



David E. Pierce  
Director

# Commonwealth of Massachusetts

## Division of Marine Fisheries

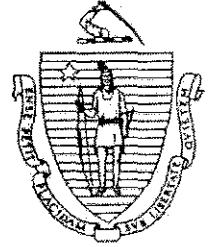
251 Causeway Street, Suite 400

Boston, Massachusetts 02114

(617)626-1520

fax (617)626-1509

October 7, 2016



Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

George N. Peterson, Jr.  
Commissioner

Mary-Lee King  
Deputy Commissioner

Board of Selectmen of the following towns: Bourne, Dartmouth, Fairhaven, Falmouth, Gosnold, Marion, Mattapoisett, Westport and the Mayor of New Bedford,

### RE: EMERGENCY CLOSURE

Ladies and Gentlemen:

The Division of Marine Fisheries has determined that all approved and conditionally approved areas in the municipalities of Bourne, Dartmouth, Fairhaven, Falmouth, Gosnold, Marion, Mattapoisett, Westport and New Bedford, BB1-BB58, E1- E10 and SC1, SC2; and Lackeys Bay (E14) in the Town of Gosnold, no longer meet the established criteria for a status of "OPEN TO SHELLFISHING" due to a potential toxic phytoplankton bloom in Buzzards Bay, which can cause Amnesiac Shellfish Poisoning (ASP). This closure takes effect at sunrise on October 8, 2016.

Under the authority of Massachusetts General Laws, Chapter 130, Sections 74A, and 75, the status of the below defined areas shall be changed to "**CLOSED TO SHELLFISHING**". Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below defined areas are 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.

#### CLASSIFICATION: APPROVED AND CONDITIONALLY APPROVED

#### **TOXIC PLANKTON BLOOM CLOSURE**

**Status: Closed To Shellfishing with the exception of bay and sea scallop adductor muscles and carnivorous snails**

BB1-BB58, E1-E10, SC1 and SC2

**Buzzards Bay**

"The waters, flats and all tributaries of Buzzards Bay."

E14

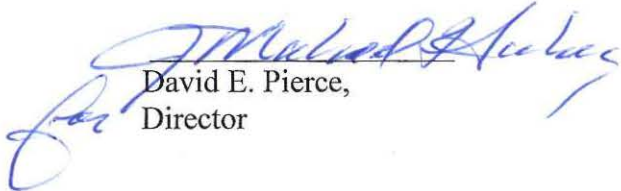
**Lackey's Bay**

"The water, flats and all tributaries of Lackey's Bay in the Town of Gosnold."

The preceding areas shall remain in the closed status until examined by the Division of Marine Fisheries and notification is made that the areas have been placed in the OPEN status.

OVER

Sincerely,

A handwritten signature in blue ink, appearing to read "David E. Pierce", is written over the typed name and title.

David E. Pierce,  
Director

cc: J. McGinn, B. Perrin, P. Moran, DELE  
D. McKiernan, M. Hickey, TY. Shields, DMF  
G. Peterson, Jr., M. King, DFG  
WPC. DEP  
FDA  
DPH  
Shellfish Constables of the above City and Towns