with DMR at least 1 week prior to the action date requested

\_\_\_\_\_ Date by which form and map must be submitted to DMR  
\_\_\_\_\_ Requested date for opening/closing activity (at least 1 week later)



----- *Triennial Deadlines* -----  
(every three years)

**Warden Training**

- Wardens must attend review sessions every three years

\_\_\_\_\_ Date/year when training must be repeated by current warden

**Clam Management Ordinance** (*renewal*)

- Contact DMR Regional Biologist to discuss changes
- Obtain approval from DMR Commissioner prior to town's adoption of ordinance
- Submit certified copy of ordinance to DMR within 20 days of adoption

\_\_\_\_\_ Date/year ordinance must be renewed

\_\_\_\_\_ Date ordinance approved by DMR Commissioner

\_\_\_\_\_ Date ordinance adopted by town

\_\_\_\_\_ Date certified copy due at DMR

# Municipal Administration

---

## I. *Board of Selectmen/Council*

- Administers the program - May appoint a committee
- Enforces the ordinance - May appoint a warden
- Conducts license sales - Although the procedure is often spelled out in the ordinance, the sale itself is undertaken by town office staff
- Determines conservation area status – Recommendations of shellfish committees regarding openings/closings must be approved by the selectmen/town council following public hearing
- Hears license suspension appeals – License suspensions are generally automatic upon conviction of ordinance violations, but the suspension can be appealed, first to the shellfish committee, then to the selectmen/council

## II. *Shellfish Committee* – (where most of the administrative work is done)

- Establishes license numbers with DMR – This process varies greatly between towns. At one extreme, a town sets license numbers based on complete flat surveys and a sophisticated formula; at the other extreme, a town will set the number of licenses based upon the number of diggers currently holding a license. DMR's area biologist should be involved with the process, but isn't always. License numbers must be approved by DMR.
- Recommends conservation openings/closings – While the reasons for openings and closures are varied, the shellfish committee discusses proposals and formulates plans.
- Prepares and submits a budget to the municipality – Some committees get heavily involved, others simply act in an advisory capacity.

## Municipal Administration *(continued)*

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### II. *Shellfish Committee*

- Reviews and amends the ordinance when necessary – Ordinance amendments allow a committee to tailor the ordinance to its town. The ordinances for some towns have become so complex due to amendments that they have to be reviewed by a lawyer. Amendments must be approved by DMR and voted upon at a town meeting or by the town council.
- Secures and maintains production records – Many towns fall short in this area and there is some question regarding their value. DMR will soon be able to provide production data to the towns as generated by the dealer reporting program.
- Submits an annual shellfish management report to the DMR and municipality – (See section on “Annual Shellfish Management Report”)

### III. *Town Clerk*

The Town Clerk is the official contact person for all legal notices and other correspondence sent to the town by DMR. Documents sent to the town may include notifications of pollution or contamination closures, responses to requests for license allocations, reseeding or conservation actions, and forms such as the Annual Management Review. The Town Clerk is responsible for seeing that the documents get to the proper individuals (the Selectmen or Council, the Chairman of the Shellfish Committee, or the Warden) in a timely manner. The Town Clerk also conducts shellfish license sales and may assist in the preparation of the Annual Management Review.

### IV. *Conservation Officer or Warden*

This is a key position in any successful clam management program. Most towns have one warden, some have two or three; other towns share a warden. Wardens must be certified by DMR and nominated by the town each year.

## Municipal Administration *(continued)*

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### IV. *Conservation Officer or Warden (continued)*

Duties include:

- Enforcement of the shellfish ordinance
- Issuance of summons for violations
- Preparation of activity reports which must be certified by the town each year

See next section of this manual ("Wardens") for nomination/certification forms, which must be signed and submitted to DMR each year by **March 1**.



# Warden Certification/Nomination Form

---

*Instructions:*

1. Fill in all sections that apply
2. Put a '0' or dash on any line that does not apply
3. Submit (signed by the town) annually by **March 1**
4. Remember to denominate wardens who are no longer working in this capacity (signature of warden not required)
5. See later section on "Reporting Forms and Procedures" in this notebook for an additional copy which can be removed and submitted to DMR.

**Application for Certification / Nomination of  
Shellfish Conservation Warden**

Date Submitted: \_\_\_\_\_ Municipality: \_\_\_\_\_  
Municipality Address: \_\_\_\_\_ Town: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Warden Information**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Town: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: (207) \_\_\_\_\_ Email Address: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Full Time Employee: \_\_\_\_\_ Part Time Employee: \_\_\_\_\_  
Power of Arrest: Yes \_\_\_ No \_\_\_ Carry Firearm: Yes \_\_\_ No \_\_\_ Current or Intended Employee: \_\_\_\_\_  
Last year of Grade School Completed: \_\_\_\_\_ Last year of High School Completed: \_\_\_\_\_  
Last year of College Completed: \_\_\_\_\_ Law Enforcement Training: Yes \_\_\_ No \_\_\_  
(If yes, please describe training): \_\_\_\_\_  
Nominated by Town: Yes \_\_\_ No \_\_\_  
Other Towns Responsible for: \_\_\_\_\_

**Date Nominated by Town: \_\_\_\_\_ Date Certified/Trained by DMR: \_\_\_\_\_**

- ◆ **Warden must be nominated by the town yearly.**
- ◆ **Untrained nominee has up to one year to attend DMR Warden Training**
- ◆ **Trained wardens must attend DMR Warden Training every three years).**
- ◆ **Town must notify DMR when warden is no longer employed by the town (fill in the above information and check here to rescind nomination) \_\_\_\_\_ Rescind Nomination of above warden**

Additional Education (Explain)

Shellfish Related Experience:

Training (if MCJA include copy of certification):

Note: Signature of applicant authorizes DMR to check applicant's background for criminal record.  
If applicant has the power of arrest and/or carries a firearm, he or she must complete the appropriate MCJA course prior to DMR certification.

Signature of Municipal Official \_\_\_\_\_ Date \_\_\_\_\_ Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**Please fill out one application per warden nominated - Duplicate form as needed**

Town of Georgetown  
Shellfish Warden Job Description

Summary of Duties: The Shellfish Warden is responsible for patrolling the clam flats of the Town of Georgetown insuring compliance with Georgetown's Shellfish Conservation Ordinance and all applicable Marine Resource laws and Regulations.

Supervision Received: The Shellfish Warden receives administrative direction from the Board of Selectmen and serves as an ex-officio / advisory member of the Shellfish Conservation Committee.

Summary of Responsibilities:

1. Must be sworn in at beginning of term and annually thereafter.
2. Receives training as per DMR requirements, and any additional training the shellfish committee approves.
3. Patrols the clam flats of the town.
4. Enforces town ordinance and Marine Resource Laws as applicable.
5. Maintains a log of all activities relating to the position and submits same to the Shellfish Committee Chairman for review and filing along with monthly request for payment. The log, Enclosure (\*), as a minimum shall consist of date, hours expended, miles traveled, and a brief description of any unusual activity.
6. Submits requests for expenditures to the Shellfish Committee, for their approval, prior to purchases. Any major expenditures must be approved by the selectmen.
7. Notifies the Shellfish Committee when unable to perform assigned duties or when expected to be out of town for longer than three days.
8. Assists Shellfish Committee with budget preparation for the coming year.
9. Assists Shellfish Committee and area biologist with preparation of towns Annual Shellfish Review.
10. Advises and updates the Shellfish Committee of all enforcement activities at regularly scheduled meetings.
11. Continually plans with the Shellfish Committee for effective management and safe use of the towns flats.
12. Keeps shellfish ordinance under review recommending changes to the Shellfish Committee.
13. Works closely with Neighborhood Policing, Municipal law enforcement, Sagadahoc Sheriffs Department, Inland Fisheries and Wildlife Officers, Forest Rangers, Harbor Master, surrounding town shellfish officers and the State Marine Patrol Officers.

Evaluation: The Shellfish Warden will receive an annual performance evaluation by the Shellfish Committee on or before the hire anniversary.

Risk Factors: The Shellfish Warden may be exposed to personal injury due to exposure to body fluids, noxious chemicals or fumes, and the usual hazards of the open ocean and weather.

NOTE: This draft is only a guide and in all places where Shellfish Committee, Selectmen, Law Enforcement or any other term or phrase is used may be changed to suit your situation.



## SHELLFISH WARDEN/RESERVE POLICE OFFICER

### Nature of Work

This is field work in carrying out the enforcement of the state and local regulations pertaining to the taking of shellfish, and general duty police work, responsible for the protection of life and property through the enforcement of laws and ordinances.

Employee of this class is responsible for the licensing and enforcement of state and municipal shellfish ordinances. Work involves the checking of shellfish licenses, inspection of catches, routine patrol of clam flats, and participation in meetings on shellfish conservation and other relevant areas. Work also involves the duties of a reserve police officer for the Town. Employee works with considerable independence subject to review by the Police Chief for procedures used and results achieved.

### Examples of Work (Illustrative Only)

Patrols all shellfish and clam flats to ensure the lawful harvesting and collection of shellfish.

Checks the licenses of all shellfish and clam fishermen while on patrol.

Inspects shellfish harvests to ensure compliance with minimum size requirements.

Prepares regular reports on the activities and results of the department.

Meets with and staffs the Shellfish Conservation Committee.

Serves as a reserve police officer for the Town, able to fill in on patrol duty when necessary or respond to situations where required.

Issues summonses and determines fines for violation of the Shellfish ordinances.

Performs related work as required.

### Requirements of Work

Knowledge of the shellfish ordinances and the practices and theory of conservation activities.

Knowledge of modern principles and practices of police work.

Ability to cope with situations firmly, courteously, tactfully, and with respect for the rights of others.

Ability to analyze situations quickly and objectively, and to determine proper course of action; ability to remember names, faces and details of incidents often under stressful conditions.

Ability to understand and carry out oral and written instructions.

Shellfish Warden/Reserve Police Officer (Cont'd.)

Ability to communicate both verbally and through written reports.

Ability to develop skill in the use of firearms, and the operation of motor vehicles and a standard motor boat.

Desirable Training and Experience

High school graduation, plus experience in law enforcement; or any equivalent combination of training and experience. Will be expected to attend and complete 100-hour Criminal Justice Academy training if not already a graduate.

Necessary Special Requirements

Must possess a valid motor vehicle operator's license.

DO NOT COPY



Governor  
John R. McKernan, Jr.  
Commissioner  
Bernard W. Shaw



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE  
FOOD AND RURAL RESOURCES

Division of Regulations  
Clayton Davis, Director  
State House Station 28  
Augusta, Maine 04333  
Tel. (207)289-3841

REPORT OF TEST

FOR

lea. one peck measure  
sn. 521901DN

SUBMITTED BY:

Jon L. Hentz  
Georgetown / Shellfish warden  
Georgetown Maine 04548

The standard described above has been compared to the standards of the State of Maine and found to contain the appropriate volume to the line of holes below top edge.

Standards of the State of Maine are traceable to the National Institute of Standards and Technology through NBS Text No. 39503.

Date of Test: May 21, 1990

A handwritten signature in cursive script that reads "Danny M. Newcombe".

Danny M. Newcombe, Metrologist  
Office of Weights & Measures

## DEPARTMENT OF MARINE RESOURCES

### Chapter 4 Certification, Recertification, Revocation of Certification for Municipal Shellfish Conservation Warden

#### SUMMARY:

This rule provides procedures to be used in the Certification, Recertification, Revocation of Certification for Municipal Shellfish Conservation Wardens.

#### 4.10 Certification

- A. A municipality may request certification for its shellfish conservation warden(s) by applying in writing to the Department of Marine Resources.
- B. Upon receipt of an application for certification, the Department of Marine Resources will either accept or deny, or accept with conditions, the request for certification. Written notice of the department's decision will be forwarded to the municipality within 30 days of the receipt of the application. Reasons for any denial will be stated in writing and shall be based upon the considerations set forth in section 4.30A (a through f). If the department's certification is conditional, the municipality and its warden(s) shall comply with the conditions set forth in the certification.
- C. Wardens who will carry a firearm or who will have the power of arrest must provide proof of certification from the Maine Criminal Justice Academy in order to achieve departmental certification.
- D. Wardens are required to successfully complete the Department of Marine Resources Conservation Course, including a written examination, in order to achieve departmental certification.
- E. Certification will be valid for one year and may be renewed annually by application of the municipality, provided that the warden involved attends a review session offered by the Department of Marine Resources at least every 3 years and the warden is otherwise in good standing under sections 4.20 and 4.30. Failure to complete a review session shall result in loss of certification.

#### 4.20 Recertification

- A. Should certification not be renewed or maintained, or should it be allowed to lapse for any reason, the municipality must apply in writing to the Department of Marine Resources for recertification of its conservation warden.
- B. The warden must complete a departmental review training session and pass a written examination before recertification can be given under this section.

#### 4.30 Revocation, Suspension or Refusal to Renew Certification

- A. The Commissioner of the Department of Marine Resources may refuse to renew or may deny a certification of a warden if one or more of the following has occurred:
  - a. the warden has failed to meet the performance standards as set forth in section 4.40;

DEPARTMENT OF MARINE RESOURCES

Chapter 4 Certification, Recertification, Revocation of Certification for Municipal Shellfish Conservation Warden

4.30 Revocation, Suspension or Refusal to Renew Certification (cont.)

- b. the provisions and requirements imposed pursuant to 25 M.R.S.A. §§2803, 2805, 2805A and 2806 have not be satisfied;
  - c. the municipality employing the warden requests that he no longer be certified;
  - d. the warden or the municipality has violated any Marine Resources laws or regulations enacted or adopted under Title 12;
  - e. the municipality has not adopted and administered a municipal shellfish conservation ordinance in accordance with 12 M.R.S.A. §6671; or
  - f. the conditions imposed under any conditional certification have not been, or will not be, satisfied.
- B. At any time, the Commissioner of the Department of Marine Resources may petition the Administrative Court, or take any other lawful action, to revoke or suspend, and the Administrative Court shall revoke or suspend, a warden's certification where any of the events described in section 4.30A (a through f) have occurred.

