



## ***Town of Mount Desert***

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### **Town of Mount Desert Shellfish Conservation Program Annual Shellfish License Allocation Plan for 2022**

#### **1. 2022 License Classes and Fees**

Resident Commercial License (9)	\$150.00
Non-resident Commercial License (1)	\$300.00
Resident Recreational License (unlimited)	\$ 30.00
Non-resident Recreational License (see Section 4)	\$ 50.00

#### **2. License Applications and Sales**

Non-commercial (recreational) licenses will go on sale during normal business hours at the Town Clerk's office beginning July 1, 2022 through June 30, 2023.

All commercial licenses will go on sale during normal business hours at the Town Clerk's office beginning July 1, 2022 through June 30, 2023.

The term of all licenses sold is July 1, 2022 through June 30, 2023.

All classes of recreational *and* commercial clam harvesting license applications will be made available through the Town Clerk's office during normal business hours not less than ten (10) days prior to July 1<sup>st</sup>.

#### **3. Resident and Non-resident Commercial License Lottery and Sale Procedures**

Current holders of resident and non-resident commercial shellfish harvesting licenses who have held a commercial license uninterrupted from the first year of receipt of said license shall maintain seniority and may simply purchase a renewal license within ten (10) business days of the first sale date without participating in the lottery.

Both a resident and a non-resident commercial shellfish harvesting license "waiting list" will be created separately by a license lottery that will be held at the Town Office on July 1, 2022 to draw twelve (12) names from which any available licenses will be sold, determined by the order drawn in the lottery. Applications for the 2022 resident and non-resident commercial license lottery must be received by the Town Clerk's office no later than end of business day June 30, 2022. Postmark dates will not be accepted.

Failure to purchase and pay for in full amount any available commercial shellfish harvesting license as a result of the lottery within five (5) business days of being contacted will result in disqualification and the next person drawn, in order of drawing priority, will become eligible. The Town Clerk's office will contact lottery winners by phone and by mail from information provided on the application.

If all nine (9) resident commercial licenses are not sold after 90 days from July 1, they become available to anyone, resident or non-resident. Non-residents holding a resident license purchased after the 90-day period will not be grandfathered.

**4. Recreational Licenses**

The number of resident recreational licenses will not be limited. The number of non-resident recreational licenses sold will be one to one up to ten (10) resident licenses sold. After ten (10) resident licenses have been issued, the ratio will be one non-resident license for every five (5) resident licenses sold. Recreational licenses are not available to anyone holding a State of Maine Commercial Shellfish License and applicants are required to notify the Town Clerk if they hold a State of Maine Commercial Shellfish License.

**5. Misrepresentation**

Any applicant who deliberately provides false or misleading information on an application shall be disqualified for any license or from the license lottery. In addition, if a license is awarded to an applicant on the basis of false or misleading information, the license fee shall be withheld, and the license declared void. The applicant will also lose any seniority standing in a future license lottery.

**6. Residency**

Refer to the Town of Mount Desert Shellfish Conservation Ordinance.

**7. Conservation Time**

Beginning with license sales on July 1, 2015 and forward, all commercial license holders will not be required to complete conservation time; however, they are required to attend two Shellfish Conservation Committee meetings during the license year. No conservation time is required to purchase a "first-time" license.

**8. Procedures for conducting the lottery:**

- A. Completed applications accepted by the Town Clerk will be of uniform size and weight and placed in a container suitable for the drawing with appropriate security measures taken.
- B. The Shellfish Conservation Committee shall designate a disinterested party to draw names. "Disinterested" is defined to mean not related by blood, marriage, or adoption to any of the applicants and not having a direct or indirect financial interest in the outcome of the procedure.
- C. The lottery drawing to develop the "waiting list" will take place on a yearly basis and names drawn for this list are good for one year or until the date of the next lottery.