

From the Desk of the Swansea Shell Fish Warden

WHAT YOU NEED TO KNOW 2014 Season

PLEASE READ

Another year has gone by and despite another wet season, and a few violations, we have continued to see a prosperous shell fishing program for both commercial and recreational shell fishers in the Town of Swansea. We hope to continue to assist you in any way possible to make your future time on and in the water a safe one. The following notice is a re-issue (with some changes) that was passed out over the last several years. Please take the 5 minutes it requires to go over and read the listed information I have put together for you. It is imperative that EVERYONE reads, understands and follows ALL of the rules and regulations set forth for shell fishing in Swansea waters. With that said, I would request that EVERYONE who will be participating in shell fishing read on with great comprehension the following information I feel you must keep in mind while out there digging away. I realize many of the items below are in the rules and regulations but I just want to re-emphasize those most important and some new "suggestions" that may help you out. There are new open areas for shell fishing in the Cole and Lees Rivers that have specific closure dates during the spring and summer months and I have also included new limitations on razor clams, oysters and scallops which have been showing up few and far between in our waters.

1. The shellfish officers WILL NOT TOLERATE the throwing back of legal sized quahogs to change the size composition of your catch. In plain English this means you cannot toss back all the large bulls and chowders and cherrystone in order to fill your basket with necks sized quahogs. We have had complaints that people are throwing back larger quahogs to get smaller ones. This is ILLEGAL and if we see you doing this, you WILL BE FINED and I will personally request that your license be revoked by the town. You dig it, you keep it unless it is undersized. No Exceptions. The chances of you coming in with a basket full of only choice necks is miniscule and you will be under suspicion, warned and watched the next time.
2. It is not a requirement but we would encourage any recreational shell fisher to call in their catch amount and species type if we do not personally see you on the beach and inspect your harvest. This is to make sure the rules and regulations are being followed and also for record keeping purposes and to monitor the areas where you are digging to see if transplants and relays may be needed to restock the certain areas in the future. Call us at 508-509-0787. Remember that the shellfish warden and his deputies along with any Swansea or State – Environmental police officer or official has the right to examine your catch and equipment whether it is in the basket you carry or in your vehicle or boat.
3. **IMPORTANT** - Residential shell fishers are now limited to 1 peck of mixed quahogs per week per license. Soft shell clams are also limited (as always) to 1 peck per week per license. Razor Clams, Scallops and Oysters are limited to 1 peck per week per license.
4. **New Areas will be opened at the start of the 2013 season. The first of these areas include the Cole River from Rt.103 to just prior to Rt.195.** It will be open to recreational and commercial shell fishers. The flag pole signaling if the river is open or closed shall be located on the beach at the bottom of Peach Street between #'s 1 & 7. Two areas within this new section shall be deemed "off-limits" at all times due to high bacteria count. The first area is the cove from the bottom of Willow Circle across to Rt.195 near the Osprey Nest poles. Signs with orange flags have been posted marking this area. The other "off-limits" area is at the bottom of

Lafayette Street across to Rt.195 just west of the overpass bridge. Signs with orange flags have been posted marking off this area. **The other New Area to be opened is in the Lees River from Rt.103 to the peninsula of Little Neck Ave.** The boundaries are posted and have orange flags and can be located at the tip of the peninsula and also on the beach at the bottom of Eisenhower Road and across in Somerset. **Do Not shellfish in Somerset waters (KNOW THE MAPS).** The flag location letting you know if this section of the river is open shall be located on the beach line at the bottom of 22 Eisenhower road.

