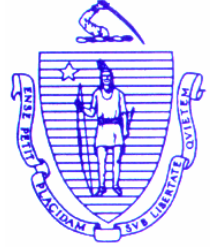




Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway Street, Suite 400
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(617) 626.1520
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May 24, 2006

Honorable Mayor and Selectboards of the following city and towns:

New Bedford, Westport, Dartmouth, Fairhaven, Mattapoisett, Marion, Wareham, Bourne, Falmouth and Gosnold

Ladies and Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that those portions of Buzzards Bay in the City of New Bedford and the Towns of Westport, Dartmouth, Fairhaven, Mattapoisett, Marion, Wareham, Bourne, Falmouth and Gosnold, that were closed due to very heavy rains on May 13-15, 2006, except for BB:17 in the Town of Fairhaven, now meet the National Shellfish Sanitation Program guidelines for an "OPEN".

Under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) the below-defined areas, except for BB:17, will revert to their former status prior to the rainfall closure of May 15, 2006; effective immediately. Those areas classified as APPROVED and in the "OPEN" status to shellfish harvesting are now open to the harvest of shellfish 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 CONDITIONALLY APPROVED are open subject to the classification conditions.

STATUS: OPEN TO THE TAKING OF SHELLFISH

"The waters, flats and all tributaries of Buzzards Bay including shellfish growing areas BB:1 – BB:16, BB:18 – BB:32, BB:34, BB:44 – BB:58 and E:1 – E:10 in the City of New Bedford and the Towns of Westport, Dartmouth, Fairhaven, Mattapoisett, Marion, Wareham, Bourne, Falmouth and Gosnold."

Note: Those portions of Buzzards Bay including shellfish growing areas BB:33 and BB:35- BB:43 in the Towns of Marion, Wareham and Bourne were previously opened on May 23, 2006. BB:17 in the Town of Fairhaven will remained closed due to unacceptable water quality.

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, R. Arduini, K. Dolan ELE
D. McKiernan, M. Hickey, DMF
WPC, DEP
FDA
DPH
Shellfish Constables of the above towns