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DMR Regulation 95.09 II, Closed Area No. 54-G, Southwest Creek, Mason's Bay, Jonesport, promulgated on May 15, 1990, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.09 II, Closed Area No. 54-G, White Creek, Masons Bay, Jonesport-Jonesboro.

1. 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 White Creek, upstream of a line beginning at the southernmost tip of a point that divides Libby Creek from White Creek and running westerly(about 550 yards) to a red painted post located at the mouth (north shore) of Mansfield Creek in Jonesport.

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

EFFECTIVE DATE: May 22, 1996

AGENCY CONTACT PERSON: Paul Anderson
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BANGOR DAILY NEWS
May 28, 1996

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR regulation 95.09 II, Closed area No.54-G, Southwest Creek, Masons Bay, Jonesport, promulgated May 15, 1990, and replaces it with a new rule which closes White Creek.

Department personnel have sampled and surveyed the Masons Bay area and have determined that White Creek, Jonesport-Jonesboro, is subject to intermittent microbiological pollution and must be closed to protect the public health. It has also been determined that Southwest Creek, Jonesport, is no longer subject to pollution and that shellfish (clams, mussels, and oysters) can be harvested without threat to the public health.

E. PENN ESTABROOK
Deputy Commissioner

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25 Oct 95
Kilton Pt
Mud and Boulders
Closed AREA 54-H
RIVER
CLOSED AREA 54-G
Mt Misery
Mud and Boulders
Bobs Cove
Bobs Cove
Look Head
Look Head
Smith Pt
JONESBOROUGH
Mud
BAY
MASON
Mansfield
Spar Island
Dunn Island
Seal Rock
Flake Point Bar
Mason Bay
Monsapec
BM
93
Library
Rogers
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