



Paul J. Diodati
Director

Commonwealth of Massachusetts

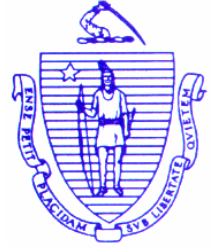
Division of Marine Fisheries

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October 6, 2006

Mayors of Newburyport and Amesbury and
Selectmen of Essex, Ipswich, Marblehead, Newbury, Rowley and Salisbury

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **Surf clams (*Spisula solidissima*)**, 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 sections 7.01 (7), 7.02, and 10.00 **at sunrise on October 7, 2006**, the PSP closures of May 16, 2006 will be amended as follows in the below defined areas. Those shellfish areas classified as APPROVED and in the “open” status to shellfish harvesting are now open to the harvest of **Surf clams (*Spisula solidissima*)** 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 and in the “open” status are open subject to the classification conditions.

Status: Open to Surf Clam (*Spisula solidissima*) Harvesting

“The waters, flats and all tributaries in the above-listed cities and towns and those marine waters managed by the Commonwealth from the New Hampshire/Massachusetts state boundary to Essex Bay, inclusive (N1 to N7).”

and

“The waters, flats and tributaries of the Marblehead shoreline, east of a line from the northern extremity of Marblehead Neck to Peach Point, and south and west of a line from Peach Point seaward to the Marblehead town boundary in Massachusetts Bay, and north and east of a line from the Marblehead Swampscott town line seaward to the Marblehead town boundary in Massachusetts Bay (N21).”

Sincerely,

Paul J. Diodati
Director

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