



The Commonwealth of Massachusetts

Division of Marine Fisheries

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Lt. Governor

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Secretary

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Commissioner

DANIEL J. MCKIERNAN
Director

May 29, 2020

Board of Selectmen
Town of Fairhaven
Town Hall
Fairhaven, MA 02719

Ladies and Gentlemen:

In accordance with Chapter 130, Section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the below defined "CONDITIONALLY APPROVED" shellfish growing area, Earl's Marina (BB:18.1) in the Town of Fairhaven, no longer meets the established criteria for the harvest of shellfish. Closures of waters within marinas and impacted areas adjacent to marinas are mandatory under provisions of the National Shellfish Sanitation Program while marinas are in operation. The status of this area will be changed to "**CLOSED TO SHELLFISHING**" as of sunrise on June 1, 2020.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A, the status of the below defined area has been changed to "**CLOSED TO SHELLFISHING**" 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 area is prohibited.

Under authority of 322 CMR 7.01(7) all permits issued thereunder are hereby conditioned to prohibit the taking, selling or possession of shellfish from the below defined area.


CLASSIFICATION; CONDITIONALLY APPROVED
SEASONAL MARINA STATUS CHANGE
STATUS; Closed to Shellfishing
(June 1 - October 31)
[Dates Inclusive]

BB:18.1
Earl's Marina

"The waters and flats of that portion of the shellfish growing area, West Island, North in the Town of Fairhaven, southeasterly of a line drawn easterly from the northern tip of Long Island on the West Island Causeway to the NO SHELLFISHING sign on the beach at the western end of Blue Point Road; northerly of a line drawn across the opening to the causeway."

The preceding Conditionally Approved area shall remain in the “closed” status during the inclusive dates. The status will not automatically revert to OPEN TO SHELLFISHING on November 1, 2020, but will remain “closed” until examined by the Division and notification is made that the area has been placed in the “open” status.

Sincerely,

A handwritten signature in cursive script that reads "Daniel J. McKiernan". The signature is written in black ink and is positioned above a horizontal line.

Daniel J. McKiernan,
Director

cc: P. Moran, DELE
J. Kennedy, T. Shields, DMF
R. Amidon, M. King, DFG
J. Hobill, DEP
DPH, FDA
T. Cox, Fairhaven Shellfish Constable