



Paul J. Diodati
Director

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Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
Griffin
Commissioner

April 24, 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 shellfish and the possession of shellfish 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 ALL SHELLFISH

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