5. Starting September 15th 2012, Long Point and Town Beach has been closed on different rotating days. This will remain in effect indefinitely. Long Point and the waters directly surrounding it from the small no-name island to the east of it, to the channel north of it and to the channel west of it will only be open for residential digging of all shellfish on Mondays, Wednesdays, Fridays and Sundays. The entire length of Town Beach from the eastern end of the Bluffs building to the shellfish flag poles will only be open on Tuesdays, Thursdays and Saturdays except between June 15th and September 15th every year when the swimming season is open and recreational shell fishing is prohibited off town beach from the Bluffs to the Shellfish Flag Poles. **From the shell fish Flag Poles to the western tip of the boat ramp shall remain open during these months only on the allowed days of Tuesdays, Thursdays and Saturdays).** The rotational open / closed days schedule went into effect the morning of September 15th, 2012.
6. **There will be no recreational shell fishing off Town Beach between the eastern end of the Bluffs building to the shellfish Flag Poles at the boat ramp every year from June 15th to September 15th.** This will help avoid conflicts between shell fishers and beach goers. There will be numerous signs posted to remind you so there is no excuse to be in an area when it is closed for that specific day or a specific time period. This rule supersedes item #4 above. **PAY ATTENTION.** Remember, there are other areas that can be shell fished like Cedar Cove, off Pearse Road, Seaview Ave, the Lees River and the new areas mentioned above etc... Move around and check out different areas.
7. **OYSTERS SHALL NOT BE HARVESTED DURING THE MONTHS OF MAY, JUNE, JULY & AUGUST.** Oysters under 3 inches in length shall not be harvested at all and shall be deemed seed oysters.
8. **SCALLOPS SHALL NOT BE HARVESTED FROM APRIL 1ST THROUGH SEPTEMBER 30TH.** All scallops taken from the waters must be **ADULT SCALLOPS** with a well defined growth ring or **RAISED annulus** otherwise they are deemed seed scallop. The raised annulus or growth ring must be at least 0.39 inches (10 mm) from the hinge of the shell. **EXCEPTION: *Bay scallops that have a well defined raised annual growth line located less than 0.39 inches (10 mm) from the hinge of the shell (also known as the "nub"), shall be allowable for harvest if the shell height is at least 2.5 inches (63.5 mm) in length from top to bottom.***
9. **There will be no dredging of any shellfish in the Swansea waters either mechanically or by hand power unless specifically permitted by the Shell Fish Warden.**
10. You must at **ALL TIMES** display your permit to shellfish on your person and carry and USE a shellfish measuring device. If you do not have a device, one can be obtained at Town Hall or any local bait shop. This means the permit must be secured to your shirt or hat or in a fashion that the warden or deputy wardens can physically see it from shore. There were numerous occasions in the past where they were left on shore or in a vehicle or at home. This will no longer be allowed and you will be asked to leave the water and possibly forfeit your catch if you do not have the permit with you.
11. If you dig ANY holes along the beaches or shoreline, please fill them in. Take the couple of seconds and fill them in. **Stay away from beach grass and sod by at least 3 feet.**
12. **AS ALWAYS,** make sure the rivers are open to shell fishing before venturing out. The easiest

way is to check for the flags at the boat ramp, the end of Susan Drive, Lands End Way, West Promenade Street, and for the new areas - the beach at #7 Peach Street and the beach at 22 Eisenhower Road or check the Swansea Police Website. You can confirm by calling the shellfish Warden's phone at **508-509-0787** or the Swansea Police at **508-674-8464**. If the flags are flying red, the rivers are closed. If the flags are green, the rivers are open. Occasional ORANGE flags indicate boundary marks where you cannot shellfish beyond. Refer to the maps and rules and regulations or call us for further information There will be an additional red / green flag set up at the boat ramp near the original pole. It will have larger flags with the word BAY stenciled on them. This is for the Commercial shell fishers for deeper Mount Hope Bay waters south of the tip of Garners Neck Road running along the Rhode Island State Line from Touissett and along the Somerset & Fall River Town Lines in the bay. ***(It does not include the shoreline along Baypoint Road which will be regulated as they always were)***. The Mount Hope Bay southern open waters will be regulated by different rainfall conditions. If you are a recreational shell fisher and have a question about that, please call my office.

