



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
MARINE RESOURCES LABORATORY
P.O. BOX 8, 194 MCKOWN POINT RD
W. BOOTHBAY HARBOR, MAINE
04575-0008

CARL J. WILSON
COMMISSIONER

May 13, 2025

Brianna Mitchell
PO Box 68
Prospect Harbor, ME 04669-0068

Re: Conservation Closure(s)/Opening(s)

Dear Ms. Mitchell:

This is to acknowledge the following conservation closure/opening request(s). **New requests are in BOLD.** These areas are closed to the harvest of softshell clams.

Effective	End	Shellfish Area	Status
4/30/2025	10/31/2025	Hog Island (Freemans Pt – Bradleys Pt): inland of a line beginning at an unnamed point east of Bunker Cove, then running south to the end of Freeman Ledge, then southeast to the north tip of Taft Point, then northeast to the south tip of Bradley Point.	Closed
4/30/2026	10/31/2027		
12/31/2024	6/30/2025	Jones Cove: Inland of a line beginning at the north tip of Taft Point running northeast to the south tip of Bradley Point.	Closed
12/31/2025	6/30/2026		
12/31/2024	6/30/2025	Deep Cove: inland of a line beginning at the north tip of Marsh Point, then northeast to Shag Ledge, then southeast to the north tip of Point Francis.	Closed
12/31/2025	6/30/2026		
9/30/2025	4/30/2026	Joy Bay: inland of a line beginning at the south tip of Baker Point Then south to the north tip of Rogers Point, then west and east tip of Garden Point.	Closed
6/30/2025	12/31/2025	Gouldsboro Bay (Point Francis – Sampson Point): inside and west of a line beginning at the north tip of Point Francis, then southeast to the northeast tip of Sampson Point.	Closed
6/30/2026	12/31/2026		
4/30/2025	10/31/2025	Schieffelin Point (Bunker Cove): All the shores and flats on the southeastern side of Schieffelin Point from the tip of Schieffelin Point to an unnamed point west of Hog Island/Freeman Point/ Bradley Point.	Closed
4/30/2026	10/31/2026		
12/31/2024	6/30/2025	Schieffelin Point (John Small Cove) – All the shores and flats on the west side of Schieffelin Point from the Gouldsboro – Sullivan town line marked with an orange painted rock and tree in John Small Cove south to the west tip of Schieffelin Point.	Closed
9/30/2025	6/30/2026		
6/30/2025	12/31/2025	South Gouldsboro/Stave Island – Inside and south of a line beginning at the north tip of Taft Point then southwest to the north tip of Stave Island; then heading south on the east and west side of the Island and meeting on the southernmost tip of Stave Island then southeast to the Gouldsboro-Winter Harbor town line, then north up the mainland to the north tip of Taft Point.	Closed
6/30/2026	12/31/2026		
4/30/2022	Indefinite	Stave Island Bar – Starts on the western side of the channel located between the mainland and the eastern tip of the Bar, including all flats to the extreme low water mark, heading west toward Stave Island, where the Bar meets the shore on Stave Island.	Closed
7/15/2020	Indefinite	West Bay – Joy Seas Road – Closed starting from an orange stake in front of a stump at 44.456555, -68.016356, heading east to an orange stake located at 44.456795, -68.015152, then north to an orange stake located at 44.457076, -68.015268, then west to an orange stake located at an unnamed point in front of a birch tree at 44.456833, -68.016423, then south back to the starting point.	Closed
12/20/2015	Indefinite	Birch Harbor-(EJ, P6)- Northwest of a line beginning at the eastern tip of an unnamed point on the southwest shore of Birch Harbor located approximately	Closed

