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## Exploring Shellfish Harvesting Accessibility in Maine's Municipal Shellfish Ordinance Laws

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## **Exploring Shellfish Harvesting Accessibility in Maine's Municipal Shellfish Ordinance Laws**

Completed in Partnership with Manomet and the Maine Shellfish Learning Network

*By: Charles Van Damme, Megan Lacey, Findley McLain, and Sophia Hoag*

*Program in the Environmental Studies Department, Bates College, April 22, 2022*

## Executive Summary

In light of climate change, coastal gentrification, localism, and discrepancies in shellfish regulatory structures, access to coastal shellfish harvesting areas has become increasingly complex for tribal communities throughout Maine. This report is a comprehensive analysis of municipal shellfish regulatory structures and their impact on limiting clam-harvesting access for indigenous peoples in coastal Maine. Our work is in tandem with Manomet and the Maine Shellfish Learning Network (MSLN) with the aim of accumulating historical and contemporary knowledge of regulations that govern access to coastal resources, with the understanding to apply that knowledge to help promote a more inclusive framework for coastal resource management.

The bulk of our research is centered around an assessment of all 75 publicly available Municipal Shellfish Ordinances for towns in coastal Maine. Each ordinance, with varying information and terminology, was analyzed following a group-devised research criteria. The definition of what constitutes a “resident,” the licensing processes, the number of licenses available, license prices, and any mention of Quahog clams was carefully logged. All of this data was later incorporated into a compiled research document, wherein we developed a “Residency Restrictiveness Scale” to better classify the degree of restriction a town may present to non-residents interested in applying for either recreational or commercial shellfish permits. Our compiled research document, in conjunction with our Residency Restrictiveness Scale, illuminate both barriers to access for indigenous people and the lack of uniformity in the regulation of shellfish harvesting throughout coastal Maine. These deliverables also inform our recommendations for a restructuring of Maine’s shellfish regulatory framework.

Our results indicate that the majority of coastal towns (34 municipalities) fall under a Grade B on the Residency Restrictiveness Scale, meaning that they require individuals to be a “resident” within a town’s domain for at least 3 months prior to applying. However, 12 towns required residency for over 12 months, classifying them as Grade D and thus highly restrictive. These findings evidence notable disparities in regulation among coastal towns and, when viewed in tandem with our review of Washington State’s tribal harvesting regulatory structure, further affirm the need to restructure the ways in which shellfish harvesting is regulated to better include the recreational, commercial, and cultural interests of tribal peoples.

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## **Introduction**

For thousands of years, the coast of Maine has provided a source of livelihood for its residents through shellfish fisheries. Along the coast, cultural importance has grown. As trade increased, more people interacted, sharing tools, knowledge, stories, etc. In addition, the leftover shells in the form of shellfish mounds also provide knowledge regarding how clams have lived in coastal ecosystems and utilized by coastal communities for thousands of years, as well as insight into climate change and sea-level rise. The leftover shells also provide insight into other conditions, abiotic and biotic, that regulate the populations. This development, however, began with the presence of the soft shell clam (The Mudflat, 2021). Included in the community that utilizes the clams, soft-shell and hard-shell, have been the Wabanaki people. They travel along rivers and coastal islands to support their way of living. As the Wabanaki people moved according to the season, the importance was placed on how the land was treated to sustain their way of life. One important value includes their attention to the relationship to food and the clams' contribution to the health of an individual (Wabanaki Program, 2002).

Beginning in the colonial area, there were developments in the management and access to coastal areas. This colonial encroachment on Wabanaki land severed the connection between the Wabanaki people and their most valuable sites for food. (Bennett, 2017) Further change came in 1820 when Maine became a state. The state claimed to be “the responsible power of lands held in trust for the benefit of the public.” Furthermore, the state decided it should be up to the coastal municipalities to issue permits for shellfish harvesting as well as issuing penalties for violations (Underwood, 1995). As the popularity of clams grew, the Department of Sea and Shore Fisheries in 1894 took over the laws of clamming and the management (Downeast Fisheries Trail). The resulting legislation is that the fishery should be managed by individual towns or by groups of cooperating towns in economic or biological areas to cut down this waste in individual flats, and give the diggers, dealers, and coastal communities a greater supply of food and income from their resources (U.S. Fish and Wildlife Service, 1955).

The state of Maine emphasizes the idea of co-management in shellfish harvesting. The management authority is split among the state government, specifically the DMR, and the Maine coastal communities. The goals of shellfish management include: controlling access, maximizing individual harvest, providing maximum utilization, maintaining a sustainable yield, and increasing the shellfish resource (Municipal Shellfish Management, 2016). The first commercial shellfish license issued by Maine was in 1947. In 1963, the state authorized municipalities to implement shellfish ordinances that would have to be approved by the Maine Department of Marine Resources (The Maine Shellfish Handbook, 2021). In Maine, it is required by law that commercial harvesters purchase and carry a state shellfish license. For recreational harvesting, a state license is not required. However, a municipal license is required if harvesting within the boundaries of that municipality (Maine Shellfish Handbook). Due to conservation efforts,

municipalities have withheld permits for non-residents or have imposed special conditions for non-resident use (Underwood 1995).

Throughout Maine, there are various discrepancies in the regulation of shellfish harvesting, particularly in the differences between state and municipal-level regulations. At the state level, members of various indigenous communities are exempt from the requirement of a state license for commercial shellfish harvesting so long as they “hold a valid license issued by the tribe, nation or band or the agent of the band to conduct the activities authorized under the state license or permit” (Legislature, 2021). This exemption also extends to the municipal level as it cedes the requirement to hold a state shellfish license in order to apply for a municipal license (Legislature, 2021). Complications arise, however, in the application process for municipal licenses as indigenous people are faced with conditionalities that vary across coastal municipalities. The particular manner in which a “resident” is defined by a town often prevents indigenous people from obtaining a permit as they may not formally pertain to or pay taxes to one individual municipality. With their current and historical distribution of access being divided through the formation of towns and enforcement of these regulations, indigenous communities are facing major bureaucratic hurdles in the way of shellfish harvesting throughout coastal Maine.

The looming threats of climate change and gentrification are also posing tremendous challenges to Maine coastal communities and indigenous groups including the Wabanaki people. Largely due to the growing stresses of city life and the appeals of “desirable natural amenities like scenic land and seascapes,” Maine coastal areas are experiencing an influx of wealthy migrants, (Martens, 2021). This is leading to a reduction in access points to prime shellfish harvesting spots as newly purchased lands have the potential to privatize the points of entry for both local and indigenous shellfish harvesters. The Gulf of Maine is also experiencing unprecedented change, warming at the fastest rate of any ocean body on Earth and having devastating impacts on Maine fisheries and tribal resources in the process (Mishonov, 2021). Populations of lobsters and soft-shell clams have seen significant decline - one estimate projects a 62% decline in lobsters over the next 3 decades - placing overwhelming pressure on those dependent on these resources for their livelihoods to look toward other means of income (Le Bris et. al, 2018). In fact, 2020 landings for soft-shell clams in Maine were the lowest ever recorded (MDMR, 2020). As resources dwindle, competition for those resources consequently increases, complicating not only the lives of both coastal fishermen and women, but also the Wabanaki people whose access to these resources has already been jeopardized through aforementioned federal, state, and municipal-level regulatory discrepancies.

Researchers from Manomet in cooperation with the Maine Shellfish Learning Network (MSLN) are spearheading an effort to explore the ecological, social, economic, and cultural implications of wild harvesting of soft shell and hard shell clam fisheries in Maine. Recognizing

the barriers to access for indigenous communities, the organizations are also pursuing a parallel objective researching indigenous people's connections and historical reliance on clamming. To work in tandem with this effort, Marissa McMahan and Emily Farr of Manomet and Gabrielle Hillyer of MSLN enlisted our group's support in exploring historical and contemporary issues of accessibility to shellfish harvesting for indigenous communities throughout Maine.

In partnering with Manomet and Maine Shellfish Learning Network, we were initially asked to take on a project that looked at the growing market of quahog clams and their relation with accessibility for accessing quahog seabeds for commercial and recreational harvesting in clamming ordinances of coastal municipalities of Maine. In analyzing this data, we were suggested to compare this information to how this might impede clamming accessibility for indigenous communities, mainly Wabanaki communities, in Maine. Our community partners posed this objective though it was also highly suggested that we follow our interests and find a final project aim that fits broadly into understanding the accessibility of all kinds of clamming in Maine.

### **Project Aim**

To accumulate historical and contemporary knowledge of regulations that govern access to coastal resources, with the understanding to apply that knowledge to help promote a more inclusive framework for coastal resource management.

### **Project Objectives**

**Objective 1** – Answer the question of what it means to be a resident according to different coastal ordinances in Maine.

**Objective 2** – Gather information on Maine municipal shellfish ordinances. Specifically surrounding access to soft and hard shell clamming for commercial, recreational, or cultural purposes. This will highlight who has access to clamming along with those coastal ordinances.

**Objective 3** – Apply our compiled information to a comparison against Washington State's municipality's clamming ordinances to understand what measures Maine's municipalities must take to become more clamming accessible.

### **Methods**

**Meetings with Project Partners:** In working with the Manomet and MSLN group we agreed as a team to conduct bi-weekly check-in and instructional meetings virtually on Thursdays. These meetings were important as they promoted individual productivity in every member of the team.

Moreover these meetings helped keep everyone on the same page of what our goal is and how we would achieve said goal. We used this meeting time to decide on next action steps we needed to take as a group so that everyone was in agreement and was well informed.

**Ordinance Research:** To acquaint ourselves with the varying legal languages of the Municipal Shellfish Ordinances, we individually analyzed around 5-10 ordinances each. During this process, any language pertaining to inclusive restructuring of municipal ordinances was noted. Specifically the definition of resident, the licensing processes, and any mention of Quahog clams was carefully logged.

**Data Compilation:** Following the careful analysis of municipal ordinances, we individually collected data that was uploaded into an agreed upon data template (Fig. 3). This compiled data document was made for the purpose of comparatively studying the grades of accessibility each coastal clamming ordinance in Maine had. This document was also distributed to our project partners and later further distributed to their colleagues as a secondary source on which they could use for future clamming ordinance projects.

**Literature Review:** We reviewed multiple government and indigenous-run websites to get a better grasp of shellfish harvesting laws in the state of Washington. We also reviewed these to compare Washington's harvesting restrictions with Maine's current regulatory framework, hoping to ultimately glean information that could better inform harvesting regulations for tribal communities in Maine. This later created another deliverable for the project, where this collection serves as a resource for future projects pertaining to indigenous sovereignty in regards to shellfish harvesting.

## **Results and Discussion**

### **Municipal Regulations**

Throughout our semester-long research into the barriers to clam-harvesting access created by Maine municipal shellfish regulation policies, there were several underlying discoveries. Our main goal was to accumulate historical and contemporary knowledge of regulations that govern access to coastal resources (Fig. 3), with the understanding of applying that knowledge to help promote a more inclusive framework for coastal resource management. What we found when researching municipal ordinances, under aforementioned pretenses, was pretty fascinating.

While most fisheries in Maine fall under state-level regulatory oversight, shellfish harvesting is largely governed at the municipal (town) level. Essentially, each coastal municipality is able to govern their shellfish harvesting however they see fit. Once decided upon, each town constructs an ordinance which outlines their definitions of resident, general access

requirements, and amount of licenses. As a group of four, we split the 75 municipal shellfish ordinances evenly and began data collection and analysis. In this analysis we found that there is a wide array of information provided in the ordinances. While individual ordinances had differing information regarding resident definitions, licensing classes, and types of soft-shelled clams allowed to harvest, there were noticeable patterns amongst all municipal ordinances.

In order to harvest any soft-shell clam along the Coast of Maine, one needs a license. Ranging anywhere from 0 months all the way up to 2 years (Fig.1 and 3), municipalities have distinct time allotments which determine one's ability to harvest clams. In order to receive a license, one must be a resident of whatever town they are harvesting within. Although seemingly straightforward, residency requirements are some of the most significant barriers to harvesting access. Furthermore, lack of state-level governance has resulted in geographic inconsistencies in residency requirements along the coast. A significant majority of towns granted licensing after 3 months (34 municipalities) or 6 months (17 municipalities). However, 12 towns granted licensing eligibility after 12 months. Only 1 town (Biddeford) had no time limit for residency. In each of these municipalities there are different licensing classifications. The most common apportionments were “commercial” and “non-commercial”. Within these two licensing structures were many other sub-classifications. But because municipalities govern shellfish harvesting, there remain fluctuating sub-classifications across all 75 ordinances. For instance, the Town of Harrington (Fig. 3) has only 4 types of licenses (Resident Commercial License, Non-Resident Commercial License, Resident Recreational License, and Non-Resident Recreational License ). In contrast the Town of Bar Harbor (Fig. 3) has 12 types of licenses (Commercial Resident, Non-Resident, Junior-Resident, Junior-Non-Resident, and Recreational Resident, Non-Resident, Resident Day / Week / Month, Non-Resident Day / Week / Month, Senior Resident, Senior Non-Resident, Junior Resident, and Junior Non-Resident).

Although some municipalities are actively restructuring their ordinances, very few have taken it upon themselves to critically reevaluate the inaccessibility that their ordinances create, particularly for tribal communities. Many municipal ordinances fail to capture current evolutions taking place within the Maine shellfish industry. The growing demand on the shellfish industry, due in large part to climate change, should be placing increasing pressure on municipalities to reevaluate their ordinance structures on a more timely basis. It is our sincere hope that these changes, in conjunction with growing awareness of shellfish inaccessibility for tribal communities, motivate municipalities to take initiative and reassess their ordinance structures to promote better accessibility.

