

TOWN OF SCITUATE

SHELLFISH RULES & REGULATIONS

Shellfish updates can be found at: www.Scituatema.gov

NOTICE

Shellfish permits, Rules & Regulations are reviewed annually to better manage regulate and protect the conservation of the Town of Scituate's living marine resources. They will be managed to keep resources sustainable.

NOTE:

Regulations approved by the Select Board

On this day:

December 20, 2022

TOWN OF SCITUATE

SHELLFISH RULES & REGULATIONS

REVISED SHELLFISH REGULATIONS

These regulations are made by the Select Board under authority of a vote of the inhabitants of the Town of Scituate while acting on Article 14 of the Warrant for the regular Town Meeting held on March 4, 1957, and shall continue in force until altered, amended, rescinded, or repealed by the Select Board or until their authority to make and enforce shellfish regulations has been repealed.

DEFINITIONS

In regard to these regulations, unless the context otherwise requires, the following words shall have the following meanings:

SHELLFISH – soft shelled clams (steamers), conchs, mussels, oysters, periwinkles, quahogs, ocean quahogs, razor clams or razor fish, bay scallops, sea clams (surf clams), sea scallops, blue mussels and winkles.

SHELLFISH CONSTABLE - any person who has been officially appointed and sworn to enforce the shellfish regulations of the Town of Scituate. Additionally, all police officers of the Town of Scituate shall have the authority of a "SHELLFISH CONSTABLE".

1. Shellfish permits must be visible at all times, while in the act of harvesting shellfish, sea worms, clams, blue mussels, oysters, periwinkles, quahogs, razor clams, sea clams and steamers.

2. Permits and catch are subject to inspection by sworn Shellfish Constable or Deputy Shellfish Constable and Police officers. Permit holders shall carry an appropriate gauge to measure catch. All catch shall be measured while in the act of harvesting shellfish, as pursuant to MGL Chapter 130.
3. All shellfish shall be dug with conventional tined tools. Shovels and power assisted apparatuses are prohibited.
4. Shellfish and sea worms shall not be harvested within 25 feet of the salt marsh so as to disrupt the rooting of marsh grass.
5. Shellfish shall not be shucked/opened or discarded on tidal flats or beaches within the Town of Scituate.
6. All holes shall be refilled prior to leaving the digging area.
7. Soft shelled clams (Steamers) and Blue Mussels shall not be harvested less than 2 inches in length.
8. Razor clams less than 4 inches in length shall not be harvested.
9. Quahogs shall measure at least 1 inch in hinge width for legal possession.
10. Sea clams shall measure at least 5 inches in length for legal possession.
11. Permits are required by all persons over the age of 16. Those under 16 years of age must be accompanied by a permit holder. Limits may not be increased by presence of a child.
12. The shellfish week starts on Sundays. The weekly limit is 8 quarts/1 peck per week, per household. Catch may have a combined harvest NOT to exceed the weekly 8 quart limit. One peck is equivalent to 8 quarts.
13. Open areas are designated by the Shellfish Constable in cooperation with the Division of Marine Fisheries (DMF). Shellfishing flats are currently OPEN 7 days a Week (November/ December/January/February/ March/ April/ May only). All other times are restricted to Thursday, Friday, Saturday and Sunday. Harvesting is authorized from one half hour BEFORE sunrise to one half hour AFTER sunset.
14. Permit holders shall stay informed of current harvesting days and areas deemed open/closed. This information can be obtained on our website: www.Scituatema.gov
15. Shellfish may not be sold, wasted, or bartered in any manner. Commercial shellfishing is not authorized under recreational permits.
16. Shellfish shall not be harvested when the ambient temperature is below 32 degrees Fahrenheit.
17. The taking/harvesting of shellfish in closed areas for reasons including bait is strictly prohibited. Signage is posted in closed areas. All catch will be seized and subject to state and local laws/ fines.
18. All permit information will be recorded and kept on file at the Town Clerks office.
19. No persons shall plant, introduce, transplant, relay, and propagate new shellfish to Scituate coastal/inland waters without the appropriate permitting from the Harbormaster, Shellfish Constable and Division of Marine Fisheries.

