

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194
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BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.24, Area No. 1002, Maine/New Hampshire border to Maine/Canadian border (entire Maine Coast), amended on June 18, 2010. This amendment explains that suspended aquaculture activity may take place in all lobster pounds that otherwise meet the standards for permitted activity, and have been fallow (no longer used to contain lobsters) for the preceding 12 months. All existing pollution and red tide/PSP closures remain in effect. As authorized by 12 M.R.S. §§6172, 6192, 6193 & 6194 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.24.

RULE TITLE AND SUBJECT: DMR Chapter 95.24, Area No. 1002, Maine/New Hampshire border to Maine/Canadian border (entire Maine Coast), amended on June 18, 2010, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.24, Area No. 1002, Maine/New Hampshire border to Maine/Canadian border (entire Maine Coast)

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 inside non-shellfish commercial marine species containment areas (lobster pounds or other pounding areas) from the Maine/New Hampshire border to the Maine/Canadian border (entire Maine Coast). ~~except for aquaculture lease sites;~~

EXCEPTION: bivalve shellfish aquaculture, using suspended culture, may take place as otherwise permitted by DMR, in any lobster pounds or pounding areas that have been documented as fallow (no longer used to contain lobster) for at least the preceding 12 months.

~~EXCEPTION: The Bremen Co-op Lobster Pound (Bremen) located at the end of Cora Cressey Road, on Keene Neck (Bremen), northwest of Oar Island.~~

EFFECTIVE DATE: May 25, 2011

EFFECTIVE TIME: 8:26 AM

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