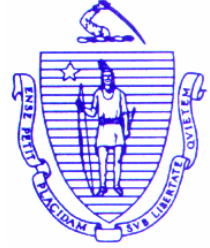




**Paul J. Diodati**  
Director

*Commonwealth of Massachusetts*  
**Division of Marine Fisheries**  
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June 16, 2005

Board of Selectmen  
Town Hall  
West Tisbury, MA 02539

Board of Selectmen  
Town Hall  
Chilmark, MA 02535

Board of Selectmen  
Town Hall  
Aquinnah, MA 02535

Ladies & Gentlemen:

Due to extremely elevated Paralytic Shellfish Poisoning toxins in shellfish in the waters immediately east of the below-defined areas and the very high levels of the dinoflagellate *Alexandrium* (spp.) in the waters of these below-defined areas, the Division of Marine Fisheries has determined that bivalve molluscan shellfish and carnivorous snails from these areas exhibit a potentially high risk of containing 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 areas are 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 areas are **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)**

**Marthas Vineyard South Coastal  
V:30**

"The waters and flats of that portion of the Atlantic Ocean in the Towns of Chilmark and West Tisbury, west of a line drawn due south from the Edgartown/West Tisbury Town Marker to the Commonwealth's Territorial Boundary; east of a line drawn due south from Squibnocket Point in the Town of Chilmark to the Commonwealth's Territorial Boundary; north of the

Commonwealth's Territorial Boundary; and south of a line drawn across the entrances (when present) of Tisbury Great Pond and Chilmark Pond.”

### **Aquinnah South Coastal**

**V:33**

“The waters and flats of that portion of the Atlantic Ocean bordering the Towns of Aquinnah and Chilmark, west of a line drawn due south from Squibnocket Point in the Town of Chilmark to the Flashing Green Buoy "1"; northerly of a line drawn from the Flashing Green Buoy "1" to the point at which the Aquinnah/Chilmark Town Line intersects (Longitude 70° and 50' west) then continuing westerly along the Town Line; southeasterly of a line drawn due west from the Aquinnah Lighthouse in the Town of Aquinnah to the Commonwealth's Territorial Boundary; east of the Commonwealth's Territorial Boundary.”

### **Nomans Land**

**V:34**

“The waters and flats of the Atlantic Ocean around Nomans Land Island in the Town of Chilmark southerly of a line drawn from the Flashing Green Buoy "1" to the point at which the Aquinnah/Chilmark Town Line intersects (Longitude 70° and 50' west), then continuing westerly along the Town Line; easterly of the Commonwealth's Territorial Boundary; and west of a line drawn due south from the Flashing Green Buoy "1" to the Commonwealth's Territorial Boundary.”

Sincerely,

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Paul J. Diodati  
Director

cc: J. Hanlon, K. Dolan, DELE  
D. McKiernan, M. Hickey, DMF  
WPC, DEP  
FDA  
DPH  
R. Houle, S. Larsen, B. Vanderhoop, Shellfish Constables