13. ***Please review the maps of the Open and Closed areas and the town lines. There are specific areas in the Coles River that are closed including the entire area and partially west of the cove where Pleasure Island is along with a small cove west of Pearse's Warf (in front of the Castle House). Review the maps!***
14. **ONLY 1 PECK WIRE BASKETS will be allowed to gather shellfish with NO EXCEPTIONS ANY MORE. We are moving into year 6 now and everyone should have a 1 peck wire basket. Do not get surprised if you are told to toss back your catch if you are seen using any other method of containment for recreational shell fishing.**
15. Again, only 1 peck wire baskets will be allowed to collect shellfish. **No plastic buckets, bushel baskets, sacks or bags will be allowed.** There were only a few instances where non-approved containers were used last year. The best method is to get a peck basket and “zip-tie” Styrofoam tubing around the rim to keep them afloat. The wire baskets can be purchased at Benny's or Lucky Bait in Warren or most any other custom bait shop in the area. Don't use the excuse you didn't know. You must read the rules and regulations each year since changes do occur within them and I try really hard to make sure everyone is aware of any changes by having these handouts available.
16. When in the water, please make sure if you have a basket secured to you, it can be easily dispatched should it sink or you fall over. I strongly recommend you do not tie a basket to yourself unless you are in very shallow (knee deep or less) water that you can see the bottom in. We had a couple of near drowning incidents over the years when some individuals stumbled in the water and the quahog filled burlap “sacks” they were affixed to almost took them down to Davy Jones' Locker. That is why I am strongly enforcing no sacks or bags, just baskets with self floating Styrofoam or inner-tubes secured to them. In the case of an emergency you can dump your catch and use the baskets as a partial floatation device. My best advise would be to keep a large, loose noose on one end and slung on your arm so you can easily separate it from you should you need to or if the floats come off the basket.
17. Since the Department of Marine Fisheries and the Town has opened up the waters north of the boat-ramp and south and north of Rt.103 on the Cole and Lees Rivers, many residents will be enjoying a lot of additional and unfamiliar waters in search of shell fish. These waters have many holes and drop offs along with a very dangerous rip current near and around the boat ramp and gut where the rail-road bridge once spanned. Some areas can reach 30 feet or more in a sudden drop. There are a lot of tempting sand bars out there but you must keep in mind these sand bars have steep drop off edges that even at low tide can be very deep. In some areas of the rivers the mud can be waist deep. If you get stuck in that, and no one sees you, your demise may be imminent and somewhat drawn out!! **STAY SAFE** and always have a partner or

someone else in sight that can hear you if you need help. There are also deep channel holes throughout the north side of the river that can surprise you and, as several individuals found out last year on the sandbar south of the boat ramp, the tide can sneak up on you quickly and cut off your original path of egress back to dry land. Please pay attention to the tides, the currents and if you are not familiar with an area, stay away from it until you have spoken with me or one of the Deputies or one of the commercial fishermen you may know who are familiar with the channels and the water conditions. It would also be a safe bet to carry a PFD (personal flotation device) with you and every member of your party if you plan on going into possibly deeper water (which I would discourage since there are plenty of shell fish in the shallower areas all over the two rivers). And remember, a lot of these holes and drop offs are only a few feet from the shore line in certain areas. It may be wise to carry a plastic whistle with you to signal for help should you find yourself in any form of trouble. If someone should hear someone blowing a whistle, assume they are in trouble and call 9-1-1 right away with a location and description if possible. **Never** try to be a hero and get yourself caught up in a dangerous situation trying to help someone beyond your means. The Fire Department and the Police Department are your best bet for water rescues. Stay close to shore, watch the tides and try not to go out alone.

WATCH THOSE KIDS!

