

July 19, 2023



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 19, 2023

This notice is in effect until repealed or replaced.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 EL, Petit Manan Point to Ripley Neck (Ripley). This notice reclassifies Lily Cove (Harrington) from Prohibited to Approved due to adjustments to discharge dilution calculations and water quality meeting approved standards. This notice also reclassifies Mill Creek (Harrington) and north of Smith Cove (Milbridge) from Restricted 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: [Shellfish Closures and Aquaculture Leases Map | Department of Marine Resources \(maine.gov\)](https://www.maine.gov/dmr/shellfish-closures-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. Upper Harrington River ~~and Lily Cove~~ (Harrington): north of a line beginning at the southern tip of Plummer Point (Harrington) running southeast to the point where the southern portion of Sunset Point Road (Harrington) meets the shore. ~~northwest mouth of Mill Creek and running northwest to an unnamed point of land on the opposite shore at the mouth of Lily Cove.~~
- P2. Narraguagus River to Mitchell Point (Cherryfield and Milbridge): northwest of a line beginning at the northeast tip of Long Point (Milbridge) then running northeast to the southwest tip of Fickett Point.
- P3. Smith Cove to Stover Cove (Milbridge): north of a line beginning at a red painted post on the northwest shore of Stover Cove running east to the northern point of the eastern shore at the mouth of Stover Cove, then running east to the USCG navigational aid, "C5"; AND south of a line beginning at the USCG navigational aid "C5" running northwest to the retaining wall at the north shore of Smith Cove.

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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. Curtis Creek (Flat Bay, Harrington): north of a line beginning at a red painted post located at the western point of land at the mouth of Curtis Creek, running to a red painted post on the opposite shore.
- R2. ~~Mill Creek (Harrington): east of a line beginning at the point of land at the south shore of the mouth of Mill Creek running north to the point of land at the north shore of the mouth of Mill Creek.~~
- R2. Turner Cove (Milbridge): southwest of a line beginning at the northern tip of Turner Point (Milbridge) running northwest to the shoreside bulkhead of Jordan's Pier.
- R4. ~~North of Smith Cove (Milbridge): west of a line beginning on the southern tip of a point of land at the end of Ocean Breeze Rd.; running southwest to the northeast point of land on the southern shore of Smith Cove; AND northeast of a line beginning at the northeast point of land on the southern shore of Smith Cove running northwest to the retaining wall at the north shore of Smith Cove (Milbridge).~~
- R3. Stover Cove (Milbridge): south of a line beginning at a red painted post on the northwest shore of Stover Cove running east to the northern point of the eastern shore at the mouth of Stover 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:

- CA1. Flat Bay (Harrington) south of a line beginning at a red painted post at the western point of land at the mouth of Curtis Creek, running east to a red painted post on the opposite shore; AND north of a line beginning at a red painted post on the tip of a prominent point of land on Keylog Shore and running west to the opposite shore (closed June 1st through October 31st).
- CA2. Back Bay (Milbridge): north and east of a line beginning at a red painted post located on the east shore of Wallace Cove running northwest to the north tip of Little Island, then running northwest in line with the eastern side of Back Bay Ledge to a point of land located on the west shore of Back Bay in line with the Milbridge FCC Cell Phone Tower (closed June 1st through October 31st).

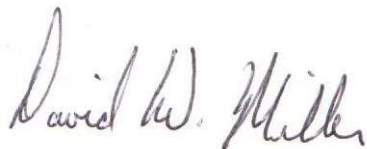
Approved: All other shores, flats and waters not described in the above sections are Approved and it is lawful to dig, take or possess any clams, quahogs, oysters, mussels or whole or roe-on scallops (from aquaculture leases with an MOU only) when in the open status. For current status, please refer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

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Biotoxin and Emergency Closure Notices on the DMR website: [Maine Growing Area Closures: Shellfish Area Inventory with Legal Notices and Maps | Department of Marine Resources](#)

A. Growing Area EL.

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: [Maine Growing Area Closures: Shellfish Area Inventory with Legal Notices and Maps | Department of Marine Resources](#). 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)