4.40 Performance Standards

All municipal conservation wardens shall comply with the following:

- 1. Diligently enforce the municipality's shellfish conservation ordinance(s) in accordance with the law;
- 2. Diligently enforce the two-inch clam law (12 M.R.S.A. §6681) within the municipality's jurisdiction;
- 3. Adhere to principles of effective law enforcement as instructed by the Maine Criminal Justice Academy, to include but not limited to:
  - a. proper use of force;
  - b. adherence to rules of evidence and legal procedure;
  - c. proper use of arrest and summoning powers;
- 4. Submit a periodic written report to the municipality to include:
  - a. amounts of shellfish checked;
  - b. number of harvesters checked;
  - c. violations encountered and actions taken; and
- 5. Be of sound mind and character, and otherwise competent to perform law enforcement functions.



# The State's Role - (DMR)

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## I. Natural Resources Trustee

- *The clam resource belongs to the people of Maine.* Public ownership was established by the Colonial Ordinances. Although towns have been involved since the early 1900's, clam management has always been authorized by the state.
- *Management of the resource is to benefit the people.* Though the primary goal of management is to provide benefit to those utilizing the resources, the state must also protect and preserve those resources through appropriate conservation measures.
- *The law allows DMR to delegate to the municipalities.* Realistically, the State does not have the resources to manage softshell clams; therefore, this exception has been made in contrast with management of other marine resources.

## II. DMR: Authority and Responsibility

- Promulgates regulations setting program/ordinance criteria
- Reviews programs/ordinances for consistency with regulations
- Reviews and approves/denies/rescinds:
  - programs/ordinances
  - license allocation requests
  - conservation openings/closings
  - seeding/reseeding requests

## III. DMR: Administration

### I. *Watershed Manager*

- Makes all approval/denial decisions
- Sets policy and resolves legal issues
- Directs the area biologists



## The State's Role - DMR *(continued)*

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II. *Area Biologists* - The "foot soldiers" of the clam management program. Together, these three individuals provide technical assistance for 56 municipal shellfish programs and:

- *Consult with the municipalities*
- *Assist with ordinance preparation/amendment* - Whether a town is just coming on board or the committee of a well-established program is considering an amendment to its ordinance, the area biologists are often able to make suggestions to expedite the process.
- *Provide interpretation of applicable laws* - Although they are not lawyers, the biologists can provide committees with the official interpretation of statutes, regulations and rules to help them avoid legal problems in administering their programs.
- *Conduct survey training and analyze survey data* - This service is provided by the area biologist but can also be obtained through trained volunteers, shellfish consultants and the University of Maine Extension Service.
- *Assist in license number determination* - Consultation with the area biologist is a requirement to establish license numbers; advice is always available.
- *Recommend appropriate management tool use (and strategies)* - Area biologists transfer their knowledge of what works and what doesn't among the various towns.
- *Monitor Compliance*
  - Review new and renewal ordinances and amendments
  - Review requests for licenses/closures/reseeding for consistency with management goals.
  - Conduct the Annual Shellfish Management Review to determine the level of conservation activity being undertaken.

# Municipal Authority

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## Under State Statute 6671:

- raise and appropriate conservation program funds
- adopt, amend or repeal a conservation ordinance
- regulate or prohibit the possession of shellfish
- fix the amount of shellfish that may be taken
- provide enforcement
- open and close flats under specified conditions
- fix qualifications for a license
- fix license fees
- enter reciprocal municipal agreements
- establish a shellfish management committee

## Requirements Under DMR Regulation - Chapter 7:

- establish the number of shellfish licenses
- conduct resource assessments
- enforce shellfish conservation ordinance
- provide an annual report describing shellfish management activities undertaken

## Under Model Ordinance:

- suspend the license of ordinance violators



# Municipal Shellfish Management Plan

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*Purpose:* This form should be completed by towns that are planning to implement a new ordinance in order to better manage the clam resource.

*Instructions:*

1. Consult your local biologist (see Appendix for directory)
2. Fill in all sections that apply
3. Put a '0' or dash on any line that does not apply
4. Be sure activities you outline can be accomplished in the ordinance
5. See later section on "Reporting Forms and Procedures" in this notebook for an additional copy of this form
6. Submit to DMR using address at top of form



DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

To: Commissioner of Marine Resources Date: \_\_\_\_\_

From: \_\_\_\_\_ [Municipality] Ad Hoc Shellfish Ordinance Committee

**SHELLFISH MANAGEMENT PLAN**  
for the  
[Municipality]

The Ad Hoc Shellfish Management Committee submits the following information as required by DMR Regulations, Chapter 7, Section 7.20.

**Statement of Management Goals and Implementation Actions (check all that apply)**

The goal of clam management for this municipality will be:

- maximize harvesting opportunity through minimal management control
- maximize individual harvest through maximum management control
- increase the clam resource through various enhancement activities
- reserve the resource for the benefit of the residents of the municipality
- provide for recreational harvesting in preference to commercial harvesting
- provide for commercial harvesting in preference to recreational harvesting
- maximize the economic value of the resource to improve the local economy
- other \_\_\_\_\_

The following management controls will be utilized:

- limit the number of commercial harvesters
- limit the number of recreational harvesters
- restrict times of harvest
- restrict the areas of harvest
- limit the amount of commercial harvest
- limit the amount of recreational harvest
- other \_\_\_\_\_

The following management activities will be conducted:

- predator protection through fencing, netting and etc.
- reseedling from high density or closed areas
- reseedling with hatchery stock
- spatfall enhancement through brushing, roughing and etc.
- relaying from high density or closed areas
- other \_\_\_\_\_

## Committee Meetings

In order to implement the management activities and to provide a forum for digger input the shellfish committee plans to meet:

- |                                     |                                    |                                 |
|-------------------------------------|------------------------------------|---------------------------------|
| <input type="checkbox"/> annually   | <input type="checkbox"/> bimonthly | <input type="checkbox"/> weekly |
| <input type="checkbox"/> biennially | <input type="checkbox"/> monthly   | <input type="checkbox"/> other  |
| <input type="checkbox"/> quarterly  | <input type="checkbox"/> biweekly  |                                 |

A member of the council or a selectman will plan to attend all shellfish committee meetings:

- yes       no

Minutes of meetings will be recorded and available upon request:

- yes       no

## Conservation Credits

Harvesters will be encouraged to participate in management activities by the awarding of conservation credits applicable to license renewal:

- yes       no

Conservation credit will be given for meeting attendance:

- yes       no

## Enforcement

Enforcement of the shellfish management ordinance will be undertaken by:

- |   |  |
|---|--|
| <input type="checkbox"/> full time conservation officer | <input type="checkbox"/> constable           |
| <input type="checkbox"/> part time conservation officer | <input type="checkbox"/> deputy sheriff      |
| <input type="checkbox"/> harbor master                  | <input type="checkbox"/> other town official |

How many? \_\_\_\_\_

The following will be provided by the municipality:

- |                                    |                                     |                                  |
|------------------------------------|-------------------------------------|----------------------------------|
| <input type="checkbox"/> a vehicle | <input type="checkbox"/> a boat     | <input type="checkbox"/> uniform |
| <input type="checkbox"/> radio     | <input type="checkbox"/> cell phone | <input type="checkbox"/> firearm |

Enforcement personnel will have the powers of arrest:     yes     no

They will be responsible for collecting production data:     yes     no

**Proposed Shellfish Licenses**

	Number	Cost
Resident Commercial	_____	\$ _____
Nonresident Commercial	_____	\$ _____
Reciprocal Commercial	_____	\$ _____
Resident Recreational	_____	\$ _____
Nonresident Recreational	_____	\$ _____
Reciprocal Recreational	_____	\$ _____
Resident Student	_____	\$ _____
Nonresident Student	_____	\$ _____
Reciprocal Student	_____	\$ _____
Other _____	_____	\$ _____

License numbers will be based upon: \_\_\_\_\_

- calculation using survey data
- survey data as a guide
- harvester input
- need/demand

**Proposed Shellfish Budget**

Warden Salary	\$ _____
Mileage	\$ _____
Clothing	\$ _____
Equipment	\$ _____
Advertising	\$ _____
Supplies	\$ _____
Surveys	\$ _____
Seeding	\$ _____
Miscellaneous	\$ _____
<b>TOTAL</b>	<b>\$ _____</b>

**Ad Hoc Shellfish Management Committee**

Title	Name	Mailing Address	Telephone
Chairman	_____	_____	_____
Vice-Chr.	_____	_____	_____
Secretary	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Council/Selectmen	_____	_____	_____
Liaison	_____	_____	_____





# License Allocation/Application

---

*Purpose:* Each year the Shellfish Conservation Committee must review the shellfish resources, and in consultation with the DMR Regional Biologist, determine the number of shellfish licenses to sell and request said allocation from DMR. The purpose of this form is to simplify the request and ensure that the pertinent information is provided.

*Instructions:*

1. Contact your local biologist to discuss license allocation approval
2. These forms are sent out by DMR each January with the Annual Management Review
3. Fill in all sections that apply
4. Put a '0' or dash on any line that does not apply
5. See later section on "Reporting Forms and Procedures" for an additional copy of this form.
6. Submit license application to DMR annually, 30 - 60 days ahead of license sales to allow for processing by the state and 10-day required posting by town clerk, etc.

# MUNICIPAL SHELLFISH LICENSE ALLOCATION APPLICATION

**To:** Harold C. Winters, Manager  
 Watershed Division  
 Department of Marine Resources  
 21 State House Station  
 Augusta, ME 04333

**Date:** \_\_\_\_\_

**From:** \_\_\_\_\_ Shellfish Conservation Committee.

The Shellfish Conservation Committee upon review of the shellfish resources and in consultation with the DMR Regional Biologist requests the following shellfish license allocation for the coming year.

<u>License Class</u>	<u>Number</u>	<u>Cost @</u>
<i>Commercial</i>		
Resident	_____	_____
Nonresident	_____	_____
Senior Resident	_____	_____
Senior Nonresident	_____	_____
Junior Resident	_____	_____
Junior Nonresident	_____	_____
Student Resident	_____	_____
Student Nonresident	_____	_____
Reciprocal	_____	_____
<i>Recreational</i>		
Resident	_____	_____
Nonresident	_____	_____
Daily Resident	_____ /d.	_____
Daily Nonresident	_____ /d.	_____
Monthly Resident	_____ /m.	_____
Monthly Nonres.	_____ /m.	_____
<i>Other</i>		
_____	_____	_____
_____	_____	_____
_____	_____	_____

Contact Person for the municipality:

Name \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

# Openings/Closings

---

*Purpose:* Prior to closing or opening an area of a municipality to shellfish harvesting, the municipality needs to review the status of the resource to be affected, secure the recommendation of the Regional Biologist and receive the approval of DMR. The purpose of this form is to ensure that the municipality submits all of the information necessary to obtain DMR approval for conservation closures and subsequent openings.

*Instructions:*

1. Fill in all sections that apply
2. Place a '0' or dash on any line that does not apply
3. Submit for each 'event'
4. Consult local biologist for help when needed
5. See later section on "Reporting Forms and Procedures" for an additional copy of this form
6. Submit completed application to DMR at least one week prior to the requested date

# REQUIREMENTS FOR IMPLEMENTING CONSERVATION CLOSURES / OPENINGS WITHIN THE MUNICIPAL SHELLFISH PROGRAM

“Prior to closing or opening an area of a municipality to shellfish harvesting the municipality shall review the status of the resource affected and secure the recommendation of the DMR area biologist and the approval of the commissioner.” **Maine DMR Regulation 7.50**

The following steps should be followed to gain the approval of the Commissioner in a timely manner.

## PROCEDURE

1. Contact the Regional DMR biologist responsible for your town. His agreement will be required for any conservation action proposed by the municipality.

### **York, Cumberland and Sagadahoc Counties**

Donald Card Tel/Fax: 207-443-2793  
HC 63 Box 252  
Bath, ME 04530

### **Lincoln, Knox and Waldo Counties**

Ron Aho Tel/Fax: 207-586-5572  
118 Kings Highway  
Newcastle, ME 04553

### **Hancock and Washington Counties**

David Clifford Tel/Fax: 207-255-3926  
P.O. Box 37  
E. Machias, Me. 04630

2. Fill out the attached application
3. Send the completed application, *at least a week prior* to the requested date, to:

Commissioner, Dept. of Marine Resources  
21 State House Station  
Augusta, Me 04333-0021



# Transplanting

---

*Purpose:* This form provides the information necessary to obtain a permit from DMR to harvest sublegal-sized clams for the purpose of reseeded shellfish areas. The permit also allows the harvest of seed clams from closed areas, provided the receiving flats are closed for six months.

*Instructions:*

1. Fill in all sections that apply
2. Put a '0' or dash on any line that does not apply
3. Submit for each 'event'
4. See later section on "Reporting Forms and Procedures" for an additional copy of this form
5. Consult your area biologist for help (see Appendix for directory)

## Softshell Clam Transplant Permit Application

### REQUIREMENTS FOR TRANSPLANTING CLAMS WITHIN THE MUNICIPAL SHELLFISH PROGRAM

A community must have a permit from the Maine Department of Marine Resources (DMR) to possess undersized soft shell clams (*Mya arenaria*). This permit will allow the municipality to possess sub legal clams for the purpose of reseeded shellfish areas. Without such a permit, the diggers may be in violation of state law.

