



**GROWING AREA EB –
Cape Rosier, Brooksville to Naskeag Point, Brooklin**

Annual Report for 2007

Final Report Date: January 12, 2009

Robert Goodwin, Scientist I

APPROVAL

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DRAFT REVIEW ROUTING FORM

Date in Process:

Operation Title:

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The attached draft is for your evaluation and comment. Suggested changes should be concise and reasons specific. Return to sender.

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Executive Summary

This report is an annual review of Growing Area EB, required under "Chapter IV, Section .01 Sanitary Survey, C(5) Annual Report" from the National Shellfish Sanitation Program (NSSP) "Guide for the Control of Molluscan Shellfish" (2005). The report may include, but is not limited to, observations made during sampling or surveying within the area, a review of the past year's sampling results, inspection of any available reports, pollution source sampling results, a review of performance standards of discharges impacting the growing area and a brief documentation and summary of the findings of the annual reevaluation. Based on the information and data collected during this review period, any necessary changes will be discussed in the summary of this report.

Area EB has two Prohibited areas (Bucks Harbor-Benjamin River) two Conditionally Approved areas (Benjamin River-Center Harbor) and two Restricted areas (head of the Benjamin River-Naskeag Harbor). Closures C39A, C39F, C39G and Naskeag Harbor were combined into one regulation, C39A, Benjamin River (Sedgwick-Brooklin), Center Harbor, Naskeag Point and Herrick Bay (Brooklin) during 2007.

Licensed overboard discharges are in and adjacent to Buck Harbor, Brooksville. No licensed discharges were removed during this review period. There are no municipal wastewater treatment facilities in this area.

All water quality sampling stations have p90 values less than their classification standard with the exception of EB016.00. All random stations were sampled 6 times and conditional stations were sampled a minimum of 3 times while in the open status.

Overall, 2007 water quality has improved or remained level with 2006 values. Exceptions have been increased fecal coliform scores and upward water quality trends from non-point pollution issues at EB016.00 and EB022.00. Changes in the sizes of the Conditionally Approved and Restricted areas are necessary because of water quality exceeding approved criteria during the open status at station EB016.00. New margin stations will be established between the Restricted-Conditionally Approved areas.

No water sample stations were added, removed, activated or deactivated during this review period. There are no aquaculture or wet storage activities in this growing area. Classification changes are required.

