



PAUL R. LEPAGE
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

December 8, 2015

Ladies and Gentlemen:

Under the authority of Maine statute 12 M.R.S.A., Chapter 607, Section 6172; the Commissioner has made the following change to Area No. 11, Scarborough River: This notice reclassifies Jones Creek from Prohibited to Approved and **Doc's Creek from Prohibited to Restricted** EFFECTIVE 00:01 HOURS WEDNESDAY DECEMBER 9th due to conditions returning to normal and sufficient time to reduce pathogens to acceptable levels has elapsed. All existing pollution and red tide/psp closures remain in effect.

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

- A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Scarborough River and its tributaries in the following areas:
1. Libby River: upstream of a line crossing the river approximately 1500 yards south of Black Point Road.
 2. ~~Jones Creek: west and south of a line beginning at a point of land approximately 365 yards south of the B&M train tracks running southeast along the eastern shoreline of several unnamed islands to the northern tip of Pine Point.~~
- B. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Restricted area(s) without a special MDMR permit:
1. Scarborough River: upstream of a line created by the Eastern Trail.
 2. Mill Brook: north of a line beginning at a red painted post located approximately 205 yards north upstream of the confluence of the Scarborough River and at the western mouth of Mill Brook running east to a red painted post on the opposite shore.
 3. Nonesuch River: north of a line beginning at a red painted post approximately 116 yards west of the southern end of Horseshoe Drive running west to the opposite shore.
 4. Docs Creek: southeast of a line beginning at a red painted post approximately 166 yards southeast from the B&M train track in the area known as the "shell pile", then running southeast to the western most point of land in Jones Creek; AND southwest of a line beginning at a red painted post on the southernmost point of land approximately 41 yards northeast from the northern most point of land on the eastern shore of Docs Creek running east to a red

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painted post on the opposite shore (approximately 26 yards northeast from the northern most point of land on the eastern shore of Docs Creek).

- C. Effective immediately, due to intermittent pollution caused by rainfall, the shores, flats and waters of the Scarborough River in the following area are classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels, when rainfall meets or exceeds 1" within a 24 hour period: north of a line beginning at a red painted post approximately 122 yards northeast from the end of Eagle Nest Drive running northeast to a red painted post on the opposite shore; AND south of a line created by the Eastern Trail. **Please refer to the Statewide Conditional Area Closure Notice on the DMR website:**
http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm for open/closed status.
- D. Effective immediately, due to intermittent pollution caused by rainfall, the shores, flats and waters of the Nonesuch River in the following area are classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels, when rainfall meets or exceeds 1" within a 24 hour period: south of a line beginning at a red painted post approximately 116 yards west of the southern end of Horseshoe Drive then running west to the opposite shore; AND north of a line beginning at a red and white painted post, located on the western shore of the Nonesuch River, approximately 1020 yards upstream from the tip of Nonesuch Point, then running east across the river to a red and white painted post on the opposite shore. **Please refer to the Statewide Conditional Area Closure Notice on the DMR website:**
http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm for open/closed status.

If you have questions, please contact Angel Ripley or Kohl Kanwit, Department of Marine Resources, 194 McKown Point Road, West Boothbay Harbor, Maine 04575-0008, Tel: (207) 633-9515 or (207) 633-9535, Email: angel.ripley@maine.gov or kohl.kanwit@maine.gov. During **weekends/holidays**, contact 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: http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm. This information is also recorded on our HOTLINE (207-624-7727 OR 1-800-232-4733).

Sincerely,



Alison Sirosis
Commissioner's Designee – Shellfish Growing Area Program Supervisor

1:35 PM

(Effective Time)



Maine Department of Marine Resources

Pollution Area No. 11

Scarborough River

December 8, 2015