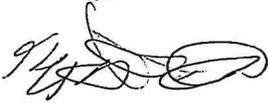
		600 yards south-southeast of the Rt 186 bridge, then running northeast to another unnamed point on the north shore approximately 467 yards southeast of the Rt 186 bridge.	
4/30/2025 4/30/2026	12/31/2025 12/31/2026	<u>Birch Harbor</u> - (EJ, CA1)- East of a line starting at the eastern tip of an unnamed point on the southwest shore of Birch Harbor located approx. 600 yards southeast of the Rt 186 bridge at the head of harbor, running northeast to another unnamed point on the north shore located approx. 467 yards southeast of the Rt. 186 bridge; and northwest of a line beginning on the southeast tip of Prospect Harbor Point and extending approximately 2000 feet to an unnamed point of land on the south side of the mouth of Birch Harbor.	Closed
4/30/2025 4/30/2026	12/31/2025 12/31/2026	<u>Prospect Harbor</u> – Starting at the Lighthouse located on the southern tip of Prospect Harbor Point, then running west to a red painted post located at Albee's Cottages. The area north of this line will be closed.	Closed
12/20/2015	Indefinite	<u>Prospect Harbor</u> -(EJ, P4)- west of a line beginning at the most southeastern tip of Pettees Point, running north to the USCG navigational aid "Gong 3" (east of Clarks Ledge): AND south and west of a line beginning at the USCG navigational aid "Gong 3" running northwest to an unnamed point on the west shore of Inner Harbor approximately 767 yards south of the mouth of Forbes Stream.	Closed
12/20/2015	Indefinite	<u>Sand Cove</u> -(EJ, P2)- West of a line beginning at the eastern tip of Sampson Pt. running southwest to the opposite shore forming the south side of an unnamed cove.	Closed
12/20/2015	Indefinite	<u>Corea Harbor</u> -(EJ, P3)- South and west of a line beginning at the east tip of Young's Point then running southeast to the west tip of Sheep Island and north of a line beginning at the west tip of Sheep Island, running southwest to the southern tip of an unnamed point of land forming the western mouth of Corea Harbor.	Closed
12/20/2015	Indefinite	<u>Shark Cove</u> -(EJ, P5)- Northeast of a line beginning at a red painted post at the northwest mouth of Shark Cove, then extending southeast to a red painted post on the southeast mouth of Shark Cove.	Closed
7/1/2024	Indefinite	<u>West Bay</u> (EJ CA2) - Northwest of a line beginning at a red painted post approximately 200 yards southeast of the end of Justin Lane running northeast to the southwestern point of land at the end of Jonathans Landing Road.	Closed *
06/01/2022	Indefinite	<u>Sunday Digging</u> : All shores and flats in the town of Gouldsboro will be closed for shellfish harvest on <u>Sundays</u> between April 1 and October 31.	Closed **

* This conservation closure will automatically close when the Department of Marine Resources (DMR) closes pollution area EJ, CA2 due to rainfall. This conservation closure will automatically open when DMR pollution area EJ, CA2 returns to the conditionally approved status.

**After at least 3 consecutive days of a state rainfall closure that includes the whole Town of Gouldsboro, the following Sunday will be open to commercial harvest for that Sunday only. Regular town conservation closures will still apply on that day.

This office approves of the Town of Gouldsboro's conservation measures. We appreciate your efforts to keep us informed on your conservation activities. If I can be of further assistance, please don't hesitate to contact me.

Sincerely,



Benjamin Wahle
Nearshore Marine Resources Program Supervisor

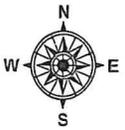
CC: Heidi Leighton, Area Biologist
Lt. Troy Dow, Marine Patrol Division II - Lamoine



