

Department of Marine Resources
NOTICE OF AGENCY RULE-MAKING PROPOSAL

RULE TITLE OR SUBJECT: Chapter 45.05(1)(A)(2) Shrimp Season, 2008– 2009

CONCISE SUMMARY: These proposed regulations would adopt, through the regular rule-making process, changes that become effective with the adoption of the emergency rules establishing the 2008– 2009 shrimp season. The proposed season would take place from December 1, 2008 through May 29, 2009. The season for the harvest of shrimp by trawl and by trap would be the same dates.

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

PUBLIC HEARING: None scheduled; one may be requested

DEADLINE FOR COMMENTS: Friday, December 26, 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 PERSON: Laurice U. Churchill (207-633-9584)

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/> **E-MAIL:** laurice.churchill@maine.gov

FAX: (207) 633-9579 **TTY:** (207) 633-9500 (Deaf/Hard of Hearing)

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

Chapter 45 – Shrimp

45.05 Shrimp season

1. Shrimp Season ~~2007-2008~~2008-2009

A. Harvest and transport

(1) Closed season.

It shall be unlawful to fish for, or take by any method, or to land, ship, transport or possess any shrimp except during the period from December 1 through May 31 of any year.

(2) Fishing Season

(a) It is unlawful for any person or vessel fishing with nets or traps to fish for, take, land, transport or to have in possession any Northern Shrimp (*Pandalus borealis*) except between the following dates, inclusive:

180 day season: December 1, 2008 through May 29, 2009.

~~152 day season: December 1, 2007 through April 30, 2008.~~

(b) Unbaited shrimp traps must be removed from the water no later than 5 days after the season is closed and no shrimp may be retained from traps hauled after the close of the season.

(c) On closed days, it is unlawful to fish for or land any shrimp during the entire 24 hour day; and it shall be prima facie evidence that any shrimp landed or possessed by harvesters during that period were taken during a closed day.

(d) It shall be unlawful to cull, grade, separate or shake shrimp, aboard any vessel, except by implements operated solely by hand. It is illegal to possess, aboard any vessel, any powered mechanical device used to cull, grade, separate or shake shrimp.

(3) Exception;

Any shrimp may be possessed, transported or sold during the closed periods or seasons by dealers provided the shrimp were legally obtained and the dealer is properly permitted or licensed to engage in that activity.

Additional information:

The Commissioner proposes these Northern Shrimp regulations for the 2008 – 2009 season to promote the conservation and sustainable utilization of the Northern Shrimp resource. The proposed rule making seeks to conserve the Northern Shrimp resource for utilization in the future. The proposed rule should have a long-term positive impact on commercial Northern Shrimp harvesters and the wholesale and retail seafood industry.

Please mail written comments at any time from the receipt of this notice to be received by the close of the business day Friday, December 26, 2008. See above contact information.