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 areas in Cotuit Bay (SC:21.4 and SC:21.6), in the Town of Barnstable, no longer meet the established requirements for the harvest of shellfish due to the NSSP Mooring Area Criteria. Therefore, the below defined areas, SC:21.4 – Cotuit Oyster Co. Mooring Area and SC:21.6 – Cotuit Town Landing Mooring Area, will be reclassified to “CONDITIONALLY APPROVED”. The status of the below defined areas 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 areas 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 areas 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)**

**SC:21.4  Cotuit Oyster Company Mooring Area**
“The waters and flats east of a line drawn from the sign on Handy Point extending due north to the end of the pier at Cotuit Oyster Co, then northeast to the end of the pier at #27 little river road; south of a line drawn southeast to the red town buoy at (41.37’28.42N, 70.25’15.74W), and west of a line drawn thence to the red town buoy at (41.37’21.83N, 70.25’21.07W) and north of the line drawn thence to the sign at Handy Point.”
RECLASSIFICATION/REDEFINITION

CLASSIFICATION: CONDITIONALLY APPROVED

Status: Closed to Shellfishing

May 15 – October 31 (All Dates Inclusive)

SC:21.6
Cotuit Town Landing Mooring Area

“The waters and flats north of the Town Landing Channel, west of a line drawn north from the Town Buoy at the mouth of the channel to the Town Buoy off of Eel River; and south of a line drawn thence to the sign on the beach at #137 Hummock Lane.”

The preceding “CONDITIONALLY APPROVED” areas (SC:21.4 and SC:21.6) 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 areas have been placed in the open status.

The below defined areas 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:21.0
Cotuit Bay

“The waters, flats, and all tributaries of Cotuit Bay, in the Town of Barnstable, northeasterly of a line drawn from #1446 Main Street across to the beach at the southernmost point of Dead Neck; westerly of a line drawn from Point Isabella to the north tip of Grand Island, excluding Pirates Cove (SC:21.2), Little River (SC:21.3), Cotuit Oyster Company Mooring Area (SC:21.4), the Pirates Cove Road Closure (SC:21.5), and Cotuit Town Landing Mooring Area (SC:21.6).”

CLASSIFICATION: APPROVED

Status: Open to Shellfishing

SC:21.7
Seapuit River

“The waters, flats, and all tributaries of Cotuit Bay, in the Town of Barnstable, east of a line drawn north from the “CONDITIONALLY APPROVED SHELLFISHING AREA” sign on Dead Neck to the “CONDITIONALLY APPROVED SHELLFISHING AREA” sign on Grand Island and westerly of a line drawn across the eastern mouth of the Seapuit River.”
cc: P. Moran, K. Clayton, OLE
    J. Kennedy, DMF
    R. Amidon, DFG
    J. Hobill, DEP
    FDA, DPH
    A. Croteau, Barnstable Shellfish Constable

Sincerely,

Daniel J. McKiernan,
Director