

Notice of Agency Rule-making Proposal

AGENCY: 13-188-Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 26-Sea Urchin 2019-20 Season **OPTION 2**

PROPOSED RULE NUMBER *(leave blank; to be assigned by Secretary of State)*:

BRIEF SUMMARY: This regulation would establish open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2019-2020 season. For Zone 1, 20-day seasons are proposed for divers, trappers, rakers and draggers in 2019-2020, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2018-2019 season. For Zone 1, the proposed daily tote limit is ten (10) which is 2 totes lower than the 2018-2019 season. For Zone 2, 40-day seasons are proposed for divers, trappers, rakers and draggers in 2019-2020, from which harvesters may only fish up to 30 days of their choosing. This proposal reduces the fishing days by eight days and opportunity days by five days from the 2018-2019 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 15-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2019-2020. For Zone 2, the proposed daily tote limit is six (6) with is one fewer than the 2018-2019 season.

Date, time and location of PUBLIC HEARING *(if any)*: June 12, 2019, 6:00pm, Room 101, Deering Building, 90 Blossom Lane, Augusta; June 13, 2019, 6:00pm, Council Chamber Room, Ellsworth City Hall, 1 City Hall Plaza, Ellsworth.

COMMENT DEADLINE: June 24, 2019

CONTACT PERSON FOR THIS FILING *(include name, mailing address, telephone, fax, TTY, e-mail)*:

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Hearing facilities: If you require accommodations due to disability, please contact Meredith Mendelson at 207-624-6553.

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*: Same

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: None

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS 6749

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*: Same

AGENCY WEBSITE: <http://www.maine.gov/dmr/rulemaking/>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: dmr.rulemaking@maine.gov

* Check one of the following two boxes.

X The summary provided above is for publication in both the newspaper and website notices.

The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rule-making notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____

(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
010	13A	1120	10	4946				

DEPARTMENT OF MARINE RESOURCES

Chapter 26 - Sea Urchin Regulations

26.07 Sea Urchin Harvesting Season ~~2018-2019~~ 2019-2020 pursuant to 12 M.R.S. §6749. Harvesters ~~have the ability to~~ may choose 15 of the potential 20 available days in Zone 1 and ~~38-30~~ of the potential 45-40 available days in Zone 2.

1. Zone 1 [as defined by 12 M.R.S. §6749-N(1)]. Harvesters ~~have the flexibility to~~ may choose 15 of the potential 20 days.

- A. Early season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open ~~September 1, 4, 5, 6, 7, 10, 11, 13, 14, 17, 18, 20, 21, 24, 25, 27, and 28, 2018~~ September 3, 4, 5, 9, 10, 12, 13, 16, 17, 19, 20, 23, 24, 26, 27, and 30, 2019; and, October 1, 2 and 3, 2018 October 1, 2, 7, and 8, 2019. Divers, trappers, and rakers may fish no more than 15 of these days.

- B. Late season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open ~~December 3, 4, 5, 10, 11, 12, 17, 18, 19, 27 and 28, 2018; and, January 28, 29, and 30, 2019~~ December 3, 4, 5, 10, 11, 12, 17, 18, 19, 20, 23, and 27, 2019; January 2, and 3, 2020; and February 4, 5, 6, 11, 12, and 13, 2020. ~~and, February 4, 5, 11, 12, 18 and 19, 2019.~~ Divers, trappers, and rakers may fish no more than 15 of these days.

- C. Early season for draggers [in accordance with 12 M.R.S. §6749-V]

The Zone 1 season for draggers who have certified the early season on forms provided by the Commissioner, is open ~~December 1, 3, 4, 5, 6, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 26, 27, 28, 29 and 31, 2018~~ December 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 26, 27, 30, and 31, 2019. Draggers may fish no more than 15 of these days.

- D. Late season for draggers [in accordance with 12 M.R.S. §6749-V]

The Zone 1 season for draggers who have certified the late season on forms provided by the Commissioner, is open Wednesdays, Thursdays and Fridays in February, ~~2019-2020~~; and, March ~~4, 4, 5, 6, 7, 9, 10, 11, 12 and 13, 2019~~ 2020. Draggers may fish no more than 15 of these days.

- E. Designation of Zone 1 early or late season:

- (1) A person who holds a sea urchin harvesting license for Zone 1 may not harvest sea urchins in Zone 1 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.

