

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 95.09(UU), Area No. 52-G, Joy Bay, (Gouldsboro-Steuben), amended on January 22, 2008. This amendment increases the size of the restricted area in Joy Bay and promulgates a restricted area in Mill Pond Stream ("The Guzzle", so called) due to water quality not meeting approved standards in these areas. 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 95.09(UU).

RULE TITLE AND SUBJECT: DMR Chapter 95.09(UU), Area No. 52-G, Joy Bay, (Gouldsboro-Steuben), amended on January 22, 2008, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.09(UU), Area No. 52-G, Joy Bay, (Gouldsboro-Steuben) and Mill Pond Stream, (Gouldsboro)

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. Joy Bay (Steuben): north and east of a line beginning at the ~~southern tip of Baker Point; then extending southeast to the~~ southeastern tip of Stevens Point; then extending southeast to the western tip of Parritt Point; and then south to the west tip of the un-named point on the southern margin of Parritt Cove. This area is classified restricted and harvesting requires a special MDMR permit.

~~B. Tucker Creek (Gouldsboro): southwest of a line beginning at a red-painted marker 300-yards west of the most northeast prominence of Stevens Point, Gouldsboro, and running west across the mouth of Tucker Creek to a red-painted marker on the opposite nearest point. This area is classified restricted and harvesting requires a special MDMR permit.~~

B. Mill Pond Stream, (so called "The Guzzle") (Gouldsboro): west (up stream) of a line that extends north-south between the two un-named points at the mouth (approximately 700 yards east of the Route US 1 bridge) of "The Guzzle" where it enters West Bay. This area is classified restricted and harvesting requires a special MDMR permit.

EFFECTIVE DATE: January 6, 2011

EFFECTIVE TIME: 10:45 AM

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Maine Department of Marine Resources

Pollution Area No. C52-G

Joy Bay, (Gouldsboro-Steuben)
and Mill Pond Stream (Gouldsboro) January 6, 2011

