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Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
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Commissioner

May 14, 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 Nauset Marsh System.

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", effective immediately**. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish, including carnivorous snails, 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

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:3 MILL POND, ORLEANS

The waters, flats and all tributaries of Mill Pond in the Town of Orleans , southerly of a line drawn across the mouth of Roberts Cove.

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,

Paul J. Diodati
Director

cc: J. Hanlon, R. Arduini, K. Dolan, P. Hanlon, DELE
D. McKiernan, M. Hickey, D. Whittaker, DMF
WPC, DEP
FDA
DPH
H. Lind, Eastham Shellfish Constable
D. Farber, Orleans Shellfish Constable