

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(F), Area No. 55-A, Money Cove (Cutler), Bog Brook Cove (Cutler-Trescott), Little Machias Bay (Cutler) and Haycock Harbor (Trescott), previously amended on June 14, 2010. This amendment is an administrative change to the Area No. and title. There are no classification changes. 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(F).

RULE TITLE AND SUBJECT: DMR Chapter 95.09(F), Area No. 55-A, Money Cove (Cutler), Bog Brook Cove (Cutler-Trescott), Little Machias Bay (Cutler) and Haycock Harbor (Trescott), previously amended on June 14, 2010, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 95.09(F), Area No. 55-D, Little Machias Bay to Haycock Harbor (Cutler to Trescott Twp) ~~55-A, Money Cove (Cutler), Bog Brook Cove (Cutler-Trescott), Little Machias Bay (Cutler) and Haycock Harbor (Trescott)~~

- 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:
- A. 1. Money Cove (Cutler): inside and shoreward ~~northwest~~ of a line beginning at the easternmost tip of Marsh Point, ~~and extends then running~~ then running northeast to the most eastern tip of Otter Point.
- B. 2. Bog Brook Cove to Moose Cove (Cutler and Trescott Twp): inside and shoreward ~~(shoreward)~~ of a line beginning at the un-named point on the south margin of Bog Brook Cove (Cutler), then ~~extending running~~ then extending running northeast to the point at the northeast margin of the cove, then continuing 800 yards to the tip of ~~an~~ a prominent un-named point, then continuing in a northeasterly direction ~~north~~ to the easternmost tip of the point at the southern edge of Moose Cove, Trescott.
- 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 the shores, flats and waters of the following areas:
- D. 1. Little Machias Bay (Cutler): north of a line that begins at a red-painted post, on the north shore of Little Machias Bay, 1500 feet southeast of the Ridge Road security gate, on the antenna security perimeter road (at the first sharp right hand corner; Lat 44.66352; Long -67.27307), then ~~extends due northeast~~ running in a northeasterly direction to a red-painted marker (Lat 44.66762; Long -67.24350), on the eastern shore of Little Machias Bay, 500 yards southeast of the Route 191- Marsh Stream bridge. This closure includes the estuary of Marsh Stream up-stream of the Route 191 bridge. This area is classified as "Restricted," and harvesting requires a special MDMR permit.
- G. 2. Haycock Harbor (Trescott Twp): inside and west of a line beginning at the un-named point of land at the western mouth of Haycock Harbor (north side of Sandy Cove), then ~~extending north-east~~ extending north-east running in a northeasterly direction to the southern tip of the point of land ~~making that forms~~ that forms the northeastern side of Haycock Harbor. This area is classified as "Restricted," and harvesting requires a special MDMR permit.

EFFECTIVE DATE: June 9, 2011

EFFECTIVE TIME: 2:09 PM

AGENCY CONTACT PERSON: Darcie Couture, Department of Marine Resources,
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Maine Department of Marine Resources

Pollution Area No. 55-D

Little Machias Bay to Haycock Harbor
(Cutler to Trescott Twp)



6/9/11

All existing bacterial and red tide/PSP closures in this area remain in effect.

