

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§6172, 6192, & 6193

RULE REPEAL AND PROMULGATION: DMR Regulation: 95.07 G, Closed Area No. 19-A, New Meadows Lake, Upper New Meadows River and Middle Ground (Bath to Harpswell) promulgated on September 8, 2006 has been repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.07 G, Closed Area No. 19-A, New Meadows Lake, Upper New Meadows River and Middle Ground (Bath to Harpswell)

- 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. Upper New Meadows Lake: north of a line beginning at a red painted post located on the northwest corner of the lake (Brunswick) and running southeast to a red painted post located on the east shore of the lake (West Bath), approximately 1000 feet south of the Old Bath Road.
 2. New Meadows Lake: south of a line beginning at a red painted post located on the northwest corner of the lake (Brunswick) and running southeast to a red painted post located on the east shore of the lake (West Bath), approximately 1000 feet south of the Old Bath Road; AND north of the Route 1 overpass. This area is classified restricted and requires a special MDMR permit.
 3. The New Meadows River: south of a line beginning at the north tip of Rosedale Pt. (West Bath) and running southwest to a large stone and wood crib dock on the west shore (Brunswick); AND north of a line beginning at a 9 foot by 12 foot concrete dock footing located on the east shore of the New Meadows River, approximately 1500 feet south of Rosedale Point (West Bath) then running west to a red painted post on the west shore (Brunswick).
 4. Middle Ground: inside and east of a line beginning at a 9 foot by 12 foot concrete dock footing located on the east shore of the New Meadows River, approximately 1500 feet south of Rosedale Point (West Bath), then running southwest to the red N"14" buoy, then continuing southwest to the green C"13" buoy, then running east to a red painted post on the West Bath shore, east of the Middle Ground. This area is classified restricted and requires a special MDMR permit.
 5. Long Cove (West Bath): inside and shoreward of a line beginning at the south tip of land at the end of Sea-kiss Pt. Rd (formally known as Bean Pt), then running southeast to a red painted post located approximately 300 feet south of Long Cove Rd.
 6. The northeast lobe of Mill Cove (West Bath): north of a line beginning at the point of land at the end of Clark Lane, then running west across the mouth of the cove to a red painted post on the opposite shore. This area is classified restricted and requires a special MDMR permit.

7. Woodward Cove (Brunswick): north of a line beginning at the southern most tip of Woodward Pt (Brunswick) running southwest to a red painted post on the small unnamed point of land above Four-Wheel Drive. This area is classified restricted and requires a special MDMR permit.

B. Effective immediately, because of pollution, the shores, flats and waters of the part of the New Meadows River which is south of the Central Maine Railroad trestle AND north of a line beginning at the north tip of Rosedale Pt. (West Bath) and running southwest to a large stone and wood crib dock on the west shore (Brunswick) are classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels from May 1 through November 15.

EFFECTIVE DATE: August 21, 2007

EFFECTIVE TIME: 1:15 AM

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
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http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

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STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation: 95.07 G, Closed Area No. 19-A, New Meadows Lake, Upper New Meadows River and Middle Ground (Bath to Harpswell), promulgated on September 8, 2006 and replaces it with a new rule. This new rule makes Woodward Cove, Brunswick restricted due to non-point pollution. This rule also repeals the closure around Bombazine Island due to the removal of an overboard discharge.



DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Pollution Closed Area No. 19-A



8/21/07

New Meadows Lake, Upper New Meadows River and Middle Ground (Bath to Harpswell)