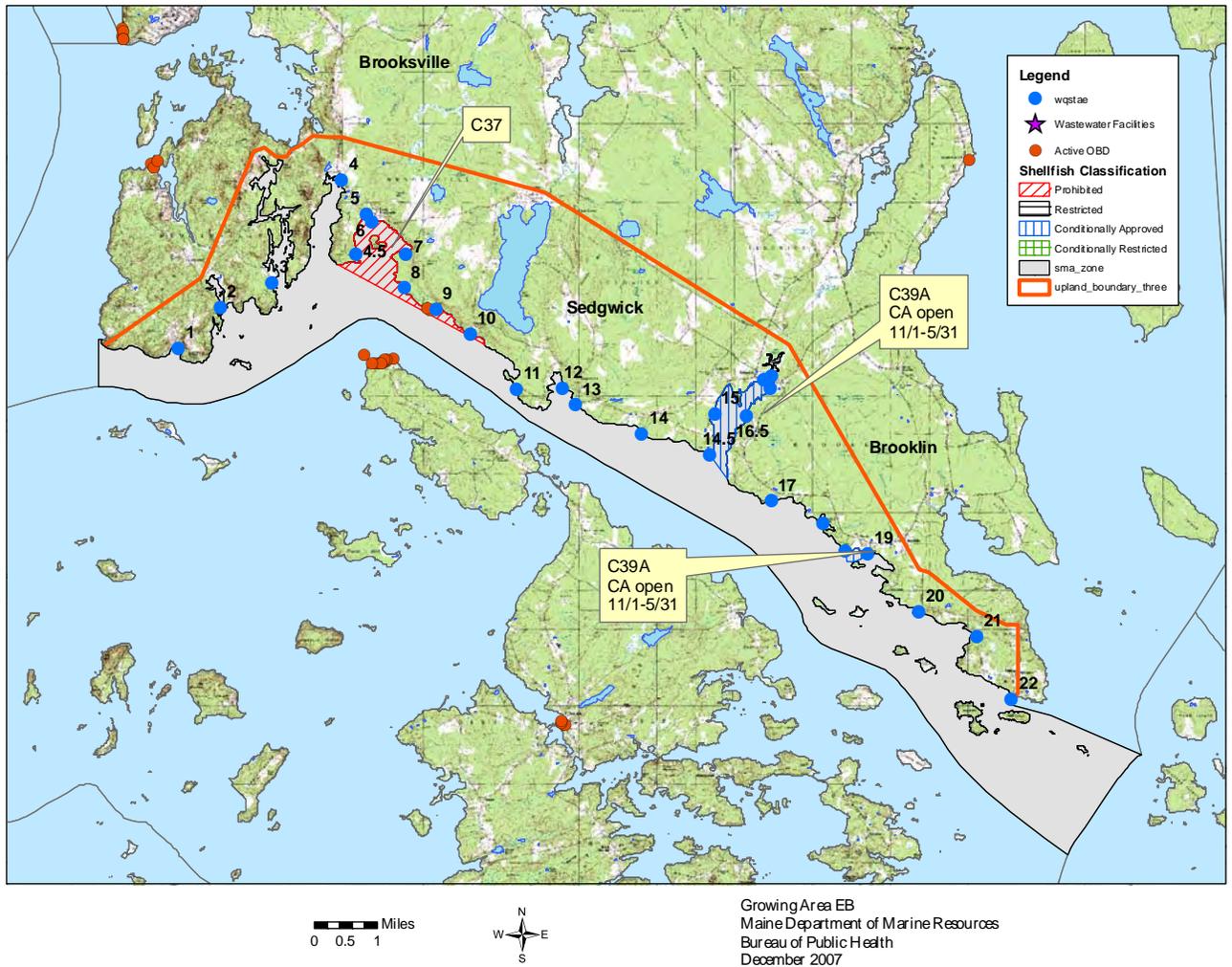


Figure 1: Growing Area EB

Current Classifications

A policy change in closure regulations and classification maps has resulted in a “clustering” of several adjacent individually numbered areas into a single numbered regulation with a multiple subsections with companying maps. Area No. 39A, 39F, 39G and Naskeag Harbor were combined into one regulation, Area No. 39A, Benjamin River (Sedgwick-Brooklin), Center Harbor, Naskeag Point and Herrick Bay (Brooklin) on September 26, 2007. Detailed text and maps of these closures can be accessed at the web site:

http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

Approved- All shores and waters of the growing area not specifically described below.

Prohibited

Area No. 37, Condon Point, Brooksville to The Herricks, Brooksville; (September 10, 1996); 4 sites, EB4.5, EB6.0, EB9.0, EB10.0



Restricted

Area No. 39F, Benjamin River, Sedgwick-Brooklin; (September 26, 2007); 1 site, EB16.0
Area No. 39A, Naskeag Harbor, Brooklin; (September 26, 2007); 2 sites, EB22.0, EF1.0

Conditionally Approved

Area No. 39A, Benjamin River, Sedgwick-Brooklin; (September 26, 2007); 2 sites, EB15.0, EB016.00; seasonal boats
Area No. 39A, Center Harbor, Brooklin; (September 26, 2007); 2 sites, EB18.5, EB019.0; seasonal boats

Current Management Plan

There are two (2) Conditionally Approved areas in this growing area (39A and 39F). Both management plans are current.