18. There is no shell fishing along town beach between the Bluffs and the green / red shell fishing signal flag (past the entrance to boat ramp) along the beach or on the water inside of the "boats prohibited" marker buoys between June 1st and September 15th every year. During this period, Town Beach is reserved for swimmers.
19. **And I repeat...Please Do Not dig for shellfish within 3 feet of the coastal beach grass or sod. Please fill in any and all holes that you dry dig along the beaches. No shovels, no plungers at all.**
20. **Please do not trespass on private land. Please do not park illegally or block the roadway or driveways. A new parking area was established just outside of the boatramp and along the beach parking lot by the street. It is outlined by a white line. Please make a copy of your shell fishing or fin fishing permit and place it on your dashboard while parking there to avoid a ticket. Do Not use this area for Beach Parking. You will be fined and towed if found to be abusing this limited parking area.**
21. **DO NOT PARK AT BOAT RAMP TO SHELL FISH OR FIN FISH. You will be tagged with a \$15 fine and be subject to getting towed out of there. NO EXCUSES!**
22. If you are shell fishing in the Lees River, please do not cross the town line and go into Somerset waters. Draw an imaginary line from the center of the Lees River Bridge on Rt.103 through the gut of the river southerly where the rail road bridge went through and keep to the west of it. That's a safe bet you are in Swansea. **Know the map!**
23. **Watch your catch limits.** Remember, only 1 peck of quahogs per week and 1 peck of steamer clams, razor clam, oysters and scallops per week per license. **DO NOT HEAP YOUR BASKET.** The week runs from Sunday through the following Saturday. When we see you in the water or on the beach shell-fishing and ask you for your information, unless otherwise advised, we are assuming you are getting your fill for the week either for quahogs or clams and log it as such. It doesn't take long to get a peck of quahogs or a peck of clams. You are asked to partake in an honor system when taking your limits and we fully expect you abide by the rules. You are also encouraged to give us a call to let us know when and where you got your catch for our records and to keep track of what areas may need to be re-seeded or have a relay dropped there. If we suspect any violations on your part you may risk an immediate suspension and fine or arrest and I will request a total revocation of your permit before the Board of Selectmen. Lets' not face that situation since I know there are only a minimal amount of individuals out of the honest hundreds who may think they are getting away with getting more than what they are allowed.

You will eventually be caught. Most of the information I receive about violations comes from those individuals who are abiding by the rules and don't want to the shell fishing opportunities ruined by the bad few.

24. Even though residential shell-fishing is partially based upon the honor system, myself and the deputies try to get out there and make spot checks as often as time allows. Do not take it personally when we ask to see your catch, we do it for everyone we see out there whenever we can to keep track of the harvest numbers.
25. For the **COMMERCIAL** fishermen/women; The Taunton River is now open from the Somerset-Swansea line south-westerly to the Rhode Island state line. The conditions allow for only this area to remain open until 0.75 inches or more of rainfall requires it to be closed for the 5 day period. (*The OPEN and CLOSED status of this Mount Hope Bay section and this section only will be signified by a large **GREEN BANNER** with the word **BAY** on it posted on the large boat ramp flag pole when it is Open for shellfishing; and when it is Closed a large **RED BANNER** with the word **BAY** will be flown on the same pole in replacement of the Green banner*). This is the pie piece shaped area (also known as the DMZ) running from the state line on Seaview Ave across easterly to the tip of Gardners Neck Road (painted rock on tip of Baypoint Property) across to the Somerset line and then southerly toward the Tiverton - Fall River Line and then back toward the State Line on Seaview Ave. **KNOW THE MAPS**. The rest of the Swansea waters remain under the 0.3 inch rainfall closure requirement. Should the 0.3 inch rainfall closure be in effect, this does include the all of shorelines in Swansea including those along Baypoint Road. You must be beyond the painted rock at the southern most tip of land jutting out on the peninsula forming the Gardners Neck Road / Baypoint Road area. Use the provided map and get a fix on land points and become familiar with where you can and cannot be out on the bay. **KNOW THE MAPS!** Swansea law enforcement and Environmental Police from both Massachusetts and Rhode Island will be closely monitoring your whereabouts on the bay. Rhode Island authorities will confiscate your equipment including the boat and motor if you encroach upon their jurisdiction. You will also be subject to immediate arrest. If you think you are close to the Somerset / Fall River boundaries or the Rhode Island state line, move away from it some more to be on the safe side. **Any Violations** of the lines will result in immediate suspension of your shell fishing license (and requested revocation of same by this department) and possible arrest and forfeiture of your catch and even your equipment. If it becomes a nuisance with too many shell fishers playing the lines, it will be recommended that those waters out into the bay be immediately closed and be placed off limits for all. Also, Commercial shell fishers must continue to call in all daily catches and send me monthly shellfish catch reports.
26. **VERY IMPORTANT** : The Coles River north of the boat ramp and west of Long Point will be open to commercial shell fishers the first open day of each month. You will be allowed to harvest no more than your allowed catch limits of quahogs on that day. You will call for an inspection of your catch as normal. Commercial fishermen are restricted to remain within their designated areas only. There should be no confusion as to where you can go. If there is, call the shellfish warden before heading out. The 4 foot low tide rule will be in effect on all waterways for commercial shell fishermen at all times unless otherwise specified. Don't push the rules or else it may be an expensive mistake. Commercial shell fishers shall refrain from impeding into recreational waters at all times unless otherwise specified. Do not venture into a "less than 4' zone" because it is high tide and you may think you can get away with it. You will be caught and subject to punishment.
27. For Everyone; We have a **ZERO TOLERANCE** for any violations of any of the rules and regulations for shell fishing in Swansea Waters. Law Enforcement has the option of handing out verbal warnings, small fines for town by-law violations or we can issue hefty state fines and

