



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

(617) 626-1520 | [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries)



MAURA T. HEALEY  
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KIMBERLEY DRISCOLL  
Lt. Governor

REBECCA L. TEPPER  
Secretary

THOMAS K. O'SHEA  
Commissioner

DANIEL J. MCKIERNAN  
Director

January 11, 2024

The Honorable Select Boards and Mayor of the Commonwealth of Massachusetts for the following coastal municipalities: Westport, Dartmouth, New Bedford, Fairhaven, Mattapoisett, Falmouth, and Gosnold

Ladies & Gentlemen,

In accordance with Chapter 130, Section 74A of Massachusetts General Laws, the Division of Marine Fisheries has determined that portions of Buzzards Bay including shellfish growing areas BB7, BB10 through BB23, E1 and E4 in the towns of Westport, Dartmouth, Fairhaven, Mattapoisett, Falmouth, Gosnold, and the City of New Bedford no longer meet the established criteria for a status of "Open to Shellfishing" due to combined sewer overflow (CSO) discharges associated with heavy rainfall from the storm event on January 9<sup>th</sup> and 10<sup>th</sup>. The status of the areas identified below shall be changed to **"Closed to Shellfishing"** effective immediately for 21 days or until further notification is made by the Division of Marine Fisheries.

Under the authority of Massachusetts General Laws Chapter 130, Section 74A, the status of the below identified areas shall be changed to **"Closed to Shellfishing"** except for bay scallops harvested for the adductor muscle only. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish, and the possession of shellfish from the below areas is prohibited until further notice.

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 areas listed below.

**STATUS: CLOSED TO THE TAKING OF ALL SHELLFISH AS DEFINED BELOW**  
**Except for harvest of bay scallops for adductor muscle only**

The waters, flats and all tributaries of that portion of Buzzards Bay within the following Shellfish Growing Areas and municipalities: BB7, BB10 – BB23, E1 and E4 in the towns of Westport, Dartmouth, Fairhaven, Mattapoisett, Falmouth, Gosnold and the City of New Bedford.

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

These shellfish growing areas shall remain in the “**Closed to Shellfishing**” status and will not automatically revert to “Open to Shellfishing” on February 1, 2024, but will remain closed until examined by the Division and notification is made that the areas have been placed in the open status.

Sincerely,

A handwritten signature in dark ink, reading "Daniel J. McKiernan". The signature is fluid and cursive, with a long horizontal stroke at the end.

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Daniel J. McKiernan, Director  
MA Division of Marine Fisheries

cc: P. Moran, C. Baker, MEP  
R. Glenn, C. Petitpas, DMF  
J. Hobill, DEP  
FDA, DPH  
C. Leonard, Westport Shellfish Constable  
S. Melo, Dartmouth Shellfish Constable  
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K. Massey, Mattapoisett Shellfish Constable  
C. Martinsen, Falmouth Shellfish Constable  
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