

## 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 95.03 (JJ), Area No. 17-C, Bailey Island, Orrs Island, and nearby southwest Sebascodegan Island (Harpowell) amended on March 10, 2010. This amendment reclassifies the western shore of Orrs Island from prohibited to approved due to water quality meeting approved standards. The area around Reed Cove is reclassified conditionally approved from prohibited due to seasonal impacts to water quality during the summer months; this area will be in the closed status from July 1-September 30. 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 95.03 (JJ).

**RULE TITLE AND SUBJECT:** DMR Chapter 95.03 (JJ), Area No. 17-C, Bailey Island, Orrs Island, and nearby southwest Sebascodegan Island (Harpowell), amended on March 10, 2010, is amended as follows:

**TITLE & TEXT OF RULE:** DMR Chapter 95.03 (JJ), Area No. 17-C, Bailey Island, Orrs Island, and nearby southwest Sebascodegan Island (Harpowell)

- 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:
- ~~Bailey Island and Orrs Island (Harpowell), within 500 ft of shore, bound by the following lines: south of a line beginning at the north tip of Dogs Head Island, then running southeast to the south tip of land on the west side of Lumbos Hole, then running northeast to a red painted post located on the point of land on the eastern shore Lumbos Hole, approximately 550 yards north of the Orrs Island bridge, AND north of a line extending northwest from the southern end of the Orrs Island bridge to a point of land on the northwestern most part of Orrs Island, then running north to the south tip of Dogs Head Island AND south of a line beginning on the west shore of Gun Point Cove at Rick Eliot's dock, just south of a small unnamed cove, then running due east to the red painted post on the opposite shore.~~
  - Sebascodegan Island (Harpowell), within 500 ft of shore, bound by the following: south of a line beginning on the west shore of Gun Point Cove at Rick Eliot's dock, just south of a small, unnamed cove, then running due east to the red painted post on the opposite shore, AND southeast of a point of land located at the end of Quahog Lane, at the mouth of Card Cove.
  - Gun Point Cove: north of a line beginning on the west shore of Gun Point Cove at Rick Elliot's dock, just south of a small unnamed cove (approximately 3800 feet south of the head of the cove), then running due east to the opposite shore; AND south and east of the Orrs Island bridge. This area is classified as "Restricted," and requires a special MDMR permit.
  - Card Cove, west of a line from the end of Quahog Lane to the end of Pinkham Point Rd and south of a line beginning at a red painted post, located on the shore at the intersection of Rt 24 and Long Point Rd and running due east to a red painted post on the shore at the end of Elton Farm Rd.
  - Bailey Island and Orrs Island (Harpowell), within 500 ft of shore, bound by the following lines: south of a line beginning on the west shore of Gun Point Cove at Rick Eliot's dock, just south of a small unnamed cove, then running due east to the red painted post on the opposite shore, AND south of a line running west from a red painted post on the shore, approximately 162 yards west of the junction of Rt 24 and Johnson Pt Road.

B. Effective immediately, because of intermittent seasonal pollution, the shores, flats and waters of the following area: south and east of a line beginning at a red painted post located on the shore at the northern most point of land on the southwest shore of Reed Cove, then running northeast to a red painted post located on the shore where Wilson Lane comes closest to the shore, have been classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels from July 1 through September 30.

EFFECTIVE DATE: November 14, 2011

EFFECTIVE TIME: 2:51 PM

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# Maine Department of Marine Resources

## Pollution Area No. 17-C



Bailey Is, Orrs Is, and nearby southwest Sebascodegan Is (Harpswell)

11/14/11

