

**Department of Marine Resources**  
**NOTICE OF AGENCY RULE-MAKING PROPOSAL**

**RULE TITLE OR SUBJECT:** Chapter 41.05 Territorial Waters Trawl Prohibition

**CONCISE SUMMARY:** The proposed regulations would prohibit the use of any otter, beam or mid-water trawl net on a vessel, or used by a vessel fishing in Maine's territorial waters to fish for or take Atlantic menhaden. This measure would provide consistency with rules already in effect for groundfish and herring.

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

**PUBLIC HEARINGS:**

**June 16, 2009,** 6:00pm, Scarborough Municipal Bldg, Chamber A, 259 Route 1, Scarborough

**June 18, 2009,** 6:00pm, Yarmouth Town Hall, Community Rm, 200 Main St, Yarmouth

*\*The public hearings for two proposed rules will be held in numerical order starting with the rules proposed in Chapter 55.90, followed by Chapter 41. The second hearing will be held immediately upon the conclusion of the previous hearing. See separate rulemaking notice for the rule not listed in this notice.*

**DEADLINE FOR COMMENTS:**      **June 29, 2009**

*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 PERSON:**      **Lt. Jon Cornish (207-633-9595)**

**Mail Written Comments to:**

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

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

Chapter 41 Menhaden

~~41.01 Menhaden Fishing and Transportation in Casco Bay  
(Expired by sunset provision December 31, 1983)~~

41.05 Territorial Waters Trawl Prohibition

It shall be unlawful to fish for or take Atlantic menhaden by vessels rigged with a mid-water, otter or beam trawl net in Maine's territorial waters.

41.10 Use of Purse, Drag or Stop Seines in Damariscotta River  
(See 55.02(C)).

41.20 Use of Purse, Drag or Stop Seines in Georges River  
(See 55.02(D)).