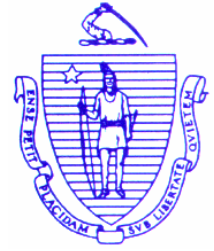




Paul J. Diodati
Director

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August 18, 2005

Board of Selectmen
Town Hall
Eastham, MA 02642

Board of Selectmen
Town Hall
Orleans, MA 02653

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that Soft-shelled clams, in addition to Blue mussels and Quahogs from the below-defined areas **no longer contain biotoxins (PSP)** from the phytoplankton Alexandrium (spp) in excess of established standards.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) **at sunrise on August 18, 2005**, the PSP closure of April 27, 2005 will be amended as follows in the below-defined areas. Those areas classified as APPROVED and in the “open “ status to shellfish harvesting prior to the PSP closure are now open to the harvest of shellfish, **except for Surf clams (*Spisula solidissima*), and carnivorous snails, channeled and knobbed whelks, and moon snails (*Lunatia heros*) and (*Polinices duplicatus*)**, 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.

CLASSIFICATION: APPROVED
STATUS: OPEN TO SHELLFISHING

NAUSET SYSTEM OC2- OC6

OC2 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.”

OC3 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.”

OC4 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.”

OC5 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.”

OC6 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,



Paul J. Diodati
Director

cc: J. Hanlon, K. Dolan, R. Chausse DELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
H. Lind, Eastham Shellfish Constable
D. Farber, Orleans Shellfish Constable