Current Annual Review of Management Plan

Area No. 39A and 39F are marina Conditionally Approved areas requiring three (3) samples during the open period. Samples were collected 6 times from each of the water quality monitoring sites during the open period. Sample dates are documented in the MARVIN sample database. The marina areas in the Benjamin River and Center Harbor were inspected on April 10, 2007 and April 18, 2007, respectively, previous to the closure date of April 30. Inspections were completed on September 10, 2007 and September 25, 2007, respectively, previous to the opening date of October 1 to confirm that there were < 10 boats with live-aboard crews, however boats remained in both the Benjamin River and Center Harbor on the opening date. The areas remained in the closed status and the annual open date was changed to November 1. The areas were re-inspected on October 23, 2007 and there were < 10 boats. Compliance inspections are done during scheduled sampling of the conditional areas during their open and closed periods. More detailed annual reviews are discussed in Appendices 2 and 3.

Review of Water Quality

In 2006 the Maine Department of Marine Resources chose to switch to a fecal coliform method that was approved for use in the National Shellfish Sanitation Program (NSSP) at the Interstate Shellfish Sanitation Conference in 2003. This method is the Membrane Filtration (MF) for Fecal Coliforms using mTEC agar with a two hour resuscitation step. The geometric mean and the 90th percentile are calculated on 30 data points extending over a five year period. During the transition from MPN to MF, we will be accumulating MF data points. The statistical calculations will be a combination of MPN and MF data points. The FDA has determined that the best way to handle the data is to perform the calculations as always for the data set, but to compare the data set to a hybrid weighted 90th percentile. This hybrid standard is calculated by weighting the relative contributions of each method to the database. This will mean that as the number of MPN data points reduce and the number of MF data points increase the 90th percentile standard that the sample site is compared to will change over time. Once all 30 data points are analyzed using MF, the 90th percentile for approved classification will be 31 and for restricted (for depuration) will be 163. The geomean approved standard of 14 fecal coliforms per 100 ml and geomean restricted standard of 88 fecal coliforms per 100 ml will remain the same for both methods. Reports that display 90th percentiles will show the number of data points derived from MF analysis and will show the appropriate 90th percentile standard for that MPN/MF combination for approved and restricted classifications. It must be remembered that this weighted standard is only used for data sets encompassing data from the two different test



methods, MF and MPN (3 tube/3 dilution). If decisions are to be made on a single test result analyzed by the MF method or a multiple number of test results all exclusively analyzed by the MF method, the 90th percentile standard is 31 fecal coliforms per 100 ml.

This was the second year the water quality program documented in the database the inability to collect a sample based on the following parameters: if the tide stage was too low to collect the sample, there was a safety issue with collecting the sample, the location was inaccessible and "other" which usually was accompanied by a comment on the data sheet. Stations that were unable to be sampled due to any of these parameters show 999 in the salinity column and have no data recorded in any of the columns but the time is recorded so the actual tide stage can be computed. Stations that were missed due to the above parameters were required to be made up to assure that each station would receive the required six samples during the sampling season.

Samples in Area EB are collected by vehicle during Random Sample Run 2. There were 22 active stations sampled during this review period. All active sample sites met the minimum six (6) sample criteria in 2007. Details are listed in Table 2. No water sample stations were added, removed, activated or deactivated during this review period.

In Tables 1 and 4 are listed all active stations in Growing Area EB. Under the Geomean and P90 column are listed the most recent values for this review period. All sample stations with the exception of EB16.0 and EB22.0 meet their classification standards.

Sample stations p90 trends are displayed in Table 3. The Conditionally Approved station trends are displayed will they are in their open status. Those sample stations that exceed "100% of the standard" do not meet Approved, Restricted or Conditionally Approved classification criteria based on water quality. These stations are impacted by known or unknown point or non-point pollution sources. Over all, 2007 standard percentages have decreased or remained level with 2006 values. Exceptions have been upward percentage trends at EB16.0 and EB22.0.

