



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA 02114
(617) 626.1520
Fax (617) 626.1509



Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
Griffin
Commissioner

April 17, 2009

To the selectmen of the following municipalities: Eastham and Orleans

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that shellfish from the below-defined areas (OC:3 in its entirety and part of OC:2) in the Town of Orleans contain **Paralytic Shellfish Poison** toxin (also known as "Red Tide") from the dinoflagellate Alexandrium tamarense.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A and 75, the status of the below-defined areas have been changed to "**CLOSED TO SHELLFISHING**". Digging, harvesting or collecting and/or attempting to dig, harvest or collect blue mussels and the possession of blue mussels from the below- defined areas is prohibited.

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 areas.

AREAS CLOSED TO THE HARVEST OF BLUE MUSSELS

Nauset Marsh System South (OC:3 and a portion of OC:2)

“The area south of a line drawn east from the northern tip of Weeset Point (at the end of Tonset Road) in the Town of Orleans to the Eastham-Orleans town boundary marker located on the northern-most tip of Tern Island in the Town of Orleans and continuing east to Nauset Beach.”

This area includes Mill Pond, Roberts Cove (area OC:3) and a portion of Nauset Harbor in Orleans (part of area OC:2).

Sincerely,

Paul J. Diodati
Director

cc: A. Gross, G. Santos, E. Burns, DELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
H. Lind, Eastham Shellfish Constable
D. Farber, Orleans Shellfish Constable