### **Washington State Model**

Unlike the state of Maine, decades ago, Washington started work to make clamming on its shores more accessible to federally recognized indigenous communities. In understanding

Maine's grade of accessibility for indigenous communities, we compared Maine's clamming ordinances to the clamming laws of Washington state.

For centuries, clams, especially razor clams, have been a vital part of life for many coastal treaty-tribe nations in Washington State. For indigenous communities in Washington state, clamming is not just a recreational activity but a source of income, sustenance, and cultural tradition. There is a long history of the federal and state governments recognizing the importance of culturally reserving rights of federally recognized indigenous communities to protect their way of life. Therefore, many federally-recognized Pacific Northwest indigenous communities have treaties that reserve their right to fish in "Usual and Accustomed" harvesting areas that contain attractive fishing species (Northwest Indian Fisheries Commission, 2019). The indigenous communities of Washington state practice subsistence, cultural, and commercial harvesting of clams (Humanities Washington, 2018). The subsistence harvesting of clams provides nourishment to oneself, their family, and the community. Likewise, cultural harvesting provides sustenance for many ceremonies that might take place in a community. Commercial fishing allows community members to partake in local economies in Washington to support their families and indigenous communities (Humanities Washington, 2018).

In Washington, most of the coastal lands are privately owned predominantly by non-indigenous peoples (Fisheries, N. O. A. A., 2022). This is a rarity among coastal states as usual shores, freshwater, and salt waters are considered public lands accessible for everyone to enjoy. In the 1850s, the state government sold off all tidelands to draw business and populations to its state Fisheries, N. O. A. A., 2022. In recognition of this exclusionary act, federal and state governments granted all federally-recognized tribal communities in Washington state the ability to harvest shellfish on private property (Northwest Indian Fisheries Commission, 2019). Several steps must be taken to gain access to said shores, however. Firstly tribal communities must conduct shellfish population surveys of the estimated amount of potentially harvestable clams in an area before any harvesting can occur (Northwest Indian Fisheries Commission, 2019). This survey must be done once every year, and tribal communities must finance the survey. Once the survey has been completed, it is distributed to the property owner and the Washington Department of Fish and Wildlife (WDFW). If the population survey indicates there is sufficient shellfish on the property to sustain a tribal harvest, then a tribal regulation opens that the WDFW will issue property for shellfish harvesting. This notice will include the quantity of shellfish that may be taken, the purpose of the harvest (subsistence, ceremonial or commercial), and the dates for the harvests. As well as correspondence information such as name, address, and telephone number of the tribal representative responsible for the harvest (Northwest Indian Fisheries Commission, 2019). Furthermore, it must be known that property owners are also entitled to participate in their survey at their own expense. If said survey differs from the tribe's results, the property owner may bring that discrepancy to the tribe in writing. If the property owner and the tribe cannot resolve the difference, either the property owner or the tribe can initiate a dispute resolution process through the federal court (Northwest Indian Fisheries Commission, 2019).

As there are many federally recognized indigenous communities in Washington state, each tribe has their own “usual and accustomed” harvest area reflecting the historical region in which their ancestors collected natural resources. Tribal members are allowed to exercise their treaty-protected harvest rights only within their tribe’s U&A (Northwest Indian Fisheries Commission, 2019). All tribal members must have a valid identification card to be eligible to harvest. The number of harvesters must be commensurate with the resource available for harvest. The tribes covered by this ruling are Jamestown S’Klallam, Lower Elwha Klallam, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, and Port Gamble S’Klallam, Puyallup, Skokomish, Squaxin Island, Suquamish, Swinomish, Tulalip, and Upper Skagit (Fisheries, N. O. A. A., 2022).

Because most shores in Washington state are privatized, indigenous communities must access shellfish beds through the water or public access points, such as parks, streets, or public boat launches. Upland access to harvest areas is allowed only with the upland owner’s permission or unless no other safe means of access is available. Disagreements regarding access can be addressed through the dispute resolution process developed by the court (Northwest Indian Fisheries Commission, 2019).

Shellfish monitors or enforcement personnel will ensure the rules of the court’s decision and other tribal fishing regulations are followed by the indigenous communities. Suppose there are specific objections to the way a tribal member was using the beach, including littering, being disruptive, or otherwise disobeying tribal fishing rules. In that case, it is free in one’s power to contact the harvest monitor or tribal fisheries enforcement officer present on the beach or contact the fisheries office listed on the regulation received prior to harvest. Tribal members suspected of breaking harvest guidelines or other tribal policies are subject to prosecution in the tribal court system. If found guilty, they can face a loss of fishing privileges and monetary fines (Northwest Indian Fisheries Commission, 2019).

Each indigenous tribe can harvest on one individual beach no more than five days per year on any given day. One additional day of harvest opportunity will be granted for every additional 50 feet of beach over 200 feet in length. In most cases, the tribes will harvest fewer days per year than the maximum permitted by the court (Northwest Indian Fisheries Commission, 2019).

With these time limits in place on how long a community can harvest relative to the length of the shoreline, it has been acknowledged federally by Judge Rafeedie that clamming populations will not significantly deteriorate to the point of annual degradation (Northwest Indian Fisheries Commission, 2019). Judge Rafeedie’s ruling allows the tribes to harvest up to 50 percent of the harvestable surplus of shellfish, which is up to half of the shellfish not needed to sustain the species. Washington fishery management practices will safeguard overall shellfish populations by only harvesting what can be taken without jeopardizing any particular species.

The tribes employ fisheries scientists, managers, technicians, and enforcement officers who work together to ensure resource populations are managed to provide a long-term sustainable harvest (Northwest Indian Fisheries Commission, 2019).

Consumption of harvested shellfish will be assured safe due to the 1994 tribal and state agreement, which established a program to protect the public from contaminated shellfish. This court order ensures that all shellfish harvested in the state meet federal health standards (Northwest Indian Fisheries Commission, 2019). The tribes are working on several levels to protect public health. For several years, tribal shellfish biologists and technicians have been working with their counterparts in the Washington State Department of Health and the federal Food and Drug Administration to ensure the protection of public health. Only those growing areas that meet federal standards as approved harvest areas are open to tribal commercial harvesting (Northwest Indian Fisheries Commission, 2019).

Evidently, Washington has put a tremendous amount of thought and effort into creating more equitable frameworks for tribal communities to access and harvest shellfish. The implementation of “usual and accustomed” harvesting areas and the right for tribal communities to harvest shellfish on private property are two critical features we hope to see implemented in Maine. Not only do they (partly) provide indigeneous communities with the right to harvest shellfish on lands that belong to them, but they also devolve significant power from the state government back to indigeneous communities. Given that tribes must conduct a population survey prior to harvesting on private property, this framework also aligns nicely with growing environmental concerns over the ever-changing nature of our ecosystems in that it prevents overharvesting. Further, the additional right to “up to 50 percent of the harvestable surplus of shellfish” for tribal communities also ensures that these communities have access to an equitable share of any surplus created.

### **Recommendations**

One of our biggest recommendations is to have adaptive 5-year reviews of all municipal ordinances. This will help address several important issues. First, the Gulf of Maine is the fastest warming body of water on earth. Because of this, ocean climates and certain animal populations are rapidly evolving. By this, we mean shifting in population density and population location. Just as Maine lobsters are steadily moving northward in search of cooler, more hospitable waters, hard and soft-shell clam populations are affected by intensifying effects of global and ocean warming. An annual 5-year review of municipal ordinances could effectively mitigate and adaptively incorporate shifting ocean climates and soft-shell clam population. Furthermore, current municipal residency structuring is somewhat characteristic of less than inclusive definitions. In addition to shifting clam populations and shifting ocean patterns, residency restrictions pose a barrier to entry. To our knowledge, the Municipalities of Freeport and Brunswick are actively re-working their residency requirements. While this is a shift in the right

direction, it only accounts for 2 of 75 ordinances, leaving 73 ordinances with stagnant residency restrictions.

As mentioned in the previous section, Washington State has “usual and accustomed” harvesting areas which allow tribal members to harvest within designated zones. These zones, in addition to all other harvesting areas, are displayed on a live map. Updated on a regular basis, this map allows for increased access and clarity by indicating harvesters where public harvesting areas are open or closed. Our second recommendation is thus to take influence from the Washington model and implement a similar map in Maine, where harvesters, both tribal or Maine residents, are able to see where harvesting may be of best fit for a given day or time. Certain harvest areas in Maine are prone to sewage runoff during rainstorms. Because of this, they often closed. However closures are not always made fully available. A map could serve as an adequate method to make closures clear, accessible, and fully transparent. While we recognize that the implementation of a map does not fully break down barriers to access created by municipal ordinances, we feel that it could ultimately supplement ordinance restructuring efforts and at least provide some insight into where harvesting could take place.

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## Appendices

Figure 1 - Table showing the residency restrictiveness scale.

Grade	Residency Requirement	Amount of Towns	Town example
A	0-1 months	1	Cutler
B	3 months	24	Blue Hill
C	6 months	17	Westport Island
D	>7 months	12	Swans Island
N/A	No available information	3	Biddeford

Figure 2 - Histogram showing municipalities categorized by their ordinance residency time requirement.

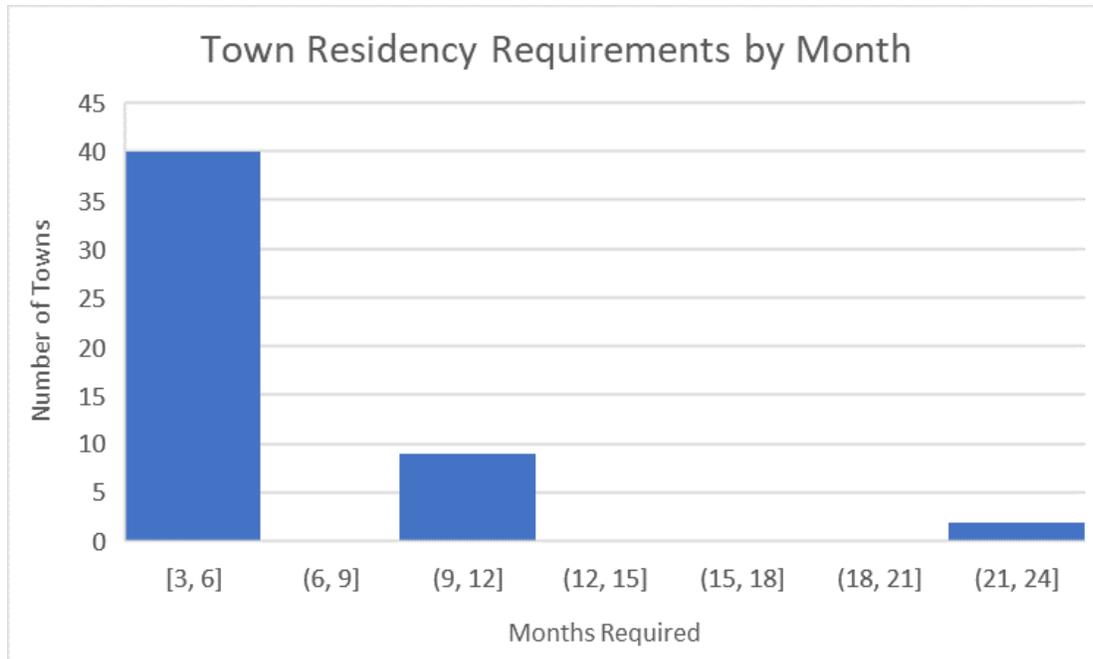


Figure 3 - Compiled Data on Shellfish Harvesting Restrictions of Maine Municipal Ordinances.

# Compiled Data on Clamming Restrictions from Maine Municipal Ordinances

Written by Bates College Students of the 417 ENVR Community Engaged  
Research Course: Chas Van Damme, Megan Lacey, Finn McLain, and Sophia  
Hoag

02/03/2022

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## Document Summary:

- Out of the 75 available Municipal Ordinances in the State, only 15 actively incorporate the language of “quahog” into their structures. Derived from the available Municipal Ordinances, Brunswick, Cumberland, Freeport, Frenchman's Bay, Georgetown, Harpswell, Mount Desert Island, Phippsburg, Searsport, South Bristol, St. George Regional, Stockton Springs, West Bath, Westport Island, Yarmouth / North Yarmouth, and York encompass the towns which include mention of quahog.
- Stipulating whether or not other municipalities are actively working to include more inclusive residency requirements has proven to be difficult.

## Template:

- Town + date ordinance
- Definition of “resident”
- Licensing requirements
  - Number of licenses allowed
  - Price of license
  - Commercial vs Recreational
- Definition of shellfish ( i.e. clams, mussels, etc) or just simply “shellfish”

## Residency Restrictiveness Scale:

Grade A: No time requirements necessary for residency OR 0 → 1 month residency requirement.

Grade B: 1 → 3 month residency requirement.

Grade C: 4 → 6 month residency requirement.

Grade D: 7 months + residency requirement.

## Addison - (C)

March 2018

- Classification of “resident”
  - A person who has been domiciled in this municipality for at least **six months** directly prior to their claim of such residence is made. The burden of proof will be on the applicant. To best determine resident eligibility new residents shall provide two forms of proof of residency from the list below. At least one shall be from Section 3 in the chart below. All licensed harvesters will provide proof of residency on an annual basis. Junio/Student Resident must have Parental/Custodial proof of residency.