Non-point pollution issues are impacting the upper end of the Benjamin River (EB16.0). No potential pollution source has been identified. Sample station EB16.0 has exceeded the Conditionally Approved criteria during the open period. This station is on the margin between the Restricted and Conditional areas. Review of tabulated data shows elevated sampling scores in April, November and December of 2006. Because of the high variability (Standard Deviation-0.67), the Restricted area will be enlarged to encompass EB16.0, this will reduce the size of the Conditionally Approved area. Extra samples and pollution source/surveying will take place in the area during the 2008 shoreline survey.

Large numbers of dog owners walking their pets in the area and on the beach at Naskeag Point (EB22.0) are being reported to the local shellfish committee and DMR area biologist and may be the source of the increase in pollution. Increased sampling frequency will be started in 2008 for this area.



Table 1: Sample Count During This Review Period

Growing Area Sample Count				
Station	Status	Class	Sample Count	Comments
EB001.00	O	A	6	
EB002.00	O	A	6	
EB003.00	O	A	6	
EB004.00	O	A	6	
EB004.50	C	P	6	New Station 12-04
EB006.00	C	P	6	
EB009.00	C	P	6	
EB010.00	C	P	6	
EB011.00	O	A	6	
EB012.00	O	A	6	
EB013.00	O	A	6	
EB014.50	O	A	6	New Station 12-04
EB015.00	C	CA	7	
EB015.00	O	CA	6	
EB016.00	C	CA	7	
EB016.00	O	CA	6	
EB017.00	O	A	6	
EB018.50	O	A	6	New Station 12-04
EB019.00	C	CA	7	Reclass P to CA; removed OBD; met conditional criteria P 12/16/04
EB019.00	O	CA	6	Reclass P to CA; removed OBD; met conditional criteria P 12/16/04
EB020.00	O	A	6	
EB022.00	O	A	4	Reclass A - R failing WQ; 9/26/07
EB022.00	O	R	3	Reclass A - R failing WQ; 9/26/07

Table 2: Geomean and P90 Calculations

STATION	CLASS	COUNT	MF	GM	SDV	MAX	P90	APPD_STD	RESTR_ST D
EB001.00	A	30	8	3.6	0.32	43	9.3	43	255
EB002.00	A	30	8	3.3	0.34	150	8.9	43	255
EB003.00	A	30	8	3.8	0.34	43	10.3	43	255
EB004.00	A	30	8	5.1	0.49	75	21.9	43	255
EB004.50	new	18	8	2.8	0.21	15	5.2		
EB006.00	P	30	8	3.6	0.35	43	10.0	43	255
EB009.00	P	30	8	3.8	0.42	118	13.0	43	255
EB010.00	P	30	8	4.1	0.36	43	12.0	43	255
EB011.00	A	30	8	2.9	0.18	15	4.9	43	255
EB012.00	A	30	8	3.4	0.31	42	8.4	43	255
EB013.00	A	30	8	4.2	0.46	240	16.5	43	255
EB014.50	new	18	8	3.2	0.31	23	7.9		



STATION	CLASS	COUNT	MF	GM	SDV	MAX	P90	APPD_STD	RESTR_STD
EB017.00	A	30	8	4.0	0.39	43	12.5	43	255
EB018.50	new	19	8	3.7	0.44	62	13.4		
EB020.00	A	30	8	2.9	0.17	15	4.7	43	255
EB022.00	R	30	9	6.0	0.76	1100	57.3	43	250

Table 3: C 39A and C39F During the Open Period November 1 – April 30

STATION	CLASS	COUNT	MFCNT	GM	SDV	MAX	P90	APPD_STD	RESTR_STD
EB015.00	CA	30	8	3.8	0.42	152	13.2	43	255
EB016.00	CA	30	8	6.7	0.67	711	47.4	43	255
EB019.00	CA	30	8	3.3	0.29	43	7.7	43	255

Table 4: Sample Station P90 Trends for Approved, Prohibited, Restricted and Conditionally Approved Areas Based on Approved Standards

