



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

September 17, 2019

Ladies and Gentlemen:

Under the authority of 12 M.R.S.A. § 6172; the Commissioner has made the following classification change to Area No. 40, Union River Bay Region (Surry, Ellsworth and Trenton): This notice reclassifies a portion of the Union River from Conditionally Approved to Prohibited due to identification of a pollution point source. 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):

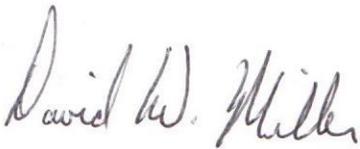
- A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Prohibited area(s):
1. Patten Bay, Union River (Surry, Ellsworth, Trenton): inside and north of a line beginning at a red painted post located approximately 500 yards south of Bluff Point (Trenton) extending northwest to a red painted post on the most southern prominence of the east side of Contention Cove (Surry), then running west across Patten Bay to the tip of Poignant Point (Surry).
 2. Heath Brook Cove (Trenton): ~~inside and east~~ and south of a line beginning at a ~~red painted post located on the south shore of the cove (approximately 320 yards west of where State Route 230 crosses Heath Brook), then extending north to a red painted post on the north shore of the mouth of the cove (approximately 430~~ 450 yards northwest of where State Route 230 crosses Heath Brook), then running south to a red painted post located on the south shore of the cove (approximately 320 yards west of where state route 230 crosses Heath Brook), then running southwest to a red painted post on the next prominent point of land (near the end of Fire Lane 253).
- D. Effective immediately, because of 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:
1. Goose Cove (Trenton): north of a line beginning at a red painted post located on the eastern shore of Goose Cove approximately 375 yards southeast from the mouth of McFarland Brook then running west to a red painted post located on the western shore of the cove approximately 300 yards southwest from the mouth of McFarland Brook. This area is closed from June 1 through November 30.
- E. 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 Approved area(s) following a malfunction/CSO event at the Ellsworth 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. Union River Bay and Patten Bay (Surry, Ellsworth, Trenton): north of a line beginning at the southeast tip of Burnt Point on Newbury Neck (Surry) and running northeast to a red painted post on the shore at the south prominence of Oak Point (Trenton); AND west of a line beginning at a ~~red painted post located on the south shore of Heath Cove (approximately 350 yards west of where State Route 230 crosses Heath Brook)~~, then extending north to a red painted post on the north shore of the mouth of Heath Cove (approximately 450 yards northwest of where State Route 230 crosses Heath Brook), then running south to a red painted post located on the south shore of the cove (approximately 320 yards west of where state route 230 crosses Heath Brook), then running southwest to a red painted post on the next prominent point of land (near the end of Fire Lane 253); AND south of a line beginning at a red painted post located on the shore approximately 500 yards south of Bluff Point (Trenton), extending northwest to a red painted post on the most southern prominence of the east side of Contention Cove (Surry), then running west approximately 980 yards across Patten Bay to the tip of Poignant Point (Surry).

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

4:00 PM
(Effective Time)



Maine Department of Marine Resources

Pollution Area No. 40

Union River Bay Region (Surry, Ellsworth and Trenton)



09/17/2019