Section 1	Section 2	Section 3
<ul style="list-style-type: none"> <li>- Copy of Deed and Record of most recent mortgage payment</li> <li>- Copy of lease and record of most recent legal affidavit from landlord affirming tenancy</li> <li>- Legal affidavit from landlord affirming tenancy and record of most recent rent payment</li> </ul>	<p>A utility bill or other work order dated within the past 60 days including</p> <ul style="list-style-type: none"> <li>- Gas bill</li> <li>- Oil bill</li> <li>- Electric bill</li> <li>- Telephone bill</li> <li>- Cable or Satellite Bill Dated within the past year.</li> <li>- W-2 Form</li> <li>- Excise (vehicle) tax bill Dated within the past 60 days</li> <li>- Letter from approved government agency</li> <li>- Payroll stub</li> <li>- Bank or Credit Card Statement</li> </ul>	<ul style="list-style-type: none"> <li>- Valid Driver’s License displaying physical address</li> <li>- Valid Maine photo ID card displaying physical address</li> <li>- Valid Passport displaying physical address</li> <li>- Current vehicle registration displaying physical address</li> </ul>

- Licencing is required
  - Resident commercial license
  - non-resident commercial license
  - resident recreational license
  - non-resident recreational license
  - senior resident commercial
  - senior non-resident commercial
  - senior resident recreational
  - senior non-resident commercial
  - senior resident recreational
  - senior non-resident recreational
  - junior/student resident commercial
  - junior/student non-resident commercial
  - 1-day recreational

- Classification of “shellfish”
  - Soft shell clams
  
- Permit fee
  - Commercial Resident
    - Commercial Resident No Limit Set \$400.00
    - Commercial Nonresident 10% \$600.00
    - Commercial Senior Resident No Limit Set \$0.00
    - Commercial Senior Nonresident 10% \$0.00
    - Commercial Student/Junior Resident No Limit Set \$50.00
    - Commercial Student/Junior Nonres 10% \$100.00
  - Recreational
    - Recreational Resident No Limit Set \$25.00
    - Recreational Nonresident 10% \$50.00
    - Recreational Senior Resident No Limit Set \$0.00
    - Recreational Senior Nonresident 10% \$0.00
    - Recreational Resident Junior No Limit Set \$25.00
    - Recreational Nonresident Junior 10% \$50.00
    - Recreational Resident Day/Week/Month No Limit Set \$15.00
    - Recreational Nonresident Day/Week/Month No Limit Set \$15.00
  
- Number of shellfish allowed to harvest
  - Illegal to harvest soft-shell clams under 2 inches in size unless they comprise of less than 10% of their lot
  - Commercial Resident
    - Commercial Resident No Limit Set
    - Commercial Nonresident 10%
    - Commercial Senior Resident No Limit Set
    - Commercial Senior Nonresident 10%
    - Commercial Student/Junior Resident No Limit Set
    - Commercial Student/Junior Nonres 10%
  - Recreational
    - Recreational Resident No Limit Set
    - Recreational Nonresident 10%
    - Recreational Senior Resident No Limit Set
    - Recreational Senior Nonresident 10%
    - Recreational Resident Junior No Limit Set
    - Recreational Nonresident Junior 10%
    - Recreational Resident Day/Week/Month No Limit Set
    - Recreational Nonresident Day/Week/Month No Limit Set
  
- Mention of Quahog or Hard shell clam
  - No mention - only referring to soft shell clams

# Arrowsic - (C)

June 16th 2016

- Classification of “resident”
  - A person who has been domiciled in this municipality for at least **six months** directly prior to their claim of such residence is made. And who shall remain a resident during the time of their license
- Access requirements
  - Individuals must have a license issued by the town
  - and commercial fisherman must also have one granted by the state of Maine by the department of Marine Resources
- Classification of “shellfish”
  - softshell
- Permit fee
  - Commercial Resident 2 \$100.00
  - Commercial Nonresident 1 \$200.00
  - Commercial Junior Resident Included. in Comm. Res. \$35.00
  - Commercial Junior Nonres. Included in Comm. Nonres. \$35.00
  - Recreational Resident No Limit Set \$10.00
  - Recreational Nonresident No Limit Set \$20.00
  - Recreational Resident Senior No Limit Set \$0.00
  - Recreational Nonresident Senior No Limit Set \$0.00
  - Recreational Resident Junior No Limit Set \$0.00
  - Recreational Nonresident Junior No Limit Set \$0.00
  - Recreational Day/Week/Month Res. No Limit Set \$5.00
  - Recreational Day/Week/Month Non Res. No Limit Set \$5.00
- Number of shellfish allowed to harvest
  - Illegal to own soft shell clams under two inches long unless they are under 10% of their lot
  - No night digging
  - Commercial Resident 2
  - Commercial Nonresident 1
  - Commercial Junior Resident 1
  - Commercial Junior Nonres. 1
  - Recreational Resident No Limit Set
  - Recreational Nonresident No Limit Set
  - Recreational Resident Senior No Limit Set
  - Recreational Nonresident Senior No Limit Set
  - Recreational Resident Junior No Limit Set
  - Recreational Nonresident Junior No Limit Set
  - Recreational Day/Week/Month Res. No Limit Set
  - Recreational Day/Week/Month Non Res. No Limit Set
- Mention of Quahog or Hard shell clam

- None

## Bar Harbor - (n/a)

June 8th 2021

- Classification of “resident”
- Access requirements
  - License required. It is unlawful for any person to dig or take shellfish from this municipality without having a current license issued by this municipality as provided by this chapter.
  - License fees waived. Resident recreational shellfish license fees will be waived for residents over 65 and under 16 years of age.
  - State commercial license. A commercial shellfish harvester must have a valid commercial shellfish license issued by the Maine Department of Marine Resources. This license does not need to be purchased prior to purchase of the Town license.
- Classification of “shellfish”
  - Soft shell
- Permit fee
  - Commercial Resident No Limit Set \$120.00
  - Commercial Nonresident 10% \$240.00
  - Commercial Junior Resident No Limit Set \$60.00
  - Commercial Junior Nonresident 10% \$120.00
  - Recreational Resident No Limit Set \$25.00
  - Recreational Nonresident No Limit Set \$50.00
  - Recreational Day/Week/Month Resident No Limit Set \$5.00
  - Recreational Day/Week/Month Nonresident No Limit Set \$10.00
  - Recreational Senior Resident No Limit Set \$0.00
  - Recreational Senior Nonresident 10% \$0.00
  - Recreational Junior Resident No Limit Set \$0.00
  - Recreational Junior Nonresident 10% \$0.00
- Number of shellfish allowed to harvest
  - Illegal to own soft shell clams under two inches long unless they are under 10% of their lot
  - No night digging
  - Commercial Resident No Limit Set
  - Commercial Nonresident 10%
  - Commercial Junior Resident No Limit Set
  - Commercial Junior Nonresident 10%
  - Recreational Resident No Limit Set
  - Recreational Nonresident No Limit Set
  - Recreational Day/Week/Month Resident No Limit Set

- Recreational Day/Week/Month Nonresident No Limit Set
- Recreational Senior Resident No Limit Set
- Recreational Senior Nonresident 10%
- Recreational Junior Resident No Limit Set
- Recreational Junior Nonresident 10%
- Mention of Quahog or Hard shell clam
  - None

## Beals - (B)

March 1st 2007

- Classification of “resident”
  - Domiciled in the municipality for **3 months** after such residence is made
- Access requirements
  - License
- Classification of “shellfish”
  - Soft shell
- Permit fee
  - Commercial Resident No Limit Set \$50.00
  - Commercial Nonresident 10% \$100.00
  - Commercial Senior Resident No Limit Set \$0.00
  - Commercial Senior Non-Resident 10% \$0.00
  - Commercial Junior/Student Resident No Limit Set \$10.00
  - Commercial Junior/Student Non-Resident 10% \$10.00
  - Recreational Resident No Limit Set \$25.00
  - Recreational Nonresident 10% \$50.00
  - Recreational Senior Resident No Limit Set \$0.00
  - Recreational Senior Non-Resident 10% \$0.00
  - Recreational Junior/Student Resident No limit Set \$10.00
  - Recreational Junior/Student Non-Resident 10% \$10.00
- Number of shellfish allowed to harvest
  - Illegal to own soft shell clams under two inches long unless they are under 10% of their lot
  - Commercial Resident No Limit Set
  - Commercial Nonresident 10%
  - Commercial Senior Resident No Limit Set
  - Commercial Senior Non-Resident 10%
  - Commercial Junior/Student Resident No Limit Set
  - Commercial Junior/Student Non-Resident 10%
  - Recreational Resident No Limit Set
  - Recreational Nonresident 10%

- Recreational Senior Resident No Limit Set
- Recreational Senior Non-Resident 10%
- Recreational Junior/Student Resident No limit Set
- Recreational Junior/Student Non-Resident 10%
- Mention of Quahog or Hard shell clam
  - None

## Biddeford - (n/a)

August 16th 2016

- Classification of “resident”
  - None given
- Classification of “shellfish”
  - Soft shell clams
- Permit fee
  - Commercial Resident 9 \$200
  - Commercial Nonresident 1 \$400
  - Recreational Resident No Limit Set \$30.00
  - Recreational Nonresident 60 \$60.00
  - Recreational Nonresident day/week/month 10/day \$15.00
- Number of shellfish allowed to harvest
  - Commercial Resident 9
  - Commercial Nonresident 1
  - Recreational Resident No Limit Set
  - Recreational Nonresident 60
  - Recreational Nonresident day/week/month 10/day
- Mention of Quahog or Hard shell clam
  - No classification given

## Blue Hill - (B)

April 3rd 2010

- Classification of “resident”
  - Domiciled for **3 months** prior to their claim of such residence is made
- Access requirements
  - License
    - Resident Commercial Shellfish License
    - Non-Resident Commercial Shellfish License

- Residential Recreational Shellfish License
  - Non Resident recreational shellfish License
  - License must be signed
- Classification of “shellfish”
  - Soft-shell clams
- Permit fee
  - Commercial Resident No Limit Set \$100.00
  - Commercial Nonresident \$200.00
  - Commercial Senior Resident \$0.00
  - Commercial Senior Nonresident \$0.00
  - Recreational Resident \$5.00
  - Recreational Nonresident \$10.00
  - Recreational Senior Resident \$0.00
  - Recreational Senior Non-Resident \$0.00
  - Recreational Junior Resident \$0.00
  - Recreational Junior Nonresident \$0.00
  - Recreational Day/Week/Month Resident \$10.00
  - Recreational Day/Week/Month Nonresident \$10.00
- Number of shellfish allowed to harvest
  - Illegal to own soft shell clams under two inches long unless they are under 10% of their lot
  - Commercial Resident No Limit Set
  - Commercial Nonresident 9
  - Commercial Senior Resident 8
  - Commercial Senior Nonresident 4
  - Recreational Resident 40
  - Recreational Nonresident 20
  - Recreational Senior Resident 10
  - Recreational Senior Non-Resident 5
  - Recreational Junior Resident 5
  - Recreational Junior Nonresident 5
  - Recreational Day/Week/Month Resident 5
  - Recreational Day/Week/Month Nonresident 5
  -
- Mention of Quahog or Hard shell clam
  - None

## Boothbay Regional Ordinance - (D)

June 30th 2021

- Classification of “resident”

- Domiciled for **12 months** before claim to such residency is made
- Access requirements
  - License
    - Resident Commercial Shellfish License
    - Non-Resident Commercial Shellfish License
    - Residential Recreational Shellfish License
    - Non Resident recreational shellfish License
    - License must be signed
- Classification of “shellfish”
  - Soft Shell clams
- Permit fee
  - Commercial Resident No Limit Set \$200.00
  - Commercial Nonresident 10% \$400.00
  - Recreational Resident No Limit Set \$10.00
  - Recreational Nonresident No Limit Set \$10.00
- Number of shellfish allowed to harvest
  - Illegal to own soft shell clams under two inches long unless they are under 10% of their lot
  - Commercial Resident No Limit Set
  - Commercial Nonresident 10%
  - Recreational Resident No Limit Set
  - Recreational Nonresident No Limit Set
- Mention of Quahog or Hard shell clam
  - None

## Bremen - (C)

March 12th 2019

- Classification of “resident”
  - Physically resided at a fixed permanent and principal home in this town for at least **180 days** immediately prior to when the residence was made
- Access requirements
  - License
    - Commercial Resident
    - Commercial Nonresident
    - Commercial Junior/Student Resident
    - Commercial Junior/Student Nonresident
    - Recreational Resident
    - Recreational Nonresident
- Classification of “shellfish”
  - Soft shell
- Permit fee

- Commercial Resident 35 \$260.00
- Commercial Nonresident 4 \$360.00
- Commercial Junior/Student Resident 6 \$15.00
- Commercial Junior/Student Nonresident 1 \$30.00
- Recreational Resident 50 \$50.00
- Recreational Nonresident 5 \$100.00
- Number of shellfish allowed to harvest
  - Illegal to own soft shell clams under two inches long unless they are under 10% of their lot
  - Commercial Resident 35
  - Commercial Nonresident 4
  - Commercial Junior/Student Resident 6
  - Commercial Junior/Student Nonresident 1
  - Recreational Resident 50
  - Recreational Nonresident 5
- Mention of Quahog or Hard shell clam
  - None

## Bristol - (D)

April 3rd 2020

- Classification of “resident”
  - Domiciled for at least **one year** prior to their claim of residency
- Access requirements
  - License
    - Resident Commercial Shellfish License
    - Non-Resident Commercial Shellfish License
    - Resident Student Commercial Shellfish License
    - Resident Recreational Shellfish License
    - Taxpayer Recreational Shellfish License
    - Non-resident Recreational Shellfish License
- Classification of shellfish
  - Soft shell
- Permit fee
  - Commercial Resident 10 \$440.00
  - Commercial Nonresident 2 \$640.00
  - Commercial Junior/Student Resident 1 \$100.00
  - Recreational Resident 100 \$25.00
  - Recreational Nonresident 10 \$40.00
- Number of shellfish allowed to harvest
  - Commercial Resident 10