**The following guidelines should be followed while transplanting clams from all sources:**

- 1) The activity will take place during daylight hours.
- 2) The activity will take place on designated days.
- 3) The activity should take place under the supervision of the town's shellfish officer or a designee of the Shellfish Committee.

**The following guidelines must be followed when taking seed clams from a Closed or Restricted area.**

- 1) All clams harvested must be less than 2" in the longest diameter. This is a no tolerance policy.
- 2) The harvest area must be marked by orange flags.
- 3) There must be a designated landing point for product that is included in the application.
- 4) During harvesting activities, harvest crew diggers shall remain in the same area, close enough for immediate supervision of all diggers at all times by the representative of the shellfish committee. The period of harvesting activity will be considered the time from which the names of the diggers are taken by the representative of the shellfish committee until the clams are landed at the designated landing point.
- 5) The method and route of the transportation of product to the receiving area must be submitted to DMR at the time of application.

**NOTE: Areas seeded with clams taken from Depuration or Prohibited (Closed) areas must be closed for a period of at least 6 months.**

**Softshell Clam Transplant Permit Application**

**PROCEDURE**

In order to obtain a permit the Shellfish Conservation Committee (SFC) must do the following:

1. Fill out the attached application
2. Send the completed form, at least a week prior to the requested date, to:

Commissioner, Dept. of Marine Resources  
 21 State House Station, Augusta, Me 04333-0021

3. Marine Patrol in either W. Boothbay Harbor at Division I (207-633- 9595) or Lamoine at Division II (207-667-3373) must be notified on the morning of the activity, or if the activity is initiated prior to the start of the normal business day or occurring on a weekend, the previous business day, of the following:

- A) The name of the supervisor
- B) The area of the activity
  - i) The name of the supervisor
  - ii) The number of diggers involved
  - iii) The area of the activity

4. **The supervisor of the activity will have in his possession a copy of the permit from the Department for the activity and a list of names of diggers involved.**

5. Questions and comments should be addressed to the following:

**York, Cumberland and Sagadahoc Counties**

Donald Card Telephone: 207-443-2793  
 HCR 63 Box 252  
 W. Bath, ME 04530

**Lincoln, Knox and Waldo Counties**

Ron Aho Telephone: 207-586-5572  
 118 Kings Highway  
 Newcastle, ME 04553

**Hancock and Washington Counties**

David Clifford Telephone: 207-255-3926  
 P.O. Box 37  
 E. Machias, ME 04630



# Softshell Clam Transplant Permit Application

Date of Application: \_\_\_\_\_

To: Commissioner, Department of Marine Resources  
21 State House Station  
Augusta, ME 04333-0021

FROM: The town of \_\_\_\_\_ requests a permit to possess under sized clams for the purpose of transplanting.

Contact Person for the town:

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax: \_\_\_\_\_

Please answer the following:

1. Who will be the supervisor of seeding operation?  
Title \_\_\_\_\_ Telephone # \_\_\_\_\_ Fax# \_\_\_\_\_

2. What is the source of seed clams? (Please mark one)  
Natural \_\_\_\_\_ Hatchery \_\_\_\_\_  
Other \_\_\_\_\_ - Describe: \_\_\_\_\_

3. Please name the source area and attach a map showing the source area.  
Name of Source Area: \_\_\_\_\_

4. Please indicate the State classification of the seed source area:  
Approved (Open) \_\_\_\_\_ (Go to #5)  
Prohibited (Closed) \_\_\_\_\_ (Go to #11)  
Restricted (Depuration) \_\_\_\_\_ (Go to #11)

5. What day and time will the seed clams be harvested? Date: \_\_\_\_\_ Time: \_\_\_\_\_

6. What is the destination of seed clams? (Please attach a map of the area)  
Destination Name: \_\_\_\_\_

7. What day and time will the seed clams be planted? Date: \_\_\_\_\_ Time: \_\_\_\_\_

8. How will the success of this project be monitored?

9. Is the seeded area being closed to harvest of clams?

10. Are predator controls being used? \_\_\_\_\_ If yes please describe:

Softshell Clam Transplant Permit Application

If Hatchery seed or Open area clams are used, no further questions need to be answered. If Closed Area clams are used, please go to #11.

CLOSED/RESTRICTED AREA SOURCE SEED CLAMS

PLEASE NOTE:
CLOSED/RESTRICTED HARVEST AREA MUST
BE MARKED BY ORANGE FLAGS

- 11. What day and time will the seed clams be harvested? Date: Time:
12. What is the destination of seed clams? (Please attach a map of the area)
13. How will the seed clams be moved to the planting site?
14. If seed clams are transported by car, where will the clams be landed? (please note that clams from Closed and Restricted areas must be planted immediately. No storage is allowed)
15. What day and time will the seed clams be planted? Date: Time:
16. How will the success of this project be monitored?
17. Is the seeded area being closed to harvest of clams?

NOTE: Areas seeded with clams taken from Depuration or Prohibited (Closed) areas must be closed for a period of at least 6 months.

- 18. Are predator controls being used? If yes please describe:



# Annual Shellfish Management Review

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*Purpose:* The Annual Management Review Form is a 10-page document designed to address all the aspects of a clam management program. The form not only helps towns and regions document and assess their management for the previous year, but provides a framework to plan for the coming year.

The Annual Review Form also streamlines the review process and allows DMR to monitor and evaluate the clam management activities of the towns and regions in a consistent manner to determine if the municipality is meeting its regulatory requirements under Marine Resources Regulations Chapter 7. The information is also entered into a multipurpose database. This form is required by Chapter 7.

## KEY DATES:

*January 1* - Annual Management Review Forms are sent out by DMR

*March 1* - Completed forms must to be returned to DMR

Certain reports and plans required by law:

- Warden report
- Management plan
- Revenues
- Expenses
- Funds raised or appropriated
- Funds requested



# ANNUAL SHELLFISH MANAGEMENT REVIEW

## Partial Instructions

### Page 1

Information on this page is required by regulation (Chpt. 7:20.C.)

#### **Statement of Management Goals and Implementation Actions**

This section provides information on the "what, why and how" of the management program. Each subsection can have more than one answer; check all that apply but read each statement carefully (e.g., the Goals section has four pairs of statements, each pair is made up of opposing goals so only one would be appropriate). If a control or activity is absent from the list, write it in under "other".

### Page 2

#### **Shellfish Committee/Staff**

This section provides information on the "who" of the management program. It will provide for better communications between DMR and the committee. Please enter the information for the current shellfish committee and staff.

#### **Meetings**

This section characterizes the meeting activity of the shellfish committee. Regularly scheduled meetings and harvester participation are encouraged.

#### **Conservation Credit**

This question provides information on conservation credits. If credits are given but not required to obtain a license, indicate the number of hours necessary to obtain whatever benefit is given for the conservation work (e.g., picking up a license before the regular sale).

### Page 3

Information on this page is required by regulation (Chpt. 7:20.E & Chpt. 4:40.4). This page should be filled out using the warden's monthly reports. This should not be filled out by the warden.

#### **Summary of Warden Activities for the Year**

This section summarizes the enforcement activities listed in the warden's reports. Each item should be the total for the year and not the number per day, week or month.

#### **Production Data Collected by the Warden**

This section summarizes the harvesting activity documented in the warden's reports. The following definitions apply:

'Average Daily Catch/Digger' is an estimate based on the average catch of the harvesters checked during routine patrol during a particular month.

'Average # of Diggers /Day' is an estimate of the average number of harvesters per day on the flats based upon observations made during routine patrols during a particular month.

'Total # of Days Dug' is the number of days the flats were open and not closed due to flood, PSP or conservation..

Pounds or bushels can be used to record amounts but not both. It should be clearly indicated which unit is being used.

#### **Warden Data**

The date the warden received DMR certification and the date the municipality nominated the warden needs to be entered. Note: The municipality must nominate its warden(s) each year.

#### **Page 4**

The information on this page is required by regulation (Chpt. 7.20.E.). This page should be filled out using information provided by the Office of the Town Clerk for the last complete fiscal year (i.e., municipalities with a July 1 to June 30 fiscal year would use Fy97/98 figures for a 1998 annual review). All blanks should be filled in, please use "0" or "n/a" where appropriate.

#### **Page 5**

This information is required by regulation (Chpt. 7.20.E.). This page is fairly self-explanatory; 'Brushing' is spatfall enhancement through the placement of brush, fences, or netting on the flats. The reseed column should include seeding with hatchery clams as well as transplanting activities. There is a box that must be checked if no activities took place.

#### **Page 6&7**

This information is required by regulation (Chpt. 7.20.C.). This page is fairly self-explanatory. It concerns management controls and activities planned for the coming year as opposed to those activities already accomplished. License allocations, reseeding permits, ordinance changes approval and conservation openings and closings approval must still be requested separately. There is a box that must be checked if no activities are planned.

#### **Page 8**

This information is required by regulation (Chpt. 7.20.C.). This page is fairly self-explanatory. Check one of the boxes if no activities are planned.

#### **Page 9**

This information is required by regulation (Chpt. 7.20.B.). This information is a summary of that obtained through clam flat surveys conducted during the year. It is also required by regulation (same) that the survey data be attached if it has not been previously submitted to DMR. There is a box that must be checked if no surveys were conducted.

#### **Page 10**

This page is fairly self-explanatory. There is a box that must be checked if no reseedings were conducted.

**ANNUAL SHELLFISH MANAGEMENT REVIEW**  
**for the period**  
**January 1st to December 31st, 1998**

Municipality: \_\_\_\_\_ Date: \_\_\_\_\_

The Shellfish Conservation Committee submits the following information in partial fulfillment of its responsibilities under Chapter 7 of the Department of Marine Resources Regulations and the Shellfish Conservation Ordinance of this municipality.

**Statement of Management Goals and Implementation Actions**

The goal of shellfish management for this municipality has been: (check only one of each pair)

- 1)  provide a harvesting opportunity for the maximum number of participants  
 maximize individual harvest by minimizing the number of participants
- 2)  increase the clam resource through various enhancement activities  
 maintain a sustainable yield through the vigorous use of production controls
- 3)  provide for recreational harvesting in preference to commercial harvesting  
 provide for commercial harvesting in preference to recreational harvesting
- 4)  maximize the economic value of the resource to improve the local economy  
 maintain a constant production to provide a steady income

The following management controls were utilized: (check all that apply)

- limit the number of commercial harvesters
- limit the number of recreational harvesters
- restrict times of harvest
- restrict the areas of harvest
- limit the amount of commercial harvest
- limit the amount of recreational harvest
- other \_\_\_\_\_

The following management activities were undertaken: (check all that apply)

- predator protection through fencing, netting and etc.
- reseeding from high density areas or seeding with hatchery stock
- flat surveys to determine size distribution and density
- harvester surveys to obtain catch and effort data
- enhance natural seeding through brushing, roughing and etc.
- establishing conservation areas for flat rotation
- other \_\_\_\_\_



**Shellfish Committee/Staff**

<u>Title</u>	<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Chairman	_____	_____	_____
Vice-Chr.	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____

Council/Selectmen Liaison

\_\_\_\_\_

Warden(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Water Quality Specs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Committee Meetings**

The Shellfish Committee holds regularly scheduled meetings:  yes  no

The following number of meetings were held during the past year:

- 1 - 3     4 - 6     6 - 9     9 - 12     more than 12

Minutes of meetings are recorded, filed and are available upon request:  yes  no

**Conservation Credit**

Conservation credit is required to obtain a license:  yes  no

The total number of hours required to obtain credit is\_\_\_\_\_.

Conservation hours are given for meeting attendance:  yes  no

**Summary of Warden Activities for the Year**

Hours Patrolled: \_\_\_\_\_  
 Diggers Checked: \_\_\_\_\_  
 Warnings Given: \_\_\_\_\_  
 Summon Issued: \_\_\_\_\_  
 Court Appearances: \_\_\_\_\_

Enforcement of the town shellfish management ordinance has been:

Satisfactory (\_\_\_\_).                      Unsatisfactory (\_\_\_\_).

