

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(B), Area No. 4, East Point to Bald Head Cliff (York), amended on March 4, 2008. This amendment creates a larger prohibited area around the York Wastewater Treatment plant outfall due to a re-assessment of the dilution needed to protect public health. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.10(B).

RULE TITLE AND SUBJECT: DMR Chapter 95.10(B), Area No. 4, East Point to Bald Head Cliff (York), amended on March 4, 2008, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.10(B), Area No. 4, East Point to Bald Head Cliff (York)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats, and waters inside and west of a line beginning at the east tip of East Point (York) extending northeast to Cape Neddick Nubble; AND inside (west) of a line beginning at the Cape Neddick Nubble, then extending north toward Bald Head Cliff. of the following areas:

- A. ~~Lobster Cove: inside (west) of a line beginning at Roaring Rock Point, then extending northwest to the end of Webber Road on Long Sands.~~
- B. ~~Cape Neddick Harbor and vicinity: north of a line beginning at the east tip of Cape Neddick; then extending east to the Cape Neddick Nubble; AND inside (west) of a line beginning at the Cape Neddick Nubble, then extending north toward Bald Head Cliff, staying 500 feet offshore around Bald Head to a red post 300 yards north of Bald Head Cliff.~~

EFFECTIVE DATE: December 29, 2008

EFFECTIVE TIME: 10:30 AM

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Maine Department of Marine Resources

Pollution Area No. 4

East Point to Bald Head (York)



12-29-08

