



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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



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DANIEL J. MCKIERNAN  
Director

December 19, 2023

Town of Yarmouth Selectboard  
Town Hall  
1146 Route 6A  
South Yarmouth, MA. 02664

Town of Barnstable Selectboard  
Town Offices  
367 Main Street  
Hyannis, MA 02601

Ladies and Gentlemen:

In accordance with Chapter 130, Section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the Lewis Bay (SC28) shellfish growing area in the towns of Yarmouth and Barnstable, no longer meets the requirements for an "Open to Shellfishing" status following a high wind and storm surge event on December 18, 2023.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, effective at 09:30 on December 19, 2023, the below-defined area has been placed in a "**Closed to Shellfishing**" status to the taking of all shellfish except conch and scallop adductor muscle. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below-defined area is prohibited.

Under authority of 322 CMR 7.01 (7) all permits issued there under are hereby conditioned to prohibit the taking, selling or possession of shellfish as stated above from the area listed below. After the storm, holders of aquaculture licenses under the authority of Chapter 130, Section 57, MGL, may conduct necessary maintenance/retrieval of their equipment after notifying, and with the consent of, the local shellfish constable. No shellfish may be harvested during the closure or removed from the site for culling.

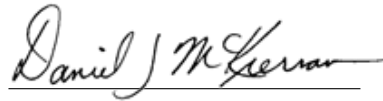
### **STATUS: CLOSED TO THE TAKING OF ALL SHELLFISH** **Except conch and scallop adductor muscle**

#### **SC28** **Lewis Bay**

The waters, flats and all tributaries of Lewis Bay in the Towns of Barnstable and Yarmouth, northeasterly of a line drawn from the southern end of Dunbar Point in the Town of Barnstable to the northern tip of Smith Point in the Town of Yarmouth."

This area shall remain closed until notification has been received from the Division that the areas have been placed in the open status.

Sincerely,

A handwritten signature in black ink, reading "Daniel J. McKiernan". The signature is fluid and cursive, with a horizontal line drawn underneath it.

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. Healy, Yarmouth Shellfish Constable  
A. Croteau, Barnstable Shellfish Constable