

Department of Marine Resources
NOTICE OF AGENCY RULE-MAKING PROPOSAL

RULE TITLE: Chapter 90.02(C) Conservation Areas, Lincoln County, Wiscasset – boundary clarification

CONCISE SUMMARY: The proposed regulations would clarify the boundary description for enforcement purposes as there is a discrepancy in the distance between the landmarks and the dimensions stated in the current rule, which makes enforcement problematic. The former Freight House that has burned down and its adjacent stone pilings landmark would be updated with a reference to the distance of the stone pilings from the Route No. 1 Highway.

STATUTORY AUTHORITY: 12 M.R.S.A. §6171

PUBLIC HEARING: ***March 3, 2009, 6:00pm**, Department of Marine Resources, Large Conference Room, 200 McKown Point Road, West Boothbay Harbor

**The public hearings for four proposed rules will be held in numerical order starting with Chapter 13, followed by Chapters 25, 49 and 90. Each separate hearing will be held immediately upon the conclusion of the previous hearing. See separate rulemaking notices for rules not listed in this notice.*

DEADLINE FOR COMMENTS: **March 13, 2009**

To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.

AGENCY CONTACT PERSON: **Lt. Jon Cornish (207-633-9595)**

Mail Written Comments To:

Department of Marine Resources, attn L. Churchill

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(207) 633-9500 (Deaf/Hard of Hearing)

Hearing facilities:

If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578.

Additional information:

The proposed regulations would impact persons who hold a marine worm digger license and harvest this area by improving the enforceability of the regulation by updating and clarifying the boundary description.

This area was established by DMR scientist Ted Creaser in 1966 as a conservation area for marine worm research. His research continued until the late 1970's. Dr. William Ambrose from Bates College has continued the research to date, with funding by the DMR. The long term time series for this research is important to remain intact and uninterrupted for its use as a comparative study area to other sites coastwide.

(See delineated aerial photo on the next page.)

Proposed rulemaking – see underlined or ~~deleted~~ text below:

Chapter 90 - Conservation Areas

90.02 Lincoln County

C. Wiscasset

Conservation Area I. It shall be unlawful to dig or take in any manner any marine worms, clams, quahogs, mussels and oysters from all shores, flats and waters of a portion of Sheepscot River, Wiscasset, Lincoln County, approximately 200 ft. x 300 ft., bounded on the south by Route No. 1 Highway, on the east by the river channel, on the north by the stone pilings out to the river channel adjacent to the former Maine Central Railroad Freight House (approximately 192 yards from the Route No. 1 Highway), and on the west by the Maine Central Railroad property.

If you are unable to attend the hearing persons are encouraged to submit written comments from the receipt or posting of this notice through close of business on the deadline listed.

