

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 95.04(FF) Area No. 52, Schoodic Point to Corea (Winter Harbor-Gouldsboro), amended on March 24, 2011. This notice reclassifies Long Mill Cove in Gouldsboro from approved to conditionally approved due to intermittent non-point source pollution. 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 95.04 (FF).

RULE TITLE AND SUBJECT: DMR Chapter 95.04(FF) Area No. 52, Schoodic Point to Corea (Winter Harbor-Gouldsboro), amended on March 24, 2011, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.04(FF) Area No. 52, Schoodic Point to Corea (Winter Harbor-Gouldsboro)

- 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. Arey Cove, (Winter Harbor): north of a line drawn from the southeast tip of Big Moose Island east to the southwestern tip of Schoodic Point on Little Moose Island AND west of a line extending north from the northern tip of Little Moose Island to the mainland. East Pond Cove will remain approved.
 2. Bunkers Harbor (Gouldsboro): west of a line that begins at the southeast tip of Zynes Head (so called); then extends southeast to the CG navigation aid C"1" at Bunkers Ledge; then southwest to the southeast prominence of Spruce Point.
 3. Birch Harbor (Gouldsboro): northwest of a line starting at the eastern tip of an unnamed point on the southwest shore of Birch Harbor (this point is located 1800 feet south-southeast of the Rt. 186 bridge at the head of the harbor) and extending northeast to another unnamed point on the north shore (this point is 1400 feet southeast of the Rt. 186 bridge).
 4. Forbes Stream (Gouldsboro): north of a line that begins at a red-painted post on a point of land at Albee's Cottages and then extends northeast across the mouth of Forbes Stream to a small shed on the opposite shore, 1200 feet south of the Rt. 186 bridge.
 - ~~5. Prospect Harbor (Gouldsboro): north of a line extending west from the light house on the southern tip of Prospect Harbor Point to a small un-named point of land on the west shore of Inner Harbor 2300 feet south of the mouth of Forbes Stream AND south of a line that begins at a red-painted post on a point of land at Albee's Cottages and extends northeast across the mouth of Forbes Stream to a small shed on the opposite shore, 1200 feet south of the Rt. 186 bridge. This area is classified Restricted and requires a special MDMR permit.~~
 - 6-5. Prospect Harbor (Gouldsboro): northwest of a line that begins on the most southeastern tip of Pettees Point and runs northeast to the Coast Guard navigational aid "Gong 3" (east of Clarks Ledge), then continues across the mouth of Prospect

Harbor to the lighthouse on the southern tip of Prospect Harbor Point and then continues due west to an unnamed point on the west shore of Inner Harbor 2300 feet south of the mouth of Forbes Stream. This closure includes the shores of Pettees Point, Clark Point and the Inner Harbor

7. 6. Shark Cove (Gouldsboro): northeast of a line beginning at a red-painted post at the northwest mouth of Shark Cove, then extending southeast to a red-painted post on the southeast mouth of Shark Cove.

8. 7. Corea Harbor-Sand Cove (Gouldsboro): west of a line drawn starting at the most east tip of Sampson Point; then extending southeast to the west tip of Sheep Island and then north of a line continuing southwest to a red-painted post located on the southernmost tip of an un-named point at the western mouth of Corea Harbor.

B. Prospect Harbor (Gouldsboro): north of a line extending west from the light house on the southern tip of Prospect Harbor Point to a small un-named point of land on the west shore of Inner Harbor 2300 feet south of the mouth of Forbes Stream AND south of a line that begins at a red-painted post on a point of land at Albee's Cottages and extends northeast across the mouth of Forbes Stream to a small shed on the opposite shore, 1200 feet south of the Rt. 186 bridge. **This area is classified Restricted and requires a special MDMR permit.**

~~B.~~ **C.** Effectively immediately, because of pollution, the shores, flats, and waters of Birch Harbor: southeast of a line starting at the eastern tip of an unnamed point on the southwest shore of Birch Harbor (this point is located 1800 feet south-southeast of the Rt. 186 bridge at the head of the harbor) and extending northeast to another unnamed point on the north shore (this point is 1400 feet southeast of the Rt. 186 bridge) AND northwest of a line beginning on the southeast tip of Pettees Point and extending approximately 2000 feet to an unnamed point on the south side of the mouth of Birch Harbor, have been classified as "Conditionally Approved". and shall be closed to the harvest of clams, quahogs, oysters and mussels from July 1 to October 31.