- (2) Divers, trappers and rakers who have certified the early or late season may, between May 1st and August 15th change that certification to the other time period as the time period in which that person will fish for or take sea urchins.
- (3) Draggers who have certified the early or late season may, between May 1st and November 15th change that certification to the other time period as the time period in which that person will fish for or take sea urchins.
2. Zone 2 [as defined by 12 M.R.S. §6749-N(2)]. Harvesters ~~have the flexibility to~~ may choose ~~38~~30 of the potential ~~45~~40 days.

A. Early season for divers, trappers and rakers

The Zone 2 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open ~~September 24, 25, and 26, 2019; October 1, 2, 8, 9, 15, 16, 17, 22, 23, 24, 29, 30, and 31, 2019; November 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, and 27, 2019; and December 3, 4, 5, 10, 11, 12, 17, 18, 19, 20, 26, 30, and 31, 2019. September 18, 19, 20, 25, 26 and 27, 2018; and, all Tuesdays, Wednesdays and Thursdays in October, 2018; and, November 1, 6, 7, 8, 13, 14, 15, 19, 20, 21, 27, 28, and 29, 2018; and, December 4, 5, 6, 11, 12, 13, 18, 19, 20, 21, 27 and 28, 2018.~~ Divers, trappers, and rakers may fish no more than ~~38~~30 of these days.

B. Late season for divers, trappers and rakers

The Zone 2 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open ~~December 3, 4, 5, 10, 11, 12, 17, 18, 19, 26, and 27, 2019; January 2, 7, 8, 9, 14, 15, 16, 21, 22, 28, 29, and 30, 2020; February 4, 5, 6, 11, 12, 13, 18, 19, 25, 26, and 27, 2020; and March 3, 4, 5, 10, 11, and 12, 2020. December 4, 5, 6, 11, 12, 13, 18, 19, 20, 27 and 28, 2018; and, Tuesdays, Wednesdays and Thursdays in January and February 2019, except Tuesday, January 1, 2019 shall be closed; and, March 5, 6, 7, 12, 13, 14, 19 and 20, 2019.~~ Divers, trappers, and rakers may fish no more than ~~38~~30 of these days.

C. Early season for draggers

The Zone 2 season for draggers who have certified the early season on forms provided by the Commissioner, is open Tuesdays, Wednesdays, and Thursdays in October, ~~2018~~2019, and Tuesdays, Wednesdays, and Thursdays in November ~~2018~~2019, except Thursday, November ~~22-28~~ shall be closed; and, ~~Wednesdays and Thursdays in December, and December 27 2019, except Wednesday December 25 shall be closed~~4, 5, 6, 11, 12, 13, 18, 19, 20, 21, 27 and 28, 2018; and, January 2, 3, 8, 9, 10, 15, and 16, 20192020. Draggers may fish no more than ~~38~~30 of these days.

D. Late season for draggers

The Zone 2 season for draggers who have certified the late season on forms provided by the Commissioner, is open ~~December 3, 4, 5, 10, 11, 12, 17, 18, 19, 26, and 27, 2019; January 2, 7, 8, 9, 14, 15, 16, 21, 22, 28, 29, and 30, 2020; February 4, 5, 6, 11, 12, 13, 18, 19, 25, 26, and 27, 2020; and March 3, 4, 5, 10, 11, and 12, 2020. December 4, 5, 6, 11, 12, 13, 18, 19, 20, 27 and 28, 2018; and Tuesdays, Wednesdays and Thursdays in January and February, 2019, except Tuesday, January 1, 2019 shall be closed; and, March 5, 6, 7, 12, 13, 14, 19 and 20, 2019.~~ Draggers may fish no more than ~~38~~30 of these days.

E. Designation of Zone 2 early or late season:

- (1) A person who holds a sea urchin harvesting license for Zone 2 may not harvest sea urchins in Zone 2 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.
- (2) A person who has certified the early or late season may, between May 1st and August 15th change that certification to the other time period as the time period in which that person will fish for or take sea urchins.

26.19 Limited Access Areas:

Transiting exception:

Any vessel possessing urchins onboard, may transit the Limited Access Area, only if the vessel has all fishing gear (dredges, drags, regulators, buoyancy compensators, fins, tanks, weight belts) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at the block or on the winch for draggers, while regulators, buoyancy compensators and tanks should be disconnected with fins and weight belts removed for divers.

(1) Whiting and Denny's Bay Area (Zone 2). Harvesters may choose up to 15 days of the following applicable season open days for the Whiting and Denny's Bay limited access area to fish within their ~~38-30~~ days available for harvest.