- Commercial Nonresident 2
- Commercial Junior/Student Resident 1
- Recreational Resident 100
- Recreational Nonresident 10
- Mention of Quahog or Hard shell clam
  - None

## Brooklin - (B)

2018

- Classification of “resident”
  - Domiciled for at least **3 months** prior to a claim of residency
- Access requirements
  - A municipal shellfish digging license is required. It is unlawful for any person to dig or take shellfish from the shores and flats of the municipality without having a current license issued by the municipality as provided by this ordinance.
  - License
    - Resident Junior Commercial Shellfish License
    - Resident Commercial Shellfish License
    - Resident Junior Recreational Shellfish License
    - Resident Recreational Shellfish License
    - Resident Recreational Shellfish License Over 65 Years
  - License Requirements

Column A	Column B	Column C
<ul style="list-style-type: none"> <li>- Copy of deed and record or most recent mortgage payment</li> <li>- Copy of lease agreement and recent rent payment and legal affidavit from landlord affirming tenancy</li> <li>- Legal affidavit from landlord affirming tenancy and record of most recent rent payment</li> </ul>	<p>A utility bill or work order dated within the past 60 days including</p> <ul style="list-style-type: none"> <li>- Gas bill</li> <li>- Oil bill</li> <li>- Electric bill</li> <li>- Telephone bill</li> <li>- Cable Bill</li> <li>- Satellite Bill</li> </ul>	<ul style="list-style-type: none"> <li>- Valid drivers license displaying physical address</li> <li>- Current vehicle registration</li> <li>- Valid Maine photo ID card</li> <li>- Valid Passport</li> </ul> <p>Dated within the past year:</p> <ul style="list-style-type: none"> <li>- W-2 Form</li> <li>- Excise (vehicle) Tax Bill</li> <li>- Property Tax Bill</li> </ul> <p>Dated within the past 60 days:</p> <ul style="list-style-type: none"> <li>- Letter from approved government agency</li> </ul>

		<ul style="list-style-type: none"> <li>- Payroll stub</li> <li>- Bank or credit card statement</li> </ul>
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- Classification of “shellfish”
  - Soft shell, hef/hen clams, razor clams
- Permit fee
  - Commercial Resident No Limit Set \$200.00
  - Commercial Nonresident 10% \$400.00
  - Commercial Student/Junior Resident No Limit Set \$20.00
  - Commercial Student/Junior Nonres 10% \$40.00
  - Recreational Resident No Limit Set \$20.00
  - Recreational Nonresident No Limit Set \$40.00
  - Recreational Senior Resident No Limit Set \$0.00
  - Recreational Senior Nonresident No Limit Set \$0.00
  - Recreational Resident Junior No Limit Set \$0.00
  - Recreational Nonresident Junior No Limit Set \$0.00
- Number of shellfish allowed to harvest
  - Commercial Resident No Limit Set
  - Commercial Nonresident 10%
  - Commercial Student/Junior Resident No Limit Set
  - Commercial Student/Junior Nonres 10%
  - Recreational Resident No Limit Set
  - Recreational Nonresident No Limit Set
  - Recreational Senior Resident No Limit Set
  - Recreational Senior Nonresident No Limit Set
  - Recreational Resident Junior No Limit Set
  - Recreational Nonresident Junior No Limit Set
- Mention of Quahog or Hard shell clam
  - None

## Brunswick - (C)

June 23rd 2021

- Classification of “resident”
  - Resident means a person who occupies a dwelling for more than **six (6) months** in a calendar year within the Town of Brunswick, a Brunswick real estate tax payer, or a registered voter in the Town of Brunswick.
- Access requirements
  - A person shall not take or possess shellfish from coastal waters of the town without first obtaining a license from the town clerk or the town clerk's designee.

- The town shall provide ten (10) percent of all shellfish license categories to nonresidents.
  - (c) Any license issued under this division is subject to the partial or total closing of coastal waters under section 11-161 of this chapter.
- License
  - Commercial Resident
  - Commercial Nonresident
  - Commercial Junior Resident
  - Commercial Junior Nonresident
  - Recreational Resident Unlimited
  - Recreational Nonresident
  - Recreational Senior Resident No Limit Set
  - Recreational Senior Nonresident
- Classification of “shellfish” – do towns differentiate between different types of shellfish.
  - Shellfish means soft shell clams (*Mya arenaria*), quahogs (*Mercenaria mercenaria*), razor clams (*Ensis directus*), American oysters (*Crassostrea virginica*), and European oysters (*Ostrea edulis*).
- Permit fee
  - Commercial Resident 57 \$500
  - Commercial Nonresident 6 \$750
  - Commercial Junior Resident 15 \$100
  - Commercial Junior Nonresident 2 \$150
  - Recreational Resident Unlimited \$50.00
  - Recreational Nonresident 10% \$75.00
  - Recreational Senior Resident No Limit Set \$0.00
  - Recreational Senior Nonresident 10% \$0.00
- Number of shellfish allowed to harvest
  - Commercial Resident 57
  - Commercial Nonresident 6
  - Commercial Junior Resident 15
  - Commercial Junior Nonresident 2
  - Recreational Resident Unlimited
  - Recreational Nonresident 10%
  - Recreational Senior Resident No Limit Set
  - Recreational Senior Nonresident 10%
- Mention of Quahog or Hard shell clam
  - Yes

## Chebeague Island - (B)

June 11th 2016

- Classification of “resident”

- Domiciled for at least **3 months** before the time of claim of such residence. Resident also means someone who owns property within the ordinance
- Access requirements
  - Town license required
- Classification of “shellfish” – do towns differentiate between different types of shellfish.
  - Clam
- Permit fee
  - Commercial Resident 5 \$75.00
  - Commercial Senior Resident 3 \$50.00
  - Recreational Resident 35 \$35.00
  - Recreational Nonresident 4 \$70.00
  - Recreational Senior Resident 70 \$10.00
  - Recreational Senior Nonresident 7 \$20.00
  - Recreational Monthly Resident 3 \$25.00
  - Recreational Monthly Nonresident 7 \$50.00
  - Recreational Daily Resident & Nonresident 20 \$15.00
- Number of shellfish allowed to harvest
  - Commercial Resident 5
  - Commercial Senior Resident 3
  - Recreational Resident 35
  - Recreational Nonresident 4
  - Recreational Senior Resident 70
  - Recreational Senior Nonresident 7
  - Recreational Monthly Resident 3
  - Recreational Monthly Nonresident 7
  - Recreational Daily Resident & Nonresident 20
- Mention of Quahog or Hard shell clam
  - No

## Cumberland - (C)

March 9th 2017

- Classification of “resident”
  - Domiciled for **180 days** prior to the time of claim of residency
- Access requirements
  - License required
- Classification of “shellfish” – do towns differentiate between different types of shellfish.
  - Soft shell clams - quahog, hen clams, razor clams, and oysters
- Permit fee
  - Commercial Resident 1 \$110.00
  - Commercial Non-Resident 1 \$210.00

- Recreational Resident No Limit Set \$10.00
- Recreational Nonresident 25 \$10.00
- Recreational Month Resident 8 \$10.00
- Recreational Month Non Resident 2 \$10.00
- Number of shellfish allowed to harvest
  - Commercial Resident 1
  - Commercial Non-Resident 1
  - Recreational Resident No Limit Set
  - Recreational Nonresident 25
  - Recreational Month Resident 8
  - Recreational Month Non Resident 2
- Mention of Quahog or Hard shell clam
  - Yes

## Cutler - (A)

October 15th 2021

- Classification of resident
  - A person who has proof of being domiciled in the town of Cutler prior to a persons' claim of residency is made
- Access requirements
  - License at the ordinance level
    - Commercial Resident
    - Commercial Nonresident
    - Commercial Senior Resident
    - Commercial Senior Nonresident
    - Commercial Student/Junior Resident
    - Commercial Student/Junior Nonresident
- Classification of "shellfish" – do towns differentiate between different types of shellfish.
  - Shellfish, clams
- Permit fee
  - Commercial Resident No Limit Set \$120.00
  - Commercial Nonresident 10% \$240.00
  - Commercial Senior Resident No Limit Set \$0.00
  - Commercial Senior Nonresident 10% \$0.00
  - Commercial Student/Junior Resident No Limit Set \$0.00
  - Commercial Student/Junior Nonresident 10% \$0.00
- Number of shellfish allowed to harvest
  - Commercial Resident No Limit Set
  - Commercial Nonresident 10%
  - Commercial Senior Resident No Limit Set

- Commercial Senior Nonresident 10%
- Commercial Student/Junior Resident No Limit Set
- Commercial Student/Junior Nonresident 10%
- Mention of Quahog or Hard shell clam
  - None

## Damariscotta/Newcastle - (C)

April 21, 2017

- Classification of Resident
  - “A person who owns or rents residential real estate and has been domiciled in one of the participating towns for at least **six months** prior to the time their claim of residency is made for the purpose of applying for a shellfish license.”
- Classification of Shellfish
  - “Intertidal resources: Soft-shell clams (*Mya Arenaria*), razor clams (*Ensis Directus*), quahog or hard-shell clams (*Mercenaria Mercenaria*), and American Oyster (*Crassostrea Virginica*).”
- Licensing Classification and Requirements
  - Types of Licenses
    - Residential Commercial Shellfish License: Only available to residents of the participating towns and entitles the holder to possess any amount of shellfish. In order to prove residency, “a person must provide documentation of real estate, rent receipts, or a lease agreement signed by the property owner that proves residency.”
    - Non-Resident Commercial Shellfish License
    - Residential Recreational Shellfish License: “Available to residents and real estate taxpayers of the participating towns and entitles the holder to possess no more than one peck of shellfish in any one day, for their own or their family’s use...A person holding a Maine State Commercial Shellfish license shall not be issues or hold a resident or non-residential shellfish harvest license.”
    - Non-Resident Recreational Shellfish License: “This license is available to non-residents of the participating towns and entitles the holder to possess no more than one peck of shellfish in any one day, for their own or their family’s use.”
- Price of License
  - All prices for shellfish licenses are set by a vote of the Shellfish Conservation Committee prior to March 1 of each year...
- Limitations on Harvesting Licenses
  - “In that shellfish resources may vary in density and size distribution over the limited shellfish producing areas of the participating towns, from year to year it is essential that the Towns carefully husband their resources. Following the annual review of these

resources (i.e. size distribution, abundance, and the warden's reports) the Shellfish Conservation Committee, in consultation with the DMR Area Biologist, shall determine whether limiting commercial and/or recreational shellfish licenses is an appropriate shellfish management option for the upcoming licensing year."

- Limitations on Number/Size of Shellfish Allowed to Harvest
  - REFER TO ATTACHMENT C in Ordinance
  - "It is unlawful for any person to possess soft shell clams within the Towns of Deer Isle, County of Hancock which are less than (2) inches in the longest diameter." "It is unlawful for any person to possess hen clams which are less than four inches in the longest diameter." Exceptions may be made...

## Deer Isle/Stonington - (B)

March 23, 2017

- Resident
  - *"a person who has been domiciled in this municipality for at least **three months** prior to the time his claim of such residence is made."*
- Shellfish
  - *"The words "shellfish", "clams", "hen clams", and "intertidal shellfish resources" mean soft shell clams (*Mya arenaria*) and hen clams (*Spisula solidissima*).*
- Licensing Classification and Requirements
  - Same as Damariscotta/Newcastle Ordinance with the exception of a distinction between "junior", "senior", and regular licenses. The Junior licenses are granted to "anyone 13-18 years of age and attending school" while seniors are individuals 65 years of age or over."
- Price of Licenses
  - No Listed Prices.
  - *"Resident and Nonresident Commercial and Recreational licenses will be issued free for ages 65 and older. No municipal license is required for ages 12 and under"*
- Limitations on Harvesting Licenses
  - "In that shellfish resources may vary in density and size distribution over the limited shellfish producing areas of the participating towns, from year to year it is essential that the Towns carefully husband their resources. Following the annual review of these resources (i.e. size distribution, abundance, and the warden's reports) the Shellfish Conservation Committee, in consultation with the DMR Area Biologist, shall determine whether limiting commercial and/or recreational shellfish licenses is an appropriate shellfish management option for the upcoming licensing year."
- Limitations on Number/Size of Shellfish Allowed to Harvest:
  - "It is unlawful for any person to possess soft shell clams within the Towns of Deer Isle, County of Hancock which are less than (2) inches in the longest diameter." "It is unlawful for any person to possess hen clams which are less than four inches in the longest diameter." Exceptions may be made...

