

Shellfish Aquaculture Licensing, Navigation, and Wetlands Requirements in Massachusetts Coastal Municipalities

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This document provides selected information on municipal ordinances, bylaws, and regulations relevant to shellfish aquaculture siting and permitting. Information is provided for each coastal municipality in Massachusetts, where available, as of June 2018.

Information provided is limited to regulation that alters default requirements established by state law or supplements the minimum requirements established under state law. Thus, where no aquaculture-specific provisions were identified for a topic, criteria established by state law will apply. Please refer to documentation on state law for information on these default requirements.

Municipal regulation can change frequently, and users should consult the responsible town official(s) for current information.

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Aquinnah

Aquaculture Licensing

Status	Aquinnah has aquaculture regulations, but they are not available online. Inquire with Shellfish Constable for more information.
Authority	The Aquinnah Selectmen set the aquaculture regulations. The regulations are enforced by the Shellfish Constable, who is also the Harbormaster.

Navigation

Status	The Town of Aquinnah has established Waterways Rules and Regulations “to establish standard policies and practices” in town waters. ¹
Channels	The Waterways Rules and Regulations prohibit obstruction or impedance of use of the channel by a vessel engaged in fishing, ² but they do not mention aquaculture.
Moorings	The Harbormaster approves all mooring locations and monitors the locations of the private mooring fields. ³

Wetlands

Status	Aquinnah bylaws protect wetlands and adjoining land areas. ⁴
Permit Requirement	Aquaculture is exempted from the requirement to obtain a permit from the Conservation Commission. ⁵

Learn More

Harbormaster/ Shellfish Constable	Website Phone: 508-645-2307
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¹ Aquinnah, Mass. Waterways Rules and Regulations § I, <http://aquinnah-ma.gov/sites/default/files/AquinnahWaterwaysRulesandRegulations.pdf>.

² *Id.* § III(H).

³ *Id.* § IV.A.

⁴ Aquinnah Town Gen. Bylaws 9 (1999), http://aquinnah-ma.gov/sites/default/files/AQ_Town%20General_By-Laws.pdf.

⁵ *Id.*

Barnstable

Aquaculture Licensing

Status	Barnstable has established aquaculture regulations. ⁶ The town has not established a moratorium, but all identified sites are filled. There is a wait-list located in the town manager's office.
Eligibility	An applicant must submit two forms of proof that they have been a domiciled resident for 12 consecutive months from the time of application. ⁷
Abutter Notice	An applicant is required to notify all abutters within 300 feet of the outside boundaries of the proposed licensed area. ⁸ The applicant must notify the abutters of the date, time and place of the public hearing on the application ten days prior to the hearing date. ⁹
Lot Size and Number	A new license area can be a maximum of 2 acres; for the first year, at least 10% of the site must be used for aquaculture, for the second year, 15%, and for the third year at least 20%. ¹⁰ A licensee is allowed a maximum of two acres on the Northside and two acres on the Southside within the Town of Barnstable inner bays. ¹¹
Gear Restrictions	There are no gear restrictions specified in the regulations.
Authority	The Town Council implements the aquaculture regulations. ¹² An application will be sent for comment by the Town Manger from Natural Resources, the Harbormaster, the Waterways Committee, the Recreation Department, the Conservation Commission, the Town Attorney, the Shellfish Committee, the precinct Councilor, civic association, and the village library. ¹³ The Shellfish Constable is authorized to monitor and inspect lease sites. ¹⁴

⁶ Barnstable, Mass. Town Code ch. 407.

⁷ *Id.* § 407-47.

⁸ *Id.* §407-48.

⁹ *Id.*

¹⁰ *Id.* §407-56.

¹¹ *Id.* §407-57.

¹² *Id.* §407-46.

¹³ *Id.* §407-51.

¹⁴ *Id.* §407-66.

Navigation

Status	Barnstable has established regulations governing marinas and moorings. ¹⁵
Channels	Aquaculture grants are subject to modification due to natural or manmade movement of navigational channels, such that any movement of a channel (to a depth of 3' at low tide) into an existing grant changes the boundary of the grant to the border of that new channel location. ¹⁶
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ¹⁷ The town mooring regulations do not prohibit or regulate placement of aquaculture gear in proximity to moorings. However, they do contain special provisions for permanent mooring of barges in aquaculture zones. ¹⁸ Under these regulations, such barges may be authorized only for shellfish propagation after obtaining an annual mooring permit and after review by the town Waterways Committee. At least 5 growers must share each barge, and no more than one barge may be authorized per 10 aquaculture grants.

Wetlands

Status	The Barnstable Town Code contains wetlands protections, which are implemented by the Conservation Department. ¹⁹ These protections do not alter default state requirements with respect to aquaculture permitting.
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Learn More

Natural Resources	Website Phone: 508-790-6272
Conservation	Website

¹⁵ Barnstable, Mass. Town Code, Part IV.

¹⁶ *Id.* § 407-65.

¹⁷ *Id.* § 40-3.

¹⁸ *Id.* § 406-8.

¹⁹ See Barnstable, Mass., *Conservation*, <http://www.townofbarnstable.us/Conservation/> (collecting regulations).

Beverly

Aquaculture Licensing

Status	Beverly has not established aquaculture licensing regulations. Default state processes therefore apply.
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Navigation

Status	Beverly places waterways management under the authority of the town harbormaster ²⁰ and its Harbor Management Authority. ²¹ It has established mooring regulations. ²²
Channels	No regulations govern placement of aquaculture sites in relation to channels.
Moorings	Mooring locations may conflict with possible aquaculture sites. The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²³

Wetlands

Status	Beverly has a Wetlands Protection Ordinance and regulations, last amended in March, 2018, which are implemented by the Conservation Commission. ²⁴
Abutter Notification	Abutters within 300 feet of a proposed activity must be notified. ²⁵

Learn More

Harbormaster	Website Phone: 978-921-6059
Conservation Commission	Website

²⁰ Beverly, Mass. Town Code § 8.27.

²¹ *Id.* § 7.24.

²² Beverly, Mass. Mooring Regs., <http://www.harbormasters.org/beverly/moorreg.htm>.

²³ *Id.* § IV.2.

²⁴ Beverly, Mass. Wetlands Protection Regs. (2018), <http://www.beverlyma.gov/wp-content/uploads/2018/03/FINAL-Voted-3-20-18-revised-regulations.pdf>.

²⁵ *Id.* §§ 565-7, 565-18.

Boston

Aquaculture Licensing

Status	Boston has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	The Boston Harbormaster enforces maritime and environmental regulations, which do not specifically address aquaculture. Boston waters include federal channels. Proposed projects within 3.5 times the width of a federal channel will trigger § 408 review by the Army Corps of Engineers.
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Wetlands

Status	Boston's wetlands permitting is implemented by the Conservation Commission. It has not altered state law with respect to aquaculture.
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Learn More

Boston Police (harbormaster)	Website Phone: 617-343-4721
Conservation Commission	Website

Bourne

Aquaculture Licensing

Status	Bourne has established aquaculture regulations, but they are not available online. This information is based on communication with Bourne officials. There was a moratorium until December, 2017, which may be ongoing. There is currently no wait-list.
Eligibility	To apply for an aquaculture application, an applicant must be a Bourne resident.
Lot Size and Number	An applicant can get 1 acre for their first year.
Authority	The Board of Selectmen established the aquaculture regulations. The Shellfish Constable enforces the regulations.

Navigation

Status	Bourne has established waterways regulations, including for moorings, and shellfish regulations.
Channels	No warp or line may be passed across channels so as to obstruct vessel navigation. ²⁶ No permits will be granted for a mooring, float or raft that will endanger other vessels or interfere with channels. ²⁷ Town regulations prohibit placement of “a mooring buoy, lobster pot, eel pot, or other obstacle[] that will cause or create a hazard to navigation in areas usually used as channels for navigation.” ²⁸
Moorings	All floats require a mooring permit. ²⁹ The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ³⁰

Wetlands

Status	Bourne has issued Wetlands Regulations. ³¹ The regulations do not alter state law with respect to aquaculture permitting.
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²⁶ Bourne, Mass. Waterways Regs. § 1.4.

²⁷ *Id.* § 2.5.

²⁸ *Id.* § 2.12; *see also* Bourne, Mass. Shellfish Regs. § 2.4.

²⁹ *Id.* § 3.1.

³⁰ Bourne, Mass. Waterways Regs. § 2.2.

³¹ Bourne, Mass. Wetlands Regs. (2000),

http://www.townofbourne.com/sites/bournema/files/file/file/2009_bourne_wetlands_regulations.pdf.

[Learn More](#)

Department of Natural [Website](#) | Phone: 508-759-0600 x1504
Resources

Harbormaster Phone: 508-759-2512.

Marinas Office Phone: 508-759-2512

Braintree

Aquaculture Licensing

Status	Braintree has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Braintree does not currently have navigation regulations specifically affecting aquaculture.
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Wetlands

Status	Braintree wetlands regulations do not alter generally applicable requirements pertaining to aquaculture.
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Learn More

Harbormaster	Website email Phone: 781-664-0212
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Conservation Commission	Website
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Brewster

Aquaculture Licensing

Status	<p>Brewster has established aquaculture regulations as part of its commercial shellfish regulations. However, these regulations are not available online. Information presented here is based on review of earlier versions of these regulations.</p> <p>The Department of Natural Resources maintains a wait-list on its website.³²</p>
Eligibility	<p>Growers must be residents or taxpayers in the town of Brewster and must be able to present definite proof of domicile or taxpayer status.</p>
Authority	<p>The Board of Selectmen establishes regulations, which are implemented and enforced by the Department of Natural Resources and its Shellfish Constables.</p>

Navigation

Status	<p>Brewster has established mooring regulations,³³ which are enforced by the town harbormaster within the Department of Natural Resources.</p>
Moorings	<p>Any mooring or float in Brewster requires a permit.³⁴ All vessels in Brewster must be properly moored such that they do not present a hazard to navigation, access, aquaculture, or other uses.³⁵ The Harbormaster approves all mooring locations.³⁶ Two areas are specifically off limits—in front of Town Landings or in Paine’s Creek.³⁷</p>

Wetlands

Status	<p>Brewster has created a wetlands protection bylaw and regulations, both of which are implemented by the Conservation Commission and apply to aquaculture.³⁸</p>
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³² Brewster, Mass., *Natural Resources & Shellfish*, <http://www.brewster-ma.gov/departments-mainmenu-26/natural-resources-mainmenu-98>.

³³ Brewster, Mass. Mooring Regs. (2013), <http://records.brewster-ma.gov/weblink/0/doc/76062/Page1.aspx>.

³⁴ *Id.* § 5.1.

³⁵ *Id.* § 5.5.

³⁶ *Id.* § 5.1.

³⁷ *Id.* § 5.9.

³⁸ Brewster, Mass, Town Code ch. 172 (bylaw); Brewster, Mass. Wetland Regs. § 2.08(5) (2013), <http://records.brewster-ma.gov/weblink/0/doc/75661/Page1.aspx>.

Abutter Notification Notice is required to abutters within 300 feet of the proposed activity.³⁹

[Learn More](#)

Natural Resources [Website](#)
Department

Director of Shellfish [Email](#) | Phone: 508-896-4546

Conservation [Website](#) | Phone: 508-896-3701 x1124
Department

³⁹ Brewster, Mass, Town Code § 172-5.

Chatham

Aquaculture Licensing

Status	Chatham commercial shellfish regulations provide that the town will not issue any aquaculture licenses. ⁴⁰ This moratorium has no expiration date and the town does not maintain a wait-list. Despite the prohibition on new leases, existing aquaculture enterprises can continue, and the town recently agreed to a “change in use” to allow aquaculture on an old fish weir grant in Nantucket Sound within town borders.
Authority	The Shellfish Constable enforces commercial shellfishing regulations, including aquaculture.

Navigation

Status	Chatham has established waterways by-laws and mooring regulations, both of which are administered by the Harbormaster. ⁴¹
Channels	Town waterway regulations authorize removal of “[a]ny vessel, mooring or object constituting a hazard to navigation.” ⁴² No vessel may anchor in the dredged channel, a mooring area, or channel, including several specific locations. ⁴³
Moorings	A mooring permit is required to moor any vessel, and moorings may only be used in approved locations. ⁴⁴ The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ⁴⁵ The harbormaster also maps the locations of select prohibited areas and seasonal closures.

Wetlands

Status	Chatham has established wetlands bylaws and associated regulations, which are administered by the Conservation
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⁴⁰ Chatham, Mass. Shellfish Rules and Regs. § 401(F).

⁴¹ Chatham, Mass. Town Code ch. 265; Chatham, Mass. Mooring Regs. (2014), <https://www.chatham-ma.gov/harbor-master/files/mooring-regulations>.

⁴² Chatham, Mass. Town Code § 265-11.

⁴³ Chatham, Mass. Mooring Regs. § 1022 (“(a) Stage Harbor. Vessels may anchor, in Stage Harbor, on a temporary basis only, in the area on the south side of the dredged channel, west of Stage Harbor buoy 8. In no case shall a vessel anchor in the dredged channel. Vessels shall not anchor in Stage Harbor in the inner harbor, east of Stage Harbor Buoy 8, or in the area on the north side of the dredged channel, west of Stage Harbor Buoy 8. (b) All other areas. Vessels may anchor with the permission of the Harbormaster, but shall not anchor in a mooring area or channel.”).

⁴⁴ Chatham, Mass. Town Code § 265-14.

⁴⁵ *Id.* § 265-13(a).

Commission.⁴⁶ The bylaws are independent from but consistent with the state Wetlands Protection Act.⁴⁷

Permit Requirement

Aquaculture is one of the activities that the bylaw and regulations seek to protect.⁴⁸ However, it also requires a permit, as it alters submerged lands.⁴⁹

Learn More

Shellfish Division [Website](#) | Phone: 508-945-5184

Harbormaster [Website](#) | Phone: 508-945-5185

Conservation
Commission [Website](#) | Phone: 508-945-5164

⁴⁶ *Id.* ch. 272; Chatham, Mass. Wetlands Regs. Part I (2014), <https://www.chatham-ma.gov/conservation/files/part-i-general-provisions>; Chatham, Mass. Wetlands Regs. Part II (2014), <https://www.chatham-ma.gov/conservation/files/part-ii-regulations-coastal-wetlands>.

⁴⁷ Chatham, Mass. Town Code § 272-12.

⁴⁸ Chatham, Mass. Wetlands Regs. Part I § 1.01(2).

⁴⁹ *Id.*

Chilmark

Aquaculture Licensing

Status	Chilmark has established aquaculture licensing provisions within its shellfish regulations. ⁵⁰ Licenses will be issued by the Board of Selectmen only for listed species. ⁵¹ The town has established grant areas for aquaculture; however, all current grant areas are full. Chilmark currently does not have a formal wait-list.
Eligibility	An applicant must be a permanent, full-time resident of Chilmark who has been domiciled in Chilmark for at least 6 months. ⁵²
Lot Size and Number	The total licensed area in each pond or bay is limited to 10% of the acreage of that pond or bay. ⁵³ For an offshore grant, the maximum lot size is 25 acres. For a grant within a pond or bay, the maximum size is ¼ acre, or one acre for bottom licenses. A licensee can only hold one grant. ⁵⁴
Gear Restrictions	Floating gear is not allowed, except after approval from the Board of Selectmen. The town maintains a designated floating upweller site. ⁵⁵
Authority	The Shellfish Advisory Board and the Selectmen administer the regulations. Shellfish Constable enforces the regulations.

