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GOVERNOR

STATE OF MAINE
DEPARTMENT OF
MARINE RESOURCES
MARINE RESOURCES LABORATORY
P.O. BOX 8, 194 MCKOWN POINT RD
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GEORGE D. LAPOINTE
COMMISSIONER

November 19, 2009

To: All Coastal Towns with Municipal Town Ordinances (Commercial Harvest)

RE: Solicitation of Priority Shellfish Harvest Areas for Inclusion in DMR/DEP Work Plan

As enacted by the 124th Legislature, Chapter 213 Section FFFF-4. 38 M.R.S. §410-I, sub-§3 the Department of Environmental Protection (DEP) and the Department of Marine Resources Public Health Division (DMR) must collaborate on developing an annual work plan outlining priorities for the monitoring and classification of shellfish growing areas and for hydrographic studies in shellfish growing areas. Additionally, the work plan must also prioritize remediation projects that will improve water quality within shellfish growing areas.

The law also instructs us to solicit priorities from municipalities with approved municipal shellfish programs for work within shellfish growing areas in those communities. In order for municipal recommendations to be considered for inclusion in a work plan, the municipality must commit to assist in the identification and remediation of nonpoint source pollution, including failing subsurface wastewater disposal systems, in areas affecting the water quality of shellfish growing areas.

The DEP and the DMR must meet to develop the work plan, considering the submissions from the municipalities and the existing shoreline survey schedule before January 15, 2010 in order to present the draft work plan report to the Shellfish Advisory Council established under Title 12, section 6038 by February 1, 2010.

We are asking for your prioritized list of commercially harvestable areas, considering all species of shellfish (clams, mussels, oysters and quahogs), both intertidal and subtidal resources postmarked by **December 31, 2009** in order to be considered for inclusion in the work plan. The submission must also include documentation of your commitment to have your codes enforcement/licensed plumbing inspector or municipal shellfish warden assist in the identification and remediation of point and non-point pollution.

If you have any questions, please contact your local Area Biologist.

Sincerely,

Amy M. Fitzpatrick
Director, DMR Public Health Division