A. Early season for divers, trappers and rakers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by divers, trappers, and rakers who have certified the early season on forms provided by the Commissioner, on September 25 and 26, 2019, and October 15, 17, 22, 24, and 31, 2019, and November 7, 14, 21, and 27, 2019 and Thursdays in December 2019. ~~Thursdays in September, October, November and December 2018, except September 6, 2018 and November 22, 2018, which shall be closed.~~

B. Late season for divers, trappers and rakers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by divers, trappers and rakers who have certified the late season on forms provided by the Commissioner on Thursdays in December 2018~~2019, and January 21 and Thursdays in January except January 23, which shall be closed.~~ February 18 and Thursdays in February except February 20, which shall be closed, and March 5 and 19, 2019~~2020~~except March 21 and 28, 2019, which shall be closed.

C. Early season for draggers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by draggers who have

certified the early season on forms provided by the Commissioner, on Wednesdays in October, November and December ~~2018-2019~~, except December 25, which shall be closed; and ~~Wednesdays, in January 3, 8, and 15, 2019~~2020~~except December 26, 2018 and January 23 and 30, 2019 which shall be closed.~~

D. Late season for draggers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by draggers who have certified the late season on forms provided by the Commissioner, on Wednesdays in December, ~~2018-2019~~, except December 25, which shall be closed; and Wednesdays in January, February, 2020; and March 3, 4, 10 and 11 ~~2019~~2020~~except March 20 and 27 are closed.~~

26.40 Tote Limits

1. Zone 1

It is unlawful for Zone 1 sea urchin divers, rakers or trappers to fish for, take or possess more than ~~twelve (12)~~ten (10) standard size stackable fish totes of sea urchins per day in Maine's territorial waters. A standard size stackable fish tote is defined as 28" Long x 16" Wide x 11" Deep when measured inside at the shelf level.

It is unlawful for Zone 1 drag vessels to fish for, take or possess more than ~~twelve (12)~~ten (10) standard size stackable fish totes of sea urchins per day in Maine's territorial waters. A standard size stackable fish tote is defined as 28" Long x 16" Wide x 11" Deep when measured inside at the shelf level.

2. Zone 2

It is unlawful for Zone 2 sea urchin divers, rakers or trappers to fish for, take or possess more than ~~seven (7)~~six (6) standard size stackable fish totes of sea urchins per day in Maine's territorial waters. A standard size stackable fish tote is defined as 28" Long x 16" Wide x 11" Deep when measured inside at the shelf level.

It is unlawful for Zone 2 drag vessels to fish for, take or possess more than ~~seven (7)~~six (6) standard size stackable fish totes of sea urchins per day in Maine's territorial waters. A standard size stackable fish tote is defined as 28" Long x 16" Wide x 11" Deep when measured inside at the shelf level.

3. Implementation

It is unlawful to offload sea urchins, or any parts of sea urchins, and then return to fishing for sea urchins the same day in Maine's territorial waters. In addition it is unlawful to transfer sea urchins, or any parts of sea urchins to or from another vessel at sea, except for tender vessels transiting to primary vessels during diving operations.

It is unlawful for a dealer to purchase more than ~~twelve (12)~~ten (10) standard size stackable fish totes from one licensed Zone 1 harvester per day.

It is unlawful for a dealer to purchase more than ~~seven (7)~~six (6) standard size stackable fish totes from one licensed Zone 2 harvester per day.

Standard size stackable fish totes, with respect to the urchin fishery, means totes shall not be filled with sea urchins in a manner which prevents them from being stacked one on top of the other as designed. The bottom of one tote shall rest on the shelves of the tote below.

2019 – 2020 Sea Urchin Season for Maine Zone 1

A Zone 1 harvester may choose to fish 15 of the open days

O = Open **□** = Closed

Early Season for Divers, Rakers, and Trappers

September 2019							October 2019						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3 O	4 O	5 O	6	7			1 O	2 O	3	4	5
8	9 O	10 O	11	12 O	13 O	14	6	7 O	8 O	9	10	11	12
15	16 O	17 O	18	19 O	20 O	21	13	14	15	16	17	18	19
22	23 O	24 O	25	26 O	27 O	28	20	21	22	23	24	25	26
29	30 O						27	28	29	30	31		

