



The Commonwealth of Massachusetts
Division of Marine Fisheries
(617) 626-1520 | mass.gov/MarineFisheries



Maura T. Healey
Governor

Kimberly Driscoll
Lt. Governor

Rebecca L. Tepper
Secretary

Thomas K. O'Shea
Commissioner

Daniel J. McKiernan
Director

October 6, 2026

Honorable Coastal Select Boards of Marion, Wareham, and Bourne

Ladies and Gentlemen,

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the following shellfish areas, BB33, BB34, BB36, and BB40 in the towns of Marion, Wareham and Bourne precautionarily closed on September 25, 2026, due to heavy rain, now meet the National Shellfish Sanitation Program guidelines for an "Open to Shellfishing" status.

Therefore, the below-defined areas will revert to their former status prior to the closure issued on September 25, 2026, or in the case of "CONDITIONALLY APPROVED" areas, acquire the status dictated by its Conditional Area Management Plan criteria, and local rules and regulations under authority of MGL Chapter 130, section 52. This opening will be **effective at sunrise on October 7, 2026.**

Areas classified as "PROHIBITED" shall remain closed to the harvest of shellfish for direct human consumption.

Under authority of 322 CMR 7.01(7) all permits issued thereunder are hereby conditioned to permit the taking, selling or possession of shellfish from the area listed below.

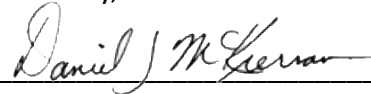
STATUS: OPEN TO THE TAKING OF SHELLFISH

Subject to conditional area management plan criteria where applicable

The waters, flats and all tributaries of the Commonwealth of Massachusetts within the following growing areas BB33, 34, 36, and 40 in the towns of Marion, Wareham and Bourne.

Individual shellfish growing area definition boundaries are mapped on the Division's website at [Shellfish classification areas | Mass.gov](#).

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel J. McKiernan", is written over a horizontal line.

Daniel J. McKiernan, Director
MA Division of Marine Fisheries

cc: J. Monaghan, J. Chapin, MEP
R. Glenn, C. Petitpas, DMF
J. Hobill, DEP
FDA, DPH
C. Wentworth, Marion Harbormaster
L. Savery, Marion Shellfish Officer
G. Buckminster, Wareham Shellfish Constable
H. Lawrence, Bourne Shellfish Constable