

## NOTICE OF EMERGENCY RULE-MAKING

AGENCY: Department of Marine Resources  
STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, & 6193  
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### BASIS STATEMENT

The Commissioner of the Maine Department of Marine Resources amends the emergency DMR Chapter 95.06(C), Closed Area No. 23, Boothbay Harbor, Damariscove Island Area, amended on May 5, 2006. This amendment changes the title of the rule to Area No. 22, Booth Bay and vicinity (Southport, Boothbay Harbor, Boothbay); and moves part of the area previously described in this rule to Area No. 23-C. There are no classification changes in this rule. As authorized by 12 M.R.S.A. §§6172, 6192, 6193 the Commissioner of Marine Resources adopts emergency amendments to Chapter 95.06(C).

**RULE TITLE AND SUBJECT:** DMR Chapter 95.06(C), Closed Area No. 23, Boothbay Harbor, Damariscove Island Area, amended on May 5, 2006, is amended as follows:

**TITLE & TEXT OF RULE:** ~~DMR Chapter 95.06(C) Closed Area No. 23, Boothbay Harbor, Damariscove Island Area~~ Area No. 22, Booth Bay and vicinity (Southport, Boothbay Harbor, Boothbay)

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. Booth Bay, inside the area described by the following lines: (1) east of a line beginning at the north end of Landing Road (Southport), then extending north to the south tip of Oak Point (Boothbay Harbor); (2) east and north of a line beginning at the southeast tip of Cape Newagen, then running south to the east tip of 'The Ark,' then continuing south to the southeast tip of Cape Island (Southport); then running northeast, to the southeast tip of Squirrel Island (Southport), then running east to the southeast tip of Green Island (Boothbay), then continuing northeast to the southeast tip of Ocean Point (Boothbay).
- B. Ram Island, Fisherman Island, and Damariscove Island (Boothbay): within 500 feet of the shoreline.
- ~~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 Boothbay Harbor – Damariscove Island area north of a line beginning at the southwest tip of Southport Island and extending south to the west side of Hunting Island; continuing southeast to the south end of Cape Island; continuing northeast to the southeast tip of Squirrel Island; continuing northeast to the south tip of Green Island; continuing northeast to Dry Point on Reeds Island; AND east of a line beginning at the north end of Landing Point Road, Southport, and extending north to Oak Point, Boothbay Harbor.~~
- ~~B. 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 Boothbay Harbor – Damariscove Island area within 500 feet of Ram and Fisherman's Islands and Damariscove Island.~~

EFFECTIVE DATE: March 27, 2008

EFFECTIVE TIME: 12:25 PM

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[http://www.maine.gov/dmr/rm/public\\_health/closures/closedarea.htm](http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm)

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# Maine Department of Marine Resources

## Pollution Area No. 22



Booth Bay and vicinity (Southport, Boothbay Hbr, Boothbay)

3/27/08