D. Effectively immediately, because of pollution, the shores, flats, and waters of Long Mill Cove(Gouldsboro) west of a line beginning on the shore at the south eastern tip of an unnamed point on the north shore of Long Mill Cove, then running approximately 750 feet south to the opposite shore, have been classified as "Conditionally Approved" due to intermittent seasonal pollution and shall be closed to the harvest of clams, quahogs, oysters and mussels from May 1 to October 31.

EFFECTIVE DATE: February 3, 2012

EFFECTIVE TIME: 2:10 PM

AGENCY CONTACT PERSON: Kohl Kanwit, Department of Marine Resources,
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http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm
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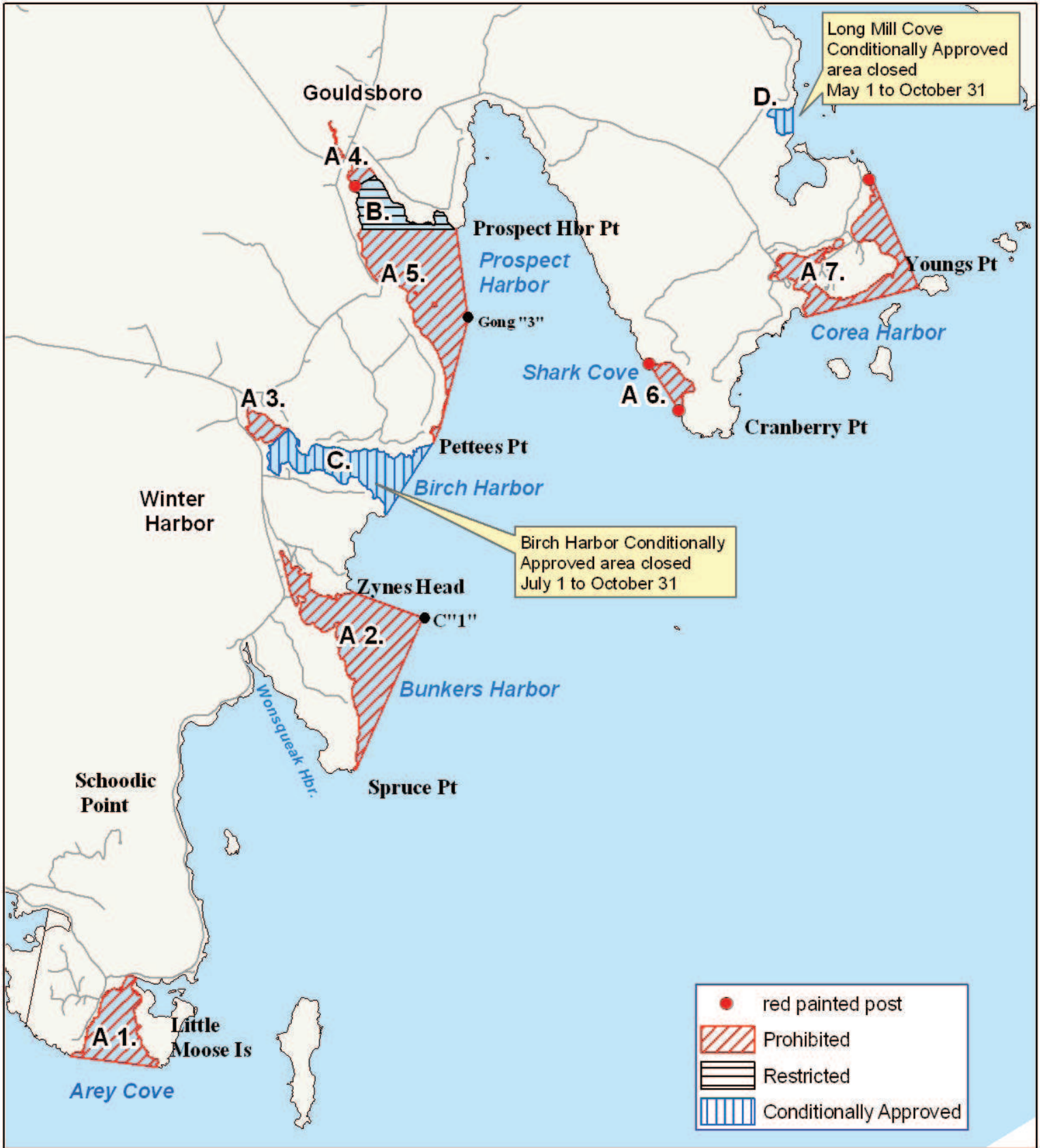
Maine Department of Marine Resources

Pollution Area No. 52

Schoodic Point to Corea (Winter Harbor-Gouldsboro)



2/3/12



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