NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

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

RULE NUMBER AND TITLE: DMR Regulation 95.04 N, Closed Area No. 39-B, Eastern Flye Point, Brooklin.

TEXT OF RULE: DMR Regulation 95.04 N, Closed Area No. 39-B, Eastern Flye Point, Brooklin.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of eastern Flye Point, Brooklin inside and westerly of a line beginning at a red painted post located approximately 2000 yards north of Flye Point, extending due east to the lowest tide mark, then northerly approximately 830 yards along said tide line to a point due east of a pier, then due west to said pier.

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

EFFECTIVE DATE: October 10, 2002

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
McKown Point Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
October 15, 2002

STATEMENT OF FACT AND POLICY

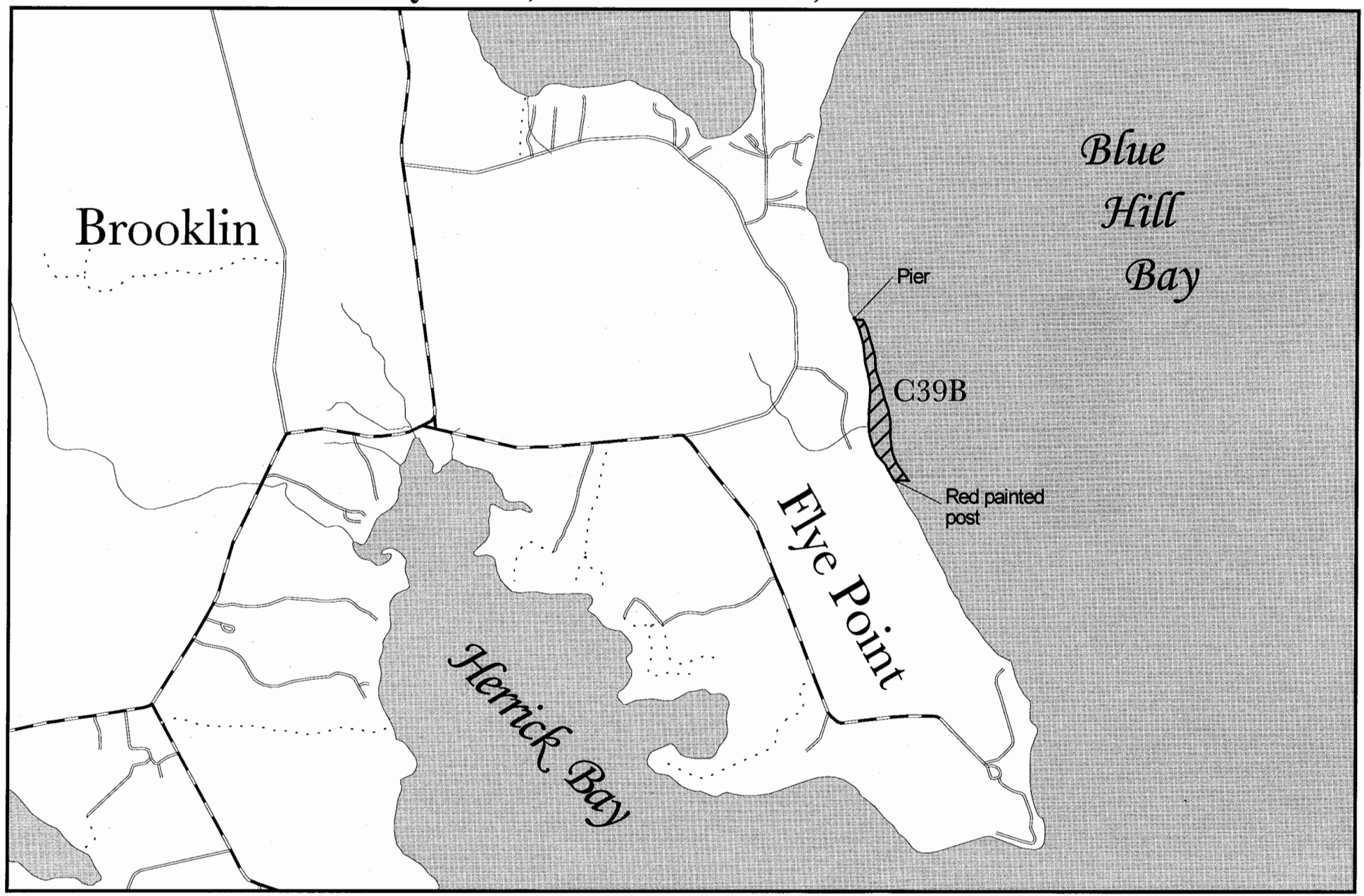
The Commissioner of the Maine Department of Marine Resources adopts this emergency rule to prevent the taking of clams, quahogs, oysters and mussels from shores, flats and waters of the eastern portion of the Flye Point, Brooklin.

Department personnel have sampled and surveyed this area and have determined that due to poor water quality (microbiological pollution) the above-described area must be closed to shellfish harvesting.

Lewis Flagg

LEWIS FLAGG
DEPUTY COMMISSIONER
(EXTERNAL AFFAIRS)

Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area
For: Brooklin

C39B - Eastern Flye Point, Brooklin Oct. 10, 2002