Enforcement could be improved by:     more hours patrolled  
      more wardens  
      better equipment  
      better training  
      greater state support  
      other \_\_\_\_\_

**Production Data Collected by the Warden**

<u>Month</u>	<u>Avg. Daily Catch/Digger</u>	<u>Avg. # of Diggers/Day</u>	<u>Total # of Days Dug</u>	<u>Total Lbs or Bushels</u>
January	_____ x	_____ x	_____ =	_____
February	_____	_____	_____	_____
March	_____	_____	_____	_____
April	_____	_____	_____	_____
May	_____	_____	_____	_____
June	_____	_____	_____	_____
July	_____	_____	_____	_____
August	_____	_____	_____	_____
September	_____	_____	_____	_____
October	_____	_____	_____	_____
November	_____	_____	_____	_____
December	_____	_____	_____	_____
		<b>TOTAL</b>		

<u>Warden(s)</u>	<u>Certification Date</u>	<u>Nomination Date</u>
_____	____/____/____	____/____/____
_____	____/____/____	____/____/____
_____	____/____/____	____/____/____

**Shellfish License Allocations and Sales (last complete fiscal year)**

	<u>Allocation</u>	<u>Sold</u>	<u>Received</u>
Resident Commercial	_____	_____	\$ _____
Nonresident Commercial	_____	_____	\$ _____
Reciprocal Commercial	_____	_____	\$ _____
Resident Recreational	_____	_____	\$ _____
Nonresident Recreational	_____	_____	\$ _____
Reciprocal Recreational	_____	_____	\$ _____
Resident Student	_____	_____	\$ _____
Nonresident Student	_____	_____	\$ _____
Reciprocal Student	_____	_____	\$ _____
Other _____	_____	_____	\$ _____
<b>TOTAL (1)</b>			\$ _____

**Other Receipts**

Shellfish Conservation Account Carried Forward	\$ _____
Appropriated for Warden	\$ _____
Appropriated for Management Activities	\$ _____
Fines	\$ _____
Other _____	\$ _____
<b>TOTAL (2)</b>	\$ _____

**TOTAL Receipts (1+2)** \$ \_\_\_\_\_

**Disbursements**

Warden Salary	\$ _____
Mileage	\$ _____
Clothing	\$ _____
Equipment	\$ _____
Training	\$ _____
<b>TOTAL (3)</b>	\$ _____

Advertising	\$ _____
Supplies	\$ _____
Surveys	\$ _____
Seeding	\$ _____
Miscellaneous	\$ _____
<b>TOTAL (4)</b>	\$ _____

**TOTAL Disbursements (3+4)** \$ \_\_\_\_\_



**Proposed Management Controls**

The following management controls will be utilized for the coming year: (check all that apply)

- limit the number of commercial harvesters
- limit the number of recreational harvesters
- restrict times of harvest
- restrict the areas of harvest
- limit the amount of commercial harvest
- limit the amount of recreational harvest
- other \_\_\_\_\_

**Proposed Shellfish Licenses**

Regular Category

- Resident Commercial
- Nonresident Commercial
- Reciprocal Commercial
- Resident Recreational
- Nonresident Recreational
- Reciprocal Recreational
- Resident Student
- Nonresident Student
- Reciprocal Student

<u>Number</u>	<u>Cost @</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Special Category

- Daily Resident
- Daily Nonresident

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

License number determination is based upon:

- calculation using survey data
- survey data as a guide
- harvester input
- need/demand

The above numbers are:

- tentative, the actual numbers to be determined later
- firm, have been or will be submitted to DMR

## Proposed Management Activities

The following management activities will be undertaken during the coming year: (check all that apply).

- predator protection through fencing, netting and etc.
- reseeding from high density areas or with hatchery stock
- flat surveys to determine size distribution and density
- enhance natural seeding through brushing, roughing and etc.
- establishing conservation areas for flat rotation
- other \_\_\_\_\_

In order to implement these management activities the committee will utilize: (check all that apply)

- harvesters vested with conservation credit
- harvester volunteers
- paid harvesters
- municipal employees
- paid consultants
- other \_\_\_\_\_

To provide a forum for harvester input in management planning, the shellfish committee plans to meet:

- annually
- biennially
- quarterly
- bimonthly
- monthly







## Summary of Seeding / Reseeding Activities

The following seeding / reseeded activities were conducted during the past year.

No seeding / reseeded activities were conducted.

	Event 1	Event 2	Event 3	Event 4
Date				
Supervisor				
Crew #				
Amount				
Mean Size				
Size Range				
Source*				
Source Flat				
Receiv. Flat				
Checked on				
Closed until				

\*Hatchery, closed area, open area.

	Event 5	Event 6	Event 7	Event 8
Date				
Supervisor				
Crew #				
Amount				
Mean Size				
Size Range				
Source*				
Source Flat				
Receiv. Flat				
Checked on				
Closed until				

\*Hatchery, closed area, open area.

Rev: 6/19/98

DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

To: Commissioner of Marine Resources Date: \_\_\_\_\_

From: [Municipality] Ad Hoc Shellfish Ordinance Committee

**SHELLFISH MANAGEMENT PLAN**  
for the  
**[Municipality]**

The Ad Hoc Shellfish Management Committee submits the following information as required by DMR Regulations. Chapter 7. Section 7.20.

**Statement of Management Goals and Implementation Actions (check all that apply)**

The goal of clam management for this municipality will be:

- maximize harvesting opportunity through minimal management control
- maximize individual harvest through maximum management control
- increase the clam resource through various enhancement activities
- reserve the resource for the benefit of the residents of the municipality
- provide for recreational harvesting in preference to commercial harvesting
- provide for commercial harvesting in preference to recreational harvesting
- maximize the economic value of the resource to improve the local economy
- other \_\_\_\_\_

The following management controls will be utilized:

- limit the number of commercial harvesters
- limit the number of recreational harvesters
- restrict times of harvest
- restrict the areas of harvest
- limit the amount of commercial harvest
- limit the amount of recreational harvest
- other \_\_\_\_\_

The following management activities will be conducted:

- predator protection through fencing, netting and etc.
- reseedling from high density or closed areas
- reseedling with hatchery stock
- spatfall enhancement through brushing, roughing and etc.
- relaying from high density or closed areas
- other \_\_\_\_\_

## Committee Meetings

In order to implement the management activities and to provide a forum for digger input the shellfish committee plans to meet:

- |                                     |                                    |                                 |
|-------------------------------------|------------------------------------|---------------------------------|
| <input type="checkbox"/> annually   | <input type="checkbox"/> bimonthly | <input type="checkbox"/> weekly |
| <input type="checkbox"/> biennially | <input type="checkbox"/> monthly   | <input type="checkbox"/> other  |
| <input type="checkbox"/> quarterly  | <input type="checkbox"/> biweekly  |                                 |

A member of the council or a selectman will plan to attend all shellfish committee meetings:

- yes       no

Minutes of meetings will be recorded and available upon request:

- yes       no

## Conservation Credits

Harvesters will be encouraged to participate in management activities by the awarding of conservation credits applicable to license renewal:

- yes       no

Conservation credit will be given for meeting attendance:

- yes       no

## Enforcement

Enforcement of the shellfish management ordinance will be undertaken by:

- |   |  |
|---|--|
| <input type="checkbox"/> full time conservation officer | <input type="checkbox"/> constable           |
| <input type="checkbox"/> part time conservation officer | <input type="checkbox"/> deputy sheriff      |
| <input type="checkbox"/> harbor master                  | <input type="checkbox"/> other town official |

How many? \_\_\_\_\_

The following will be provided by the municipality:

- |                                    |                                     |                                  |
|------------------------------------|-------------------------------------|----------------------------------|
| <input type="checkbox"/> a vehicle | <input type="checkbox"/> a boat     | <input type="checkbox"/> uniform |
| <input type="checkbox"/> radio     | <input type="checkbox"/> cell phone | <input type="checkbox"/> firearm |

Enforcement personnel will have the powers of arrest:  yes       no

They will be responsible for collecting production data:  yes       no

**Proposed Shellfish Licenses**

	Number	Cost
Resident Commercial	_____	\$ _____
Nonresident Commercial	_____	\$ _____
Reciprocal Commercial	_____	\$ _____
Resident Recreational	_____	\$ _____
Nonresident Recreational	_____	\$ _____
Reciprocal Recreational	_____	\$ _____
Resident Student	_____	\$ _____
Nonresident Student	_____	\$ _____
Reciprocal Student	_____	\$ _____
Other _____	_____	\$ _____

License numbers will be based upon:

- calculation using survey data
- survey data as a guide
- harvester input
- need/demand

**Proposed Shellfish Budget**

Warden Salary	\$ _____
Mileage	\$ _____
Clothing	\$ _____
Equipment	\$ _____
Advertising	\$ _____
Supplies	\$ _____
Surveys	\$ _____
Seeding	\$ _____
Miscellaneous	\$ _____
TOTAL	\$ _____

**Ad Hoc Shellfish Management Committee**

Title	Name	Mailing Address	Telephone
Chairman	_____	_____	_____
Vice-Chr.	_____	_____	_____
Secretary	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Council/Selectmen			
Liaison	_____	_____	_____

**Proposed Management Activities by Flat**

The following is a list of clam harvest areas in which management activities are planned for the coming year.

Clam Flat	Survey Date	Closure Date	Opening Date	Reseed Date	Brushing Date

Department of Marine Resources  
21 State House Station, Augusta, Maine 04333-0021  
Telephone: (207) 624-6562 - Fax: (207) 624-6024

**Application for Certification / Nomination of  
Shellfish Conservation Warden**

Date Submitted: \_\_\_\_\_ Municipality: \_\_\_\_\_  
Municipality Address: \_\_\_\_\_ Town: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Warden Information**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Town: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: (207) \_\_\_\_\_ Email Address: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Full Time Employee: \_\_\_\_\_ Part Time Employee: \_\_\_\_\_  
Power of Arrest: Yes \_\_\_ No \_\_\_ Carry Firearm: Yes \_\_\_ No \_\_\_ Current or Intended Employee: \_\_\_\_\_  
Last year of Grade School Completed: \_\_\_\_\_ Last year of High School Completed: \_\_\_\_\_  
Last year of College Completed: \_\_\_\_\_ Law Enforcement Training: Yes \_\_\_ No \_\_\_  
(If yes, please describe training): \_\_\_\_\_  
Nominated by Town: Yes \_\_\_ No \_\_\_  
Other Towns Responsible for: \_\_\_\_\_

Date Nominated by Town: \_\_\_\_\_ Date Certified/Trained by DMR: \_\_\_\_\_

- ◆ Warden must be nominated by the town yearly.
- ◆ Untrained nominee has up to one year to attend DMR Warden Training
- ◆ Trained wardens must attend DMR Warden Training every three years).
- ◆ Town must notify DMR when warden is no longer employed by the town (fill in the above information and check here to rescind nomination) \_\_\_\_\_ Rescind Nomination of above warden

Additional Education (Explain)

Shellfish Related Experience:

Training (if MCJA include copy of certification):

Note: Signature of applicant authorizes DMR to check applicant's background for criminal record.  
If applicant has the power of arrest and/or carries a firearm, he or she must complete the appropriate MCJA course prior to DMR certification.

Signature of Municipal Official \_\_\_\_\_ Date \_\_\_\_\_ Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**Please fill out one application per warden nominated - Duplicate form as needed**

# **REQUIREMENTS FOR IMPLEMENTING CONSERVATION CLOSURES / OPENINGS WITHIN THE MUNICIPAL SHELLFISH PROGRAM**

“Prior to closing or opening an area of a municipality to shellfish harvesting the municipality shall review the status of the resource affected and secure the recommendation of the DMR area biologist and the approval of the commissioner.” **Maine DMR Regulation 7.50**

The following steps should be followed to gain the approval of the Commissioner in a timely manner.

## **PROCEDURE**

1. Contact the Regional DMR biologist responsible for your town. His agreement will be required for any conservation action proposed by the municipality.

### **York, Cumberland and Sagadahoc Counties**

Donald Card Tel/Fax: 207-443-2793  
HC 63 Box 252  
Bath, ME 04530

### **Lincoln, Knox and Waldo Counties**

Ron Aho Tel/Fax: 207-586-5572  
118 Kings Highway  
Newcastle, ME 04553

### **Hancock and Washington Counties**

David Clifford Tel/Fax: 207-255-3926  
P.O. Box 37  
E. Machias, Me. 04630

2. Fill out the attached application
3. Send the completed application, *at least a week prior* to the requested date, to:

Commissioner, Dept. of Marine Resources  
21 State House Station  
Augusta, Me 04333-0021



# REQUIREMENTS FOR IMPLEMENTING CONSERVATION CLOSURES / OPENINGS WITHIN THE MUNICIPAL SHELLFISH PROGRAM

Date: \_\_\_\_\_

To: Commissioner, Dept. of Marine Resources  
21 State House Station  
Augusta, ME 04333

FROM: \_\_\_\_\_

The town of \_\_\_\_\_ requests approval of the Commissioner of the DMR to open / close the following shellfish growing area: \_\_\_\_\_

Contact Person for the town:

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax: \_\_\_\_\_

Please answer or do the following:

1. Why is this area being opened / closed?
  
2. If this is a conservation closure, how long will the area be closed?  
From Date: \_\_\_\_\_ To Date: \_\_\_\_\_
  
3. If this is a conservation opening, date to be opened? \_\_\_\_\_
  
4. Attach a map of the area to be opened /closed.
  
5. Who will enforce this conservation action?
  
6. How will people (harvesters and others) be notified of the action?
  
7. What is the State of Maine DMR classification of the growing area?  
Approved (Open)  Prohibited (Closed)  Restricted (Depuration)

**NOTE: Municipalities do not have authority to stop Depuration harvesting in Restricted areas or to permit harvesting in Prohibited areas.**



**MUNICIPAL SHELLFISH LICENSE  
ALLOCATION APPLICATION**

**To:** Harold C. Winters, Manager  
 Watershed Division  
 Department of Marine Resources  
 21 State House Station  
 Augusta, ME 04333

**Date:** \_\_\_\_\_

**From:** \_\_\_\_\_ Shellfish Conservation Committee.

The Shellfish Conservation Committee upon review of the shellfish resources and in consultation with the DMR Regional Biologist requests the following shellfish license allocation for the coming year.