20. Resident shellfish permits are twenty dollars (\$20.00) per year. Scituate residents 65 or older will not be charged a permit fee but must obtain a permit to harvest. Non-Resident permits are fifty dollars (50.00) per year. All permits are non-transferrable. Photo identification is needed to obtain a permit. Commonwealth of Massachusetts veterans are entitled to resident permit rates for recreational shellfish permits upon showing their Veteran's ID card. Active Marshfield recreational shellfish permits have reciprocity and active Marshfield permit holders may shellfish in Scituate town waters and comply with all rules and regulations of the Town of Scituate. This DOES NOT increase your catch allowance of 8 quarts or 1 peck per week starting on Sunday.

OPENING AND CLOSING DATES

Effective November 1st thru May 31st

The opening and closing dates and locations are subject to modification by the Shellfish Constable, Board of Selectman, Division of Marine Fisheries and the Department of Health. Coastal front facing beaches may be open longer per DMF for ocean surf clams.

PENALTY: A violation of these regulations & regulations may be punishable by a fine which shall not exceed \$250.00 hundred fifty dollars for each violation, subject to criminal or non-criminal disposition under Massachusetts General Laws, Town By-Laws and Shellfish Rules & Regulations. Violations of applicable laws, regulations, and By-Laws may result in seized catch and revocation of permit.

SOFT SHELLED CLAMS (Steamers)

Steamers under 2 inches in length shall not be taken. Steamers may not be sold or harvested commercially. Steamers are located between the high and low tide mark. Steamers are typically located 4-12 inches below the surface.

QUAHOGS

Quahogs shall measure 1 inch in hinge width. Quahogs may not be sold or harvested commercially. Quahogs can be found just below the sand or mud surface between the high and low tide area.

SEA CLAMS

Sea Clams are the largest of clams in our region. They are commonly referred to as Surf clams. Sea clams may not be sold or harvested commercially. Sea clams shall measure at least 5 inches in length for legal size. Sea clams are found on exposed tidal beaches just below the surface.

BLUE MUSSELS

Blue Mussels shall measure two inches in length. Blue Mussels may not be sold or harvested commercially.

Traditional Shellfish Basket

Shellfish baskets used today are either 10 quart or 20 quart wire mesh baskets. Current regulations allow for only 8 quarts/1 peck per week, per household. Catch can be combined not to exceed the 8-quart limit.

RAZOR CLAMS

Razor clams may not be taken measuring less than four inches in length. Razor clams may not be sold or harvested commercially. Razor clams are generally located near the Low tide mark in rivers, coastal streams and inlets.

EELS

Shellfish permit holders are entitled to fish three (3) pots/traps for eels. Pots/traps shall not impede the navigable harbors, rivers, channels, creek, and inlets. Eels shall be at least 9 inches in length. Weekly limit of 25 eels per family per week. Eels may be fished traditionally with a rod & reel without a shellfish permit.

Open year round unless **CLOSED** by the Shellfish Constable or Select Board. Eels may not be commercially sold.

***Shellfishing can be very enjoyable, but strenuous. Tidal flats are subject to adverse tidal change and can sometimes be muddy. Proper gear is essential for shellfishing especially in winter months. It is highly recommended to shellfish with friends or family, otherwise it is prudent to advise others when you are off the water safely.

ENACTMENT

These regulations were established by a vote of the Select Board on the 11th day of October, 1994, and shall be in effect as of October 1, 1994 and shall supersede all previous regulations.

REVISED MAY 10, 2016

REVISED: JANUARY 10, 1995

REVISED: DECEMBER 20, 2011

REVISED: MAY 10, 2016

REVISED: December 20, 2022

SELECT BOARD