



Paul J. Diodati
Director

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Division of Marine Fisheries
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Deval Patrick
Governor
Ian Bowles
Secretary

December 4, 2007

Boards of Selectmen of: Cohasset, Scituate, Marshfield, Duxbury, Plymouth, Bourne, Sandwich, Barnstable, Dennis, Yarmouth, Brewster, Orleans, Eastham, Wellfleet, Truro, Provincetown, Chatham, Nantucket, Harwich, Edgartown, Tisbury and Aquinnah.

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **Moon snails (*Lunatia heros* and *Polinices duplicatus*)** from the below-defined areas **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 December 10, 2007, Moon snails** in the below-defined areas 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 **Moon snails** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those shellfish areas classified as CONDITIONALLY APPROVED are open subject to the classification conditions.

**PORTIONS OF MASSACHUSETTS BAY, CAPE COD BAY, OUTER CAPE COD,
PLEASANT BAY, NANTUCKET SOUND, NANTUCKET AND PORTIONS OF
MARTHA'S VINEYARD**

Status: Open to Shellfishing (as noted above)

"The waters, flats and all tributaries of those areas in Massachusetts Bay (MB2, 4, 8, 9 and 10) seaward to the three mile town limits; all of Cape Cod Bay (CCB:1 – CCB:51); all waters, flats and tributaries seaward to the three mile town limits east of Cape Cod (OC1 – OC10), Orleans and Chatham (SC42 – SC64), Nantucket (NT1 – NT14) and Martha's Vineyard (V23, 24, 30, 31, 33 and 34); and, all waters of Nantucket Sound (NS1 – NS4)"

Sincerely,

Paul J. Diodati
Director

c: J. Hanlon, R. Arduini, K. Dolan, P. Hanlon, DELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
Constables of the above-listed towns