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REPEAL AND PROMULGATION: DMR Regulation 95.04 R, Closed Area No. 43, Southwest Harbor; promulgated on May 9, 1986, is repealed and replaced with the following rule:

TEXT OF RULE: 95.04 R, Closed Area No. 43, Southwest Harbor and Norwood Cove.

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 Southwest Harbor and Norwood Cove, west of a line beginning at Kings Point, running north to the southwest point of Greening Island, then northwest to the base of the fifth private pier north of the entrance to Norwood Cove.

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

EFFECTIVE DATE: July 16, 2004

AGENCY CONTACT PERSON: Amy Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay, ME 04575

BANGOR DAILY NEWS
July 20, 2004

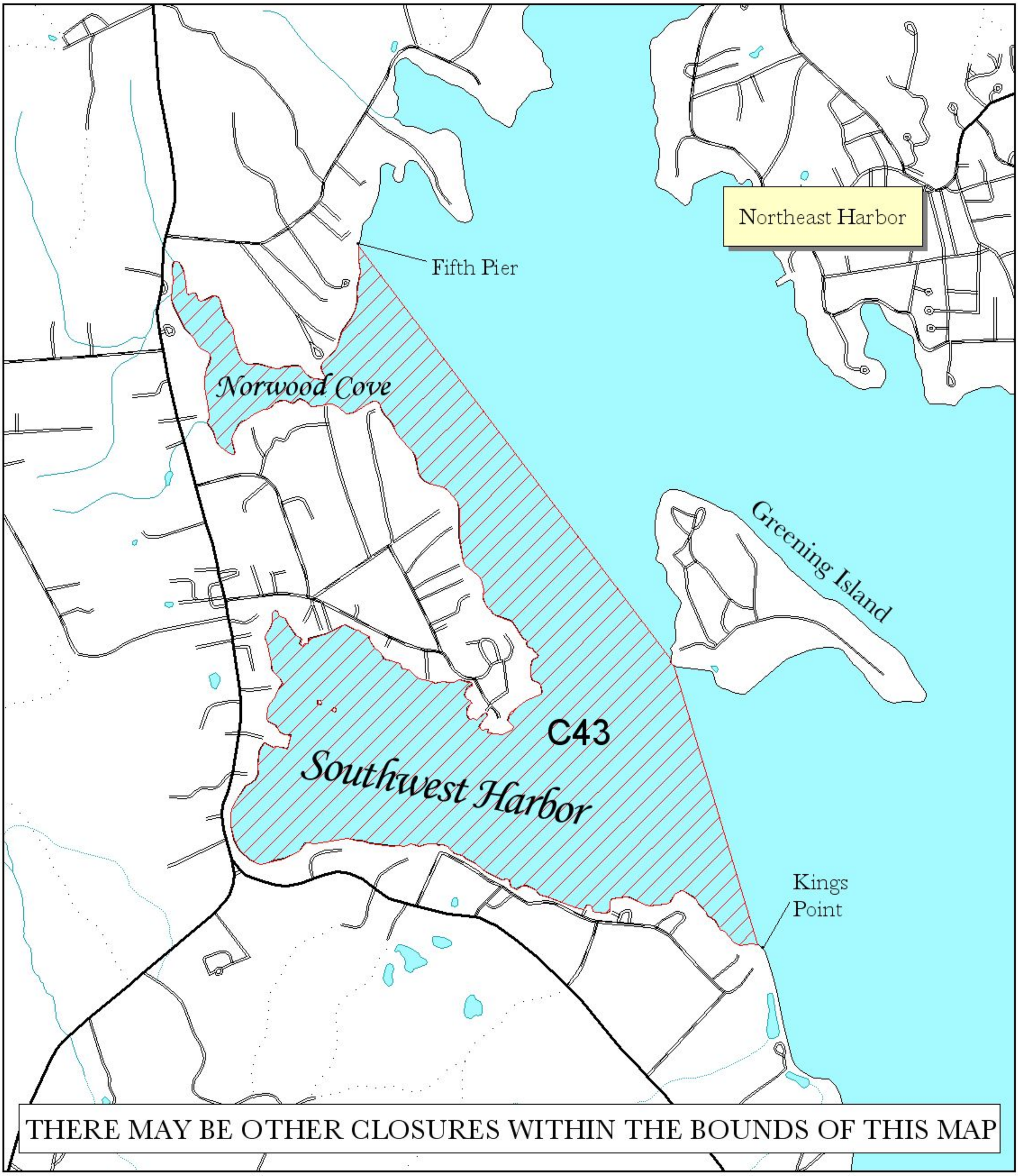
STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 R, Closed Area No. 43, Southwest Harbor; promulgated on May 9, 1986, and replaces it with a new regulation, which increases the size of the shellfish closure.

This increase is an administrative change due to the reduction in size of closure C44, which formerly covered this area.

DAVID ETNIER
DEPUTY COMMISSIONER

Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area
For: Mount Desert Southwest Harbor

C43 - Southwest Harbor and Norwood Cove 7/16/04