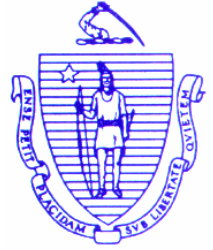




Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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May 23, 2006

Boards of Selectmen for: Marion, Wareham and Bourne

Ladies and Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that those portions of Buzzards Bay in the towns of Marion, Wareham and Bourne, that were closed due to very heavy rains on May 13-15, 2006 now meet the National Shellfish Sanitation Program guidelines for an "OPEN" status.

Under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) the below-defined areas will revert to their former status prior to the rainfall closure of May 15, 2006. Those areas classified as APPROVED and in the "OPEN" status to shellfish harvesting are now open to the harvest of shellfish for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those areas classified as CONDITIONALLY APPROVED are open subject to the classification conditions.

STATUS: OPEN TO THE TAKING OF SHELLFISH

"The waters, flats and all tributaries of those portions of Buzzards Bay including shellfish growing areas BB:33 and BB35-BB43 in the Towns of Marion, Wareham and Bourne."

The remaining portions of Buzzards Bay shall remain in the closed status until further notice.

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, R. Arduini, K. Dolan ELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
Shellfish Constables of the above towns