Navigation

Status	Chilmark has adopted waterways rules and regulations governing operations in Menemsha harbor and other town waterways.
Channels	“No vessel engaged in fishing or any person fishing from the shore shall obstruct Menemsha Channel or impede its use.” ⁵⁶ Similarly, “[n]o anchorage is allowed in the harbor or navigational channels.” ⁵⁷

⁵⁰ Chilmark, Mass. Regulations as to the Taking of Shellfish (2016) §§ 44-53, <http://www.chilmarkma.gov/Pages/FV1-00018D7E/ShellfishRegs.2016.pdf>.

⁵¹ *Id.* § 44.

⁵² *Id.* § 45,

⁵³ *Id.* § 47.

⁵⁴ *Id.* §§ 48-49.

⁵⁵ *Id.* § 53(A9).

⁵⁶ Chilmark, Mass. Waterways Rules & Regs. § III(H) (2008), http://chilmarkma.gov/Pages/ChilmarkMA_Harbor/WaterwayRegs.Dec.2016.pdf.

⁵⁷ *Id.* § III(N).

Moorings	Moorings cannot be set in navigation channels. ⁵⁸ The harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ⁵⁹
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Wetlands

Status	Chilmark has established wetlands protection bylaws, which are implemented by the Conservation Commission. ⁶⁰
Abutter Notification	Project proponents must notify any abutter within 300 feet of the project boundary. ⁶¹

Learn More

Shellfish Department	Website Phone: 508-645-2100 ext.2145
Harbormaster	Website Phone: 508-645-2100 x2846 (town hall), 508-645-2846 (summer/harbor)

⁵⁸ *Id.* § IV(L).

⁵⁹ *Id.* §§ II(B), IV.

⁶⁰ Chilmark, Mass. Wetlands Protection Bylaws (1993), http://chilmarkma.gov/Pages/ChilmarkMA_Conservation/CCREGS.pdf.

⁶¹ *Id.* §§ 1.05, 1.06.

Cohasset

Aquaculture Licensing

Status	Cohasset shellfish regulations are not available. Contact the town for more information.
Authority	The Shellfish Constable is responsible for enforcing all statutes, ordinances, bylaws, rules, and regulations relative to shellfish in the town. ⁶²

Navigation

Status	Cohasset has established navigational requirements in town by-laws and has issued Harbor Rules and Regulations. ⁶³
Channels	The Cohasset Harbor Regulations prohibit anchoring any vessels within Cohasset Harbor, the entrance to the channel, or the inner harbor inside the breakwater. ⁶⁴ In addition, “[n]o boats, lobster pots, lobster cars, pounds, or crab pots shall be moored or slipped in such a manner which could cause a hazard to navigation or to property.” ⁶⁵
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ⁶⁶ Moorings may be assigned for either commercial fishing or other recreational boats, and mooring fields are designated on the Cohasset Harbor Plan. ⁶⁷

Wetlands

Status	Cohasset has established wetlands bylaws and associated rules and regulations, which are implemented by the Conservation Commission. ⁶⁸
Protected Areas	The wetlands bylaws do not explicitly include ocean waters more than 100 feet from the coast. ⁶⁹ Contact town officials to determine permitting requirements for aquaculture.

⁶² Cohasset, Mass. Gen. Bylaws, art. IV § 15(c) <https://www.ecode360.com/attachment/C03662/C03662-BY.pdf>.

⁶³ Cohasset, Mass. General Bylaws, art. IX.; Cohasset, Mass. Harbor Regs., <http://www.cohassetma.org/DocumentCenter/View/161/Cohasset-Harbor-Rules-and-Regulations-PDF>.

⁶⁴ Cohasset, Mass. Harbor Regs. § 22.

⁶⁵ *Id.*

⁶⁶ Cohasset, Mass. Gen. Bylaws, Art. IX § 2; Cohasset, Mass. Harbor Regs. § 3.

⁶⁷ Cohasset, Mass. Harbor Regs. § 3.

⁶⁸ Cohasset, Mass. Gen. Bylaws, Art. XIV; Cohasset, Mass. Wetlands Rules and Regs., <http://www.cohassetma.org/DocumentCenter/View/118/Cohasset-Wetland-Rules-and-Regulations-PDF>.

⁶⁹ Cohasset, Mass. Gen. Bylaws, Art. XIV § 2; Cohasset, Mass. Wetlands Rules and Regs. § 1.

Learn More

Harbormaster

[Website](#) | Phone: 781-383-0863

Conservation
Commission

[Website](#) | Phone: 781-383-4100 x5104

Danvers

Aquaculture Licensing

Status	Danvers has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Danvers has established Water By-laws, which include regulations for moorings and other related topics. ⁷⁰
Moorings	<p>The Harbormaster approves all mooring locations⁷¹ and can provide guidance on siting aquaculture that avoids conflict. “No mooring shall be located in the main stream or any channel of the harbor,” and must be located so that vessels do not “block any channel or approach to docks, wharves, or other moorings in the vicinity or create and other hazard to navigation.”⁷²</p> <p>The Harbormaster is authorized to order the removal of “mooring[s], floats, rafts and docks held by anchors, bottom moorings or other, in violation of harbor regulations or a hazard to navigation,” after notice to the owner.⁷³</p> <p>Floating upwellers and other vessels without engines are not allowed to occupy moorings or slips at a town marina.⁷⁴</p>

Wetlands

Status	The Conservation Commission administers the Danvers wetlands bylaw and regulations. ⁷⁵ Aquaculture is not exempt from permitting. ⁷⁶
Abutter Notification	Notice is required to all abutters within 300 feet of the parcel where a permit is sought. ⁷⁷
Protected Areas	The wetlands bylaws do not explicitly include ocean waters more than 100 feet from the coast. ⁷⁸ Contact town officials to determine permitting requirements for aquaculture.

⁷⁰ Danvers, Mass. By-Laws ch. 28.

⁷¹ *Id.* § 28-3.

⁷² *Id.* § 28-17.

⁷³ *Id.* § 28-4(10).

⁷⁴ *Id.* § 28-6.

⁷⁵ Danvers, Mass. Wetlands Bylaw and Wetlands Bylaw Regulations, <https://storage.googleapis.com/proudcity/danversma/uploads/2017/06/Wetland-Bylaw.pdf>.

⁷⁶ *Id.* § 3.

⁷⁷ *Id.* § 5.

⁷⁸ *Id.* § 2.

Learn More

Harbormaster

[Website](#) | Phone: 978-762-0210

Conservation
Commission

[Website](#) | Phone: (978) 777-0001 x. 3027

Dartmouth

Aquaculture Licensing

Status	Dartmouth has established aquaculture regulations. ⁷⁹ There is currently no moratorium on licenses and no wait-list.
Eligibility	Applicants must be domiciled within Dartmouth for 12 consecutive months prior to their application and must maintain residency throughout the time of the lease site. ⁸⁰
Abutter Notice	An applicant must notify all abutters within 500 feet of the boundaries of the proposed license area no less than seven days prior to the public hearing. ⁸¹
Lot Size and Number	Each license shall be for not more than ½ acre. A new applicant may apply for two licenses. After three years of continuous aquaculture operation, an applicant can have up to four licenses. After ten years, there is no limit. ⁸²
Gear Restrictions	The Select Board is authorized to impose gear type and size restrictions, but the regulations do not include specific limits. ⁸³
Authority	All aquaculture regulations are implemented by the Select Board and enforced by the Shellfish Constable. ⁸⁴

Navigation

Status	Dartmouth has established Waterways Rules and Regulations as well as Mooring Regulations. ⁸⁵
Channels	“No vessel shall be moored or anchored so as to interfere with free and unobstructed use of channels, fairways or berthing spaces without express written approval of the Harbormaster.” ⁸⁶ In addition, “[p]ot floats, fish nets, and fishing lines” are prohibited in any channel or fairway. ⁸⁷
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ⁸⁸

⁷⁹ Dartmouth, Mass. Aquaculture Regs., http://www.town.dartmouth.ma.us/sites/dartmouthma/files/uploads/aquaculture_regulations.pdf.

⁸⁰ *Id.* § 5.

⁸¹ *Id.* § 6.3.

⁸² *Id.* § 8.

⁸³ *Id.* § 19.

⁸⁴ *Id.* §§ 2, 21.

⁸⁵ Dartmouth, Mass. Waterways Rules and Regs., http://www.dartmouthharbormaster.com/rulesandregs/waterways_management.php; Dartmouth, Mass. Mooring Regs., http://www.dartmouthharbormaster.com/rulesandregs/mooring_regulations.php.

⁸⁶ Dartmouth, Mass. Waterways Rules and Regs. § 16.

⁸⁷ *Id.* § 18.

⁸⁸ *Id.* § 1; Dartmouth, Mass. Mooring Regs. § 6.

Commercial moorings are available only to businesses with a principal place of business within the town for use as a rental mooring.⁸⁹

Wetlands

Status

Dartmouth has a wetlands protection bylaw, administered by the Conservation Commission.⁹⁰ The ocean is explicitly included in the protected area.⁹¹

Learn More

Harbormaster

[Website](#) | Phone: 508-999-0759

Conservation Commission

[Website](#)

⁸⁹ Dartmouth, Mass. Mooring Regs. § 5.

⁹⁰ Dartmouth, Mass. Wetlands Bylaw (2015), <https://www.town.dartmouth.ma.us/conservation-commission/files/wetlands-protection-bylaw>.

⁹¹ *Id.* § 2.

Dennis

Aquaculture Licensing

Status	Dennis has issued aquaculture licensing regulations, which are administered by the Shellfish Constable. ⁹² License areas cannot be “extensively used as part of the public recreational or commercial fishery. The area should be considered an unproductive area. Other concerns are: shellfish areas classified as prohibited or seasonally prohibited, high use mooring fields, navigable channels, public and semi-public swim areas, areas with shorefront homes owners and areas 500 feet from marinas.” ⁹³
Eligibility	An applicant must prove that he or she is a domiciled, year-round resident of Dennis and be registered to vote there. ⁹⁴
Abutter Notice	An applicant must notify all property owners within 500 feet of the outside boundaries of the proposed license area fifteen days prior to the public hearing date. ⁹⁵
Lot Size and Number	There are no regulatory restrictions upon area size. However, within the first two license years, a licensee must have at least \$1000 worth of seed and gear in the license area. For year three, it is \$500 of product. ⁹⁶
Gear Restriction	Floating gear is prohibited: “no structure of any kind, other than spat collection devices such as so-called “Chinese hat” shall protrude more than 18 inches above the substrate.” ⁹⁷
Authority	The Board of Selectmen promulgated the aquaculture regulations. The Shellfish Committee can inspect the licensed area twice a year and the Shellfish Constable can inspect and monitor licensed areas. ⁹⁸

Navigation

Status	The Town of Dennis has adopted Waterways Regulations. ⁹⁹
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⁹² Dennis, Mass. Privately Licensed Shellfish Area Procedure & Regs., http://www.town.dennis.ma.us/Pages/DennisMA_NaturalResources/Private.pdf.

⁹³ *Id.* at preamble.

⁹⁴ *Id.* § 1.

⁹⁵ *Id.* § e.

⁹⁶ *Id.* § 5.

⁹⁷ *Id.* § 11.

⁹⁸ *Id.* at § 6.

⁹⁹ Dennis, Mass. Waterways Regs., http://www.town.dennis.ma.us/Pages/DennisMA_Harbormaster/Regs1-6-15.pdf.

Channels Activity on a vessel cannot “interfere[] unnecessarily with the safe navigation of other vessels or the public safety” and anchoring is prohibited “in the travelled portion of a marked navigational channel in a way that will prevent or interfere with any other vessel passing through the same area.”¹⁰⁰ Vessels and objects that present a hazard to navigation may be removed.¹⁰¹

Moorings A mooring permit is required in Dennis, including permits for floats.¹⁰² The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. Location of shellfish storage, including upwellers or winter storage, in Sesuit Harbor is limited and requires authorization by the harbormaster.¹⁰³

Wetlands

Status Dennis has established a wetlands bylaw and associated Conservation Commission rules and regulations.¹⁰⁴ Aquaculture is a value to be protected under the Bylaw.¹⁰⁵ The wetlands bylaw does not explicitly include ocean waters more than 100 feet from the coast.¹⁰⁶ New or expanded aquaculture activity is subject to permitting.¹⁰⁷ Contact town officials to determine permitting requirements for aquaculture.

Learn More

Shellfish Department [Website](#) | [email](#) | Phone: 508-760-6123

Harbormaster [Website](#) | Phone: 508-385-5555

Conservation Commission [Website](#) | [email](#) | 508-760-6123

¹⁰⁰ Dennis, Mass. Waterways Regs. § 3(J).

¹⁰¹ *Id.*

¹⁰² *Id.* §§ 7(A), 7(C).

¹⁰³ *Id.* § 4(G) (“The retaining of live fin fish, shellfish, lobster or crabs in pens, cars or similar devices within Sesuit Harbor is prohibited unless authorized by the Harbormaster. The Harbormaster may issue a special permit for the temporary placement of a float, up-weller, bags or similar device(s) used for the over-wintering of shellfish provided that the applicant obtains all necessary approvals from the Shellfish Constable of the Town prior to applying for said permit.”).

¹⁰⁴ Dennis, Mass. Wetlands Bylaw,

http://www.town.dennis.ma.us/Pages/DennisMA_BComm/conservation/Rules%20and%20Regs/Bylaw.pdf;

Dennis, Mass. Cons. Comm’n Rules & Regs.,

http://www.town.dennis.ma.us/Pages/DennisMA_BComm/conservation/Rules.pdf.

¹⁰⁵ Dennis, Mass. Wetlands Bylaw § 1.

¹⁰⁶ *Id.* § 2.

¹⁰⁷ *Id.* § 3.

Duxbury

Aquaculture Licensing

Status	Duxbury has issued aquaculture regulations along with an Aquaculture Management Plan for Duxbury Bay. ¹⁰⁸ The town has drafted revised regulations, which have not been finalized to date. ¹⁰⁹ Contact town officials for current status and availability of aquaculture grants.
Eligibility	An applicant must prove that he or she has been a domiciled resident for 12 consecutive months prior to application. ¹¹⁰
Abutter Notification	An applicant is required to notify all abutters and licensees within 700 feet of any point along the perimeter of the proposed licensed area at least ten days before the public hearing date. ¹¹¹
Lot Size and Number	Licensees may not have more than one license. A license area may be no more than three acres. ¹¹² Aquaculture shall not occur within 25 feet of eelgrass, widgeongrass, or a saltmarsh. There must be a 75-foot buffer zone between sites. ¹¹³
Gear Restrictions	A shellfish raft may only be used in areas specified by the license. ¹¹⁴ Structures or other devices cannot protrude more than 18 inches above the substrate. ¹¹⁵
Authority	The Board of Selectmen promulgated the regulations and is in charge of the application process. ¹¹⁶ The Shellfish Constable has the right to inspect a lease site and enforce the regulations. ¹¹⁷

Navigation

Status	The Town of Duxbury has established mooring regulations. ¹¹⁸
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¹⁰⁸ Duxbury, Mass. Aquacultural Grant Program Regs., in DUXBURY AQUACULTURE MANAGEMENT PLAN Att. A (2009),

https://www.town.duxbury.ma.us/sites/duxburyma/files/uploads/duxbury_aquaculture_management_plan.pdf.

