



The Commonwealth of Massachusetts

Division of Marine Fisheries

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MAURA T. HEALEY
Governor

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DANIEL J. MCKIERNAN
Director

August 4, 2023

Town of Tisbury Selectboard
Town Hall
P.O. Box 1239
Tisbury, MA 02568

Town of Oak Bluffs Selectboard
Town Hall
P.O. Box 1327
Oak Bluffs, MA 02557

Ladies and Gentlemen:

In accordance with Massachusetts General Laws Chapter 130, Section 74A, the Division of Marine Fisheries has determined that Lagoon Pond (V11) in the Towns of Tisbury and Oak Bluffs no longer meets the criteria for an "Approved" classification based on the NSSP Mooring Area Criteria and water quality data. Therefore, the previously defined classification areas, V11.0, V11.4, V11.5, V11.6, and V11.10, have been redefined and reclassified to **CONDITIONALLY APPROVED**. The redefined and reclassified area V11.4 will combine all Approved and Conditionally Approved waters on the Oak Bluffs side of Lagoon Pond. The redefined and reclassified areas V11.6 and V11.10 will combine the Approved and Conditionally Approved waters on the Tisbury side of Lagoon Pond (V11.0, V11.6, V11.10). The area V11.8 will be redefined and reclassified to "Prohibited". These redefinitions and reclassifications shall be effective as of sunrise on August 5, 2023.

Therefore, under authority of Massachusetts General Laws, Chapter 130, Section 74A and 322 CMR section 7.01 (7), the status of the below-defined areas V11.4 and V11.5 will remain **"OPEN TO SHELLFISHING"**, and the status of the below-defined areas V11.6 and V11.8 will be changed to **"CLOSED TO SHELLFISHING"**. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below-defined **"CLOSED TO SHELLFISHING"** areas is prohibited.

REDEFINITION/RECLASSIFICATION **CLASSIFICATION: CONDITIONALLY APPROVED**

Status: Open to Shellfishing
Year-Round

V11.4 Oak Bluffs Lagoon

"The waters, flats, and all tributaries of Lagoon Pond in the Town of Oak Bluffs, south of the Beach Road Bridge, east of the Oak Bluffs/Tisbury Town Line, and excluding Brush Pond (V11.2)."

REDEFINITION/RECLASSIFICATION
CLASSIFICATION: CONDITIONALLY APPROVED

Status: Open to Shellfishing
Year-Round

V11.6
Tisbury Lagoon

"The waters, flats, and all tributaries of Lagoon Pond in the Town of Tisbury, south of the Beach Road Bridge, west of the Tisbury/Oak Bluffs Town Line, and east of a line drawn from the "NO SHELLFISHING" sign at #135 Beach Road to the "NO SHELLFISHING" sign at #36 Hines Point Road, excluding Beach Road Pipe (V11.8) and Extended Anchorage (V11.6)."

REDEFINITION/RECLASSIFICATION
CLASSIFICATION: CONDITIONALLY APPROVED

Status: Closed to Shellfishing
(April 1 – October 31)

V11.10
Extended Anchorage

"The waters and flats of Lagoon Pond in the Town of Tisbury, west of the Tisbury/Oak Bluffs town line and bounded by the following coordinates: NE (41.44442°, -70.59307°), SE (41.44178°, -70.59555°), SW (41.44236°, -70.59750°), NW (41.44515°, -70.59469°)."

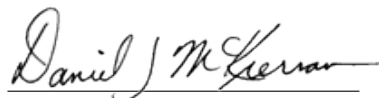
REDEFINITION/RECLASSIFICATION
CLASSIFICATION: PROHIBITED

Status: Closed to Shellfishing

V11.8
Beach Road Pipe

"The waters, flats, and all tributaries of Lagoon Pond in the Town of Tisbury, north or inside of a line drawn from the end of the dock at #199 Beach Road (41.45384, -70.59376) to the end of the northernmost dock at #173 Beach Road (41.45352, -70.59423) and extending shoreward along the axis of each dock."

Sincerely,



Daniel J. McKiernan, Director
MA Division of Marine Fisheries

Cc: P. Moran, C. Baker, OLE
R. Glenn, C. Petitpas, DMF
J. Hobill, DEP
FDA, DPH
D. Ewart, Tisbury Shellfish Constable
D. McElligatt, Oak Bluffs Shellfish Constable