

## **Frenchman Bay Regional Shellfish Ordinance**

### **Intertidal Mussel Management Plan**

The Frenchman Bay Regional Shellfish Ordinance (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 through 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 ensuring 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 the “specified” areas are approved, the defined areas will be posted at the Department of Marine Resources Nearshore Marine Resources Program website;

or may be obtained by writing the  
Department of Marine Resources (DMR),  
Attn: Nearshore Marine Resources, DMR,  
PO Box 8,  
West Boothbay Harbor ME 04575-0008

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 FBRSO Conservation Committee Chair 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 the Department who will forward it to the FBRSO Administrative Municipality (Town of Franklin), 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), 12 M.R.S §6671(12), and DMR Regulations Chapter 7.70.

- C. Persons may apply in writing to the Department, the contact information is:  
Department of Marine Resources (DMR),  
Nearshore Marine Resources, DMR,  
PO Box 8,  
West Boothbay Harbor, ME 04575-0008;  
telephone: (207) 633-9515;  
or obtain an application online at the Department of Marine Resources Nearshore Marine Resources Program website.
- D. Completed applications must be submitted to the Department, by mail: Nearshore Marine Resources, DMR, PO Box 8, West Boothbay Harbor, ME 04575-0008, or email: DMRPublicHealthDiv@maine.gov. 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 from the Department.
- E. A meeting between the applicant, the FBRSO Shellfish Committee (SC), and the FBRSO Municipal Joint Board (MJB) may be scheduled to take place. During the meeting, the applicant, Shellfish Committee, and MJB will review any and all information in the application.
- F. Applications will be evaluated by the FBRSO boards with the intent to achieve the goals of the FBRSO for shellfish under the jurisdiction of FBRSO. Recommendations will be made by the FBRSO SC and MJB. The MJB will provide, in writing, the recommendations to Nearshore Marine Resources, DMR.
- G. The FBRSO 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 contracted by the FBRSO. 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.

**Specified Areas:** The FBRSO have specified the following areas of the intertidal zone to be limited for mussel harvesting by drag, in accordance with 12 M.R.S §6671(3)(A)(5), 12 M.R.S §6671(12), and DMR Regulations Chapter 7.70:

Jordan River, Lamoine and Trenton,  
Raccoon Cove, Lamoine,  
Skillings River, Lamoine and Hancock.

