



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

DATE: 9-7-2023

TO: Shellfish Advisory Board: Chair Karen Johnson, Secretary Ethan Estey, Members Rebecca Taylor, John Duane, Nick Sirucek, Stephen Pickard and Adrien Kmiec, and Alternates Damian Parkington and Brad Morse

FROM: Erika Smith and Mark Howards, Seasonal Deputy Shellfish Constables for Recreational Shellfishing

RE: Family Permits

As Seasonal Deputy Constables, our job is to enforce existing regulations and answer questions. The two of us monitor a half-mile of shoreline where there can be well over 100 harvesters at a time. Checking that shellfishermen have valid permits and recording their names is a lot of work in itself.

Almost all those harvesting are pleasant to deal with and comply with all regulations, including being the single harvester. Some think the single harvester rule is new. It has always existed.

Aside from loss of revenue, a family permit will be difficult to enforce. With a family permit, anybody will be able to come out with others and say they are family. We will have no idea who they are since we rarely check ID's even of permit holders, and we would prefer not to. Trying to figure out who is part of a family permit will consume more time since we do this one on one manually. We check permits, write down names and have to inspect and record catches – for over 100 people in a three-hour window. Adding a family permit could complicate this, requiring ID checks. Our time would be better spent educating people about correct shellfishing practices and answering questions to ensure a sustainable shellfishery for the future.

We find the greatest number of violations occur with these family/friend groups. Often, they are groups of 3-6 people all looking for shellfish. Many of them do not know the regulations or have gauges. Often the permit holder says they are responsible for the catch, yet many times there is seed in their basket, suggesting that these helpers are putting it in their baskets without checking for size. Often, they say they planned to cull later, which also is not allowed.

Family permits offered in other towns are not group permits; most seem to be for people living in the same house. Unfortunately, that means family and friends visiting from out-of-town are not included. We have even had instances where non-permitted individuals were using other people's permits.

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In towns that have family permits, it is common to require the presence of the primary permit holder. Especially on crowded tides, we have had complaints about people having helpers which gives them an unfair advantage over single permit holders. This also puts pressure on our propagation efforts to keep the area well stocked for all.

We like to see adults with children and allow some leeway with age (14) since we don't ask for ID's or question age. These kids learn the right way to do things.

Adults with adult children are another story. That falls into two categories: an older adult who legitimately can use help, and adult children who are simply working off the permit holder who may be a senior. A resident senior is only paying \$30 for that permit. People in this category are often especially unhappy about enforcement on helpers. Similar situations are married/partnered couples. They too are often unhappy about the enforcement of this rule.

But, what about the great majority of couples who have two permits (more than one third of all permit holders)? We find that they often are grateful that we are enforcing the regulation. They often only take one basket and know that the permit funds are used for propagation. They have actually stopped to tell us this.

What is true is that the total number of unhappy people is a mere fraction of our generally very happy permit holders. Do we want to change an entire regulation for a few unhappy people when most people like things the way they are?

We always try to provide some accommodation to those that have difficulty raking, carrying or walking. Yet often, both the permit holder and the helper are harvesting. More than once, we have seen the same permit holder at a later date harvesting by themselves apparently not needing assistance. If the harvester needs help, the helper should only assist the harvester based on the disability. There is no reason the helper should have a secondary set of tools and both be actively shellfishing.

For anyone who goes out a few times, resident permits are a great deal as is, and it would be great if all couples purchased two permits. As for non-residents, harvesting oysters in the summer is a privilege that they should be willing to pay for since Wellfleet is the only place in the Commonwealth that allows it.

We believe it is better to allow shellfish constables to use judgement and discretion in enforcement rather than open it up to many more non-paying shellfishermen who may be tempted to take advantage of the loopholes and the difficulties of enforcement.

Thank you for your consideration,

Mark Howards
Erika Smith
Seasonal Deputy Shellfish Constables

2023 Recreational Shellfishing Permit Fees (went up 10 dollars 2023)

Annual Permits (Jan.1-Dec. 31)

Resident or Taxpayer	\$70.00
Resident or Taxpayer over 65 years old	\$30.00
Nonresident or Nontaxpayer	\$220.00
Massachusetts Resident Veteran Permit*	\$70.00
Massachusetts Resident Veteran Permit over 65 years old *	\$30.00
Town of Wellfleet Employee	\$70.00
Town of Wellfleet Employee over 65 years old	\$30.00

Seasonal Noncommercial Permits (June 1 – Sept. 30)

Resident or Taxpayer	\$50.00
Non-resident or Non-taxpayer	\$95.00
Massachusetts Resident Veteran Permit*	\$50.00
Town of Wellfleet employee	\$50.00
Replacement Fee (for all categories)	\$ 30.00

*To enjoy the Massachusetts Veteran Discount, applicants must provide:

1. A Massachusetts license bearing the Veteran seal,
2. A Massachusetts license and a DD-214 form
3. A Massachusetts license and a Veteran ID card issued by the U.S. Department of Veteran Affairs

2023 Commercial Shellfishing Permit Fees (on sale Dec. 1, 2022 – Jan. 31, 2023 ONLY)

Resident	\$310.00
Senior Resident (65 years or older)	\$60.00
Junior Resident (14-16 years old)	\$110.00
Eel Permit	\$3.00
Replacement Fee (for all categories)	20.00