NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.03 O, Closed Area No. 18-D, Eastern Bailey - Orr's Island - Western Quahog Bay, Harpswell, promulgated on August 5, 2002, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 O, Closed Area No. 18-D, Eastern Bailey, Orr's Island, and Gun Point Cove, Harpswell.

> Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the eastern shore of Bailey Island, Orr's Island, and Gun Point inside and westerly of a line extending from the southern end of Bailey Island; then running northerly to Dickson Point on the eastern side of the mouth of Lowell Cove on Orrs Island; then running northeasterly to the southern tip Long Point Island; then running northerly following the low tide mark to the southern side of the mouth of Card Cove; **and** inside and southerly of a line beginning on the western shore of Gun Point Cove at Rick Elliot's dock, just south of a small unnamed cove (approximately 3800 feet south of the head of the cove), and running due east to the opposite shore.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 13, 2003

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
Boothbay Harbor Laboratory
W. Boothbay Harbor, Me 04575

TIMES RECORD
January 16, 2003

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 O, Closed Area No. 18-D, Bailey's Island - Orr's Island - Western Quahog Bay, Harpswell, promulgated on August 5, 2002, and replaces it with a new regulation. This new regulation is an administrative change, which moves some of the Quahog Bay closures into the new regulation, DMR Regulation 95.03 Q, Closed Area No. 18-F, Quahog Bay.

The closed areas are subject to non-point microbiological pollution or potential pollution from overboard discharges and must remain closed to protect the public health.

E. PENN ESTABROOK
DEPUTY COMMISSIONER

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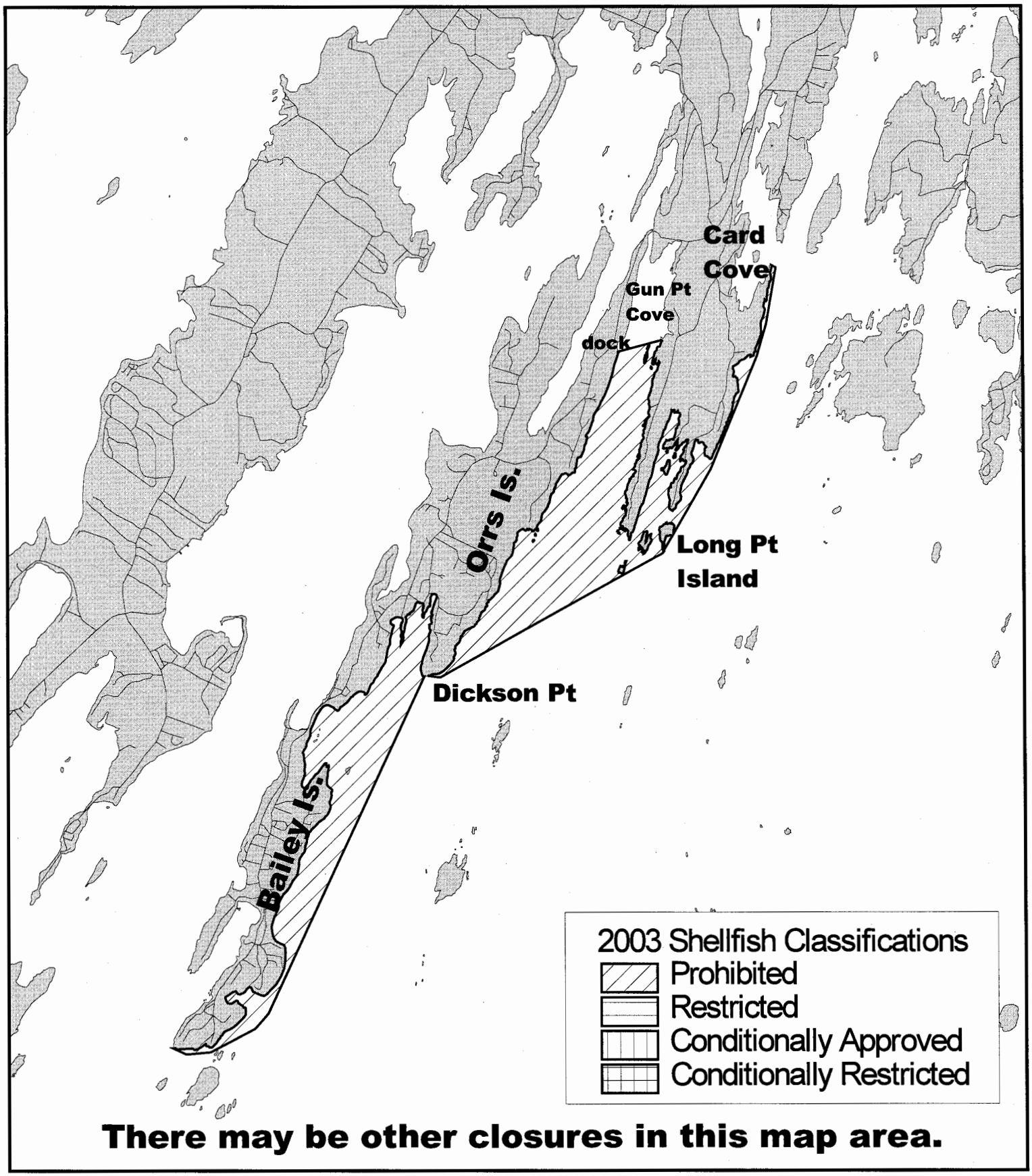
Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

1/9/03

C18D Eastern Bailey, Orrs Island, and Gun Point Cove, Harpswell



There may be other closures in this map area.

0.9 0 0.9 1.8 Miles