



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

October 4, 2021

This notice is in effect until repealed or replaced.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 WB, Sisters Point (Kittery) to East Point (York). This notice reclassifies upper Brave Boat Harbor 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. Upper York River (York): north of Route 1 bridge.
- P2. Brave Boat Harbor and vicinity (Kittery, York): west of a line beginning at Sisters Point (Kittery), then extending northeast to red nun "2SR", and then extending northeast to the tip of East Point (York); AND east of a line starting at the southernmost point of land at the mouth of Brave Boat Harbor northern shore (York) and running south across the mouth of the Harbor to the most northeastern point of the prominent point of land, located on the opposite shore (Kittery); AND east of a line beginning at the most western point of Stage Neck (York) and running south to a red painted post on the mainland shore located approximately 72 yards west of the old pilings.
- ~~P3. Upper Brave Boat Harbor (Kittery): north and west of a line beginning at the old train trestle pilings, located on the northern shore of Brave Boat Harbor (York) and running southwest across the mouth of an unnamed creek to the opposite shore.~~

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. York River (York): north and west of Sewalls Bridge; AND south and east of Route 1 bridge.

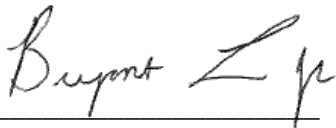
Conditionally Approved (Seasonal): Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) from the shores, flats and waters of the following Conditionally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

- CA1. Lower York River (York): east of Sewalls bridge; AND west of a line drawn from the most western point of Stage Neck running south to a red painted post on the opposite shore (closed May 1st through November 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 Biotoxin and Emergency Closure Notices on the DMR website: <https://www.maine.gov/dmr/shellfish-sanitation-management/closures/index.html>

- A. Growing Area WB.

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).



Bryant Lewis
Western Maine Growing Area Supervisor
Commissioner's Designee

4:00 PM
(Effective Time)