		2005		2006		2007	
		p90	%	p90	%	p90	%
EB001.00	A	12.7	25.9	9.5	19.8	9.3	21.6
EB002.00	A	9.8	20.0	9.5	19.8	8.9	20.7
EB003.00	A	6.3	12.9	9.6	20.0	10.3	24.0
EB004.00	A	28.7	58.6	34.0	70.8	21.9	50.9
EB004.50	new	9.2	18.8	6.2	13.8	5.2	13.0
EB005.00	P						
EB006.00	P	8.7	17.8	10.2	21.3	10.0	23.3
EB007.00	P						
EB008.00	P						
EB009.00	P	9.1	18.6	14.0	29.2	13.0	30.2
EB010.00	P	13.1	26.7	14.6	30.4	12.0	27.9
EB011.00	A	6.9	14.1	7.3	15.2	4.9	11.4
EB012.00	A	7.2	14.7	6.2	12.9	8.4	19.5
EB013.00	A	15.3	31.2	13.2	27.5	16.5	38.4
EB014.00	A						
EB014.50	new	14.0	28.6	8.3	18.4	7.9	19.8
EB015.00	CA	12.4	25.3	14.1	29.4	13.2	30.7
EB016.00	CA	25.7	52.4	45.0	93.8	47.4	110.2
EB017.00	A	12.8	26.1	13.3	27.7	12.5	29.1
EB018.00	A						
EB018.50	new	19.8	40.4	11.0	23.9	13.4	33.5
EB019.00	CA	10.8	22.0	16.4	34.9	8.1	18.8
EB020.00	A	4.8	9.8	4.8	10.0	4.7	10.9
EB021.00	A						
EB022.00	R	22.3	45.5	35.3	73.5	57.3	133.3



Shoreline Survey Activity

Shoreline activity was limited to drive through observations during random water sampling runs. Streams were not sampled during the 2006 review period. No licensed overboard discharges were removed during 2007. There are no wastewater treatment facilities within the margins of the growing area. Residential OBDs are still present in Bucks Harbor (1) and near Deadman Cove (2), South Brooksville. DEP records confirmed the licensed overboard discharges.

There is a sanitary survey report due at the end of 2008. Shoreline survey field work and data collection necessary for the report will take place during the 2008 calendar year.

Shellfish aquaculture or wet storage activities in the area

There are no aquaculture or wet storage activities in this growing area.

Changes in classification required/requested at this time

There are classification changes required at this time. The necessary enlargement of the Restricted portion of the Benjamin River cannot be determined by a dilution calculation (tidal) or established by historical water sample sites (closure size would be excessive). Because the p90 at EB16.0 is failing, the restricted area will be increased by an additional 40 acres to provide a larger dilution zone and a new sample station (EB15.8) will be established to defend the margin. The text and map below details a suggested change based on the level of pollution impact, initial surveys and recent water sample results at the newly established sample station.

TEXT OF RULE: DMR Regulation 95.04 (M), Area No. 39-A, Benjamin River (Sedgwick-Brooklin), Center Harbor, Naskeag Point and Herrick Bay (Brooklin)

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 following areas:

1. Benjamin River (Sedgwick-Brooklin): north of a line starting at the mouth of an un-named brook on the Brooklin shore (300 yards south of the Route 175 road causeway crossing the Benjamin River between the Towns of Sedgwick and Brooklin) that extends northwest to a red-painted marker on the Sedgwick shore 120 yards south of the Rt 175/172 intersection. This area is classified Restricted and harvesting requires a special MDMR permit.
2. Naskeag Harbor (Brooklin): west of a line
3. Northwest Herrick Bay (Brooklin): inside and northwest of

B. 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 Benjamin River (Sedgwick-Brooklin): south of a line starting at the mouth of an un-named brook on the Brooklin shore (300 yards south of the Route 175 road causeway crossing the Benjamin River between the Towns of Sedgwick and Brooklin) that extends northwest to a red-painted marker on the Sedgwick shore 120 yards south of the Rt 175/172 intersection AND north of a line starting at the most western point on Cape Carter and



then extending northwest to the nearest point of land on Carter Point on the western shore of the Benjamin River; this area has been classified as “Conditionally Approved,” and shall be closed to the harvest of shellfish from ~~June~~ May 1 through October 31.

