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DMR Regulation 96.17, Closed Area No. 64-E, Eastern Washington County, promulgated on October 28, 2003, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 96.17, Closed Area No. 64-E, Eastern Washington County.

Effective immediately, because of Paralytic Shellfish Poison, it shall be unlawful to dig, take or possess any mussels, carnivorous whelks or carnivorous snails taken from all shores, flats and waters east of a line extending south from the southeast side of Moose Cove, Trescott, to the limits of U. S. jurisdiction and west of the U.S./Canadian border.

Exception: Mussels can be harvested south and inshore of a line beginning at the south tip of Leighton Point, Pembroke and extending east to the north tip of Denbow Point, Lubec.

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

EFFECTIVE DATE: June 3, 2004

AGENCY CONTACT PERSON:

Amy M Fitzpatrick
Department of Marine Resources
McKown Pt. Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
June 8, 2004

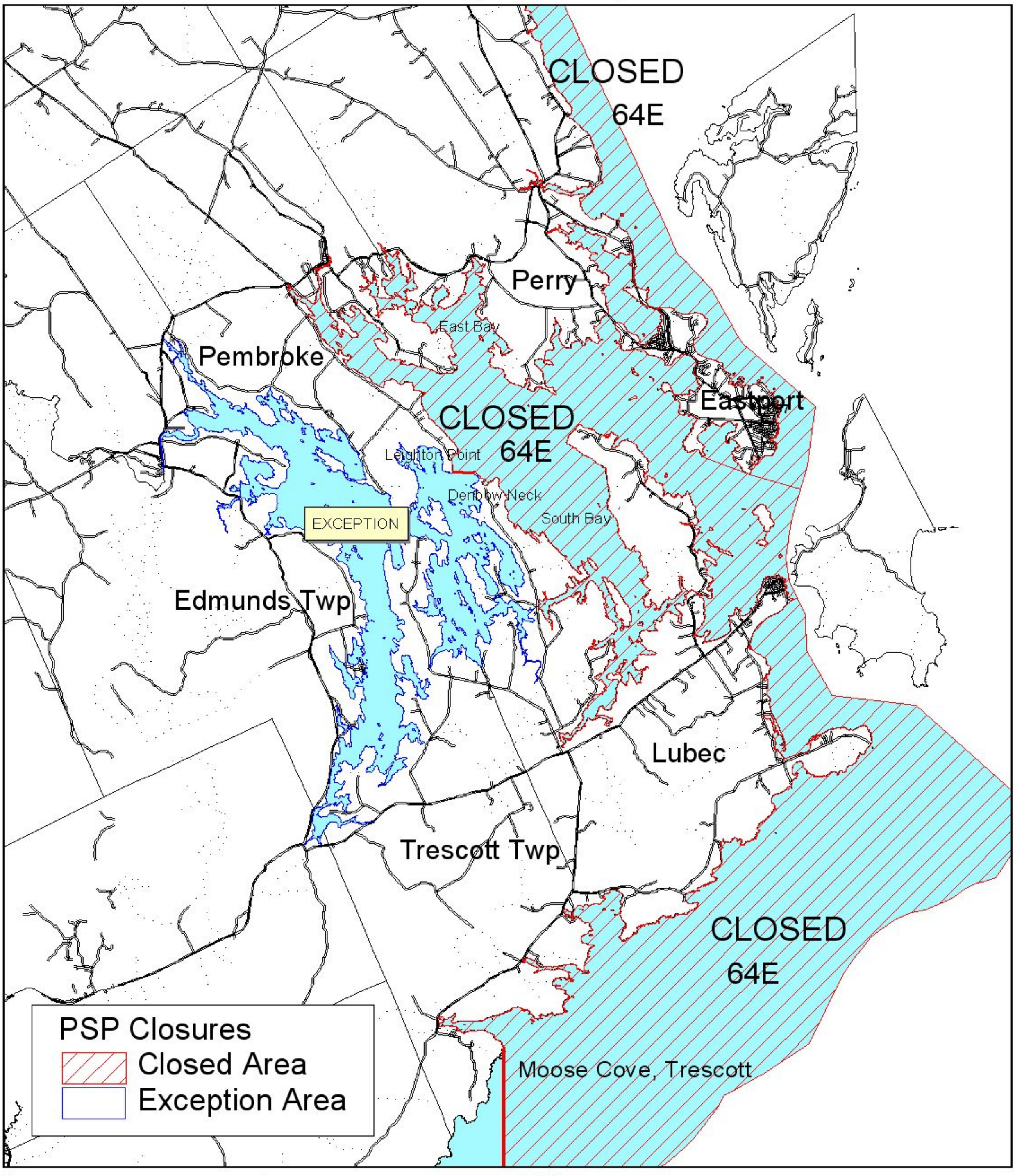
STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 96.17, Closed Area No. 64-E, Eastern Washington County, promulgated on October 28, 2003 and replaces it with a new regulation. This new regulation prohibits the harvest of mussels, carnivorous whelks or snails from Moose Cove, Trescott to the Canadian border, except that mussels may be harvested south of a line from Leighton Point, Pembroke to Denbow Point, Lubec.

Department personnel have sampled the mussels in the area and have found that the level of red tide toxin has started to increase. This is closed as a precaution to protect public health.

DAVID ETNIER
DEPUTY COMMISSIONER

Maine Department of Marine Resources

Legal Notice of PSP Closure Area

C64E - Eastern Washington County 6/3/04