¹⁰⁹ Duxbury, Mass., Minutes, Shellfish Advisory Committee (Jan. 11, 2017).

¹¹⁰ *Id.* § 5.

¹¹¹ *Id.* § 7.3.3.

¹¹² *Id.* § 7.4.4.

¹¹³ *Id.* § 8.6.

¹¹⁴ *Id.* § 8.5.

¹¹⁵ *Id.*

¹¹⁶ *Id.* § 2.

¹¹⁷ *Id.* § 9.7.

¹¹⁸ Duxbury, Mass. Rules & Regs. for Moorings, Permits and Waiting Lists (2017), <https://www.duxburypolice.org/marine-unit/files/town-duxbury-rules-and-regulations-moorings-permits-and-waiting-lists>.

Channels Town regulations do not explicitly govern vessel operations in channels.

Moorings A mooring permit is required for vessels and objects anchored in town waterways.¹¹⁹ The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict.¹²⁰

Wetlands

Status Duxbury has a wetlands protection bylaw and Conservation Commission regulations.¹²¹ Normal maintenance and improvement of aquaculture sites is not subject to these provisions, but new or expanded use will require a permit.¹²²

Learn More

Shellfish Advisory Committee [Website](#)

Harbormaster [Website](#) | Phone: 781-934-1100

Conservation Commission [Website](#)

¹¹⁹ *Id.* § 4.

¹²⁰ *Id.* § 1.

¹²¹ Duxbury, Mass. General Bylaws ch. 9 (2017); Duxbury, Mass. Wetlands Regulations (2017), <https://www.town.duxbury.ma.us/conservation-department/files/duxbury-wetland-regulations>.

¹²² Duxbury, Mass. General Bylaws § 9.1.1.

Eastham

Aquaculture Licensing

Status	Eastham has issued aquaculture regulations. ¹²³ It does not currently have an official moratorium on issuing licenses. However, Aquaculture Development Areas (ADAs) are full and there is a wait-list, to which growers can be added for a \$25 fee.
Eligibility	There is no residency requirement to apply for a license; however, an applicant must first obtain a commercial shellfish permit. ¹²⁴
Lot Size and Number	ADAs have been established in the intertidal areas of Cape Cod Bay and Nauset Marsh. ¹²⁵ There are 20 sites, each being a ½ acre with a ½ acre expansion possibility next to each site. ¹²⁶ A person can hold a maximum of 2 acres. ¹²⁷ Sites outside the ADAs are reviewed on an individual basis. ¹²⁸
Gear Restrictions	Structures may not protrude more than 18 inches above the bottom. ¹²⁹
Authority	The Board of Selectmen promulgated the aquaculture regulations. The Shellfish Constable enforces the regulations.

Navigation

Status	Eastham has established Mooring Regulations.
Channels	Mooring locations may not be in channels narrower than 150' or so as to interfere with the "main channel" or town dock, or in certain harbors. ¹³⁰
Moorings	The Natural Resources Department issues mooring permits, which are required. ¹³¹ Additional approval from the Conservation Commission is required for large floats. ¹³² A person with a commercial shellfish permit and mooring permit

¹²³ Town of Eastham Policy Guidelines, Aquaculture License Regs. (2009), https://www.eastham-ma.gov/sites/easthamma/files/pages/aquaculture_regulations.pdf.

¹²⁴ *Id.* § 3.1.

¹²⁵ *Id.* § 5.

¹²⁶ *Id.* § 5.4.

¹²⁷ *Id.* § 3.4.

¹²⁸ *Id.* § 5.7.

¹²⁹ *Id.* § 6.6.

¹³⁰ Eastham, Mass. Mooring Regs. and Policies §§ 6.2, 6.3, <https://www.eastham-ma.gov/harbormaster/files/mooring-regulations>.

¹³¹ *Id.* §§ 3.11, 3.4.

¹³² *Id.* § 3.13.

from the town may obtain a vessel storage permit at no cost.¹³³ Moorings are restricted in certain locations established by regulation.¹³⁴

Wetlands

Status

Eastham has established a wetlands bylaw.¹³⁵ The wetlands bylaw does not explicitly include ocean waters more than 100 feet from the coast.¹³⁶ Contact town officials to determine permitting requirements for aquaculture.

Learn More

Shellfish Constable	Website Phone: 508-240-5972
Harbormaster	Website Phone: 508-240-5972
Conservation Commission	Website Phone: 508-240-5972

¹³³ *Id.* § 3.14.

¹³⁴ Eastham, Mass. Mooring Regs. and Policies § 6.

¹³⁵ Eastham, Mass. Bylaws ch. 155 (1999).

¹³⁶ *Id.* § 155-2.

Edgartown

Aquaculture Licensing

Status	Edgartown has issued aquaculture regulations. ¹³⁷
Eligibility	Licenses are only available to individuals who are permanent full-time residents and are non-transferable other than to applicant's spouse or applicant's children. ¹³⁸
Lot Size and Number	Licenses are granted for three years and can be renewed at the end of each year of the period for the next three years. ¹³⁹ In order to renew a license, the grantee must prove use of the license. ¹⁴⁰
Gear Restrictions	Floating gear is not allowed due to navigation and aesthetic reasons. ¹⁴¹
Authority	Applicants must fill out an application and appear before the Shellfish Committee at one of their meetings. ¹⁴² The Shellfish Department enforces all regulations. ¹⁴³

Navigation

Status	Edgartown has established mooring regulations. ¹⁴⁴
Moorings	The Harbormaster approves all mooring locations (and monitors the locations of the private mooring fields) and can provide guidance on siting aquaculture that avoids conflict. ¹⁴⁵

Wetlands

Status	Edgartown has established a wetlands protection bylaw. ¹⁴⁶ The bylaw does not explicitly include ocean waters, other than estuaries and waters less than 200 feet from the shore. ¹⁴⁷ Contact town officials to determine permitting requirements for aquaculture sites.
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¹³⁷ Edgartown, Mass. Regs. For the Taking and Culture of Shellfish (2017), <https://www.edgartown-ma.us/images/EdgShellRegs2017.pdf>.

¹³⁸ *Id.* § 10(B).

¹³⁹ *Id.* § 10(C).

¹⁴⁰ *Id.*

¹⁴¹ *Id.* § 11(G).

¹⁴² *Id.* § 11 App. A(1).

¹⁴³ *Id.* § 12(A).

¹⁴⁴ Edgartown, Mass. Mooring Regs. (2003), <https://www.edgartown-ma.us/images/zoo/uploads/mooringregs.pdf>.

¹⁴⁵ *Id.* § II.

¹⁴⁶ Edgartown, Mass. Wetlands Protection Bylaw (1991), <https://www.edgartown-ma.us/images/zoo/uploads/WetlandsBylaw.pdf>.

¹⁴⁷ *Id.* § 1.

Learn More

Shellfish Department [Website](#) | Phone: 508-627-7570

Harbormaster [Website](#) | [email](#) | Phone: 508-627-4746

Conservation [Website](#)

Essex

Aquaculture Licensing

Status No Essex aquaculture regulations are available online. Inquire with the Shellfish Constable for more information on licensing.

Navigation

Status Essex has established harbor regulations that are enforced by the Essex Harbormaster.¹⁴⁸

Moorings The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict.¹⁴⁹ A list of mooring locations is provided on the Harbormaster's website.¹⁵⁰

Wetlands

Status Essex follows state default rules for wetlands permitting, as implemented by the Conservation Commission.

Learn More

Shellfish Constable [Website](#) | Phone: 978-768-3915.

Harbormaster [Website](#) | Phone: 978-768-6628

Conservation Commission [Website](#)

¹⁴⁸ Essex, Mass. Harbor Regs. (2018), http://www.essexma.org/Pages/EssexMA_Harbor/index.

¹⁴⁹ *Id.* §§ 2, 23.

¹⁵⁰ Essex Mooring Locations, at http://www.essexma.org/Pages/EssexMA_Harbor/Essex_Mooring_designation.pdf.

Fairhaven

Aquaculture Licensing

Status	Fairhaven has issued aquaculture regulations. While they authorize a moratorium, the town is accepting applications. ¹⁵¹
Eligibility	An applicant must be at least 18 years old, reside in Fairhaven for at least one year prior to the application, and remain a resident while the license is active. ¹⁵²
Abutter Notice	The applicant must provide a list of all abutters and any existing aquaculture license holders within 500 feet of the proposed licensed area. ¹⁵³
Lot Size and Number	The initial license area cannot exceed two acres. After three years, a license holder may apply for an extension or additional licenses. ¹⁵⁴
Gear Restrictions	The Board of Selectmen may restrict gear type and size. ¹⁵⁵
Authority	The Board of Selectmen implements the aquaculture regulations. ¹⁵⁶ The Harbormaster additionally reviews all applications. ¹⁵⁷ The Shellfish Warden has the authority to monitor and inspect licensed areas. ¹⁵⁸

Navigation

Status	Fairhaven has established a range of regulations and specifications pertaining to moorings and waterways. ¹⁵⁹
Channels	Anchoring north of the Hurricane Barrier to the Fairhaven Bridge/ Route 6 is prohibited. ¹⁶⁰
Moorings	The Harbormaster approves all mooring locations by permit and can provide guidance on siting aquaculture that avoids conflict. ¹⁶¹

¹⁵¹ Fairhaven, Mass. Rules and Regs. Governing Aquaculture § 2.3 (2017), https://www.fairhaven-ma.gov/sites/fairhavenma/files/uploads/aquaculture_rules_and_regs.pdf

¹⁵² *Id.* § 4.2.1.

¹⁵³ *Id.* § 3.1.2.

¹⁵⁴ *Id.* § 5.3.1.

¹⁵⁵ *Id.* § 6.2.1.

¹⁵⁶ *Id.* § 2.1.

¹⁵⁷ *Id.* § 5.2.1.

¹⁵⁸ *Id.* § 7.

¹⁵⁹ Fairhaven, Mass. Harbormaster & Shellfish Departments, *Rules and Regulations*, <https://www.fairhaven-ma.gov/harbormaster-shellfish-departments/pages/rules-and-regulations>.

¹⁶⁰ Fairhaven, Mass. Anchorage Rules within Fairhaven Waters, <https://www.fairhaven-ma.gov/harbormaster-shellfish-departments/files/anchorage-rules-within-fairhaven-waters>.

¹⁶¹ Fairhaven, Mass. Town Code §§ 145-5, 145-6.

Wetlands

Status

Fairhaven has established a wetlands bylaw.¹⁶² Approval from the Conservation Commission is required to alter resource areas, including ocean waters.¹⁶³

Learn More

Harbormaster /
Shellfish Departments

[Website](#) | Phone: 508-984-4529 x124

Conservation
Commission

[Website](#)

¹⁶² *Id.* ch. 192.

¹⁶³ *Id.* § 192-2.

Fall River

Aquaculture Licensing

Status	Fall River has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Fall River has established waterway regulations. ¹⁶⁴ The harbormaster enforces these regulations.
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Moorings	A mooring cannot be placed where it could be a hazard to navigation or in a location where the harbormaster has prohibited moorings. ¹⁶⁵
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The regulations prohibit anyone from placing any type of shellfish or other type of pot or trap within 150 feet of any mooring, float or boat ramp unless it is part of a state-approved aquaculture program.¹⁶⁶

Wetlands

Status	Essex follows state default rules for wetlands permitting, as implemented by the Conservation Commission.
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Learn More

Harbormaster	Website
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¹⁶⁴ Fall River, Mass. Code ch. 82.

¹⁶⁵ *Id.* § 82-3(a).

¹⁶⁶ *Id.* § 82-66(I).

Falmouth

Aquaculture Licensing

Status	Falmouth has issued aquaculture licensing regulations, which are administered by the Shellfish Constable. ¹⁶⁷
Eligibility	The regulations do not limit eligibility to Falmouth residents.
Lot Size and Number	Initial inshore license areas can be a maximum of 3 acres, with 2 of those acres reserved for expansion after 5 years. ¹⁶⁸ Offshore license areas, which include the coastal zone outside the ponds, rivers, and bays up to three miles offshore, can be a maximum of ten acres. ¹⁶⁹ Adjacent lots must maintain a 50-foot buffer to other licensed areas. ¹⁷⁰
Gear Restrictions	The regulations do not specify gear restrictions.

Navigation

Status	Falmouth has established waterway and mooring regulations, which are administered by the Harbormaster. ¹⁷¹
Channels	No warp or line shall pass across a channel or dock to interfere with vessels in the town's waters. ¹⁷² Certain fish pots are prohibited "in areas usually used as channels for navigation." ¹⁷³
Moorings	The Harbormaster approves all mooring locations. ¹⁷⁴ Boats used for commercial purposes cannot moor at a Falmouth marina without special permission from the Waterways Committee or Harbormaster. ¹⁷⁵

Wetlands

Status	Falmouth has issued wetlands protection bylaws and regulations, which are administered by the Conservation Commission. ¹⁷⁶ Ocean waters are included in the bylaw. ¹⁷⁷
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¹⁶⁷ Falmouth Town Code, ch. 275, art. III, <https://ecode360.com/9076706>.

¹⁶⁸ *Id.* § 275-29.

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ *Id.* ch. 231 (waterways), ch. 269 (moorings).

¹⁷² *Id.* § 231-2.

¹⁷³ *Id.* § 231-24.

¹⁷⁴ *Id.* § 269-2.

¹⁷⁵ *Id.* § 231-8.

¹⁷⁶ *Id.* ch. 235, ch. FWR.

¹⁷⁷ *Id.* § 235-2.

Learn More

Shellfish & Biological
Services [Website](#) | Phone: 508-457-2550

Harbormaster [Website](#) | [email](#) | Phone: 508-475-2550

Conservation
Commission [Website](#)

Gloucester

Aquaculture Licensing

Status	Gloucester has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Gloucester has established comprehensive waterway ordinances, which authorize the Waterways Board to issue regulations for administration by the harbormaster. ¹⁷⁸ The Board has issued regulations under this authority. ¹⁷⁹
Channels	Lobstering is prohibited in channels and mooring areas, but other fishing activities are not explicitly regulated. ¹⁸⁰
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ¹⁸¹ Moorings cannot interfere with the “public’s right of fishing, fowling, and navigation on the tidelands.” ¹⁸² Gloucester provides maps of the mooring areas under city jurisdiction. ¹⁸³

Wetlands

Status	Gloucester has issued a marshlands ordinance, which apply to lands subject to tidal action and are administered by the Conservation Commission. ¹⁸⁴
Abutter Notification	Abutters and “abutters to the abutters” must be notified of hearings on permit applications. ¹⁸⁵

Learn More

Shellfish Department	Website Phone: 978-325-5244
Harbormaster	Website Phone: 978-282-3012
Conservation Commission	Website

¹⁷⁸ Gloucester, Mass. Code Ord. ch. 10.