## Eastport - (B)

May 11, 2016

- Resident
  - “a person who has domiciled in the City of Eastport for at least **90 days** prior to the time a claim of residence is made.”
- Shellfish
  - “denotes the soft shell clams (*Mya Arenatia*).”
- Licensing Classification and Requirements:
  - Resident Commercial Shellfish License
  - Non-Resident Commercial Shellfish License
  - Resident Recreational Shellfish License
  - Non-Resident Recreational Shellfish License
  - Three Day Recreational Shellfish License
- Prices of Licenses
  - Resident Commercial Shellfish License: \$200.00 each, per year.
  - Non-resident Commercial Shellfish License: \$400.00 each, per year.
  - Resident Recreational Shellfish License: \$20.00 each, per year. Fee will be waived for residents aged 60 and over, or age 10 and under.
  - Non-resident Recreational Shellfish License:\$35.00 each, per year. Fees will be waived for non-residents aged 60 and over, or age 10 and under.
  - Three (3) Day Recreational Shellfish License:\$10.00 each, for a specific three (3 day period).
- Limitations on Harvesting Licenses
  - The number of licenses issued may be limited and will be issued according - to the Municipal License Allocation Request approved by DMR.
  - The City Clerk shall issue licenses to residents and nonresidents as allocated for the first 90 days of the period of issuance after which any unsold licenses shall be made available to residents and nonresidents alike on a first-come, first-served basis or by lottery, at the approved fee per available license class.
  - Nonresident Commercial Shellfish licenses will be awarded on a first-come basis or lottery. There will be a minimum number of commercial licenses available for non-residents, which shall be a number not less than 10% of the number of commercial licenses provided to residents.
  - Open License Sales: When the Shellfish Conservation Committee determines limiting shellfish licenses is not an appropriate shellfish management option for one or more license categories for the following year:
  - The City Clerk shall issue licenses as allocated. Licenses shall be issued in accordance with DMR Regulations — Chapter 7.

## Falmouth - (n/a)

Ordinance Document Could Not Be Found

Allocations Provided

November 9th 2021

- Types of Licenses
  - Recreational Resident
  - Recreational Nonresident
- License Cost
  - Recreational Resident \$10.00
  - Recreational Nonresident \$20.00
- Amount Allowed to Harvest
  - Recreational Resident 50
  - Recreational Nonresident 5

## Freeport - (D)

June 20, 2017

- Resident
  - “a person who owns or rents real estate within the Town of Freeport which is his or her permanent, fixed place of abode and principal place of residence. If a person claiming to be a resident neither owns nor rents real estate, they shall be required to produce such other evidence of municipal residency as may be required by the Town Clerk. A person shall not qualify as a resident of this Municipality unless he or she has maintained a permanent, fixed place of abode and principal place of residence within the Town of Freeport for **twelve (12) months** prior to the date his/her claim of municipal residence is made. A person shall cease to be a resident of this Municipality on the date he/she acquires a permanent fixed place of abode and principal place of residence in any other Municipality or moves from the Town of Freeport. In the case of a student, the student may live temporarily outside of this Municipality while enrolled in school provided that such student maintains his or her fixed permanent principal residence in this Municipality.”
- Shellfish
  - “When used in the context of this Ordinance, the words “shellfish” and “clams” means soft-shell clams, Mya Arenaria and the hardshell quahog clam, Mercenaria mercenaria, and the razor clam, Ensis directus.”
- Licensing Classification and Requirements
  - Types of Licenses
    - Resident Commercial Shellfish License: The license is available to residents of the Town of Freeport at a minimum age of twelve (12) and entitles the holder to

engage in the activities of commercial harvesting of shellfish in accordance with the ordinance and conservation measures of this Municipality.

- Nonresident Commercial Shellfish License: The license is available to nonresidents of this Municipality at a minimum age of twelve (12) and entitles the holder to engage in the activities of commercial harvesting of shellfish in accordance with the ordinance and conservation measures of this Municipality.
- Resident Student Commercial License: The license is available to residents of this Municipality between the minimum age of fourteen (14) years old and the maximum age of twenty-six (26) years old on May 1 of the year in which the application is made. Applicants must show proof of age and proof of school attendance at the time of the application, and must also continue full-time student status during the school year through the license period. Students attending college or other postsecondary education must also show proof of a minimum of twelve (12) college or postsecondary education credit hours per semester to be considered full-time students. Applicants under the age of eighteen (18) must also have the signature of a parent or guardian on the application for the license to be valid. This license entitles the holder to engage in the activities of commercial harvesting of shellfish in accordance with the ordinance and conservation measures of this Municipality.
- Resident and Nonresident Senior Commercial Licenses: The license is available to all holders of Freeport Commercial Shellfish Licenses who turn age sixty-five (65) while in possession of an existing license.
- Non-Resident Student Commercial License: This license is available to non-residents of this Municipality between the minimum age of fourteen (14) years old and the maximum age of twenty-six (26) years old on May 1 of the year in which the application is made. Applicants must show proof of age and proof of school attendance at the time of application, and must also continue full-time student status during the school year through the license period. Students attending college or other postsecondary education must also show proof of a minimum of twelve (12) college or postsecondary education credit hours per semester to be considered full-time students. Applicants under the age of eighteen (18) must also have the signature of a parent or guardian on the application for the license to be valid. This license entitles the holder to engage in the activities of commercial harvesting of shellfish in accordance with the ordinance and conservation measures of this Municipality.
- Resident Recreational Shellfish License: The license is available to residents and real estate taxpayers of Freeport. A resident-recreational shellfish license entitles the holder to dig and take no more than one peck of shellfish in any one day.
- Non Resident Recreational Shellfish License: This license is available to nonresidents of this Municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day.
- Limited Recreational Shellfish License: This license is available to residents and nonresidents of this Municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day. Unless otherwise specified, all the

provisions of this Ordinance applicable to Resident and Nonresident. Recreational Shellfish Licenses are applicable to Limited Recreational Shellfish Licenses.

- Prices of Licenses
  - Resident Commercial: Two Hundred Dollars (\$200.00)
  - Nonresident Commercial: Four Hundred Dollars (\$400.00)
  - Resident Student Commercial: Twenty-Five Dollars (\$25.00)
  - Non-Resident Student Commercial: Fifty Dollars (\$50.00)
  - Resident Recreational: Eleven Dollars (\$11.00)
  - Nonresident Recreational: Twenty-two Dollars (\$22.00)
  - Limited Recreational: Fifteen Dollars (\$15.00)
  - Resident and nonresident Freeport Senior Commercial Licenses: All fees will be waived.
- Limitations on Harvesting Licenses
  - “Because the shellfish resources are limited and because a commercial or recreational digger can be expected to harvest a certain volume of clams per year, the number of diggers must be controlled. This number will vary from year to year depending upon estimates of the resource capabilities and management requirements consistent with good resource utilization.”

## Frenchman’s Bay - (C)

February 23, 2017

- Resident
  - “a person being a Maine resident who has proof of being domiciled in at least one of the participating communities continuously for a minimum of **six months** prior to the time their claim of such residence is made and/or whom has paid real estate taxes in at least one of these participating communities continuously for at least five years. In order to determine resident eligibility new residents shall provide two forms of proof of residency from the list below. At least one shall be from Section 3 in the chart below. All licensed harvesters will provide proof of residency on an annual basis.”

Section 1	Section 2	Section 3
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<p>*Copy of deed AND record of most recent mortgage payment</p> <p>*Copy of Lease AND record of most recent legal affidavit from landlord affirming tenancy.</p>	<p>A utility bill or other work order dated within the past 60 days including:</p> <p>*Gas Bill</p> <p>*Oil Bill</p> <p>*Electric Bill *Telephone Bill *Cable or Satellite Bill</p> <p>Dated within the past year: *W-2 Form</p>	<p>*Any valid form of photo ID and proof of residency that may include:</p> <p>*A valid Maine Drivers License displaying physical address.</p> <p>*A valid Maine photo ID</p>
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<p>*Legal affidavit from landlord affirming tenancy AND record of most recent rent payment.</p>	<p>*Excise (vehicle) tax bill</p> <p>*Property tax bill *Dated within the past 60 days:</p> <p>*Letter from approved government agency *Payroll Stub</p> <p>*Bank or credit card statement</p>	<p>card displaying physical address.</p> <p>*A current vehicle registration that displays a physical address.</p>
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- Shellfish
  - “When used in the context of this ordinance the words "shellfish", "clams", and "intertidal shellfish resources" mean soft shell clams (*Mya arenaria*), quahogs (*Mercenaria mercenaria*), razor clams (*Ensis directus*), and hen clams (*Spisula solidissima*).”
- Licensing Classification and Requirements
  - Types of Licenses

- Resident Commercial Shellfish License: This license is available to residents of a municipality who are also State of Maine Residents and/or real estate tax payers in at least one of the participating municipalities, consistent with Section 4.A., above and entitles the holder to dig and take any amount of shellfish from the shores and flats of the participating municipalities.
  - Nonresident Commercial Shellfish License: This license is available to nonresidents of participating municipalities and entitles the holder to dig and take any amount of shellfish from the shores and flats of the participating municipalities.
  - Resident Junior Commercial Shellfish License: This license is available to residents of a participating municipality who are younger than age 19 at the time of license application and entitles the holder to dig and take any amount of shellfish from the shores and flats of the participating municipalities.
  - Nonresident Junior Commercial Shellfish License: This license is available to nonresidents of the participating municipalities who are younger than age 19 at the time of license application and entitles the holder to dig and take any amount of shellfish from the shores and flats of the participating municipalities.
  - Resident Senior Commercial License: This license is available to senior residents of a participating municipality who are over the age of 65 at the time of license application and entitles the holder to dig and take any amount of shellfish from the shore and flats of the participating municipalities.
  - Non-Resident Senior Commercial License: This license is available to nonresident seniors of the participating municipalities who are over the age of 65 at the time of license application and entitles the holder to dig and take any amount of shellfish from the shores and flats of the participating municipalities.
  - Residential Family/Individual Recreational Shellfish License: This license is available to Residents and Maine resident real estate taxpayers of the participating municipalities, consistent with Section 4.A., above, who do not hold a valid State of Maine Commercial Shellfish License and entitles the family to dig and take no more than one peck of shellfish or 3 bushels of “hen” or “surf” clams in any one day for the use of their self and their family. Residents with an Aquaculture Lease Permit shall be exempt and eligible for a recreational license.
  - Nonresident Family/Individual Recreational Shellfish License: This license is available to any person not a resident of one of the participating municipalities who does not hold a valid State of Maine Commercial Shellfish License and entitles the family to dig and take not more than one peck of shellfish or 3 bushels of “hen” or “surf” clams in any one day for the use of their self and their family. Nonresidents with an Aquaculture Lease Permit shall be exempt and eligible for a recreational license.
- Prices of Licenses
    - “A schedule of fees shall be available at the Administrative Municipality offices. The fees for the licenses shall be determined annually by the Shellfish Conservation Committee and Municipal Joint Board.”
  - Limitations on Harvesting Licenses

- “The number of commercial licenses may be limited and will be issued according to the Annual Shellfish License Sales and Lottery Procedure Plan. If it is determined that Limited Licenses are necessary, the Administrative Community shall issue licenses to residents and nonresidents as described in the Annual Shellfish License Sales and Lottery Procedure Plan.”

## Friendship - (D)

April 9, 2018

- Resident
  - “a person who has been domiciled in the town for a period of at least **12 continuous months** prior to application, and can show proof of said residency upon application for a license to harvest shellfish within the town, or who has purchased a permanent dwelling and pays taxes in the Municipality.”
- Shellfish
  - “When used in the context of this ordinance, the terms “shellfish”, “clams”, and “intertidal shellfish resources” mean soft-shell clams, Mya arenaria, shellstock, and razor clams Ensis directus, also referred to as Atlantic Jackknife.”
- Licensing Classification and Requirements
  - Resident Commercial Shellfish License
  - Nonresident-Commercial Shellfish License
  - Resident Recreational Shellfish License
  - Non Resident Recreational Shellfish License
  - A Recreational Shellfish License holder may not hold a State of Maine Commercial Shellfish License or any other municipal Commercial Shellfish License.
  - License must be signed: The license must sign the license to make it valid.
  - Apply to the Town Clerk for a license required by this ordinance on forms provided by the municipality
  - Requirements include:
    - A form of an affidavit and must contain the application’s name, current address, birth date, height, weight, signature, and whatever information the municipality may require
- Types & Prices of Licenses
  - Resident Commercial Shellfish License
    - 18 yrs and under but over 10 yrs = \$100
    - 65 and over, 10 and under = \$300
  - Nonresident-Commercial Shellfish License
    - 18 yrs and under but over 10 yrs = \$200
    - 65 and over, 10 and under = \$450
  - Resident Recreational Shellfish License
    - 18 yrs and under but over 10 yrs = \$10

- 65 and over, 10 and under = no charge
  - Non Resident Recreational Shellfish License
    - 18 yrs and under but over 10 yrs = \$20
    - 65 and over, 10 and under = no charge
- Limitations on Harvesting Licenses
  - “Because the shellfish resources are limited and because a commercial or recreational digger can be expected to harvest a certain volume of clams per year, the number of diggers must be controlled. This number will vary from year to year depending upon estimates of the resource capabilities and management requirements consistent with good resource utilization.”

## Georgetown - (B)

June 19, 2018

- Resident
  - “a person who owns or rents real estate in the Town of Georgetown which is his or her permanent, fixed place of residence. If a person claiming to be a resident neither owns nor rents real estate in the Town of Georgetown, he or she shall be required to produce such other evidence of residence as the Town Clerk may require. A person shall not qualify as a resident of Georgetown unless he or she has maintained a permanent, fixed place of abode and principal place of residence in Georgetown for **three months** prior to claiming residence. A person shall cease to be a resident of Georgetown on the date he or she acquires a permanent, fixed place of abode and principal place of residence in any other Town or moves from the Town of Georgetown.”
- Shellfish
  - “soft-shell clams (*Mya arenaria*), hen clams (*Spisula solidissima*), razor clams (*Ensis directus*), quahogs (*Mercenaria mercenaria*), American Oysters (*Crassostrea virginica*) and European Oysters (*Ostrea edulis*).
- Licensing Classification and Requirements
  - Types of Licenses
    - Resident Commercial Shellfish License
    - Non-Resident Commercial Shellfish License
    - Resident Recreational Shellfish License
    - Non-Resident Recreational Shellfish License
    - Non-Resident Seven-Day Recreational Shellfish License: This license is available to any person not a resident of Georgetown and entitles the holders to dig and take not more than one peck of soft-shell clams and one and one half bushels of hen clams in any one day. Shellfish so harvested are for the use of the holder, their families, and their guests, and shall not be sold.
- Prices of License

- Resident Commercial: \$ 200 per year
- Resident Student Commercial \$100 per year
- Non-Resident Commercial: \$400 per year
- Non-Resident Student Commercial: \$200 per year
- Resident Recreational: \$20 per year
- Non-Resident Recreational: \$35 per year
- Non-Resident Seven-Day Recreational: \$25 per license
- Limitations on Harvesting Licenses
  - “Following the annual review of the Town’s clam resources, its size, distribution, and abundance, and the Shellfish Warden’s reports, as required by Article III, the Shellfish Conservation Committee in consultation with the DMR Area Biologist and Shellfish Warden will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.”