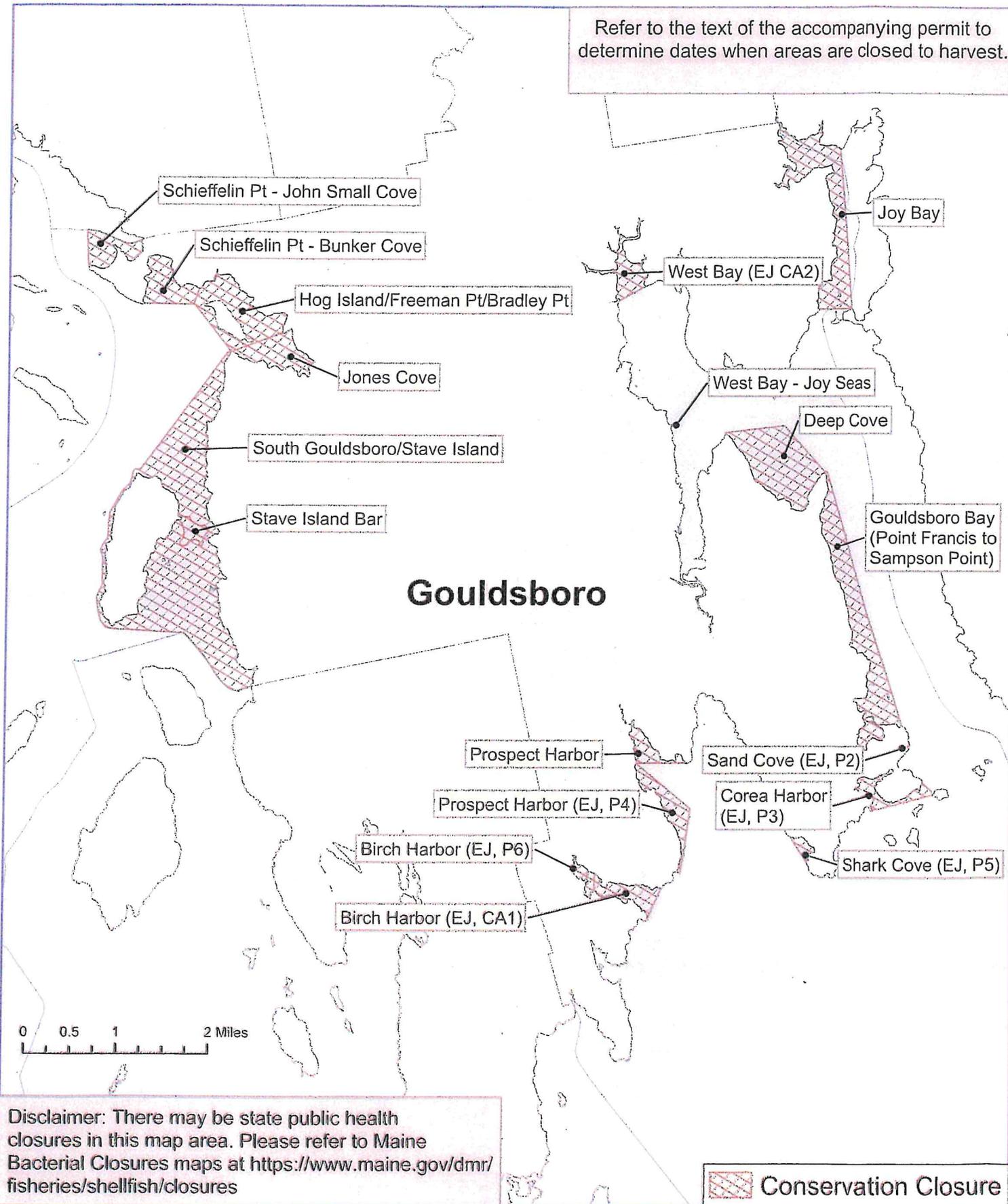
Maine Department of Marine Resources

Gouldsboro

Municipal Conservation Closures



Refer to the text of the accompanying permit to determine dates when areas are closed to harvest.



