



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Secretary

RONALD S. AMIDON
Commissioner

DANIEL J. MCKIERNAN
Director

Special Permit for Transplanting Contaminated Shellfish

Permit No. 179980

EFFECTIVE: 4/11/2023
FTN: TBD

EXPIRES: 12/31/2023
FEE: EXEMPT

Acting under authority of General Laws, Chapter 130, Section 17, paragraph 2, 3, and 4, Section 69, 75, 80 and 83, permission is hereby granted to:

**TOWN OF WELLFLEET
300 MAIN ST.
WELLFLEET, MA 02667**

To take, possess and transplant for propagation and natural purification purposes QUAHOGS (*Mercenaria mercenaria*) from the waters of the TAUNTON RIVER as further described in condition #2, to the waters of CHIPMAN'S COVE (CCB13) and INDIAN NECK RECREATION AREA (CCB11) in the TOWN OF WELLFLEET as further described in condition #3, and in accordance with all the following permit conditions:

PERMIT CONDITIONS:

1. This relay event shall be effective May 1, 2023 to July 31, 2023. These dates are inclusive and upon expiration, all harvesting, transport, and transplanting shall cease. Not more than 1500 BUSHELS OF QUAHOGS shall be transplanted.
2. All QUAHOGS harvested for transplanting under authority of this permit shall be obtained only from the area or areas shown on the "harvest site" map accompanying this permit; namely, that portion of MHB2 in the TAUNTON RIVER South of a line drawn from the end of #2890 Pleasant Street to Pierces Point, South of a line across the mouth of the Assonet River, North of the Brightman Street Bridge and seaward of any commercial or private moorings (ATTACHED MAP).
3. All QUAHOGS shall be transplanted only in the areas shown on the "transplant site" maps accompanying this permit; namely, those portions of CHIPMAN'S COVE (CCB13) including Area 1 at the end of Indian Neck parking lot extending South and Area 2 to the South of Old Pier Road and that portion of Indian Neck Recreation Area (CCB11) including East of the breakwater extending out 500ft to the boundary markers/buoys (SEE ATTACHED MAP).

4. All QUAHOGS harvested for transplanting under authority of this permit shall be removed and transported under the immediate supervision of the SWANSEA SHELLFISH CONSTABLE.

5. Only harvesters or shellfishermen hired for the specific purpose of the transplant operation by the shellfish constable or other holder of this permit shall be used in the transplanting operation. The permit holder shall maintain a list of those individuals involved on a day-to-day basis and provide that list to any Massachusetts Environmental Police Officers, local shellfish constables and/or personnel from the Division of Marine Fisheries (DMF) upon request. Only the following boat or boats are to be used in the harvesting operation.

| <u>BOAT NAME</u> | <u>NUMBER</u> | <u>OWNER/OPERATOR</u> | <u>ADDRESS</u> |
|------------------|---------------|-----------------------|----------------------------------|
| Ocean Rancher | 595899 | Bruce Ingham | P.O. Box 291 Fairhaven, MA 02719 |

6. The WELLFLEET Shellfish Constable shall hold any commercial fishing licenses and transaction cards of personnel involved in the relaying operation during the period of the transplant.

7. Harvesting shall be conducted only during periods of good visibility between the hours of SUNRISE and 4:00 PM seven days a week. Shellfish must be placed in containers and tagged. No shellfish may remain aboard the boats involved upon completion of the day's work.

8. All shellfish harvested for transplanting under authority of this permit shall be transported from the harvest site to the transplant site by means of the following conveyance:

BRUCE INGHAM AND THE TOWN OF WELLFLEET VEHICLES AND SHELLFISH DEPARTMENT BOATS

9. All shellfish shall be transplanted (planted) in the designated area or areas (as shown on the attached map) on the day they were harvested from the donor site under the direct supervision of the WELLFLEET Shellfish Constable or their deputies.

10. The area to be planted with contaminated shellfish requires that signs shall be posted prior to the commencement of transplanting operations. Signs shall be placed to provide a buffer of at least 50 feet around the contaminated shellfish. The signs shall include the following:

"CLOSED TO SHELLFISHING"
"AREA PLANTED WITH CONTAMINATED SHELLFISH"

11. Before any of the transplanted shellfish are harvested, overlying water and shellfish samples shall be taken and examined by DMF and the status of the areas changed to "OPEN" to shellfishing.

12. An accurate account of the shellfish transplanted under authority of this permit shall be maintained. Such record shall show dates, source, the number of bushels or other units, the conveyance used, the transplant site, and shall bear the signature of the permit holder or the

permittee's authorized representative. A copy of this record shall be mailed at the end of the transplant to the Shellfish Program, 706 South Rodney French Boulevard, New Bedford, MA 02745.

13. All vessels, boats and vehicles involved in the harvest, transport and planting of contaminated shellfish, under the provisions of this permit, shall be subject to inspection at any time by Massachusetts Environmental Police Officers, local shellfish constables and/or personnel from the DMF.

14. A copy of this permit shall be on hand and in the possession of the person or persons in charge of supervising and/or conducting various aspects of the transplanting operations during such activities.

15. All shellfish harvested under the provisions of this permit shall be placed in bags or totes and must be tagged by the vessel operator prior to transport overland. The tag shall state: the harvest area, the date of harvest, the DMF permit number, the receiving town, the harvest vessel name, and the words "CONTAMINATED SHELLFISH".

16. The vessel captains shall contact the Division of Law Enforcement Radio Room (Tel: 800-632-8075) each morning prior to the start of harvesting and leave a message on the answering machine stating the time, date, vessel name, contaminated permit number, and area fished.

17. Activities conducted under this permit, including amount of resource transplanted, date(s) of planting site closure and date(s) the planted site(s) re-opened to harvest (or expected opening date) shall be reported on the permit holder's annual municipal propagation report.

