



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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July 18, 2006

To the selectmen and mayors of the following municipalities:

Salisbury, Newbury, Newburyport, Rowley, Ipswich, Essex, and Gloucester

Ladies and Gentlemen:

In accordance with Chapter 130, Section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that those shellfish areas closed on May 14, 2006 due to unacceptable water quality resulting from heavy rains and subsequent rainfall closures through July 13, 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 closures. 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. Areas classified as CONDITIONALLY RESTRICTED and in the "OPEN" status are open to the restricted harvested of soft-shelled clams subject to classification conditions with depuration subject to scheduling of harvest activities by the Massachusetts Division of Marine Fisheries Shellfish Purification Plant and provisions of approved municipal management plans.

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

STATUS: OPEN TO THE TAKING OF ALL SHELLFISH AS DEFINED BELOW

N:7 Essex Bay classification areas N7.0, N7.4, N7.5, N7.6 & N7.8 in the City of Gloucester and the Towns of Essex and Ipswich will open on July 18, 2006 at sunrise.

N:2 Merrimac River classification area N2.1 in the City Newburyport and the Towns of Salisbury and Newbury will open July 19, 2006 at sunrise.

N:4 Plum Island Sound classification area N4.0 in the Towns of Ipswich, Rowley and Newbury will open on July 21, 2006 at sunrise.

Sincerely,

Paul J. Diodati
Director

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