

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192 & 6193

RULE REPEAL AND PROMULGATION: DMR Regulation 95.08 J, Closed Area No. 36-F, Islesboro, promulgated on July 22, 2005 is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.08 J, Closed Area No. 36-F, Islesboro

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:

- A. Inside and shoreward of a line drawn west from Bob's Point (at the mouth of Crow Cove) to the south tip of Flat Island; then southeast to the west tip of Grindle Point continuing southeast from the southern tip of Grindle Point to the unnamed point in the southern mouth of Jones Cove (locally known as Mill Cove) to the west shore of Thrumcap, then south to the prominent unnamed west point on Pendleton Point, then to the south tip of Pendleton Point; then northeast to Gull Point; then north to Hewes Point, then northwest to the southern most prominent point south of Bounty Cove.
- B. Inside and north of a line drawn due east from the south tip of Keller Point to a red painted post on the opposite shore. This area is classified as "Restricted" and requires a special MDMR permit.
- C. Inside and west of a line beginning at the south end of Fire Island and extending northeast to the south tip of The Bluffs and continuing to the north tip of the unnamed point at the end of Ryder Cove Lane.
- D. Seven Hundred Acre Island, inside and south of a line drawn southeast across Cradle Cove from the prominent unnamed point on the north side of Cradle Cove to the end of the prominent stone pier on the east point of Cradle Cove.

EFFECTIVE DATE: June 13, 2007

EFFECTIVE TIME: 8:45AM

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

BANGOR DAILY NEWS
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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.08 J, Closed Area No. 36-F, Islesboro, promulgated on July 22, 2005, and replaces it with a new regulation. This new regulation opens Ryder Cove for shellfish harvest and closes the southern half of the island for shellfish harvest in the town of Islesboro.

Department personnel have surveyed and sampled the newly opened area and have determined that Ryder Cove flats and waters can be opened for shellfish harvest without threat to public health. The areas that remain closed are still subject to microbiological contamination and remain closed to protect the public health.



DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Pollution Closed Area No. 36-F

Islesboro



6/13/07

