

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 95.03 K, Closed Area No. 13-B, Great Chebeague, Bates, Long and Cliff Islands (Cumberland, Long Island, Portland), amended on August 16, 2007. This amendment changes the title of the rule, and reclassifies Hope Island and most of Great Chebeague Island from "Approved" to "Prohibited," due to lack of a recent shoreline survey. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.03(K).

RULE TITLE AND SUBJECT: DMR Chapter 95.03 K, Closed Area No. 13-B, Great Chebeague, Bates, Long and Cliff Islands (Cumberland, Long Island, Portland), amended on August 16, 2007, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.03(K), Closed Area No. 13-B, Western Casco Bay (Long Island to Chebeague Island) ~~Great Chebeague, Bates, Long and Cliff Islands~~ (Cumberland, Long Island, Portland)

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

1. Chebeague Island: inside and shoreward of a line beginning at the point of land at the end of Sunset Rd, then running northwest to the red N'16' navigational buoy, then running northeast to the flashing red R'18' navigational buoy, then running northeast to the green C'9' navigational buoy, then running southeast to the north tip of Stockman Island, then running west to the point of land at the end of Central Landing Rd.
2. Chandler Cove (Chebeague Island): inside and shoreward of a line beginning at the south tip of Great Chebeague Island, then running northwest to the west tip of Indian Point.
3. Long Island (Long Island): within 500 feet of shore.
4. Hope Island (Cumberland Chebeague Island): within 500 feet of shore.
4. 5. Cliff Island (Portland): within 500 feet of shore.
2. 6. Bates Island (Cumberland Chebeague Island): inside and shoreward of a line beginning at the north tip of Bates Island; then running southwest to the south tip of Ministerial Island; then running southeast to the south tip of Bates Island.
1. ~~Great Chebeague Island (Cumberland): within 200 feet of shore, inside and shoreward of a line beginning at Chandler Cove Landing, then running approximately 600 feet south to the point of land at the northwest end of Bennett Cove.~~

EFFECTIVE DATE: January 22, 2009

EFFECTIVE TIME: 1:30 PM

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Maine Department of Marine Resources

Pollution Area No. 13-B

Western Casco Bay (Long Island to Chebeague Island)



1/22/09

