



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 21, 2020

This notice is in effect until repealed or replaced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 classification change to Area No. 36, Bagaduce River and Harborside (Castine, Penobscot, Brooksville): This notice reclassifies Lords Cove (Brooksville) from Conditionally Restricted to Conditionally Approved due to water quality meeting approved standards during the open status. 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/shellfish-sanitation-management/maps/index.html>. 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):

- A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, ~~or mussels~~ or whole or roe-on scallops from the shores, flats and waters of the following Prohibited area(s):
1. Harborside (Brooksville): southeast of a line beginning at a red painted post located on the most western tip of land in Tom Cod Cove and running southwest~~erly~~ to the most northwestern prominence at Harborside~~;~~ AND east of a line beginning at the most northwestern prominence at Harborside running south following the lowest tide mark to a red painted post located on a stone pier.
 2. Bagaduce River (Castine, Brooksville): north of a line beginning at the southern tip of Dice Head, Castine, running east to the northern tip of High Tide Island; AND west of a line beginning at the northern tip of High Tide Island running northeast to the southern tip of Lower Negro Island, then running north to the eastern point on Upper Negro Island, then running northwest to a red painted post on the western shore of the Bagaduce River.
- ~~C. Effective immediately, because of proximity to a WWTP, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Conditionally Restricted area(s) without a special MDMR permit and during closed periods. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website: <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>~~
- ~~1. Lords Cove (Brooksville): East of a line beginning at the northern tip of the prominent point of land on the western shore of Lords Cove running north to the southern tip of Lower Negro Island; AND south of a line beginning at the southern tip of Lower Negro Island then running northeast to a red painted post on the western tip of the prominent point of land on the eastern shore of Lords Cove.~~
- D. Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, ~~or mussels~~ or whole or roe-on scallops from the shores, flats and waters of the following Conditionally Approved area(s) during the closed dates:

1. Bagaduce River (Castine, Penobscot, Brooksville): north of a line beginning at a red painted post on Jones Point, Brooksville, then running west across the Bagaduce River to the nearest opposite shore in Castine; AND west of a line running from the same red-painted post marker on Jones Point then running north across the "narrows" of the Bagaduce River to the nearest opposite Penobscot shore. This area is closed from May 1 through October 31.

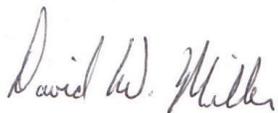
E. Effective immediately, because of proximity to a WWTP, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, or mussels or whole or roe-on scallops from the shores, flats and waters of the following Conditionally Approved area(s) following a malfunction/CSO event at the Castine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

1. Bagaduce River (Castine, Brooksville): east of a line beginning at the southern tip of Dice Head, Castine running south to the northwest point of Harborside, Brooksville; AND north and west of a line beginning at the northwest point of Harborside, Brooksville running northeast to the western tip of land in Tom Cod Cove, Brooksville; ~~then following the shoreline northeast to the northwest end of Indian Bar, Brooksville; then running across the bar to the northeast end; then~~ AND north and west of a line beginning at the northwest end of Indian Bar, Brooksville running northeast to the Coast Guard navigational aid Nun "2"; then north to the southern tip of Henry Point, Brooksville; then following the shoreline north to the northern tip of a prominent point of land on the western shore of Lords Cove, then running north to the southern tip of Lower Negro Island; AND south of a line beginning at a red-painted post on Jones Point, Brooksville running west to the opposite shore in Castine; AND east of a line beginning at a red painted post on the western shore of the Bagaduce River northwest of Upper Negro Island running southeast to the eastern point of Upper Negro Island, then running south to the southern tip of Lower Negro Island, then running southwest to the northern tip of High Tide Island, Castine, then running west to the southern tip of Dice Head.

~~2. Bagaduce River (Castine, Brooksville): North of a line beginning at the southern tip of Lower Negro Island, then running northeast to a red painted post on the western tip of the prominent point of land on the eastern shore of Lords Cove; AND south of a line beginning at a red painted post on Jones Point, Brooksville running west to the opposite shore in Castine; AND east of a line beginning at a red painted post on the western shore of the Bagaduce River northwest of Upper Negro Island running southeast to the eastern point of Upper Negro Island, then running south to the southern point of Lower Negro Island.~~

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: <http://www.maine.gov/dmr/shellfish-sanitation-management/closures/pollution.html>. This information is also recorded on our HOTLINE (207-624-7727 OR 1-800-232-4733).

Sincerely,



David W. Miller
Eastern Maine Growing Area
Commissioner's Designee

3:00 PM
(Effective Time)



Maine Department of Marine Resources

Pollution Area No. 36

Bagaduce River and Harborside (Castine, Penobscot, Brooksville)



08/21/2020