- C. 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 Center Harbor (Brooklin): north of a line starting at the Brooklin Boat Company wharf and extending southwest to the most northern point of Chatto Island; then continuing west to the U.S. Coast Guard navigation aid “N2”; and then north to a red-painted post located on the shore at the end of the Steamboat Road in Haven Village, Brooklin; this area has been classified as “Conditionally Approved,” and shall be closed to the harvest of shellfish from ~~June~~ May 1 through October 31.



Figure 2: Proposed Benjamin River Re-class



Discussion and Summary

All active stations have met the minimum number of samples required by the systematic random sampling criteria. The water sampling protocol will remain the same in the 2008 sampling year. The Benjamin River and Center Harbor marina Conditionally Approved area monitoring stations met the required number of samples during open periods

There are Approved, Conditionally Approved, Restricted and Prohibited classifications within this growing area. Any conditional, restricted or prohibited areas have sample sites on margins or have dilution calculations to support the size of the regulation closure.

Sample station EB16.0 has exceeded the Conditionally Approved criteria during the open period. This station is on the margin between the Restricted and Conditional areas. The Restricted area will need to be enlarged to encompass this station, therefore reducing the size of the Conditionally Approved area. New sample stations will need to be established on the new margin between the Conditionally Approved and Restricted classified areas. Extra samples and pollution source/surveying will take place in the area during the 2008 season.

Overall, 2007 water quality has decreased or remained level with 2006 values. Exceptions have been upward trends at EB16.0 and EB22.0. Specific causes for these increases have not been identified. Pollution issues are impacting the upper end of the Benjamin River and Naskeag Harbor. Changes in the size of the Benjamin River Conditionally Approved and Restricted areas are necessary because of failing water testing scores at EB16.0 and a Restricted area was established at Naskeag Point.

Pollution issues identified in 2007 were (1) Non-point degrading water quality at Naskeag Harbor (EB22.0) and (2) probable freshwater/non-point runoff impacting EB16.0. These stations will continue to be monitored and changes made to classifications if necessary. Currently there are plans to survey the growing area for a sanitary survey report in 2008 with particular interest taken in the upper Benjamin River area.



BIBLIOGRAPHY Recent information from Brooklin residents report

Maine Department of Environmental Protection
Maine Office of GIS
Maine DMR "Marvin" Water Quality and Shoreline Survey Database
Town of Brooksville
Town of Sedgwick
Town of Brooklin



APPENDIX 1. Key to water quality table headers.

Station = water quality monitoring station

Class = classification assigned to the station; prohibited (P), restricted (R), conditionally restricted (CR), conditionally approved (CA) and approved (A).

Count = the number of samples evaluated for classification, must be a minimum of 30.

MFCNT = the number of samples evaluated with the MTec method (included in the total Count column)

Geo_Mean = means the antilog (base 10) of the arithmetic mean of the sample result logarithm (base 10).

SDV = standard deviation

Max = maximum score of the 30 data points in the count column

P90 = 90th percentile

APPD_STD = the 90th percentile, at or below which the station would meet approved criteria in the absence of pollution sources or poisonous and deleterious substances.

RESTR_STD = the 90th percentile, at or below which the station would meet restricted criteria.



APPENDIX 2. Conditional Area Management Plan- 2007 Annual Review

Date Jan 2008
Growing Area EB

Robert Goodwin
C39-A (Part B) Benjamin River, Sedgwick

Scope- The area is seasonally (11\1-4\30) Conditionally Approved because of boat moorings in the area. It involves that part of the Benjamin River lying northerly of a line that begins at the most western point on Cape Carter and runs north-northwesterly to the nearest point of land, Carter Point, on the western shore of the Benjamin River and south of a line from a red post near the Rt. 175/172 intersection that extends southeast to the mouth of an un-named brook. A more detailed description and map of the area is discussed in the management plan.

