

NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources
STATUTORY AUTHORITY: 12 M.R.S. §§6172, 6192, 6193 & 6194
Struck text is being removed, and underlined text is being added

BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 96.10 Area No. 64-A, Matinicus to Long Island (Frenchboro), and Mount Desert Rock (44°58' 7" N, -68°07' 43" W), previously amended on July 7, 2011. This amendment eliminates the closure for mussels and carnivorous snails to some of the off-shore islands in Knox and Hancock counties, due to decreasing levels of PSP; Mount Desert Rock remains closed for the harvest of all species of shellfish. 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 96.10.

RULE TITLE AND SUBJECT: DMR Chapter Chapter 96.10 Area No. 64-A, Matinicus to Long Island (Frenchboro), and Mount Desert Rock (44°58' 7" N, -68°07' 43" W), previously amended on July 7, 2011, is amended as follows:

TITLE & TEXT OF RULE: DMR Chapter 96.10 Area No. 64-A, ~~Matinicus to Long Island (Frenchboro), and Mount Desert Rock (44°58' 7" N, -68°07' 43" W)~~

~~Effective immediately, because of paralytic shellfish poisoning (PSP), it shall be unlawful to dig, take or possess mussels and carnivorous snails from the shores, flats, and waters: east of a line beginning at the western tip of Matinicus Island, then running due south to the limits of U.S. jurisdiction; AND south of a line beginning at the northwest tip of Matinicus Island, then running northeast to the north tip of Kimball Head (Isle au Haut), then continuing northeast to the western tip of Swans Island, then continuing along the southern shore of the island to the eastern tip of Swans Island, then running southeast to the eastern tip of Long Island (Frenchboro); AND west of a line beginning at the eastern tip of Long Island (Frenchboro), then running due south to the limits of U.S. jurisdiction.~~

Effective immediately, because of paralytic shellfish poisoning (PSP), it shall be unlawful to dig, take or possess all species of clams, mussels and carnivorous snails from all shores, flats and waters surrounding Mount Desert Rock and out to the limits of U.S. jurisdiction.

EFFECTIVE DATE: August 10, 2011

EFFECTIVE TIME: 9:18 AM

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



PSP Area No. 64-A

Mount Desert Rock



8/10/11

Legend

-  PSP Clam closure
-  PSP Mussel / Snail closure

All pre-existing bacterial closures in these areas remain in effect.

