

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 95.05(LL) Area No. 30-I, North Haven Island amended on January 26, 2012. This amendment reclassifies Shipwreck Cove, Vinalhaven to approved due to water quality 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(LL).

RULE TITLE AND SUBJECT: Chapter 95.05(LL) Area No. 30-I, North Haven Island, amended on January 26, 2012, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.05(LL) Area No. 30-I, North Haven Island

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. North Haven: west of a line formed by the Pulpit Harbor Bridge; and east of a line across the mouth of Pulpit Harbor, North Haven from the red post on the southeast point of the entrance to the northwest point of the entrance.
2. North Haven: South of a line drawn east from the north tip of Deacon Browns Point to the north tip of the un-named point south of Pulpit Rock, North Haven.
3. North Haven: East of a line drawn from the north tip of Mackerel Point, North Haven to the nun buoy at Egg Rock Ledge and west of a line drawn south from the nun buoy at Egg Rock Ledge to a red painted post on the North Haven shore approximately 800 yards northeast of the north tip of Mackerel Point.
4. North Haven: inside of a line across the mouth of Bartlett Harbor from the prominent point on the north side to a red post 200 feet west of the prominent point on the south side.
5. Southern Harbor, North Haven: Inside of a line beginning at a red painted post located on the southernmost point of "Seaview Cemetery Cove" and running northwesterly about 1,000 feet to a red painted post on the northwestern shore of said cove.
6. Vinalhaven and North Haven: north of a line beginning at the southern tip of the un-named point southwest of Hopkins Point, Vinalhaven, extending northeast to the south tip of Hopkins Point, Vinalhaven, then northeast to ~~an unnamed point 2000 feet southeast of the south tip of Zeke Point, Vinalhaven;~~ AND west of a line beginning at the north tip of Zeke Point extending north to the south tip of Fish Point, North Haven; AND east of a line beginning at the south tip of Ames Point, North Haven, extending southwest to the south point on the Sugar Loaves, then to the south tip of Browns Head on Vinalhaven.
7. Kent Cove, North Haven: north of a line beginning at the end of the most eastern prominent point inside of Kent Cove, North Haven and continuing southwest to the north tip of the unnamed point on the south shore of Armstrong Cove, North Haven.
8. Indian Point, and Burnt Island, North Haven: south of a line drawn northwest from the western tip of Burnt Island to a red painted post on the eastern tip of the point approximately 185 yards north of the end of Coopers Lane on North Haven Island AND north of a line beginning at the most southern point of Burnt Island and continuing southwest to a red painted post on an unnamed point on North Haven Island.

9. Southern Harbor, North Haven: south of a line beginning at the northwest tip of the point north of Ames Knob, North Haven and continuing west to a red painted post on the opposite shore and north of a line drawn southeast from the same red post to the shore at the western tip of the unnamed point at the end of Ames Point Road.

B. Effective immediately, because of non-point source pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from shores, flats, and waters of the following areas;

1. Ames Creek, North Haven: north of a line beginning at the southern tip of Amesbury Point drawn southwest to a red painted post on a rocky beach on the east shore of Crabtree Point Road. **This area is classified as “Restricted” and requires a special MDMR permit.**

2. Southern Harbor, North Haven: South of a line drawn across the mouth of Cox Cove, North Haven, beginning at the end of the pier at Y-Knot boat yard and continuing southwest to a red painted post located on the tip of the unnamed point on the opposite shore. **This area is classified as “Restricted” and requires a special MDMR permit.**

C. Effective immediately, because of pollution, the shores, flats and waters of North Haven: east of a line formed by the Pulpit Harbor Bridge and west of a line formed by the Salt Pond causeway, have been classified as “Conditionally Approved,” and shall be closed to the harvest of clams, quahogs, oysters and mussels from June 1 to November 30.

