Commonwealth of Massachusetts

Division of Marine Fisheries

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David E. Pierce
Director

Charles D. Baker
Governor
Karyn E. Polito
Lieutenant Governor
Matthew A. Beaton
Secretary
George N. Peterson, Jr.
Commissioner
Mary-Lee King
Deputy Commissioner

October 31, 2016

Boards of Selectmen of the following Towns: Falmouth, Mashpee, Barnstable, Yarmouth, Dennis, Harwich, Chatham, Aquinnah, Chilmark, West Tisbury, Tisbury, Oak Bluffs, Edgartown, Nantucket, Bourne, Dartmouth, Fairhaven, Gosnold, Marion, Mattapoisett, Wareham, Westport and Swansea, and the Mayor of the City of New Bedford,

Ladies & Gentlemen:

Upon further investigation, the Division of Marine Fisheries (DMF) has determined that the potentially toxic phytoplankton bloom of *Pseudonitzschia sp.* in the waters of Mount Hope Bay, Buzzards Bay, Vineyard Sound, Nantucket Sound and the south shore of Cape Cod, which can cause Amnesic Shellfish Poisoning (ASP), has dissipated. Toxicity screening of shellfish was conducted by both the Bigelow Laboratory for Ocean Sciences in Maine and DMF laboratories. Based on these analyses, DMF has concluded that shellfish from the below-defined areas are safe to harvest for direct human consumption.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75 and 322 CMR sections 7.01 (7), the closures issued on October 7 and 9, 2016 and as corrected on October 10, 2016 have been rescinded, **effective at noon October 31, 2016**, in the below-defined areas for all shellfish. Shellfish in areas classified as APPROVED and in the "OPEN" status prior to the closures of October 7, 2016 for Mount Hope Bay and Buzzards Bay and October 9, 2016 for Vineyard Sound, Nantucket Sound and the Islands of Nantucket and Martha's Vineyard may be harvested for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52.

Areas classified as Conditionally Approved and in a "CLOSED" status within the below defined areas on October 7 and 9, 2016 will remain closed until written notice is received from Division of Marine Fisheries. All previous bacterial closures remain in effect.

Status: Open to the Harvesting of Shellfish

Bivalve shellfish in areas currently classified as APPROVED and in the "open" status may now be harvested for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. Similarly, those areas classified as CONDTIONALLY APPROVED and in the "open" status are subject to the individual classification conditions.

MHB:1, 3 and 4; BB:1-BB:58; E:1-E:14; V:1-V:36: NS:1-NS:4; NT:1-NT:14; SC:1-SC:51

"The waters, flats and all tributaries of Mount Hope Bay, Buzzards Bay, Vineyard Sound, Nantucket Sound, and the Islands of Martha's Vineyard and Nantucket, and the south coast of Cape Cod."

Sincerely,

for David E. Pierce,
Director

cc: J. McGinn, B. Perrin, P. Moran, DELE
D. McKiernan, M. Hickey, T. Shields, J. Kennedy DMF
G. Peterson, Jr., M. King, DFG
J. Hobill, DEP
FDA, DPH
Shellfish Constables of the above City and Towns