## Gouldsboro - (B)

June 26, 2019

- Resident
  - “a person who has been domiciled in this municipality for at least **three (3) months** directly prior to the time his/her claim of such residence is made.”
- Shellfish
  - “soft-shell clams, *Mya arenaria*”
- Licensing Classification and Requirements
  - Types of Licenses
    - Resident Commercial Shellfish License
    - Nonresident Commercial Shellfish License
    - Resident Junior Commercial License
    - Nonresident Junior Commercial License
    - Resident Recreational Shellfish License
    - Non Resident Recreational Shellfish License
- Prices of Licenses
  - Available at the Town Office.
- Limitations on Harvesting Licenses
  - “The number of licenses issued may be limited and will be issued according to the Municipal License Allocation Request as approved by Marine Resources.”

## Harpswell - (C)

March 9, 2019

- Resident

- “The term “resident” refers to a person who has physically resided at a fixed, permanent and principal home in the town for at least **six months** next prior to the date of application for a license under this Ordinance and for the duration of the license period or, in the case of student, to a student having temporarily outside of Harpswell while enrolled in a College. university or postsecondary school, provided such student maintains his/her fixed permanent principal home in Harpswell.”
- Shellfish
  - “soft shell clams (*Mva arenaria*), quahogs (*Mercenaria mercenaria*), American oysters (*Crassostrea virginica*), European oysters (*Ostrea edulis*), and razor clams (*Ensis directus*).”
- Licensing Classification and Requirements
  - Types of Licenses
    - Resident Commercial Shellfish License
    - Non-resident Commercial Shellfish License
    - Resident Recreational Shellfish License
    - Non-resident Recreational License
    - Lifetime Recreational License:
      - “Any Harpswell Resident or Harpswell real estate owner who is age 65 or older may be issued a one-time license for the lifetime of the licensee. A licensee under this section is entitled to dig, take, and possess no more than one peck of shellfish per day for personal use.”
    - Resident Student Commercial Shellfish License
    - Non-resident Student Commercial Shellfish License
- Prices of Licenses
  - Refer to Town Office
- Limitations on Harvesting Licenses
  - “The shellfish resources are limited. A commercial recreational harvester can be expected to harvest a certain volume of shellfish per year; therefore, the number of harvesters must be controlled to preserve the shellfish resource. The number of available Shellfish licenses of each type may vary year to year according to the findings and estimates of the Marine Resources Committee and the DMR area biologist based on data concerning the resource capabilities and management requirement consistent with the proper resource utilization...”

## Harrington - (D)

April 24, 2019

- Resident
  - “a person who has been domiciled in the Town of Harrington for at least **twelve (12) consecutive months** directly prior to the time of his/her claim of such residence is made.

The burden of proof will be that which is required to become a registered voter in this municipality.”

- Shellfish
  - “*Soft-shell clams (Mya arenaria)*”
- Licensing Classification and Requirements
  - Types of Licenses
    - Resident Commercial Shellfish License
    - Non-resident Commercial Shellfish License
    - Resident Recreational Shellfish License
    - Non-resident Recreational License
- Prices of Licenses
  - Refer to Town Office
- Limitations on Harvesting Licenses
  - “Clam resources vary in density and size distribution from year to year and over the limited soft-shell clam producing area of the town. It is essential that the town carefully husband it's shellfish resources.”

## Isleboro - (B)

April 28, 2018

- Resident
  - “a person who has been domiciled in this municipality for at least **three months** next prior to the time the claim of such residence is made.”
- Shellfish
  - “Soft shell clams (*Mya arenaria*) and hen clams (*Spisula solidissima*).”
- Licensing Classification and Requirements
  - Types of Licenses
    - Commercial shellfish license.
      - Resident commercial shellfish license. This license is available to residents of the Town of Islesboro and entitles the holder to harvest and take a daily amount of shellfish as determined on a yearly basis by the Islesboro Shellfish Conservation Committee.
      - Nonresident commercial shellfish license. This license is available to nonresidents of this municipality and entitles the holder to harvest and take a daily amount of shellfish determined on a yearly basis by the Islesboro Shellfish Conservation Committee.
      - Any commercial harvester, whether resident or nonresident, must also have a valid State of Maine commercial shellfish license issued by the Department of Marine Resources.

- Each commercial license holder over the age of 16 will be responsible for five hours per year of required shellfish conservation work. The conservation work will be approved and determined by the Islesboro Shellfish Conservation Committee.
- Recreational shellfish license.
  - Resident recreational shellfish license. This license is available to residents and real estate taxpayers of this municipality and entitles the holder to harvest and take no more than one peck of soft shell clams and two bushels of hen clams in any one day for the use of the resident or real estate taxpayer and his/her family. No charge under
  - Non Resident recreational shellfish license. This license is available to any person not a resident of this municipality and entitles the holder to harvest and take not more than one peck of soft shell clams and two bushels of hen clams in any one day for the use of the license holder and his/her family.
- Prices of Licenses
  - “All fees for shellfish licenses shall be recommended annually by the Shellfish Committee and submitted to the Select Board prior to the sale of licenses.”
- Limitations on Harvesting Licenses
  - “Clam resources vary in density and size distribution from year to year and over the limited softshell clam producing area of the Town. It is essential that the Town carefully husband its shellfish resources. Following the annual review of the Town's clam resources, its size distribution, abundance and the Warden's reports, as required by § 209-3, the Shellfish Conservation Committee in consultation with the Department of Marine Resources area biologist will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.”

## Jonesboro - (B)

May 11, 2016

- Resident
  - “any person who has been domiciled in this municipality for at least **three (3) months** prior to the time their claim of such residence is made.”
- Shellfish
  - “soft shell clams, *Mya arenaria*.”
- Licensing Classification and Requirements
  - Types of Licenses
    - Resident Commercial Shellfish License
    - Nonresident Commercial Shellfish License
    - Resident Senior Commercial Shellfish License
    - Nonresident Senior Commercial Shellfish License
    - Resident Junior Commercial Shellfish License
- Prices of Licenses

- Refer to the Town Office.
- Limitations on Shellfish Harvesting Licenses
  - “Clam resources vary in density and size distribution from year to year and over the limited softshell clam producing area of the Town. It is essential that the Town carefully husband its shellfish resources. Following the annual review of the Town's clam resources, its size distribution, abundance and the Warden's reports, as required by § 209-3, the Shellfish Conservation Committee in consultation with the Department of Marine Resources area biologist will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.”

## Jonesport - (B)

May, 2016

- Resident
  - “a person who has domiciled in this municipality for at least **three (3) months** prior to the time his claim of such residence is made.”
- Shellfish
  - “soft shell clams, *Mya arenaria*. ”
- Licensing Classification and Requirements
  - Types of Licenses–
    - Resident Commercial
    - Nonresident Commercial
    - Resident Recreational
    - Nonresident Recreational
    - Senior Resident Recreational (65 years and older): Free
    - Senior Non Resident Recreational (65 years and older): Free
- Limitations on Shellfish Harvesting Licenses
  - “The Municipal Officers, upon the approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest. Upon recommendation of the Shellfish Conservation Committee and concurrence of the Department of Marine Resources Area Biologist that the status of shellfish resource and other factors bearing on sound management indicate an area should be closed or opened...”

## Kennebunkport

June 21 2017

- Resident
  - person who has been domiciled in this municipality for at least **3 months** next prior to the time his claim of such residence is made

- Requirements
  - Municipal shellfish digging license is required
    - Resident recreational-available to resident and real estate taxpayers of this municipality. No more than one peck of shellfish in any one day
    - Nonresident recreational-available to anyone not a resident. No more than one peck of shellfish in any one day
    - Resident commercial- available to residents with same amount limits
    - Non resident commercial- available to nonresident . No more than the amount of shellfish recommended by the shellfish conservation committee and approved by board of selectmen in any one day.
    - Daily recreational- available to residents and nonresidents with the same amount limited. Good only for the date stated on the license
  - Application-name, current address, birth, date , height. weight, signature
  - License valid for a year

## Kittery - (B)

July 26th 2010

- Resident
  - person who has been domiciled in this municipality for at least **3 months** next prior to the time claim of such residence is made
- Shellfish Classification
  - Referencing Soft shell clams
- Requirements
  - Municipal shellfish digging license required
  - residential recreational shellfish license; no more than one peck
  - nonresident recreational shellfish license; no more than one peck
  - Application-name, address, birthday, height, weight, signature
  - Unlawful to possess soft shell clams within the town which are less than 2 inches in the longest diameter

## Lubec - (B)

August 4th 2021

- Resident

- person who has been domiciled in this municipality for at least **3 months** prior to the time they made the claim. Shall provide 2 forms of evidence of residency from the chart and provide it on an annual basis
- Shellfish Classification
  - Shellfish clams and intertidal shellfish resources-soft shell clams
- Restriction
  - Unlawful to dig without having a current license
  - Resident commercial
  - Nonresident commercial
  - Resident recreational
  - Nonresident recreational (Shellfish warden and deputy shellfish warden are authorized to sell recreational licenses)
  - Resident annual recreational
  - Nonresident annual recreational
  - Resident student commercial
  - Non resident student commercial
  - Senior resident commercial
  - Senior non resident commercial
- Application procedure
  - name, address, birthday, height, weight, signature required by municipality
- Cost
  - Commercial-determined by the shellfish committee annually
  - Student-16 and under is free
  - For student: not 21 of licensing ,Proof of residency, Proof of enrollment in a school
- Limit
  - Established by the townshell fish conservation committee with approval of DMR
  - Annual licenses will be sold at a ratio of 10 to 1 resident to nonresident
- Expiration
  - Expires at the end of the 5th business sat following the end of the licensing year
- Legal size
  - Less than 2 inches in the longest diameter

## Machiasport - (C)

August 1st 2016

- Resident
  - domiciled for at least the prior **six months** and has been registered to vote for at least the prior six months and has a current Maine driver's licenses or Maine state id which shows a physical address Domicile or legal resident-residence where you have your permanent home of principal establishment and to where whenever you are absent you intend to return (1 domicile at a time)

- Classification of Shellfish
  - Shellfish-soft shell clams
- Requirements
  - License is required
  - Resident commercial
  - Nonresident commercial
  - Over 60 resident commercial -reduced cost
  - Over 60 nonresident commercial-reduced costs (1 license for every 10 resident)
  - Student resident commercial - under 14 is free
  - Student nonresident commercial
  - Produce evident of their residence
  - name, address, birthday, height, weight, signature
  - Fees for licenses will be recommended by committee before may 1 of each year
- Limit
  - Town shellfish conservation committee sets limit of licenses
  - Harvesting shall be restricted to one half hour before sunrise and one half hour after sunset
  - Expire at midnight on the 31st of may next following the date of the issue
  - Less than 2 inches in the longest diameter

## Milbridge - (C)

March 3rd 2021

- Resident
  - Domiciled in this municipality for at least **6 consecutive months** directly prior to the time his claim of such residence was made. The burden of proof will be that which is required to become a registered voter
- Classification of Resident
  - Shellfish-soft shell clams
- Licensing Requirements
  - Harvesting license is required (exception; any person who is not 16 may harvest and take no more than 1 peck of shellfish in one day)
  - All commercial license holders have to perform<sup>2</sup> conservation activities by may 20th of each year
  - Commercial (dig and take any amount of selfish from the shores and flats)
  - Resident commercial
  - Nonresident commercial
  - Senior resident commercial
  - Senior nonresident commercial

- Recreational (dig and take no more than 1 peck and anyone with a commercial license cannot apply for or receives a recreational license)
- Resident recreational
- Nonresident recreational
- Senior resident recreational
- Senior non resident recreational
- Application
  - Name, address, birth, height, weight, signature
  - Valid for a max of 1 year
  - Less than 2 inches

## Mount Desert - (B)

May 2nd 2017

- Resident
  - domiciled for at least **3 months** prior to the time his claim of such residence is made
- Classification of Shellfish
  - Shellfish- soft shell clam and hard shell clams
- Licensing Requirements
  - Digging license is required for all persons age 16 and over,
  - Resident recreational
  - Non Resident recreational
  - Resident commercial
  - Nonresident commercial
  - License valid for one year

## Ogunquit - (C)

November 20th 2014

- Resident
  - person who has resided in the state of Maine for at least **6 months** next prior to the time his claims of such residence is made **and** has resided in the municipality for at least **3 months** prior to the time his claims of such resident is made. Resident is extended to include non resident property tax paying owners of real estate in this municipality
- Shellfish Classification
  - soft shell clams

- Clamming Requirement
  - License is required
    - resident, real property taxpayer and town employee recreational
    - Non resident recreational
    - Resident commercial
    - Non resident commercial
    - One time specific date permit
    - Ogunquit shellfish conservation commission reserved licenses
    - Expires at midnight on the 31st day of march
    - Limits the number of clams will vary year to year
    - Less than 2 inches