Disclaimer: There may be state public health closures in this map area. Please refer to Maine Bacterial Closures maps at <https://www.maine.gov/dmr/fisheries/shellfish/closures>

Shellfish Quick Reference

Hog Island: Closes: 4/30/25 Opens: 11/1/25
Closes: 4/30/26 Opens: 11/1/27

Jones Cove: Closes: 12/31/24 Opens: 7/1/25
Closes: 12/31/25 Opens: 7/1/26

Deep Cove: Closes: 12/31/24 Opens: 7/1/25
Closes: 12/31/25 Opens: 7/1/26

Joy Bay: Closes: 9/30/24 Opens: 5/1/25
Closes: 9/30/25 Opens: 5/1/26

Gouldsboro Bay (Point Francis): Closes: 6/30/25 Opens: 1/1/26
Closes: 6/30/26 Opens: 1/1/27

Schieffelin Point (Bunker Cove): Closes: 4/30/25 Opens: 11/1/25
Closes: 4/30/26 Opens: 11/1/26

Schieffelin Point (John Small): Closes: 12/31/24 Opens: 7/1/25
Closes: 9/30/25 Opens: 7/1/26

South Gouldsboro/ Stave Island: Closes: 6/30/25 Opens: 1/1/26
Closes: 6/30/26 Opens: 1/1/27

Birch Harbor (EJ CA1): Closes: 4/30/25 Opens: 1/1/26
Closes: 4/30/26 Opens: 1/1/27

Prospect Harbor: Closes: 4/30/25 Opens: 1/1/26
Closes: 4/30/26 Opens: 1/1/27

Night Harvesting: You can harvest clams from November 1 until April 1, 2 hours before sunrise and 2 hours after sunset

Sunday Digging: Commercial Harvesters can harvest clams on Sunday from November 1 until April 1

After at least 3 consecutive days of a state rainfall closure that includes that the whole Town of Gouldsboro the following Sunday will be open to commercial harvest for that Sunday only. Regular town conservation closures will still apply on that day.



For Closure Information

1. Go to Maine Department of Marine Resources
2. Click on Home Page
3. Click on Shellfish Sanitation & Management
 - 4. Click on Closures
 - 5. Click on Bacterial or Biotoxin

or

Call Maine Red Tide and Sanitation Hot line at
1-800-232-4733

Summary of Flats In Gouldsboro Including State Closures

Open Year Round:

Wonsqueak Harbor

Flats of West Bay

Bunkers Harbor

State Closures:

Corea Harbor

Prospect Harbor

Inner Birch Harbor

Shark Cove

Sand Cove

These areas are subject to CHANGE if you have any questions on where you can dig-
Go to the DMR Web Site using the information included on the following page or
contact the Gouldsboro Shellfish Warden Michael Pinkham at 664-8953 or the Town
Office at 963-5589

CONSERVATION EXCEPTIONS:

The board of Selectmen are authorized to make changes to certain conservation limits in this ordinance after receiving recommendations from the Shellfish Committee and after following proper hearing procedures. These changes will take effect five days from the date of approval and with public notification.

Exception: Night Harvesting: The change would allow the harvest of clams 2 hours before sunrise and 2 hours after sunset from November 1 until April 1.

Exception: Sunday Harvesting: Clams can't be harvested commercially on Sunday but can be harvested recreationally Sunday. The change allows commercial harvest of clams on Sunday from November 1 until April 1.

Exception: Volume Limits: It shall be unlawful to take or harvest more than 1 bushel of soft-shell clams from Stave Island Bar in 1 day.

Exception: Conservation Hours will be 7 hours per year for physical flat time and 3 hours of committee meeting time, for a commercial license.

Exception: Conservation time for a commercial license for a person 65 years of age is at least 3 hours.

Exception: Conservation time for a Junior Commercial License is at least 5 hours.

Exception: After at least 3 consecutive days of state rainfall closure that includes the whole Town of Gouldsboro, the following Sunday will be open to commercial harvest for that Sunday only. Regular town conservation closures will still apply on that day.

