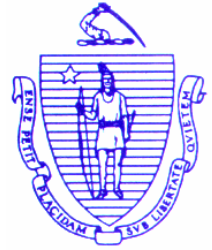




Paul J. Diodati  
Director

*Commonwealth of Massachusetts*  
**Division of Marine Fisheries**  
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November 15, 2005

Boards of Selectmen of : Barnstable, Sandwich, Plymouth, Duxbury, Marshfield, Scituate, Cohasset

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that shellfish, **except for Ocean quahogs (*Arctica islandica*), whole or roe-on Sea scallops (*Placopecten magellanicus*), Channeled and Knobbed whelks and Moon snails (*Polinices duplicatus* and *Lunatia heros*)**, from the below-defined portions of Massachusetts Bay and Cape Cod Bay **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 November 15, 2005**, the below-defined portions of Cape Cod Bay and Massachusetts Bay will revert to their former status prior to the PSP closures of May 26, 2005. Those shellfish areas classified as APPROVED and in the "open" status to shellfish harvesting are now open to the harvest of shellfish, **except Ocean quahogs, whole and roe-on Sea scallops and carnivorous snails, (*Surf clams are now open to harvest in the below-defined areas*)** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Commercial surf clamming is also open subject to provisions of 322 CMR, section 6.08. Similarly, those shellfish areas classified as CONDITIONALLY APPROVED are open subject to the classification conditions.

**WESTERN PORTION OF MASSACHUSETTS BAY AND CAPE COD BAY**  
**Status: Open to Shellfishing (as noted above)**

"The waters, flats and all tributaries of those areas in Massachusetts Bay and Cape Cod Bay (MB:1, 2, 4, 8, and 9; CCB:23, 26, 30, 35, 38, 39, and 41) seaward to the three mile town limits."

Growing areas CCB: 48 and 49 in their entirety and portions of growing areas CCB:50 and 51 westerly of a line drawn from Beach Point on the eastern end of Sandy Neck in the Town of Barnstable to the tip of Long Point in the Town of Provincetown will remain closed to the harvesting of all shellfish (except the sea scallop adductor muscle).

Sincerely,

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Paul J. Diodati  
Director

cc: J. Hanlon, K. Dolan, R. Chausse, DELE

D. McKiernan, M. Hickey, DMF

WPC, DEP

FDA

DPH

Constables of: Barnstable, Sandwich, Plymouth, Duxbury, Marshfield, Scituate, Cohasset