



David E. Pierce, Ph.D.
Director

Commonwealth of Massachusetts

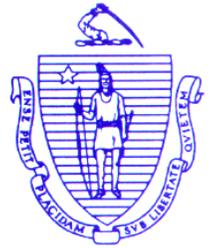
Division of Marine Fisheries

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Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Ronald Amidon
Commissioner

Mary-Lee King
Deputy Commissioner

January 8, 2018

The Mayor of Newburyport
 60 Pleasant Street
 City Hall
 Newburyport, MA. 01950

The Board of Selectmen
 5 Beach Road
 Town Hall
 Salisbury, MA. 01952

The Board of Selectmen
 12 Kent Way
 Town Hall
 Byfield, MA, 01922

Ladies & Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the below defined shellfish classification area N2.1 "Merrimack River" which was closed on January 4, 2018 due to the effects of a major, coastal storm now meets the standards of the established criteria for the classification of "CONDITIONALLY RESTRICTED" and an "OPEN" status.

Therefore, under the authority of Massachusetts General Laws Chapter 130, sections 74, 74A and 75, and 322 CMR sections 7.02 and 10.00, the below-defined area may be opened to the harvest of soft shell clams (*Mya arenaria*) with depuration, based on rainfall, the functioning of the wastewater collection system and subject to scheduling of harvest activities by the Massachusetts Division of Marine Fisheries Shellfish Purification Plant on January 8, 2018 at sunrise.

CLASSIFICATION: CONDITIONALLY RESTRICTED
STATUS: OPEN TO SHELLFISHING WITH DEPURATION

N2.1

Merrimack River Estuary & Northern Plum Island River

"The waters, flats, and tributaries of the Merrimack River estuary in the City of Newburyport and the Towns of Newbury and Salisbury within the following metes and bounds: south of a line drawn due east from a red/orange marker located at the confluence of Black Rock Creek and Allen Creek to a red/orange marker on the opposite bank of Black Rock Creek; east of a line drawn due south from a red/orange marker on the north bank of the Merrimack River to United States Coast Guard (USGC) light No. "18" known as the North Pier or icebreaker; north of a line running from USGC light No. "18" to USCG buoy No. "15", to USGC buoy No. "8"; east and south of line drawn from USGC buoy No. "8" to the gunners blind on the northeast corner of Woodbridge Island; east of line drawn from the bus stop on Water Street near Goodwin Avenue in Newburyport

(OVER)

to the western most point of Woodbridge Island and north of a line drawn due east from the northeastern most corner of Pine Island Creek at the confluence with Plum Island River to the east bank of the Plum Island River.

The N2.1 definition does not include Middle and Morrill Creeks in the town of Salisbury, which are defined separately under the N2.2 designation”.

On January 8, 2017 at sunrise, this area will revert to an open status unless further word is received from the Division of Marine Fisheries.

Sincerely,

A handwritten signature in black ink that reads "David E. Pierce". The signature is written in a cursive style with a large, looping initial "D".

David E. Pierce
Director

cc: R. Amidon, M. King, DFG
J. McGinn, B. Perrin., P. Moran, MEP
D. McKiernan, M. Hickey, J. Kennedy, T. Shields, DMF
S. King, DEP
FDA
DPH
P. Hogg, Newburyport Constable
R. Pike, Salisbury Constable
P. Thistlewood, Newbury Constable