



Paul J. Diodati  
Director

# Commonwealth of Massachusetts Division of Marine Fisheries

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May 27, 2005

## Marine Fisheries Advisory

May 26, 2005

To the selectmen and mayors of the following municipalities:

Salisbury, Newbury, Newburyport, Rowley, Ipswich, Essex, Gloucester, Rockport, Manchester, Beverly, Danvers, Salem, Marblehead, Swampscott, Lynn, Nahant, Saugus, Revere, Winthrop, Boston, Winthrop, Hingham, Hull, Cohasset, Scituate, Marshfield, Duxbury, Kingston, Plymouth, Bourne, Sandwich, Barnstable, Yarmouth, Dennis, Brewster, Orleans, Eastham, Wellfleet, Truro and Provincetown.

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that bivalved molluscan shellfish and carnivorous snails from the below-defined area contain Paralytic Shellfish Poison toxin (also known as "Red Tide") from the dinoflagellate Alexandrium (spp.) in excess of the established standards.

Under authority of Massachusetts General Laws, Chapter 130, Section 74A and 75, the below-defined area is closed to the harvest of all shellfish, and carnivorous snails, with the exception of the adductor muscle of the sea scallop, until subsequent examination shows that these shellfish are safe for human consumption (crustaceans such as lobsters and crabs are not included in this closure).

The below-defined area, **with the exception of that portion of Boston Harbor noted below**, is **CLOSED TO THE TAKING OF ALL SHELLFISH AND CARNIVOROUS SNAILS (with the above-noted exceptions for sea scallops, crabs and lobsters)**. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish including whole sea scallops or roe-on sea scallops or carnivorous snails and the possession of shellfish or carnivorous snails, except sea scallop adductor muscles, from the below-defined area is prohibited.

Under authority of 322 CMR 7.01(7) all permits issued thereunder are hereby conditioned to prohibit the taking, selling or possession of shellfish from the below defined areas.

### **AREA CLOSED TO THE HARVEST OF ALL SHELLFISH AND CARNIVOROUS SNAILS (WITH THE EXCEPTION OF SEA SCALLOP ADDUCTOR MUSCLES, LOBSTERS AND CRABS)**

"The waters, flats and all tributaries within the above-listed cities and towns and those marine waters managed by the Commonwealth from the New Hampshire/Massachusetts state boundary southerly to and including all of Cape Cod Bay and its tributaries (areas N:1 to N28, MB:1 to MB:14 and CCB1 to CCB:51); and, all areas east of Cape Cod from Provincetown to the Eastham/Orleans town line (areas OC:7 to OC:10); and, easterly of a

line drawn from the southern tip of Stony Point Dike in the Town of Wareham to the western point of Wings Neck in the Town of Bourne, including all of the Cape Cod Canal (areas BB:38 to BB:48).

**Exception:** those waters, flats and tributaries of Boston Harbor southwest of a line drawn from the southern

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David M. Peter, *Commissioner*

tip of Deer Island in the Town of Winthrop to Point Allerton in the Town of Hull.” **Note:** This portion of Boston Harbor is subject to rainfall closures and may close due to excessive rainfall.

Sincerely,

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Paul J. Diodati  
Director

cc: J. Hanlon, K. Dolan, J. Tulik, A. Wolski, DELE  
D. McKiernan, M. Hickey, DMF  
WPC, DEP  
FDA  
DPH  
Shellfish Constables of the above Cities and Towns