



The Commonwealth of Massachusetts

Division of Marine Fisheries

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DANIEL J. MCKIERNAN
Director

August 15, 2022

Board of Selectmen
Town of Provincetown
Town Hall
Provincetown, MA 02657

Ladies & Gentlemen:

In accordance with Massachusetts General Laws Chapter 130, Section 74A, the Division of Marine Fisheries has re-examined a portion of Provincetown Harbor (CCB4.0), in the Town of Provincetown, classified as “APPROVED” and in the “CLOSED TO SHELLFISHING” status. The Division of Marine Fisheries has redefined the below shellfish area in the Town of Provincetown (CCB4.0), which was closed on August 10, 2022 due to a sewer system failure on the shore of Provincetown Harbor, and has determined that the redefined area meets the National Shellfish Sanitation Program guidelines for an “OPEN” status effective immediately.

As a result, the below redefined area may be opened to the harvest of shellfish for direct human consumption and permitted transplant activity subject to local rules and regulations under authority of Massachusetts General Laws, Chapter 130, Section 74A and 322 CMR 7.01 (7). The below-defined area will revert to its former status prior to the closure of August 11, 2022, effective immediately.

REDEFINITION

CLASSIFICATION: APPROVED

STATUS: Open to Shellfishing

CCB4.0

Provincetown Harbor

“The waters and flats of that portion of Provincetown Harbor, excluding the areas CCB4.1, 4.2, 4.3, 4.5, 4.6, and 4.8.”

The below defined area “West End” does not meet criteria for an “Open to Shellfishing” status based on wastewater released from the shore. Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, the below-defined area will remain “**APPROVED**” with a status of “**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 area 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 area.

CLASSIFICATION: APPROVED
Status: Closed to Shellfishing

CCB4.8
West End

“The waters and flats of that portion of Provincetown Inner Harbor located north of a line drawn 1100 feet westerly from the northwestern corner of the Provincetown Inn property; then to the southern corner of the Coast Guard pier.”

The West End “**APPROVED**” area (CCB4.8) shall remain in the “**CLOSED TO SHELLFISHING**” status. The status will automatically revert to “Open To Shellfishing” at sunrise on September 3, 2022.

Sincerely,



Daniel J. McKiernan, Director
Massachusetts Division of Marine Fisheries

cc: P. Moran, C. Baker, OLE
J. Kennedy, DMF
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DPH
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S. Wisbauer, Provincetown Shellfish Constable