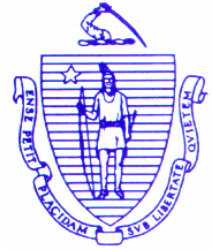




Paul J. Diodati
Director

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November 15, 2005

Board of Selectmen
Town Hall
Marblehead, MA. 01945

Ladies and 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 area (N:21.2) in the Town of Marblehead **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 16, 2005**, the below-defined area will revert to its former status prior to the PSP closures of May 19, 2005. Those shellfish areas classified as **CONDITIONALLY 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 area*)** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Those shellfish areas classified as **CONDITIONALLY APPROVED** are open subject to the classification conditions.

N:21.2
Devereaux & Tuckers Beach

“The waters and flats of Devereaux and Tuckers Beach in the town of Marblehead inside of a line drawn from the intersection of Ocean Avenue and Harbor Avenue to the northern extremity of Little Pig Rocks continuing to the end of Gallison Avenue at Tuckers Beach.”

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, K. Dolan, J. Tulik, OELE
D. McKiernan, M. Hickey, J. Kennedy, DMF
WPC, DEP
FDA
DPH
Marblehead Shellfish Constable, Wayne Attridge.