**TOWN OF GOULDSBORO
SHELLFISH CONSERVATION ORDINANCE**

Adopted: June 19, 2001
Amended: June 11, 2008
Amended: June 12, 2013
Amended: June 10, 2015
Rewrite approved-June 15, 2016
Amended: June 14, 2017
Amended: June 26, 2019

1. AUTHORITY

This ordinance is enacted in accordance with 12 M.R.S.A. Section 6671.

2. PURPOSE:

To establish a shellfish conservation program for the Town of Gouldsboro which will ensure the protection and optimum utilization of shellfish resources within its limits. These goals will be achieved by means which may include:

- A. Licensing
- B. Limiting the number of shellfish harvesters
- C. Restricting the number and area where digging is permitted
- D. Limiting the minimum size of clams taken
- E. Limiting the amount of clams taken daily by a harvester

3. SHELLFISH CONSERVATION COMMITTEE:

The Shellfish Conservation Committee consisting of five (5) members to be appointed by the selectmen for terms of one (1) year will administer the Shellfish Conservation Program for the Town of Gouldsboro.

The Committee's responsibilities include:

- A. Submitting to the Board of Selectmen proposals for the expenditures of funds for the purposes of shellfish conservation;
- B. Keeping this ordinance under review and making recommendations for its amendments;
- C. Securing and maintaining records of shellfish harvest from the town's managed shellfish areas and closed areas that are conditionally opened by the Department of Marine Resources;
- D. Recommending conservation closures and openings to the Board of Selectmen in conjunction with area biologists of the Department of Marine Resources;
- E. Submitting an annual report to the Municipality and Department of Marine Resources covering the above topics and all other committee activities;
- F. Conducting conservation programs.

4. AUTHORIZATION TO MAKE CONSERVATION CHANGES:

License issued by the Department of Marine Resources prior to harvesting clams for commercial purposes.

6.1 Designation, Scope and Qualifications

- A. Resident Commercial Shellfish License: This license is available to residents of the Town of Gouldsboro who have completed the shellfish conservation requirement and entitles the holder to harvest and take any amount of shellfish from the shores and flats of this municipality.
- B. Nonresident Commercial Shellfish License: This license is available to nonresidents of this municipality who have completed conservation requirements and entitles the holder to harvest and take any amount of shellfish from the shores and flats of this municipality.
- C. Resident Junior Commercial License: This license is available to any resident, who has attained his or her 13th birthday, but has not yet attained his or her 18th birthday as of 30 June of the application year. Conservation work will be required of anyone 16 years of age by June 30th. This license entitles the holder to harvest and take any amount of shellfish from the shores and flats of this municipality.
- D. Nonresident Junior Commercial License: This license is available to any nonresident, who has attained his or her 13th birthday but has not yet attained his or her 18th birthday as of 30 June of the application year. Conservation work will be required of anyone 16 years of age by June 30th. This license entitles the holder to harvest and take any amount of shellfish from the shores and flats of this municipality.
- E. Resident Recreational Shellfish License: This license is available to residents and Maine real estate tax payers of this municipality who do not hold a valid Maine State Commercial Shellfish License and entitles the holder to harvest and take no more than one peck of shellfish in any one day for personal use.
- F. Nonresident Recreational Shellfish License: This license is available to any person that is not a resident or real estate tax payer of this municipality who does not hold a valid Maine State Commercial Shellfish License and entitles the holder to harvest and take no more than one peck of shellfish in any one day for personal use.
- G. License must be signed: The licensee must sign the license to make it valid. The license must be in the holder's possession when engaged in harvesting. By signing the license the harvester acknowledges that he/she must submit to inspection by the Municipal Shellfish Warden.
- H. A person over 18 years of age enrolled in a secondary education program will be exempted from the 5 meeting requirements, but they will still be required to complete the 5 hours of conservation time in the field to obtain a shellfish license.

Notices of the number of licenses to be issued and the procedure for application shall be defined annually by the Municipal License Allocation Request.

