

**Duxbury Shellfish Rules and Regulations - excerpts**

*The purpose of these Rules and Regulations is as follows:*

*To regulate the harvesting of shellfish, eel and seaworms in the Town of Duxbury*

*To provide policies and programs which establish a means of continuity in providing for the conservation, protection and production of reasonable yield of shellfish*

**GENERAL RULES AND REGULATIONS- excerpts**

1. All persons are prohibited from taking without a permit any eels (except y hook and line) seaworms or shellfish, including soft shelled clams, quahogs, sea clams, mussels, oysters and scallops.

**Shellfish Constable- inspections**

2. The permit must be on the person of anyone in the act of harvesting shellfish. It must be shown upon demand to the Shellfish Constable or his deputies.

3. Any shellfish, seaworms or eels harvested must be shown upon demand to the Shellfish Constable of his deputies.

**Violations**

4. Any shellfish permit may be suspended or revoked by the Selectmen per request of the Shellfish Constable for any violation of State law relative to shellfish, or for the violation of any rule or regulation made by the Selectmen

5. The Selectmen may from time to time declare in whole or in part areas of shore, flats or creeks closed or restricted to the taking of shellfish, eels and sea worms, and no shellfish, eels or seaworms may be harvested at any time except in areas so designated by the Selectmen.

6. Shellfish, eel, and seaworm landing areas may be designated by the Shellfish Constable or his Deputy.

7. There will be no commercial digging of any shellfish, seaworms and/or eels unless otherwise so indicated.

**Weekly limits**

8. When weekly limits of shellfish are set, the week begins on Monday.

**Sunday harvest**

9. Taking shellfish, eels and seaworms is prohibited on Sunday from June 1 to September 1

**Minor**

10. Permits are required for all persons over the age of 14. Those 14 or under must be accompanied by a permit holder whose limit is not increased by the presence of the child.

11. All shellfish must be dug with conventional tined tools. No shovels are permitted and digging must be by hand without assistance of power.

**Container size**

12. No container larger than 12 quarts is allowed on shore, creek or inlet unless otherwise allowed by law.

**Size of shellfish**

13. Quahogs must be 1" in width on the hinge and soft shelled clams must be 2" in greatest length, oysters must be 3" in greatest length and sea clams must be 5" in greatest length.

**Harvest amounts:**

**Please note:** you are entitled to 12 quarts of shellfish in total in (1) one week. As an example: if you harvest your legal limit of 6 quarts of softshell clams you are "only" allowed 6 quarts of quahog that same week.

14. Quahog, Razor clam, and mussel limited to 12 quarts per week per family permit in total. When harvesting sea clams, the limits shall be 32 quarts per week per family permit.

15. It is prohibited to dig for any shellfish or seaworms in grass or close to roots of marsh.

16. If digging causes large holes in shore they must be filled in by digger.

**Soft Shelled Clams**

17. When allowed, soft shelled clams (steamers) shall be limited to 6 quarts per week per family permit. Open areas for soft shelled clams will be designated by the Selectmen and posted if appropriate by the Shellfish Constable. These areas only are to be dug for soft shelled clams. (a) Soft shelled clams (steamers) may only be taken during the months of September, October, April and May on Wednesdays and Saturdays unless authorized by law.

**Please note:** Softshell clam bonus seasons are regularly declared in the off months if resources allow. Check the department home page for updates at: [duxburyharbormaster.org](http://duxburyharbormaster.org)

**Oysters**

18. When allowed, Oysters shall be limited to 6 quarts per week, per family permit. Seasons and areas for oyster harvesting will be designated by the Selectmen. Seasons will be based on propagation and donations.

**Please note:** Check the department home page for any updates at: [duxburyharbormaster.org](http://duxburyharbormaster.org)

19. It is unlawful for any person to harvest any part of another's limit.

**Hours of harvest**

20. It is prohibited to dig or take shellfish or seaworms between the hours of 1/2 hour after sunset and 1/2 hours before sunrise.

21. It is unlawful to remove the shells from shellfish before leaving the digging area.

22. No shellfish taken on non commercial permits may be sold, wasted or bartered in any manner.

23. No dredging of shellfish by hand power or motor power allowed.

24. The Board of Selectmen may at any time restrict or control the harvesting of shellfish, seaworms and eels, by establishing and implementing bag limits, seasons and moratoriums, etc. as they deem appropriate and necessary in the best interest of the Town of Duxbury.

**SCALLOPS**

25. Except as provided in Chapter 130 of the General Laws, Section 70 and 73, no person shall take scallops between April 1st and the following October 1st, from flats or coastal waters or buy or sell or have in their possession scallops so taken. Open season is October 1<sup>st</sup> to April 1<sup>st</sup>.

