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Ian Bowles  
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Mary B.  
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Commissioner

May 9, 2008

Boards of Selectmen of Eastham and Orleans

Ladies & Gentlemen:

Due to **Paralytic Shellfish Poison (PSP)** toxin (also known as "Red Tide") in shellfish and reported elevated phytoplankton levels of the dinoflagellate *Alexandrium* (spp.), the Division of Marine Fisheries has closed the below-defined portions of the Nauset Marsh System to the harvesting of shellfish.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A and 75, the status of the below-defined area has been changed to **"CLOSED TO SHELLFISHING", effective immediately**. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish as defined below 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."

#### **AREAS CLOSED TO THE HARVEST OF MUSSELS *Mytilus edulis***

##### **OC:2 NAUSET HARBOR, EASTHAM/ORLEANS**

"The waters, flats and all tributaries northerly 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."

**OC:4 TOWN COVE, ORLEANS/EASTHAM**

The waters, flats and all tributaries of Town Cove in the Towns of Eastham and Orleans, southwesterly of a line drawn from Snow Point in the Town of Orleans to the western side of the mouth to the Hemenway River at Fort Hill in the Town of Eastham.

**OC:5 NAUSET MARSH, EASTHAM**

The waters, flats and all tributaries of Nauset Marsh in the Town of Eastham, northerly of a line drawn across the Middle Channel at the Eastham/Orleans Town Line; westerly of a line drawn across the mouth of Nauset Harbor; northerly of a line drawn across the mouth of the Hemenway River at Fort Hill in the Town of Eastham; and easterly of a line drawn across the entrance of Salt Pond in the Town of Eastham.

**OC:6 SALT POND, EASTHAM**

The waters, flats and all tributaries of Salt Pond in the Town of Eastham , westerly of a line drawn across the mouth of Salt Pond.

Sincerely,

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Paul J. Diodati  
Director

cc: J. Hanlon, R. Arduini, K. Dolan, P. Hanlon, DELE  
D. McKiernan, M. Hickey, D. Whittaker, DMF  
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