¹⁷⁹ City of Gloucester Waterways Board, Policies, Rules and Regulations Governing Gloucester’s Waterways and Public Waterfront Facilities (2018), <http://gloucester-ma.gov/DocumentCenter/View/3776>.

¹⁸⁰ Gloucester, Mass. Code Ord. § 10-82.

¹⁸¹ City of Gloucester Waterways Board, Policies, Rules and Regulations Governing Gloucester’s Waterways and Public Waterfront Facilities § IV.1.

¹⁸² *Id.* § IV.9.G.

¹⁸³ City of Gloucester, Mass., *Mooring Areas*, <http://gloucester-ma.gov/index.aspx?NID=175>.

¹⁸⁴ Gloucester, Mass. Code Ord. ch. 12, § 12-11.

¹⁸⁵ *Id.* § 12-17.

Gosnold

Aquaculture Licensing

Status	No Gosnold aquaculture regulations are available online. Inquire with the Shellfish Constable for more information on licensing.
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Navigation

Status	No Gosnold navigation regulations are available online. Inquire with the Harbormaster for more information on navigation conflicts and mooring information.
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Wetlands

Status	No Gosnold wetlands regulations are available online. Inquire with the Conservation Commission for more information on wetlands permitting requirements.
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Learn More

Shellfish Warden	Phone: 508-990-7408
Harbormaster	Phone: 508-990-7578
Conservation Commission	Phone: 508-990-7408

Harwich

Aquaculture Licensing

Status	Harwich has not established aquaculture licensing regulations, but it operates a municipal shellfish propagation laboratory. Default state licensing processes apply.
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Navigation

Status	Harwich has boating and waterways bylaws ¹⁸⁶ and harbor regulations. ¹⁸⁷
Moorings	No boat shall moor in an established channel or fairway, nor shall it be attached to a navigational marker or buoy. ¹⁸⁸ It is unlawful to anchor within 75 feet of mean low water at a town beach. ¹⁸⁹ The Harbormaster approves all mooring permits and can provide guidance on siting aquaculture that avoids conflict. ¹⁹⁰

Wetlands

Status	Harwich has established a wetlands protection bylaw under which aquaculture is defined as an activity to be protected. ¹⁹¹ The bylaw expressly applies to activities that may alter land under the ocean. ¹⁹² Permits must be obtained from the Conservation Commission.
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Learn More

Natural Resources Department	Website Phone: 508-430-7532
Harbormaster	Website Phone: 508-430-7509
Conservation Commission	Website

¹⁸⁶ Harwich, Mass. Town Code ch. 47.

¹⁸⁷ Harwich, Mass. Harbor Management Plan (2017), http://www.harwich-ma.gov/sites/harwichma/files/file/file/harbor_mgmt_plan.pdf.

¹⁸⁸ Harwich Harbor Management Plan, § 10.

¹⁸⁹ Harwich, Mass. Town Code § 47-8.

¹⁹⁰ Harwich, Mass. Harbor Management Plan § 3.1.

¹⁹¹ Harwich, Mass. Town Code ch. 310.

¹⁹² *Id.* § 310-3.

Hingham

Aquaculture Licensing

Status	Hingham has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Hingham has harbor bylaws and mooring regulations, both of which are administered by the Harbormaster. ¹⁹³
Channels	No temporary or permanent marker can be placed in a channel or fairway of Hingham Harbor without the express written permission of the Harbormaster. ¹⁹⁴
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ¹⁹⁵ Moored float permits are available. ¹⁹⁶

Wetlands

Status	Hingham has established a wetlands protection bylaw and regulations. ¹⁹⁷ These provisions expressly apply to alteration of lands under the ocean. ¹⁹⁸
Abutter Notification	Coastal applications require notification of abutters within 300 feet of the site. ¹⁹⁹

Learn More

Harbormaster	Website Phone: 781-741-1450
Conservation Commission	Website

¹⁹³ Hingham, Mass. Bylaws art. 15, <http://hpd.org/221/Harbor-By-Law>; Hingham, Mass. Mooring Regs., <http://ma-hinghampolice.civicplus.com/DocumentCenter/View/471>.

¹⁹⁴ Hingham, Mass. Bylaws § 15-7.

¹⁹⁵ Hingham Mooring Regs. § 4.

¹⁹⁶ *Id.*

¹⁹⁷ Hingham, Mass. Bylaws art. 22; Hingham, Mass. Conservation Commission, Hingham Wetlands Regs. (2014), <https://hingham-ma.gov/DocumentCenter/View/789/Hingham-Wetland-Regulations-PDF>.

¹⁹⁸ Hingham, Mass. Bylaws § 22-1.

¹⁹⁹ Hingham, Mass. Conservation Commission, Hingham Wetlands Regs. § 7.5.

Hull

Aquaculture Licensing

Status	Hull has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Hull has Mooring Regulations ²⁰⁰ and a Harbor Management Plan. ²⁰¹
Channels	The Hull Harbor Management Plan prohibits aquaculture in Hull Harbor. ²⁰²
Moorings	The Harbormaster must approve all mooring locations ²⁰³ and can provide guidance on siting aquaculture that avoids conflict.

Wetlands

Status	Hull follows state default rules for wetlands permitting, as implemented by the Conservation Commission.
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Learn More

Harbormaster	Website Phone: 781-925-0316
Conservation Department	Website

²⁰⁰ Hull, Mass. Mooring Rules & Regs. (2018), http://www.town.hull.ma.us/Public_Documents/HullMA_Harbor/Mooring.pdf.

²⁰¹ Hull, Mass. Harbor Management Plan, http://www.town.hull.ma.us/Public_Documents/HullMA_HarborManageCom/Harbor%20Management%20Plan.pdf.

²⁰² *Id.* § II.C.1.

²⁰³ Hull Harbormaster Department, Town of Hull Mooring Rules & Regulations § 1.

Ipswich

Aquaculture Licensing

Status	Ipswich has issued regulations to authorize aquaculture, which is limited solely to soft-shell clams (<i>Mya arenaria</i>). ²⁰⁴ The regulations authorize the Board of Selectmen to place a moratorium on grants, ²⁰⁵ but no record of a moratorium is available.
Eligibility	An applicant must be a resident of Ipswich and possess a valid commercial shellfish license. ²⁰⁶
Lot Size and Number	Grants are limited to one acre. Grant sites must be identified as non-productive for the wild shellfishery for at least 15 years. ²⁰⁷
Gear Restrictions	Growers must adhere to the practices set out in “Best Management Practices for the Shellfish Culture Industry of Massachusetts.” ²⁰⁸
Authority	The Shellfish Subcommittee, with approval of the Board of Selectmen created the regulations. The Shellfish Constable enforces the regulations.

Navigation

Status	The Ipswich harbormaster has issued waterways regulations, which establish mooring requirements. ²⁰⁹
Channels	Anchoring is prohibited in channels and mooring areas. ²¹⁰
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²¹¹

Wetlands

Status	Ipswich has established wetlands protection bylaws, which apply to lands subject to tidal action. ²¹²
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²⁰⁴ Ipswich, Mass. Shellfish Rules and Regs. § 13(A), <https://www.ipswichma.gov/DocumentCenter/View/10154>.

²⁰⁵ *Id.*

²⁰⁶ *Id.*

²⁰⁷ *Id.*

²⁰⁸ *Id.*

²⁰⁹ Ipswich, Mass. Rules and Regs. of the Waterways (2015), <http://www.ipswichma.gov/DocumentCenter/View/34>.

²¹⁰ *Id.* art. VI § 4.

²¹¹ *Id.* art. II §§ 1-2.

²¹² Ipswich, Mass. Bylaws § 224-2.

Learn More

Shellfish Department [Website](#) | Phone: 978-356-6671

Harbormaster [Website](#) | Phone: 987-356-4343. Designated mooring areas can be viewed on the Harbormaster website as Maps 1-6.

Conservation
Commission [Website](#)

Kingston

Aquaculture Licensing

Status	Kingston has issued aquaculture licensing regulations, which authorize aquaculture grants only on 10 acres of a 63-acre defined shellfish development area. ²¹³ The regulations direct the Shellfish Office to maintain a wait list. ²¹⁴ Sites must be at least 750' seaward of the mean high water mark. ²¹⁵
Eligibility	Applicants must be a resident of the town and must reside in the town for twelve months before submitting an application or receiving a license and must continue to be a resident while in possession of a license. ²¹⁶
Lot Size and Number	Shellfish grants may not exceed three acres, and no grant holder can have an interest in more than one grant. ²¹⁷
Gear Restrictions	Rafts are allowed only where specified in a license. ²¹⁸ No hydraulic or water pressure devices are permitted to harvest shellfish raised in bottom culture. ²¹⁹
Authority	The Town Selectmen create the regulations and the Shellfish Constable enforces those regulations.

Navigation

Status	Kingston has established Harborfront Regulations, which include mooring permit requirements. ²²⁰
Moorings	The aquaculture regulations require a permit from the harbormaster for all required moorings and ground tackle for floats, rafts, and other structures. ²²¹

²¹³ Kingston, Mass. Special Shellfish Regulations, preamble (2009), [http://www.kingstonmass.org/vertical/sites/%7B14403534-636B-4C7F-A416-D66D8321CF44%7D/uploads/Aquaculture Special Shellfish Regulations Amended 081710.pdf](http://www.kingstonmass.org/vertical/sites/%7B14403534-636B-4C7F-A416-D66D8321CF44%7D/uploads/Aquaculture%20Special%20Shellfish%20Regulations%20Amended%20081710.pdf).

²¹⁴ *Id.* § 4.

²¹⁵ *Id.* § 21.

²¹⁶ *Id.* § 1.

²¹⁷ *Id.* §§ 1, 9.

²¹⁸ *Id.* § 11.

²¹⁹ *Id.* § 26.

²²⁰ Kingston, MA, Harborfront Regs. available at [http://www.kingstonmass.org/vertical/sites/%7B14403534-636B-4C7F-A416-D66D8321CF44%7D/uploads/Harborfront Regulations 1.pdf](http://www.kingstonmass.org/vertical/sites/%7B14403534-636B-4C7F-A416-D66D8321CF44%7D/uploads/Harborfront%20Regulations%201.pdf).

²²¹ Kingston, Mass. Special Shellfish Regulations § 10.

Wetlands

Status

Kingston has established a wetlands protection bylaw and regulations.²²² A permit from the Conservation Commission is required for activities that may alter lands subject to tidal action.²²³

Learn More

Harbormaster & Shellfish Constable

[Website](#) | Phone: 781-585-0519

Conservation Commission

[Website](#) | Phone: 781-585-0537

²²² Kingston, Mass. General By-Laws ch. 13; Kingston, Mass. Wetland Protection Regs.(2012), [http://kingstonma.govoffice3.com/vertical/sites/%7B14403534-636B-4C7F-A416-D66D8321CF44%7D/uploads/KWPR_Final_1_3_20121\(1\).pdf](http://kingstonma.govoffice3.com/vertical/sites/%7B14403534-636B-4C7F-A416-D66D8321CF44%7D/uploads/KWPR_Final_1_3_20121(1).pdf).

²²³ Kingston, Mass. General By-Laws § 13-3-1.

Lynn

Aquaculture Licensing

Status	Lynn has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	There are no regulations on the Lynn harbormaster website. Contact the harbormaster for specific information on moorings and to avoid navigation conflicts.
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Wetlands

Status	Lynn has established a wetlands protection bylaw, which identify aquaculture as a wetland resource to be protected. ²²⁴ Oceans and submerged lands are subject to permitting by the Conservation Commission. ²²⁵
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Learn More

Harbormaster / Shellfish Constable	Website email Phone: 781-592-6010
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Conservation Commission	Website
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²²⁴ Lynn, Mass. General Wetlands Protection By-Law § 1 (2017), http://www.ci.lynn.ma.us/cityhall_documents/boards/City_of_Lynn_General_Wetlands_Protection_ByLaw_October_2017.pdf.

²²⁵ *Id.* § 2.

Manchester

Aquaculture Licensing

Status	Manchester has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Manchester has established mooring regulations. ²²⁶ A waterway permit sticker is required for all vessels that habitually use the harbor and are moored by ground tackle in a mooring area or berthed at a dock. ²²⁷ However, a waterway permit is not required for commercial floats. ²²⁸
Channels	Vessels cannot be moored in a location that will interfere with navigation of channels. ²²⁹ No fishing gear attached to buoys is allowed in Manchester's Main Harbor Channel. ²³⁰
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²³¹ Commercial fishing vessels may have special consideration for moorings, but aquaculture vessels do not qualify. ²³²

Wetlands

Status	Manchester has established a wetlands protection bylaw, which identifies aquaculture as a resource valuable to the town. ²³³ The bylaw applies to land under "any water body." ²³⁴ Work performed for normal maintenance or improvement of land in aquacultural use is excluded from the wetlands bylaws. ²³⁵
Abutter Notification	Persons seeking a wetlands permit must provide notification to abutters within 300 feet of the site. ²³⁶

²²⁶ Manchester-by-the-Sea, Mass., Manchester Harbor Mooring & Waterway Regs. (2016), <http://www.manchester.ma.us/DocumentCenter/Home/View/1331>.

²²⁷ *Id.* at 3.

²²⁸ *Id.* § C.

²²⁹ *Id.* § B.

²³⁰ *Id.*

²³¹ *Id.*

²³² *Id.*

²³³ Manchester, Mass. General By-Laws art. XVII § 1.1 (2017).

²³⁴ *Id.* art. XVII § 4.1.1.

²³⁵ *Id.* art. XVII § 5.3.

²³⁶ *Id.* art. XVII § 7.1.3.

Learn More

Harbormaster

[Website](#) | Phone: 978-473-2520

Conservation
Commission

[Website](#) | Phone: 978-526-4397

Marblehead

Aquaculture Licensing

Status	Marblehead has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Marblehead has established waterways bylaws, which are enforced by the harbormaster. ²³⁷
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²³⁸ Vessels of residents engaged exclusively in fishing and lobstering may be given a preference for mooring sites and an abatement on mooring permit fees. ²³⁹

Wetlands

Status	Marblehead has established wetlands bylaws, which apply to the ocean. ²⁴⁰ No permit is required for normal operation or maintenance of aquaculture sites. ²⁴¹
Abutter Notification	A permit requires notification of all abutters within 300 feet of the project. ²⁴²

Learn More

Harbormaster	Website Phone: 781-631-2386
Harbors & Waters Board	Website Phone: 781-631-2386

²³⁷ Manual for Marblehead Waters (2017), http://www.marblehead.org/sites/marbleheadma/files/uploads/manual_for_marblehead_waters_2017_0.pdf.

