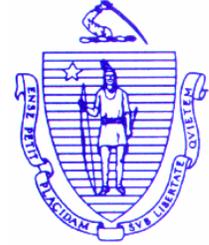




Paul J. Diodati
Director

Commonwealth of Massachusetts
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July 17, 2006

Mayors of Newburyport, Gloucester and Amesbury and Selectboards of Essex, Ipswich, Newbury, Rowley and Salisbury

Ladies & Gentlemen:

The Division of Marine Fisheries has determined that **Soft-shelled clams (*Mya arenaria*)** only, from the below-defined areas **no longer contain biotoxins (PSP)** from the phytoplankton *Alexandrium (spp.)* in excess of established standards.

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 July 18, 2006**, the PSP closures of May 16, 2006 will be amended as follows in the below defined areas. Those shellfish areas classified as APPROVED and in the “open” status to shellfish harvesting are now open to the harvest of **Soft-shelled clams (*Mya arenaria*) only** 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 and in the “open” status are open subject to the classification conditions. Areas classified as Conditionally Restricted and in the “open” status are open to the restricted harvest of soft-shelled clams (*Mya arenaria*) subject to classification conditions with depuration subject to scheduling of harvest activities by the Massachusetts Division of Marine Fisheries Shellfish Purification Plant and provisions of approved municipal management plans. **Rainfall closures may still exist in areas affected by the lifting of the PSP closure.**

Status: Open to Soft-shell clam (*Mya arenaria*) Harvesting

NOTE: All other species of shellfish shall remain closed until further notice.

“The waters, flats and all tributaries in the above-listed cities and towns and those marine waters managed by the Commonwealth from the New Hampshire/Massachusetts state boundary to Essex Bay, inclusive (N:1 to N:7).”

Shellfish area N:9, Annisquam River/Gloucester Harbor, shall remain closed to the harvest of all shellfish until further notice due to PSP.

Sincerely,

Paul J. Diodati
Director

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