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Regulation 95.03 Z, Closed Area No. 18-M, Lookout Point, Middle Bay, Harpswell, promulgated on November 13, 1989, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.03 Z, Closed Area No. 18-M, Lookout Point and Wilson Cove, Harpswell.

1. Effective immediately, because of potential microbiological pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from the shores, intertidal flats and intertidal waters of Middle Bay, Harpswell, enclosed by the shoreline and the following two lines: (1) South end of Wilson Cove, southerly of a line beginning at a red painted post on the westernmost point in Wilson Cove and running about 200 yards across the south end of the cove (or about 400 yards along the shore) to a red painted post; and (2) Lookout Point, beginning at a red painted post located about 400 yards south of the northernmost tip of Lookout Point and continuing in a southerly direction for about 200 yards to a second red painted post.

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

EFFECTIVE DATE: July 25, 1990

AGENCY CONTACT PERSON: Robert D. Lewis
Department of Marine Resources
State House Station #21
Augusta, ME 04333

THE TIMES RECORD
July 28, 1990

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals DMR Regulation 95.03 Z, Closed Area No. 18-M, Lookout Point, Middle Bay, Harpswell, promulgated on November 13, 1989, and replaces it with a new rule. This new regulation adds a new area (Wilson Cove) to the previous closure.

Department personnel have determined that the closed area (Lookout Point) contains a licensed overboard waste discharge and the Wilson Cove area is subject to intermittent microbiological pollution. The probability of intermittent biological pollution from these two areas pose a threat to the public health and consequently the harvest of clams, mussels, oysters and quahogs is prohibited.

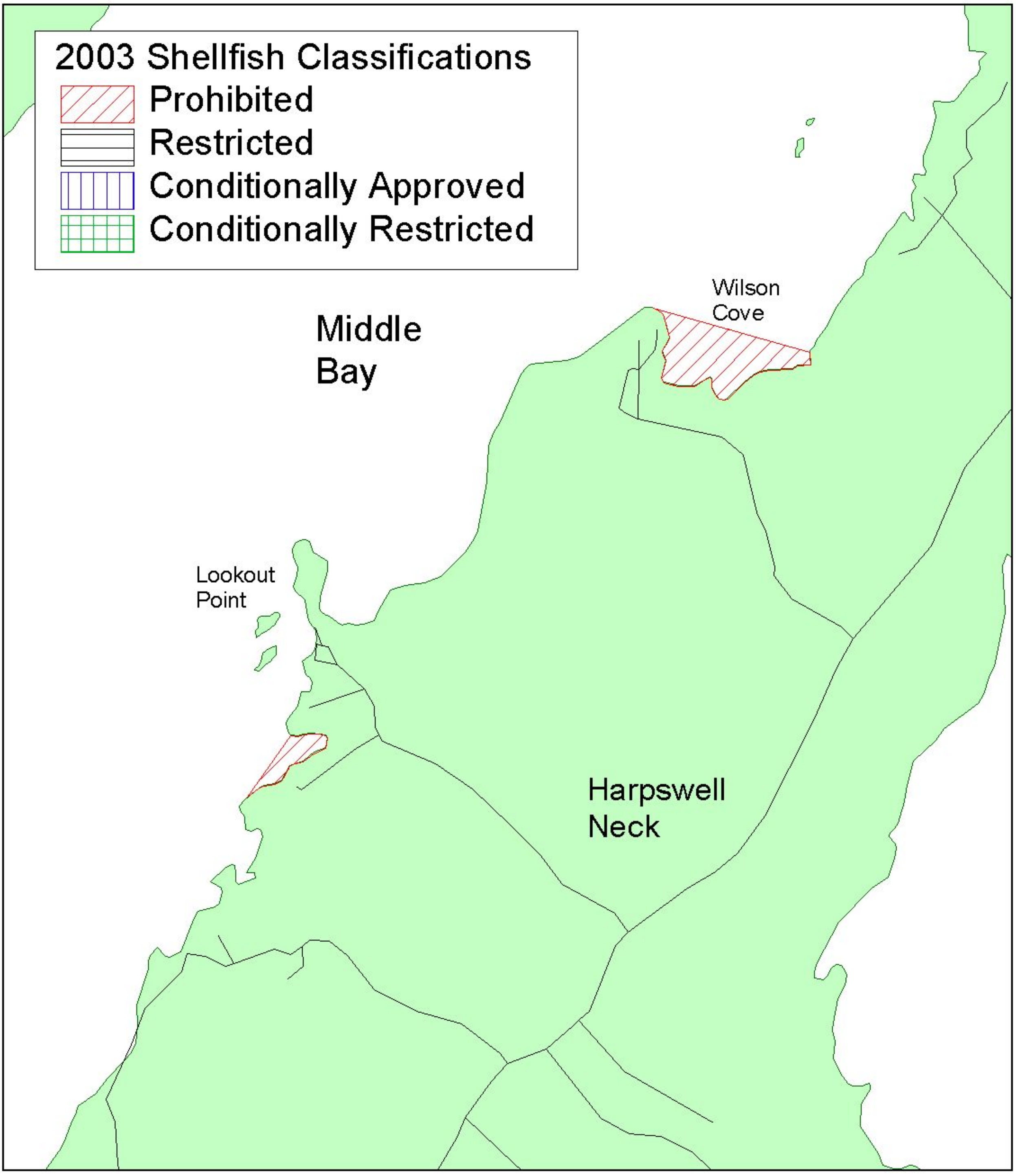
Anna M. Stanley

ANNA M. STANLEY, Administrative Officer
for WILLIAM J. BRENNAN, Commissioner

As authorized by 12 M.R.S.A. Section 6023

Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

7/25/90

C18M Lookout Pt-Wilson Cove, Harpswell