EFFECTIVE DATE: February 13, 2012

EFFECTIVE TIME: 10:10 AM

AGENCY CONTACT PERSON: Kohl Kanwit, Department of Marine Resources,
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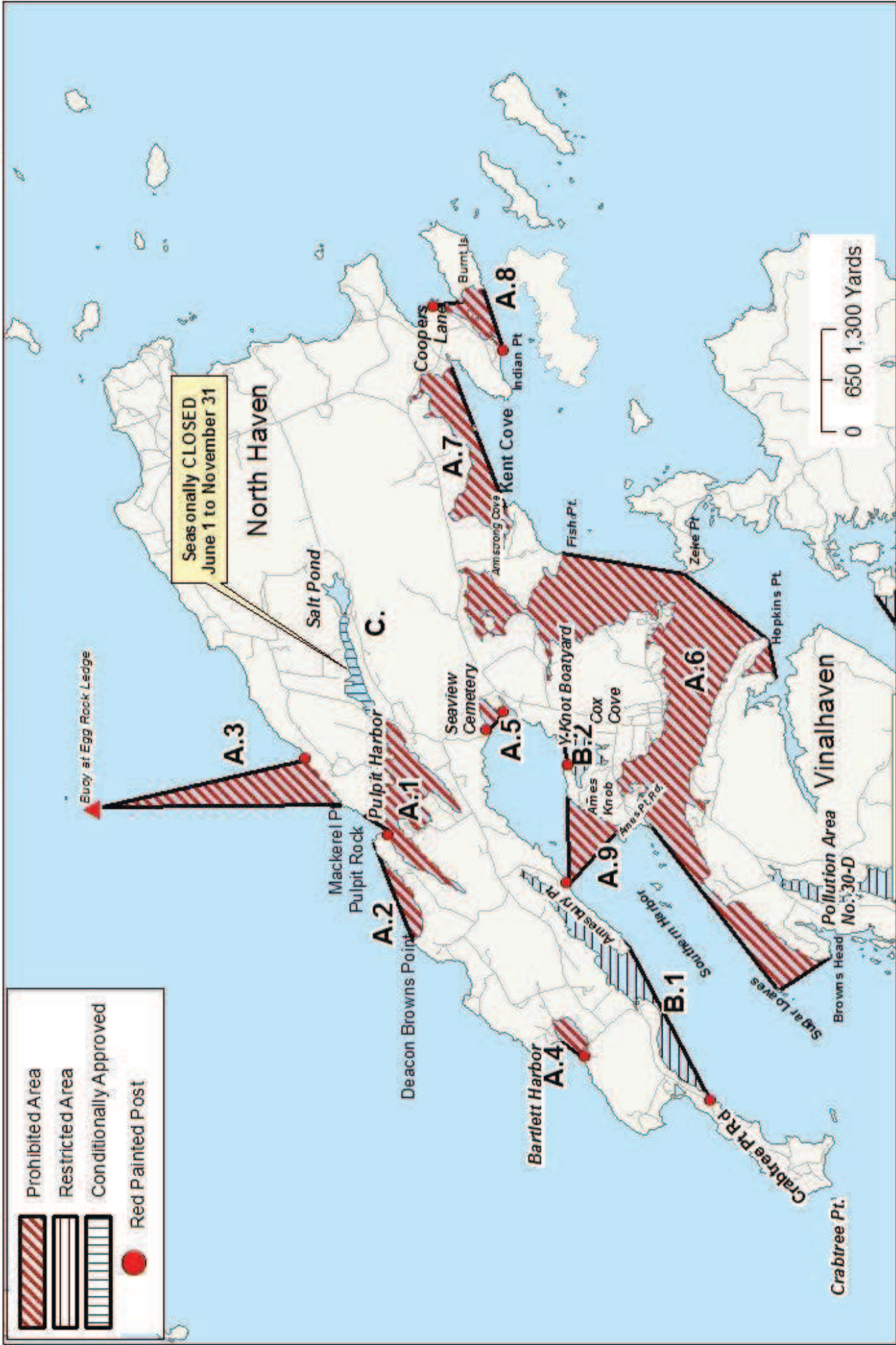


Maine Department of Marine Resources

Pollution Area No. 30-1

North Haven Island

2/13/2012



	Prohibited Area
	Restricted Area
	Conditionally Approved
	Red Painted Post