<u>License Class</u>	<u>Number</u>	<u>Cost @</u>
<i>Commercial</i>		
Resident	_____	_____
Nonresident	_____	_____
Senior Resident	_____	_____
Senior Nonresident	_____	_____
Junior Resident	_____	_____
Junior Nonresident	_____	_____
Student Resident	_____	_____
Student Nonresident	_____	_____
Reciprocal	_____	_____
<i>Recreational</i>		
Resident	_____	_____
Nonresident	_____	_____
Daily Resident	_____/d.	_____
Daily Nonresident	_____/d.	_____
Monthly Resident	_____/m.	_____
Monthly Nonres.	_____/m.	_____
<i>Other</i>		
_____	_____	_____
_____	_____	_____
_____	_____	_____

Contact Person for the municipality:

Name \_\_\_\_\_ Title: \_\_\_\_\_  
 Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**REQUIREMENTS FOR IMPLEMENTING  
CONSERVATION CLOSURES / OPENINGS WITHIN  
THE MUNICIPAL SHELLFISH PROGRAM**

Date: \_\_\_\_\_

To: Commissioner, Dept. of Marine Resources  
21 State House Station  
Augusta, ME 04333

FROM: \_\_\_\_\_

The town of \_\_\_\_\_ requests approval of the Commissioner of the DMR to open / close the following shellfish growing area: \_\_\_\_\_

Contact Person for the town:

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax: \_\_\_\_\_

Please answer or do the following:

1. Why is this area being opened / closed?
2. If this is a conservation closure, how long will the area be closed?  
From Date: \_\_\_\_\_ To Date: \_\_\_\_\_
3. If this is a conservation opening, date to be opened? \_\_\_\_\_
4. Attach a map of the area to be opened /closed.
5. Who will enforce this conservation action?
6. How will people (harvesters and others) be notified of the action?
7. What is the State of Maine DMR classification of the growing area?  
Approved (Open)  Prohibited (Closed)  Restricted (Depuration)

**NOTE: Municipalities do not have authority to stop Depuration harvesting in  
Restricted areas or to permit harvesting in Prohibited areas.**

\_\_\_\_\_

## Softshell Clam Transplant Permit Application

### REQUIREMENTS FOR TRANSPLANTING CLAMS WITHIN THE MUNICIPAL SHELLFISH PROGRAM

A community must have a permit from the Maine Department of Marine Resources (DMR) to possess undersized soft shell clams (*Mya arenaria*). This permit will allow the municipality to possess sub legal clams for the purpose of reseeded shellfish areas. Without such a permit, the diggers may be in violation of state law.

**The following guidelines should be followed while transplanting clams from all sources:**

- 1) The activity will take place during daylight hours.
- 2) The activity will take place on designated days.
- 3) The activity should take place under the supervision of the town's shellfish officer or a designee of the Shellfish Committee.

**The following guidelines must be followed when taking seed clams from a Closed or Restricted area.**

- 1) All clams harvested must be less than 2" in the longest diameter. This is a no tolerance policy.
- 2) The harvest area must be marked by orange flags.
- 3) There must be a designated landing point for product that is included in the application.
- 4) During harvesting activities, harvest crew diggers shall remain in the same area, close enough for immediate supervision of all diggers at all times by the representative of the shellfish committee. The period of harvesting activity will be considered the time from which the names of the diggers are taken by the representative of the shellfish committee until the clams are landed at the designated landing point.
- 5) The method and route of the transportation of product to the receiving area must be submitted to DMR at the time of application.

**NOTE: Areas seeded with clams taken from Depuration or Prohibited (Closed) areas must be closed for a period of at least 6 months.**

## Softshell Clam Transplant Permit Application

### PROCEDURE

In order to obtain a permit the Shellfish Conservation Committee (SFC) must do the following:

1. Fill out the attached application
2. Send the completed form, at least a week prior to the requested date, to:  

Commissioner, Dept. of Marine Resources  
21 State House Station, Augusta, Me 04333-0021
3. Marine Patrol in either W. Boothbay Harbor at Division I (207-633- 9595) or Lamoine at Division II (207-667-3373) must be notified on the morning of the activity, or if the activity is initiated prior to the start of the normal business day or occurring on a weekend, the previous business day, of the following:
  - A) The name of the supervisor
  - B) The area of the activity
    - i) The name of the supervisor
    - ii) The number of diggers involved
    - iii) The area of the activity
4. **The supervisor of the activity will have in his possession a copy of the permit from the Department for the activity and a list of names of diggers involved.**
5. Questions and comments should be addressed to the following:

#### **York, Cumberland and Sagadahoc Counties**

Donald Card                                      Telephone: 207-443-2793  
HCR 63 Box 252  
W. Bath, ME 04530

#### **Lincoln, Knox and Waldo Counties**

Ron Aho    Telephone: 207-586-5572  
118 Kings Highway  
Newcastle, ME 04553

#### **Hancock and Washington Counties**

David Clifford                                      Telephone: 207-255-3926  
P.O. Box 37  
E. Machias, ME 04630

Softshell Clam Transplant Permit Application

Date of Application: \_\_\_\_\_

To: . Commissioner, Department of Marine Resources  
21 State House Station  
Augusta, ME 04333-0021

FROM: The town of \_\_\_\_\_ requests a permit to possess under sized clams for the purpose of transplanting.

Contact Person for the town:

Name \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax: \_\_\_\_\_

Please answer the following:

1. Who will be the supervisor of seeding operation? \_\_\_\_\_  
Title \_\_\_\_\_ Telephone # \_\_\_\_\_ Fax#: \_\_\_\_\_

2. What is the source of seed clams? (Please mark one)  
Natural \_\_\_\_\_ Hatchery \_\_\_\_\_  
Other \_\_\_\_\_ - Describe: \_\_\_\_\_

3. Please name the source area and attach a map showing the source area.  
Name of Source Area: \_\_\_\_\_

4. Please indicate the State classification of the seed source area:  
Approved (Open) \_\_\_\_\_ (Go to #5)  
Prohibited (Closed) \_\_\_\_\_ (Go to #11)  
Restricted (Depuration) \_\_\_\_\_ (Go to #11)

5. What day and time will the seed clams be harvested? Date: \_\_\_\_\_ Time: \_\_\_\_\_

6. What is the destination of seed clams? (Please attach a map of the area)  
Destination Name: \_\_\_\_\_

7. What day and time will the seed clams be planted? Date: \_\_\_\_\_ Time: \_\_\_\_\_

8. How will the success of this project be monitored?

9. Is the seeded area being closed to harvest of clams?

10. Are predator controls being used? \_\_\_\_\_ If yes please describe:

<b>Softshell Clam Transplant Permit Application</b>
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**If Hatchery seed or Open area clams are used, no further questions need to be answered. If Closed Area clams are used, please go to #11.**

**CLOSED/RESTRICTED AREA SOURCE SEED CLAMS**

**PLEASE NOTE:  
CLOSED/RESTRICTED HARVEST AREA MUST  
BE MARKED BY ORANGE FLAGS**

11. What day and time will the seed clams be harvested? Date: \_\_\_\_\_ Time: \_\_\_\_\_
12. What is the destination of seed clams? (Please attach a map of the area)  
\_\_\_\_\_
13. How will the seed clams be moved to the planting site? \_\_\_\_\_
14. If seed clams are transported by car, where will the clams be landed? (please note that clams from Closed and Restricted areas must be planted immediately. No storage is allowed)
15. What day and time will the seed clams be planted? Date: \_\_\_\_\_ Time: \_\_\_\_\_
16. How will the success of this project be monitored? \_\_\_\_\_
17. Is the seeded area being closed to harvest of clams?

**NOTE: Areas seeded with clams taken from Depuration or Prohibited (Closed) areas must be closed for a period of at least 6 months.**

18. Are predator controls being used? \_\_\_\_\_ If yes please describe:



# ANNUAL SHELLFISH MANAGEMENT REVIEW

## Partial Instructions

### Page 1

Information on this page is required by regulation (Chpt. 7.20.C.)

#### **Statement of Management Goals and Implementation Actions**

This section provides information on the "what, why and how" of the management program. Each subsection can have more than one answer; check all that apply but read each statement carefully (e.g., the Goals section has four pairs of statements, each pair is made up of opposing goals so only one would be appropriate). If a control or activity is absent from the list, write it in under "other".

### Page 2

#### **Shellfish Committee/Staff**

This section provides information on the "who" of the management program. It will provide for better communications between DMR and the committee. Please enter the information for the current shellfish committee and staff.

#### **Meetings**

This section characterizes the meeting activity of the shellfish committee. Regularly scheduled meetings and harvester participation are encouraged.

#### **Conservation Credit**

This question provides information on conservation credits. If credits are given but not required to obtain a license, indicate the number of hours necessary to obtain whatever benefit is given for the conservation work (e.g., picking up a license before the regular sale).

### Page 3

Information on this page is required by regulation (Chpt. 7.20.E & Chpt. 4.40.4). This page should be filled out using the warden's monthly reports. This should not be filled out by the warden.

#### **Summary of Warden Activities for the Year**

This section summarizes the enforcement activities listed in the warden's reports. Each item should be the total for the year and not the number per day, week or month.

#### **Production Data Collected by the Warden**

This section summarizes the harvesting activity documented in the warden's reports. The following definitions apply:

'Average Daily Catch/Digger' is an estimate based on the average catch of the harvesters checked during routine patrol during a particular month.

'Average # of Diggers /Day' is an estimate of the average number of harvesters per day on the flats based upon observations made during routine patrols during a particular month.

'Total # of Days Dug' is the number of days the flats were open and not closed due to flood, PSP or conservation..



Pounds or bushels can be used to record amounts but not both. It should be clearly indicated which unit is being used.

**Warden Data**

The date the warden received DMR certification and the date the municipality nominated the warden needs to be entered. Note: The municipality must nominate its warden(s) each year.

**Page 4**

The information on this page is required by regulation (Chpt. 7.20.E.). This page should be filled out using information provided by the Office of the Town Clerk for the last complete fiscal year (i.e., municipalities with a July 1 to June 30 fiscal year would use Fy97/98 figures for a 1998 annual review). All blanks should be filled in, please use "0" or "n/a" where appropriate.

**Page 5**

This information is required by regulation (Chpt. 7.20.E.). This page is fairly self-explanatory; 'Brushing' is spatfall enhancement through the placement of brush, fences, or netting on the flats. The reseed column should include seeding with hatchery clams as well as transplanting activities. There is a box that must be checked if no activities took place.

**Page 6&7**

This information is required by regulation (Chpt. 7.20.C.). This page is fairly self-explanatory. It concerns management controls and activities planned for the coming year as opposed to those activities already accomplished. License allocations, reseeding permits, ordinance changes approval and conservation openings and closings approval must still be requested separately. There is a box that must be checked if no activities are planned.

**Page 8**

This information is required by regulation (Chpt. 7.20.C.). This page is fairly self-explanatory. Check one of the boxes if no activities are planned.

**Page 9**

This information is required by regulation (Chpt. 7.20.B.). This information is a summary of that obtained through clam flat surveys conducted during the year. It is also required by regulation (same) that the survey data be attached if it has not been previously submitted to DMR. There is a box that must be checked if no surveys were conducted.

**Page 10**

This page is fairly self-explanatory. There is a box that must be checked if no reseedings were conducted.

**ANNUAL SHELLFISH MANAGEMENT REVIEW**  
**for the period**  
**January 1st to December 31st, 1998**

**Municipality:** \_\_\_\_\_ **Date:** \_\_\_\_\_

The Shellfish Conservation Committee submits the following information in partial fulfillment of its responsibilities under Chapter 7 of the Department of Marine Resources Regulations and the Shellfish Conservation Ordinance of this municipality.

**Statement of Management Goals and Implementation Actions**

The goal of shellfish management for this municipality has been: (check only one of each pair)

- 1)  provide a harvesting opportunity for the maximum number of participants  
 maximize individual harvest by minimizing the number of participants
- 2)  increase the clam resource through various enhancement activities  
 maintain a sustainable yield through the vigorous use of production controls
- 3)  provide for recreational harvesting in preference to commercial harvesting  
 provide for commercial harvesting in preference to recreational harvesting
- 4)  maximize the economic value of the resource to improve the local economy  
 maintain a constant production to provide a steady income

The following management controls were utilized: (check all that apply)

- limit the number of commercial harvesters
- limit the number of recreational harvesters
- restrict times of harvest
- restrict the areas of harvest
- limit the amount of commercial harvest
- limit the amount of recreational harvest
- other \_\_\_\_\_

The following management activities were undertaken: (check all that apply)

- predator protection through fencing, netting and etc.
- reseeding from high density areas or seeding with hatchery stock
- flat surveys to determine size distribution and density
- harvester surveys to obtain catch and effort data
- enhance natural seeding through brushing, roughing and etc.
- establishing conservation areas for flat rotation
- other \_\_\_\_\_

**Shellfish Committee/Staff**

<u>Title</u>	<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
Chairman	_____	_____	_____
Vice-Chr.	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Council/Selectmen Liaison	_____	_____	_____
Warden(s)	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Water Quality Specs.	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**Committee Meetings**

The Shellfish Committee holds regularly scheduled meetings:  yes  no

The following number of meetings were held during the past year:

- 1 - 3       4 - 6       6 - 9       9 - 12       more than 12

Minutes of meetings are recorded, filed and are available upon request:  yes  no

**Conservation Credit**

Conservation credit is required to obtain a license:  yes  no

The total number of hours required to obtain credit is\_\_\_\_\_.

Conservation hours are given for meeting attendance:  yes  no

**Summary of Warden Activities for the Year**

Hours Patrolled: \_\_\_\_\_  
 Diggers Checked: \_\_\_\_\_  
 Warnings Given: \_\_\_\_\_  
 Summon Issued: \_\_\_\_\_  
 Court Appearances: \_\_\_\_\_

Enforcement of the town shellfish management ordinance has been:

Satisfactory (\_\_\_\_).                      Unsatisfactory (\_\_\_\_).