18. Upon completion of the transplant, DMF shall prepare an invoice to you as the receiving municipality in the amount of \$1/bushel for the total number of bushels transplanted. DMF will then disburse the monies to the donor municipalities at the end of the relay season.

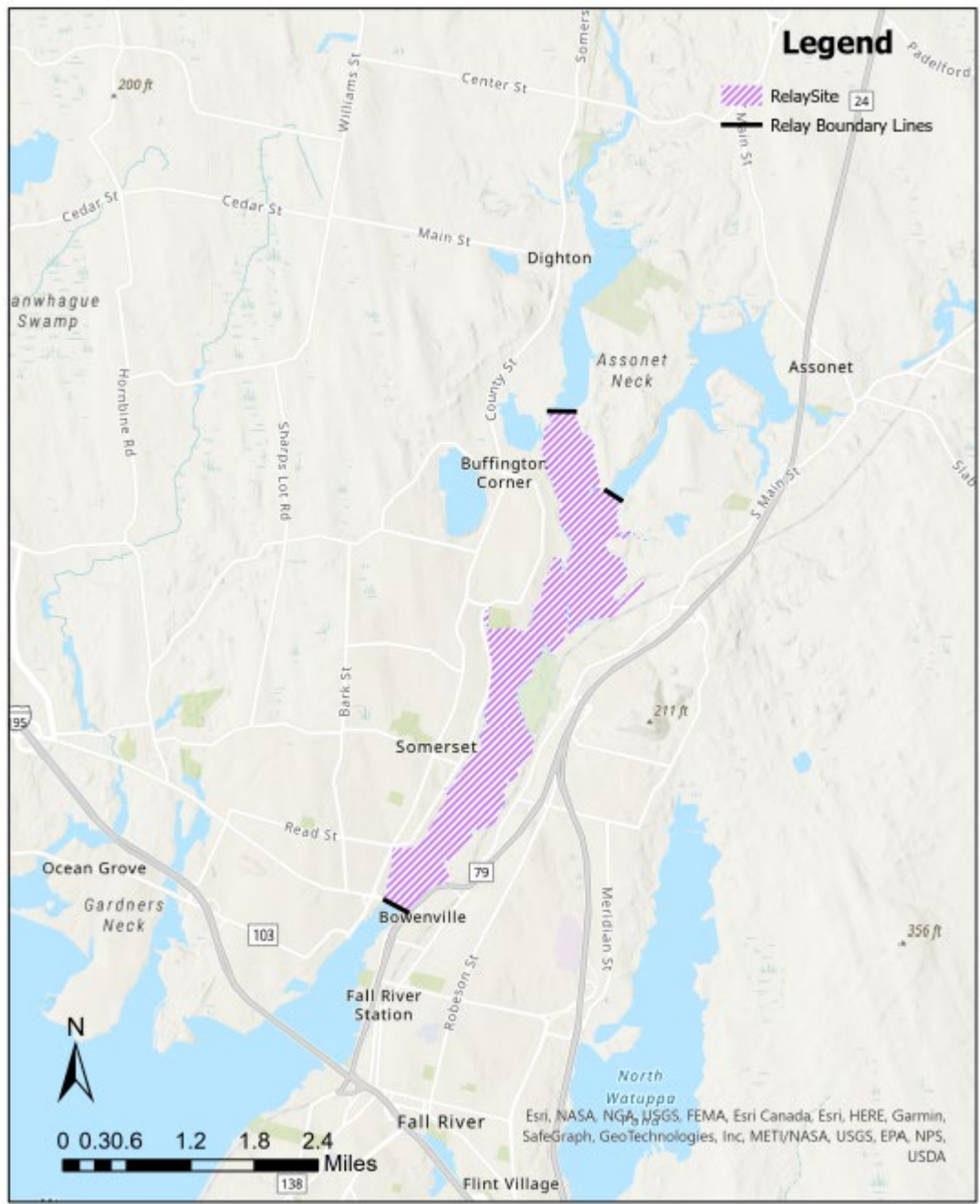
19. The Director of DMF reserves the right to revoke this permit at any time for failure to comply with any or all permit conditions, or for causes he deems sufficient.

Sincerely,



Daniel J. McKiernan, Director
MA Division of Marine Fisheries

cc: P. Moran, C. Baker, OLE
J. Kennedy, C. Petitpas, DMF
M. Moore, DPH
N. Civetta, Westport Shellfish Constable



Taunton River Harvest Site

Map of Wellfleet Chipman's Cove Contaminated Quahog Relay

AREA 1 (Left-West)

Northeast Corner: Latitude 41.925776°
Longitude -70.029158°

Southeast Corner: Latitude 41.920914°
Longitude -70.028909°

Northwest Corner: Latitude 41.925780°
Longitude -70.030019°

Southwest Corner: Latitude 41.922122°
Longitude -70.029910°

AREA 2 (Right-East)

Northeast Corner: Latitude 41.925673°
Longitude -70.024631°

Southeast Corner: Latitude 41.921144°
Longitude -70.024770°

Northwest Corner: Latitude 41.925674°
Longitude -70.025359°

Southwest Corner: Latitude 41.921149°
Longitude -70.025507°



Map of Wellfleet Indian Neck Contaminated Quahog Relay

Area

| | | |
|-------------------|-----------|------------|
| Northeast Corner: | Latitude | 41.924723 |
| | Longitude | -70.033594 |
| Northwest Corner: | Latitude | 41.925399 |
| | Longitude | -70.035296 |
| Southeast Corner: | Latitude | 41.923858 |
| | Longitude | -70.032839 |
| Southwest Corner: | Latitude | 41.924308 |
| | Longitude | -70.035788 |

