

APPENDIX D:

**OVERWINTERING AGREEMENT**

I, \_\_\_\_\_

agree to remove all metal racks, rebar or u hooks used to secure nets, or anything constructed of metal that is not securely fastened to within 2-4” to the bottom by January 15th, or before ice prevents removal, whichever comes first.

If I decide to store racks on my grant(s) over the winter, I agree to the following conditions:

1. All racks shall be tagged with the owner's name and grant number.
2. An accurate number of racks being left on the grant will be provided on this agreement form:

- All racks with oysters on them are pumped down to within 2-4” of the bottom.
- All racks without oysters on them are pumped down to be flush with the bottom.
- I attest that before the threat of ice, I will be able to remove in \_\_\_\_\_, [e.g. two tides, two days], no matter what the tide height, all racks that will NOT be overwintered but are remaining in use on grant after January 15. These racks are not pushed down. I understand that it is up to Constable’s discretion to allow this, and I will work with Shellfish Department to demonstrate my ability to meet this deadline.

3. Any racks that are damaged during the winter must be cleaned up by March 1st or when the departure of ice allows, whichever comes first. This is also addressed in Section 7.19.4.

4. I understand that I am solely liable for any damage my equipment may cause to other aquaculturists or the public.

5. In case of emergency, contact \_\_\_\_\_ at \_\_\_\_\_.

6. Failure to adhere to these conditions can result in suspension or revocation of my grant license, in accordance with Section 7.19.6. and Section 11 of the Wellfleet Shellfishing Policy and Regulations.

Grant license(s) #: \_\_\_\_\_

Number of racks to be overwintered with product (2-4” off bottom):

Number of racks to be overwintered without product (flush with bottom):

Number of racks currently on grant, not pushed down, but that will be removed before ice:

Signature \_\_\_\_\_

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

