

NOTICE OF EMERGENCY RULE-MAKING

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

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.11, Area No. 500, Coastal Maine, amended on November 15, 2009. This amendment reduces the size of the flood closure due to water quality returning to the approved standard. The following areas remain closed, due to water quality exceeding the approved standard: Hill Beach (Biddeford), the Kennebec and Sheepscot Rivers, the upper Medomak River (Waldoboro), and parts of Penobscot Bay. All existing pollution and red tide/psp closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.11.

RULE TITLE AND SUBJECT: DMR Chapter 95.11, Area No. 500, Coastal Maine, amended on November 15, 2009, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.11, Area No. 500, Coastal Maine

Effective immediately, because of pollution from heavy rainfall, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, or mussels from all shores, flats and territorial waters of the following areas: east of a line from the ME/NH border and west of line beginning at Squaw Point, Cape Jellison (Stockton Springs) running southeast to Head of Cape (Cape Rosier), then running southeast to Eagle Island Light (Eagle Island) and due south from Eagle Island Light (Eagle Island).

A. Hills Beach (Biddeford): inside and shoreward of a line beginning at the southeast corner of the mouth of the Saco River; then running southeast to the south tip of Basket Island; then continuing southeast to Fort Point.

B. Kennebec and Sheepscot Rivers: east of a line extending south from Small Point, Cape Small, Phippsburg, and west of a line extending south from Newagen, Southport Island.

C. Upper Medomak River (Waldoboro): north of a line extending southeast from Havener Point, Dutch Neck (Waldoboro) to the southernmost tip of Jones Neck (Waldoboro).

D. Penobscot Bay: north and shoreward of a line extending southeast from Spruce Head, Northport, to the westernmost point of Seven Hundred Acre Island, Islesboro; then extending southeast to the southernmost tip of Job Island, Islesboro; and then extending northeast to the southernmost point on Islesboro Island; AND west and shoreward of a line extending southwest from Squaw Point, Cape Jellison (Stockton Springs) to the northernmost point of land of Islesboro Island.

EFFECTIVE DATE: November 21, 2009

EFFECTIVE TIME: 1:52 PM

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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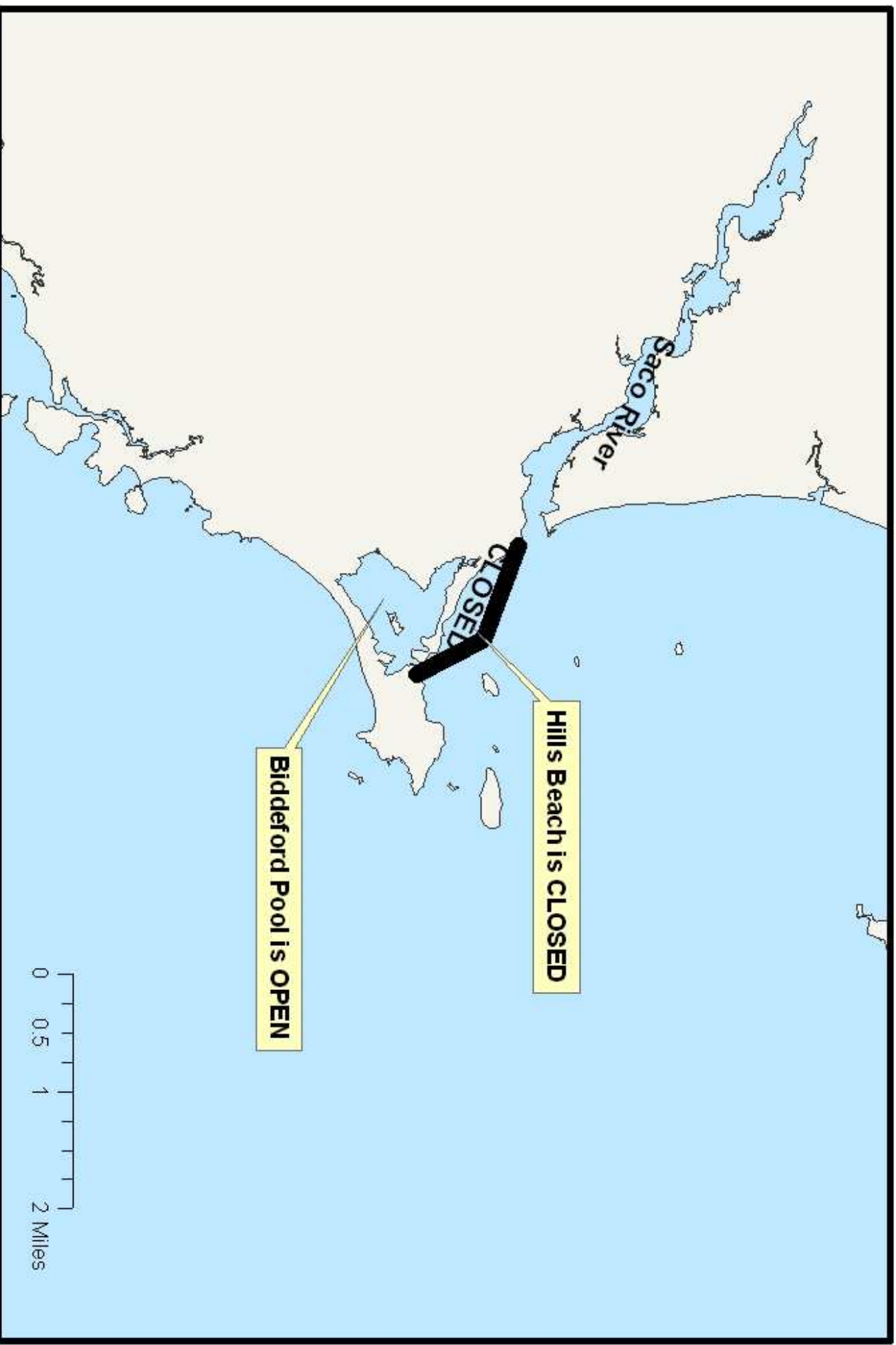