²³⁸ *Id.* § 1-24-105.

²³⁹ *Id.* at Part III.

²⁴⁰ Marblehead, Mass. General Bylaws ch. 194, § 194-2.

²⁴¹ *Id.* § 194-3.

²⁴² *Id.* § 194-4.

Marion

Aquaculture Licensing

Status	Marion has issued aquaculture regulations. ²⁴³ The Board of Selectmen may issue a license to an individual, group, or company to rear marine organisms under controlled conditions. ²⁴⁴ The Board can issue a moratorium when it deems appropriate to do so. ²⁴⁵
Eligibility	Applicants must hold or meet the requirements to hold a commercial shellfish license in Marion. ²⁴⁶
Lot Size and Number	Initial licenses are limited to one-half acre. ²⁴⁷
Gear Restrictions	The regulations do not limit gear. However, changes in the production plan and “additions of material investments (floats, barges, racks, trays, etc.)” must be approved by the Shellfish Officer, harbormaster, and Board of Selectmen. ²⁴⁸
Authority	The Shellfish Officer enforces the town regulations.

Navigation

Status	Marion has established Waterways Regulations. ²⁴⁹
Channels	Anchoring within Sippican Inner Harbor is limited to designated areas. ²⁵⁰
Moorings	All mooring systems used to hold rafts, cars, and other aquaculture equipment must comply with town waterway regulations and be approved by the Harbormaster. ²⁵¹ The harbormaster approves all mooring and float permits. ²⁵²

Wetlands

Status	Marion has not issued wetlands bylaws or regulations, but has issued four standards to guide its implementation of state
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²⁴³ Marion, Mass. Rules and Regs. for Aquaculture Licenses (1996), https://www.marionma.gov/sites/marionma/files/uploads/aquaculture_regs.pdf.

²⁴⁴ *Id.* at preamble.

²⁴⁵ *Id.*

²⁴⁶ *Id.* § 1.

²⁴⁷ *Id.* § 6.

²⁴⁸ *Id.* § 15.

²⁴⁹ Marion Waterways Regs. § IV(A)(1) (2016), <https://www.marionma.gov/harbormaster/files/waterways-regulations>.

²⁵⁰ *Id.* § VII.

²⁵¹ Marion, Mass. Rules and Regs. for Aquaculture Licenses § 12.

²⁵² Marion Waterways Regs. §§ IV, V.

wetlands law.²⁵³ Default state requirements applied, as implemented consistent with the town standards.

[Learn More](#)

Harbormaster [Website](#) | Phone: 508-748-3535

Conservation
Commission [Website](#) | Phone: 508-748-3502

²⁵³ Marion, Mass., *Wetlands Protection*, <https://www.marionma.gov/conservation-commission/pages/wetland-protection> (listing standards).

Marshfield

Aquaculture Licensing

Status	Marshfield has not established aquaculture regulations. Default state processes therefore apply. The town maintains a wait-list of people interested in aquaculture if authorized in the future.
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Navigation

Status	Marshfield has established boating and waterway bylaws and mooring and skiff regulations. ²⁵⁴ The regulations that set out fees for 10A permits and mooring requirements, among other topics. ²⁵⁵
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²⁵⁶

Wetlands

Status	Marshfield has established a wetlands protection bylaw. ²⁵⁷ Aquaculture is a value protected by the bylaw. ²⁵⁸ A permit is required to alter submerged lands, including under the ocean. ²⁵⁹
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Learn More

Harbormaster	Website Phone: 781-834-6655 x175
Conservation Commission	Website Phone: 781- 834-5573

²⁵⁴ Marshfield, Mass. General Bylaws ch. 34; Marshfield, Mass., Mooring, Skiff Regulations & Specifications, <https://www.marshfieldpolice.org/sites/marshfieldmapolice/files/uploads/marshfieldmooringskiffregulations.pdf>.

²⁵⁵ Marshfield, Mass., Mooring, Skiff Regulations & Specifications.

²⁵⁶ *Id.* at 3.

²⁵⁷ Marshfield, Mass. General Bylaws ch. 294.

²⁵⁸ *Id.* § 294-1.

²⁵⁹ *Id.* § 294-2.

Mashpee

Aquaculture Licensing

Status	Mashpee has issued regulations, but they are not available online. Contact the shellfish constable for information regarding the availability and requirements for an aquaculture license. ²⁶⁰
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Navigation

Status	Mashpee has a Waterways Commission, Waterways Uses within its General Bylaws, ²⁶¹ and Mooring Regulations. ²⁶²
Channels	There are several non-dredged channels in Mashpee. The shellfish regulations prohibit placing of eel pots in navigation channels or in mooring areas. ²⁶³
Moorings	Mooring locations may conflict with possible aquaculture sites. The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict.

Wetlands

Status	Mashpee has established a wetlands bylaw. ²⁶⁴ Except as permitted by the Conservation Commission, no person may alter submerged lands, including under the ocean. ²⁶⁵
Abutter Notification	Permit applicants must notify all property owners within 300 feet of a proposed activity. ²⁶⁶

Learn More

Shellfish Constable	Website Phone: 508-539-1439
Harbormaster	Website Phone: 508-539-1450
Conservation Commission	Website Phone: 508-549-1400 x8539

²⁶⁰ Mashpee, Mass., Shellfish Regs. at 1 (2014), https://www.mashpeema.gov/sites/mashpeema/files/uploads/shellfishing_regulations.pdf.

²⁶¹ Mashpee, Mass., General Bylaws ch. 170. https://www.mashpeema.gov/sites/mashpeema/files/uploads/2016_town_code_.pdf.

²⁶² Mashpee, MA, Recreational Mooring Rules and Regs., https://www.mashpeema.gov/sites/mashpeema/files/uploads/mooring_rules_and_regulations.pdf.

²⁶³ Mashpee Shellfish Regs. at art. IV § 1(E).

²⁶⁴ Mashpee, Mass. General Bylaws ch. 172.

²⁶⁵ *Id.* § 172-2.

²⁶⁶ *Id.* § 172-5.

Mattapoisett

Aquaculture Licensing

Status	Mattapoisett has issued aquaculture regulations, and there is no moratorium on or wait-list for licenses. ²⁶⁷
Eligibility	An applicant must be a resident for 12 consecutive months at the point of application and must submit proof of residency. ²⁶⁸
Lot Size and Number	A licensed area must be in at least 6 feet of water at low tide, unless the proponent shows that the shellfish requires shallower water. ²⁶⁹ A licensed area can be no larger than 2 acres. A license holder can apply for an extension or additional license after 3 years of continuous ownership. ²⁷⁰
Gear Restrictions	The Board of Selectmen may restrict gear type and size to limit the visual or navigational impact in the licensed area. ²⁷¹
Abutter Notification	An applicant must notify all abutting waterfront property owners and associations, and any existing aquaculture license holders within 1000 feet of any point along the perimeter of the requested licensed area, by certified mail, return receipt requested, at least 14 days before the public hearing date. ²⁷²
Authority	The Board of Selectmen implements the aquaculture regulations. ²⁷³ The Shellfish Constable has authority to monitor and inspect licensed areas. ²⁷⁴

Navigation

Status	Mattapoisett has issued waterways regulations. ²⁷⁵
Channels	Town regulations restrict lobster fishing in channels and harbor areas ²⁷⁶ but do not address aquaculture gear.

²⁶⁷ Mattapoisett Mass. Rules and Regs. Governing Aquaculture, <https://www.mattapoisett.net/sites/mattapoisettma/files/uploads/mattapoisettaquacultureregulationsfinal1-18-12.pdf>.

²⁶⁸ *Id.* at § 4.1.

²⁶⁹ *Id.* at § 5.3.

²⁷⁰ *Id.* at § 5.4.

²⁷¹ *Id.* at § 6.2.

²⁷² *Id.* at § 3.2.3.

²⁷³ *Id.* at § 2.

²⁷⁴ *Id.* at § 7.

²⁷⁵ Mattapoisett, Mass. Wharf Mooring and Anchorage Regs.(2009), <https://www.mattapoisett.net/sites/mattapoisettma/files/uploads/currentharborrules.pdf>

²⁷⁶ *Id.* § 3.10.

Moorings

The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict.²⁷⁷ Commercial moorings are available to marine businesses that rent commercial space in the town.²⁷⁸ Anchoring is restricted to designated areas.²⁷⁹

Wetlands

Status

Mattapoisett has issued limited wetlands bylaws that do not substantially alter state default regulations for wetlands permitting.²⁸⁰

Learn More

Board of Selectmen

[Website](#) | Phone: 508-758-4100 x4

Harbormaster/ Shellfish Warden

[Website](#) | [email](#)

Conservation Commission

[Website](#)

²⁷⁷ *Id.* § 5.

²⁷⁸ *Id.* § 5.5.

²⁷⁹ *Id.* § 7.5.1.

²⁸⁰ Mattapoisett, Mass. Bylaws, art. 22.

Nahant

Aquaculture Licensing

Status	Nahant has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Nahant has issued mooring regulations, which are available online. ²⁸¹
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Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²⁸²
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Wetlands

Status	Nahant has not issued a wetlands protection bylaw or regulations. State default provisions apply.
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Learn More

Harbormaster	Website Phone: 781-581-1212
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Conservation Agent	Website Phone: 508-758-4100 x229
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²⁸¹ Nahant, Mass. Mooring Regs., http://www.nahant.org/departments/harbormaster.shtml#gpm1_18

²⁸² *Id.* § 6.

Nantucket

Aquaculture Licensing

Status	Nantucket has issued aquaculture regulations. ²⁸³ It does not currently have a moratorium, but has established a wait-list.
Eligibility	An applicant must be a domiciled resident 18 or older and either: (1) have held a commercial shellfish permit for 2 of the past 3 years; or (2) be able to demonstrate experience in shellfish propagation and aquaculture. ²⁸⁴
Lot Size and Number	For the first 3 years, a licensee can have 1 to 4 acres. After that point, a licensee can expand to another 1 to 6 acres, not to exceed 10 acres total, provided he or she can show good standing and a need for expansion. ²⁸⁵
Gear Restrictions	Any floating gear must be sunk and secured by December 15 each year. ²⁸⁶
Authority	The Shellfish Warden is responsible for enforcement and administration of the regulations. ²⁸⁷

Navigation

Status	Nantucket has established harbor regulations. ²⁸⁸
Channels	Warps and lines cannot pass across a channel in a way that will obstruct navigation. ²⁸⁹
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²⁹⁰ Some town vessel slips are reserved for commercial vessels and are assigned by lottery. ²⁹¹ Floats and rafts require mooring permits. ²⁹²

²⁸³ Nantucket, Mass. Shellfishing Policy and Regs. (2016), <http://nantucket-ma.gov/DocumentCenter/Home/View/11731>.

²⁸⁴ *Id.* § 5.8.

²⁸⁵ *Id.* § 5.11.

²⁸⁶ *Id.* § 5.33.

²⁸⁷ *Id.* § 7.1.

²⁸⁸ Nantucket, Mass. Harbors and Town Pier Regs. (2016), <http://www.nantucket-ma.gov/DocumentCenter/View/8848>.

²⁸⁹ *Id.* § 250.2.4.

²⁹⁰ *Id.* § 250.3.1.2.

²⁹¹ *Id.* § 250.4.4.

²⁹² *Id.* § 250.4.6.

Wetlands

Status	Nantucket has established wetlands bylaws and associated regulations. ²⁹³ The regulations apply to lands subject to tidal action. ²⁹⁴
Abutter Notification	Property owners within 300 feet of an activity must be notified. ²⁹⁵

Learn More

Natural Resources Department	Website email Phone: 508-228-7230
Harbormaster	Website Phone: 508-228-7261
GIS Department	Website
Conservation Commission	Website

²⁹³ Nantucket, Mass. Bylaws ch. 136; Nantucket, Mass. Wetland Protection Regs. (2013), <http://www.nantucket-ma.gov/DocumentCenter/View/1008/Conservation-Commission-Wetland-Regulations-2013>.

²⁹⁴ Nantucket, Mass. Bylaws § 136-3.

²⁹⁵ *Id.*; Nantucket, Mass. Wetland Protection Regs. § 1.02 (2013) (defining abutter).

New Bedford

Aquaculture Licensing

Status	New Bedford is in the process of drafting aquaculture regulations. Default state processes apply until this process is complete.
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Navigation

Status	The New Bedford Harbor Development Commission has established regulations governing moorings. ²⁹⁶
Moorings	The Harbor Development Commission approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ²⁹⁷ The regulations provide for Marine Industrial Moorings, which are used by a commercial or marine industrial business. ²⁹⁸ All objects, including floats and rafts, must receive a mooring permit. ²⁹⁹

Wetlands

Status	New Bedford has established a wetlands ordinance, which requires a permit for any activity that may alter land under salt waters. ³⁰⁰
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Learn More

Harbor Development Commission	Website Phone: (508) 961-3000
Conservation Commission	Website

²⁹⁶ New Bedford, Mass. Official Mooring & Anchoring Regs. (2012), http://www.portofnewbedford.org/documents/HDC_MooringRegs2012.pdf

²⁹⁷ New Bedford, Mass. Official Mooring & Anchoring Regs. § 10 (2012).

²⁹⁸ *Id.* §§ 4(f), 8.

²⁹⁹ *Id.* § 7.

³⁰⁰ New Bedford, Mass. Code Ord. ch. 15 art. VII, § 15-102,

Newbury

Aquaculture Licensing

Status	Newbury has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Newbury has established waterway regulations, but they are not available online. ³⁰¹ Mooring applications are handled electronically. ³⁰²
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. There are 5 designated mooring areas within the Parker River and the Newbury section of the Plum River Basin. ³⁰³

Wetlands

Status	Newbury has established a wetlands bylaw, which is focused on additional protections beyond state law on the Plum Island barrier beach. ³⁰⁴ It requires a permit for filling, dredging, or otherwise altering lands subject to tidal action. ³⁰⁵
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Learn More

Fish Commissioners	Website Phone: 978-465-0862
Harbormaster	Website Phone: 978-462-4440
Conservation Agent	Website Phone: 978-465-0862 x310

³⁰¹ Newbury, Mass. Bylaws ch. 122.

³⁰² Newbury, Mass., *Waterways Permitting Information*, <https://www.townofnewbury.org/harbormaster/pages/waterways-permitting-information>.

³⁰³ Newbury, Mass., *Mooring Areas*, <https://www.townofnewbury.org/harbormaster/pages/mooring-areas>.

³⁰⁴ Newbury, Mass. Bylaws ch. 95, § 95-2 (2005).

³⁰⁵ *Id.* § 95-2.

