

### Gear Restrictions

Soft shell clams, sea worms and razor clams may be taken with a standard clam rake. No shovels, pitchforks, garden hoes or other devices implements or materials shall be used.

Quahogs, oysters, sea clams may be taken by hand, shellfish rakes and by a mini-bull rake with a mouth not to exceed twelve (12) inches in width and a handle not to exceed eighty four (84) inches in total length. **NO HANDLE EXTENSIONS ARE ALLOWED.**

Skin or scuba diving for the taking of Shellfish is strictly prohibited within Town waters unless prior written approval is requested and received from the Shellfish Constable.

### Conservation and Management:

All holes shall be backfilled when digging soft shell clams, razor clams, sea clams and sea worms before leaving the area. Seed clams shall be replanted, immediately, with the "neck" of the clam up at the time and place where initially dug. The digging of or removal of thatch (grass) or peat for purposes of harvesting shellfish or predators, is prohibited.

All shellfish shall be culled and all seed returned to the waters and flats immediately. Persons shall not take nor have in their possession (in baskets, bucket, vessel, bag, pockets, or other container) seed shellfish. No person shall plant, place, transplant, transfer Shellfish or recently shucked shellfish shells, within the Town.

Areas of the shoreline or flats may be closed from time to time by the Department for the protection and development of shellfish populations. No person shall take or attempt to take shellfish from such areas.

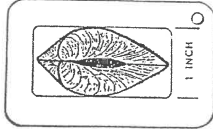
### Enforcement and Penalties

Enforcing agents may initiate criminal proceedings, use the non-criminal disposition process or recommend revocation of said permit or any combination thereof for any violation(s) of these regulations.

Copies of permit fees and fine schedules is available from the Sandwich Department of Natural Resources, upon request.

### Why and How to Measure Shellfish

There are minimum sizes for shellfish under which size the shellfish must be immediately returned to the water and flats from which it came. This provides for the protection for the regeneration of the species. The minimum sizes have been determined to enable the shell stock to be able to reproduce before being harvested.



The inner measures one (1) inch, which is the minimum size for harvestable **QUAHOGS**.

The inner LENGTH of the gauge measures two (2) inches, the minimum size (on the longest length) for the taking of **SOFT SHELL CLAMS** and **BLUE MUSSELS**.

### Eels

Eels may be taken by pots, spears or angling, only. A Recreational Shellfish Permit must be in possession. A maximum of three (3) eel pots may be set. No fyke nets shall be used. All pots and buoys are to be clearly marked (last name & town color, which is bright orange). No wooden buoys or plastic bottles may be used. Pots shall not be set in navigable, marked channels.

### River Herring

#### Statewide Prohibition

Taking, attempting to take or possession of alewives and blue back herring is prohibited until further notice.

### **DEPARTMENT OF NATURAL RESOURCES**

**16 JAN SEBASTIAN DRIVE**

**SANDWICH, MA 02563**

**Phone: 508-833-8054**

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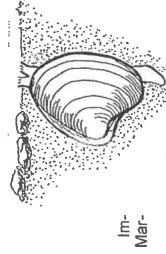
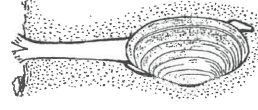
**Rev: 11/20**

# TOWN OF SANDWICH

## ABSTRACTS

of the

## SHELLFISH REGULATIONS



### **NOTE:**

The intent of this document is to provide an Abstract of the Town of Sandwich Shellfish Regulations for easy reference. Copies of the complete regulations are available upon request from the Sandwich Department of Natural Resources.

## General Rules

Shellfish Permits expire at the close of the season on each fiscal year. Applicants for a Shellfish Permit for the next year shall first submit a Catch Report for the prior year.

No person shall take or attempt to take shellfish or sea worms, herring or eels within the Town without a valid Sandwich Shellfish Permit and in possession of a standardized shellfish measuring device appropriate for determining legality of his/her catch.

Shellfish Permits shall be visibly displayed on the permit holder in plain view on outer clothing while shellfishing, landing and/or transporting ashore.

Permit holders may take guests to harvest shellfish with them as long as only one (1) weekly limit is taken. The permit holder is responsible for any violations of these regulations by their guests.

All shellfish, sea worms, herring, and eels are subject to inspection. Shellfish must be brought ashore intact in the shell. Permit holders, upon the request of an Enforcing Agent shall display their catch, permit and shellfish gauge and must land, walk ashore or deliver shellfish at or to any place designated to allow for inspection.

No person shall offer for sale, for money or other consideration, any shellfish, sea worms, herring or eels taken under a Recreational Shellfish Permit.

Permits are not transferable without the written permission of the Town Manager or Shellfish Constable.

No person (child) under 16 shall be allowed to use a shellfish permit unless accompanied by an adult with a valid Sandwich Shellfish Permit.

Shellfish harvest is only allowed in approved Open Areas. Any area not specifically designated as an Open Area shall be considered a Closed Area.

All shellfish harvested, with the exception of sea clams, sea worms and eels, shall only be contained and transported in a standard ten (10) quart metal wire Peck Basket, as defined by these regulations.

The Wet Storage of all shellfish in all Town waters is prohibited.

Starfish, green crabs, conch, moon snails, oyster drills, or winkles shall not be returned to the waters, but shall be placed above the high water mark or some other suitable place out of the water.

## Harvest Restrictions

Shellfishing is allowed, except as otherwise stated, during eastern standard time from 7:00 AM to 6:00 PM (EST) or sunset which ever occurs first and during daylight savings time 6:00 AM to 7:30 PM (EDT), or sunset which ever occurs first, on days open to Shellfishing. No person shall take or attempt to take shellfish, eels, or sea worms during the nighttime hours between sunset and before sunrise.

Sea worms may be taken daily in areas currently open to the taking of shellfish. Eels may be taken in any marine waters, within the Town, daily. Five (5) eel limit per day.

Dry digging for softshell clams and quahogs is prohibited when the air temperature is at 28° F or below. A determination of the air temperature will be made by the Shellfish Constable or the Senior Deputy Shellfish Constable on duty.

## NOTICE

The Massachusetts Division of Marine Fisheries may from time to time designate shellfish areas as contaminated and the shellfish obtained from this area as unfit for food. Areas will be closed and posted.

## Harvest Limits

The recreational weekly harvest limit for the following species of shellfish, sea worms and eels in season shall be:

Soft shell clams: one level half (1/2) peck per calendar week.

Quahogs: one (1) level peck per week.

Blue Mussels: one level half (1/2) peck per week.

Razor clams: one level half (1/2) peck per week.

Oysters: As determined by the Shellfish Constable.

Sea Clams: ten (10) per week.

Sea worms: not more than twenty five (25) per day.

Eels: not more than five (5) per day.

Peck: See definitions in Town of Sandwich Shellfish Regulations.

## Minimum Size Limits

Soft shell clams two (2) inches in the longest diameter.

Quahogs one (1) inch shell thickness (hinge width).

Oysters three (3) inches in the longest diameter.

Blue mussels two (2) inches in the longest diameter.

Sea Clams five (5) inches in the longest diameter.

Eels less than nine (9) inches in total length.

## Opening and Closing Dates

Opening and closing dates are approved by the Board of Selectmen on the recommendation of the Shellfish Constable. These dates are established by amendments to the shellfish regulations and receipt of acceptable water quality results. They are posted in the three (3) town post offices, Town Hall, Town Hall Annex and at the Department of Natural Resources in the Town Office Building.