26. No person shall plant, introduce or transplant any shellfish without express permission of the Selectmen and the Shellfish Constable.

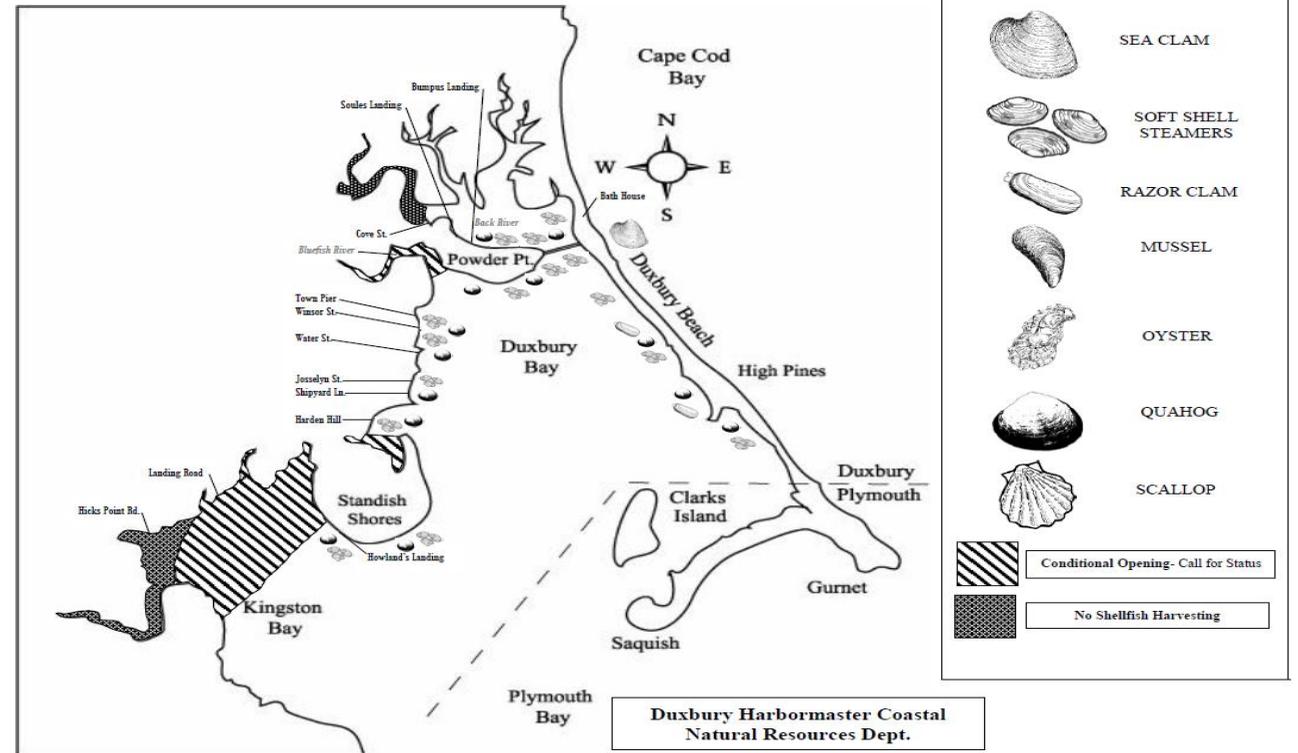
27. No person shall take from the flats or waters of Duxbury seed scallops, or sell or offer for sale or have in possession such scallops. A legal scallop is one with a raised annual growth line. Any scallop without such a line shall be deemed a seed scallop. Since scallops appear seldom in Duxbury, no limits are set except as part of total weekly limits are set except as part of total weekly limit. If they do appear in Duxbury Bay in large numbers, limits and commercial license conditions will be announced by the Selectmen.

**2013 Department Statement**

*Having the opportunity to harvest the bounty of Duxbury Bay is a unique privilege. The Town of Duxbury recognizes the responsibility to manage and care for these exhaustible, valuable resources correctly to remain viable. As part of the management process it is necessary to regulate the fishery by establishing rigid guidelines governing the size and quantities of resources which may be harvested, by restricting areas which may be harvested and by taking other necessary measures outlined in these rules and regulations.*

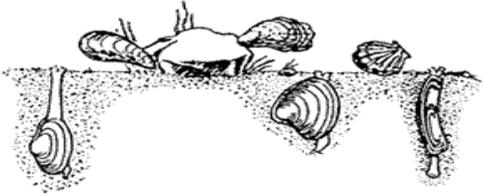
*The department aggressively patrols and monitors Duxbury's shoreline and bay. It will be very unlikely for you to violate any law or rule and regulation and not get caught. Please help us protect and preserve our natural resources for the future. These rules and regulations are strictly enforced.*

**PENALTY**The penalty for violations of any of these regulations shall be a fine not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense and the revocation of license or permit or both.



