

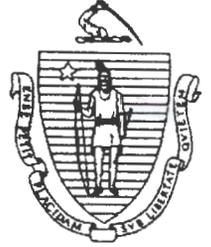


Paul J. Diodati
Director

Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400
Boston, Massachusetts 02114
(617)626-1520
fax (617)626-1509



Deval Patrick
Governor
Timothy P. Murray
Lt. Governor
Richard K. Sullivan, Jr.
Secretary
Mary B. Griffin
Commissioner

Shellfish Propagation Permit No. 155947

Class 3 **Type 1**
FEE: \$0.00 **DATE OF ISSUE:** 5/2/2013

TO WHOM IT MAY CONCERN:

Pursuant to Paragraphs 2 and 3, Section 17; Sections 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 3.03; 6.05; 6.08; 6.10; 6.20; 7.01(4)(d) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

*Selectmen Town of Chilmark
P.O. Box 119
Chilmark, MA 02535
DBA:*

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holders private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit; or to municipal propagation sites maintained under authority of Chapter 130, section 52 and 54 for cultivation of shellfish by coastal municipalities.

LOCATION OF AQUACULTURE SITE(S)

Waterbody: Menemsha Pond **Town:** Chilmark
Waterbody: Tisbury Great Pon **Town:** Chilmark
Waterbody: Nashaquiitsa Pon **Town:** Chilmark
Waterbody: Chilmark Pond **Town:** Chilmark

DSGA: V2 **Location:** Menemsha Pond
DSGA: V31 **Location:**
DSGA: V3 **Location:**
DSGA: 32 **Location:**

A. GROWOUT

Type of Shellfish:	Source
Oyster	Marthas Vineyard Shelfish Grou
Quahog	Marthas Vineyard Shelfish Grou
Bay scallop	Marthas Vineyard Shelfish Grou

B. INTERMEDIATE GROW-OUT

On-Site Yes No **Off-Site** Yes No

Location:

C. CULLING

Off-site Culling Allowed: Yes No

Off-site location:

D. SEED SALES

Seed Sales Allowed: Yes No

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CHILMARK BOARD OF SELECTMEN

E. OVERWINTERING

Overwintering Allowed: Yes No

Location:

F. SPAT COLLECTION

Spat Collection Allowed: Yes No

Location *Menemsha and Great Pond*

Method

Chinese Hats

Shell

Other

On-Site

Yes No

Off-Site

Yes No

G. SALE OF UNDER-SIZED (SEED) SHELLFISH FOR CONSUMPTION

Sale of Under-Size Shellfish Allowed: Yes No

Out of State: Yes No

In State: Yes No

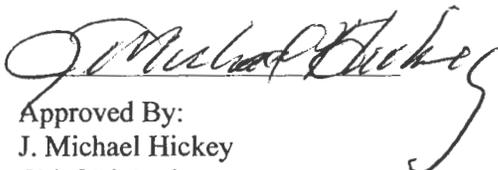
- A. Quahog not less than 7/8 inch thick
- B. Oysters not less than 2.5 inches longest diameter
- C. Surf Clams not less than 1.5 inches longest diameter
- D. Other

H. SPECIAL CONDITIONS APPLY Yes No

The Town of Chilmark in cooperation and with assistance from The Nature Conservancy, will continue to create an oyster bed using remote set oysters in Tisbury Great Pond in accordance with a proposal entitled "Tisbury Great Pond Oyster Habitat Restoration dated; January 2013. Only half the proposed area was layered with cultch in 2013, the other half will be cultched in 2014.

All activities conducted under authority of this permit are subject to inspection at any reasonable time by employees of the DMF, DELE and local shellfish constables (Chapter 130, sec. 98, MGL).

An end of year summary report stating the progress of the project must be filed with this Division indicating the amount and source of shellfish obtained, propagated and/or harvested.


 Approved By:
 J. Michael Hickey
 Chief Biologist


 Paul J. Diodati
 Director

Cc to: Division of Environmental Law Enforcement (1)
 Regional Supervisor, DELE (1)
 Division of Marine Fisheries (1)
 Board of Selectmen: Chilmark
 Shellfish Constable(s): Chilmark



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Shellfish Propagation Permit No. 163992

Class 3

Type 1

FEE: \$10.00

DATE OF ISSUE: 4/30/2014

TO WHOM IT MAY CONCERN:

Pursuant to Paragraphs 2 and 3, Section 17; Sections 69, 75, 80 and 83 of Chapter 130 of the Massachusetts General Laws and 322 CMR 3.03; 6.05; 6.08; 6.10; 6.20; 7.01(4)(d) and 15:00, permission is hereby given, subject to the attached Shellfish Aquaculture Permit Conditions to:

*Donald F. Poole
PO Box 149
Chilmark, MA 02535
DBA: Poole's Fish Inc.*

To possess naturally occurring seed shellfish, seed shellfish transplanted under previously issued permits and to transplant seed and/or adult shellfish from Division of Marine Fisheries approved sources at and to the permit holders private shellfish aquaculture site, licensed under authority of Chapter 130, Section 57 of the Massachusetts General Laws; or at other locations authorized by endorsements made part of this permit; or to municipal propagation sites maintained under authority of Chapter 130, section 52 and 54 for cultivation of shellfish by coastal municipalities.

LOCATION OF AQUACULTURE SITE(S)

Waterbody: Menemsha Pond Town: Chilmark

DSGA: V2

Location: Menemsha Pond

A. GROWOUT

Type of Shellfish: *Oyster*
Source: *Muscongus Bay Aquaculture*

B. INTERMEDIATE GROW-OUT

On-Site Yes No Off-Site Yes No

Location: *Residence at Nasha quitsa Pond V3*

C. CULLING

Off-site Culling Allowed: Yes No

Off-site location: *Residence @ 8 Point Inner Way
Chilmark, Ma.*

D. SEED SALES

Seed Sales Allowed: Yes No

E. OVERWINTERING

Overwintering Allowed: Yes No

Location:

F. SPAT COLLECTION

Spat Collection Allowed: Yes No

Location

On-Site
 Yes No
Off-Site
 Yes No

G. SALE OF UNDER-SIZED (SEED) SHELLFISH FOR CONSUMPTION

Sale of Under-Size Shellfish Allowed: Yes No

Out of State: Yes No

In State: Yes No

- A. Quahog not less than 7/8 inch thick
- B. Oysters not less than 2.5 inches longest diameter
- C. Surf Clams not less than 1.5 inches longest diameter
- D. Other

H. SPECIAL CONDITIONS APPLY Yes No

The following is a reminder to all shellfish growers. Intermediate grow out and over wintering of seed in coastal waters may only be conducted on the growers licensed site or an alternative site licensed by the municipality in accordance with section 57, MGL for these purposes, such as a community site.



Approved By:
J. Michael Hickey
Chief Biologist



Paul J. Diodati
Director

Cc to: Division of Environmental Law Enforcement (1)
Regional Supervisor, DELE (1)
Division of Marine Fisheries (1)
Board of Selectmen: Chilmark
Shellfish Constable(s): Chilmark



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Commissioner

May 1, 2014



Board of Selectmen
Town Hall
Chilmark, MA 02535

Ladies & Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the below-defined "CONDITIONALLY APPROVED" shellfish growing area in Menemsha Pond (V:2.1) no longer meets the established criteria for the harvest of shellfish due to unacceptable water quality.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75, the status of the below-defined area has been changed to "CLOSED TO SHELLFISHING" to the taking of all shellfish. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below-defined area is prohibited.

Under authority of 322 CMR 7.01(7) all permits issued thereunder are hereby conditioned to prohibit the taking, selling or possession of shellfish from the below-defined area.

CLASSIFICATION: CONDITIONALLY APPROVED

Status: Closed to Shellfishing

May 1 - October 31

[All Dates Inclusive]

Menemsha Basin

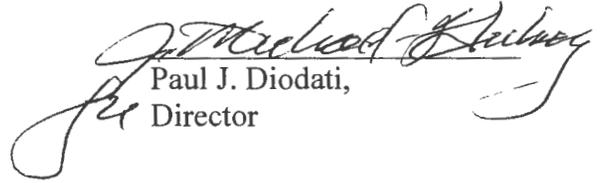
V:2.1

"The waters and flats of Menemsha Basin and Dutcher Dock Creek, in the Town of Chilmark, east of a line drawn from the Fl.G.4 Sec. 25' light at the entrance to Menemsha Canal in a southeasterly direction to the past location of the Menemsha Basin Coast Guard Boat House prior to the fire, excluding V:2.3."

The preceding conditionally approved area, V:2.1, shall remain in the closed status during the above inclusive dates. The status will not automatically revert to open to shellfishing on November 1, 2014 but will remain closed until examined by the Division and notification is made that the area has been placed in the open status.

(Over)

Sincerely,


Paul J. Diodati,
Director

cc: A. Gross, L. Roberts, P. Moran, DELE
D. McKiernan, M. Hickey, DMF
WPC. DEP
FDA
DPH
I. Scheffer, Chilmark Shellfish Constable