Enforcement could be improved by:     more hours patrolled  
      more wardens  
      better equipment  
      better training  
      greater state support  
      other \_\_\_\_\_

**Production Data Collected by the Warden**

<u>Month</u>	<u>Avg. Daily Catch/Digger</u>		<u>Avg. # of Diggers/Day</u>		<u>Total # of Days Dug</u>		<u>Total Lbs or Bushels</u>
January	_____	x	_____	x	_____	=	_____
February	_____		_____		_____		_____
March	_____		_____		_____		_____
April	_____		_____		_____		_____
May	_____		_____		_____		_____
June	_____		_____		_____		_____
July	_____		_____		_____		_____
August	_____		_____		_____		_____
September	_____		_____		_____		_____
October	_____		_____		_____		_____
November	_____		_____		_____		_____
December	_____		_____		_____		_____
			TOTAL		_____		_____

<u>Warden(s)</u>	<u>Certification Date</u>	<u>Nomination Date</u>
_____	____/____/____	____/____/____
_____	____/____/____	____/____/____
_____	____/____/____	____/____/____

**Shellfish License Allocations and Sales (last complete fiscal year)**

	<u>Allocation</u>	<u>Sold</u>	<u>Received</u>
Resident Commercial	_____	_____	\$ _____
Nonresident Commercial	_____	_____	\$ _____
Reciprocal Commercial	_____	_____	\$ _____
Resident Recreational	_____	_____	\$ _____
Nonresident Recreational	_____	_____	\$ _____
Reciprocal Recreational	_____	_____	\$ _____
Resident Student	_____	_____	\$ _____
Nonresident Student	_____	_____	\$ _____
Reciprocal Student	_____	_____	\$ _____
Other _____	_____	_____	\$ _____
TOTAL (1)			\$ _____

**Other Receipts**

Shellfish Conservation Account Carried Forward	\$ _____
Appropriated for Warden	\$ _____
Appropriated for Management Activities	\$ _____
Fines	\$ _____
Other _____	\$ _____
TOTAL (2)	\$ _____

TOTAL Receipts (1+2) \$ \_\_\_\_\_

**Disbursements**

Warden Salary	\$ _____
Mileage	\$ _____
Clothing	\$ _____
Equipment	\$ _____
Training	\$ _____
TOTAL (3)	\$ _____

Advertising	\$ _____
Supplies	\$ _____
Surveys	\$ _____
Seeding	\$ _____
Miscellaneous	\$ _____
TOTAL (4)	\$ _____

TOTAL Disbursements (3+4) \$ \_\_\_\_\_

### Summary of Management Activities by Flat

The following is a list of clam harvest areas in which management activities were conducted during the past year.  No activities were conducted.

Clam Flat	Survey Date	Closure Date	Opening Date	Reseed Date	Brushing Date

### Proposed Management Controls

The following management controls will be utilized for the coming year: (check all that apply)

- limit the number of commercial harvesters
- limit the number of recreational harvesters
- restrict times of harvest
- restrict the areas of harvest
- limit the amount of commercial harvest
- limit the amount of recreational harvest
- other \_\_\_\_\_

### Proposed Shellfish Licenses

<u>Regular Category</u>	<u>Number</u>	<u>Cost @</u>
Resident Commercial	_____	\$ _____
Nonresident Commercial	_____	\$ _____
Reciprocal Commercial	_____	\$ _____
Resident Recreational	_____	\$ _____
Nonresident Recreational	_____	\$ _____
Reciprocal Recreational	_____	\$ _____
Resident Student	_____	\$ _____
Nonresident Student	_____	\$ _____
Reciprocal Student	_____	\$ _____
 <u>Special Category</u>		
Daily Resident	_____	\$ _____
Daily Nonresident	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

License number determination is based upon:  calculation using survey data  
 survey data as a guide  
 harvester input  
 need/demand

The above numbers are:  tentative, the actual numbers to be determined later  
 firm, have been or will be submitted to DMR

## Proposed Management Activities

The following management activities will be undertaken during the coming year: (check all that apply)

- predator protection through fencing, netting and etc.
- reseeding from high density areas or with hatchery stock
- flat surveys to determine size distribution and density
- enhance natural seeding through brushing, roughing and etc.
- establishing conservation areas for flat rotation
- other \_\_\_\_\_

In order to implement these management activities the committee will utilize: (check all that apply)

- harvesters vested with conservation credit
- harvester volunteers
- paid harvesters
- municipal employees
- paid consultants
- other \_\_\_\_\_

To provide a forum for harvester input in management planning, the shellfish committee plans to meet:

- annually
- biennially
- quarterly
- bimonthly
- monthly



**Proposed Management Activities by Flat**

The following is a list of clam harvest areas in which management activities are planned for the coming year.  No activities are planned.  No specific activities are planned as yet.

Clam Flat	Survey Date	Closure Date	Opening Date	Reseed Date	Brushing Date

### Summary of Clam Flat Survey Data

The following is a list of surveys conducted during the past year. Survey data should be attached if not previously provided to DMR.  No surveys were conducted.

Clam Flat	Survey Date	Acreage	Density (bu/a)	Standing Crop (bu.)	%>2"

## Summary of Seeding / Reseeding Activities

The following seeding / reseeded activities were conducted during the past year.

No seeding / reseeded activities were conducted.

	Event 1	Event 2	Event 3	Event 4
Date				
Supervisor				
Crew #				
Amount				
Mean Size				
Size Range				
Source*				
Source Flat				
Receiv. Flat				
Checked on				
Closed until				

\*Hatchery, closed area, open area.

	Event 5	Event 6	Event 7	Event 8
Date				
Supervisor				
Crew #				
Amount				
Mean Size				
Size Range				
Source*				
Source Flat				
Receiv. Flat				
Checked on				
Closed until				

\*Hatchery, closed area, open area.

Rev: 6/19/98

# Directory of Most Used Telephone Numbers - DMR

Department of Marine Resources, 21 State House Station, Augusta, ME 04333-0021, (207) 624-6550 - December, 1998

## DEPARTMENT OF MARINE RESOURCES

### Public Health

Paul Anderson, Public Health  
Division -  
(Closed/PSP/Depuration, Areas;  
Shellfish Sanitation) Dept.  
Marine Resources  
McKown Point, PO Box 8,  
W. Boothbay Harbor ME  
04575  
633-9554 Fax: 633-9579  
email: paul.anderson@state.me.us

Lisa Cote, Watershed/Public  
Health (Secretary for Municipal  
Program, Closed / PSP /  
Depuration Areas; and Shellfish  
Sanitation)  
Dept. Marine Resources, 21  
State House Station, Augusta,  
ME 04333-0021  
624-6570 Fax: 624-6024  
email: lisa.cote@state.me.us

### PSP

Laurie Bean, Toxin  
Monitoring (PSP), Dept.  
Marine Resources, McKown  
Point, PO Box 8, W.  
Boothbay, ME 04575  
633-9554 -  
Lamoine: 667-5654  
Fax: 633-9579  
email: laurie.bean@state.me.us

John Hurst, Toxin  
Monitoring (PSP),  
Boothbay)  
633-9570 or 633-9582  
Fax: 633-9579  
email: john.hurst@state.me.us

Jay McGowan, Toxin  
Monitoring (PSP) - Lamoine  
667-2418 Fax: 667-3972  
email: jay.mcgowan@state.me.us

## **SHELLFISH SANITATION**

### **RED TIDE HOTLINE:**

(Used for updates on PSP  
openings/closures and large  
rainfall/flood closures)

**1-800-232-4733**

### Water Quality - Boothbay

(Closed Area Openings/Closings)

Paul Anderson: 633-9554  
paul.anderson@state.me.us

Gail Parsons - 633-9515 or  
633-9517  
email: gail.parsons@state.me.us

Jan Barter - 633-9501  
email: jan.barter@state.me.us

Nancy Hurst - 633-9552  
email: nancy.hurst@state.me.us

Laura Livingston - 633-9533  
email: laura.livingston@state.me.us

Fran Pierce - 633-9511  
email: fran.pierce@state.me.us

Coley Powers - 633-9546  
email: coley.powers@state.me.us

### Volunteer Coordinator

Sherry Hanson - 633-9579  
email: sherry.hanson@state.me.us

## Water Quality - Lamoine

(Closed Area Openings/Closings -  
Lamoine)

Telephone: 667-5654  
Fax: 667-3972

Mercuria Cumbo  
email: merky.cumbo@state.me.us

John Fendl  
email: john.fendl@state.me.us

Robert Goodwin  
email:  
robert.goodwin@state.me.us

Hannah Smith  
email: hannah.smith@state.me.us

### Shellfish Landings

Walter Foster, (Shellfish  
Landings), McKown Point,  
PO Box 8, W. Boothbay, ME  
04575  
633-9524 Fax: 633-9579  
email: walter.foster@state.me.us

### Marine Patrol

Col. Fessenden, Marine  
Patrol, 21 State House  
Station, Augusta, ME  
04333- 0021  
624-6571 Fax: 624-6024  
email: joe.fessenden@state.me.us  
email: Judy.perry@state.me.us

Marine Patrol - Division I  
(Boothbay) 633-9595  
Fax: 633-9579  
email: dan.morris@state.me.us  
email:  
diane.hammond@state.me.us

Marine Patrol - Division II  
(Lamoine) 667-3373  
Fax: 667-3972

email: john.bennett@state.me.us  
email: cathy.johnston@state.me.us

Licensing / Hallowell  
Receptionist - Dept. Marine  
Resources, 21 State House  
Station, Augusta, ME  
04333- 0021  
624-6550 Fax: 624-6024  
email: helen.holt@state.me.us

### Watershed

Harold C. Winters, Watershed  
Manager (*Municipal Program;*  
*Ordinances, Warden Training, etc.*)  
Dept. Marine Resources  
21 State House Station,  
Augusta, Maine 04333-0021  
624-6562 - Fax: 624-6024  
email: hal.winters@state.me.us

Brian Swan, Environmental  
Coordinator, Watershed,  
Dept. Marine Resources, 21  
State House Station,  
Augusta, ME 04333-0021  
624-6573 Fax: 624-6024  
email: brian.swan@state.me.us

### Area Biologists

Ron Aho, Area Biologist,  
Watershed, (*Biologist - Mid-*  
*coast Maine, Municipal*  
*Program*) 118 Kings Highway,  
Newcastle, ME 04553  
Telephone/Fax: 586-5572  
email: ronaho@lincoln.midcoast.com

Donald Card, Area Biologist,  
Watershed, (*Biologist - Southern*  
*Maine, Municipal Program*) ,  
ICR 32, Box 252, W. Bath,  
ME 04530  
Phone/Fax: 443-2793  
email: djcard@clinic.net

David Clifford, Area  
Biologist, Watershed, (*Biologist*  
*- Downeast Maine, Municipal*  
*Program*) Dept. Marine  
Resources, PO Box 37, E.  
Machias, ME 04630  
Phone/Fax: 255-3926  
email: david.clifford@state.me.us

### Shellfish Sanitation

Amy Fitzpatrick, Shellfish  
Sanitation, (*Senior Seafood*  
*Technologist - Certification of*  
*Shellfish Dealers*) - 23  
Marshall Avenue, Bath, ME  
04530  
Telephone/Fax: 443-1583  
email: fitz@clinic.net

Jeffrey Armstrong, Shellfish  
Sanitation, (*Seafood Technologist -*  
*Certification of Shellfish Dealers -*  
*Southern Maine*) Shellfish  
Sanitation, 18 Avon Rd.,  
Cape Elizabeth, ME 04107  
799-7193  
email: mrinspector@earthlink.net

Bruce Chamberlain, Shellfish  
Sanitation, (*Seafood Technologist -*  
*Certification of Shellfish Dealers*)  
RR1 Box 3260, Monroe, ME  
04951  
Telephone: 525-3555  
Fax: 525-8583  
email: beau@acadia.net

### Boothbay Harbor

Department of  
Marine Resources

McKown Pt.

P O Box 8

W. Boothbay Harbor, ME  
04575

Telephone: 633-9500

FAX: 633-9579

Lamoine  
Department of  
Marine Resources  
22 Coaling Station Lane  
Lamoine, ME 04605  
FAX: 667-3972

### Other Agencies:

David Achorn, Dept.  
Environmental Protection,  
Bureau of Land & Water  
Quality, 17 State House  
Station, Augusta, ME  
04333- 0017  
287-7766 Fax: 287-7939  
email: dave.p.achorn@state.me.us

Richard Green, Dept.  
Environmental Protection, 17  
State House Station,  
Augusta, ME 04333-0017  
287-7765 Fax: 287-7939  
email: richard.a.green@state.me.us

Weights & Measures, (*To certify*  
*measures*) Department of  
Agriculture, 28 State House  
Station, Augusta, ME 04333-0028.  
Location: Cony Road, Augusta  
287-3841

Visit the DMR - Web Page  
at:  
<http://www.state.me.us/dmr>

C:\WINDOWS\TEMP~me0002

# SHELLFISH CONSERVATION ORDINANCE

## Town of Myaville

1. Authority: This ordinance is enacted in accordance with 12 M.R.S.A. Section 6671.
2. Purpose: To establish a shellfish conservation program for the Town of *Myaville* which will insure the protection and optimum utilization of shellfish resources within its limits. These goals will be achieved by means which may include:
  - A. Licensing.
  - B. Limiting the number of shellfish harvesters.
  - C. Restricting the time and area where digging is permitted.
  - D. Limiting the minimum size of clams taken.
  - E. Limiting the amount of clams taken daily by a harvester.
3. Shellfish Conservation Committee: The Shellfish Conservation Program for the Town of *Myaville* will be administered by the Shellfish Conservation Committee consisting of *seven* members to be *elected annually at town meeting or appointed by selectmen/council* for terms of *three* years.

