

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 95.10(W) Area No. 6, Ogunquit River to Webhannet River (Ogunquit and Wells), amended on December 18, 2007. This amendment reclassifies all of the Ogunquit River from Conditionally Approved to Prohibited, and the Webhannet River from Restricted and Conditionally Approved to Prohibited, due to lack of a recent shoreline survey. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.10(W).

RULE TITLE AND SUBJECT: DMR Chapter 95.10(W) Area No. 6, Ogunquit River to Webhannet River (Ogunquit and Wells), amended on December 18, 2007, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.10(W) Area No. 6, Ogunquit River to Webhannet River (Ogunquit and Wells)

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 Ogunquit and Wells, inside and shoreward of a line beginning at the eastern tip of Israels Head (Ogunquit), then running northeast to Bibb Rock, then running north to the eastern tip of the northern jetty at the mouth of the Webhannet River (Wells).

~~A. 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 following areas:~~

- ~~1. Ogunquit River (Ogunquit): north of a line formed by the Ocean Street footbridge.~~
- ~~2. Ogunquit River, Ogunquit Beach, Moody Beach, Wells Beach (Ogunquit and Wells): south of a line formed by the Beach Street bridge (Ogunquit); AND inside and shoreward of a line beginning at Israels Head (Ogunquit); then running northeast to Bibb Rock; then continuing north to the east end of the jetty on the south side of the mouth of the Webhannet River (Wells).~~
- ~~3. Webhannet River (Wells): south of Mile Road. This area is classified as "Restricted," and requires a special MDMR permit.~~
- ~~4. Webhannet River (Wells): inside and shoreward of a line drawn across the mouth of Depot Brook. This area is classified as "Restricted," and requires a special MDMR permit.~~
- ~~5. Webhannet River (Wells): inside and shoreward of a line drawn across the mouth of Pope Creek. This area is classified as "Restricted," and requires a special MDMR permit.~~

~~B. Effective immediately, because of pollution, the shores, flats and waters of the Ogunquit River (Ogunquit): south of a line formed by the Ocean Street footbridge; AND north of a line beginning at the southeast end of Grasshopper Lane and extending due east across~~

~~the river; have been classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels from June 1 through October 31.~~

~~C. Effective immediately, because of pollution, the shores, flats and waters of the Ogunquit River (Ogunquit): south of a line beginning at the southeast end of Grasshopper Lane and extending due east across the river; AND north of a line formed by the Beach Street Bridge; have been classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels until water quality meets approved standards.~~

~~D. Effective immediately, because of pollution, the shores, flats and waters of the Webhannet River (Wells): inside and shoreward of a line running across the east end of the jetties at the mouth of the Webhannet River; south of a line across the mouth of Depot Brook, south of a line across the mouth of Pope Creek, AND north of Mile Road; have been classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels from May 1 through December 31.~~

EFFECTIVE DATE: February 13, 2009

EFFECTIVE TIME: 10:45 AM

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Maine Department of Marine Resources

Pollution Area No. 6



2/13/09

Ogunquit River to Webhannet River (Ogunquit and Wells)

