



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 22, 2008

Mayor and Selectboard members of New Bedford , Westport , Dartmouth , Fairhaven and Mattapoissett

Ladies & Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that areas BB:5, 7, 10, 11, 14 and 16 through 22 in Buzzards Bay in the City of New Bedford and the Towns of Westport, Dartmouth, Fairhaven and Mattapoissett that were closed due to very heavy rains on August 12, 2008 now meet the National Shellfish Sanitation Program guidelines for an **“OPEN”** status.

Under authority of Massachusetts General Laws, Chapter 130, Section 74A, 75 and 322 CMR 7.01 (7) the below-defined areas, BB:5, 7, 10, 11, 14 and 16 through 22, **at sunrise on August 23, 2008**, will revert to their former status prior to the rainfall closure of August 12, 2008. 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 ALL SHELLFISH AS DEFINED BELOW

“The waters, flats and all tributaries in portions of Buzzards Bay including shellfish growing areas BB:5, 7, 10, 11, 14 and 16 through 22 in the City of New Bedford and the Towns of Westport, Dartmouth, Fairhaven and Mattapoissett southerly of a line drawn due east from the end of Mattapoissett Neck Road in the Town of Mattapoissett 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.”

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 above-noted municipalities