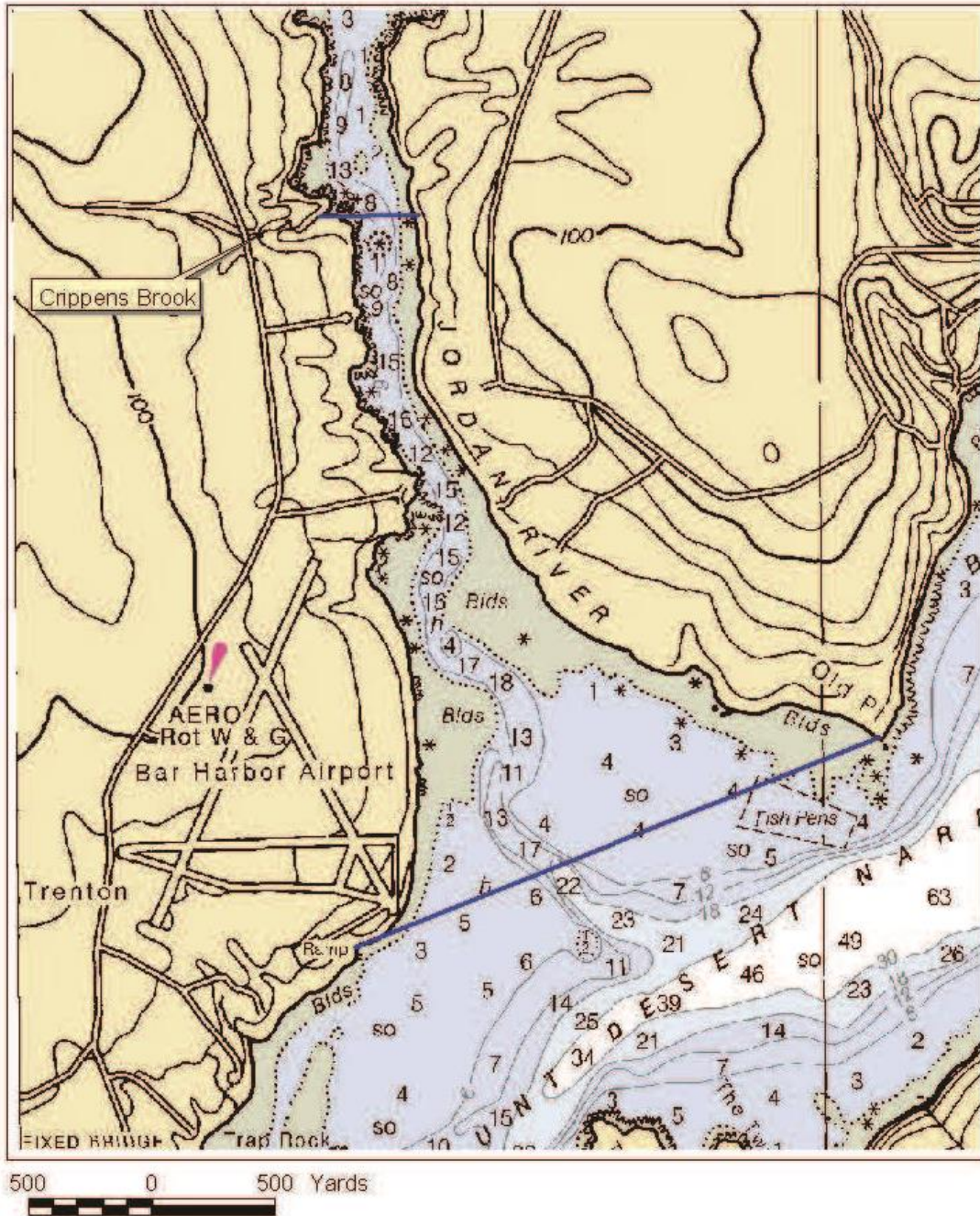
The three areas are major historic and current shellfish producing areas within the jurisdiction of the FBRSO. Since start up in 2010, the FBRSO has been working on their management plan that currently includes a conservation closure rotation for the specified areas as well as stock assessments through clam population surveys. It is the hope of the FBRSO that these measures will assist in building an effective and sustainable clam management program.

These areas are also utilized by other commercial industries which at times have created a conflict between users and the access/use of the intertidal resources. The FBRSO is charged with the responsibility to actively and vigorously pursue a management program. The intertidal plan will become part of and enhance the efforts of the FBRSO shellfish conservation program.

