

Town of Wellfleet, Massachusetts
Shellfish Constable
Job Description

Statement of Duties: The Town of Wellfleet's Shellfish Constable oversees and is responsible for the successful management of a \$7.7M (2019) shellfishing industry, the largest in the Commonwealth of Massachusetts. The shellfishing industry represents the top year-round economy for the town with more than 300 residents involved, almost 10 percent of the population (2020). The Shellfish Department works to ensure sustainable fisheries for future generations by:

- enforcing the policies and regulations governing the town's shellfishing activities,
- propagating commercial and recreational shellfishing areas,
- protecting Wellfleet Harbor's environment and the general public's safety, and
- conducting public outreach and education.

The Shellfish Constable performs a variety of environmental, ecological and law enforcement duties to protect and manage the town's shellfisheries, natural resources and aquaculture areas. Enforces all policies, statutes, ordinances, by-laws, Town Charter and regulations relating to shellfish, marine fisheries, lobsters, wetlands, water quality and natural resources. Protects the public health and assists in all aspects of environmental and ecological management including administration and management of the shellfish propagation program and research. Responds and assists other departments with matters relating to the marine ecology of the Town and conducts active public education and outreach.

Essential Functions:

The essential functions listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

Department Head

- Responsible for two Shellfish Department municipal budgets, plus a Shellfish Revolving Fund for Propagation and yearly Capital Improvement Plans.
- Ensures that the Shellfish Department is staffed 364 days a year including days when it is necessary to cover two low tides 12 hours apart. Hours change daily due to low tide cycles when presence on patrol is required for oversight and enforcement of the shellfishery, and with an active dragger boat fishery and propagation efforts, coverage is also needed during high tide. While the Shellfish Constable schedule is Mondays through Fridays, the position is on call 24/7, and is responsible for responding and engaging at any time even on days off and holidays. Attends frequent evening meetings, often as late as 10 p.m.
- Handles all hiring, reviewing and managing of two full time and two seasonal employees.
- Engages in all levels of municipal government; functions as primary liaison with county, state and federal fisheries and public health officials regarding shellfish propagation, management, and safe delivery of shellfish to market; collaborates with other municipalities, external agencies, nonprofits and academic institutions on grant development and implementation, scientific research and information sharing to support a healthy and sustainable shellfishery.
- Works cooperatively with all town departments to assure effective, efficient town management and the safety and preservation of its natural resources, especially the Health and Conservation Departments, Department of Public Works, Harbormaster, Beach Department, Principal Clerk and Animal Control Officer.
- Works with federal, state and local government bodies to provide details and information in order to ensure support, intervention and relief for the shellfishing industry in times of

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crisis. Creates partnerships and spearheads innovations to deal with crises that affect the shellfishing industry in order to help it overcome adversity.

Enforcement

- Enforces all laws and regulations pertaining to aquaculture and commercial and recreational shellfishing, including the Town of Wellfleet Shellfishing Policy and Regulations, Massachusetts 322 CMR and Vibrio Control Plan, and National Shellfish Sanitation Program.
- Patrols the town's shellfishing and conservation areas, (intertidal and harbor, beaches, landings, etc.) by vehicle, boat or afoot to enforce applicable rules, policies, statutes, by-laws, directives and regulations relevant to the harvest of shellfish, eels and lobsters, taking all relevant actions including arrest to pursue enforcement and prevent potential hazards. Issues warnings or citations and takes any condoned actions to secure the public health and safety and the preservation of persons, property and natural resources.
- Audits and manages all paperwork required by local, state and federal government to maintain compliance across the aquaculture industry, commercial harvesters and recreational permit holders through monitoring, record keeping, correspondence and enforcement.
- Reviews aquaculture grant applications and transfer paperwork and provides Selectboard, the regulatory authority, with educational memos, recommendations, and regulation interpretation for public hearing decision-making.

