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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

February 16, 2018

Ladies and Gentlemen:

Under the authority of 12 M.R.S.A. § 6172; the Commissioner has made the following classification and administrative change to Area No. 38-B, Benjamin River and Center Harbor (Sedgwick and Brooklin). This notice reclassifies a portion of the upper Benjamin River from Restricted to Approved and from Conditionally Approved to Approved based on water quality meeting approved standards and an updated shoreline survey. This notice also makes administrative changes to the wording and numbering of existing closures. 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 non-point source 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): north of a line beginning at the mouth of an un-named brook on the Brooklin shore, approximately 300 yards south of the Route 175 road causeway crossing the Benjamin River, then running in a northwesterly direction to a red painted post located on the Sedgwick shore, approximately 120 yards south of the Route 175/172 intersection; AND south of Route 175 Bridge. This area is classified as "Restricted," and harvesting requires a special MDMR permit.~~

~~D. B.~~ Effective immediately, because of ~~intermittent~~ seasonal 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 Conditionally Approved area(s) during the closed dates: the following areas have been classified as Conditionally Approved and shall be closed to the harvesting of clams, quahogs, oysters and mussels from May 1 through October 31:

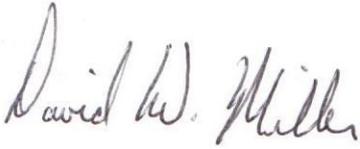
1. Benjamin River (Sedgwick, Brooklin): south and west of a line beginning at the southern tip of Means Point, running southeast to the northwestern tip of the prominent point of land at the end of Benjamin River Drive; ~~mouth of an un-named brook on the Brooklin shore, approximately 300 yards south of the Route 175 road causeway crossing the Benjamin River, then running in a northwesterly direction to a red painted post located on the Sedgwick shore, approximately 120 yards south of the Route 175/172 intersection;~~ AND north of a line beginning at the westernmost point of Cape Carter (Brooklin), ~~then~~ running northwest across the mouth of the river, to the nearest point of land on the Sedgwick shore. This area is closed from May 1 through October 31.

2. Center Harbor (Brooklin): north of a line beginning at the shoreward end of the 1st wharf on the south shore of Kane Point, located approximately 130 yards southeast of the eastern tip of Kane Point, then running ~~in a northwesterly direction~~ to the most western point of Chatto Island, then continuing northwest to the U.S. Coast Guard navigation aid "N2"; AND east of a line beginning at the U.S. Coast Guard navigation aid "N2" then running in a northerly direction to shoreward end

of the 1st wharf located approximately 150 yards west of the end of the Steamboat Road in Haven Village. This area is closed from May 1 through October 31.

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
Commissioner's Designee

12:15 PM
(Effective Time)



Maine Department of Marine Resources

Pollution Area No. 38-B

Benjamin River and Center Harbor (Sedgwick and Brooklin)



2/16/18

