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PROMULGATION: DMR Regulation 95.05 KK, Closed Area 30-H, Kent Cove, North Haven, promulgated on December 15, 1997 is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 KK, Closed Area 30-H, Kent Cove, North Haven.

1. 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 following area in Kent Cove:

   That area north of a line beginning at the most eastern prominent point inside of Kent Cove, on North Haven Island and running west-southwesterly (about 1000 yards) to the most eastern prominence of Pease Island; then continuing west-southwesterly to the northern most point of the prominent unnamed point in the southern mouth of Armstrong Cove.

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

EFFECTIVE DATE: September 23, 1998

AGENCY CONTACT PERSON: Paul S. Anderson
Department of Marine Resources
McKown Point Road
West Boothbay Harbor, ME 04575

COURIER GAZETTE
September 29, 1998

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 KK, Closed Area 30-H, Kent Cove, North Haven, promulgated on December 15, 1997, and replaces it with a new regulation. This new regulation increases the closed area in Kent Cove by including Armstrong Cove.

Department of Marine Resources personnel have sampled the area and analysis of samples revealed that the newly closed area is subject to microbiological pollution. Consequently, harvest of shellfish in this closed area is prohibited to protect the public health.

E. PENN ESTABROOK, Deputy Commissioner

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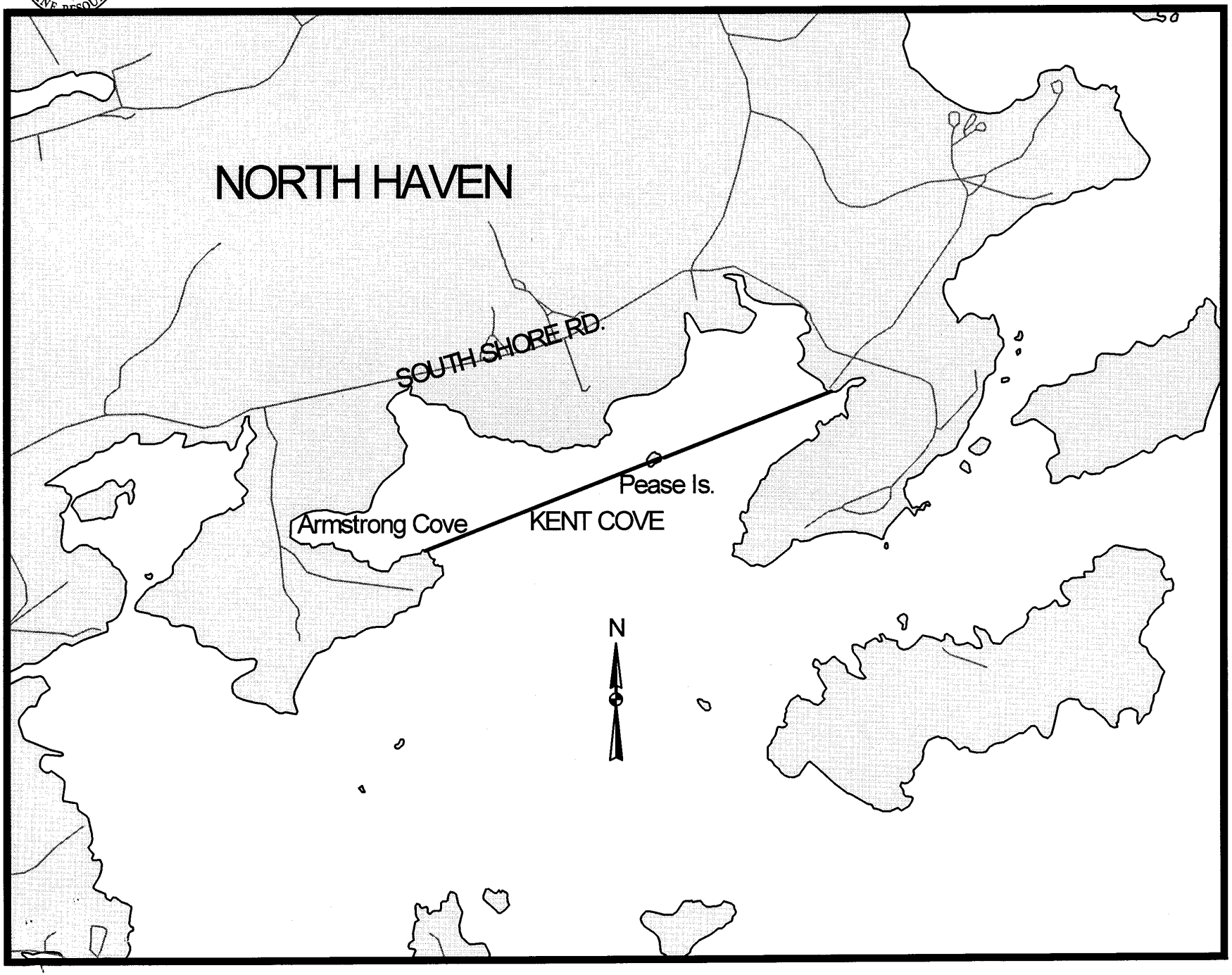
Department of Marine Resources

Legal Notice of Shellfish Closure Area 30-H, Kent Cove, North Haven