Newburyport

Aquaculture Licensing

Status	Newburyport has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Newburyport has issued ordinances governing boats, docks, and waterways, which are administered by the harbormaster. ³⁰⁶
Channels	<p>Obstructions to navigation may be removed by the harbormaster without notice.³⁰⁷</p> <p>Newburyport has designated areas for different uses, including a federal turning basin, small craft navigation zone, fairways, and staging areas, within which aquaculture may not be allowed.³⁰⁸ The harbor commission approves mooring locations in these areas.³⁰⁹ The commission will hold a public hearing, and proponents must provide prior notification to directly abutting properties.³¹⁰ Proposed projects within 3.5 times the width of the federal turning basin will trigger § 408 review by the Army Corps of Engineers.</p>
Moorings	The Harbormaster must approve individual moorings not subject to harbor commission approval. ³¹¹

Wetlands

Status	Newburyport has established a wetlands protection ordinance. ³¹² Aquaculture is a resource value protected by the bylaw. ³¹³ The bylaw requires authorization by the Conservation Commission to alter areas under Commission jurisdiction, including the ocean. ³¹⁴ However, normal improvement and maintenance of aquaculture use areas is exempt from permitting. ³¹⁵
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³⁰⁶ Newburyport, Mass. Code of Ordinances ch. 4.

³⁰⁷ *Id.* § 4-82.

³⁰⁸ *Id.* § 4-90.

³⁰⁹ *Id.*

³¹⁰ *Id.*

³¹¹ *Id.* § 4-92.

³¹² Newburyport, Mass. Code of Ordinances, ch. 6.5, art. II.

³¹³ *Id.* § 6.5-26.

³¹⁴ *Id.* § 6.5-27.

³¹⁵ *Id.* § 6.5-29.

Learn More

Harbormaster

[Website](#) | Phone: 978-462-3746

Conservation
Commission

[Website](#) | Phone: (978) 465-4400 x6

Oak Bluffs

Aquaculture Licensing

Status	Oak Bluffs has issued aquaculture regulations. ³¹⁶ It has not placed a moratorium on aquaculture or created a wait-list.
Eligibility	An applicant must be a permanent, full-time resident of Oak Bluffs, eligible for a commercial shellfish license, and be a U.S. citizen. ³¹⁷
Lot Size and Number	A licensee can hold a license for up to three years, with renewals for up to three years, for a grant of not more than 2 acres. ³¹⁸ In total, an individual can hold up to 2 licenses and up to 4 acres. ³¹⁹
Gear Restrictions	There are no specific gear type or size restrictions contained in the regulations; however, the Shellfish Constable is authorized to impose restrictions as appropriate. ³²⁰
Abutter Notification	An applicant has to notify all abutters within five hundred feet of any point along the perimeter of the requested grant site at least ten days prior to the public hearing date. ³²¹
Authority	The Board of Selectmen promulgated the regulations. It sends copies of each application to the Shellfish Department, Shellfish Advisory Board, Harbor Master and Conservation Commission for comment. ³²²

Navigation

Status	Oak Bluffs has established harbor bylaws, which are administered by the harbormaster. ³²³
Moorings	A permit from the Harbormaster is required for all moorings. ³²⁴ Commercial vessels can dock only north of Bergeron's wharf. ³²⁵

³¹⁶ Oak Bluffs, Mass. Aquaculture License Regs., <http://www.oakbluffsma.gov/documentcenter/view/1389>.

³¹⁷ *Id.* § 2.

³¹⁸ *Id.* § 8.

³¹⁹ *Id.* § 9.

³²⁰ *Id.* § 7.

³²¹ *Id.* § 4.

³²² *Id.*

³²³ Oak Bluffs, Mass., General Bylaws ch. X, <https://www.oakbluffsma.gov/DocumentCenter/View/627/Town-Clerk-General-Bylaws-PDF>.

³²⁴ *Id.* § X(B).

³²⁵ *Id.*

Wetlands

Status

Oak Bluffs has established a wetlands bylaw, which requires a permit from the Conservation Commission to alter land subject to any tidal action.³²⁶

Learn More

Shellfish Department [Website](#) | Phone: 508-693-0072

Harbormaster [Website](#) | Phone: 508-693-4355

Conservation Commission [Website](#) | Phone: 508-693- 3554 x204

³²⁶ *Id.* ch. XXII, § A.

Orleans

Aquaculture Licensing

Status	Orleans has issued aquaculture regulations. ³²⁷ The town has limited the number of available grants to 26 grants of up to 2 acres each in the Pleasant Bay estuary and up to 5 grants of up to 2 acres each in Cape Cod Bay. ³²⁸ No new grants can be licensed in Orleans in Nauset Estuary or in other areas where the historic natural production of shellfish is evident. ³²⁹
Eligibility	Licensees must be actual domiciled residents of Orleans or Eastham and must hold a commercial shellfish permit for the duration of the lease. ³³⁰
Lot Size and Number	Grants are initially given for one half acre for one year, after which they may expand to a maximum of 2 acres for up to 10 years. ³³¹
Gear Restrictions	No structure for aquaculture can exceed 18 inches above the natural ground level. ³³²
Authority	Aquaculture grants are administered by the shellfish constable.

Navigation

Status	Orleans has established waterways bylaws. ³³³
Moorings	A mooring permit is required for any vessel, float, raft, or other object greater than 9 feet long. ³³⁴ The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ³³⁵

Wetlands

Status	Orleans has established wetlands protection bylaws and associated regulations. ³³⁶ Aquaculture is a public interest protected by the bylaw, which explicitly applies to the ocean
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³²⁷ Orleans, Mass. Shellfish Grant Regs. (2000), http://www.town.orleans.ma.us/sites/orleansma/files/uploads/aquaculture_regulations.pdf.

³²⁸ *Id.* § E.

³²⁹ *Id.*

³³⁰ *Id.* § B.

³³¹ *Id.* § H.

³³² *Id.* § O.

³³³ Orleans, Mass. Town Code ch. 159 (2009).

³³⁴ *Id.* § 159-10.

³³⁵ *Id.*

³³⁶ *Id.* ch. 160, 196A.

and submerged lands.³³⁷ A permit from the Conservation Commission is required to alter these lands.³³⁸

Abutter Notification

Work in a pond of less than 10 acres requires notification to all pond shore property owners.³³⁹

Learn More

Natural Resources
Department

[Website](#) | Phone: 508-240-3755

Conservation
Commission

[Website](#) | Phone: 508-240-3700 x425

³³⁷ *Id.* §§ 160-1, 160-2.

³³⁸ *Id.* § 196A-2.

³³⁹ *Id.* § 196A-4.

Plymouth

Aquaculture Licensing

Status	Plymouth has issued aquaculture regulations. ³⁴⁰ Plymouth currently has a wait-list for new grant sites. Waiting list applications are available at the Harbormaster's office. ³⁴¹
Eligibility	An applicant must be a domiciled resident of Plymouth for 12 months prior to a grant application. ³⁴²
Lot Size and Number	License sites under 4 acres may be placed in publicly-owned tidelands. The maximum acreage for sites on privately-owned tidelands will be determined on a case-by-case basis. ³⁴³ Aquaculture cannot occur within 25 feet of eelgrass, widgeongrass, or a saltmarsh, and there must be a 75-foot buffer zone between sites. ³⁴⁴
Gear Restrictions	The regulations do not impose any gear size or type restrictions.
Abutter Notification	Applicants must notify all abutters and licensees within 750 feet of any point along the perimeter of the requested licensed area at least 10 days prior to the public hearing date. ³⁴⁵
Authority	The Board of Selectmen implemented the aquaculture regulation. ³⁴⁶ The Shellfish Constable is in charge of enforcing the regulations. ³⁴⁷

Navigation

Status	Plymouth has established harbor bylaws. ³⁴⁸
Channels	An aquaculture license holder may not obstruct necessary dredging plans and operations. ³⁴⁹
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ³⁵⁰

³⁴⁰ Plymouth, Mass. Aquaculture Regs., <http://www.plymouth-ma.gov/harbormaster/files/plymouth-aquaculture-regulations>.

³⁴¹ *Id.* § 8.3(l).

³⁴² *Id.* §5.

³⁴³ *Id.* §7.4.

³⁴⁴ *Id.* §8.6.

³⁴⁵ *Id.* § 7.3(c).

³⁴⁶ *Id.* §2.

³⁴⁷ *Id.* §10.

³⁴⁸ Plymouth, Mass. Bylaws ch. 81, <https://www.plymouth-ma.gov/town-clerk/files/town-general-bylaws>.

³⁴⁹ Plymouth, Mass. Aquaculture Regs. § 9.4(b).

³⁵⁰ Plymouth, Mass. Bylaws § 81-10.

Wetlands

Status

Plymouth has issued a wetlands protection bylaw, as well as associated regulations.³⁵¹ Aquaculture is a value to be protected by these presumes wetlands with shellfish from aquaculture are resources of value.³⁵² A permit from the Conservation Commission is required for alterations to a surface water body or estuary, including submerged lands.³⁵³ However, normal maintenance and improvement of aquaculture use does not require a permit.³⁵⁴

Learn More

Harbormaster/
Shellfish Constables

[Website](#) | Phone: 508-830-4182

GIS mooring map

[Website](#)

Conservation
Commission

[Website](#) | Phone: 508-747-1620 x140

³⁵¹ *Id.* ch. 196.; Plymouth, Mass, Rules and Regs. for Plymouth Wetlands Protection Bylaw (2010), <https://www.plymouth-ma.gov/conservation-commission/files/wetland-rules-and-regulations-amended-9-14-10>.

³⁵² Plymouth, Mass. Bylaws § 196-1.

³⁵³ *Id.* § 196-4.

³⁵⁴ *Id.* § 196-6.

Provincetown

Aquaculture Licensing

Status	Provincetown has issued aquaculture regulations and has neither a moratorium nor a wait-list. ³⁵⁵ Provincetown reviews applications once per year.
Eligibility	An applicant must prove that they are a domiciled resident of Provincetown. Licenses are not available to corporations. ³⁵⁶
Lot Size and Number	A lease site must be either one or two acres. ³⁵⁷
Gear Restrictions	The regulations do not restrict gear type or size.
Authority	The Board of Selectmen implemented the aquaculture regulations. Both the Shellfish Committee and Constable make recommendations to the Board about an application. ³⁵⁸

Navigation

Status	Provincetown has established harbor regulations. ³⁵⁹
Moorings	<p>Commercial use of MacMillan Pier requires a license from the Provincetown Public Pier Corporation.³⁶⁰ A holding mooring category is available to commercial tenants of the pier.³⁶¹ A permit from the harbormaster is required for a mooring, and the harbormaster approves all mooring locations.³⁶²</p> <p>It is unlawful for any person other than the aquaculture license holder or an abutter to moor or anchor a vessel within 25 feet of an aquaculture site.³⁶³</p>

Wetlands

Status	Provincetown has established a wetlands protection bylaw. ³⁶⁴ The bylaw protects aquaculture. ³⁶⁵ A permit from the
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³⁵⁵ Provincetown, Mass. Regs. for Aquaculture Licenses (2017), <http://www.provincetown-ma.gov/DocumentCenter/View/2457>.

³⁵⁶ *Id.* §1.

³⁵⁷ *Id.* §2.

³⁵⁸ *Id.* §3.

³⁵⁹ Provincetown, Mass. Harbor Regs. (2016), <http://www.provincetown-ma.gov/DocumentCenter/View/218>

³⁶⁰ *Id.* § 1-3-1.

³⁶¹ *Id.* § 2-2-7.

³⁶² *Id.* §§ 2-3-1, 2-3-12.

³⁶³ Provincetown, Mass. Regs. for Aquaculture Licenses § 23 (2017).

³⁶⁴ Provincetown, Mass. General Bylaws ch. 12, <https://www.provincetown-ma.gov/DocumentCenter/Home/View/322>.

³⁶⁵ *Id.* § 12-1.

Conservation Commission is required to alter lands, including the ocean and submerged lands.³⁶⁶

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Shellfish Constable [Website](#) | Phone: 508-246-5756

Harbormaster [Website](#) | Phone: 508-487-7030

Conservation
Commission [Website](#)

³⁶⁶ *Id.* § 12-2.

Quincy

Aquaculture Licensing

Status	Quincy has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Quincy has established harbor and mooring ordinances in its municipal code. ³⁶⁷
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Moorings	A mooring permit is required for any vessel subject to excise tax that is habitually moored in Quincy. ³⁶⁸ The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ³⁶⁹
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Wetlands

Status	Quincy has established a wetlands protection ordinance. ³⁷⁰ Aquaculture is listed as one of the wetland values protected by the ordinance. ³⁷¹ A permit from the Conservation Commission is required to alter areas, including estuaries or the ocean and submerged lands. ³⁷²
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Abutter Notification	Notification of all abutters within 100 yards of the property is required for any permit. ³⁷³
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Learn More

Harbormaster	Website Phone: 617-745-5896
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Conservation Commission	Website Phone: 617-376-1450
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³⁶⁷ Quincy, Mass. Municipal Code, ch. 12.25, 12.26.

³⁶⁸ *Id.* § 12.26.030.

³⁶⁹ *Id.* § 12.26.040.

³⁷⁰ *Id.* ch. 18.08.

³⁷¹ *Id.* § 18.08.010.

³⁷² *Id.* § 18.08.020.

³⁷³ *Id.* § 18.08.050.

Revere

Aquaculture Licensing

Status	Revere has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Revere has established harbormaster ordinances. ³⁷⁴
Moorings	A permit from the Harbormaster is required to place any moorings. ³⁷⁵

Wetlands

Status	Revere has established a wetlands protection ordinance. ³⁷⁶ A permit from the Conservation Commission is required to alter coastal wetlands, including lands under the ocean. ³⁷⁷
Abutter Notification	The Commission provides notice of hearings at the applicant's expense for the purposes of the city ordinance. ³⁷⁸ Additional abutter notification may be required under state law.

Learn More

Harbormaster	Website Phone: 781-284-1212.
Conservation Commission	Website Phone: 781-286-8181

³⁷⁴ Revere, Mass. Code of Ordinances ch. 2.33 (2015).

³⁷⁵ *Id.* § 2.33.030.

³⁷⁶ *Id.* ch. 16.04.

³⁷⁷ *Id.* § 16.04.030.

³⁷⁸ *Id.* § 16.04.040.

Rockport

Aquaculture Licensing

Status	Rockport has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Rockport has established harbor bylaws. ³⁷⁹
Channels	It is unlawful to place or maintain any obstruction to navigation in Rockport harbors or approaches. ³⁸⁰
Moorings	A permit from the Harbormaster is required for all moorings. ³⁸¹ The Harbormaster designates mooring locations and can provide guidance in siting aquaculture sites. ³⁸²

Wetlands

Status	Rockport has established a wetlands protection bylaw, as well as associated regulations. ³⁸³ Aquaculture is a resource value to be protected by the by-law and regulations. ³⁸⁴ A permit from the Conservation Commission is required to alter lands subject to the bylaw and regulations, including the ocean. ³⁸⁵ Placing objects in the water is an alteration. ³⁸⁶ Aquaculture is categorized as a Category 1 project with a filing fee of \$55. ³⁸⁷
Abutter Notification	Notice to abutters within 300 feet of the parcel is required. ³⁸⁸

Learn More

Shellfish Constable	Website Phone: 978-546-9589
Harbormaster	Website Phone: 978-546-9589
Conservation Commission	Website email Phone: 978-546-5000

³⁷⁹ Rockport, Mass. Code of By-Laws ch. 9.

³⁸⁰ *Id.* § 9-9.

