

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, 6193 & 6194
Struck text is being removed, and underlined text is being added

BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 96.03 Area No. 64-B, Western Head (Cutler) to the Canadian Border, amended on September 3, 2009. This amendment reduces the size of the closure area, due to PSP returning to safe levels. All existing pollution and red tide/psp closures remain in effect. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 96.03.

RULE TITLE AND SUBJECT: DMR Chapter 96.03 Area No. 64-B, Western Head (Cutler) to the Canadian Border, amended on September 3, 2009, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 96.03 Area No. 64-B, Western Head (Cutler) to the Canadian Border

Effective immediately, because of paralytic shellfish poisoning, it shall be unlawful to dig, take or possess any mussels or carnivorous snails from all shores, flats and waters:

- A. East of a line beginning at the easternmost tip of Western Head (Cutler), then extending due south to the limits of U.S. jurisdiction, AND west of a line beginning at the eastern tip of Eastern Head (Trescott Twp), then extending due south to the limits of U.S. jurisdiction.
- B. North of a line beginning at the eastern tip of Kendall Head (Eastport), then extending due east to the US/Canadian border.

~~Effective immediately, because of paralytic shellfish poisoning, it shall be unlawful to dig, take or possess any mussels, carnivorous snails, and European oysters from all shores, flats and waters east of a line beginning at the easternmost tip of Western Head (Cutler), then extending south to the limits of U.S. jurisdiction AND north and east to the US/Canadian border; AND east of a line beginning at the south tip of Birch Pt. (Perry) running south to the northern most point of Gove Pt. (Lubec) AND north and east to the US/Canadian border.~~

EFFECTIVE DATE: September 18, 2009

EFFECTIVE TIME: 12:45 PM

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Maine Department of Marine Resources

PSP Area No. 64-B



9/18/09

Western Head (Cutler) to the Canadian border

