



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

May 6, 2008

To the selectmen of the following municipalities: 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**

##### **NAUSET SYSTEM OC:2-OC:6**

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

The waters, flats and all tributaries of Nauset Harbor in the Towns of Eastham and Orleans, northerly of a line drawn across the mouth of Mill Pond in the Town of Orleans; southerly of a line drawn across the Middle Channel at the Eastham/Orleans town line; southerly of a line drawn across the southern mouth of the Hemenway River in the Town of Eastham; and easterly of a line drawn across the mouth of Town Cove.

**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,

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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