



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen
59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone (508) 495-7320
Fax (508) 457-2573

Procedure for Obtaining a Shellfish Grant License

Anyone wishing to apply for a shellfish grant license must contact the Shellfish Constable (508) 457-2550 and schedule a meeting.

The applicant must obtain an "Application for Shellfish Aquaculture Grant License" form from the Office of the Town Manager and return it to the Town Manager's Office including name and address of applicant, date of application and the approximate size and location and description of the requested area. Upon receipt of a completed application form, a public hearing will be scheduled and the applicant will be notified by the Town Manager's Office of the date and location of the hearing.

All approvals by the Board of Selectmen will be made "subject to the approval of the Division of Marine Fisheries (DMF)". The Town Manager's Office will inform DMF of the approval by the Board of Selectmen, and DMF will schedule an inspection of the area.

Once the DMF approval is received, the applicant must:

1. have grant surveyed and submit a plan and written description to the Town Manager's Office
2. apply to the Army Corps of Engineers for approval
3. apply to the Falmouth Conservation Commission for approval

After all the completed paperwork is submitted to the Town Manager's Office, a public hearing will be scheduled with the Board of Selectmen, a grant license will be prepared for signature by the Board of Selectmen.

The applicant will be notified of the execution of the license and will be required to pay to the Town of Falmouth an annual fee of \$25.00 per acre or any part thereof.

It is the sole responsibility of the applicant to obtain all required approvals (i.e. DMF, Army Corps of Engineers and Conservation Commission) and to ensure that all necessary paperwork is received by the Town Manager's office and fees paid to the Town.

Each year thereafter, the license holder must submit on or before December 31 of each year an annual report, on forms provided by the Town, of shellfish activity on the grant license site for the past year.

The applicant must also pay to the Town of Falmouth an annual payment of \$25.00 per acre or any portion thereof on the anniversary date of the license.

A five-year plan of the use of said grant will be required for all shellfish grant license renewals and new licenses, these to be incorporated into a master plan for all shellfish grant licenses issued under M.G.L. Chapter 130, Sections 57 and 59.

Shellfish Grant License – New or Extension

1. Applicant must have the shellfish constable sign the application for shellfish grant license. It should have a specific area and acreage on it.
2. Date stamp the application and give a copy to the shellfish constable.
 - MGL Chapter 130 Section 62 – Hearing must be held within 60 days after receipt of application. Public notice must be published 10 days prior to hearing. Notice must have applicant's name and residence (Town), date of application, area and acreage requested.
 - Post notice with Town Clerk, Harbormaster's Office.
 - Notify applicant in writing of hearing date, time and place. Send copy of public notice.
 - If Board of Selectmen denies the application, applicant must be informed of Board's decision within 30 days.
3. If Board of Selectmen approves the application, a letter is sent to Director, DMF in Boston, and sent to DMF in New Bedford requesting that area be surveyed. Give as much information as possible, including copies of the application and map, if there is one, and the description of proposed grant license.
4. After DMF surveys the grant and if it determines the area is un-productive, they will send letters to the shellfish constable, Board of Selectmen and applicant.
5. The Applicant then:
 - Applies to the Army Corps of Engineers for approval
 - Applies to Falmouth Conservation Commission for approval
 - Has grant surveyed and receives a plan and written description
6. After all the completed paperwork is given to this office, a grant license is prepared for Board of Selectmen signature. A new grant license is for two years, 1st renewal for five years and ten years for subsequent renewals. An extension expires the same date as original grant license.

Shellfish Grant License Renewal

1. Prepare renewal application form and send with reminder to grant license. Try to do this at least two months before the grant license expiration date.
2. Set hearing date. Same public notice procedure as for new grant license.

Shellfish Grant License Transfer

1. Current licensee requests to transfer or add name to his/her grant license.
2. Set hearing date. Same public notice procedure as for new grant license.

Always notify the DMF in Boston and DMF in New Bedford, after any changes or additions to shellfish grant licenses, renewals, transfers, etc.

TOWN OF FALMOUTH
APPLICATION FOR SHELLFISH GRANT LICENSE

Date: _____

This request is being made under Chapter 130, Sections 57 and 59.

Name _____

Address _____

Telephone _____ Email _____

Please attach a full description of proposed operation, map and resume.

1. Location of proposed grant license area:

2. Map coordinates of proposed grant license area (*attach a copy of map*):

3. Desired size of proposed grant license area:

4. Proposed species to be raised:

5. Short description of proposed operation and location for legal ad:

6. Previous shellfishing experience:

7. How long have you had a shellfish permit (commercial/non-commercial)?

8. How long have you lived in Falmouth?

Signature of Applicant

Signature of Shellfish Constable

TOWN OF FALMOUTH
APPLICATION FOR RENEWAL OF SHELLFISH GRANT LICENSE

Date: _____

TO: Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

I/We hereby request renewal of Shellfish Grant License # _____, located at
_____, in Falmouth, MA, and consisting of
_____ acres, and dated _____, for a (five) (ten) year period.

I/We agree to pay to the Town of Falmouth, within thirty days after approval, the annual
fee.

Signature

Name

Mailing Address

Telephone Number

TOWN OF FALMOUTH
APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: _____

TO: Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

I/We hereby request transfer of Shellfish Grant License # _____,
from _____
to _____.

Said grant license is located at _____, in Falmouth,
MA, and consisting of _____ acres, as shown on a plan prepared by
_____ and dated _____.

Signature

Name

Mailing Address

Telephone Number

Name(s)

TOWN OF FALMOUTH
Annual Report of Shellfish Activity

Grant License Location

Grant No.

Report Date

Seed Permit No.

A. Oysters

1. Number of bushel of seed planted
2. Source of seed
 - a. Local wild stock
 - b. Imported wild stock
 - c. Hatchery stock
 - d. Name and address of source, if not local
3. Number of bushels mature shellfish removed
4. Value of shellfish removed (optional)
5. Number of bushels of shellfish remaining on bed
6. Estimated value of shellfish remaining on bed (optional)

B. Quahogs

1. Number of seed planted
2. Source of seed
 - a. Hatchery name and address
3. Number of mature shellfish removed
4. Value of shellfish removed (optional)
5. Number of shellfish remaining on bed
6. Estimated value of shellfish remaining on bed (optional)

C. Other

1. Type
2. Number of bushel removed
3. Value (optional)

D. Adult Stock/Wild Harvest/Wet Storage

1. Oysters
2. Quahogs
3. Other

I/We, the undersigned, do hereby certify under the penalties of perjury that the information contained in this report is a true and valid presentation of grant activities as required by Chapter 130, Section 65, M.G.L.A.

Date

Licensee

Address

I certify that, based on an inspection conducted by me on the above, the estimates of the number of bushels remaining on the bed and the estimated value of shellfish on the bed are reasonably accurate.

Shellfish Constable

Date

5-YEAR PLAN

Grant # _____

Name _____

Location _____

I. Types of Shellfish to be Raised

II. Method of Propagation

III. Means of Access

IV. Equipment to be Used