STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PAUL R. LEPAGE
GOVERNOR

PATRICK C. KELIHER
COMMISSIONER

Shellfish Harvesting Area Classification-Notification of Changes

May 6, 2016

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. 55, Machias Bay and vicinity (Machias, East Machias, and Machiasport): This notice changes the area around Larrabee Cove (Machiasport) from Restricted to Approved based on water quality meeting the approved standard. This notice also makes administrative changes to the headings and numbering of pre-existing areas. 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 following areas:

1. Machias and East Machias Rivers (Machias, East Machias, Machiasport): north and west of a line beginning at the high tide line on the southwest tip of Randall Point (Machiasport), and extending northwest across the river to the Machiasport Town Landing ramp (adjacent to the Machiasport Historical Society). This area includes all of the upper Machias and East Machias Rivers.

2. Sanborn Cove (Machiasport): north of a line beginning at the southeast tip of Fort O'Brien Point (Machiasport) and extending approximately 620 yards southwest to a red painted post on an unnamed point of land on the north shore of Sanborn Cove, and south and west of a line from the same red painted post extending southeast to a red-painted post adjacent to a large boulder on the north shore of the cove.

3. Sanborn Cove (Machiasport): south and west of a line beginning at a red painted post located approximately 170 yards northwest of the end of the Clark Point Road and running approximately 450 yards southwest to a red painted post on a prominent point of land.

B. ~~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 Larrabee Cove (Machiasport): west of a line beginning at the east tip of 'L' Point and then running 1925 feet southeast, across the mouth of the cove, to a red-painted marker on the northern tip of an un-named point on the northern side of Low Cove, Indian Point. This area is classified as "Restricted," and harvesting requires a special MDMR permit.~~

~~C~~D. Effective immediately, because of proximity to a WWTP, the shores, flats, and waters of the following areas are classified as "Conditionally Approved," and shall be closed to all harvest of clams, quahogs, oysters or mussels following a malfunction/CSO event of the Machias Wastewater Treatment Plant:

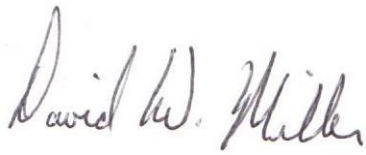
1. Sanborn Cove (Machiasport), south of a line beginning at the high tide line on the southwest tip of Randall Point (Machiasport), and extending northwest across the river to the Machiasport Town Landing ramp (adjacent to the Machiasport Historical Society); AND west of a line beginning at the high tide line on the southwest tip of Randall Point, then running in a southwesterly direction to USCG navigation buoy N"6", then

running southeast to USCG navigation buoy N"4", then continuing southeast to the eastern tip of Birch Point; AND north of a line beginning at a red painted post located approximately 170 yards northwest of the end of the Clark Point Road and running approximately 450 yards southwest to a red painted post on a prominent point of land AND north of a line beginning at the point of land approximately 820 yards west of the northwestern most point of Birch Point (Machiasport) and running northwest to a red-painted post adjacent to a large boulder on the north shore of the cove AND south of a line beginning at the southeast tip of Fort O'Brien Point and extending approximately 620 yards southwest to a red painted post on an unnamed point of land on the north shore of Sanborn Cove. **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~~2. ~~Effective immediately, because of proximity to a WWTP, the shores, flats, and waters of the following area are classified as "Conditionally Approved," and shall be closed to all harvest of clams, quahogs, oysters or mussels following a malfunction/CSO event of the Machias Wastewater Treatment Plant:~~ Randall Point Flats (Machiasport), south and east of a line beginning at the high tide line on the southwest tip of Randall Point, then running in a southwesterly direction to USCG navigation buoy N"6", then running southeast to USCG navigation buoy N"4", then continuing southeast to the eastern tip of Birch Point; AND northwest of a line starting at the eastern tip of Birch Point, then running northeast to a red-painted post, located on the most southern tip of an unnamed point of land approximately 600 yards west of the eastern tip of Holmes Point (at Cottage Cove). **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,



