



Paul J. Diodati
Director

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Division of Marine Fisheries
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Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
Griffin
Commissioner

June 26, 2008

Boards of Selectmen of the Towns of Eastham, Orleans , Chatham and Nantucket

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that the molluscan shellfish Surf clams, *Spisula solidissima*, Ocean quahogs, *Arctica islandica*, and whole or roe-on Sea scallops, *Placopecten magellanicus* and the carnivorous Moon snails *Lunatia heros* and *Polinices (spp.)* from the below-defined areas contain Paralytic Shellfish Poison toxin (also known as "Red Tide") from the dinoflagellate *Alexandrium (spp.)* in excess of the established standards.

Under authority of Massachusetts General Laws, Chapter 130, Section 74A and 75, the below-defined areas are closed to the harvest of Surf clams, *Spisula solidissima*, Ocean quahogs, *Arctica islandica*, and whole or roe-on Sea scallops, *Placopecten magellanicus* and the carnivorous Moon snails *Lunatia heros* and *Polinices (spp.)* with the exception of the adductor muscle of the sea scallop, until subsequent examination shows that these shellfish are safe for human consumption (crustaceans such as lobsters and crabs are not included in this closure).

The below-defined areas are **CLOSED to the taking of Surf clams, *Spisula solidissima*, Ocean quahogs, *Arctica islandica*, and whole or roe-on Sea scallops, *Placopecten magellanicus* and the carnivorous Moon snails *Lunatia heros* and *Polinices (spp.)* (with the above-noted exceptions for sea scallops, crabs and lobsters).** Digging, harvesting or collecting and/or attempting to dig, harvest or collect these shellfish and their possession, except sea scallop adductor muscles, 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.

AREA CLOSED TO THE HARVEST OF Surf clams, *Spisula solidissima*, Ocean quahogs, *Arctica islandica*, and whole or roe-on Sea scallops, *Placopecten magellanicus* and the

carnivorous Moon snails *Lunatia heros* and *Polinices* (spp.)
(WITH THE EXCEPTION OF SEA SCALLOP ADDUCTOR MUSCLES, LOBSTERS
AND CRABS)

MONOMOY ISLAND

SC:47

The waters and flats of that portion of Nantucket Sound in the Town of Chatham, easterly of a line drawn southwesterly [230 degrees true] from the west breakwater at the entrance to Stage Harbor in the Town of Chatham to the Barnstable County Line; westerly of a line drawn from the south end of Morris Island to the north tip of Monomoy Island; south of a line drawn across the Stage Harbor jetties; and westerly of a line drawn due south from Monomoy Point to the Barnstable County Line.

NANTUCKET SOUND NORTHEAST CENTER

NS:1

The waters and flats of that portion of Nantucket Sound northerly of the Loran C line 9960-Y-43900; southerly and westerly of the Barnstable County Line; easterly of the Loran C line 9960-W-14000.

NANTUCKET SOUND SOUTHEAST CENTER

NS:2

The waters and flats of that portion of Nantucket Sound southerly of the Loran C line 9960-Y-43900; westerly of the Barnstable County Line; easterly of the Loran C line 9960-W-14000; northerly of the Nantucket County Line and west of a line drawn across the entrance to Nantucket Sound from the southern tip of the Barnstable County Line to the northern tip of the Nantucket County Line.

NAUSET BEACH EAST COASTAL

OC:1

The waters and flats of that portion of the Atlantic Ocean in the Towns of Chatham, Orleans and Eastham, easterly of a line drawn due south from the southern tip of Monomoy Island in the Town of Chatham to the Commonwealth's Territorial Boundary; southerly of a line drawn due east from the northern side of the entrance to Nauset Harbor in the Town of Eastham to the Commonwealth's Territorial Boundary; easterly of a line drawn across the entrance of Nauset Harbor and the east entrance to Chatham Harbor; southerly of a line drawn across the southern entrance to Chatham Harbor; and westerly of the Commonwealth's Territorial Boundary.

NANTUCKET EAST COASTAL

NT:7

The waters and flats thereto of that portion of the Atlantic Ocean in the Town of Nantucket, easterly of a line drawn due north from Great Point to the Nantucket County Line; northerly of a line drawn due east from the entrance to Sesachacha Pond (when present) to the Nantucket County Line; and westerly of the Commonwealth's Territorial Boundary.

NANTUCKET SOUTHEAST COASTAL

NT:8

The waters and flats thereto of that portion of the Atlantic Ocean in the Town of Nantucket, easterly of a line drawn due south from Atlantic Avenue at Surfside to the Nantucket County Line; southerly of a line drawn due east from the entrance to Sesachacha Pond (when present) to the Nantucket County Line; and northerly of the Commonwealth's Territorial Boundary.

Sincerely,

Paul J. Diodati
Director

c: J. Hanlon, R. Arduini, K. Dolan, P. Hanlon DELE
D. McKiernan, M. Hickey, D. Whittaker, DMF
WPC, DEP
FDA
DPH
Constables of the above-named towns