



The Commonwealth of Massachusetts

Division of Marine Fisheries

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MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lt. Governor

REBECCA L. TEPPER
Secretary

THOMAS K. O'SHEA
Commissioner

DANIEL J. MCKIERNAN
Director

September 5, 2024

The Honorable Selectboards and Mayor of the Commonwealth of Massachusetts for the following coastal municipalities: Westport, Dartmouth, New Bedford, Fairhaven, Mattapoisett, Falmouth and Gosnold.

Ladies & Gentlemen,

In accordance with Chapter 130, Section 74A of Massachusetts General Laws, the Division of Marine Fisheries has determined that the emergency closure initially issued on August 19, 2024 and spatially expanded twice on August 17, 2024 and August 28, 2024 due to CSO discharges impacting portions of Buzzards Bay (BB7, BB10-BB12, BB14, BB16, BB18-BB19, BB21-BB23, E1 and E4.1) in the towns of Westport, Dartmouth, Fairhaven, Mattapoisett, Falmouth, Gosnold, and the City of New Bedford may be **rescinded**. Shellfish growing areas placed in the "Closed to Shellfishing" status due to the emergency 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 emergency closure, or in the case of Conditionally Approved areas acquire the status dictated by its Conditional Area Management Plan criteria, and local rules and regulations under authority of MGL Chapter 130, section 52, **effective at 9:30 AM on Thursday, September 5, 2024.**

Areas classified as "PROHIBITED" shall remain closed to the harvest of shellfish for direct human consumption.

Under authority of 322 CMR 7.01(7) all permits issued thereunder are hereby conditioned to permit the taking, selling or possession of shellfish from the areas listed below.

STATUS: OPEN TO THE TAKING OF SHELLFISH

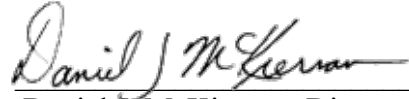
Subject to conditional area management plan criteria where applicable

The waters, flats and all tributaries of that portion of Buzzards Bay within the following Shellfish Growing Areas and municipalities: BB7, BB10-BB12, BB14,

BB16, BB18-BB19, BB21-BB23, E1, E4.1 in the towns of Westport, Dartmouth, Fairhaven, Mattapoisett, Falmouth, Gosnold, and the City of New Bedford.

Individual shellfish growing area definition boundaries are mapped on the Division's website at [Shellfish classification areas | Mass.gov](#).

Sincerely,

A handwritten signature in black ink, reading "Daniel J. McKiernan". The signature is fluid and cursive, with the first name "Daniel" and last name "McKiernan" clearly legible.

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
C. Leonard, Westport Shellfish Constable
S. Melo, Dartmouth Shellfish Constable
T. Ringuette, New Bedford Shellfish Constable
T. Cox, Fairhaven Shellfish Constable
K. Massey, Mattapoisett Shellfish Constable
C. Martinsen, Falmouth Shellfish Constable
S. Garfield, Gosnold Shellfish Constable