



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

Shellfish Harvesting Area Classification – Notification of Changes

August 23, 2023

This notice is in effect until repealed or replaced.

Ladies and Gentlemen:

Under the authority of 12 M.R.S.A. § 6172; the Commissioner has made the following changes to Growing Area WJ, Stockbridge Point (Freeport) to Potts Point (Harpwell). This notice reclassifies upper Recompense Bay and Little River from Approved and Prohibited, respectively, to Conditionally Approved due to water quality no longer meeting the Approved standard in Recompense Bay and water quality meeting the Approved standard seasonally in Little River. An interactive map that allows the user to zoom in to specific areas can be found on the ME DMR website:

<https://www.maine.gov/dmr/fisheries/shellfish/shellfish-closures-and-aquaculture-leases-map>. All existing pollution and biotoxin closures remain in effect.

The boundary descriptions of the area are as follows (struck text is being removed and underlined text is being added):

Prohibited: Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops taken from the shores, flats and waters of the following Prohibited areas:

- P1. Maquoit Bay (Brunswick): north of a line drawn across the mouth of Bunganuc Creek, beginning at a red painted post located on the on the west shore of the mouth of the creek; then running due east to a red painted post on the east shore of the mouth of the creek.
- P2. Upper Harraseeket, East of Bartol Island (Freeport): north of a line beginning at a red painted post located on the shore on the eastern side of Kelsey Brook then running in a westerly direction to a red painted post located on the shore approximately 275 yards south of the mouth of Mill Brook.
- P3. Upper Harraseeket, North of Cove Road (Freeport): north of a line beginning at the southern tip of Cove Road, then running in an easterly direction to a red painted post located on the opposite shore.
- P4. Upper Harraseeket, South of Cove Road (Freeport): west of a line beginning at the southern tip of Cove Road, then running in a southwesterly direction to a red painted post located on the opposite shore on a prominent tip of land.

~~P5. Little River (Freeport): north of the Burnett Road bridge.~~

- P5. Harraseeket River (Freeport): south of a line beginning at the north end of Nappi's Cove, then running due east to the south tip of Bartol Island, then running southeast to a red painted post located on the shore, approximately 375 yards north of Winer's Cove; AND north of a line beginning at a red painted post located on the shore, approximately 66 yards north of the end of Brigantine Cove Lane on the west shore of the Harraseeket River, then running southeast to a red painted post located on the opposite shore, approximately 150 yards north of the southernmost boundary of Wolfe's Neck State Park.
- P6. Merepoint Bay (Harpowell): inside and shoreward of a line beginning 1000 feet south of Birch Island Landing; then running north to the westernmost tip of land near Birch Island Landing; then running east to the westernmost point of land 1000 feet north of Birch Island Landing.
- P7. Bustins Island (Freeport): east of a line beginning at the ferry terminal at the southwest point of Bustins Island running northeast to the point of land at the end of Merganser Way (Freeport); AND west of a line beginning at the northern point of Bustins Island running northwest to the point of land at the end of Merganser Way (Freeport).
- P8. Lookout Point (Harpowell): south of a line beginning at the northern tip of Lookout Point peninsula, then running northeast to a red painted post located on the shore approximately 488 yards northeast of Lookout Point.
- P9. Middle Bay (Harpowell): southeast of a line beginning at the north tip of Whites Point, then running southwest to the end of the U.S. Navy Harpswell Fuel Depot pier; AND east of a line running southeast to a red painted post located on the shore at the end of Curtis Cove Road.
- P10. Potts Point (Harpowell): southeast of a line beginning on the northwestern side of the Harpswell Neck causeway running west to Bar Island; AND southeast of a line beginning at the southern tip of Bar Island running southeast to the southern tip of Potts Point.

Conditionally Approved (WWTP & Rainfall): Effective immediately, because of proximity to a WWTP AND intermittent pollution due to rainfall, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) following a malfunction/CSO event at the Freeport Wastewater Treatment Plant OR when rainfall meets or exceeds 1" within a 24 hour period. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website: <https://www.maine.gov/dmr/fisheries/shellfish/closures>

- CA1. Harraseeket River (Freeport): north of a line beginning at the north end of Nappi's Cove, then running due east to the south tip of Bartol Island, then running southeast to a red painted post, located on the shore approximately 375 yards north of Winer's Cove AND south of a line beginning at a red painted post located on the shore on the eastern side of Kelsey Brook then running in a westerly direction to a red painted post located on the shore approximately 275 yards south of the mouth of Mill Brook AND south of a line beginning at the southern tip of Cove Road, then running in a easterly direction to a red painted post located on the opposite shore AND south and east of a line beginning at the southern tip of Cove Road, then running in a southwesterly direction to a red painted post located on the opposite shore on a prominent tip of land.

