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Deval Patrick
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Commissioner

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Mayors and Select Boards of:

Boston, Danvers, Manchester, Beverly, Salem, Marblehead, Swampscott, Lynn, Nahant, Revere, Saugus, Winthrop and Hull.

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **Soft-Shell clams (*Mya arenaria*), Razor clams (*Ensis directus*), and Blue mussels (*Mytilus edulis*)**, from the below-defined areas **no longer contain biotoxins (Paralytic Shellfish Poison-(PSP))** from the phytoplankton *Alexandrium (spp.)* in excess of established standards. **These areas remain closed to the harvesting of all other shellfish and carnivorous snails with the exception of the adductor of the sea scallop.**

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00 **at sunrise on August 20, 2008**, the PSP closures of May 21, 2008 and May 22, 2008 will be amended as follows in the below- defined areas. Shellfish area N:21.2, Devereaux Beach in the Town of Marblehead and classified as Conditionally Approved and Pines River, area N:26.1, in the Towns of Saugus and Revere classified as Conditionally Restricted, may be opened to the harvesting of **Soft-Shell clams (*Mya arenaria*), Razor clams (*Ensis directus*), and Blue mussels (*Mytilus edulis*)** in accordance with their conditional area management plans and subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52.

Even though the PSP restriction is being lifted on areas N:15 – N:28 and MB:12 – MB:14, these areas will remain closed to shellfish harvesting due to their classification as Prohibited as a result of bacterial contamination (except N:21.2 and N:26.1) as noted above.

Area N:26.1, Pines River, classified as **CONDITIONALLY RESTRICTED** and with a status of **OPEN TO SHELLFISHING FOR DEPURATION** is subject to the classification conditions, the Shellfish Purification Plant digging schedule and local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. **Only Soft-shelled clams for depuration may be harvested from this area.**

Status: Open to Shellfishing (as described above)

“The waters, flats and all tributaries of those areas from the Gloucester/Manchester-by-the-Sea municipal line to the southern tip of Deer Island; to the eastern tips of Great Brewster and Little Brewster Islands; to Allerton Point; to the Hull/Cohasset municipal line and out to the state territorial waters line (N15 –N28 and MB12-MB14).”

Sincerely,

Paul J. Diodati
Director

cc: J. Hanlon, R. Arduini, K. Dolan, J. Tulik, DELE
D. McKiernan, M. Hickey, D. Whittaker, J. Kennedy, DMF
WPC, DEP
FDA
DPH
Constables of the above-listed cities and towns