



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
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Deval Patrick
Governor
Ian Bowles
Secretary
Mary B.
Griffin
Commissioner

August 12, 2008

Honorable Mayor and Selectboards of the following city and towns:

New Bedford , Westport , Dartmouth , Fairhaven and Mattapoisett

Ladies & Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that portions of Buzzards Bay in the City of New Bedford and the Towns of Westport, Dartmouth, Fairhaven and Mattapoisett (designated shellfish growing areas BB:5 through BB:22) no longer meet the requirements for an open status due to unacceptable water quality because of excessive runoff and treatment plant disruptions resulting from an extremely heavy rain event on August 11, 2008.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75, the below-defined areas have been placed in a "Closed" status to the taking of all shellfish. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below-defined areas is prohibited.

Under authority of 322 CMR 7.01 (7) all permits issued there under are hereby conditioned to prohibit the taking, selling or possession of shellfish as defined above from the below-defined areas.

STATUS: CLOSED TO THE TAKING OF ALL SHELLFISH AS DEFINED BELOW

"The waters, flats and all tributaries in portions of Buzzards Bay including shellfish growing areas BB:5 through BB:22 in the City of New Bedford and the Towns of Westport, Dartmouth, Fairhaven and Mattapoisett southerly of a line drawn due east from the end of Mattapoisett Neck Road in the Town of Mattapoisett to the Plymouth/Barnstable County Line, easterly of a line drawn due south from the Dartmouth/Westport Town Line at the south end of Horseneck Road

to the Bristol/Dukes County Line, and, northwesterly of the of the Bristol/Dukes and Plymouth/Barnstable County Lines.”

The above-described areas shall remain closed until notification has been received from the Division that the areas have been returned to an open status.

Sincerely,

Paul J. Diodati
Director

c: J. Hanlon, R. Arduini, K. Dolan, P. Hanlon DELE
D. McKiernan, M. Hickey, D. Whittaker, DMF
WPC, DEP
FDA
DPH
Shellfish Constables of the city and towns listed above