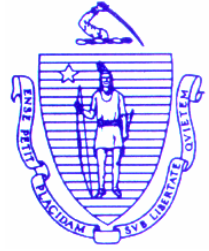




Paul J. Diodati
Director

Commonwealth of Massachusetts
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February 7, 2006

Chatham Board of Selectmen
Chatham Town Hall
549 Main Street
Chatham, MA 02633

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that shellfish, **except for whole Sea scallops (*Placopecten magellanicus*), and Moon snails (*Polinices duplicatus* and *Lunatia heros*)**, from the below-defined eastern portion of Nantucket Sound **no longer contain biotoxins (PSP)** from the phytoplankton *Alexandrium* (spp) in excess of established standards.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) **at sunrise on February 8, 2006**, the below-defined portion of Nantucket Sound will revert to its former status prior to the PSP closures of June 2, 2005. Those shellfish areas classified as APPROVED and in the “open “status to shellfish harvesting are now open to the harvest of shellfish, **except for whole Sea scallops and Moon snails, (*Surf clams are now open to harvest in the below-defined area*)** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Commercial surf clamming is also open subject to provisions of 322 CMR, section 6.08.

Monomoy Island

SC:47

“The waters and flats of that portion of Nantucket Sound in the Town of Chatham, easterly of a line drawn southwesterly [230 degrees true] from the west breakwater at the entrance to Stage Harbor in the Town of Chatham to the Barnstable County Line; westerly of a line drawn from the south end of Morris Island to the north tip of Monomoy Island; south of a line drawn across the Stage Harbor jetties; and westerly of a line drawn due south from Monomoy Point to the Barnstable County Line.”

NS:1 Nantucket Sound Northeast Center

“The waters and flats of that portion of Nantucket Sound northerly of the Loran C line 9960-Y-43900; southerly and westerly of the Barnstable County Line; easterly of the Loran C line 9960-W-14000.”

NS:2 Nantucket Sound Southeast Center

“The waters and flats of that portion of Nantucket Sound southerly of the Loran C line 9960-Y-43900; westerly of the Barnstable County Line; easterly of the Loran C line 9960-W-14000; northerly of the Nantucket County Line and west of a line drawn across the entrance to Nantucket Sound from the southern tip of the Barnstable County Line to the northern tip of the Nantucket County Line.”

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, K. Dolan, R. Chausse, DELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
Chatham Shellfish Constable; Stuart Moore