A. The Town Clerk shall issue commercial licenses to those residents and nonresidents who have met the requirements of obtaining a commercial license. The Town Clerk shall issue licenses as allocated starting July 1st or the next business day. Nonresident licenses will be issued at a rate of 10% of all resident licenses issued on a first-come first-serve basis or by lottery.

B. Applicants who have held a commercial license for a longer period of time will have a greater opportunity of obtaining a license compared to those who have held a commercial license for a lesser period of time. In addition, those who have accomplished the required conservation time for a given year will have a greater opportunity of obtaining a license compared to those who have not completed their time. Licenses will be allocated from a list of qualified applicants prepared by the Shellfish Committee. Applicants will be prioritized in the following order and will only be eligible after completing required conservation time.

- i. Applicants who have held a commercial license for three (3) of the last three (3) years.
- ii. Applicants who have held a commercial license for two (2) of the last three (3) years.
- ii. Applicants who have held a commercial license for one (1) of the last three (3) years.
- iv. Applicants who are applying for a commercial license for the first time in the last three (3) years.

6.5 Limitation of Diggers: The number of licenses issued may be limited and will be issued according to the Municipal License Allocation Request as approved by Marine Resources.

A. Limited License Sales: If it is determined that Limited Licenses are necessary the Town Clerk shall issue licenses to residents and nonresidents as allocated from July 1st or the next business day and then for 90 days, after which licenses shall be sold without regard to residency on a first-come first-serve basis or by lottery.

B. Open License Sales: When the Shellfish Conservation Committee determines limiting shellfish licenses is not an appropriate shellfish management option for one or more license categories for the following year.

1. The Town Clerk shall issue licenses as allocated. On the first day of license sales, the total number of non-resident commercial licenses shall be issued in accordance with DMR regulations Chapter 7.4 section 1. Thereafter, non-resident licenses will be issued in accordance with the 10% rule as described

their Municipal Shellfish License from the Town of Gouldsboro suspended or right to obtain a license suspended until reinstated by DMR.

F. It shall be unlawful to engage in the activity of harvesting shellfish while the right to do so is under suspension. If an individual is caught harvesting soft shell clams while under suspension he/she will be charged as if he/she is harvesting soft shell clams without a license.

G. It shall be unlawful to harvest shellfish beyond restriction of the municipal license held by the individual engaging in the activity of harvesting shellfish. The fine shall be no less than \$100 or no more than \$500.

H. A non-license holder or a recreational license holder may not accompany a licensed commercial harvester with the intent of assisting in the harvesting and taking of shellfish.

7.1 A. Any licensee whose shellfish license has automatically been suspended pursuant to this section shall be entitled to a hearing before the Shellfish Committee upon the filing of a written request for hearing with the Town Clerk within thirty (30) days following the effective date of the suspension.

B. The licensee may appeal the decision of the Shellfish Committee before the Board of Selectmen by filing a written request of appeal with the Town Clerk within seven (7) days of the decision of the Shellfish Committee.

7.2 A. Harvesting of Clams in a Closed Area: Any shellfish licensee convicted of harvesting in an area closed for conservation shall have his/her license automatically suspended for thirty (30) days.

B. Harvesting Clams at Night: Any shellfish licensee convicted of night harvesting shall have his/her license automatically suspended for thirty (30) days.

8. CONSERVATION TIME:

All commercial license applicants will be required to complete ten (10) hours of conservation time for the purpose of executing shellfish conservation measures, including, but not limited to, reseeding and brushing projects, shellfish surveys, five (5) hours attending conservation committee meetings. Conservation time needs to be completed by May 25 of each year to be eligible to have a Commercial Shellfish License in the coming year. The Shellfish Warden will determine what combination of activities will be needed to meet the above requirements. The amount of conservation time which includes committee meeting and flat work will be regulated by the Selectmen upon recommendation from the Shellfish Committee. Or ten (10) hours of conservation time in the field with Shellfish Committee approval.