The Committee's responsibilities include:

  - A. Establishing annually in conjunction with the Department of Marine Resources the number of shellfish digging licenses to be issued.
  - B. Reviewing annually the status of the resource using the results of clam flat, harvester or dealer surveys and other sources of information and preparing in conjunction with and subject to the approval of the department a plan for implementing conservation measures.
  - C. Submitting to the Board of Selectmen proposals for the expenditures of funds for the purpose of shellfish conservation.
  - D. Keeping this ordinance under review and making recommendations for its amendments.
  - E. Securing and maintaining records of shellfish harvest from the town's managed shellfish areas and closed areas that are conditionally opened by the Department of Marine Resources.
  - F. Recommending conservation closures and openings to the Board of Selectmen or Council in conjunction with the Area Biologists of the Department of Marine Resources.
  - G. Submitting an annual report to the Municipality and the Department of Marine Resources covering the above topics and all other committee activities.
4. Definitions

- A. Resident: The term "resident" refers to a person who has been domiciled in this municipality for at least three months next prior to the time his claim of such residence is made.
  - B. Nonresident: The term "nonresident" means anyone not qualified as a resident under this ordinance.
  - C. Shellfish, Clams and Intertidal Shellfish Resources: When used in the context of this ordinance the words "shellfish", "clams", and "intertidal shellfish resources" mean soft shell clams (*Mya arenaria*).
  - D. Municipality: Refers to the Town of *Myaville*, Maine.
5. Licensing: Municipal Shellfish Digging License is required. It is unlawful for any person to dig or take shellfish from the shores and flats of this municipality without having a current license issued by this municipality as provided by this ordinance.

A Commercial Digger must also have a valid State of Maine Commercial Shellfish License issued by the Department of Marine Resources.

- A. Designation, Scope and Qualifications:
  - 1) Resident Commercial Shellfish License: The license is available to residents of the municipality and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality and reciprocating municipalities.
  - 2) Nonresident Commercial Shellfish License: The license is available to nonresidents of this municipality and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality.
  - 3) Residential Recreational Shellfish License: The license is available to residents and real estate taxpayers of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for the use of himself and his family.
  - 4) Nonresident Recreational Shellfish License: The license is available to any person not a resident of this municipality and entitles the holder to dig and take not more than one peck of shellfish in any one day for the use of himself and his family.
  - 5) License must be signed: The licensee must sign the license to make it valid.
- B. Application Procedure: Any person may apply to the Town Clerk for the licenses required by this ordinance on forms provided by the municipality.
  - 1) Contents of Application: The application must be in the form of an affidavit and must contain the applicant's name, current address, birth date, height, weight, signature and whatever information the municipality may require.
  - 2) Misrepresentation: Any person who gives false information on a license application will cause said license to become invalid and void.
- C. Fees: The fees for the licenses are as stated below and must accompany in full the application for the respective license. The Town Clerk shall pay all fees received to the Town Treasurer except for \$1.00 of each license which will be retained by the clerk a

payment for issuing the license. Fees received for shellfish licensing shall be used by the town for shellfish management, conservation and enforcement.

Resident Commercial:	\$100
Nonresident Commercial:	\$200
Resident Recreational:	\$15
Nonresident Recreational:	\$30

D.1 Limitation of Diggers: Clam resources vary in density and size distribution from year to year and over the limited soft clam producing area of the town. It is essential that the town carefully husband its shellfish resources. If, following the annual review of the town's clam resources, its size distribution, abundance and the warden's reports, as required by Section 3, the Shellfish Conservation Committee in consultation with the DMR area biologist determine limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year;

- 1) Prior to *January 1st* the committee shall reports its findings and document recommendations for the allocation of commercial and recreational licenses to be made available for the following license-year to the Commissioner of Marine Resources for concurrence.
- 2) After receiving approval of proposed license allocations from the Commissioner of Marine Resources and prior to *February 1st* , the Shellfish Conservation Committee shall notify the Town Clerk in writing of the number and allocation of shellfish licenses to be issued.
- 3) Notice of the number of licenses to be issued and the procedure for application shall be published in a trade or industry publication, or in a newspaper or combination of newspapers with general circulation, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the period of issuance and shall be posted in the municipal offices until the period concludes.
- 4) The Town Clerk shall issue licenses to residents and nonresidents as allocated (paragraph 1) from *March 1st* and until *May 31st* after which licenses shall be issued to residents and nonresidents on a first-come, first-served basis.
- 5) *Licenses may be returned to the town voluntarily, and reissued to another person at the current fee according to the priorities established in this section.*

D.2 Open License Sales: *When the Shellfish Conservation Committee determines limiting shellfish licenses is not an appropriate shellfish management option for one or more license categories for the following year,*

- 1) *Notice of the dates, places , times and the procedures for the license sales shall be published in a trade or industry publication, or in a newspaper or combination*



*of newspapers with general circulation, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the initial sale date and shall be posted in the municipal offices. A copy of the notice shall be provided to Commissioner of Marine Resources.*

2) *For each license category, the Town Clerk shall issue one license to nonresidents when six licenses are issued to residents and one more to nonresidents when four more are issued to residents; thereafter, one nonresident license will be issued for every ten additional resident license issued.*

E. License Expiration Date: Each license issued under authority of this ordinance expires at midnight on last day of *February* next following date of issuance.

F. Reciprocal Harvesting Privileges: Licenses from any other municipality cooperating with this municipality on a joint shellfish management program may harvest shellfish according to the terms of this license.

G. Fee Waivers: *Recreational shellfish license fees will be waived for residents 65 years or older and 12 years or younger.*

H. Suspension: *Any shellfish licensee having three convictions for a violation of this ordinance shall have his shellfish license automatically suspended for a period of thirty (30) days.*

1) *A licensee whose shellfish license has been suspended pursuant to this ordinance may reapply for a license only after the suspension period has expired.*

2) *The suspension shall be effective from the date of mailing of a Notice of Suspension by the Town Clerk to the Licensee.*

3) *Any licensee whose shellfish license has automatically been suspended pursuant to this section shall be entitled to a hearing before the Shellfish Conservation Committee upon the filing of a written Request for Hearing with the Town Clerk within thirty (30) days following the effective date of suspension. The licensee may appeal the decision of the Shellfish Conservation Committee before the Board of Selectmen/Town Council by filing a written Request for Appeal with the Town Clerk within seven (7) days of the decision of the Shellfish Conservation Committee.*

6. Opening and Closing of Flats: The Municipal Officers, upon the approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest. Upon recommendations of the Shellfish Conservation Committee and concurrence of the Department of Marine Resources area biologist that the status of shellfish resource and other factors bearing on sound management indicate that an area should be opened or closed, the Municipal Officers may call a public hearing, and shall send a copy of the notice to the Department of Marine Resources. The decision of the Municipal Officers made after the hearing shall be based on findings of fact.

7. Minimum Legal Size of Soft Shell Clams: It is unlawful for any person to possess soft shell clams within the municipality which are less than two (2) inches in the longest diameter except as provided by Subsection B of this section.
- A. Definitions:
- 1) Lot: The word "lot" as used in this ordinance means the total number of soft shell clams in any bulk pile. Where soft shell clams are in a box, barrel, or other container, the contents of each box, barrel, or other container constitutes a separate lot.
  - 2) Possess: For the purpose of this section, "possess" means dig, take, harvest, ship, transport, hold, buy and sell retail and wholesale soft shell clam shellstock.
- B. Tolerance: Any person may possess soft shell clams that are less than two inches if They comprise less than 10% of any lot. The tolerance shall be determined by count of not less than one peck nor more than four pecks taken at random from various parts of the lot or by a count of the entire lot if it contains less than one peck.
- C. Penalty: Whoever violates any provision of this section shall be punished as provided by 12 M.R.S.A. Section 6681.
8. Penalty: A person who violates this ordinance shall be punished as provided by 12 M.R.S.A. Section 6671 (10).
9. Effective Date: This ordinance, which has been approved by the Commissioner of Marine Resources, shall become effective after its adoption by the municipality provided a certified copy of the ordinance is filed with the Commissioner within twenty (20) days of its adoption.
10. Period of Ordinance: This ordinance shall remain in effect for a period of three (3) years from the effective date.
11. Separability: If any section, subsection, sentence or part of this ordinance is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance.
12. Repeal: Any ordinance regulating the harvesting or conservation of shellfish in the town and any provisions of any other town ordinance which is inconsistent with this ordinance is hereby repealed.

Rev. 3/2/99



# LIST OF TOWNS WITH ORDINANCES

Town	Street Address	City	Zip	Telephone:	Fax:
Addison	P O Box 142	Addison	04606-0142	483-4678	483-2153
Town Clerk LName	Town Clerk FName				
Hicks	Nancy				
Arrowsic	Rt 127 HC 33 Box 228	Arrowsic	04530-9403	443-4609	443-9455
Town Clerk LName	Town Clerk FName				
Elwell	Susan				
Bar Harbor	P O Box 337	Bar Harbor	04609-0337	288-4098	288-4461
Town Clerk LName	Town Clerk FName				
Barker	Jean				
Beals	P O Box 137	Beals	04611-0134	497-2446	497-2682
Town Clerk LName	Town Clerk FName				
Carver	Walter				
Boothbay	P O Box 106	Boothbay	04537-0106	633-3531	633-6620
Town Clerk LName	Town Clerk FName				
Rittall	Joan				
Boothbay Harbor	11 Howard St	Boothbay Harbor	04538	633-3671	633-4784
Town Clerk LName	Town Clerk FName				
Barter	M Robert				
Bremen	P O Box 171	Bremen	04551	529-5945	529-6302
Town Clerk LName	Town Clerk FName				
Bartolotta	Terry				
Bristol	P O Box 147	Bristol	04539-0147	563-5270	563-6103
Town Clerk LName	Town Clerk FName				
Landry	Patricia				
Brooklin	P O Box 219	Brooklin	04616-0219	359-8394	359-2788
Town Clerk LName	Town Clerk FName				
Eaton	Robbie				
Brunswick	28 Federal St, Ste 2	Brunswick	04011-1583	725-6659	725-6663
Town Clerk LName	Town Clerk FName				
Cabana	Deborah				
Cumberland	290 Tuttle Rd	Cumberland	04021-9321	829-5559	829-2214
Town Clerk LName	Town Clerk FName				
Norton	Klara				
Cushing	P O Box 10	Cushing	04563-0010	354-2375	
Town Clerk LName	Town Clerk FName				
Gardner	Norma				
Cutler	P O Box 236	Cutler	04626-0236	259-3693	
Town Clerk LName	Town Clerk FName				
Maker	Paula				

# LIST OF TOWNS WITH ORDINANCES

Town	Street Address	City	Zip	Telephone:	Fax:
Damariscotta	P O Box 218	Damariscotta	04543-0218	563-5168	563-6862
Town Clerk LName	Town Clerk FName				
Hatch	Warren				
East Machias	P O Box 117	East Machias	04630-0117	255-8598	255-8480
Town Clerk LName	Town Clerk FName				
Metta	Donna Jean				
Eastport	78 High St	Eastport	04631	853-2300	853-4712
Town Clerk LName	Town Clerk FName				
Archer	Helen				
Edgecomb	P O Box 139	Edgecomb	04556-0139	882-7018	882-7018
Town Clerk LName	Town Clerk FName				
Coffin	Claudia				
Edmunds/Trescott	P O Box 297	Machias	04654		255-8636
Town Clerk LName	Town Clerk FName				
Preston	Calvin				
Eliot	141 State Rd	Eliot	03903	439-1813	439-3267
Town Clerk LName	Town Clerk FName				
Cress	Patricia				
Falmouth	271 Falmouth Rd	Falmouth	04105-2098	781-5253	781-3640
Town Clerk LName	Town Clerk FName				
Smith	Frances				
Freeport	30 Main St	Freeport	04032-1209	865-4743	865-0929
Town Clerk LName	Town Clerk FName				
Wescott	Mary				
Friendship	P O Box 207	Friendship	04547-0207	832-7644	596-7651
Town Clerk LName	Town Clerk FName				
Zahner-Hoonho	Beverly				
Georgetown	P O Box 436	Georgetown	04548-0436	371-2820	371-2331
Town Clerk LName	Town Clerk FName				
Collins	Catherine				
Harpwell	P O Box 39	Harpwell	04079-0039	833-5771	833-0058
Town Clerk LName	Town Clerk FName				
Knight	Rosalind				
Harrington	P O Box 142	Harrington	04643-0142	483-2061	667-5576
Town Clerk LName	Town Clerk FName				
Chammings	Michael				
Islesboro	P O Box 76	Islesboro	04848-0076	734-2253	734-8394
Town Clerk LName	Town Clerk FName				
Boardman	Eileen				

# LIST OF TOWNS WITH ORDINANCES

Town	Street Address	City	Zip	Telephone:	Fax:
Jonesboro	Station Rd	Jonesboro	04648	434-5141	434-5141
Town Clerk LName	Town Clerk FName				
Brown	Joan				
Jonesport	P O Box 489	Jonesport	04649-0489	497-5926	497-5733
Town Clerk LName	Town Clerk FName				
Higgins	Ida				
Kennebunkport	P O Box 566	Kennebunkport	04046-0566	967-4243	967-8470
Town Clerk LName	Town Clerk FName				
Campbell	Kenneth				
Kittery	P O Box 808	Kittery	03904-0808	439-0452	439-6806
Town Clerk LName	Town Clerk FName				
Place	Maryann				
Kittery	P O Box 808	Kittery	03904-0808	439-0452	439-6806
Town Clerk LName	Town Clerk FName				
Shellfish Com.					
Kittery	P O Box 108	Kittery Pt	03905	439-0452	439-6806
Town Clerk LName	Town Clerk FName				
Turner-Harringt	Garth				
Lubec	P O Box 77	Lubec	04652-0077	733-2341	733-4737
Town Clerk LName	Town Clerk FName				
McPherson	Pamela				
Machiasport	P O Box 295	Machiasport	04655-0295	255-4516	255-6841
Town Clerk LName	Town Clerk FName				
Flaherty	Margaret				
Newcastle	P O Box 386	Newcastle	04553-0386	563-3441	563-6995
Town Clerk LName	Town Clerk FName				
Maloney	Lynn				
North Yarmouth	130 Walnut Hill Rd	North Yarmouth	04097	829-3705	829-3743
Town Clerk LName	Town Clerk FName				
Seaver	Scott				
Ogunquit	P O Box 875	Ogunquit	03907-0875	646-5139	646-5920
Town Clerk LName	Town Clerk FName				
Shaw-Kagillery	Judy				
Pembroke	P O Box 247	Pembroke	04666-0247	726-4047	726-4047
Town Clerk LName	Town Clerk FName				
Scanlon	Janice				
Perry	P O Box 430	Perry	04667-0430	853-2344	726-4047
Town Clerk LName	Town Clerk FName				
Scanlon	Janice				