place anyone under arrest for any violation regarding shell-fishing under the same rules and regulations that the State Environmental Police enforce. So far we have had very few violators and most of those individuals were cognizant of what they were doing wrong.

28. PLEASE REVIEW ALL OF THE RULES AND REGULATIONS IN THE BOOKLET PROVIDED WITH YOU PERMIT. IGNORANCE WILL NOT BE AN EXCUSE FOR VIOLATING ANY OF THE PROVISIONS DESCRIBED THEREIN. KNOW AND UNDERSTAND AND FOLLOW ALL OF THE RULES AND REGULATIONS. IF YOU HAVE ANY QUESTIONS, PLEASE CALL US RIGHT AWAY. 508-509-0787. We are here to help you out as much as we can so don't hesitate to call or stop by and speak with us if you see us around town.

I would like to commend all of you who have been and will continue to follow the rules and regulations for shell fishing. The Town of Swansea has a great resource with shell fish but it is a resource that has to be managed closely to ensure future growth and development. We will be seeding and relaying shellfish in the near future to help keep the stock plentiful and keep the waters open for future generations to enjoy.

What we are mostly concerned about is that everyone has a safe and enjoyable experience on the shore and in the waters of Swansea and that everyone has an opportunity to obtain fair share of the bountiful harvest and that no-one, to the best of our abilities, violates the rules and regulations that govern the shell fishing in Swansea.

If you have any questions or concerns, please contact my office at any time. If we do not answer the phone, leave your information and we will get back to you as soon as possible (we also have priority police work to contend with). If you see myself or any of the deputies out there, please approach us if you have any concerns or just to say hello. Also, should you be a residential shell fisher, you can help out my catch reports by calling in your catch amounts if we do not see you during our patrols. Leave your name, shellfish license number, area you were harvesting in and the amount of shellfish you got for the day. I would greatly appreciate the help. Our number is **508-509-0787. I can also be reached at the Harbor Master's # 617-799-8693.**

Thank you and please continue to have a safe and enjoyable time shell fishing,

Sgt. Daniel Lowney
Swansea Police Department
Shellfish Warden / Harbor Master

Deputy Wardens –
Officers Shane Mello, Rich Gibeau, Tom Eaton, Don DiBiasio, Kyle Stone