

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(B), Area No. 53, Narraguagus River and vicinity to Harrington River (Cherryfield, Milbridge, Harrington), amended on January 19, 2011. This amendment reclassifies the Bobby Creek, Milbridge area from "Restricted" to "Approved" due to water quality meeting approved standards. 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(B).

RULE TITLE AND SUBJECT: DMR Chapter 95.09(B) Area No. 53, Narraguagus River and vicinity to Harrington River (Cherryfield, Milbridge, Harrington), amended on January 19, 2011, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.09(B) Area No. 53, Narraguagus River and vicinity to Harrington River (Cherryfield, Milbridge, Harrington).

- 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. Smith Cove (Milbridge): inside and west of a line drawn from a red painted post on the north shore of Stover Cove running due east to the lowest tide line, then running north along said tide line to the retaining wall of the lobster pound in Smith Cove, then north along the retaining wall to end at the north shore of Smith Cove.
 2. Narraguagus River to Turner Cove (Cherryfield and Milbridge): inside and shoreward of a line drawn from Turner Point north to Long Point, then northeast to the southwest point of Fickett Point.
 3. Curtis Creek (Harrington): at the north end of Flat Bay, north and east of a line beginning at the western point of land at the mouth of Curtis Creek, and extending approximately 1,100 yards southeast to a red painted post on a point of land locally known as the "Keylog Shore". This area is classified as "Restricted" and requires a special MDMR permit.
 4. Upper Harrington River (Harrington): inside (north) of a line beginning at a tip of land located northeast of the end of Hooke Rd. on the west shore of the Harrington River, and running due east to a red painted post on the opposite shore.
 5. Lily Cove (Harrington): inside (north) of a line beginning at Plummer Point running southwest approximately 525 yards to an unnamed point of land on the opposite shore at the mouth of Lily Cove.
 - ~~6. Bobby Creek (Milbridge): inside (north) of a line beginning at the north end of the wall forming the Dorr Lobster Pound (44° 28' 50.3" N, 67° 52' 22.8" W) on Bar Island, running due east to red painted post (44° 28' 50.3" N, 67° 52' 13.1" W) on the opposite shore. This area is classified as "Restricted" and requires a special MDMR permit.~~

EFFECTIVE DATE: December 22, 2011

EFFECTIVE TIME: 11:35 AM

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Maine Department of Marine Resources

Pollution Area No. 53

Narraguagus River and vicinity to Harrington River
(Cherryfield, Milbridge, Harrington)



12/22/2011