Late Season for Divers Rakers and Trappers

December 2019							January 2020							February 2020							
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	
1	2	3 O	4 O	5 O	6	7				1	2 O	3 O	4								1
8	9	10 O	11 O	12 O	13	14	5	6	7	8	9	10	11	2	3	4 O	5 O	6 O	7	8	
15	16	17 O	18 O	19 O	20 O	21	12	13	14	15	16	17	18	9	10	11 O	12 O	13 O	14	15	
22	23 O	24	25	26	27 O	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	

Early Season for Draggers

December 2019						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4 O	5 O	6 O	7
8	9 O	10 O	11 O	12 O	13 O	14
15	16 O	17 O	18 O	19 O	20 O	21
22	23 O	24	25	26 O	27 O	28
29	30 O	31 O				

Late Season for Draggers

February 2020							March 2020						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
						1	1	2	3	4 O	5 O	6 O	7
2	3	4	5 O	6 O	7 O	8	8	9 O	10 O	11 O	12 O	13 O	14
9	10	11	12 O	13 O	14 O	15	15	16	17	18	19	20	21
16	17	18	19 O	20 O	21 O	22	22	23	24	25	26	27	28
23	24	25	26 O	27 O	28 O	29	29	30	31				

2019 – 2020 Sea Urchin Season for Maine Zone 2

A Zone 2 harvester may choose to fish 30 of the 40 open days

○ = Open □ = Closed

Early Season for Divers, Rakers, and Trappers

September 2019							October 2019						November 2019							December 2019							
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

Late Season for Divers, Rakers, and Trappers

December 2019							January 2020						February 2020							March 2020							
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7				1	2	3	4							1	1	2	3	4	5	6	7
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30	31	23	24	25	26	27	28	29	29	30	31					

Early Season for Dragger

October 2019							November 2019						December 2019							January 2020							
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7				1	2	3	4
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31					26	27	28	29	30	31	

Late Season for Dragger

December 2019							January 2020						February 2020							March 2020							
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7				1	2	3	4							1	1	2	3	4	5	6	7
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30	31	23	24	25	26	27	28	29	29	30	31					

2019 – 2020 Sea Urchin Season for Maine Zone 2 for Whiting & Dennys Bays Limited Access Area

= Open
 = Closed

Early Season for Divers, Rakers and Trappers

September 2019							October 2019							November 2019							December 2019						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

Late Season for Divers, Rakers and Trappers

December 2019							January 2020							February 2020							March 2020						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7				1	2	3	4							1	1	2	3	4	5	6	7
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	29	30	31				

Early Season for Draggers

October 2019							November 2019							December 2019							January 2020						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7				1	2	3	4
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				26	27	28	29	30	31		

Late Season for Draggers

December 2019							January 2020							February 2020							March 2020						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7				1	2	3	4							1	1	2	3	4	5	6	7
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	29	30	31				

Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Amanda Ellis, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207) 624-6573; web address: <http://www.maine.gov/dmr/rulemaking/>

CHAPTER NUMBER AND RULE: Chapter 26-Sea Urchin 2019-20 Season

STATUTORY AUTHORITY: 12 M.R.S.A. §6749

DATE AND PLACE OF PUBLIC HEARING(S): June 12, 2019, 6:00pm, Room 101, Deering Building, 90 Blossom Lane, Augusta; June 13, 2019, 6:00pm, Council Chamber Room, Ellsworth City Hall, 1 City Hall Plaza, Ellsworth.

COMMENT DEADLINE: June 24, 2019

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

This regulation would establish open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2019-2020 season. For Zone 1, 20-day seasons are proposed for divers, trappers, rakers and draggers in 2019-2020, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2018-2019 season. For Zone 1, the proposed daily tote limit is ten (10) which is 2 totes lower than the 2018-2019 season. For Zone 2, 40-day seasons are proposed for divers, trappers, rakers and draggers in 2019-2020, from which harvesters may only fish up to 30 days of their choosing. This proposal reduces the fishing days by eight days and opportunity days by five days from the 2018-2019 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 15-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2019-2020. For Zone 2, the proposed daily tote limit is six (6) with is one fewer than the 2018-2019 season.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___ YES ___ X NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

This rule is expected to provide for the management of the sea urchin resource through the establishment of a season and associated tote limits.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]:

The Department considered feedback provided by the Sea Urchin Zone Council, Department staff and Maine Marine Patrol.

ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)]

Enforcement of these proposed amendments will not require additional activity in this Agency. Existing enforcement personnel will monitor compliance during their routine patrols.