Propagation

- Administrates all shellfish propagation projects, to (a) ensure efficient farm operations and viability and survival of shellfish seed on town propagation bed, (b) distribute cultch as well as seed and other shellfish to wild harvesting areas, and (c) make sure the variety of propagation efforts the department undertakes are successfully executed when time is of the essence. Plans and documents propagation activities. Conducts appropriate research, including surveys of shellfish abundance. Directs and conducts at least a three (3) year propagation program.
- Applies to AmeriCorps Cape Cod (ACC) annually for an Individual Placement member and collaborates with other Town departments to create a series of needed research opportunities, educational initiatives, and other projects for a member's service with the department. Schedules service events with the entire Corps for larger-scale propagation projects.
- Partners on state contaminated shellfish relays, yearly county shellfish seed bids and disease testing studies, and other propagation initiatives to supplement town resources.

Protecting the Environment and Public Safety

- Maintains all aspects of shellfish oversight as related to public health and safety, including enforcement of the state's Vibrio Control Plan; assists local, state and federal agencies working closely with the Town Health and Conservation Departments.
- Conducts monthly water quality sampling by boat and other sampling as needed.
- Upon request or based on need, assists with and advises on all town, county, state, federal and nonprofit environmental and ecological projects that could be related to or affect shellfish resources or aquaculture operations. Inspects projects in progress for compliance.
- Provides informational and technical resources internally to the Town Administrator, Selectboard, staff, town committees and commissions, etc., and to external agents, such as state, federal or nonprofit partners for the overall betterment of the town and its shellfishing

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resources. Participation in the following committee work is ongoing: Shellfish Advisory Board, Conservation Commission, Dredging Task Force, Clean Water Committee, Natural Resources Advisory Board, and Rights of Public Access Committee, among others.

Outreach and Education

- Submits to the Town Administrator and posts online a monthly report with statistics and trends in commercial harvest, permit sales, area openings and closings, enforcement, public outreach and significant departmental activities. Collects data on the recreational shellfishery to quantify its benefit to the town. Makes recommendations to the Shellfish Advisory Board and Selectboard. Prepares an annual report on shellfishing activities for town. Furnishes a five-year plan to the Finance Committee and Selectboard upon request.
- Interprets laws and regulations to the Selectboard (the regulatory authority), the shellfishing community and the general public.
- Attends training and educational seminars and participates in the Mass. Shellfish Officers Assn. to maintain knowledge and keep abreast of changes in laws, regulations and enforcement practices, as well as scientific research, etc.
- Provides support for compliance and educational materials to the shellfishing community by writing and distributing communications detailing local, state and federal regulations, shellfishing area openings/closings, propagation efforts, projects/proposals that could affect shellfishing, collaboration opportunities, marketing and promotional events, etc.
- Collaborates with academic institutions, government agencies, nonprofits and other groups on scientific studies, grant opportunities, educational and marketing events, and promotional and marketing initiatives to ascertain the long-term health and viability of Wellfleet's shellfishery.
- Serves as the town's media spokesperson regarding shellfishing issues.
- Responds to citizen's requests or complaints through proper procedures, referral and response.

Special Requirements

Employee must successfully complete First Responder and CPR training; have a current valid Class D Motor Vehicle Operator's license; have or obtain at the next available course, Certification as a Massachusetts Shellfish Constable. As an employment condition, the employee must pass a CORI background check. Boating licenses and basic lifesaving are desirable.

- **Knowledge**: Comprehensive knowledge of state and local environmental laws, including but not limited to, the regulations of the Massachusetts Division of Marine Fisheries, shellfish propagation, and wetland protection. Knowledge of biology and economics.
- **Abilities**: Ability to enforce laws and regulations firmly, consistently, and impartially. Ability to operate equipment related to shellfishing. Ability to learn new skills, do physical labor and work with your hands.
- **Skills**: Operation of small boats, clam pumps, winch and other shellfish harvesting equipment. Computer skills, including Word, Excel and databases, and some knowledge of GPS/Google Earth. Problem solving capability, diplomacy and a thick skin are vital.

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.