A. At 65 years of age an applicant may earn their entire ten hours of conservation time by attending Shellfish Committee meetings. The amount of meeting time will be regulated by the Selectmen upon recommendation by the Shellfish Committee.

The Town of Gouldsboro may, as part of its municipal shellfish program, place protective netting, fencing, traps or other gear in the intertidal zone to provide protection from shellfish predators. Any netting, fencing, traps or other gear placed for the purpose must be clearly marked with signs or tags that state that the gear belongs to the Town of Gouldsboro and indicate the purpose for the gear.

A. A person may not tamper with, molest, disturb, alter, destroy or in any manner handle gear placed by the Town of Gouldsboro in accordance with the above section.

B. A person who violates Section A commits a civil violation for which a fine of not less than \$300 and not more than \$1000 may be adjudged.

11. MINIMUM LEGAL SIZE OF SOFT SHELL CLAMS:

It is unlawful for any person to possess soft shell clams within the Town of Gouldsboro, County of Hancock which are less than two (2) inches in the longest diameter except as provided by Subsection A of this section.

A. Tolerance: Any person may possess soft shell clams that are less than two inches if they comprise less than 5% of any lot. The tolerance shall be determined by numerical count of not less than one (1) peck or more than four (4) pecks, taken at random from various parts of the lot or by a count of the entire lot if it contains less than one (1) peck.

B. Penalty: Whoever violates any provision of this section shall be punished by a fine of not less than \$100 for 5% to 10% short clams under 2 inches and not less than \$300 for over 15% short clams under 2 inches.

12. MAXIMUM SIZE OF SOFT SHELL CLAMS:

It shall be unlawful for any person to possess soft shell clams within the Town of Gouldsboro, Hancock County which are greater than four (4) inches in the longest diameter except as provided by subsection A.

A. Tolerance: Any person may possess soft shell clams that are greater than (4) four inches if they comprise less than 10 % of any lot. The tolerance shall be determined by using the same method listed in above in subsection A.

B. Penalty: Whoever violates any provision of this section shall be punished by a fine of not less than \$100 for 10% to 20% large clams over 4 inches in length in its longest diameter and not less than \$300 for over 20% clams over 4 inches.

13. VOLUME LIMITS:

The volume of clams harvested is subject to a limited take. The volume limit may vary from flat to flat. Exceptions to this section shall be regulated by the Selectmen upon recommendation from the shellfish committee. Exceptions shall be listed in the back of the ordinance packet.

20.2 Procedure:

A. Any proposal for an amendment shall be made to the Board of Selectmen in writing stating the specific changes requested. All such proposals shall be transmitted to the Shellfish Committee for their review and recommendation.

B. Within thirty (30) days of receiving a properly initiated amendment, the Board of Selectmen shall hold a public hearing on the proposal. Notice of the hearing shall be posted and advertised in a newspaper of general circulation within the community at least seven (7) days prior to the hearing. The notice shall contain the time, date, and place of the hearing and sufficient detail about the proposed changes as to give adequate notice of their content. If the proposed changes are extensive, a brief summary of the changes together with an indication that a full text is available at the Town Clerk's Office shall be adequate notice.

20.3 Amendment: This ordinance may be amended after proposed changes have been reviewed by the Department of Marine Resources by a majority vote of the Board of Selectmen and approved by the legislative body of the municipality.

20.4 State Law Changes: Any change to referenced State Laws in this Ordinance shall automatically update in the Ordinance upon enactment.

21. SEPARABILITY:

If any section, subsection, sentence or part of this ordinance is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance.

22. REPEAL:

Any ordinance regulating the harvesting or conservation of shellfish in the town and any provisions of any other town ordinance, which is inconsistent with this ordinance, is hereby repealed.

23. PERIOD OF ORDINANCE:

This ordinance shall remain in effect until amended or repealed by the town.

Sherri Cox

Attested
Sherri Cox
Clerk, Town of Gouldsboro

6-26-2019

Date Adopted