## Duxbury Shellfish Information –

Shellfish information has been adapted from the "Guide to Shellfish in Massachusetts" produced by the Massachusetts Shellfish Officers Association Shellfish Advisory Committee and printed by the Massachusetts Bays Program.



Before harvesting shellfish you should read all the local Town's Shellfish Regulations. Towns generally require permits to harvest shellfish. Your local Shellfish Constable can give you further information. Some areas may be closed to shellfishing by the Massachusetts Division of Marine Fisheries due to pollution. Shellfish obtained from these areas are unfit for human consumption. Many areas are conditionally open which means that they are closed after major rain storms due to polluted runoff.

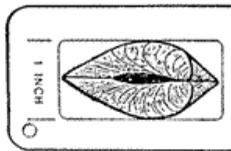
### OCEAN QUAHOG

Ocean quahogs are similar to a quahog but usually found in deeper water.



### QUAHOG

Quahogs are found just below the sand or mud surface between high and low tide and beyond in sheltered waters. Harvest quahogs by hand or rake. A quahog that fits through a 1 inch gauge for the shell thickness or hinge width is seed and below legal harvest size and should not be taken. A one inch thick to 2 1/2 inch long quahog is known as a littleneck, a 2 1/2 to 3 inch quahog is a cherrystone and a 3 inch or larger quahog is a chowder. The chowders are often used to make chowder, clam pie or fritters.



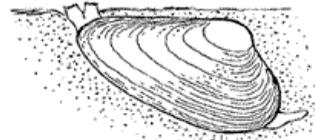
### RAZOR CLAM

The razor clam has a versatile digging foot and a streamlined, straight razor shape that makes it the most elusive of the shellfish to dig. Look for the razor clam near the low water mark in sand or mud. Dig in the same manner as for soft shelled clams, but deeper and faster. Razors are served in chowder.



### SEA CLAM

Surf clam, Bar clam, Hen clam, Skimmer  
The sea clam is the largest clam, reaching 5-9 inches in size. Look for sea clams on exposed flats at low tide, just beneath the surface. Check town regulations for harvest limits. Sea clams are gathered with a quahog rake or by hand. Serve in clam pie or chowder.



### SOFT SHELL CLAM

*Mya arenaria / Steamer, Longneck, Long clam*

Found between the tide lines or just below the low water mark, the soft shelled clam is 4-12 inches below the surface. Dig soft shell clams cautiously to avoid spearing their fragile shells. Clams less than two inches in length must be carefully replanted neck upright and covered with a thin layer of sand to protect them from exposure. Too much sand will smother the clam. Clams can be served steamed, fried or in a stew.



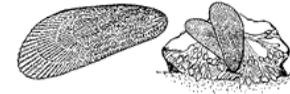
### BLUE MUSSEL

The dark blue shelled mussel grows in clumps on rocks, pilings and flats with each mussel anchored by tiny threads. Mussels are gathered by hand or rake. Scrub thoroughly to remove threads and external mud. Mussels are easily opened by steaming. Serve steamed or stuffed.



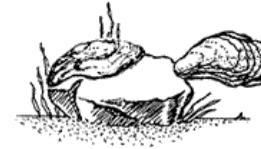
### RIBBED MUSSEL

Although perhaps less desirable than the Blue mussel, the Ribbed mussel is edible and found in local estuaries.



### OYSTER

Oysters are found on hard, sandy bottom or on rocks and piers. Harvest with quahog or box rake. Legal harvest size is 3 inches. Serve on the half-shell or in stew.



### SCALLOP

Scallops live only about two years and can reproduce only in their second year. To allow for propagation of the next generation, only second year scallops with well defined raised growth line may be legally harvested.

Scallops are found on the bottom in protected bays and shallow flats, often in eelgrass beds. Boots, waders or a small boat are needed for scalloping as well as a dip net. Serve raw, fried, broiled, escalloped or in a stew.



# TOWN OF DUXBURY SHELLFISH HARVESTING GUIDE



**Please note:** A shellfish permit is not a parking permit.

**Harbormaster/Coastal Natural Resource Dept**

Phone: (781)-934-2866

Website: [www.duxburyharbormaster.org](http://www.duxburyharbormaster.org)

**EMERGENCY: 911**

**Tide lands:** *the (mud flats) you access for shellfish harvesting can be owned privately or publicly and are very fragile. Please respect and tread lightly and leave them as you found them. Do not litter.*



Image courtesy of Don Reed Designs [www.donreeddesigns.com](http://www.donreeddesigns.com)