## Pembroke/Perry - (D)

August 8th and 15th 2016

- Resident
  - a person being a Maine resident who has proof of being domiciled in at least one of the participating communities continuously for a minimum of **one year** prior to the time his claim of such resident is made and/or whom has paid real estate taxes in at least one of these participating communities continuously for at least 5 years. New residents Should provide 2 forms of residence. Licensed harvesters must provide proof annually
- Shellfish Classification
  - soft shell clams
- Licensing
  - Pembroke and Perry regional license required
    - Resident commercial
    - Nonresident commercial
    - Resident junior commercial
    - Nonresident junior commercial
    - Resident senior
    - Non resident senior
    - Residential family recreational
    - Non resident family recreational
    - Senior recreational resident/non resident

## Penobscot - (C)

March 8th 2016

- Resident
  - person occupying a residence within the town of Penobscot to make that place their permanent home. A person shall be domiciled in this town for at least **6 months** prior to the claim of residency
- Shellfish Classification
  - soft shell clam
- Clamming Requirement
  - Resident commercial
  - Nonresident commercial
  - Nonresident recreational
  - No person shall hold both a commercial and recreational license for this municipality
  - Residential license holders must be domiciled in and or real estate taxpayers of the municipality during the time the license is valid. If not said license shall be invalid and void

## Phippsburg - (C)

May 3rd 2017

- Classification of Resident
  - Resident (commercial license) - a person who has been domiciled in this town for at least **6 months** prior to the time claim of such residence is made, and who shall remain domiciled during the period of time the license is valid
  - Resident (recreational) an individual and his/her family who are: living in town as a taxpayer, renting a home, apartment, or cottage, renting a campsite at an established state licenses campground, camping on private property with a camping permit issued by the code of enforcement officer in accordance with the towns land use ordinance
- Shellfish Classification
  - Shellfish- soft shell clams, quahogs, Atlantic surf clams, razor clams, eastern/american oysters, European oysters
- Clamming Requirements
  - Resident, nonresident and student commercial
  - Nonresident commercial
  - Resident and nonresident recreational
  - Commercial

## Roque Bluffs - (C)

March 11th 2021

- Resident
  - person who has been domiciled in this municipality for **6 consecutive months** prior to the time his/her claim of such residence is made. A person who moves here must establish residency with the town clerk at that time and provide one form from each of the three sections. The only exception shall be for those resident who reside elsewhere much of the year solely for the purpose of pursuing full time higher education or while a member of the us armed forces
- Shellfish
  - soft shell clams
- Harvesting license required
  - Resident commercial
  - Nonresident commercial
  - Resident commercial over 70 free
  - 10 to 1 ratio of resident license to nonresident license sales

## Scarborough - (C)

June 12th 2015

- Resident
  - a person who has physically resided at a fixed, permanent, and principal home in the town for at least **6 months** next prior to the date of the application for a license under this ordinance or in the case of student, to a student living temporarily outside of Scarborough while enrolled in a college, university, or post secondary school, provided such student maintains his or her fixed permanency principal home in Scarborough
- Shellfish Classification
  - soft shell clams
- Designation, scope, qualifications
  - State of Maine commercial shellfish license required
    - Resident commercial
    - Nonresident non reciprocating commercial
    - Resident student commercial
    - Non resident student commercial
    - Over 60 resident commercial bushel
    - Residential recreational
    - Nonresident recreational
    - Resident recreational day license
    - Nonresident recreational day licenses
    - Commercial license applicant may only apply for one type

## Searsport - (B)

April 16th 2021

- Resident
  - a person who has been domiciled in this municipality for at least **3 months** next prior to the time his or her claim of such residence is made
- Shellfish
  - shellfish and intertidal shellfish resources mean soft shell clams. Quahogs, surf clams and oysters. Clams means soft shell clams, quahog, and surf clams and razor clams
- Municipal shellfish digging license is required
  - Residential recreational
  - Nonresident recreational
  - Recreational shellfish 72 hour
  - Anyone who has a valid state of Maine commercial shellfish license or their local license suspended with the last five years may not purchase a recreational license to harvest shellfish in searsport

## South Bristol - (D)

November 9th 2021

- Resident
  - a person who has been resident and resides in this municipality for at least **1 year** prior to the time his/her claim of such resident is made
- Shellfish Classification
  - soft shell clams, razor clams, quahog or hard shell clams, and american oysters
- Municipal shellfish digging license required
  - Resident commercial (\$200)- harvest and take any amount of shellfish from the shores and flats of this municipality and reciprocating municipalities. Anyone who moves out of town and resides in another community for over 90 days may have their license revoked for the rest of the calendar year
  - Nonresident commercial (400)-harvest and take any amount
  - Resident student commercial (under 15 \$10 16-18 \$100)-issued upon completion of 4 hours of conservation work
  - Nonresident student commercial (15 and under 20 16-18 200)-4 hours of conservation work required
  - Resident recreational 10-no more than 1 peck in any one day for personal use
  - Nonresident recreational 20-no more than one peck of shellfish in any one day
  - Educational license (\$2)-allow someone to dig clams for one day, max 1 harvest peck. A person can purchase this license 5 times throughout the calendar year, maximum harvest of one peck is allowed

- License Fee
  - License fees waived for 12 or younger, and 65 and up will be issued a lifetime license
  - A person holding a Maine state commercial license may not be issued or hold a resident or non resident recreational clam harvest license
- Application
  - After completing 8 hours of conservation work applicants may apply to the town clerk for the license required
  - Same contents

## Southwest Harbor (B)

Last Drafted in November 5, 2022

- Resident
  - “refers to a person who has been domiciled in this municipality for at least **three months** prior to the time his claim of such residence is made.”
- Non-Resident
  - “the term “non-resident” means anyone not qualified as a resident under this ordinance”.
- Classification of Shellfish
  - shellfish, clams, intertidal shellfish resources... any soft shell clam
- Amount allowed to Harvest
  - For both recreational licenses, one peck of shellfish per day (approximately 12 pounds)
  - For Commercial license holders, the amount is set by the Board of Selectmen, which is then publicly noticed by the Shellfish Conservation Committee.
- Fee
  - Resident Recreational License \$20.00
  - Non-Resident Recreational License \$40.00
  - Resident Commercial License \$200.00
  - Non-Resident Commercial License \$400.00
  - Unlimited amounts of licenses granted.
- Overview
  - No mention of Quahog or Hard Shell Clam

## St. George Regional (Municipalities of St. George, South Thomaston, Thomaston, Warren, and Cushing) - (D)

Last Amended October 8, 2020

- Resident

- “a person who has proof of being physically domiciled at a fixed, permanent, and principal home in at least one or more of the participating towns continuously for at least **two (2) years** prior to application for a clam license.” Proof of residency may include 1.) Copy of deed record of most recent mortgage payment. 2.) copy of lease, legal affidavit from landlord affirming tenancy, and record of most recent rental payment.
- Non-Resident
  - “anyone not qualified as a resident under this ordinance
- Definition of Shellfish
  - Clams and intertidal shellfish resources shall mean soft-shell clams (*mya arenaria*), shellstock, and clams commonly referred to as razor clams. This definition also includes all species of quahogs (other than mahogany quahogs) and oysters.
- Licensing
  - Commercial
  - Resident Commercial Shellfish License: “license is available only to residents of the participating towns, who are 18 years or older as of June 1st or a member of the current graduating class.”
  - Non-Resident Commercial Shellfish License: “license is available only to non-residents of the participating towns, who are 18 years or older as of June 1st or a member of the current graduating class.”
  - Resident Student Commercial Shellfish License: “license available to resident students enrolled in an accredited school Kindergarten through 12th grade as outlined in the management plan. The student must remain enrolled, or have graduated, for the period of the license. A resident student license will be half the cost of a regular commercial resident license.
  - Non-Resident Student Commercial Shellfish License: “License is available to nonresident students enrolled in an accredited school Kindergarten through 12th grade as outlined in the management plan. The student must remain enrolled, or have graduated, for the period of the license. A nonresident student license will be half the cost of a regular commercial non-resident license.
  - Recreational
  - Annual Resident Recreational Shellfish License: This license is available upon request to residents and property taxpayers of participating towns who do not hold a valid Maine State Commercial Shellfish License. One license issued per person, per year.
  - Annual Non-Resident Recreational Shellfish License: This license is available to non residents who do not hold a valid Maine State Commercial Shellfish License. This license will be issued on a 10:1 ratio (Ten residents licenses to one non resident.) One license issued per person, per year.
  - Daily Recreational Shellfish License: This license is available on a daily basis upon request to residents or nonresidents who do not hold a valid Maine State Commercial Shellfish License. One license issued per person, per day.
- Limitation of Licenses: The number of commercial licenses will be limited and issued according to the Annual Shellfish Management Plan.
- Amount Allowed to Harvest:

- Set by the Annual Shellfish Management Plan.
- Fee's
  - Commercial
  - (77) Resident \$515.00
  - (11) Non-Resident \$670.00
  - (20) Student / Junior Resident \$157.50
  - (2) Student / Junior Non-Resident \$235.00
  - Recreational
  - (No Limit) Resident \$30.00
  - (No Limit) Non-Resident \$40.00
  - (No Limit) Senior Resident \$0.00
  - (No Limit) Senior Non-Resident \$0.00
  - (No Limit) Junior Resident \$0.00
  - (No Limit) Junior Non-Resident \$0.00
  - (No Limit)
  -
- Overview
  - Explicit mention of Quahog Clams. This definition also includes all species of quahogs (other than mahogany quahogs) and oysters.

## Steuben - (C)

Effective Date: June 26, 2019

Governed by the Shellfish Conservation Committee, which consists of 5 Board Members who are required to be residents of Steuben.

- Classification of Resident
  - Resident: The term “resident” refers to a person being a Maine resident who has proof of being domiciled in Steuben continuously for a minimum of **six (6) months** prior to the time his/her claim of such residence is made. In order to determine resident eligibility new residents shall provide two forms of proof of residency from the lists below. At least one shall be from Section 3 in the chart below. All harvesters will provide proof of residency on an annual basis or as requested.
  - Non-Resident: “The term “non-resident” means anyone not qualified as a resident under this ordinance.”
- Licensing
  - Commercial
    - Resident Commercial Shellfish License, Non-Resident Commercial Shellfish License, Senior Resident Commercial License, Senior Non-Resident Commercial License, Junior Resident Commercial License, Junior Non-Resident Commercial License

- Maine State commercial shellfish license holders are ineligible for a resident or non-resident recreational license.
- Recreational
  - Resident Recreational Shellfish License, Non-Resident Recreational Shellfish License, 7 Day Recreational
- Limitation of Licenses
- The number of licenses issued may be limited and will be issued according to the Municipal License Allocation Request approved by Marine Resources.

Class	Sub-Class	Number	Cost \$
Commercial	Resident	No limit set	150.00
Commercial	Non-Resident	10%	300.00
Commercial	Senior Resident	No limit set	100.00
Commercial	Senior Non-Resident	10%	200.00
Commercial	Junior Resident	No limit set	50.00
Commercial	Junior Non-Resident	10%	100.00
Recreational	Resident	No limit set	25.00
Recreational	Non-Resident	10%	50.00
Recreational	Day/Week/Month Res	No limit set	10.00
Recreational	Day/Week/Month Non-Res	No limit set	10.00

## Stockton Springs - (B)

Last Amended June 16, 2018

Governed by the Shellfish Conservation Committee

- Classification of Resident
  - Resident: “the term resident refers to a person who has been domiciled in this municipality for at least **three months** prior to the time his claim of such residency is made.
  - Non-Resident: “the term non-resident means anyone not qualified as resident under this ordinance”.
- Definition of Shellfish

- Shellfish, clams, or Intertidal Shellfish Resources: when used in the context of the Ordinance, the words “shellfish” and “intertidal shellfish resources” mean soft shell clams (*mya arenaria*), Quahogs, surf clams and oysters. “Clams” mean soft shell clams, quahogs and surf clams.
- Licensing
  - Commercial
  - Resident Commercial Shellfish License, Non-Resident Commercial Shellfish
  - Recreational
  - Resident Recreational Shellfish License, Non-Resident Recreational Shellfish License, 72 Hour Recreational License.
  - Does not specify commercial licensing fees nor amount handed out

## Swans Island - (D)

Last Amended March 8, 2017

Governed by the Shellfish Conservation Committee

- Resident
  - The term “resident” refers to a person being a Maine resident who has proof of being domiciled in the Town of Swans Island continuously for a minimum of **one year** prior to the time the claim of such residence is made. The burden of proof of residency lies solely with the person applying for a Swans Island Municipal Shellfish License. A domicile cannot be a transient address that would not typically be considered as a permanent residence address. The applicant shall provide the following in order to determine resident eligibility.
- Requirements
  - Proof of being domiciled in Swan’s Island for the 12 month period prior to applying for a municipal shellfish license. The preponderance (of greater weight) of the evidence must support the establishment of Swan’s Island domicile. If renting, a legal affidavit from your landlord affirming tenancy AND record of ret
- Licensing
  - Resident Commercial (No Limit, \$200)
  - Non-Resident Commercial (10%, \$400)
  - Resident Recreational (No Limit, \$20.00)
  - Non-Resident Recreational (10%, \$40.00)
- Limited License Sales
  - “Because the shellfish resources are limited and because a commercial or recreational harvester can be expected to harvest a certain volume of clams per year, the number of harvesters must be controlled.”
- Classification of Shellfish

- Shellfish, clams and intertidal shellfish resources: when used in the context of this ordinance the words “shellfish”, “clams” and “intertidal shellfish resources” mean softshell clams (*mya arenaria*)

## Waldoboro - (B)

Last Revised June 11, 2019

Governed by Shellfish Conservation Committee (9 members)

- Resident
  - “The term resident refers to a person who has been physically residing at a fixed, permanent and principal home in this municipality for at least three **(3) months** prior to the time his claim of such residence is made.
- Shellfish, clams, and Intertidal Shellfish Resources
  - “When used in the context of this ordinance the words “shellfish”, “clams” and “intertidal shellfish resources” mean soft shell clams (*mya arenaria*) and razor clams (*Enosis directs*).
- Licensing
  - Resident Commercial (135, \$247.00)
  - Non-Resident Commercial (17, \$364.50)
  - Resident Recreational (No Limit, \$25.00)
  - Non-Resident Recreational (10%, \$50.00)
  - Junior Resident Commercial (20, \$50.00)
  - Junior Non-Resident Commercial (2, \$100.00)
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with this municipality on a joint shellfish management program may harvest shellfish according to the terms of this license

## Washington County - (B)

Amended October 8, 2014

Governed by the Shellfish Conservation Committee. 6 full time residents of Washington County.

