

Frenchman Bay Regional Shellfish Ordinance (FBRSO) Intertidal Shellfish Management Plan.

The FBRSO area includes the towns of: Ellsworth, Franklin, Hancock, Lamoine, Sorrento, Sullivan and Trenton.

This document is written in accordance with 12 M.R.S §6671 and DMR Regulation Chapter 7.70.

The ultimate goal of this plan is to successfully resolve conflicts with other resource-user groups thru the encouragement of communication and coordination between the FBRSO and mussel harvesters. This plan allows for the sustainable harvest of both mussels and all other shellfish within the FBRSO intertidal zone by insuring a workable procedure for harvesters to use.

This document specifies the areas of the intertidal zone in which the dragging of mussels may be limited to the degree necessary to achieve the goals of the FBRSO conservation program, procedures for enforcement and processes at the municipal level. Once these “specified” areas are approved, the defined areas will be posted on line at: <http://www.maine.gov/dmr/crd/smd/index.htm> or may be obtained by writing the Department of Marine Resources (DMR), attn: Area Biologist Supervisor, SHS 21, Hallowell, Maine 04333-0021

An Intertidal Mussel Harvest permit, issued by the Commissioner of the Maine Department of Marine Resources, is required before mussels can be harvested by drag or dredge in the areas specified.

Procedures: The details of this document are intended to be used and amended as appropriate for each mussel harvest application.

While it is certainly not a condition to obtaining an Intertidal Mussel Harvest permit, the FBRSO would welcome and encourage applicants to communicate with the FBRSC of their intent prior to submitting an application.

- A.** Prior to issuance of an Intertidal Mussel Harvest permit, the applicant shall submit their permit application to, and consult with the FBRSO participating municipalities, and shall obtain the FBRSO recommendation in writing. The permit application and FBRSO recommendation must be provided to the Department for permit consideration, in accordance with 12 M.R.S §6671(3)(A)(5).
- B.** Persons may apply in writing to the Department, the contact information is: Department of Marine Resources (DMR), Area Biologist Supervisor, SHS 21, Hallowell, ME 04333-0021; telephone: (207) 624-6550; fax: (207) 624-6024; or may obtain an application online at: <http://www.maine.gov/dmr/crd/smd/index.htm>

C. The completed application must be submitted in person to the City Clerk at Ellsworth City Hall located at 1 City Hall Plaza, Ellsworth, ME, 04605; telephone: (207) 667-2563. Upon receipt of an application presented in accordance with Chapter 7.70(2), the FBRSO shall provide its recommendations to the applicant within 21 days of date of receipt of the application.

D. A meeting between the applicant and the Frenchman Bay Regional Shellfish Committee (FBRSC) will be scheduled to take place. During the meeting, the applicant and FBRSC members will review any and all information in the application.

E. Applications will be evaluated by FBRSC with the intent to achieve the goals of the FBRSO for shellfish under the jurisdiction of FBRSO. Recommendations will be submitted to the Frenchman Bay Regional Municipal Joint Board (FBRMJB). The FBRMJB will review and provide, in writing, the municipal recommendations to the applicant.

F. The FBRSC would like to request that the FBRSO Shellfish Warden be allowed to periodically observe aboard permitted vessels during harvest activity.

Enforcement: The specified areas will be enforced by the Municipal Shellfish Warden that is hired by the FBRSO participating towns. The current FBRSO Municipal Shellfish Warden is Mike Hall, Telephone: 207-400-6183

Compliance: In accordance with DMR Regulation Chapter 7.70(3): Any failure to comply with permit conditions shall be grounds for the Department of Marine Resources to refuse future permit applications.