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November 13, 2009

Board of Selectmen
Abbot Hall
188 Washington Street
Marblehead, MA 01945

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **Atlantic Surf Clams, (*Spisula solidissima*)**, from the below-defined area **no longer contains biotoxins (Paralytic Shellfish Poison—PSP)** from the phytoplankton *Alexandrium (spp.)* in excess of established standards. **This area remains closed to the harvesting of Carnivorous Snails, Blue Mussels, Ocean Quahogs, and whole Sea Scallops.**

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75 and 322 CMR sections 7.01 (7), 7.02 and 10.00, the PSP closures for Atlantic Surf Clams issued on May 22, 2009 **will be rescinded at sunrise on Saturday, November 14, 2009** in the below-defined area. Atlantic Surf Clams in the area currently classified as **CONDITIONALLY APPROVED** and in the “open” status **may be harvested on Saturday, November 14, 2009** for direct human consumption subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, section 52. This area remains subject to the classification conditions. All previous bacterial closures remain in effect. **This area remains closed to the harvesting of Carnivorous Snails, Blue Mussels, Ocean Quahogs, and whole Sea Scallops.**

Status: Open to the harvesting of Atlantic Surf Clams.

“The waters, flats and tributaries of the Marblehead shoreline, east of a line from the northern extremity of Marblehead Neck to Peach Point, and south and west of a line from Peach Point seaward to the Marblehead town boundary in Massachusetts Bay, and north and east of a line

from the Marblehead Swampscott town line seaward to the Marblehead town boundary in Massachusetts Bay (N21).”

Sincerely,

Paul J. Diodati
Director

cc: A. Gross, J. Tulik, R. Thurlow, OLE
D. McKiernan, M. Hickey, J. Kennedy, T. O'Neil, DMF
WPC, DEP
FDA
DPH
Wayne Attridge, Marblehead