³⁸¹ *Id.* § 9-2(a)(i).

³⁸² *Id.* § 9-2(a)(iii).

³⁸³ Rockport, Mass. Code of By-Laws ch. 14 (1999); Rockport, Mass. Wetlands Protection By-Law Rules and Regs. (2012), <https://www.rockportma.gov/conservation-commission/files/wetland-bylaw-rules-and-regulations-revised-february-29-2012>.

³⁸⁴ Rockport, Mass. Code of By-Laws § 14(A)(1) (1999).

³⁸⁵ *Id.* § 14(A)(2).

³⁸⁶ *Id.* § 14(A)(7).

³⁸⁷ Rockport, Mass. Wetlands Protection By-Law Rules and Regs. § IX(A) (2012).

³⁸⁸ Rockport, Mass. Code of By-Laws § 14(A)(4).

Rowley

Aquaculture Licensing

Status	Rowley has issued a shellfish planting bylaw authorizing aquaculture with a special permit from the selectmen or “Licensing Authority.” ³⁸⁹ The bylaw provides no detail on the process for obtaining such a permit. Contact the shellfish department for more detailed information.
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Navigation

Status	Rowley has established a harbor bylaw. ³⁹⁰
Channels	Lobstering is not permitted in mooring areas or channels; however, aquaculture is not explicitly addressed. ³⁹¹
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ³⁹² Mooring permits are issued only to private persons. ³⁹³

Wetlands

Status	Rowley has established a wetlands protection bylaw. ³⁹⁴ A permit is required to alter resource areas, including land under the ocean. ³⁹⁵
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Learn More

Shellfish Department	Website Phone: 978-500-5792
Harbormaster	Website Phone: 508-397-2450
Conservation Commission	Website Phone: 978-948-2330

³⁸⁹ Rowley, Mass. Shellfish Planting Bylaw, *in* General Bylaws 66 (2017).

³⁹⁰ Rowley, Mass. Harbor Bylaw, *in* General Bylaws 38 (2017).

³⁹¹ *Id.* § 5(10).

³⁹² *Id.* § 6(3).

³⁹³ *Id.* § 6(1).

³⁹⁴ Rowley, Mass. Wetlands Protection Bylaw, *in* General Bylaws 97 (2017).

³⁹⁵ *Id.* § III(A), (B).

Salem

Aquaculture Licensing

Status	Salem has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Salem has established a boats and waterways bylaw. ³⁹⁶
Moorings	A permit from the Harbormaster is required for any mooring, including floats. ³⁹⁷ The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ³⁹⁸ Docking at a common landing to load or unload fish products requires prior permission from the Harbormaster. ³⁹⁹

Wetlands

Status	Salem has established a wetlands bylaw. ⁴⁰⁰ The bylaw requires a permit from the Conservation Commission to alter resource areas, including estuaries and land subject to tidal action. ⁴⁰¹
Abutter Notification	The Commission provides notice to abutters at the applicant's expense. ⁴⁰²

Learn More

Harbormaster	Website Phone: 978-741-0098
Conservation Commission	Website Phone: 978-619-5685

³⁹⁶ Salem, Mass. Code of Ordinances ch. 10.

³⁹⁷ *Id.* §§ 10-23, 10-24.

³⁹⁸ *Id.* § 10-24.

³⁹⁹ *Id.* § 10-22.

⁴⁰⁰ *Id.* ch. 50.

⁴⁰¹ *Id.* § 50-2.

⁴⁰² *Id.* § 50-3.

Salisbury

Aquaculture Licensing

Status	Salisbury has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Salisbury has established harbor regulations. ⁴⁰³
Channels	All structures, including moorings and floats, must be set back a minimum of 30 feet from federal channels and any fairways. ⁴⁰⁴
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ⁴⁰⁵

Wetlands

Status	Salisbury has not established a wetlands bylaw, but its Conservation Commission has issued regulations setting forth a fee structure and wetlands permitting process. ⁴⁰⁶ The regulations do not establish requirements beyond those already applicable under state law.
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Learn More

Harbormaster	Website email Phone: 978-499-0740
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Conservation Commission	Website Phone: 978-949-0385
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⁴⁰³ Salisbury, Mass. General Bylaws Ch. 102.

⁴⁰⁴ *Id.* §102-18(F).

⁴⁰⁵ *Id.* §102-18.

⁴⁰⁶ Salisbury, Mass. Conservation Commission Rules and Policies (2009), <http://www.salisburyma.gov/sites/salisburyma/files/file/file/ccrulesandpolicies09.pdf>.

Sandwich

Aquaculture Licensing

Status	Sandwich has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Sandwich has established bylaws for the use of waterways, ⁴⁰⁷ and the Harbormaster has issued regulations that apply to Sandwich marina. ⁴⁰⁸ The bylaws and regulations do not contain specific requirements related to mooring permits or obstruction of navigation.
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Wetlands

Status	Sandwich has established conservation bylaws, including for municipal wetlands permitting. ⁴⁰⁹ Aquaculture is listed as one of the “wetland values protected by the wetlands bylaw.” ⁴¹⁰ A permit from the Conservation Commission is required to alter certain lands, including the ocean and submerged lands. ⁴¹¹ However, no permit is required for “work performed for normal maintenance or improvement of land or water(s) in agricultural or aquacultural [<i>sic</i>] use.” ⁴¹²
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Learn More

Natural Resources Department	Website email Phone: 508-833-8054
Harbormaster	Website
Conservation Commission	Website email Phone: 508-833-8054

⁴⁰⁷ Sandwich, Mass. Town Bylaws ch. 9 (2017).

⁴⁰⁸ Sandwich, Mass., Sandwich East Boat Basin Marina – Rules and Regs. (2017), <http://sandwichmarina.com/wp-content/uploads/SANDWICH-MARINA-RULES-AND-REGS-FINAL-APPROVED.pdf>.

⁴⁰⁹ Sandwich, Mass. Town Bylaws ch. 7 (2017).

⁴¹⁰ *Id.* § 7.00.

⁴¹¹ *Id.* § 7.10.

⁴¹² *Id.* § 7.15.

Scituate

Aquaculture Licensing

Status	Scituate has not established aquaculture regulations. Default state processes therefore apply. The Shellfish Constable for Marshfield also serves Scituate.
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Navigation

Status	Scituate has established waterways bylaws and mooring regulations. ⁴¹³
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. ⁴¹⁴ Commercial fishermen are regulated differently than others under the bylaws; however, aquaculture does not qualify as fishing. ⁴¹⁵ Commercial non-fishing moorings follow the same waiting lists and requirements as individual moorings. ⁴¹⁶

Wetlands

Status	Scituate has established a wetlands protection bylaw, as well as associated rules and regulations. ⁴¹⁷ A permit from the Conservation Commission is required to alter any resource area, including the ocean and submerged lands. ⁴¹⁸
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Learn More

Shellfish Warden	Phone: 781-834-6655 x175
Harbormaster	Website Phone: 781-545-2130
Conservation Commission	Website Phone: 781-545-8721

⁴¹³ Scituate, Mass. Code of General Bylaws §§ 30900-31000 (2018); Scituate, Mass. Mooring Rules and Regs. (2017), <http://www.scituatema.gov/harbormaster/pages/mooring-rules-regs-by-laws-revised-march-21-2017>

⁴¹⁴ Scituate, Mass. Code of General Bylaws § 30920 (2018).

⁴¹⁵ See *id.* § 30910 (defining “commercial fisherman”).

⁴¹⁶ Scituate, Mass. Mooring Rules and Regs. (2017).

⁴¹⁷ Scituate, Mass. Code of General Bylaws §§ 30700-30800 (2018); Scituate, Mass. Conservation Commission, Wetlands Protection Rules and Regs. § 10.02(2) (2016), https://www.scituatema.gov/sites/scituatema/files/file/2016_scituate_wet_regs_final_9-16.pdf.

⁴¹⁸ Scituate, MA., Wetlands Protection Rules and Regs. § 10.02(2).

Swansea

Aquaculture Licensing

Status	Swansea has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Swansea has not established mooring regulations. Contact the Harbormaster for details on mooring requirements and avoidance of navigation conflicts.
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Wetlands

Status	Swansea has established a wetlands protection bylaw and regulations. ⁴¹⁹ Aquaculture value is one of the protected values under the bylaw. ⁴²⁰ A permit from the Conservation Commission is required to alter resource areas, including the ocean and submerged lands. ⁴²¹ New aquaculture projects are subject to a \$75 filing fee. ⁴²²
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Learn More

Shellfish Warden	Phone: 508-509-0787
Harbormaster	Website Phone: 508-509-0787
Conservation Commission	Website email Phone: 508-673-6467

⁴¹⁹ Swansea, Mass. Wetlands Protection Bylaw (1988), http://www.town.swansea.ma.us/sites/swanseama/files/u136/town_of_swansea_by-law.pdf; Swansea, Mass., Rules and Regs. Under the Swansea Wetlands Protection Bylaw (2002), http://www.town.swansea.ma.us/sites/swanseama/files/u136/rules_and_regulations_as_of_02-23-04.pdf.

⁴²⁰ Swansea, Mass. Wetlands Protection Bylaw § 1 (1988).

⁴²¹ *Id.* § 2.

⁴²² Swansea, Mass., Rules and Regs. Under the Swansea Wetlands Protection Bylaw § A (2002).

Tisbury

Aquaculture Licensing

Status Tisbury is developing aquaculture licensing regulations but has not finalized them to date. Default state processes apply until the regulations are completed.

Navigation

Status Tisbury has established waterways regulations.⁴²³ Commercial vessels must comply with conditions for use of town piers and landings.⁴²⁴ Aquaculture is a commercial use eligible for a permit to use these public piers.⁴²⁵ Permit applications are reviewed by the Harbormaster and Harbor Management Committee and decided by the Board of Selectmen.⁴²⁶

Moorings Moorings require a permit from the harbormaster, who also approves all mooring locations.⁴²⁷ The regulations provide for commercial moorings.⁴²⁸ Floating docks require a permit and must be removed for the winter.⁴²⁹

“No moorings [are] permitted in the Outer Harbor East Anchorage, which is the area of the harbor lying seaward of the Large Vessel mooring Area and east of the Main Channel, excluding the Lagoon Pond Entrance Channel.”⁴³⁰

Wetlands

Status Tisbury has established a wetlands bylaw and regulations.⁴³¹ They apply to land under the ocean.⁴³² Aquaculture projects specifically must have the “least possible adverse effects on wildlife, erosion control, storm damage prevention, flood control, recreation, and public access.”⁴³³ Aquaculture cannot

⁴²³ Tisbury, Mass. Waterways Rules and Regs. (2013), https://www.tisburyma.gov/sites/tisburyma/files/uploads/waterways_and_mooring_information.pdf.

⁴²⁴ *Id.* at 3-4.

⁴²⁵ *Id.* at 5.

⁴²⁶ *Id.* at 6.

⁴²⁷ *Id.* at 6-7.

⁴²⁸ *Id.* at 7.

⁴²⁹ *Id.* at 9.

⁴³⁰ *Id.* at 2.

⁴³¹ Tisbury, Mass. Wetland Bylaw (1983), <https://www.tisburyma.gov/conservation-commission/pages/wetland-bylaw>; Tisbury, Mass. Wetland Regs. (1990), <https://www.tisburyma.gov/conservation-commission/pages/wetland-regulations>.

⁴³² Tisbury, Mass, Tisbury Wetland Regs. § 2.01 (1990).

⁴³³ *Id.*

destroy shellfish habitat or change water quality or circulation to adversely affect shellfish or fisheries.⁴³⁴

Abutter Notification

The Commission provides notice under the bylaw at the applicant's expense.⁴³⁵ Abutters include any property owner within 300 feet of the project site.⁴³⁶

Learn More

Shellfish Constable	Website email
Harbormaster	Website Phone: 508-696-4249
Conservation Agent	Website Phone: 508-696-4260

⁴³⁴ *Id.*

⁴³⁵ Tisbury, Mass. Wetland Bylaw § 2 (1983).

⁴³⁶ Tisbury, Mass, Tisbury Wetland Regs. § 1.05 (1990)

Truro

Aquaculture Licensing

Status	Truro has issued aquaculture licensing regulations. ⁴³⁷ There is no moratorium, but there is a waiting list.
Eligibility	Applicants must prove that they are <i>bona fide</i> domiciled residents of Truro and are awarded on a first come-first served basis. ⁴³⁸
Lot Size and Number	Sites must be located in Aquaculture Development Areas recommended by the Harbor Master/Shellfish Constable. ⁴³⁹ Sites generally are one acre, but can be increased upon request from the applicant or reduced by the Shellfish Constable based upon the applicant's perceived ability and experience. ⁴⁴⁰
Gear Restrictions	The regulations do not restrict gear type and size but require protections to reduce entanglement of marine mammals and sea turtles with floating gear. ⁴⁴¹
Authority	The Board of Selectmen issued the aquaculture regulations. The regulations require applicants to consult with the Harbormaster/Shellfish Constable. ⁴⁴²

Navigation

Status	Truro has established mooring regulations for Pamet Harbor. ⁴⁴³
Channels	
Moorings	The Harbormaster approves all mooring locations and can provide guidance on siting aquaculture that avoids conflict. Boats may not be moored in a way that interferes with navigation. ⁴⁴⁴

⁴³⁷ Truro, Mass. Regs. for Aquaculture Licenses, https://www.truro-ma.gov/sites/truroma/files/file/file/signed_7.14.2015_ada_regulations.pdf.

⁴³⁸ *Id.* § 1.

⁴³⁹ *Id.* § 4.

⁴⁴⁰ *Id.* § 6.

⁴⁴¹ *Id.* §§ 22-24.

⁴⁴² *Id.* § 6.

⁴⁴³ Truro, Mass. Pamet Harbor Rules and Regs., http://www.truro-ma.gov/sites/truroma/files/file/file/pamet_harbor_regs_2015.pdf

⁴⁴⁴ *Id.* § 6.

Wetlands

Status

Truro has established a conservation bylaw to enhance wetlands protection,⁴⁴⁵ and the Conservation Commission has issued rules of procedure for implementation of the bylaw.⁴⁴⁶ The bylaw is intended to protect natural resources and wetlands values, including aquaculture.⁴⁴⁷

Approval from the Conservation Commission is required to alter any “resource area.”⁴⁴⁸ Resource areas are not defined but apply to the ocean and submerged lands under state law. There is an exception for normal maintenance or improvement of lands in agricultural use, which may also apply to aquaculture.⁴⁴⁹ Contact the Conservation Commission for clarification on application of the bylaw to aquaculture.

Abutter Notification

Abutters within 300 feet must be notified as part of town wetlands permitting.⁴⁵⁰

Learn More

Harbormaster /
Shellfish Constable

[Website](#) | Phone: 508-349-2555

Conservation
Commission

[Website](#)

⁴⁴⁵ Truro, Mass. General Bylaws ch. VIII (2010), <https://www.truro-ma.gov/sites/truroma/files/file/genbylaws2010.pdf>.

