

## NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources  
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194  
**Struck text is being removed, and underlined text is being added**

### BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Regulation 95.05 K, Closed Area No. 28-C, Rackliff Island, St. George amended on November 29, 1999. This amendment reclassifies an unnamed cove northwest of Rackliff Island from "approved" to "restricted," due to water quality not meeting the approved standard. 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 95.05 K.

**RULE TITLE AND SUBJECT:** DMR Chapter 95.05 K, Closed Area No. 28-C, Rackliff Island, St. George amended on November 29, 1999, is amended as follows:

**TITLE & TEXT OF RULE:** DMR Chapter 95.05(K), ~~Closed~~ Area No. 28-C, Rackliff Island, St. George

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 from the following areas:

- A. Within 300 feet of the shore of Rackliff Island, south of the easternmost and westernmost tips of the island.
- B. North of a line beginning at a red painted post located on the south tip of an un-named point 1400 feet northeast of Calf Island, then running southeast to the north end of the Rackliff Island causeway. This area is classified as "Restricted" and requires a special MDMR permit.

~~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 Rackliff Island, St. George, beginning at a line from the most westerly point of Rackliff Island which is approximately 1000 feet southwest of the south end of the causeway of Rackliff Island; then continuing around the island's southerly end to a point on Rackliff Island's eastern shore that is the closest point of Rackliff Island to the northern tip of Slins Island~~

EFFECTIVE DATE: January 7, 2011

EFFECTIVE TIME: 2:52 PM

AGENCY CONTACT PERSON: Amy M. Fitzpatrick, Department of Marine Resources,  
194 McKown Point Road, W. Boothbay Harbor, Maine 04575  
[http://www.maine.gov/dmr/rm/public\\_health/closures/closedarea.htm](http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm)  
EMAIL: [Amy.Fitzpatrick@maine.gov](mailto:Amy.Fitzpatrick@maine.gov)



# Maine Department of Marine Resources

## Pollution Area No. 28-C



Cline Road to Rackliff Island, St George

1/7/11