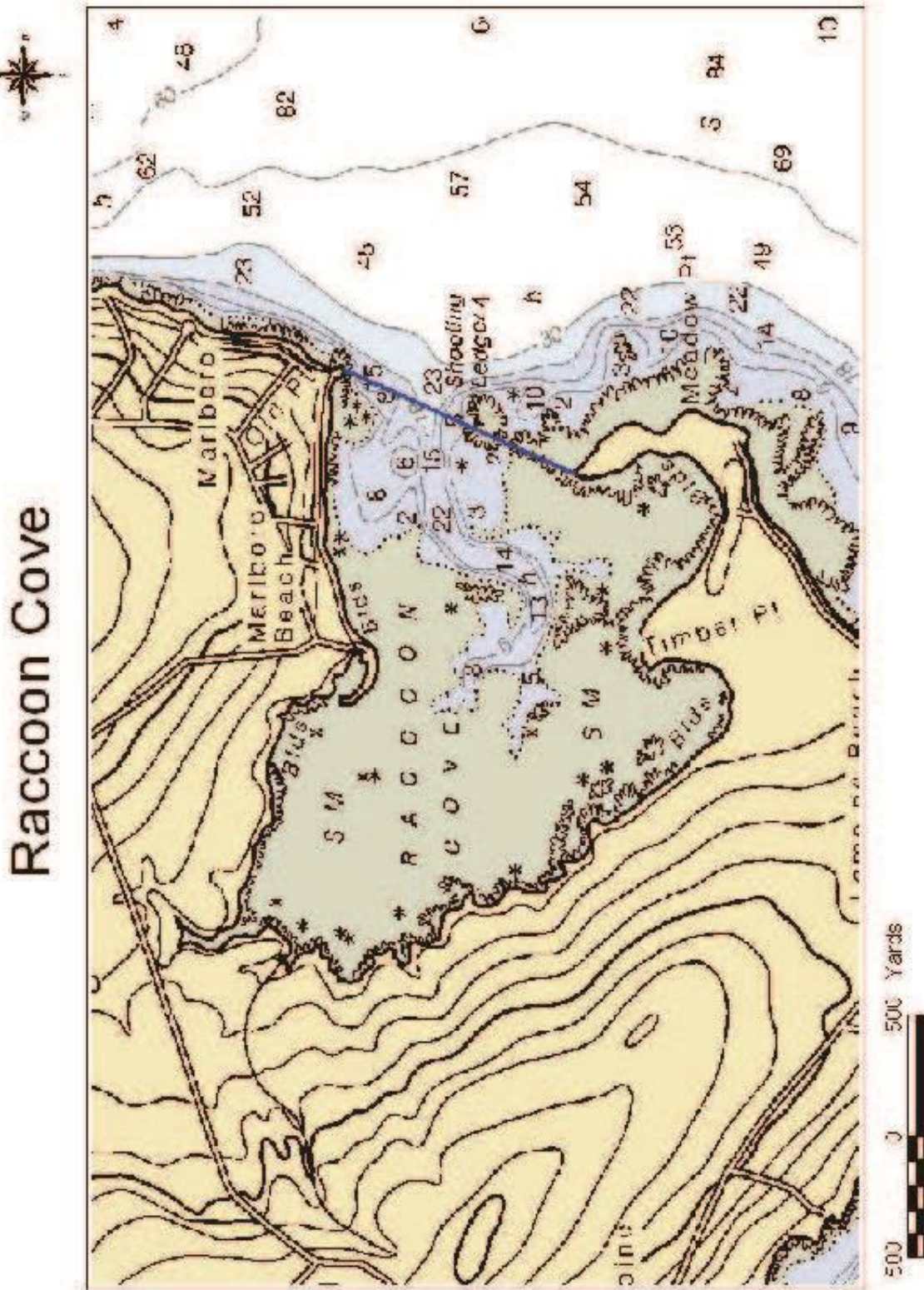
- 1) Jordan River, Trenton and Lamoine: Inside and south of a line beginning at the mouth of Crippens Brook, Trenton then due east to the Lamoine shore of the Jordan River; AND north of a line beginning at an orange painted post located on the north side of the Trenton Sea Plane ramp, then east to the south tip of Old Point, Lamoine.
- 2) Raccoon Cove, Lamoine: Inside and west of a line beginning at a red painted post located on the north tip of an un-named point at the end of the Meadow Point Road, then northeast to the south tip of Old Point.
- 3) Skillings River, Lamoine and Hancock: Beginning and using the single boundary line from Mosley Point, Lamoine across to Youngs Point, Hancock, the entire Skillings River Northwest. Description and map differ

Enforcement: The FBRSO Municipal Shellfish Warden has been equipped with all the necessary tools to enforce this plan. The Shellfish Warden has strong knowledge of the area; there are public access points available and they have obtained permission to enter private access points that will allow for sufficient visual observations to enforce the specified areas.

# Jordan River









# Skillings River

