

## 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(D), Area No. 18, Quahog Bay, Hen Cove, Ridley Cove (Harpwell), amended on February 11, 2011. This amendment clarifies the location of the boundary between the prohibited and the conditionally approved areas in Quahog Bay. 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(D).

**RULE TITLE AND SUBJECT:** DMR Chapter 95.03(D), Area No. 18, Quahog Bay, Hen Cove, Ridley Cove (Harpwell), amended on February 11, 2011, is amended as follows:

**TITLE & TEXT OF RULE:** DMR Chapter 95.03(D), Area No. 18, Quahog Bay, Hen Cove, Ridley Cove (Harpwell)

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. Western Quahog Bay: south of a line beginning at the ~~red painted post on the southernmost~~ tip of land at the end of Twin Coves Lane, then running west to the south tip of Tondreau Point, then continuing northwest to a red painted post on the west shore of Orrs Cove, AND west of a line starting at the ~~red painted post on the southernmost~~ tip of land at the end of Twin Coves Lane and running south to the northwestern-most tip of Snow Island, then continuing along the west and southern shoreline of Snow Island to the southeastern-most tip of Snow Island, and then continuing southwest to a red painted post located on the shore at the end of Sage Road; AND north of a line beginning at the south tip of Pinkham Point, then running southeast to the south tip of Bethel Point.
2. Hen Cove and the eastern shore of Ridley Cove: east and shoreward of a line starting at the south tip of Bethel Point, then running southeast to the southernmost tip of George Island, then running southwest to the northeast tip of Flash Island, then running southeast to the south tip of West Cundy Point.
3. Upper Brickyard Cove: north and shoreward of a line beginning at a red painted post located on the eastern shore of Brickyard Cove, approximately 850 feet from the head of the cove, and running west to a red painted post located on the western shore of Brickyard Cove.
4. Rich Cove: east and shoreward of a line beginning at a ~~red painted post located at the southernmost tip of land at the end of Harpswell By the Sea~~, and then running southeast to a red painted post located on the shore at the end of Vinal Road, located at the end of Catlin Shore Road.

B. Effective immediately, because of pollution, the shores, flats and waters of Orrs Cove, inside and north of a line beginning at the south tip of Tondreau Point, then running northwest to a red painted post on the west shore of the cove, have been classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels from May 1 through November 30.

C. Effective immediately, because of pollution, the shores, flats and waters of Eastern Quahog Bay, west of a line beginning at a ~~red painted post located~~ at the southernmost tip of land at the end of Harpswell By the Sea, and then running southeast to a red painted post located on the shore at the end of Vinal Road, located at the end of Catlin Shore Road; AND south of a line starting at the ~~red painted post on the southernmost~~ tip of land at the end of Twin Coves Lane and running northeast to the ~~red painted post on the southernmost~~ tip of land at the end of Harpswell By the Sea; AND east of a line beginning at a ~~red painted post on the southernmost~~ tip of land at the end of Twin Coves Lane and running south to the northwestern-most tip of Snow Island, then continuing along the north and east shoreline of Snow Island to the southeastern-most tip of Snow Island, and then continuing southwest to a red painted post located on the shore at the end of Sage Road, have been classified as “Conditionally Approved” and shall be closed to the harvest of clams, quahogs, oysters and mussels from June 1 through September 30.

EFFECTIVE DATE: March 15, 2011

EFFECTIVE TIME: 3:00 PM

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# Maine Department of Marine Resources

## Pollution Area No. 18



Quahog Bay, Hen Cove, Ridley Cove (Harpswell)

3/15/11

