

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, 6193 & 6194
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BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.04(AA), Area No. 49-B, Skillings River, Lamoine-Hancock, amended on April 23, 2008. This amendment reclassifies the area at Carrying Place, Hancock from "Prohibited" to "Restricted" and increases the size of the "Restricted" area, due to water quality exceeding approved criteria at the "Approved"/"Prohibited" boundary line. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.04(AA).

RULE TITLE AND SUBJECT: DMR Chapter 95.04(AA), Area No. 49-B, Skillings River, Lamoine-Hancock, amended on April 23, 2008, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.04(AA), Area No. 49-B, Skillings River, Lamoine-Hancock

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels and other marine mollusks from all shores, flats and waters of the following areas:

1. Carrying Place, Hancock, north of the US Route 1 Bridge to a line that begins on the most northern tip of Cedar Point and extends due northwest to a red-painted post on the western shore of the Carrying Place the northern tip of Havey Point. This area is classified restricted and harvesting requires a special MDMR permit.
2. Kilkenny Cove, Hancock, north of (upstream) of a line beginning at a red-painted post on the northeast tip of an un-named point on the western shore of Kilkenny Cove. The post is 2,000 feet southeast of where US Route 1 crosses Kilkenny Stream. From this post the line extends due east across the cove to a red-painted post on the eastern shore of the cove.
3. Eagle Point, Lamoine, inside and west of a line starting at a red-painted post on the northeast tip of Partridge Point; then extending northeast 4,330 feet to the most northwestern tip of an un-named point on the Hancock shore opposite Eagle Point and then west to a red-painted post on the northeast tip of Eagle Point. This ~~new regulation classifies the area as~~ is classified restricted and ~~any harvesting~~ requires a special MDMR permit.
4. Mud Creek, Lamoine, westerly and inside of a line starting at a red-painted post on the western side of the mouth of Urann Cove (1400 feet from the Mud Creek Road culvert) and extending south across Mud Creek to a red-painted post on the southerly shore. This area is classified restricted and harvesting requires a special MDMR permit.

EFFECTIVE DATE: February 19, 2009

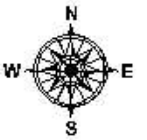
EFFECTIVE TIME: 9:00 AM

AGENCY CONTACT PERSON: Amy M. Fitzpatrick, Department of Marine Resources,
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http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm
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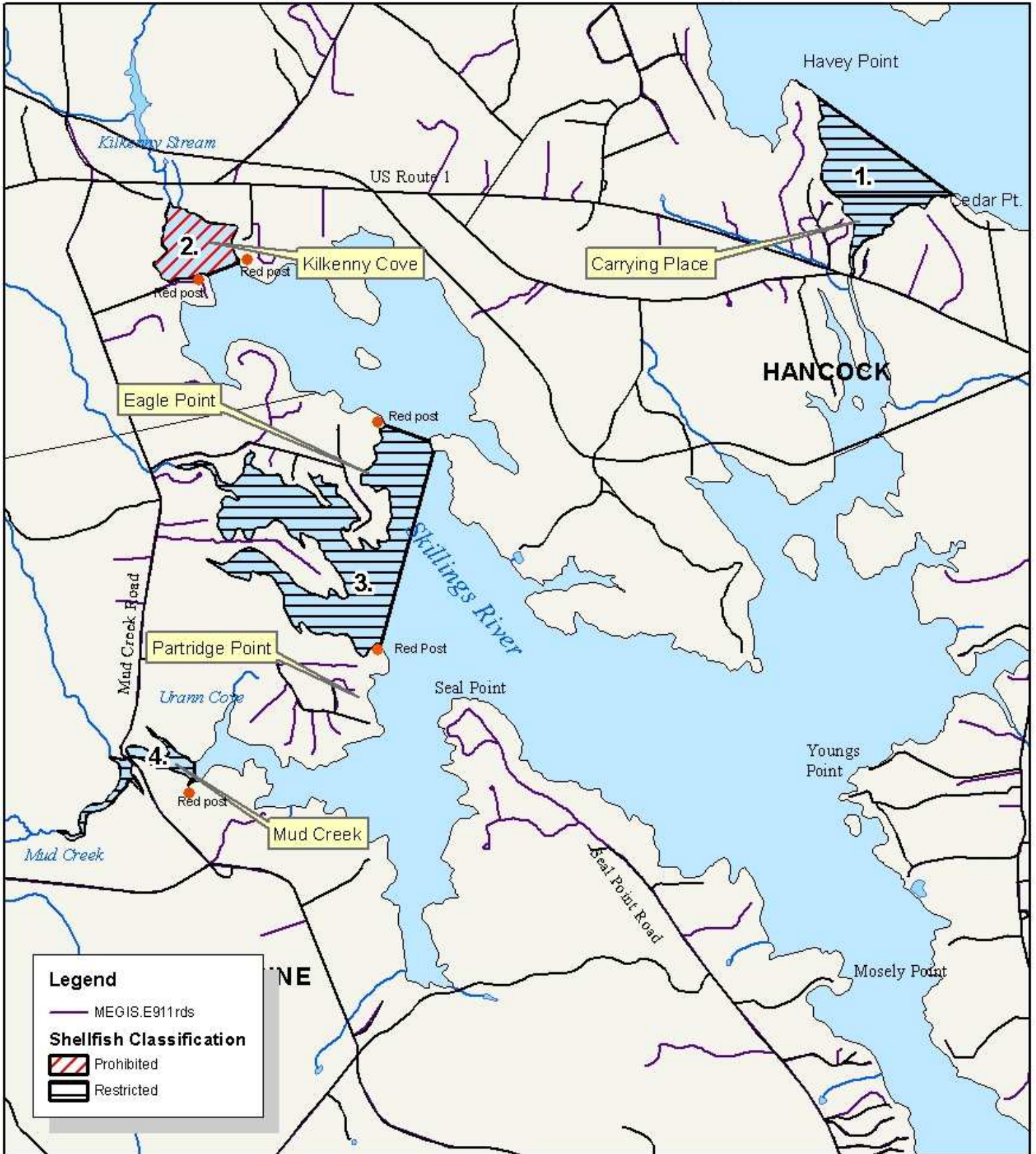
Maine Department of Marine Resources

Pollution Area No. 49-B



Skillings River, Lamoine-Hancock

February 18, 2009



Legend

— MEGIS.E911rds

Shellfish Classification

- Prohibited
- Restricted

0 1,700 3,400 6,800 Feet