Conditionally Approved (WWTP & Seasonal): Effective immediately, because of proximity to a WWTP AND seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) following a malfunction/CSO event at the Freeport Wastewater Treatment Plant OR during the closed dates. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website:

<https://www.maine.gov/dmr/fisheries/shellfish/closures>

- CA2. Central Harraseeket River (Freeport): southeast of a line beginning at a red painted post located at the end of the rock wall on the end of Riverview Street, then running in a northeasterly direction approximately 723 yards to the center of the channel AND west of a line running in a southwesterly direction from the center of the channel to a red painted post located on the shore on the westernmost tip of Moore Point; AND north and east of a line beginning at a red painted post located on the shore approximately 88 yards southwest from the southwestern most corner of the Harraseeket Yacht Club, then running south-southeast to a red painted post located on the shore at the north tip of Stockbridge Point, then running northeast to the northern end of Pumpkin Knob and then to a red painted post located on the shore on the westernmost tip of Moore Point (closed May 1st through November 30th).

Conditionally Approved (WWTP): Effective immediately, because of proximity to a WWTP, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) following a malfunction/CSO event at the Freeport Wastewater Treatment Plant. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website: <https://www.maine.gov/dmr/fisheries/shellfish/closures>

- CA3. West shore of the Harraseeket River (Freeport): south of a line beginning at a red painted post located on the shore, approximately 66 yards north of the end of Brigantine Cove Lane on the west shore of the Harraseeket River, then running southeast approximately 723 yards to the center of the channel; AND north of a line running in southwesterly direction from the center of the channel 890 yards to a red painted post located at the end of the rock wall on the end of Riverview Street.
- CA4. East shore of the Harraseeket River (Freeport): east of a line running in a southwesterly direction from the center of the channel to a red painted post located on the shore on the westernmost tip of Moore Point AND south of a line running southeast from the center of the channel to a red painted post located approximately 150 yards north of the southernmost boundary of Wolfe's Neck State Park.
- CA5. South shore of the Harraseeket River (Freeport): west of a line beginning at red painted post located approximately 88 yards southwest of the southwestern most corner of the Harraseeket Yacht Club, then running south-southeast to the north tip of Stockbridge Point.

Conditionally Approved (Seasonal): Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) during the closed dates:

- CA6. Recompense Bay (Freeport): north of a line beginning at a red painted post on an unnamed point approximately 75 yards northwest of Googins Island running southeast to a red painted

post approximately 75 yards from the northern tip of Indian Island (Closed August 1st through November 30th).

Conditionally Approved (Rainfall): Effective immediately, because of intermittent pollution due to rainfall, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) when rainfall meets or exceeds 1" within a 24 hour period. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website:

<https://www.maine.gov/dmr/fisheries/shellfish/closures>

- CA7. Maquoit Bay (Brunswick): beginning at a red painted post located on the shore approximately 365 yards southwest of Wharton Point then running southeast to a red painted post on the opposite shore.

Conditionally Approved (Seasonal): Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) during the closed dates:

- CA8. Merepoint Bay (Brunswick and Harpswell): inside and shoreward of a line beginning at the unnamed point of land 2000 feet north of Paul's Marina (Brunswick), then running southeast to the north tip of Birch Island (Harpswell); then running southwest to the north tip of Gallows Island (Harpswell); then running west to the south end of Windemere Road on Merepoint Neck (Brunswick) (Closed April 15th through October 31st).
- CA9. Basin Cove (Harpswell): the area north of a line beginning at the end of Bufflehead Lane running southeast to the marina landing on the opposite shore (Closed May 1st through November 30th).
- CA10. Basin Point and Ash Point (Harpswell): south of a line beginning at the end of Bufflehead Lane running southeast to the marina landing on the opposite shore; AND north of a line beginning at the south tip of Ash Point, running southwest to the south tip of Basin Point (Closed April 15th through October 31st).

Approved: All other shores, flats and waters not described in the above sections are Approved and it is lawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) when in the open status. For current status, please refer to the Biotxin and Emergency Closure Notices on the DMR website:

<https://www.maine.gov/dmr/fisheries/shellfish/closures>

A. Growing Area WJ

If you have questions, please contact Department of Marine Resources, 194 McKown Point Road, West Boothbay Harbor, Maine 04575-0008, Tel: (207) 633-9500 Email: DMRPublicHealthDiv@maine.gov. During weekends/holidays, contact on duty Marine Patrol Officers through the appropriate State Police barracks: from New Hampshire border to Brunswick, barracks 1-800-228-0857; from Cushing/Boothbay to Lincolnville/Belfast area, barracks 1-800-452-4664; from Belfast to Canadian border, barracks 1-800-432-7381. This notice can be viewed on the Department's website at: <https://www.maine.gov/dmr/fisheries/shellfish/closures>. This information is also recorded on our HOTLINE (207- 624-7727 OR 1-800-232-4733).



Bryant Lewis
Western Maine Growing Area Supervisor
Commissioner's Designee

12:15 PM
(Effective Time)