

Department of Marine Resources
NOTICE OF AGENCY RULE-MAKING PROPOSAL

RULE TITLE: Chapter 26.07(2) Sea Urchin Harvesting Season ~~2008-2009~~ 2009-2010 – Zone 2

CONCISE SUMMARY: For purposes of conservation pursuant to 12 M.R.S.A. §6171, §6171-A, and §6749 this regulation establishes season limits for the taking of sea urchins by divers, rakers, trappers, and draggers in **Zone 2** for 2009-2010. The Department proposes a 45 day season for divers, trappers, rakers and draggers in 2009-2010, which was the same length of season in 2008-2009. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers, trappers, and draggers will have a choice of an early or late season instead of a single early season. The deadline for selection of early or late season in Zone 2 would be changed to August 15.

STATUTORY AUTHORITY: 12 M.R.S.A. §6171, §6171-A and §6749

PUBLIC HEARINGS:

Monday, **June 1, 2009**, 6:00 PM*, Ellsworth City Hall (Auditorium), One City Hall Plaza, Ellsworth (**The Zone 2 season proposed rules will be followed by proposed season rules for Zone 1; see separate rulemaking notice.*)

Tuesday, **June 2, 2009**, 6:00 PM*, Department of Marine Resources, Large Conference Room, 200 McKown Point Road, West Boothbay Harbor (**The Zone 1 season proposed rules will be followed by proposed season rules for Zone 2; see separate rulemaking notice.*)

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.

DEADLINE FOR COMMENTS: June 12, 2009

AGENCY CONTACT PERSON: Margaret Hunter (tel: 207-633-9500)

Mail Written Comments to: 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/>

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.

Proposed rulemaking – see underlined or ~~deleted~~ text below:

Chapter 26 - Sea Urchin Regulations

26.07 Sea Urchin Harvesting Season ~~2008-2009~~ 2009-2010 pursuant to 12 M.R.S.A. §6749

2. Zone 2 [as defined by 12 M.R.S.A. §6749-N(2)]

A. Early season for divers, trappers ~~and~~, rakers ~~and~~ draggers

The Zone 2 season for divers, trappers ~~and~~, rakers ~~and~~ draggers who have certified the early season on forms provided by the Commissioner, is open ~~Mondays, Tuesdays and Wednesdays in the month of October 2008; and Mondays, Tuesdays and Wednesdays in the month of November 2008; and Mondays, Tuesdays and Wednesdays in the month of December 2008 except December 24 and 31 is closed; and January 5 to 7, January 12 to 14, and January 19, 2009, inclusive. Wednesdays, Thursdays and Fridays plus Tuesday the 29th in the month of September 2009 except September 2, 3 and 4 is closed; and Mondays, Tuesdays and Wednesdays in the month of October 2009; and Mondays and Tuesdays plus Wednesday the 18th in the month of November 2009; and Mondays, Tuesdays and Wednesdays in the month of December 2009 plus Thursday, December 17 except December 28 to 30, 2009 is closed.~~

B. Early season for draggers

The Zone 2 season for draggers who have certified the early season on forms provided by the Commissioner, is open Mondays, Tuesdays and Wednesdays in the month of October 2009; Mondays, Tuesdays and Wednesdays in the month of November 2009 except November 25 is closed; Mondays, Tuesdays and Wednesdays in the month of December 2009 plus Thursday, December 17 except December 30 is closed; and Mondays, Tuesdays and Wednesdays in the month of January 2010 except January 19, 20, 25, 26 and 27 is closed.

~~C.~~ B. Late season for divers, trappers, rakers and draggers

The Zone 2 season for divers, trappers, rakers, and draggers who have certified the late season on forms provided by the Commissioner, is open ~~December 15 to 17, December 22 and 23, and December 29 and 30, 2008, inclusive; and Mondays, Tuesdays and Wednesdays in the months of January, February, and March, 2009. Mondays, Tuesdays and Wednesdays in the month of December 2009, plus December 17, except December 1, 2 and 30 is closed; Mondays, Tuesdays and Wednesdays in the months of January, February and March 2010 except February 3, 10 and March 24, 29, 30 and 31 is closed.~~

~~D.~~ C. 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 ~~September~~ 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.

Proposed 2009 - 2010 Sea Urchin Season For Maine Zone 2

= Open = Closed

Early Season for Divers, Rakers, and Trappers

September 2009						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9 O	10 O	11 O	12
13	14	15	16 O	17 O	18 O	19
20	21	22	23 O	24 O	25 O	26
27	28	29 O	30 O			

October 2009						
S	M	Tu	W	Th	F	S
				1	2	3
4	5 O	6 O	7 O	8	9	10
11	12 O	13 O	14 O	15	16	17
18	19 O	20 O	21 O	22	23	24
25	26 O	27 O	28 O	29	30	31

November 2009						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4	5	6	7
8	9 O	10 O	11	12	13	14
15	16 O	17 O	18 O	19	20	21
22	23 O	24 O	25	26	27	28
29	30 O					

December 2009						
S	M	Tu	W	Th	F	S
		1 O	2 O	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17 O	18	19
20	21 O	22 O	23 O	24	25	26
27	28	29	30	31		

Early Season for Draggors

October 2009						
S	M	Tu	W	Th	F	S
				1	2	3
4	5 O	6 O	7 O	8	9	10
11	12 O	13 O	14 O	15	16	17
18	19 O	20 O	21 O	22	23	24
25	26 O	27 O	28 O	29	30	31

November 2009						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4 O	5	6	7
8	9 O	10 O	11 O	12	13	14
15	16 O	17 O	18 O	19	20	21
22	23 O	24 O	25	26	27	28
29	30 O					

December 2009						
S	M	Tu	W	Th	F	S
		1 O	2 O	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17 O	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30	31		

January 2010						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18 O	19	20	21	22	23
24	25	26	27	28	29	30
31						

Late Season for Divers, Draggors, Rakers, and Trappers

December 2009						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17 O	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30	31		

January 2010						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18 O	19 O	20 O	21	22	23
24	25 O	26 O	27 O	28	29	30
31						

February 2010						
S	M	Tu	W	Th	F	S
	1 O	2 O	3	4	5	6
7	8 O	9 O	10	11	12	13
14	15 O	16 O	17 O	18	19	20
21	22 O	23 O	24 O	25	26	27
28						

March 2010						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4	5	6
7	8 O	9 O	10 O	11	12	13
14	15 O	16 O	17 O	18	19	20
21	22 O	23 O	24 O	25	26	27
28	29	30	31			