# LIST OF TOWNS WITH ORDINANCES

Town	Street Address	City	Zip	Telephone:	Fax:
Phippsburg	1042 Main Rd	Phippsburg	04562	389-2653	389-1522
Town Clerk LName	Town Clerk FName				
Herron	Betty				
Rockport	P O Box 10	Rockport	04856-0010	236-9648	230-0112
Town Clerk LName	Town Clerk FName				
Richardson	Brenda				
Roque Bluffs	RR 1 Box 251A	Machias	04654	255-3330	
Town Clerk LName	Town Clerk FName				
Watts	Lloyd				
Saint George	P O Box 131	Tenants Harbor	04860-0131	372-6363	372-8954
Town Clerk LName	Town Clerk FName				
Falla	John				
Scarborough	P O Box 360	Scarborough	04070-0360	883-4301	883-7779
Town Clerk LName	Town Clerk FName				
Norton	Yolande				
Searsport	P O Box 499	Searsport	04974-0499	548-6372	548-2305
Town Clerk LName	Town Clerk FName				
Cotter	Suzan				
South Bristol	470 Clark's Cove Rd	Walpole	04573	563-3977	563-1798
Town Clerk LName	Town Clerk FName				
Mills	Laura				
South Thomaston	P O Box 147	So Thomaston	04858-0147	596-6584	596-7529
Town Clerk LName	Town Clerk FName				
Grierson	Carolyn				
Steuben	294 US Rt 1	Steuben	04680	546-7209	546-7538
Town Clerk LName	Town Clerk FName				
Robinson	Sheila				
Surry	P O Box 147	Surry	04684-0147	667-5912	667-5187
Town Clerk LName	Town Clerk FName				
Thomas	Jonathan				
Swans Island	P O Box 100	Swans Island	04685-0100	526-4279	526-4172
Town Clerk LName	Town Clerk FName				
May	Gwen				
Thomaston	P O Box 299	Thomaston	04861-0299	354-6107	354-2132
Town Clerk LName	Town Clerk FName				
Linscott	Joan				
Trescott/Edmunds	P O Box 297	Machias	04654		
Town Clerk LName	Town Clerk FName				
Preston	Calvin				

# LIST OF TOWNS WITH ORDINANCES

Town	Street Address	City	Zip	Telephone:	Fax:
Waldoboro	P O Box J	Waldoboro	04572	832-5369	832-6061
Town Clerk LName	Town Clerk FName				
Maxwell	Rebecca				
Warren	P O Box 128	Warren	04864-0128	273-2421	273-3107
Town Clerk LName	Town Clerk FName				
Soule	Marcia				
Wells	P O Box 398	Wells	04090-0398	646-5113	646-2935
Town Clerk LName	Town Clerk FName				
Noble	Marion				
West Bath	RR 1 Box 420	W Bath	04530	443-4342	443-3256
Town Clerk LName	Town Clerk FName				
Price	Karen				
Whiting	P O Box 101	Whiting	04691-0101	259-2051	
Town Clerk LName	Town Clerk FName				
Brooks	Alan				
Wiscasset	P O Box 328	Wiscasset	04578-0328	882-8200	882-8203
Town Clerk LName	Town Clerk FName				
Johnson	Sandra				
Woolwich	RR1 Box 1660	Woolwich	04579	442-7094	442-8859
Town Clerk LName	Town Clerk FName				
Coombs Jr	Lloyd				
Yarmouth	P O Box 907	Yarmouth	04096-0907	846-9036	846-2403
Town Clerk LName	Town Clerk FName				
Merrill	Patricia				
York	186 York St	York	03909-1314	363-1000	363-1009
Town Clerk LName	Town Clerk FName				
Szeniawski	Mary-Anne				





# Maine Softshell Clam Advisory Council - DMR

Last Name	First Name	St Address	City	State	Zip	Affiliation
Angis	Peter	26 Old Blue Point Rd	Scarborough	ME	04074	MSSCAC
883-9408						
Bartlett	Chris	16 Deep Cove Rd	Eastport	ME	04631	MSSCAC
853-2518	853-0940	chris_bartlett@umit.maine.edu				
Beal	Brian	UMM - 9 O'Brien Ave	Machias	ME	04654	MSSCAC
255-1314	255-1390	bbeal@maine.maine.edu				
Dodge	Arthur	Rt 2 Box 11B	Harpswell	ME	04079	MSSCAC
721-0651	725-9850	eldodge@gwi.net				
Hentz	Jon	HC33 Box 1474	Georgetown	ME	04548	MSSCAC
371-2732						
Heinig	Chris	RR2 Box 109	So Harpswell	ME	04079	MSSCAC
729-4245	729-4245	mer@maine.com				
Hopkins	Will	4 Favor St	Eastport	ME	04631	MSSCAC
853-4560	853-4560	wilhopkins@nemaine.com				
Howell	Lori	P O Box 310	Eliot	ME	03903	MSSCAC
439-7950	439-7643	lahowell.spinneycreek@rscs.n				439-2719(w), 439-5210 (h)
Hoyt	Sherman	235 Jefferson St	Waldoboro	ME	04572	MSSCAC
800-244-2104	832-0377	shoyt@umce.maine.edu				
Lemont	Richard	24 LeMont Way	Phippsburg	ME	04562	MSSCAC
389-2105	389-1522					
McGivaren	Mick	210 Lower Flying Pt	Freeport	ME	04032	MSSCAC
865-1141	865-0929					
Monat III	Edward	1 Town Pier	Bar Harbor	ME	04609	MSSCAC
288-5571	288-1034	bhhmaster@acadia.net				288-3483 (h)

# Maine Softshell Clam Advisory Council - DMR

Last Name	First Name	St Address	City	State	Zip	Affiliation
Moore	Brian	Box 153	Pembroke	ME	04666	MSSCAC
Phone#	Fax#	Email Address	Notes			

Last Name	First Name	St Address	City	State	Zip	Affiliation
Tarr	Dan	RFD 2 Box 191	Gardiner	ME	04345	MSSCAC
Phone#	Fax#	Email Address	Notes			
582-3225						

Last Name	First Name	St Address	City	State	Zip	Affiliation
Watson	Terry	P O Box 66	Phippsburg	ME	04562	MSSCAC
Phone#	Fax#	Email Address	Notes			
442-0395						

Comparison of Soft shell clam landings by state, county and town 1997 - 1998  
 Maine Dept. of Marine Resources, Bureau of Resource Mgt.; Div. of Assessment and Statistics;  
 PRELIMINARY, as of Feb. 15, 1999  
 Please direct comments to Ron Aho 586-5572

	1997	1998	Change
<b>MAINE TOTAL</b>	<b>7,375,262</b>	<b>9,317,589</b>	<b>1,942,327</b>
STATE UNK	0	1026	1,026
S. BERWICK			0
ELIOT	0	2,296	2,296
KITTERY	0		0
YORK	0		0
OGUNQUIT	51,793	0	(51,793)
WELLS	5,057	7,122	2,065
KENNEBUNK	0	5955	5,955
KENNEBUNKPORT	14,552	0	(14,552)
BIDDEFORD	3,310	17231	13,921
OLD ORCHARD	2,200	0	(2,200)
<b>YORK COUNTY</b>	<b>76,912</b>	<b>32,604</b>	<b>(44,308)</b>
S PORTLAND	0	148	148
SCARBOROUGH	478,172	297,616	(180,556)
PORTLAND		5,512	5,512
CUMBERLAND	6,019	7,663	1,645
FALMOUTH	13,519	38,338	24,819
YARMOUTH	73,768	72,764	(1,004)
FREEPORT	626,171	300,749	(325,422)
BRUNSWICK	411,466	344,024	(67,442)
HARPSWELL	702,731	774,524	71,793
Cumberland Unk	0	1595	1,595
<b>CUMBERLAND COUNTY</b>	<b>2,311,845</b>	<b>1,842,933</b>	<b>(468,912)</b>
WEST BATH	120,645	82,226	(38,419)
PHIPPSBURG	179,186	174,385	(4,801)
GEORGETOWN	28,432	46,732	18,301
ARROWSIC	0	199	199
WOOLWICH	13,562	5,543	(8,019)
SAGadahoc UNK	2,493	0	(2,493)
<b>SAGADAHOC CO</b>	<b>344,317</b>	<b>309,085</b>	<b>(35,232)</b>
			0
WESTPORT	568	14,762	14,195
WISCASSET	62,718	94,615	31,897
EDGEComb	98,594	35,900	(62,694)
BOOTHBAY	245,498	289,033	43,535
NEWCASTLE	36,358	14,584	(21,774)
DAMARISCOTTA	236,559	153,142	(83,417)
S BRISTOL	236,211	383,369	147,158
BRISTOL	3,317	3,232	(85)
BREMEN	87,489	211,658	124,169
WALDOBRO	728,855	1,214,691	485,836
Lincoln Unk	0	7513	7,513
<b>LINCOLN COUNTY</b>	<b>1,736,165</b>	<b>2,422,499</b>	<b>686,334</b>
			0

Comparison of Soft shell clam landings by state, county and town 1997 - 1998  
 Maine Dept. of Marine Resources, Bureau of Resource Mgt.; Div. of Assessment and Statistics;  
 PRELIMINARY, as of Feb. 15, 1999  
 Please direct comments to Ron Aho 586-5572

	FRIENDSHIP	90,022	144,842	54,820
	CUSHING	82,714	144,806	62,092
	THOMASTON	26,170	12,695	(13,475)
	SO THOMASTON	56,489	132,730	76,242
	ST. GEORGE	233,016	685,841	452,825
	OWLS HEAD	920	2,545	1,626
	VINALHAVEN	13,235	93,590	80,356
	NORTH HAVEN	3,334	20,341	17,007
	Unknown KNOX-LINC.	24,880	113,245	88,365
	Muscle Ridge Shoals Twp	0	83	83
	<b>KNOX COUNTY</b>	<b>530,778</b>	<b>1,350,718</b>	<b>819,940</b>
				0
	ISLESBORO	179	0	(179)
	SEARSPORT	2,044	2,155	111
	STOCKTON SPRINGS	4,805	1,827	(2,978)
	<b>WALDO COUNTY</b>	<b>7,028</b>	<b>3,982</b>	<b>(3,046)</b>
				0
	CRANBERRY ISLES	0	470	470
	CASTINE	1,715	1,238	(477)
	PENOBSCOT	7,261	21,890	14,629
	BROOKSVILLE	8,426	8,737	311
	SEDGEWICK	904	1,145	241
	DEER ISLE	196,178	459,467	263,289
	STONINGTON	28,782	123,506	94,724
	ISLE AU HAUT	172	156	(16)
	BROOKLIN	441	19,348	18,907
	BLUE HILL	898	5,666	4,768
	SURRY	3,067	3,013	(54)
	TRENTON	11,089	18,037	6,948
	LAMOINE	32,741	123,485	90,744
	MT DESERT	1,373	3,179	1,806
	BAR HARBOR	2,473	1,634	(839)
	TREMONT	1,004	404	(600)
	SWANS IS	28,127	86,072	57,945
	FRENCHBORO	4,148	0	(4,148)
	HANCOCK	20,702	90,310	69,608
	FRANKLIN	3,139	9,457	6,318
	SULLIVAN	12,510	20,164	7,654
	SORRENTO	17,786	63,126	45,340
	WINTER HARBOR	150	230	80
	GOULDSBORO	180,652	99,783	(80,869)
	ELLSWORTH	992	4,210	3,218
	Unknown HAN.	1,623	2,661	1,038
	<b>HANCOCK COUNTY</b>	<b>566,352</b>	<b>1,167,388</b>	<b>601,036</b>

Comparison of Soft shell clam landings by state, county and town 1997 - 1998  
 Maine Dept. of Marine Resources, Bureau of Resource Mgt.; Div. of Assessment and Statistics;  
 PRELIMINARY, as of Feb. 15, 1999  
 Please direct comments to Ron Aho 586-5572

	STEBEN	76,718	87,227	10,509
	MLBRIDGE	94,811	142,266	47,455
	HARRINGTON	178,342	102,113	(76,229)
	ADDISON	32,773	95,839.0	63,066
	JONESPORT	281,982	322,738	40,756
	BEALS	49,820	97,770	47,950
	JONESBORO	88,535	104,092	15,557
	ROQUE BLUFFS	169,816	269,205	99,390
	MACHIAS	57,246	15,554	(41,692)
	MACHIASPORT	56,284	394,244	337,960
	E MACHIAS	0	719	719
	WHITING	96,595	38,811	(57,784)
	CUTLER	183,566	80,036	(103,530)
	LUBEC	200,233	249,681	49,448
	TRESCOTT	103,818	4,923	(98,895)
	EDMUNDS	46,537	6,633	(39,904)
	PEMBROKE	43,712	48,406	4,694
	PERRY	25,531	108,793	83,262
	EASTPORT	14,623	14,725	103
	DENNY SVILLE	579	2,388	1,809
	unknown	345	1,191	847
	<b>WASHINGTON CO</b>	<b>1,801,864</b>	<b>2,187,354</b>	<b>385,490</b>