



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This notice is in effect until repealed or replaced.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 EG, Newbury Neck (Surry) to Wonderland (Southwest Harbor). This notice reclassifies an area in Duck Cove (Tremont) from Prohibited to Approved due to removal of an overboard discharge (OBD) and 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. Patten Bay, Union River (Surry, Ellsworth, Trenton): north and east 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).
- P2. Heath Brook Cove (Trenton): east and south of a line beginning at a red painted post on the north shore of the mouth of the 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).
- P3. Hodgson Cove (Mount Desert, Tremont): North of a line beginning at the prominent point on the western shore of Hodgson Cove running east to the shore near the end of Old Wharf Road; AND southeast of a line beginning at the prominent point on the western shore of Hodgson Cove running northeast to the prominent point of land on the north shore of the unnamed cove near the end of Town Line Road.

- P4. Bass Harbor (Tremont, Southwest Harbor): north of a line beginning at the most eastern tip of Lopaus Point running southeast to the light house at Bass Harbor Head.
- ~~P5. The Eastern Shore of Duck Cove (Tremont): within 550 feet of shore, beginning at a red painted post on the eastern shore of Duck Cove approximately 800 yards south from the mouth of Duck Cove Stream then running approximately 800 yards southeast to a red painted post on the shore located at the tip of a small unnamed point.~~

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 Ellsworth 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/closures/index.html>.

- CA1. 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 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).

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:

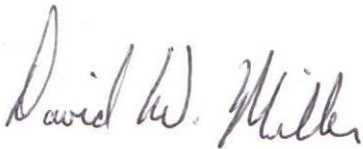
- CA2. Goose Cove (Trenton): north of a line beginning at a red painted post located on the eastern shore of Goose Cove approximately 375 yards southeast from the mouth of McFarland Brook then running west to a red painted post located on the western shore of the cove approximately 300 yards southwest from the mouth of McFarland Brook (closed June 1st through November 30th).
- CA3. Northwest Harbor (Bar Harbor); south of a line beginning at a red painted post on the northwest tip of the unnamed point at the end of Fire Road 818 running southwest to a red painted post on the unnamed point on the opposite shore (closed July 1st through October 31st).
- CA4. Pretty Marsh Harbor (Mount Desert): north and east of a line beginning at the southern tip of the peninsula at the end of Pirates Cove Lane running southeast to the north side of the first pier on the southern shore of the cove (closed June 1 through September 30).

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 EG.

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: <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,



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

3:00 PM
(Effective Time)