



# The Commonwealth of Massachusetts Division of Marine Fisheries

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DANIEL J. MCKIERNAN  
Director

September 16, 2023

Honorable Coastal Select Boards and Mayors of the Commonwealth of Massachusetts

Ladies and Gentlemen,

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the statewide precautionary closure of all shellfish growing areas (N1-N28, GBH1-GBH6, MB1-MB14, CCB1-CCB51, OC1-OC10, SC1-SC64, NS1-NS4, NT1-NT14, V1-V36, E1-E14, MHB1- MHB5 and BB1-BB58) issued for sunset on September 15, 2023 due to predicted heavy rainfall and high winds from Hurricane "Lee" may be rescinded. Shellfish growing areas placed in the "Closed to Shellfishing" status due to the precautionary closure shall revert to an "**Open to Shellfishing**" status subject to conditional area management plan criteria where applicable.

Therefore, under authority of MGL, Chapter 130, Section 74A the areas listed below will revert to their former status prior to the closure of sunset on September 15, 2023, or acquire the status dictated by its Conditional Area management plan, **effective at sunrise on Sunday September 17, 2023.**

Those areas previously classified as "APPROVED" and in the "Open to Shellfishing" status, prior to the September 15, 2023. shellfish closure, will revert to their previous status at sunrise on Sunday September 17, 2023, and open to the harvest of shellfish for direct human consumption subject to local rules and regulations under authority of MGL Chapter 130, section 52.

Similarly, those areas previously classified as "CONDITIONALLY APPROVED" or "CONDITIONALLY RESTRICTED" and in the "Open to Shellfishing" status prior to the September 15, 2023, shellfish closure will revert to their previous status at sunrise on Sunday September 17, 2023, subject to the previous status conditions. All conditions, management plans and MOUs remain in effect. Areas classified as "PROHIBITED" and "RESTRICTED" shall remain closed to the harvest of shellfish for direct human consumption.

## **STATUS: OPEN TO THE TAKING OF SHELLFISH** **Subject to conditional area management plan criteria where applicable**

"The waters, flats and all tributaries of the Commonwealth of Massachusetts from the Salisbury-New Hampshire state line south to the Rhode Island – Massachusetts state line, including areas N1-N28, GBH1-GBH6, MB1-MB14, CCB1-CCB51, OC1-OC10, SC1-SC64, NS1-NS4, NT1-NT14, V1-V36, E1-E14, MHB1- MHB5 and BB1-BB58.

All previous bacterial closures remain in effect.

Sincerely,

A handwritten signature in black ink that reads "Daniel J. McKiernan". The signature is written in a cursive style and is positioned above a horizontal line.

Daniel J. McKiernan, Director  
MA Division of Marine Fisheries

Cc: P. Moran, C. Baker, MEP  
R. Glenn, C. Petitpas, DMF  
J. Hobill, DEP  
FDA, DPH  
Shellfish Constables of the areas listed above.