⁴⁴⁶ Truro, Mass. Conservation Commission, Rules Governing Commission Operations and Meetings (2010), <https://www.truro-ma.gov/home/files/conservation-commission-rules-of-procedure-2010>.

⁴⁴⁷ Truro, Mass. General Bylaws § 8-1-1.

⁴⁴⁸ *Id.* § 8-3-1.

⁴⁴⁹ *Id.* § 8-3-2.

⁴⁵⁰ *Id.* § 8-5-1.

Wareham

Aquaculture Licensing

Status	Wareham has issued aquaculture regulations, which are not available online. Information provided here is based on direct communication with the shellfish division. Wareham is in the process of creating a moratorium but has not created a wait-list for applications.
Eligibility	An applicant must be a resident of Wareham.
Lot Size and Number	There are no limitations on the size of grants or the number of licenses.
Gear Restrictions	The regulations do not impose any gear restrictions.

Navigation

Status	Wareham has established boating, mooring, and waterways regulations within the town bylaws. ⁴⁵¹
Channels	Anchoring and mooring is prohibited in a navigation channel. ⁴⁵² Fishing gear is prohibited in navigational channels and fairways. ⁴⁵³
Moorings	A harbor service permit from the harbormaster is required to moor any vessel in Wareham, ⁴⁵⁴ including floats and rafts. ⁴⁵⁵ Commercial vessels receive preference for mooring permits. ⁴⁵⁶ Moorings and permanent structures are prohibited in certain areas, including the Wareham River, Onset Bay, Broad Cove, and Sunset Cove. ⁴⁵⁷

Wetlands

Status	Wareham has issued a wetlands bylaw. ⁴⁵⁸ Aquaculture is listed as one of the “resource area values” protected by the bylaw. ⁴⁵⁹ A permit from the Conservation Commission is required to alter protected resource areas, including the ocean and submerged lands. ⁴⁶⁰
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⁴⁵¹ Wareham, Mass. By-Laws div. IV, art. I §§ 2-24 (2017).

⁴⁵² *Id.* §§ 7(K), 19.

⁴⁵³ *Id.* § 19.

⁴⁵⁴ *Id.* §§ 2, 7.

⁴⁵⁵ *Id.* § 16.

⁴⁵⁶ *Id.* § 7.

⁴⁵⁷ *Id.* § 10.

⁴⁵⁸ Wareham, Mass. By-Laws div. VI, art. I (2017).

⁴⁵⁹ *Id.* § II.

⁴⁶⁰ *Id.*

Learn More

Harbormaster

[Website](#) | [email](#) | Phone: 508-291-3100 x3186

Conservation
Commission

[Website](#) | Phone: 508-291-3100 x6505

Wellfleet

Aquaculture Licensing

Status	Wellfleet has issued aquaculture regulations authorizing the Board of Selectmen to issue aquaculture licenses. ⁴⁶¹ The Board of Selectmen can establish an official moratorium ⁴⁶² but has not done so, nor is there a wait-list. The Shellfish Constable identifies areas suitable for aquaculture, which are advertised with any associated limitations when available. ⁴⁶³ Four current areas are set out in the regulations. ⁴⁶⁴ New sites may be limited due to existing shellfish productivity, existing leases, and private ownership of tidal flats.
Eligibility	An applicant must be domiciled in Wellfleet and demonstrate knowledge and experience by holding and using a Wellfleet commercial shellfishing permit in two of the prior three years, or by showing experience in shellfish propagation and aquaculture. ⁴⁶⁵ A license may be issued to up to four individuals. ⁴⁶⁶
Lot Size and Number	An individual can hold a license for up to a maximum of seven acres. ⁴⁶⁷ A 25-foot buffer to a neighboring, non-abutting grant is required. ⁴⁶⁸
Gear Restrictions	With the exception of spat collectors, metal gear can be at most 18 inches above the substrate and plastic gear no more than 24 inches above the substrate. ⁴⁶⁹

Navigation

Status	Wellfleet has established mooring and waterways regulations. ⁴⁷⁰
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⁴⁶¹ Wellfleet, Mass. Shellfishing Policy and Regs. § 7.1 (2018), http://www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/shellfishing_policy_and_regulations_05-22-18.pdf.

⁴⁶² *Id.* § 7.7.

⁴⁶³ *Id.* § 7.1.

⁴⁶⁴ *Id.* § 7.4.

⁴⁶⁵ *Id.* § 7.8.1.

⁴⁶⁶ *Id.* § 7.8.3.

⁴⁶⁷ *Id.* § 7.8.5.

⁴⁶⁸ *Id.* § 7.20.

⁴⁶⁹ *Id.* § 7.19.2.

⁴⁷⁰ Wellfleet, Mass. Marina and Harbor Rules and Regs. Including Mooring Regs. (2015), http://www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/marina_rules_and_regs_approved_08-27-15_0.pdf.

Channels	Aquaculture service vessels (rafts and floats) are not allowed in the federal anchorage or channel. ⁴⁷¹
Moorings	<p>A permit from the harbormaster is required for any mooring.⁴⁷² Moorings may be assigned to corporate or service use.⁴⁷³ Moorings cannot be placed within 200 feet of a recreational beach, within 100 feet of a marked channel, or within 50 feet of another mooring.⁴⁷⁴</p> <p>Service vessels, defined as rafts and floats whose sole purpose is to support shellfish aquaculture, may be moored on an owner’s shellfish grant after obtaining a Floats and Rafts permit at no cost from the Harbormaster.⁴⁷⁵ The aquaculture regulations guarantee permitted and designated access to licensed areas, with means of access (including vehicle, foot, and/or boat) to be “precisely specified” in the text of the aquaculture lease.⁴⁷⁶</p>

Wetlands

Status	Wellfleet has established wetlands protection bylaws and regulations. ⁴⁷⁷ Approval from the Conservation Commission is required to alter areas subject to protection, including lands under the ocean. ⁴⁷⁸
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Learn More

Shellfish Constable	Website Phone: 508-349-0325
Harbormaster	Website
Conservation Commission	Website Phone: 508-349-0308

⁴⁷¹ *Id.* § III(I)(7).

⁴⁷² *Id.* § III(A).

⁴⁷³ *Id.* § III(A)(4).

⁴⁷⁴ *Id.* § III(G).

⁴⁷⁵ *Id.* § III(I)(1).

⁴⁷⁶ Wellfleet, Mass. Shellfishing Policy and Regs. § 7.5.1 (2018).

⁴⁷⁷ Wellfleet, Mass. General Bylaws 32 (2017); Wellfleet, Mass. Environmental Protection Regs. (2017), http://www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/wellfleet_environmental_protection_regulation_revision_may_31_2017.docx.pdf.

⁴⁷⁸ Wellfleet, Mass. Environmental Protection Regs. § 1.02 (2017).

Westport

Aquaculture Licensing

Status	Westport has set out steps for aquaculture licensing, and its aquaculture regulations are available online. ⁴⁷⁹ There is a wait-list, which is available online along with the license application form. ⁴⁸⁰ Aquaculture is limited to listed species. ⁴⁸¹ The town has established an Aquaculture Zone where licensing will be allowed, and licenses may not be approved for other locations. ⁴⁸²
Eligibility	Applicants must demonstrate bona fide residency for at least 12 months prior to the application. ⁴⁸³
Lot Size and Number	<p>A proposed site cannot exceed five acres within the Aquaculture Zone outside of the Westport River, or one acre within the Aquaculture Zone in the river⁴⁸⁴ Each household may have only one site or a total of six acres unless there are no applicants on the waiting list.⁴⁸⁵</p> <p>Westport requires a buffer of 50 feet between sites, 100 feet from public and private beaches, and 25 feet from particular types of vegetation such as eelgrass.⁴⁸⁶</p>
Gear Restrictions	No device shall protrude more than 18 inches above the substrate, unless specifically approved by the Board. The Board of Selectmen may allow rafts in areas specified in the license. ⁴⁸⁷
Authority	The Board of Selectmen is the licensing authority.

Navigation

Status	Westport has established waterways and mooring regulations. ⁴⁸⁸
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⁴⁷⁹ Westport, Mass., *Shellfish Aquaculture Licensing Steps*, <https://www.westport-ma.com/shellfish-wharfinger/pages/shellfish-aquaculture-licensing-steps>; Westport, Mass., Aquaculture Regs., <https://www.westport-ma.com/sites/westportma/files/uploads/shellfishrulesregulations-lettersizepages.pdf>. These regulations are not included in town bylaws and may not have the force of law. As it appears to be a statement of policy, it is used as the basis for this section.

⁴⁸⁰ Westport, Mass., *Applications*, <https://www.westport-ma.com/shellfish-wharfinger/pages/applications>.

⁴⁸¹ Westport, Mass., Aquaculture Regs. § 2.

⁴⁸² *Id.* § 9.

⁴⁸³ *Id.* § 7.1.

⁴⁸⁴ *Id.* § 9.4.

⁴⁸⁵ *Id.* § 7.1.

⁴⁸⁶ *Id.* § 23.

⁴⁸⁷ *Id.* § 22.

⁴⁸⁸ Westport, Mass. By-Laws and Regs. art. XLV (2017).

Channels	No moorings are allowed in channels, nor can any vessel obstruct a channel. ⁴⁸⁹ Shellfish license holders cannot “obstruct or oppose dredging plans and operations” for channel maintenance or additional dredging. ⁴⁹⁰
Moorings	There is a moratorium on new public moorings; new private moorings may be permitted in specific areas laid out in the regulations. ⁴⁹¹ The Mooring Assignment Committee approves all mooring locations. ⁴⁹²

Wetlands

Status	Westport zoning bylaws contain wetlands permitting requirements relevant to aquaculture. ⁴⁹³ Any activity that will disturb more than 40,000 square feet—slightly less than one acre—requires site plan approval by the town Planning Board. ⁴⁹⁴ Normal maintenance or improvement of land in aquaculture use is exempt from this requirement. ⁴⁹⁵ Contact the Town Planner for specific information on approval requirements.
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Learn More

Shellfish Wharfinger	Website Phone: 508-636-1105
Harbormaster	Website Phone: 508-636-1105
Planning Board	Website email Phone: 508-636-1037

⁴⁸⁹ *Id.* ¶ 4503(N).

⁴⁹⁰ Westport, Mass., Aquaculture Regs. § 30.3.

⁴⁹¹ Westport, Mass. By-Laws and Regs. art. XLV ¶ 4503(B) (2017).

⁴⁹² *Id.* ¶ 4503(M).

⁴⁹³ Westport, Mass. Zoning Bylaws art. 20 (2015), https://www.westport-ma.com/sites/westportma/files/uploads/zoningbylaws2015revised12-21-15_0.pdf

⁴⁹⁴ *Id.* § 20.2.

⁴⁹⁵ *Id.*

West Tisbury

Aquaculture Licensing

Status	West Tisbury has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	West Tisbury does not have a harbormaster or waterways bylaws or regulations.
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Wetlands

Status	West Tisbury has established wetlands protections bylaws and regulations. ⁴⁹⁶ Aquaculture is a resource value to be protected by these requirements. ⁴⁹⁷ A permit from the Conservation Commission is required to alter resource areas, which include the ocean and submerged lands. ⁴⁹⁸
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Abutter Notification	Abutters within 300 feet of the proposed activity must be notified. ⁴⁹⁹
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Learn More

Shellfish Constable	Website Phone: 508-696-0102
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Conservation Commission	Website Phone: 508-696-6404
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⁴⁹⁶ West Tisbury, Mass. Wetland Protection Bylaw (2004), <http://www.westtisbury-ma.gov/Documents/Con-Comm-Docs/WEST%20TISBURY%20WETLANDS%20PROTECTION%20BYLAW.pdf>; West Tisbury, Mass. Wetland Protection Bylaw Regs. (2016), <http://www.westtisbury-ma.gov/Documents/Conservation-docs/wetlands-protection-bylaw-regulations-rev2016.pdf>.

⁴⁹⁷ West Tisbury, Mass. Wetland Protection Bylaw § I (2004).

⁴⁹⁸ *Id.* § II.

⁴⁹⁹ *Id.* § V.

Weymouth

Aquaculture Licensing

Status	Weymouth has not established aquaculture regulations. Default state processes therefore apply.
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Navigation

Status	Weymouth has established waterways and mooring bylaws. ⁵⁰⁰
Moorings	A mooring permit is required for any vessel to be moored in Weymouth waters. ⁵⁰¹ An annual 10-A permit from the harbormaster is similarly required for all floats and rafts. ⁵⁰²

Wetlands

Status	Weymouth has issued a wetlands protection bylaw. ⁵⁰³ Aquaculture is a resource area value identified for protection by the bylaw. ⁵⁰⁴ A permit from the Conservation Commission is required to alter resource areas, including oceans, bays, and estuaries. ⁵⁰⁵
Abutter Notification	The Commission provides notice to abutters at the applicant's expense. ⁵⁰⁶

Learn More

Harbormaster	Website Phone: 781-682-6109
Conservation Commission	Website Phone: 781-340-5007

⁵⁰⁰ Weymouth, Mass. Code of Ordinances ch. 12.

⁵⁰¹ *Id.* § 12-104.

⁵⁰² *Id.* § 12-103(5).

⁵⁰³ *Id.* § 7-301.

⁵⁰⁴ *Id.* § 7-301(a).

⁵⁰⁵ *Id.* § 7-301(b).

⁵⁰⁶ *Id.* § 7-301(g).

Yarmouth

Aquaculture Licensing

Status	Yarmouth has established regulations, which are not available online. This information is based on communication with the Shellfish Constable. There is currently no moratorium, but designated areas are full and there is a wait-list.
Eligibility	Applicants must reside in Yarmouth.
Lot Size and Number	Applicants start with a three-acre area. The area may expand into adjacent areas, provided those areas are non-productive for wild shellfish.
Gear Restrictions	There are no gear restrictions in the regulations. However, licenses may contain conditions on a case-by-case basis to minimize visual impacts.

Navigation

Status	Yarmouth has established bylaws governing “water activities” and harbor regulations to implement the bylaws. ⁵⁰⁷ Vessels moored or berthed at town-owned or -operated facilities cannot be used for business. ⁵⁰⁸
Moorings	The Harbormaster approves all mooring permits and locations. ⁵⁰⁹

Wetlands

Status	Yarmouth has established wetlands protection bylaws and regulations. ⁵¹⁰ Approval from the Conservation Commission is required to alter wetland areas, including the ocean and submerged lands. ⁵¹¹
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Learn More

Shellfish Constable	Website Phone: 508-760-4800
Harbormaster	Website Phone: 508-760-4800
Conservation Department	Website

⁵⁰⁷ Yarmouth, Mass. Bylaws ch. 141 (water activities bylaw); *id.* ch. 214 (harbor regulations).

⁵⁰⁸ *Id.* § 214-19.

⁵⁰⁹ *Id.* § 214-6.

⁵¹⁰ *Id.* ch. 143 (2017); Yarmouth, Mass. Wetland Protection Regs. (2016), <http://www.yarmouth.ma.us/DocumentCenter/View/7769>.

⁵¹¹ Yarmouth, Mass. Bylaws § 143-2 (2017).