

Department of Marine Resources
NOTICE OF AGENCY RULE-MAKING PROPOSAL

The following is a revised notice for Ch 11 Scallops previously published Sept. 17, 2008 with a hearing added in Rockland and new comment deadline:

RULE TITLE OR SUBJECT:

Chapter 11.09 Atlantic Sea Scallop Harvesting Season (New)
Chapter 11.10(F) Atlantic Sea Scallops, Daily Possession Limit (New)
Chapter 11.10(G) Atlantic Sea Scallops Harvested Seaward of Maine's Territorial Waters (New)
Chapter 11.10 (H) Closed Areas (New – contains proposed sunset 8-31-11)
(Renumbering of entire chapter at time of adoption)

CONCISE SUMMARY: The proposed amendments would establish a season to start no earlier than December 1 and end no later than March 31, not to exceed 52 days. The proposed recommended days "on" would be Monday, Tuesday, Wednesday and Saturday in the months of December, January and February. The Department is accepting comments on changes to the proposed open days provided they do not exceed 52 days, with no dates prior to December 1 and no later than March 31. The proposed rules would also match the federal daily possession limit of 200 pounds of scallop meats; and create six closed areas coastwide that would sunset after 3 seasons. A provision would also be added to clarify scallops taken by federal scallop permit holders may be landed in Maine. If adopted the numbering format for the entire chapter would be reordered for consistency throughout.

STATUTORY AUTHORITY: 12 M.R.S.A. §6171

PUBLIC HEARINGS:

October 6, 2008, 6:00pm, Ellsworth City Hall (Auditorium), One City Hall Plaza, Ellsworth
October 8, 2008, 6:00pm, High School Cafeteria, Durant Drive (formerly 11 Municipal Drive), (The High School is located behind the Municipal Building located at 259 Route 1), Scarborough
October 9, 2008, 6:00pm, UMM, Science Lecture Hall (Rm 102), 9 O'Brien Ave., Machias

October 20, 2008, 6:00 pm*, State Ferry Terminal (Conf Rm), 517A Main Street, Rockland

**Public hearings for 3 separate rulemakings will be held with each hearing to start immediately upon the conclusion of the previous hearing. The order will be Chapter 25.93 for Zone D, next Chapter 25.93 for Zone E, then the hearing on Chapter 11 Scallops. See separate rulemaking notices for rules not listed in this notice.*

DEADLINE FOR COMMENTS: October 31, 2008

To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.

AGENCY CONTACT PERSONS: Togue Brawn (207-624-6558)

Mail written comments to:

AGENCY NAME:	Department of Marine Resources, attn: L. Churchill
ADDRESS:	PO Box 8, West Boothbay Harbor, Maine 04575-0008
WEB SITE:	http://www.maine.gov/dmr/rulemaking/
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FAX:	(207) 633-9579
TTY:	(207) 633-9500 (Deaf/Hard of Hearing)
Hearing facilities:	If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578.

See previous mailing for proposed text of the regulations. Or, electronic copies with the proposed text may be obtained from the web site listed above; copies will be available at the hearings; or to request hard copies to be mailed please use the contact information listed.