This area was included in a combined regulation (C39-A) during this review period. At that time the opening start date was changed from October 1 to November 1 due to boats remaining in the mooring area later into the fall and the Restricted area at the head of the river was expanded because EB16.0 no longer met water quality criteria during the Conditionally Approved open period. The calculated dilution area for the boat mooring field remains well within the overall Conditionally Approved area and was not affected by the areas reduction in size.

Compliance with management plan-

This area is Conditionally Approved and open from November 1 thru April 30 based on a lack of boating activity during this time period. Marine law enforcement efforts and illegal harvester activity determines the compliance level for this growing area during the prohibited period. The Benjamin River was inspected on April 18, 2007 previous to the closure date (April 30) and on October 23, 2007 previous to the opening date (November 1) to confirm that there were < 10 boats with live-aboard crews. Compliance inspections are done during scheduled sampling of the conditional areas during their open and closed periods. In the fall of 2007, it was necessary to change the re-opening date from October 1 to November 1 due to boats remaining in the mooring field later in the year.

Adequacy of reporting and cooperation of involved persons-

Marine law enforcement efforts and illegal harvester activity determines the compliance level for this growing area during the prohibited period. Maine Marine Patrol law enforcement activity logs, report summons or warnings issued during the closed periods reflect any illegal harvesting activity that took place during the current review period.

Compliance with Approved growing area criteria-

Sample Station EB15.0 met Conditionally Approved criteria during the open period; however EB16.0 exceeded the p90 value. Because of the EB16.0 failing water criteria the Conditionally Approved area was reduced in size. The failing part of the river was re-classified Restricted and two new sample stations (EB15.8 and EB16.5) were established as margin stations. The lack of boats (<10) during the open period was confirmed during monthly water sampling of the area.



STATION	CLASS	COUNT	MFCNT	GM	SDV	MAX	P90	APPD_STD	RESTR_STD
EB015.00	CA	30	8	3.8	0.42	152	13.2	43	255
EB016.00	CA	30	8	6.7	0.67	711	47.4	43	255

Field inspection of critical pollution sources-

Potential pollution risk is from illegal discharges from seasonal recreational boating traffic. There has been no live aboard boats observed moored in the area during the open period. No land based point source pollution problems were identified during a 1996 sanitary survey or 1999, 2002 or 2005 triennial reviews.

Water sampling compliance history-

Conditional area sampling is attempted monthly during open periods. Monitoring stations are part of a scheduled monthly conditional area sampling run, CA1. The table below lists tabulated water sampling data for the open review period.

Station	Date	Tide	Temp	Weather	Sal	Strat	ADV	Stat	CL	MFCOL	WIND
EB015.00	01/02/07	E	4	P	30	R	P	O	CA	<2.0	NW
EB015.00	02/06/07	F	-3	P	30	R	O	O	CA	<2.0	W
EB015.00	03/06/07	HF	-3	C	30	R	O	O	CA	<2.0	W
EB015.00	04/03/07	F	-1	S	28	R	R	O	CA	<2.0	NE
EB015.00	11/15/07	HF	8	O	30	R	O	O	CA	12	S
EB015.00	12/04/07	E	4	S	26	R	S	O	CA	<2.0	NE
EB016.00	01/02/07	E	4	P	24	R	P	O	CA	6	NW
EB016.00	02/06/07	F	-3	P	30	R	O	O	CA	<2.0	W
EB016.00	03/06/07	HF	-2	C	30	R	O	O	CA	<2.0	W
EB016.00	04/03/07	F	-1	S	19	R	R	O	CA	<2.0	NE
EB016.00	11/15/07	HF	8	O	28	R	O	O	CA	18	S
EB016.00	12/04/07	E	4	S	28	R	S	O	CA	1.8	NE

Summary

This marina area continues to meet the Conditionally Approved classification criteria based on boating activity. The new margin stations between the Conditionally Approved area and the Restricted area will be monitored to confirm the location of the line. The revised open period start date (November 1) and closed date (April 30) continue to be valid. There will be no change in the management of this area.



