NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

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

RULE PROMULGATION: DMR Regulation 95.04 L3, Closed Area No. 50-D, Evergreen Point, Sullivan.

TEXT OF RULE: DMR Regulation 95.04 L3, Closed Area No. 50-D, Evergreen Point, Sullivan

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 un-named cove northeast of Evergreen Point, Sullivan, east of a line starting at the northwest tip of Evergreen Point (Evergreen Point Road) and extending north approximately 910 yards to a red-marker on the most western tip of the un-named point (Plover Lane) on the northern shore of the cove. This new regulation classifies the area as restricted and any harvest requires a special MDMR permit.

EFFECTIVE DATE: May 18, 2005

AGENCY CONTACT PERSON:

Amy M. Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
May 23, 2005

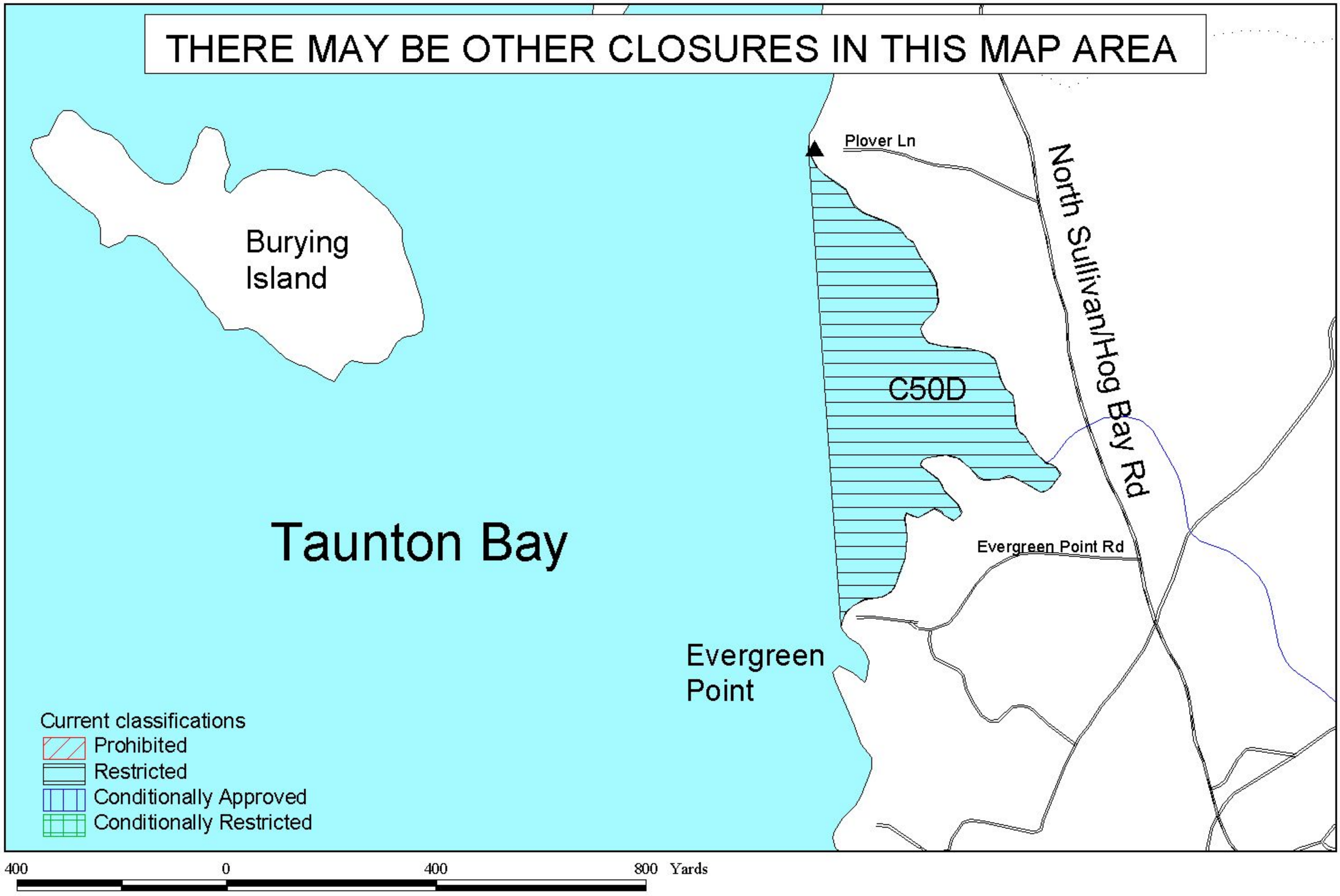
STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources promulgates emergency DMR Regulation 95.04 L3, Closed Area No. 50-D, Evergreen Point, Sullivan, to restrict the harvesting of shellfish from this area. This new regulation classifies the area as restricted and requires a special MDMR permit.

Department personnel have determined from water testing that this area is subject to intermittent microbiological pollution and that the harvesting of clams, quahogs, oysters, and mussels in these waters poses a threat to public health.

DAVID ETNIER
DEPUTY COMMISSIONER

Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area
For: Sullivan

50-D Evergreen Point, Sullivan **May 18, 2005**