

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192 & 6193

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05 J, Closed Area No. 28-B, Spruce Head Island, South Thomaston to Thorndike Point, South Thomaston, promulgated on May 4, 2006, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 J, Closed Area No. 28-B, Patten Point, St George to Thorndike Point, South Thomaston

Effective immediately, because of pollution, it shall be unlawful, to dig, take or possess any clams, mussels, oysters, or quahogs from the shores, flats and waters of

- A. Baum Bay, South Thomaston and St George: north of a line beginning at a red painted post located at the small beach on the southwest side of Elwell Point, South Thomaston and continuing to the north tip of Rackliff Island, St George, extending northwest to the southwest tip of Patten Point.
- B. Spruce Head Island, South Thomaston: inside of a line beginning at the end of Wharf Street, extending southwest to the north tip of Slins Island, then southeast to the south end of Burnt Island, then northeast to Red Nun "6", then northwest to Halls Point; AND east of a line across the Spruce Head Island bridge.
- C. Waterman's Beach, South Thomaston: inside of a line beginning at Halls Point and extending north to the wooden pier at Waterman's Beach.
- D. Thorndike Point, South Thomaston: west of a line beginning at the end of Pleasant Beach Road and extending south to the end of Maple Street at Thorndike Point.

EFFECTIVE DATE: August 20, 2007

EFFECTIVE TIME: 1:45 PM

AGENCY CONTACT PERSON: Amy M Fitzpatrick
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http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 J, Closed Area No. 28-B, Spruce Head Island, South Thomaston to Thorndike Point, South Thomaston, promulgated on May 4, 2006, and replaces it with a new regulation. This new regulation enlarges the closed area in Baum Bay, St George and South Thomaston. The closed areas are subject to point and non-point pollution and will remain closed to protect public health.



DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Pollution Closed Area No. 28B 8/20/07



Patten Point, St George to Thorndike Point, South Thomaston

