



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

May 23, 2024

This notice is in effect until repealed or replaced.

Under the authority of 12 M.R.S.A. § 6172; the Commissioner has made the following changes to Growing Area ER, Point of Maine to Thornton Pt (Cutler). This notice changes the Approved area and Restricted area in Holmes Bay (Whiting/Cutler) to seasonal Conditionally Approved due to water quality not meeting approved standards year-round. 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/fisheries/shellfish/shellfish-closures-and-aquaculture-leases-map>. 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. Machias and East Machias Rivers (Machias, East Machias, Machiasport): north and west of a line beginning at the southwest tip of Randall Point (Machiasport), running 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.

~~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. Holmes Stream (Whiting/Cutler): northeast of a line beginning at the western tip of an unnamed point on the north side of Huntley Creek (Cutler), then running northwest to the southern tip of land on the north shore of the mouth of Holmes Stream (Cutler).~~

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 Machias Wastewater Treatment Plant. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website: <https://www.maine.gov/dmr/fisheries/shellfish/closures>.

- CA1. Sanborn Cove (Machiasport), south and west of a line beginning at the southwest tip of Randall Point (Machiasport), running northwest across the river to the Machiasport Town Landing ramp (adjacent to the Machiasport Historical Society; AND northwest of a line beginning 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).

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. North Holmes Bay (Whiting/Cutler): north of a line beginning at a red painted post located approximately 400 yards east of the Machiasport-Whiting town line running east to the western most point of land on the north side of Huntley Creek (closed June 1st through September 30th).

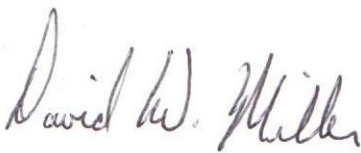
Approved: All other shores, flats and waters not described in the above sections are Approved and it is lawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) when in the open status. For current status, please refer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

<https://www.maine.gov/dmr/fisheries/shellfish/closures>.

- A. Growing Area ER.

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/fisheries/shellfish/shellfish-closures-and-aquaculture-leases-map>. This information is also recorded on our HOTLINE (207- 624-7727 OR 1-800-232-4733).



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

3:00 PM
(Effective Time)