



David E. Pierce  
Director

# Commonwealth of Massachusetts

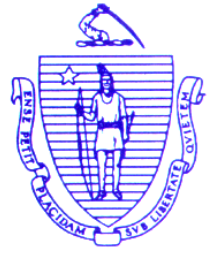
## Division of Marine Fisheries

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Charles D. Baker  
Governor

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Kathleen Theoharides

Secretary

Ronald Amidon

Commissioner

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Deputy Commissioner

July 19, 2019

Board of Selectmen  
Town of Eastham  
Town Hall  
Eastham, MA 02642

Board of Selectmen  
Town of Orleans  
Town Hall  
Orleans, MA 02653

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **bivalve shellfish** from the Nauset System (designated growing areas OC:2- OC:6), in the Towns of Eastham and Orleans, do not contain levels of the biotoxin okadaic acid [the cause of **Diarrhetic Shellfish Poison (DSP)**] from the phytoplankton *Dinophysis sp.* in excess of established standards.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00, the DSP closure for **bivalve shellfish** issued on July 10, 2019 **will be rescinded at sunrise on Saturday July 20, 2019** in growing areas OC:2 - OC:6. Bivalve shellfish in areas currently classified as APPROVED and in the "open" status may now be harvested for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. All areas OC:2 through OC:6 remain closed to the harvesting of **Moon snails (*Polinices duplicatus and Lunatia heros*)**.

### AREAS OPEN TO THE HARVEST OF ALL BIVALVE SHELLFISH

#### NAUSET SYSTEM OC:2-OC:6

#### OC:2 NAUSET HARBOR, EASTHAM/ORLEANS

The waters, flats and all tributaries of Nauset Harbor in the Towns of Eastham and Orleans, northerly of a line drawn across the mouth of Mill Pond in the Town of Orleans; southerly of a line drawn across the Middle Channel at the Eastham/Orleans town line; southerly of a line drawn across the southern mouth of the Hemenway River in the Town of Eastham; and easterly of a line drawn across the mouth of Town Cove.

**OC:3 MILL POND, ORLEANS**

The waters, flats and all tributaries of Mill Pond in the Town of Orleans, southerly of a line drawn across the mouth of Roberts Cove.

**OC:4 TOWN COVE, ORLEANS/EASTHAM**

The waters, flats and all tributaries of Town Cove in the Towns of Eastham and Orleans, southwesterly of a line drawn from Snow Point in the Town of Orleans to the western side of the mouth to the Hemenway River at Fort Hill in the Town of Eastham.

**OC:5 NAUSET MARSH, EASTHAM**

The waters, flats and all tributaries of Nauset Marsh in the Town of Eastham, northerly of a line drawn across the Middle Channel at the Eastham/Orleans Town Line; westerly of a line drawn across the mouth of Nauset Harbor; northerly of a line drawn across the mouth of the Hemenway River at Fort Hill in the Town of Eastham; and easterly of a line drawn across the entrance of Salt Pond in the Town of Eastham.

**OC:6 SALT POND, EASTHAM**

The waters, flats and all tributaries of Salt Pond in the Town of Eastham, westerly of a line drawn across the mouth of Salt Pond.

Sincerely,



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David Pierce  
Director

cc:P. Moran, DELE  
D. McKiernan, M. Hickey, Tom Shields, DMF  
R. Amidon, M. King, DFG  
J. Hobill, DEP  
FDA  
DPH  
N. Paine, Eastham Shellfish Constable  
N. Sears, Orleans Shellfish Constable