

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, 6193 & 6194
Struck text is being removed, and underlined text is being added

BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 96.07 Area No. 100-A, ME/NH border to Small Point (Phippsburg), amended on August 25, 2009. This amendment reduces the closure area and limits the species to carnivorous snails and surf/hen clams, due to PSP returning to safe levels. All existing pollution closures remain in effect. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 96.07.

RULE TITLE AND SUBJECT: DMR Chapter 96.07 Area No. 100-A, ME/NH border to Small Point (Phippsburg), amended on August 25, 2009, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 96.07 Area No. 100-A, ME/NH border to Dyer Point (Cape Elizabeth) Small Point (Phippsburg)

Effective immediately, because of paralytic shellfish poisoning (PSP), it shall be unlawful to dig, take or possess any carnivorous snails or surf/hen clams from the shores flats and waters: east of the Maine/NH border, to the limits of US jurisdiction; AND west of a line beginning at the tip of Dyer Point (Cape Elizabeth), then running due south to the limits of US jurisdiction

~~Effective immediately, because of paralytic shellfish poisoning (PSP), it shall be unlawful to dig, take or possess any mussels, European oysters, carnivorous snails, and all species of clams from the shores flats and waters: east of the Maine/NH border, to the limits of US jurisdiction; AND west of a line beginning at the southern tip of Small Point (Phippsburg), then running due south to the limits of US jurisdiction. EXCEPTION: Soft-shell clams may be harvested in the Scarborough River, inside and shoreward of a line from the eastern tip of Pine Point running across the mouth of the river to the nearest point on the opposite shore. EXCEPTION: Mussels may be harvested at Clapboard Island (Falmouth). EXCEPTION: Mussels may be harvested at Bangs Island (Chebeague). EXCEPTION: All species of clams may be harvested in Casco Bay, north of a line beginning at the tip of Prince Point (Falmouth), then running southeast to the north tip of Long Island, then running east to the north tip of Hope Island, then running east to the south tip of Small Point (Phippsburg).~~

EFFECTIVE DATE: August 31, 2009

EFFECTIVE TIME: 12:24 PM

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Maine Department of Marine Resources


PSP Area No. 100-A

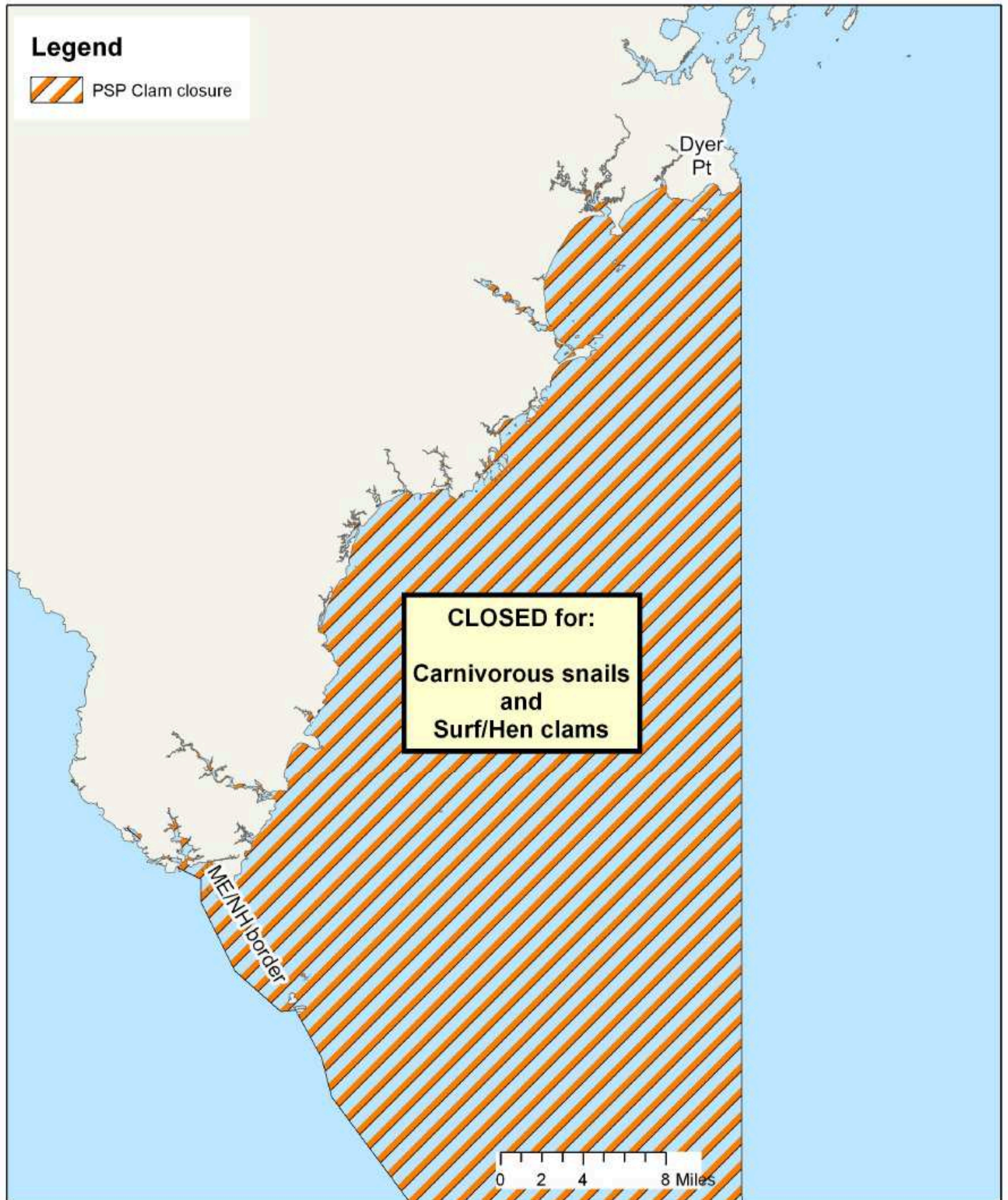
ME/NH border to Dyer Pt (Cape Elizabeth)



8/31/09

Legend

 PSP Clam closure



CLOSED for:
Carnivorous snails
and
Surf/Hen clams

0 2 4 8 Miles