



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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Director

November 5, 2021

Board of Selectmen  
Town of Provincetown  
Town Hall  
Provincetown, MA 02657

Ladies and Gentlemen:

In accordance with Chapter 130, Section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has re-examined the waters of the below defined "CONDITIONALLY APPROVED" shellfish growing area The Breakwater (CCB:5), in the Town of Provincetown, and in the "CLOSED" status based on seasonal water quality changes. As a result of this examination, the Division has determined that the below defined area now meets the established criteria for the harvest of shellfish and has changed the status to "OPEN TO SHELLFISHING" as of sunrise on November 6, 2021.

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 area.

**CLASSIFICATION: CONDITIONALLY APPROVED**  
**SEASONAL STATUS CHANGE**  
**Status: Open to Shellfishing**  
**[November 6 - May 31]**  
**[All Dates inclusive]**

**CCB:5.0**  
**The Breakwater**

"The waters, flats and all tributaries of The Breakwater south of a line drawn from the "NO SHELLFISHING" sign on the stone breakwater at the boundary of the Cape Cod National Seashore to the "NO SHELLFISHING" sign on the opposite marsh."

The status of above Conditionally Approved area, CCB:2.25, shall automatically revert to "CLOSED TO SHELLFISHING" on May 1, 2022 unless the Division changes the status prior to said date.

Sincerely,

A handwritten signature in black ink that reads "Daniel J. McKiernan". The signature is written in a cursive style with a horizontal line extending from the end of the name.

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Daniel J. McKiernan,  
Director

cc: P. Moran, K. Clayton, OLE  
J. Kennedy, DMF  
R. Amidon, DFG  
J. Hobill, DEP  
FDA, DPH  
S. Wisbauer, Provincetown Shellfish Constable