- Resident
  - “The term resident refers to a person who has been domiciled (domicile: a person’s permanent residence) in the township for at least three months **(90 days)** prior to the time his/her claim of such residence is made.
- Shellfish, clams, and intertidal shellfish resources

- When used in the context of this ordinance “Shellfish”, “Clams”, and “Intertidal Shellfish Resources” mean soft shell clams (*mya arenaria*).
- Licensing
  - A commercial harvester must obtain a State license after the issuance of the UT commercial license.
  - Resident Commercial (No Limit Set, \$100.00)
  - Non-Resident Commercial (10%, \$200.00)
  - Resident Recreational (No Limit Set, \$10.00)
  - Non-Resident Recreational (No Limit Set, \$20.00)
  - Veteran Status (No Limit Set, \$0)
  - Junior / Senior Recreational (No Limit Set \$0)
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with these territories on a joint shellfish management program may harvest shellfish according to the terms of this ordinance.

## Wells - (B)

Last Revised November 17, 2014

Governed by the Shellfish Conservation Committee. 5 members appointed by the selectmen.

- Resident
  - A person who has been domiciled in this town for at least **three months** prior to the time his/her claim of such residence is made. No person shall be considered a resident if he/she A.) Has not, if registered to vote, registered in wells. B.) Does not, if licensed to drive a motor vehicle, possess a Maine Driver's license that reflects a local address C.) Has not, if owning a motor vehicle located within the state, registered such a vehicle in Maine.
- Shellfish Classification
  - Soft Shell Clams (*mya arenaria*)
- Licensing
  - Resident Commercial (Not Available)
  - Non-Resident Commercial (Not Available)
  - Resident Recreational (85, \$30.00)
  - Non-Resident Recreational (15, \$60.00)
  - Senior Resident Recreational (12, \$0.00)
  - Senior Non-Resident Recreational (2, \$0.00)
- Limits on Licensing
  - “Because the shellfish resources are limited and because a commercial or recreational digger can be expected to harvest a certain volume of clams per year, the number of diggers must be controlled. This number will vary from year to year depending upon

estimates of the resource capabilities and management requirements consistent with good resource utilization”

## West Bath - (D)

Last Revised May 31, 2016

Governed by West Bath Marine Resource Board. Members appointed by the selectmen.

- Resident
  - A person who has been domiciled in the Town of West Bath for a period of at least one **(1) year** prior to the time of submission for application for a commercial shellfish harvesting license.
- Shellfish Classification
  - When used in the context of this ordinance means Soft Shell Clams, Quahogs, Razor Clams, Eastern Oyster, European Oyster, Surf Clam
- Licenses
  - Resident Commercial (11, \$250.00)
  - Non-Resident Commercial (3, \$375.00)
  - Resident Recreational (No Limit, \$20.00)
  - Non-Resident Recreational ( 10%, \$30.00)
  - Resident Student (No Limit, \$15.00)
  - Non-Resident Student (10%, \$30.00)
- Limits on Recreational Licensing
  - The residential license is valid only during the period the holder is actually in residence in the Town of West Bath.
  - The license entitles the holder to harvest and take no more than one (1) peck of shellfish in any one (1) day.
  - Shellfish harvested by the holder of this recreational license is for personal use and shall not be sold.
  - Individuals holding commercial licenses shall not be entitled recreational licenses.
- Limitation on Shellfish Harvesting Licenses
  - Because the shellfish resources are limited and because a commercial or recreational digger can be expected to harvest a certain volume of clams per year, the number of diggers must be controlled. This number will vary from year to year depending upon estimates of the resource capabilities and management requirements consistent with good resource utilization

## Westport Island - (C)

Last adopted at Town Meeting June 23,2018

Governed by the Westport Shellfish Conservation Committee. Consists of five members and two alternates to be appointed by the selectmen for a term of one to five years.

- Resident
  - The term “resident” refers to a person who has been domiciled in this municipality for at least the previous **six months** prior to the time of their claim of such residence is made
- Shellfish, Clams, and Intertidal Shellfish Resources
  - When used in the context of this ordinance the words “shellfish”, “clams”, and “intertidal shellfish resources” mean soft shell clams, quahogs, and razor clams.
- Licenses
  - “A commercial digger must also have a valid State of Maine Commercial Shellfish License issued by the Department of Marine Resources”.
  - Resident Commercial (2, \$150.00)
  - Non-Resident Commercial (2, \$300.00)
  - Resident Recreational (31, \$15.00)
  - Non-Resident Recreational (4, \$30.00)
- Limitation of Diggers
  - Clam resources vary in density and size distribution from year to year and over the limited soft clam producing areas of the town. It is essential that the town carefully husband it's shellfish resources.
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with this municipality on a joint shellfish management program may harvest shellfish according to the terms of this license.

## Whiting - (B)

Last updated September 20, 2017

Governed by the Shellfish Conservation Program for the Town of Whiting. Consists of three members, appointed by the selectmen for three years, serving staggered terms.

- Resident
  - The term “resident” refers to a person who owns or rents residential real estate and has been domiciled in this municipality for at least **three months** (90 days) prior to the time their claim of residency is made for the purpose of applying for a shellfish license. To prove they are a resident, a person must provide documentation of real estate ownership in the form a deed or a property tax bill, or if rented real estate, rent receipts or a lease agreement signed by the property owner that provides residency for three months (90 days) prior to applying for the shellfish license.
  - In addition to the above domicile requirements, the applicant must show documentation of at least one of the additional residence criteria from motor vehicle license registration, motor vehicle registration address, voter registration address, hunting licenses, utility service address.

- Shellfish Classification
  - Shellfish, clams, and intertidal shellfish resources
    - When used in the context of this ordinance “Shellfish”, “Clams”, and “Intertidal Shellfish Resources” mean soft shell clams (*mya arenaria*).
- Licenses
  - Resident Commercial (No Limit, \$100.00)
  - Non-Resident Commercial (10%, \$200.00)
  - Resident Junior Commercial (No Limit, \$50.00)
  - Non-Resident Junior Commercial (10%, \$100.00)
  - Senior-Resident Commercial (No Limit, \$75.00)
  - Senior Non-Resident Commercial (10%, \$150.00)
  - Residents Recreational (No Limit, \$30.00)
  - Non-Residents Recreational (10%, \$60.00)
- Limitation of Diggers / Limited License Sales
  - Clam resources vary in density and size distribution from year to year and over the limited soft clam producing areas of the town. It is essential that the town carefully husband it’s shellfish resources.
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with Whiting on a joint shellfish management program may harvest shellfish according to the terms of their license.

## Wiscasset - (D)

Last Amended May 2,2019

Governed by Shellfish Conservation Committee / Program for The Town of Wiscasset. Consists of seven members to be appointed by the selectmen for terms of three year(s).

- Resident
  - The term “resident” refers to a person who has been domiciled in this municipality for at least **two years** next prior to the time his claim of such residence is made.
- Classification of Resident
  - Shellfish, clams, and intertidal shellfish resources
    - When used in the context of this ordinance “Shellfish”, “Clams”, and “Intertidal Shellfish Resources” mean soft shell clams (*mya arenaria*).
- Licenses
  - “A commercial digger must also have a valid State of Maine Commercial Shellfish License issued by the Department of Marine Resources”.
  - Resident Commercial (12, \$150.00)
  - Non-Resident Commercial (2, \$300.00)
  - Residential Recreational ( 30, \$15.00)
  - Non-Resident Recreational (3, \$30.00)
- Limitation of Diggers

- Clam resources vary in density and size distribution from year to year and over the limited soft clam producing areas of the town. It is essential that the town carefully husband it's shellfish resources.
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with this municipality on a joint claim management program may harvest shellfish according to the terms of their license.

## Woolwich - (D)

Last Amended August 22, 2020.

Governed by the Shellfish Conservation Committee for The Town of Woolwich. Consists of seven members appointed by the Selectmen for terms of three years.

- Resident
  - The term resident refers to a person who has been domiciled in this municipality for at least **two years** prior to the time his claim of such residence is made.
- Classification of Shellfish
  - Shellfish, clams, and intertidal shellfish resources
    - When used in the context of this ordinance “Shellfish”, “Clams”, and “Intertidal Shellfish Resources” mean soft shell clams (*mya arenaria*).
- Licensing
  - ““A commercial digger must also have a valid State of Maine Commercial Shellfish License issued by the Department of Marine Resources”.
  - Resident Commercial (6, \$400.00)
  - Non-Resident Commercial (1, \$400.00)
  - Resident Recreational (22, \$10.00)
  - Non-Residential Recreational (3, \$15.00)
  - Grandfathered Licenses
  - Any municipal commercial harvester who held a license in the immediately preceding license year who has paid the license fee and/or completed equivalent conservation work shall be considered grandfathered (eligible for renewal).
- Limitation of Diggers
  - Clam resources vary in density and size distribution from year to year and over the limited soft clam producing areas of the town. It is essential that the town carefully husband it's shellfish resources.
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with this municipality on a joint claim management program may harvest shellfish according to the terms of their license.

## Yarmouth / North Yarmouth - (B)

Last Amended December 17, 2020

Governed by the Shellfish Conservation Commission for the Towns of Yarmouth and North Yarmouth.

Consists of six (6) members. These members will be appointed, one half by the Town Council of Yarmouth and one half by the Selectmen of North Yarmouth.

- Resident
  - The term resident refers to a person who has been domiciled in this municipality for at least **three months** prior to the time his claim of such residence is made.
- Shellfish Classification
  - When used in the context of this ordinance, the words “shellfish” and “clams” mean softshell clams, Mya Arenaria, and shall include both shell stock and shucked shellfish. “Shellfish” and/or “clams” also mean Northern Quahogs, Razor Clams, Eastern Oysters, and European Oysters.
- Licensing
  - “A commercial digger must also have a valid State of Maine Commercial Shellfish License issued by the Department of Marine Resources”.
  - Resident Commercial (4, \$500.00)
  - Non-Resident Commercial (1, \$750.00)
  - Resident Recreational (50, \$40.00)
  - Senior Resident (100, \$0.00)
  - Non-Resident Recreational (5, \$80.00)
  - Senior Non-Resident ( 25, \$0.00)
  - Three-Day Recreational ( 20 Per Month, \$40.00)
- Limitation of Diggers
  - Because the shellfish resources are limited and because a commercial or recreational digger can be expected to harvest a certain volume of clams per year, the number of diggers must be controlled. This number will vary from year to year depending upon estimates of the resource capabilities and management requirements consistent with good resource utilization.
- Commercial Licensing Incentives
  - The commercial license incentive is designed to encourage and reward engagement in approved conservation-related activities and professional development on the part of prospective commercial harvesters. The incentive program uses a point system to preferentially award vacant licenses to those who demonstrate the greatest engagement. This program has two areas in which points may be accumulated: state licensing and conservation activities.
  - Examples of this include partaking in a soft shell survey (6 points), Attending a qualified meeting such as the State Shellfish Advisory, Casco Bay Regional Shellfish Working
  - Group, and/ or Fisherman’s forum meetings (1 point), and attending a Municipal Shellfish Commission Meeting in non-appointed capacity (1 point).

## York - (B)

Most Recently Amended May 20, 2017.

Governed by the Shellfish Conservation Committee for the Town of York. Administered by five (5) members to be appointed by the Selectmen for terms of three (3) years.

- Resident
  - “The term “resident” refers to a person who has been domiciled in the Municipality for at least **three months** next prior to the time his claim of such residence is made.
  - “Any person who is a real estate tax payer of the Town of York shall be considered a “resident” for the purpose of licensing, digging, and taking of shellfish.” \
- Shellfish, Clams, and Intertidal Shellfish Resources
  - “When used in the context of this ordinance, the words “shellfish”, “clams”, and “intertidal shellfish resources” means soft-shell clams, Mya arenaria, Quahog, and Cherry Stones.
- Licensing
  - Resident Recreational (75, \$15.00)
  - Non-Resident Recreational (22, \$30.00)
  - Junior Resident (22, \$0.00)
  - Junior Non-Resident (3, \$0.00)
- Limitation of Diggers
  - Because the shellfish resources are limited and because a commercial or recreational digger can be expected to harvest a certain volume of clams per year, the number of diggers must be controlled. This number will vary from year to year depending upon estimates of the resource capabilities and management requirements consistent with good resource utilization.
- Reciprocal Harvesting Privileges
  - Licenses from any other municipality cooperating with this Municipality on a joint shellfish management program may harvest shellfish according to the terms of their licenses.