



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

July 7, 2022

**This notice is in effect until repealed or replaced.**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 changes to Growing Area EA, Dice Head (Castine) to Head of Cape Rosier (Brooksville). This notice reclassifies an area in the Upper Bagaduce River (Brooksville) from Prohibited to Approved due to water quality meeting approved standards. 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):

Prohibited: Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops taken from the shores, flats and waters of the following Prohibited areas:

- P1. Carpenter Cove (Penobscot): east of a line beginning at the south tip of Carpenter Point, then running southwest to the northeast tip of Winslow Island; AND north of a line beginning at the northeast tip of Winslow Island then running northeast to Freethy Point.
- P2. Winslow Cove (Penobscot): southeast of a line beginning at a red painted post located on the shore at an unnamed point of land east of Bridges Point, then running northeast to a red painted post located on the shore at the tip of Freethy Point.
- P3. 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.
- ~~P4. Upper Bagaduce River (Brooksville): south of a line beginning at a red painted post located on the shore of an unnamed point of land approximately 545 yards (line of sight) south of the western end (Brooksville side) of the State Route 175-176 bridge running south approximately 160 yards across the cove to a red painted post on the shore of the closest unnamed point of land.~~

- P54. 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 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.

Restricted: Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Restricted area without a special MDMR permit:

- R1. Snows Cove (Sedgwick): east of a line beginning at a red painted post located on the south shore of Snows Cove (approximately 400 yards southwest of the end of Horseshoe Lane), running north approximately 400 yards to a red painted post located on the north shore of Snows Cove approximately 150 yards south of the end of Otter Cove Lane.
- R2. Upper Bagaduce River (Brooksville, Sedgwick): south of a line beginning at a red painted post located on the shore approximately 100 yards north of the end of Bagaduce Lane, running west approximately 90 yards to red painted post on the opposite (Brooksville) shore.

Conditionally Approved (WWTP): Effective immediately, because of proximity to a WWTP, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) 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: <https://www.maine.gov/dmr/shellfish-sanitation-management/maps/index.html>.

- CA1. 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 a red painted post on the western tip of land in Tom Cod Cove, Brooksville; 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; 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.

Conditionally Approved (Seasonal): Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally Approved area(s) during the closed dates:

- CA2. 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 opposite shore in Castine; AND west of a line running from the same red-painted

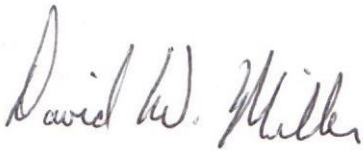
post on Jones Point then running north across the “narrows” of the Bagaduce River to the nearest opposite Penobscot shore (closed May 1<sup>st</sup> through October 31<sup>st</sup>).

Approved: All other shores, flats and waters not described in the above sections are Approved and it is lawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) when in the open status. For current status, please refer to the Biotxin and Emergency Closure Notices on the DMR website: <https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

A. Growing Area EA.

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](mailto: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: <https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>  
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

3:00 PM  
(Effective Time)