

**TOWN OF WELLFLEET
RECREATIONAL SHELLFISH APPLICATION**

Please Print Legibly

Name: _____

I hereby make application for a Recreational Shellfish Permit, in accordance with Chapter 130, Section 52 of the Massachusetts General Laws. I also declare that the following facts are true and complete to the best of my knowledge:

1. Are you a resident/taxpayer of the Town of Wellfleet? *(see definition on reverse side)*
Yes _____ How Long? _____ No _____ *(if no, skip to question 2)*

PROOF OF RESIDENCY/TAXPAYER QUESTIONNAIRE:

To be eligible for a Resident Recreational Shellfish Permit, you must show proof that you are:

- a. A registered voter in the Town of Wellfleet, or
- b. Listed as a year-round resident on the Town of Wellfleet Census, or
- c. Listed as a real estate property owner in the Assessor's office with property that has a tax bill issued with a total annual tax amount owed of at least \$400.00, or
- d. The spouse or domestic partner of a listed real estate property owner, or
- e. The dependent of a listed real estate property owner with the same year-round address on a Driver's license, picture ID or Student ID, or
- f. A Trustee of real estate property listed in the Assessor's office, or
- g. Active military personnel whose home of record is Wellfleet, or
- h. Non-resident employee of the Town of Wellfleet, or
- i. A veteran of the Commonwealth of Massachusetts with specific documentation of status as required by state law.

2. VEHICLE INFORMATION:

Year _____ Color _____ Make _____ Model _____

Plate #/State _____ Commercial _____ Passenger _____

3. PERSONAL INFORMATION:

Mailing Address: _____

Telephone No. _____ Cell _____

Email (Mandatory) _____ Date of Birth: _____

Eye Color: _____ Hair Color: _____ Height: _____ Weight: _____

Any intentional false answers to any of the above questions will be just cause for the revocation or non-issuance of a Recreational Shellfish Permit. In signing below, I take responsibility for understanding and operating under the laws, regulations and amendments thereto governing the taking of shellfish and attest that I have received some, but not all, of the useful website links to pertinent content on my printed permit form.

Signature of Applicant: _____ Date: _____

(Signed under penalty of perjury)

Approved by: _____ Date: _____

Shellfish Constable

More info is in rest of regulations, which it is your responsibility to understand.

It is the responsibility of all permit holders to acquaint themselves with the laws, regulations and amendments thereto governing the taking of shellfish. All permit holders are required to abide by Wellfleet's Shellfishing Policy and Regulations, posted on the left-hand side of the Shellfish Department's web page: <http://www.wellfleet-ma.gov/shellfish-department>. Some important sections of the Town's Policy and Regulations for Noncommercial (Recreational) Shellfishing are highlighted below.

Resident: A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Board of Selectmen. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

Recreational Permit Fee Schedule: Resident - \$70.00, Senior Resident - \$30.00, Seasonal Resident - \$50.00, Non-Resident \$220.00, Seasonal Non-Resident - \$95.00, Commonwealth of Mass. Veteran - \$70.00, Commonwealth of Mass. Senior Veteran - \$30.00, Town of Wellfleet Employee - \$70.00, Town of Wellfleet Senior Employee - \$30.00, Replacement - \$30.00

4.14. Possession of Seed Restricted: No person who does not hold a state propagation permit or an aquaculture license shall have in his or her possession seed shellfish, defined as; quahogs less than one (1) inch wide (thickness of both valves across the hinge); soft-shell clams less than two (2) inches in length; oysters less than three (3) inches in height (except for aquaculture license holders under certain conditions as specified in Section 7.16 (Undersized Oysters, Quahogs and Surf Clams) or bay scallops without a well defined raised annual growth line. A violation of this regulation shall exist if the take contains more than 5% seed shellfish per batch (see Section 7.15 Shellfish Seed).

5.1. Seasonal Restrictions: Open and Closed Areas: The opening and closing of noncommercial shellfishing areas, as well as catch limits, may be subject to change by vote of the Board of Selectmen. (See Section 5.3.2 Noncommercial Catch Limits). Notification of such changes will be available on the Shellfish Department section of the Town website and on the Shellfish Department answering machine.

Chipman's Cove: closes for the taking of all shellfish on April 30 and reopens on the last Sunday in October, unless otherwise regulated.

Area 2 (Indian Neck): open for the harvesting of shellfish, with the following limits and on the following days, unless otherwise regulated:

- June 1 through September 30; will be open Sundays and Wednesdays, annually.
- October 1 through May 31; will be open seven (7) days a week, annually.

Area 3 (The rest of the Harbor with the exception of commercial-only areas): Open for the harvesting of shellfish on the following days, unless otherwise regulated:

- June 1-September 30; will be closed to all noncommercial shellfishing, annually.
- October 1-May 31; will be open seven (7) days a week, annually. (See Section 4.1.)

5.3.2 Cannot Harvest for Commerce: No person holding a noncommercial permit shall harvest shellfish, eels or sea worms for the purpose of sale, trade or other consideration.

5.3.3 Noncommercial Catch Limits: The total amount of shellfish, comprising oysters, quahogs, soft-shell clams or razor clams, blood ark clam or ponderous ark clam taken in one (1) week shall not exceed ten (10) quarts, and the total amount of mussels taken in one (1) week shall not exceed ten (10) quarts, or the total amount of scallops taken in one (1) week shall not exceed one (1) bushel, or the total amount of surf (sea) clams taken in any one (1) week shall not exceed one (1) bushel. The total number of sea worms taken in one (1) day shall not exceed twenty-four (24). There is a 20 lb. limit on the number of eels that can be taken in one day.

11.5. Penalty Fees: The penalties for violation of any of these regulations shall be assigned by the Shellfish Department and shall consist of a fine of \$50 for the first offense, a fine of \$150 for the second offense, and a fine of \$300 for the third offense. In the event of a fourth offense within a period of 5 years, there will be an automatic permit suspension.

11.9. Disposition of Unlawful Catch: The enforcing officer may, at his/her discretion, seize and dispose of any unlawful catch as per MGL Chapter 130; Section 12.