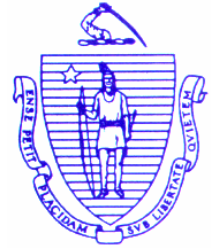




Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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(617) 626.1520
Fax (617) 626.1509



June 2, 2005

To the selectmen of the following towns:

Orleans, Chatham and Harwich

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that bivalve 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 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 south of a line drawn easterly from Chatham Light in the Town of Chatham to the Massachusetts state territorial boundary in areas (OC:1 and SC:52S); and, in Nantucket Sound (SC:47) southerly of a line drawn from the west breakwater at the entrance to Stage Harbor* to the Chatham Town Line; and, west of a line drawn directly south from the southern tip of Monomoy Island to the Chatham Town Line."

* Stage Harbor is currently unaffected by this closure.

Sincerely,

Paul J. Diodati
Director

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