APPENDIX 3. Conditional Area Management Plan- 2007 Annual Review

Date Jan 2008
Growing Area EB

Robert Goodwin
C39-A (Part C) Center Harbor, Brooklin

Scope- The area is seasonally (October 1 – April 30) Conditionally Approved because of boat moorings in the area. It involves that part of Center Harbor lying westerly of a line that begins at Brooklin Boat's wharf and runs south to Chatto Island, then continues to USCG Buoy N2, then north to a red post at the end of Steamboat Road. A more detailed description and map of the area is discussed in the management plan.

This area was included in a combined regulation (C39-A) during this review period. At that time the opening start date was changed from October 1 to November 1 due to boats remaining in the mooring area later into the fall.

Compliance with management plan-

This area is Conditionally Approved and open from November 1 thru April 30 based on a lack of boating activity during this time period. Marine law enforcement efforts and illegal harvester activity determines the compliance level for this growing area during the prohibited period. Center Harbor was inspected on April 18, 2007 previous to the closure date (April 30) and on October 23, 2007 previous to the opening date (November 1) to confirm that there were < 10 boats with live-aboard crews. Compliance inspections are done during scheduled sampling of the conditional areas during their open and closed periods. In the fall of 2007, it was necessary to change the re-opening date from October 1 to November 1 due to boats remaining in the mooring field later in the year.

Adequacy of reporting and cooperation of involved persons-

Marine law enforcement efforts and illegal harvester activity determines the compliance level for this growing area during the prohibited period. Maine Marine Patrol law enforcement activity logs, report summons or warnings issued during the closed periods reflect any illegal harvesting activity that took place during the current review period.

Compliance with approved growing area criteria-

All stations within the conditional area meet conditionally approved criteria based on geomeans and p90 values and lack of boating activity or other pollution threats during the open period.

STATION	CLASS	COUNT	MFCNT	GM	SDV	MAX	P90	APPD_STD	RESTR_STD
EB015.00	CA	30	8	3.8	0.42	152	13.2	43	255
EB016.00	CA	30	8	6.7	0.67	711	47.4	43	255
EB019.00	CA	27	8	3.3	0.30	43	8.1	43	250

Field inspection of critical pollution sources-

Potential pollution risk is from illegal discharges from seasonal recreational boating traffic. There has been no live aboard boats observed moored in the area during the open period. No land



based point source pollution problems were identified during a 1996 sanitary survey or 1999, 2002 or 2005 triennial reviews.

Water sampling compliance history-

Conditional area sampling is attempted monthly during open periods. Monitoring stations are part of a scheduled monthly conditional area sampling run, CA1. The table below lists tabulated water sampling data for the open review period.

Station	Date	Tide	Temp	Weather	Sal	Strat	ADV	Stat	CL	MFCOL	WIND
EB019.00	01/02/07	E	3	P	29	R	P	O	CA	6	NW
EB019.00	02/06/07	F	-3	P	30	R	O	O	CA	<2.0	W
EB019.00	03/06/07	H	-3	C	30	R	O	O	CA	<2.0	W
EB019.00	04/03/07	F	-1	S	30	R	R	O	CA	<2.0	NE
EB019.00	11/15/07	HF	8	O	32	R	O	O	CA	2	S
EB019.00	12/04/07	E	4	S	31	R	S	O	CA	<2.0	NE

Summary

This marina area continues to meet the Conditionally Approved classification criteria based on boating activity. The revised open period start date (November 1) and closed date (April 30) continue to be valid. There will be no change in the management of this area.