Maine Department of Marine Resources

Flood Closure Area No. 500- A. Hills Beach (Biddeford)



11.21.09

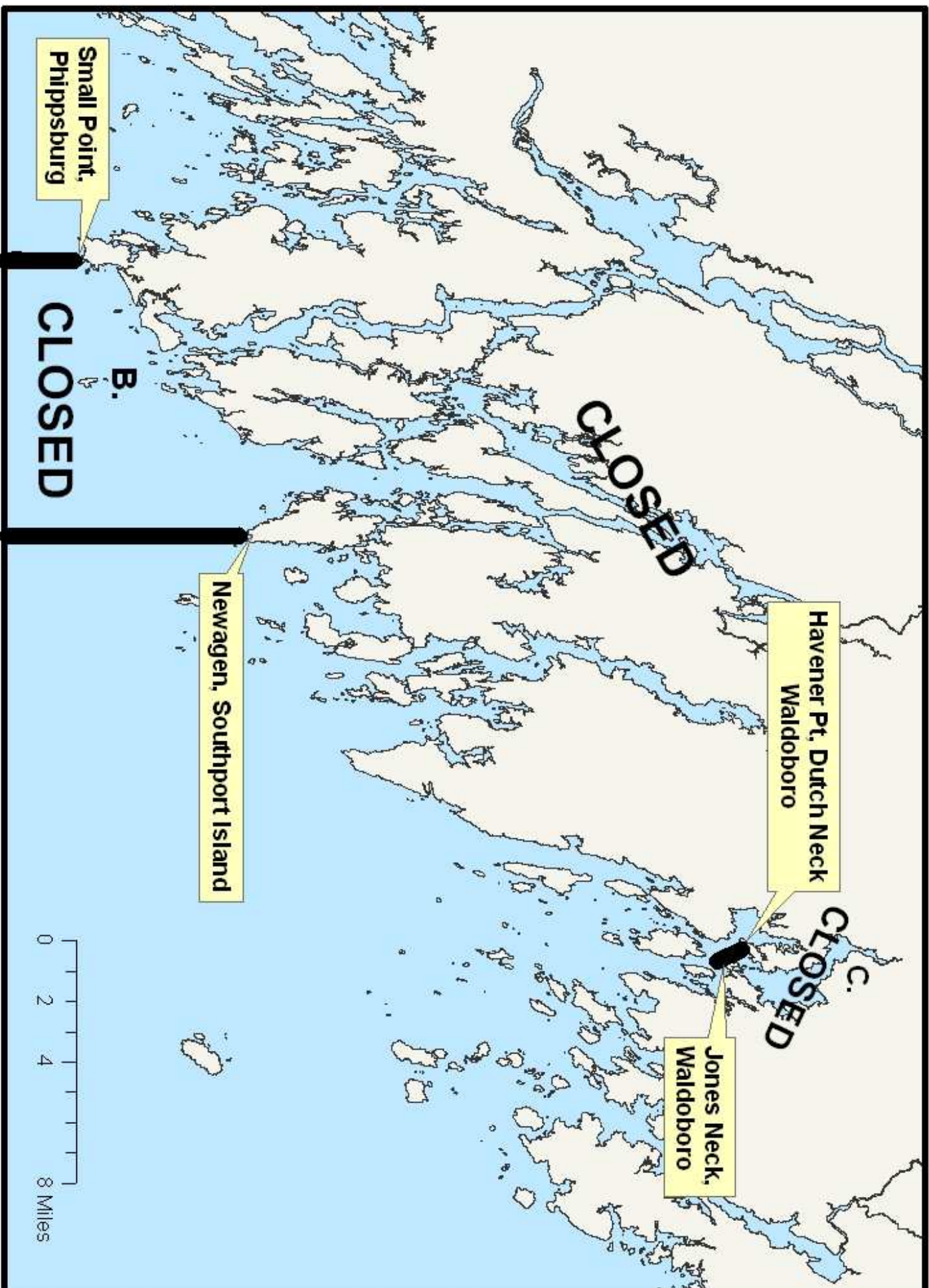




Maine Department of Marine Resources



Area No. 500- B. - Kennebec and Sheepscot Rivers and C. - Upper Medomak River **11.21.09**



Small Point,
Phippsburg

B.
CLOSED

Newagen, Southport Island

Haverer Pt., Dutch Neck
Waldoboro

C.
CLOSED

Jones Neck,
Waldoboro

0 2 4 8 Miles



Maine Department of Marine Resources

Area No. 500 - D. Penobscot Bay

11.21.09

