May 14, 2021

Town Manager Mark S. Ells
Town of Barnstable
Town Hall
367 Main Street
Hyannis, MA 02601

Dear Mr. Ells,

In accordance with Chapter 130, Section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that the below defined “APPROVED” shellfish growing area in West Bay (SC:22.2) in the Town of Barnstable, no longer meets the established requirements for the harvest of shellfish due to the NSSP Mooring Area Criteria. Therefore, the below defined area, SC:22.2– Bridge Street Mooring Area, will be reclassified to “CONDITIONALLY APPROVED”. The status of the below defined area will be changed to “CLOSED TO SHELLFISHING” as of sunrise on May 15, 2021.

Therefore, under the authority of Massachusetts General Laws, Chapter 130, Section 74A, the status of the below defined area has been changed to “CLOSED TO SHELLFISHING” for 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:

**RECLASSIFICATION/REDEFINITION**

**CLASSIFICATION: CONDITIONALLY APPROVED**

**Status: Closed to Shellfishing**
May 15 – October 31
(All Dates Inclusive)

**SC22.2 Bridge Street Mooring Area**

“The waters and flats south of a line drawn from the sign on the shore at the Bridge Street landing due east to the end of the nearest dock, then continuing across the end of each dock, to the end of the dock at #157 Eel River road; north of a line drawn thence due east to mooring #WB-120, then northwest to the town shellfish buoy located at (41.37'12.43"N, 70.23'46.07"), and east of a line drawn thence to the town buoy west of the dock at the Wianno Yacht Club.”
The preceding “CONDITIONALLY APPROVED” area (SC:22.2) shall remain in the closed status during the inclusive dates. The status will not automatically revert to open on November 1, 2021, but will remain closed until examined by the Division and notification is made that the area has been placed in the open status.

The below defined area shall remain classified as “APPROVED” with a status of “OPEN TO SHELLFISHING” for the harvest of shellfish for direct human consumption, subject to local rules and regulations under authority of Massachusetts General Laws Chapter 130, Section 52.

REDEFINITION
CLASSIFICATION: APPROVED
Status: Open to Shellfishing

SC:22.0
West Bay
“The waters, flats, and all tributaries of West Bay in the Town of Barnstable, exclusive of Bridge Street Mooring Area (SC:22.2) and Windmill Cove Marsh (SC:22.3).”

Sincerely,

Daniel J. McKiernan,
Director

cc: P. Moran, K. Clayton, OLE
    J. Kennedy, DMF
    R. Amidon, DFG
    J. Hobill, DEP
    FDA, DPH
    A. Croteau, Barnstable Shellfish Constable