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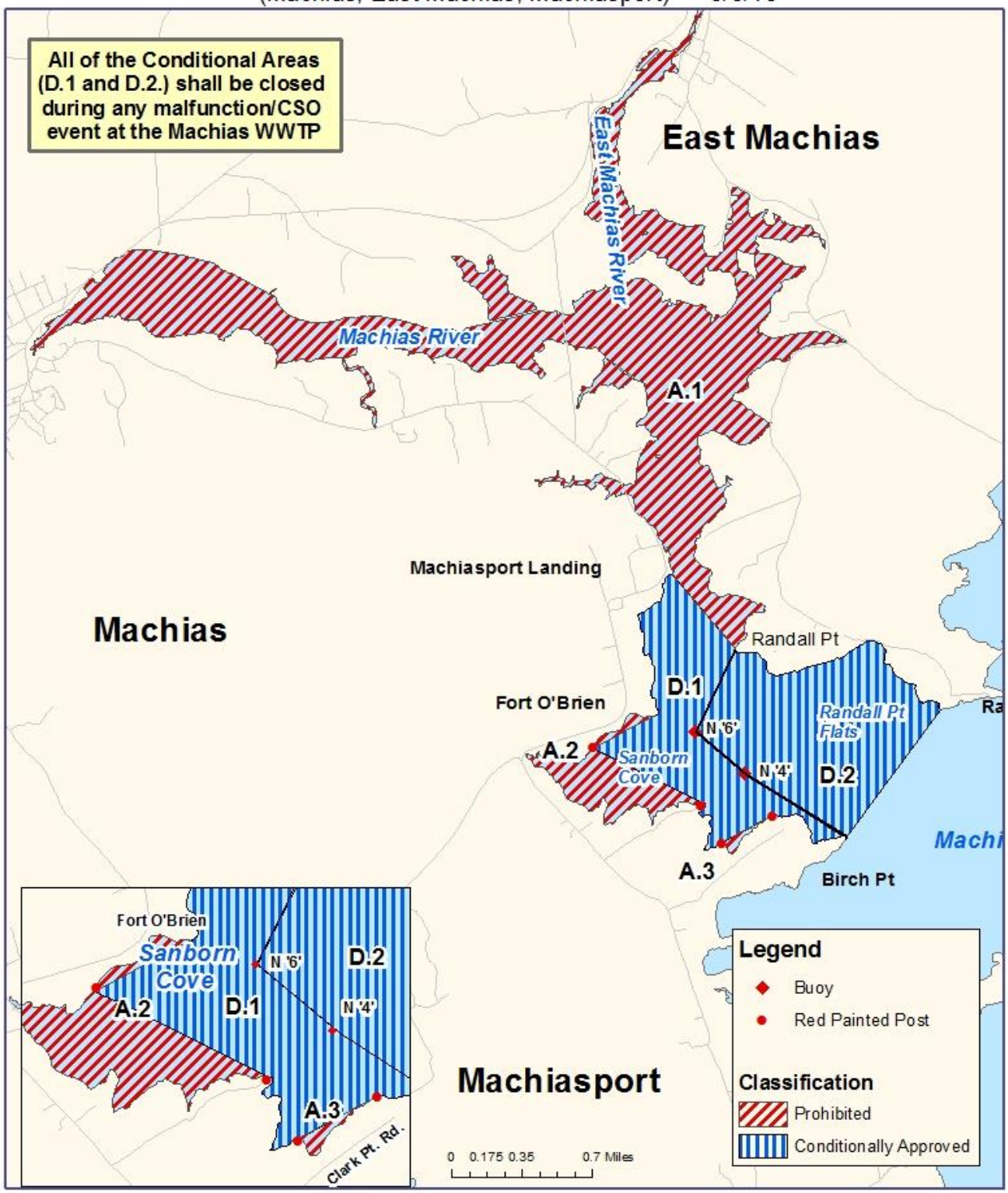
David W. Miller
Eastern Maine Growing Area
Commissioner's Designee

4:20 PM
(*Effective Time*)

Maine Department of Marine Resources

Pollution Area No. 55

Machias Bay and vicinity
(Machias, East Machias, Machiasport) 5/6/16



http://www.Maine.gov/dmr

PHONE: (207) 624-6550 FAX: (207) 624-6024